

**TUESDAY, APRIL 14, 2009**

**APPROVED MINUTES OF THE  
COUNTY BOARD OF COMMISSIONERS MEETING HELD**

**STATE OF MINNESOTA)  
COUNTY OF DODGE)**

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2009-07**

The Dodge County Board of Commissioners met in regular session April 14, 2009, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. David Hanson, Chair called the County Board of Commissioners meeting to order at 9:31 a.m. CDT.

Meeting Convened

The pledge of allegiance was recited.

Pledge of Allegiance

The Chair acknowledged those present and established that there was a quorum:

Those Present

Members present:	Klaus Alberts	District #1
	Lyle Tjosaas	District #2
	David Erickson	District #3
	David Hanson	District #5
Members absent:	Don Gray	District #4
Also present:	David McKnight	County Administrator
	Becky Lubahn	Deputy County Clerk

Motion by Erickson seconded by Alberts to approve and adopt the agenda as amended to switch the County Administrator and Tiffany Thompson's discussion items and move the request to award SAP 20-599-097 discussion item from the Public Works committee report to the full agenda. *Motion adopted unanimously.*

Agenda Approved

Support Services Supervisor Kelly Madsen introduced Rebecca Erding who is the new Office Support Specialist in the Human Services Department. The Board welcomed Ms. Erding.

New Employee  
Introduced

Commissioner Tjosaas arrived to the meeting at 9:33 a.m. CDT.

Commissioner  
Tjosaas Arrived

Sheriff Gary Thompson met with the Board to discuss his upcoming retirement.

Sheriff's Upcoming  
Retirement  
Discussion

Mr. Thompson informed the Board that after much consideration he has made the decision to retire as of June 30, 2009.

The Sheriff strongly recommended that the Board consider appointing Chief Deputy Jim Trihey to fill out the remainder of his term. Mr. Thompson noted that Mr. Trihey has been with the Sheriff's Office since 1988 and has worked as a patrol officer, an investigator and has been his Chief Deputy for the past six years. Mr. Thompson feels that the Chief Deputy is familiar with all facets of this office and has every confidence that Mr. Trihey will do an outstanding job as Sheriff.

Sheriff's Upcoming Retirement Discussion - Continued

Mr. Thompson thanked the Board for the professional working relationship that he has had with them during his tenure as Sheriff and stated that he is confident that they will have the same working relationship with the next Sheriff.

Commissioner Hanson commented that he hates to see the Sheriff go.

Commissioner Alberts concurred with Commissioner Hanson's comments and stated that he appreciated the work Mr. Thompson has done in his time as Sheriff of Dodge County.

The Board will be asked to formally accept the Sheriff's resignation at a later date.

County Administrator David McKnight informed the Board that a work session will be scheduled to further discuss the Sheriff's upcoming retirement.

Environmental Quality Director Mark Gamm and Solid Waste Facility Manager Terry Selthun discussed with the Board their request to replace a loader.

Loader Lease Approved

Mr. Gamm informed the Board that their 2001 Cat 924 wheel loader is the workhorse of their operation. The loader currently has about 9,200 hours on it.

Mr. Selthun updated the board on the condition of the loader. The 924 loader was purchased July 24, 2001 and has 9,164 hours on it. The loader needs to have extensive work done on the bucket. A new bucket could also be purchased for \$4,500. The loader needs to have the right side lift arm repaired and welded. The left side lift arm was repaired in December of 2006 at a cost of \$1,300. The Solid Waste Facility Manager noted that the operation cost for the loader goes up \$4.00 - \$5.00 per hour after 5,000 hours and at 9,000 hours the cost is \$9.00 - \$10.50 per hour according to the information Cat provided him. Representatives at Cat indicated that around 10,000 hours the engine and drive train repair start showing up and these repairs get costly.

The Environmental Quality Director reported that their 2009 budget includes the cost to replace the loader. They intended to purchase the loader with reserves, however, considering the economic conditions, they are proposing a lease-to-buy option with payments delayed until 2010. Buy delaying payment, they can build the lease cost into their fee formula and maintain their reserves at a safe level.

Mr. Gamm informed the Board that they plan to trade in their existing loader and purchase a new loader with features. They requested quotes from Minnesota Joint Purchasing Venture and received the following quotes:

Vendor	Loader	Price with Trade-In*
Ziegler, Rochester	Caterpillar 924h	\$82,420
St. Joseph Equipment, LaCrosse	Case 521 E XR	\$89,232
	John Deere	Could not meet lift height requirement.
	Volvo	Could not compete in this class of loaders.

The Solid Waste Facility Manager recommended that they be allowed to purchase the Cat 924h wheel loader. The Cat loader is the best fit for them at the Transfer Station and landfill. Mr. Selthun reported that John Deere, Case and Cat let the Transfer Station employees use their wheel loaders. The employees had the following comments after using the equipment:

Loader Lease  
Approved -  
Continued

The 924h loader has the reach they need with the bigger bucket, they know they are dependable and they would not need to retrofit any of their attachments or buy new attachments. The service has always been good with Cat, which is located in Rochester.

The 521 E XR Case loader had good visibility but it did not have the reach that they needed unless they went to a bigger bucket. Case did not recommend they go with a bigger bucket. If they needed the bigger bucket Case suggested that they go with the next size loader the 621XR. Case would convert three of their attachments to fit their loader because it was cheaper to convert the attachments than to price three new attachments.

The John Deere Loader did not have the reach they needed with their bucket and their attachments would be hard to retrofit to fit the John Deere Loader. They would need to purchase new attachments.

They asked Volvo to test their loader and at first their sales representative said they could but never brought the loader down for the employees to test drive. The salesman later said that he could not compete price wise because his loader was going to be more expensive and he was not going to waste their time to bring a loader down to test drive if it was not a sure sale.

Motion by Alberts seconded by Erickson to approve and authorize the Environmental Quality Department to purchase a Cat 924h from Ziegler's at a cost of \$82,420 with trade-in.

