

**TUESDAY, SEPTEMBER 8, 2009**

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

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

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2009-17**

The Dodge County Board of Commissioners met in regular session September 8, 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 9:30 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
	Don Gray	District #4
	David Hanson	District #5

Members absent:

None

Also present:

David McKnight	County Administrator
Becky Lubahn	Deputy County Clerk
Paul Kiltinen	County Attorney

Motion by Erickson seconded by Tjosaas to approve and adopt the agenda as amended to continue the meeting today until after the Fairview Care Center meeting on Tuesday, September 15, 2009 to allow for a parking lot project update. *Motion adopted unanimously.*

Agenda Approved

County Administrator David McKnight discussed the 2010 preliminary budget and tax levy with the Board.

2010 Preliminary  
Budget and Tax Levy  
Approved by

Pursuant to Minnesota Statute 275.065, each taxing authority shall adopt a proposed budget and shall certify to the county auditor the proposed tax levy for tax payable in the following year by September 15<sup>th</sup> of each year. The final tax levy, which can be lower than the preliminary tax levy but not higher, must be certified by December 28<sup>th</sup>.

Resolution #2009-44

The County Administrator shared with the Board the draft 2010 budget and tax levy.

Mr. McKnight stated that the budget preparation process for 2010 has been underway since January of this year. This was without question the most difficult budget development process that he has performed in the eight years that he has been with the county. This was due to the reduction in County Program Aid in 2008, 2009 and 2010 and the imposition of levy limits in the years 2009, 2010, and 2011.

The current draft of the budget and tax levy are as follows:

	<u>Draft #1</u>	<u>Draft #4</u>
2010 Budget	\$22,660,479 (4.94%)	\$21,943,422 (1.62%)
2010 Tax Levy	\$11,426,470 (18.82%)	\$ 9,904,965 (3.0%)

2010 Preliminary  
Budget and Tax Levy  
Approved by  
Resolution #2009-44  
- Continued

During the past week the county received information from the Minnesota Department of Revenue on our actual levy limit for 2010. Dodge County's 2010 levy limit is set at \$6,284,781. The county will be requesting to use four of the possible 20 special levies available to meet our tax levy needs for 2010. The special levies that we are requesting include:

Bonded Indebtedness	\$ 290,027
Operating/Maintaining a County Jail	\$ 677,516
Wages/Benefits of Sheriff Personnel	\$2,169,974
2008/2009 Unallotted Aids and Credits	\$ 294,420

This makes our actual 2010 levy limit \$9,716,718. This means that we still have \$188,247 to cut from our 2010 budget. The County Administrator proposed that Dodge County make the following cuts to the budget to meet this amount:

County Program Aid Adjustment	\$21,000
MCIT Adjustment	\$ 7,000
Cafeteria Contribution Adjustment	\$70,000
Sheriff Radio Adjustment	\$23,000
TBD	\$67,247

The County Administrator discussed with the Board setting the preliminary 2010 budget and tax levy.

Mr. McKnight reported that the County Board has the ultimate responsibility to set the 2010 preliminary tax levy. Their direction for the County Administrator throughout the budget process was to reach the state imposed levy limits. This budget almost reaches this directive.

Mr. McKnight discussed with the Board the preliminary/final tax levy and reported that he recently learned that Dodge County has a state imposed levy limit of 1.01%.

The County Administrator noted that as the County Board knows, once they set the preliminary tax levy they can lower that number as a part of the final tax levy but they cannot increase it. The past four budgets the County Board has set the following percentage increase in the preliminary and final tax levies:

	Preliminary Tax Levy	Final Tax Levy
2006	8.49%	7.35%
2007	6.37%	6.37%
2008	7.99%	7.35%
2009	4.75%	4.75%

Motion by Alberts seconded by Gray to approve and authorize the Chair and Deputy Clerk to sign resolution #2009-44 adopting the 2010 preliminary budget and tax levy:

2010 Preliminary  
Budget and Tax Levy  
Approved by  
Resolution #2009-44

**WHEREAS**, Minnesota Statute 275.065 requires Dodge County to adopt a proposed budget and certify the preliminary tax levy for taxes payable in the following year by September 15<sup>th</sup>; and

**WHEREAS**, Dodge County continues to have increased demands for services due to a number of factors including growth; and

**WHEREAS**, the Dodge County Board of Commissioners considers the growth of Dodge County a key factor in delivering services and helping to spread the cost of county government to additional taxpayers.

**NOW THEREFORE BE IT RESOLVED**, that the Dodge County Board of Commissioners hereby adopts the 2010 preliminary county budget at \$21,943,422 and certifies the 2010 preliminary tax levy at \$9,716,718.