Discussion took place regarding purchasing vs. leasing the equipment.

Mr. Gamm clarified that they intended to purchase the loader with reserves, however, considering the economic conditions, they are proposing a lease-to-buy option with payments delayed until 2010. Buy delaying payment, they can build the lease cost into their fee formula and maintain their reserves at a safe level.

Motion by Alberts seconded by Erickson to approve and authorize the Environmental Quality Department to proceed with a lease-to-buy option with payments delayed until 2010 for a Cat 924h from Ziegler's at a cost of \$82,420 with trade-in. Also included in the motion was authorization for Environmental Quality to enter into a five year lease-to-purchase agreement with guaranteed purchase price of \$50,000. A \$250 fee will be added to the purchase price for the lease administration. The expected interest rate is 5.75%. *Motion adopted unanimously.*

Mr. Gamm and Mr. Selthun were thanked for their time in researching this request.

County Engineer Guy Kohlnhofer reviewed his request to award SAP 20-599-097.

Ashland Township  
Bridge SAP  
20-599-097 Bid  
Awarded

Bids were opened Thursday, April 2, 2009 for Ashland Bridge L-6473 on 660th Street with nine contractors submitting bids. This bridge is located two miles west of TH 56. Although the low apparent bidder was Fitzgerald Excavating & Trucking Inc., with a bid of \$105,494, an unacceptable alteration to the bid occurred resulting in the rejection of the bid pursuant to Minnesota Statute 161.32 Subd. 1c. as written below:

**Subd. 1c. Alterations and erasures.**

*A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid must be rejected unless the alteration or erasure is corrected pursuant to this subdivision. An alteration or erasure may be crossed out and the correction printed in ink or typewritten adjacent to it and initialed in ink by the person signing the bid.*

In a discussion with the MnDOT contracting office it was explained that the clause in our bid packet regarding the right to waive “defects and technicalities” cannot supersede state law and therefore cannot apply in this situation. Because the bid was not properly altered state statute requires the county to reject it.

The second lowest bidder is Swenke Co. Inc. with a bid of \$110,422. This bid is still below the engineer’s estimate and is an acceptable bid.

Motion by Tjosaas seconded by Erickson to approve and authorize the Highway Department to reject the altered bid from Fitzgerald Excavating & Trucking Inc. due to alteration and accept the bid from Swenke Co. Inc. for project # S.A.P. 20-599-097, Ashland Bridge in the amount of \$110,422. Construction will begin June 1, 2009. *Motion adopted unanimously.*

High Country Energy representative Tiffany Thompson provided the Board with a project update and CBED resolution clarification.

High Country Project  
Update & CBED  
Resolution  
Clarification

Commissioner Tjosaas expressed concern with infringing upon the City of Kasson’s rights to develop to the east.

Ms. Thompson reported that the project footprint map has been amended and takes into consideration the City of Kasson’s expansion plan for the east side of Kasson.

City of Kasson Planner Mike Martin reported that the city has communicated with the company and has voiced their concerns regarding the plan.

Commissioners discussed their support of CBED in Dodge County and whether or not their support was for county wide CBED.

Commissioner Tjosaas wanted to know if the company decides to merge with another company if the merger will have to be approved by the other 51% stock holders.

Ms. Thompson clarified that they would not have to have the merger approved but they could cease to be CBED.

High Country Project  
Update & CBED  
Resolution  
Clarification -  
Continued

It was the consensus of the Board that they are in support of CBED county wide and their 2008 resolution is generic in nature and applies county wide.

Ms. Thompson was thanked for the information.

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Boards consideration. Motion by Erickson seconded by Tjosaas to approve the following personnel actions:

Personnel Actions  
Approved

**A. Sheriff's Office**

- A.1 Mark Dyshaw – Deputy Sheriff  
Step increase from C41 48 month step \$23.56 to C41 60 month step \$24.35.  
Effective Date: 3/10/09
- A.2 Ryer Anderson – Deputy Sheriff  
Step increase from C41 60 month step \$24.35 to C41 72 month step \$24.93.  
Effective Date: 3/16/09
- A.3 Jeff Hoffman – Deputy Sheriff  
Step increase from C41 48 month step \$23.56 to C41 60 month step \$24.35.  
Effective Date: 3/24/09

**B. Human Services**

- B.1 Lynn Beckard – Social Worker  
Step increase from C42 step 5 \$21.37 to C42 step 4 \$22.18.  
Effective Date: 4/11/09
- B.2 Karen Smith – Case Aide - .8 FTE  
Step increase from B22 step 3 \$16.25 to B22 step 2 \$16.78.  
Effective Date: 4/8/09
- B.3 Sandy Gilbertson – Child Support Officer - .4 FTE  
Step increase from B23 step 3 \$16.74 to B23 step 2 \$17.26.  
Effective Date: 4/17/09
- B.4 Patricia Kuehl – Financial Worker  
Accept resignation and approve separation agreement.  
Effective Date: 3/30/09
- B.5 Jodi Schutz – Financial Worker – On-Call  
Authorization to employ at B22 step 1 \$17.33 to fill temporary vacancy.  
Effective Date: 4/3/09
- B.6 Jodi Rau – Financial Worker  
Regular status and step increase from B22 step 8 \$13.85 to B22 step 7 \$14.30.  
Effective Date: 4/23/09
- B.7 Deloris Scherger – Support Enforcement Aide  
Annual review.  
Effective Date: 4/15/09

Personnel Actions  
Approved -  
Continued

- B.8 Social Worker – FT Temporary  
Authorization to post and fill full-time temporary social worker position.  
Effective Date: 5/1/09 – 8/31/09
- C. Attorney's Office**
- C.1 Tabatha Durand – Legal Secretary - .5 FTE  
Resignation.  
Effective Date: 3/4/09
- C.2 Legal Secretary - .5 FTE  
Authorization to post and fill vacancy created by resignation.  
Effective Date 3/10/09
- D. Public Health**
- D.1 Mary Medinnus – PHN I  
Resignation.  
Effective Date: 4/1/09
- D.2 Heather Angell – PHN I  
Authorization to change status from PHN I On-Call C42 step 7 \$19.87  
(+\$3 R/R) to PHN I MCH Lead .6 FTE C42 step 3 \$23.01 (+\$3 R/R).  
Effective Date: 4/15/09
- E. Highway**
- E.1 Chad Leonhardt – Seasonal Highway Maintenance  
Authorization to employ at A13 step 10 \$10.37 not to exceed 6 months.  
Effective Date: 5/18/09
- E.2 Brad Bordelon – Seasonal Highway Maintenance  
Authorization to employ at A13 step 10 \$10.37 not to exceed 6 months.  
Effective Date: 5/18/09
- E.3 Tom Cashel – Engineering Technician III  
Annual review.  
Effective Date: 3/27/09
- E.4 Warren Schwenke – Engineering Supervisor  
Annual review.  
Effective Date: 3/27/09
- E.5 Rory Zelinske - Operator IV  
Authorization to change status from Operator III \$19.06 to Operator IV  
\$19.28 to fill approved vacancy.  
Effective Date: 4/15/09
- F. Administration**
- F.1 Duane Hansen – Custodian/Maintenance  
Authorization to employ at A13 step 4 \$13.23 to fill approved vacancy.  
Effective Date: 4/27/09
- F.2 Matt Maas – Emergency Management Director  
Six-month review.  
Effective Date: 3/2/09
- Motion adopted unanimously.*

Tax Services Director Rose Culbertson reviewed bills with the Board. Motion by Tjosaas seconded by Alberts to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

Bills Approved

01	Revenue Fund	\$248,899.36
11	Human Services Fund	\$ 155.14
13	Road and Bridge Fund	\$ 21,260.18
16	Environmental Quality Fund	\$ 56,233.58
32	County Capital Projects	\$ 67,169.54
80	Agency Fund	<u>\$ 350.00</u>
	Total	\$394,067.80

It was noted that a payment to David Vanderheyden in the amount of \$1,190.00 on page two will be pulled for more information. This is a payment for attorney's fees on a case that is ten years old. *Motion adopted unanimously.*

Finance Director Lisa Kramer and Ditch Inspector Jim Hruska provided the Board with a county ditch annual report.

County Ditch Annual Report

Each year drainage authorities must submit an annual report to BWSR. This report is completed by the Ditch Inspector, and is presented for review before it is submitted. The report summarizes what has transpired with each drainage system during the preceding year. The summary for county ditches 1, 4, 5, and 7 mentions that ditches 1 and 5 are in the process of re-determination but have not had their final hearings as of December 31, 2008, and that five inspections were completed for blowout areas.

Havana Ditch, JD #7, was checked for flood damage after the June rain, and the entire system was checked in conjunction with a brush control estimate.

Ripley Ditch, JD #11, was checked for flood damage after the June rain, and the entire system was inspected for a brush control estimate. In addition four areas were checked for side inlet repairs, three beaver dams were checked, a possible blockage was checked twice and no problem was detected either time. There were a total of eleven inspections throughout 2008.

The Board thanked Mr. Hruska and Ms. Kramer for the update.

County Assessor Wendell Engelstad presented for the Board's consideration regular and local option abatement requests.

Regular and Local Option Abatements Approved

Minnesota Statutes 375.192 provides that the County Board may grant the reduction or abatement of a property taxpayer's estimated market valuation and the resulting taxes, costs, penalties, or interest which have been erroneously or unjustly paid. This is different than the reductions and abatements in sections 469.1812 and 469.1815 which may be granted as an incentive for economic development and redevelopment. All applications must be written and approved by the County Assessor and the County Auditor before consideration by the County Board. The County Board may consider and grant reductions and abatements for applications as they relate to taxes payable in the current year and the two prior years.

However, abatements for the two prior years shall be considered and granted only for clerical errors and when the taxpayer fails to file for a reduction or an adjustment due to a hardship, as determined by the County Board.

Regular and Local  
Option Abatements  
Approved -  
Continued

Motion by Erickson seconded by Tjosaas to approve the following 2007 assessment changes for taxes payable in and 2008 and 2008 assessment changes for taxes payable in 2009:

Parcel ID	Owner	Street	City	Reason	Tax Reduction
09.036.1600 (2007 pay 08)	Gary & Marge Snyder	15372 640 <sup>th</sup> Street	Dodge Center	Home destroyed by fire on 5/27/08.	\$1,595
12.012.0100 (2008 pay 09)	Eugene Leckness	72427 220 <sup>th</sup> Avenue	Hayfield	Special Ag. Homestead not credited.	\$2,080
13.005.1301 (2008 pay 09)	Curt/Margaret Harris	58731 240 <sup>th</sup> Avenue	Mantorville	Class wrongly changed from Ag to Residential.	\$112
13.004.0701 (2008 pay 09)	Curt/Margaret Harris	58731 240 <sup>th</sup> Avenue	Mantorville	Class wrongly changed from Ag to Residential.	\$460
14.009.1500 (2008 pay 09)	Claire O. Johnson Jr.	24929 County Highway 24	West Concord	Class wrongly changed from Ag to Residential.	\$711
22.104.1000 (2007 pay 08)	Nicholas Smith	504 3 <sup>rd</sup> Avenue NW	Dodge Center	Error made in calculating EMV.	\$1,440 + \$240 pen.
22.402.0081 (2007 pay 08)	Jeremy & Joann Schulte	202 3-1/2 Avenue NE	Dodge Center	Occupied since 2005 but failed to apply for homestead.	\$255
24.126.0040 (2008 pay 09)	Weston/Deb Thompson	507 3 <sup>rd</sup> Avenue SW	Kasson	Daughter occupied since 2006, but failed to apply.	\$666
24.531.7009 (2007 pay 08)	Jason/Valerie Lindahl	1404 4 <sup>th</sup> Street NW	Kasson	Occupied since 2006 but failed to apply for homestead.	\$172
24.531.7009 (2008 pay 09)	Jason/Valerie Lindahl	1404 4 <sup>th</sup> Street NW	Kasson	Occupied since 2006 but failed to apply for homestead.	\$182

*Motion adopted, Erickson, Tjosaas, Hanson aye, Alberts nay.*

The County Assessor presented for the Board's consideration 2009 Assessment Agreement Log for the nineteen jurisdictions in Dodge County. Mr. Engelstad reported that each of the townships and cities has now returned their signed agreement along with their payment for the 2009 Assessment Fees. The total amount collected for the Assessment Fees in 2009 is \$97,141 or about a 4.5% increase over 2008.

2009 Assessment  
Agreements  
Approved

Motion by Tjosaas seconded by Erickson to approve the authorize the Chair and County Administrator to sign the 2009 Assessment Agreements and fees for assessment services rendered as follows:

CTV	TOWNSHIP/CITY	RETURNED AGREEMENT	TOTAL ASSESSMENT FEE	RECEIVED PAYMENT
7	Ashland Township	03-04-09	\$2,869	02-11-09
8	Canisteo Township	03-17-09	\$3,697	03-17-09
9	Claremont Township	02-09-09	\$3,444	02-09-09
10	Concord Township	03-05-09	\$4,029	02-17-09
11	Ellington Township	03-04-09	\$2,572	03-04-09
12	Hayfield Township	02-11-09	\$3,008	03-11-09
13	Mantorville Township	03-05-09	\$7,909	03-05-09
14	Milton Township	04-08-09	\$4,639	04-08-09
15	Ripley Township	03-16-09	\$2,258	03-16-09
16	Vernon Township	02-25-09	\$3,941	02-25-09
17	Wasioja Township	02-25-09	\$5,651	02-25-09
18	Westfield Township	02-26-09	\$3,340	02-26-09
21	Claremont City	02-13-09	\$2,642	02-13-09
22	Dodge Center	02-25-09	\$10,290	02-25-09
23	Hayfield City	02-04-09	\$5,598	02-19-09
24	Kasson City	02-17-09	\$23,169	03-02-09
25	Mantorville City	02-18-09	\$4,526	02-18-09
26	West Concord	03-09-09	\$3,549	02-27-09
27	Blooming Prairie City	02-11-09	\$9	02-11-09
<b>Grand Totals</b>			<b>\$97,141</b>	

2009 Assessment Agreements Approved - Continued

*Motion adopted unanimously.*

Assistant Zoning Administrator Melissa DeVetter presented for the Board's consideration the April 1, 2009 Planning Commission recommendations. Motion by Alberts seconded by Erickson to approve of the following action of the Planning and Zoning Commission recommendation as reviewed on April 1, 2009 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission Recommendation CUP #09-02 Approved

**Lowell Mollenhauer – CUP #09-02**

The first public hearing is to consider a request to establish a dog kennel in the Agricultural District. The applicant intends to have approximately eight dogs for breeding purposes. The property is 8.17 acres located in the SE ¼ of the NW ¼ of the SE ¼ of Section 22, Claremont Township. Lowell Mollenhauer is the applicant and the property owner.

The Planning Commission recommends approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The use shall comply with the Minnesota Department of Agriculture's "Best Management Standards for Care of Dogs and Cats by Dealers, Commercial Breeders and Brokers". These practices address requirements found in Minnesota Statutes 346 and include the following:

Planning Commission  
Recommendation  
CUP #09-02  
Approved -  
Continued

- a. Food
  - b. Water
  - c. Shelter
  - d. Confinement Area (including surface area requirements, temperature, ventilation, lighting, fire safety, and sanitation)
  - e. Exercise
  - f. Group Housing and Breeding
  - g. Females and Litters
  - h. Transportation and Shipment, and
  - i. Disease and Parasite Control
2. All pet waste, wash water, and other contaminated fluids shall be properly contained and collected in an on-site holding tank with oversight by the Dodge County Environmental Quality Department.
  3. An on-premise sign advertising the kennel shall not exceed a total of nine (9) square feet. The sign must meet the General Provisions of Section 1601 (Signs) and be properly permitted.
  4. Nuisance complaints shall result in review of the CUP by the Planning Commission and County Board.
  5. Every animal located on site shall be current on all vaccinations.
  6. The site shall be inspected on an annual basis by department Planning staff.
  7. Any change involving structural alterations, enlargement, intensification of use, or similar change not specifically permitted by the conditional use permit issued shall require an amended conditional use permit to be issued.
  8. Dodge County Zoning Permit shall be obtained before building.

*Motion adopted unanimously.*

Motion by Tjosaas seconded by Alberts to approve of the following action of the Planning and Zoning Commission recommendation as reviewed on April 1, 2009 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission  
Recommendation  
CUP #09-03  
Approved

**Nature Energies Inc – CUP #09-03** (Jerry Fiegel)

The second public hearing is to consider an application for a Conditional Use Permit to establish a Meteorological Tower in the Agricultural District. The property is 80 acres located in the W ½ of Section 5, Canisteo Township. Nature Energies, Inc is the applicant and Jerry Fiegel is the property owner.

The Planning Commission recommends approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Dodge County Zoning Permit shall be obtained before construction.
2. Meteorological Tower shall be decommissioned by, and at the expense of the applicant within 60 days following the discontinuing of use.

*Motion adopted unanimously.*

Motion by Erickson seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission recommendation as reviewed on April 1, 2009 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission Recommendation CUP #09-04 (Review) Approved

**Natures Energies Inc – CUP #09-04** (Roger Chicos)

The third public hearing is to consider an application for a Conditional Use Permit to establish a Meteorological Tower in the Agricultural District. The property is 210.25 acres located in the SW ¼ of SE ¼ of Section 18, Ashland Township. Nature Energies, Inc is the applicant and Roger Chicos is the property owner.

The Planning Commission recommends approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Dodge County Zoning Permit shall be obtained before construction.
2. Meteorological Tower shall be decommissioned by, and at the expense of the applicant within 60 days following the discontinuing of use.

*Motion adopted unanimously.*

Representatives of Nature Energies were not available to provide the Board with an update on the Triple Creek Wind Farm high voltage transmission line proposal.

Triple Creek Wind Farm Proposal Update Delayed

County Attorney Paul Kiltinen provided the Board with a legal update.

Legal Update

The County Attorney left the meeting at 11:18 a.m. CDT.

County Attorney Left Meeting

County Administrator David McKnight presented for the Board's consideration a request to approve furniture purchase for the Service Center building.

Service Center Office Furniture Purchase Approved

Mr. McKnight shared with the Board a summary of the costs for the Service Center furniture and minor office equipment along with some additional information to help show them the extent of the furniture and equipment they are purchasing. The County Administrator indicated that they were past the stage where he needed to get this equipment ordered to allow enough time for delivery and installation.

The furniture/equipment cost summary showed that the County Administrator is proposing to order \$93,098.39 worth of office equipment, cubicles, waiting room furniture, conference room furniture, exam room equipment/furniture, storage shelving, etc. The amount of \$93,098.39 is higher than was first budgeted and higher than the Board would typically budget for in a construction project. Typically you would estimate 10% of construction costs as the amount to set aside for furniture. With our bids for this project that would have meant a furniture, fixtures and equipment budget of \$70,000.

The County Administrator stated that as we progressed through this project and over the past few months he allowed this project budget to grow to \$90,000 for two reasons:

1. The budget for the two projects we bonded for (Courthouse Roof and Service Center Project) have come out very good. The county has excess money budgeted in a few categories in both projects that has not been spent. It is important to remember that the county has to spend this money and has to spend it on these two projects. Mr. McKnight informed the Board that he will need to have additional discussions with them on this issue as there are still funds remaining.
2. By providing all new furniture in the Service Center we will not have to purchase much, if any, furniture for those departments that move into the current Public Health space in the courthouse. We will be able to reuse the furniture that is left behind.

Service Center Office  
Furniture Purchase  
Approved -  
Continued

The total cost of the furniture bid (\$93,098.39) includes \$75,384.24 worth of equipment that was ordered off of the state contract. The county therefore did not need to go out for bid on this project and we have a very good working relationship with Schmidt Goodman on office products. We have used Schmidt Goodman almost exclusively during the County Administrator's time with the county.

Mr. McKnight discussed the timeline with the Board. The plan at this time is to move Public Health over to the Service Center the week of May 25<sup>th</sup>. The building should be substantially complete with the county taking possession as early as next week. The normal delivery time for the furniture is four to six weeks. In addition the contractor will require another five to seven business days to installation. Since May 26<sup>th</sup> is six weeks from today the County Administrator worked with Commissioner Hanson and signed the contract for this project on April 8, 2009 to allow an additional week of delivery and set up time so we can move Public Health as planned. The County Board still needs to approve the County Administrator's signature on the contract with Schmidt Goodman.

Motion by Erickson seconded by Tjosaas to approve the signature of the County Administrator and/or County Board Chair on the agreement with Schmidt Goodman to provide office furniture, fixtures and equipment for the Service Center building in the amount of \$93,098.39. *Motion adopted unanimously.*

Commissioner Erickson provided a summary of the Human Services Committee report and action items.

Human Services  
Committee Report

Motion by Erickson seconded by Tjosaas to approve Human Services actions for February 2009, consistent with Human Services resolution #95-10:

Human Services  
Resolution #95-10 for  
February 2009  
Approved

- Authorize payment of all claims and bills received in the prior month.
- Approve all Financial Assistance case actions taken in the prior month.
- Approve all Social Services case actions taken in the prior month.
- Approve destruction of closed cases listed for destruction in the prior.

*Motion adopted unanimously.*

Amended Guardian-Conservator Services Contract Approved

The Board discussed the Human Services Directors request to amend the contract for guardian-conservator services. Since updating the Human Services guardian-conservator contracts to include requirements to be bonded and insured, it has become apparent that it is prohibitively burdensome for independent guardians-conservators to obtain such bonding and insurance. Accordingly, the Human Services Director recommended that the Board amend the contract recently executed to delete such a requirement.

Motion by Erickson seconded by Tjosaas to approve and authorize the amended guardian-conservator services contract as requested. *Motion adopted unanimously.*

Commissioner Tjosaas provided a summary of the Public Safety Committee report and action items.

Public Safety Committee Report

The Board reviewed the Sheriff’s request to approve the purchase of video surveillance, intercom and electronic door entrance equipment.

Sheriff’s Office Video Surveillance, Intercom & Electronic Door Entrance Equipment Purchase Discussion

The Sheriff proposed purchasing the following equipment with impound lot reserve account funds:

Vendor	Description	Bid Price
All Systems	Video Surveillance Equipment	\$10,596.00
Whitewater Wireless, Inc.	Intercom System	\$ 1,843.01
Custom Alarm	Electronic Door Entrance Controller	\$ 2,011.80
Custom Alarm	Electric Door Strike	\$ 985.00
Scott Binner Electric	Electrician	\$ 300.00
<b>Total</b>		<b>\$15,735.81</b>

No action was need at this time, the request will be brought back at a later date for action.

The Board discussed the Drug Court Coordinator’s request to approve a State of Minnesota contract amendment allowing MNCIS access to Drug Court Coordinator and Master Subscriber Agreement for Court Data Services.

State of Minnesota Contract Amendment Allowing MNCIS Access and Master Subscriber Agreement for Court Data Services Approved

Statewide, Drug Court Coordinators are responsible for accessing and entering data regarding in to the Minnesota Court Information System (MNCIS). Most Drug Court Coordinators are Judicial Branch employees and their access to MNCIS is governed by their employment contracts. However, because Eric Thompson is an employee of Dodge County, a specific agreement between the state and Dodge County affording him MNCIS access must be executed. In addition, a separate Master Subscriber Agreement for Court Data Services must also be executed by Mr. Thompson for MNCIS access.

The Dodge County Adult Drug Court has a grant contract with the State of Minnesota from January 30, 2008 through June 30, 2009. The state has drafted an amendment to that contract that allows the Drug Court Coordinator to access and enter Drug Court participant data into MNCIS.

The amendment to the grant contract and the Master Subscriber Agreement were reviewed by the Dodge County Attorney's Office. County Attorney Paul Kiltinen did not express any issues with the contract amendment or the Master Subscriber Agreement. Because the original grant contract is set to expire on June 30, 2009, Mr. Thompson is anticipating that Dodge County will be required to execute another contract affording him MNCIS access at some point in the near future. The contract does not include any grant language.

State of Minnesota  
Contract Amendment  
Allowing MNCIS  
Access and Master  
Subscriber  
Agreement for Court  
Data Services  
Approved -  
Continued

It is important to note that Mr. Thompson will only be able to access MNCIS in the Court Administrator's Office for the purpose of entering Drug Court participant data into the system. Court Administrator Nettie Hodge has already identified a computer in her office for the Drug Court Coordinator's use, is assisting him in setting up the appropriate MNCIS account with the Judicial Branch, and will provide him with the necessary training to access and enter information into the MNCIS system.

Motion by Tjosaas seconded by Erickson to approve and authorize the Chairman of the Board and Drug Court Coordinator to sign an amendment to the existing grant contract with the State of Minnesota. Also included in the motion was authorization for the Drug Court Coordinator to sign a Master Subscriber Agreement for Court Data Services. *Motion adopted unanimously.*

The Board reviewed the Emergency Management Director's request to approve the utilization of the Information Collection Engine (ICE) software.

Emergency  
Management ICE  
Software Agreement  
Approved

As part of a Homeland Security and Emergency Management Region One grant, Dodge County has access to a software program called ICE. This program is an information collection engine. This Program allows Dodge County Emergency Management access to find needed resources in the event of an emergency/ disaster situation. The initial cost for the program (\$745.50) is covered under grant funds.

There is an annual renewal fee of \$600.00 that would be covered under the Emergency Management budget.

Motion by Tjosaas seconded by Erickson to approve and authorize the Emergency Management Director to sign an Information Collection Engine Service Agreement with Mikkalson Corporation dba Enlyght Software to utilize the ICE software. *Motion adopted unanimously.*

Commissioner Alberts provided a summary of the Public Health Committee report and action items.

Public Health  
Committee Report

The Board discussed Public Health's request to accept donations for the Public Health Family Connections and Nest Programs.

Family Connections  
and Nest Program  
Donations Approved  
by Resolution  
#2009-26

Public Health received quilts from St. John's Lutheran Church Quilters Club, Kasson, MN valued at \$720.00 and Wal-Mart North, Rochester, MN has donated a \$50.00 gift card to the Family Connections Program. Public Health also received \$25.00 cash from KM Homemakers Club, Kasson, MN for the Public Health Nest Program.

Motion by Alberts seconded by Tjosaas to approve and authorize the Chair and Clerk to sign resolution #2009-26 in support of accepting donations for the Public Health Family Connections and Nest Programs:

Family Connections and Nest Program Donations Approved by Resolution #2009-26 – Continued

**WHEREAS**, the Dodge County Public Health Department has received donations from KM Homemaker’s Club, Kasson, MN, St. John’s Lutheran Church Quilters Club, Kasson, MN and Wal-Mart North, Rochester, MN; and

**WHEREAS**, the Dodge County Public Health Department wishes to accept these donations and utilize them for the purpose of the Nest and Family Connections Programs; and

**WHEREAS**, pursuant to Minnesota Statute 465.03, the county shall by resolution of the governing body adopted by a two-thirds majority of its members accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

**NOW THEREFORE BE IT RESOLVED**, that the Dodge County Board of Commissioners hereby accepts the following donations to be used for the Nest and Family Connections Programs:

KM Homemaker's Club, Kasson	\$ 25.00 (cash)
St. John’s Lutheran Church Quilters Club, Kasson	\$720.00 (quilts)
Wal-Mart North, Rochester	\$ 50.00 (gift card)

*Resolution adopted unanimously.*

The Board reviewed the Public Health Director’s request to approve the Local Public Health/Maternal Child Health Services 2008 Statistical/Expenditure Report and 2009 Local Public Health Budget.

Local Public Health/Maternal Child Health Services 2008 Statistical/Expenditure Report and 2009 Local Public Health Budget Approved

The Minnesota Department of Health Reporting Forms for 2008 were completed for Dodge County Community Health Services, Maternal Child Health Statistical/Expenditures and the 2009 Local Public Health Budget. The reports were presented, reviewed/discussed and supported by the Dodge-Steele Joint Board of Health on March 20, 2009.

Motion by Alberts seconded by Tjosaas to approve the Local Public Health/Maternal Child Health Services 2008 Statistical/Expenditure Report and 2009 Local Public Health Budget as presented. *Motion adopted unanimously.*

Commissioner Alberts provided a summary of the Public Works Committee report and action items.

Public Works Committee Report

The Board discussed the County Engineer’s request to approve out of state travel for two of the Highway Department employees.

Out-of-State Training Approved for Highway Department Employees

The Highway Department has the opportunity to send two of the guys to the Tomahawk Experience Center run by Case Equipment. This is a training and testing facility near Tomahawk, Wisconsin.

This training is offered by Case to its customers to become more familiar with the equipment they currently own or may possibly purchase. The classroom time is spent learning the specifications and mechanics of Case equipment as well as hands-on operation of existing equipment.

Out-of-State Training  
Approved for  
Highway Department  
Employees -  
Continued

Case will be bringing a bus through the area to pick up participants and will return them when finished. This is a two day familiarization service offered by Case at no cost to the county. Out-of-state travel request is being sought to send Bob Carstensen and Joe Allen to the familiarization training in Tomahawk, Wisconsin from April 16-17, 2009.

Motion by Alberts seconded by Erickson to approve and authorize out-of-state travel for Bob Carstensen and Joe Allen to attend familiarization training offered by Case in Tomahawk, Wisconsin as requested. *Motion adopted unanimously.*

The Board reviewed the Highway Department's request to approve the rental of a tractor to be used with a rotary mower that was purchased last year.

Highway Department  
Tractor Rental  
Approved

The Highway Department requests authorization to rent a tractor at the approximate cost of \$6,000.

At the November 12, 2008 County Board meeting, the Board approved the purchase of a rotary mower off of the state contract with the understanding that a tractor would need to be rented in order to operate the mower.

The Highway Department has planned to lease a 110hp+ tractor during the summer mowing operations. They expect to put between 300 and 400 hours on the leased tractor. Their current John Deere tractor is being used with the Tiger Mower and is averaging 529 hours/year.

The Highway Department received the following quotes for the tractor rental:

**Minnesota Ag Group:**

Case IH 100 HP PTO	\$14.90/hr
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**Ag Power:**

John Deere 6430	\$17.00/hr
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**St. Joseph Equipment:**

New Kubota (300 hrs)	\$26.00/hr
(400 hrs)	\$19.50/hr

Motion by Alberts seconded by Erickson to approve and authorize the Highway Department to rent a tractor from Minnesota Ag Group at the lowest quote of \$14.90/hr. *Motion adopted unanimously.*

The Board discussed the Highway Department's request to approve finalizing the 2008 bituminous paving contract and payment.

Finalized 2008  
Bituminous Paving  
Contract and  
Payment Approved

The 2008 contract for paving of CSAH 9, CSAH 35 (Clay St), CR H and Mantorville City streets is now complete. All work is complete and documentation turned in by the contractor and finalized. The final numbers are:

Project	Contract \$	Final \$	Cause of Difference
<b>CSAH 9</b> S.A.P. 20-609-024	\$650,263.80	\$672,702.69	Ride and density incentives.
<b>CR H</b> C.P. 20-0803	\$151,356.13	\$192,140.42	Additional bituminous for uneven pavement.
<b>CSAH 35 (Clay Street)</b> S.A.P. 20-635-005	\$ 80,820.84	\$115,154.92	Additional bituminous and curbing.
<b>City of Mantorville</b> 7045	\$ 58,473.75	\$ 59,000.67	-

Final contract amount due is \$52,377.43 of the total \$1,038,998.70.

Motion by Alberts seconded by Erickson to approve and authorize final payment of \$52,377.43 to Rochester Sand and Gravel for the 2008 bituminous contract. *Motion adopted unanimously.*

Commissioner Hanson presented a summary of the Administration Committee report and action items.

Administration  
Committee Report

Motion by Erickson seconded by Tjosaas to approve and authorize the March 24, 2009 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

03/24/09 Committee  
of the Whole Meeting  
Minutes Approved

Motion by Tjosaas seconded by Erickson to approve and authorize the March 24, 2009 meeting minutes as presented. *Motion adopted unanimously.*

03/24/09 Meeting  
Minutes Approved

Motion by Erickson seconded by Alberts to approve and authorize the March 31, 2009 work session meeting minutes as corrected on page 4. *Motion adopted unanimously.*

03/31/09 Work  
Session Meeting  
Minutes Approved

The County Administrator reviewed with the Board his request to approve cellular telephone agreements.

Cellular Telephone  
Allowances  
Amendments  
Approved

At the Board's February 10, 2009 County Board meeting commissioners approved cellular telephone agreements for four employees. These agreements call for a \$20 per month reimbursement to these employees for using their personal telephones as their work telephones.

Mr. McKnight informed the Board that we have five other employees who have had these same type of agreements in place for varying lengths, but their agreements are at the old rate of \$15 per month. The County Administrator would like to update these agreements to reflect the new rate of \$20 per month for all employees.

Motion by Tjosaas seconded by Erickson to amend the cellular telephone agreements with the following employees to reflect the new rate of \$20 per month retroactive to February 1, 2009:

- Loring Guenther
- Tobey Hicks
- Guy Kohlnhofer
- Jeff Mieras
- Paul Wiltgen

Cellular Telephone Allowances Amendments Approved - Continued

*Motion adopted unanimously.*

The Board discussed the Building Operations Supervisor’s request to approve a changes to the communications and 911 equipment room.

New Communications/911 Equipment Room Construction Cost Amendment Approved

At the March 24, 2009 County Board meeting approval was given to remodel an area for a new communications and 911 equipment room for \$16,319.50. Included in the cost was carpentry at \$2,875.00, electrical at \$1,903.50, plumbing at \$720.00 and air conditioning at \$10,821.00, installed.

A total of \$15,000 was the budget for this project. After further review the Building Operations Supervisor discovered that this remodel project will be over budget. Mr. Friedt mistakenly anticipated being able to cover the overage from other areas of his budget.

The Building Operations Supervisor is now recommending the purchase of another brand air conditioning unit at a lesser cost, same size, and as efficient. The brand is a Fujitsu at a cost of \$8,698.00, installed. This brand is newer to the a/c market in the last 5-6 year with good reviews of operation and maintenance and reasonably priced.

	<b>Original Recommendation</b>	<b>Proposed Change</b>
Carpentry	\$ 2,875.00	\$ 2,875.00
Electrical	\$ 1,903.50	\$ 1,903.50
Plumbing	\$ 720.00	\$ 720.00
A/C	\$10,821.00	\$ 8,698.00
Total	\$16,319.50	\$14,196.50

Motion by Alberts seconded by Tjosaas to approve and authorize an amended total of \$14,196.50 for the communications and 911 equipment room project.  
*Motion adopted unanimously.*

The Board reviewed the Building Operations Supervisor’s request to approve 2009 lawn care services.

2009 Lawn Care Services Approved

Dodge County received proposals for 2009 lawn care services for the Courthouse/Annex, Sheriff’s Maintenance Garage, Historical Society, vacant lot at 6<sup>th</sup> Street and Blanch and residential lot at 20 7<sup>th</sup> Street East locations.

The Building Operations Supervisor requested proposal information for weed control and fertilizer at four applications for combination spray, liquid or all granular per year, fall aeration and seeding, and hard surface spraying of weeds along sidewalks, curbs, planting beds and rock bed at the courthouse location only.

2009 Lawn Care Services Approved - Continued

Mr. Friedt provided the following proposal information:

VENDOR	(1) WEED CONTROL & FERTILIZER	(2) AERATION & SEEDING	(3) HARDSURFACE & BEDS WEED CONTROL
Bzoskie Lawn Care, Inc. Kasson, MN	\$426.74/yr (all granular)	\$500.00	included
Scanlon Mow 'N Snow Hayfield, MN	\$378.00/yr (4 liquid and granular)	\$450.00	\$ 50.00/time
MN Outdoor Maintenance Rochester, MN	\$464.40/yr (spray and granular)	\$499.00	\$ 99.00/time
Gibbs Lawn & Snow Care Kasson, MN	\$440.93/yr (4x liquid and granular)	\$527.18	\$ included

Proposals for mowing and trimming at the Courthouse/Annex, Sheriff's Maintenance Garage and Historical Society are as follows:

	(4) MOWING/TRIMMING Approximately 20 times per year*
Bzoskie Lawn Care	\$ 110.00/time or \$2,200.00
Scanlon Lawn Care	\$ 170.00/time or \$3,400.00
MN Outdoor Maintenance	\$ 185.00/time or \$3,700.00
Gibbs Lawn & Snow Care	\$ 133.13/time or \$2,662.60

\*Mowing times are approximate based on moisture throughout the growing season from April through October.

Tabulation:

	Bzoskie Lawn Care	Scanlon Lawn/Snow	MN Outdoor Maintenance	Gibbs Lawn Care
(1)	\$ 426.74	\$ 378.00	\$ 464.40	\$ 440.93
(2)	\$ 500.00	\$ 450.00	\$ 449.00	\$ 527.18
(3)	\$ included	\$ 50.00	\$ 99.00	\$ included
(4)	\$ 2,200.00	\$3,400.00	\$3,700.00	\$2,662.60
Total	\$ 3,126.74	\$4,278.00	\$4,712.40	**\$3,630.71

Motion by Tjosaas seconded by Erickson to approve and authorize Bzoskie Professional Lawn Service, Inc. of Kasson, MN to provide 2009 lawn care services to the county at the prices quoted. *Motion adopted unanimously.*

IT Director Paul Wiltgen was available to provide the Board with an update on the multi-function printer/copier contract with IKON but due to the fact that the County Recorder was not available to answer questions it was decided that action on this item would be postponed until the next County Board meeting in two weeks.

Updates to Lease Agreement for Multi-Function Printers/Copiers Discussion Postponed

The Board reviewed with Mr. Wiltgen his request to approve an agreement between Dodge County and the City of Mantorville for providing computer technical support.

Computer Technical Support for City of Mantorville Approved

For some years, the City of Mantorville has hired Mr. Roger Nolte to do computer support work. This arrangement has come to an end. Mr. Nolte is a Mantorville fireman, doing computer work on the side. The City of Mantorville has decided to look for more permanent computer service. The mayor of Mantorville, Luke Nash, has requested that the Dodge County IT department be allowed to provide technical support for the several computer systems located at the Mantorville city hall. Past experience for the city shows about 30 hours/year of computer work. The county IT department should be able to handle this extra work without impacting normal day-to-day responsibilities. Between Paul Wiltgen, Tobey Hicks and Jeff Mieras, one of the three of them should be able to respond in a timely manner to requests for technical support. Mr. Wiltgen visited the city hall, looked over the computer equipment and talked to the employees there. Things appear to be in good condition and well organized.

Motion by Alberts seconded by Tjosaas to approve and authorize the Chairman of the Board to sign an agreement between Dodge County and the City of Mantorville to provide computer technical support for an initial time period of the remainder of 2009. *Motion adopted unanimously.*

At the end of 2009, the IT department will evaluate this agreement and make a recommendation to the Board in January of 2010 on whether or not to continue.

Commissioners provided their agency reports. Commissioner Hanson attended a Committee of the Whole Work Shop, a Nest meeting, a Planning & Zoning meeting, a W.D.I. meeting, a W.D.I. Joint Powers meeting and a HRC Joint Powers meeting. Commissioner Alberts attended a Work Session and a Semcac meeting. Commissioner Gray was not available to report his meeting attendance. Commissioner Erickson attended a Corrections Task Force meeting, a Clean Water program, a Work Session, a Public Health Nest Program open house, a Planning and Zoning Committee meeting and a Regional Radio Board Joint Powers meeting. Commissioner Tjosaas attended a budget meeting, a Nest meeting, a Semcac meeting and participated in a Semcac conference call.

Agency Reports

Motion by Tjosaas seconded by Alberts to adjourn the meeting at 12:25 p.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on April 28, 2009 at 9:30 a.m. CDT.

Next Regular Meeting

**ATTEST:**

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**DAVID HANSON**  
**CHAIR, COUNTY BOARD**

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**BECKY LUBAHN**  
**DEPUTY CLERK**

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**DATED:**