**BE IT FURTHER RESOLVED**, that under state statute the County Board must announce at the meeting where the preliminary tax levy is set the time, date and location of the County Board meeting at which the final budget/tax levy will be discussed. This meeting will be held as a part of the County Board meeting scheduled for Thursday, December 10, 2009 at 6:00 p.m. in the County Board Room in Mantorville.

*Resolution adopted unanimously.*

The Board thanked the County Administrator for his work on the budget and tax levy.

Sheriff Jim Trihey requested authorization to accept a donation in the amount of \$200 from the McNeilus Steel Inc. and \$200 from eei Energy Economics, Inc. and establish a reserve account for the Sheriff's Youth Programs – Dodge County for sponsoring kids for camp during the summer. The creation of a reserve account would allow the Sheriff's Office to accept donations this year which could be held over until next year to sponsor kids who would be eligible to attend the Sheriff's Youth Program summer camp next summer.

Sheriff's Youth  
Programs – Dodge  
County Donations  
Accepted by  
Resolution #2009-45

Motion by Erickson seconded by Tjosaas to approve and authorize the Chair and Deputy Clerk to sign resolution #2009-45 accepting the McNeilus Steel Inc. and eei Energy Economics, Inc. donations to the Sheriff's Youth Programs – Dodge County:

**WHEREAS**, the Dodge County Sheriff's Office has received donations from McNeilus Steel Inc. and eei Energy Economics, Inc. in the amount of \$200.00 each for the Sheriff's Youth Programs – Dodge County for the purpose of sponsoring kids for camp during the summer; and

**WHEREAS**, the Dodge County Sheriff's Office wishes to accept these donations and establish a reserve account for the purpose of sponsoring kids for camp during the summer; and

Sheriff's Youth  
Programs – Dodge  
County Donations  
Accepted by  
Resolution #2009-45  
- Continued

**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 donations in the amount of \$400 from the McNeilus Steel Inc. (\$200) and eei Energy Economics, Inc. (\$200) and establishing a reserve account for the purpose of sponsoring kids for camp during the summer.

*Resolution adopted unanimously.*

Emergency Management Director Matthew Maas met with the Board to discuss FCC narrowband mandate options.

Radio System  
Upgrade Approved  
by Resolution  
#2009-46

The FCC has issued a mandate to become effective on January 1, 2013 for radio communications.

The Board has already heard a presentation on the engineering study completed by Federal Engineering on Dodge County's options to comply with this mandate. There has been a recommendation from the stakeholders on the radio system to go with option three which is the ARMER system.

Motion by Erickson seconded by Gray to approve and authorize the Chair and Deputy Clerk to sign resolution #2009-46 supporting the switch to the ARMER radio system:

**WHEREAS**, Dodge County will become a partner on the ARMER radio system to include the Dodge County Sheriff, Emergency Management and Highway departments as well as all emergency response agencies within Dodge County; and

**WHEREAS**, Dodge County will bear the initial cost of the radio equipment for these agencies with the replacement only of equipment already owned and inventoried by Dodge County Emergency Management; and

**WHEREAS**, emergency response agencies outside of county departments will be responsible for the maintaining of this equipment as well as the purchases of additional or future needed radio equipment.

**NOW THEREFORE BE IT RESOLVED**, that Dodge County commits to become a partner on the statewide ARMER radio system operating in the 700/800 MHz band and will bond for the initial equipment investment of approximately \$2,200,000.

Radio System  
Upgrade Approved  
by Resolution  
#2009-46 –  
Continued

*Resolution adopted unanimously.*

Commissioner Alberts expressed concern with the fact that state mandates will require Dodge County to update the current radio system at a significant cost without taking into consideration that there are already levy limits in place.

The Board thanked Matt Maas, Jim Trihey, Rick Eggert and the County Administrator for their work on the radio system upgrade.

Environmental Services Director Mark Gamm met with the Board to discuss an amendment to the Dodge/Olmsted Waste Management agreement.

Dodge/Olmsted  
Waste Management  
Agreement  
Amendment  
Approved

On August 25<sup>th</sup> and September 1<sup>st</sup>, 2009 the County Board discussed the proposed amendments to the Dodge/Olmsted Joint Solid Waste Management Agreement. The Board requested the County Attorney to review the amendments and relay recommendation to County Board for September 8, 2009 meeting. It was noted that the County Attorney has had an opportunity to review the amended agreement and did not have any issues with the proposed agreement amendment.

Mr. Gamm reported that staff from Dodge and Olmsted counties believes the proposed amendments simply improve the administration and clarify the intent of the joint powers board agreement.

Motion by Tjosaas seconded by Alberts to approve and authorize the Chair and County Administrator to sign the amended Solid Waste Management Agreement between Dodge County and Olmsted County as presented. *Motion adopted unanimously.*

The Environmental Services Director reviewed his request to approve a resolution to establish a waste management market price.

Market Price for Solid  
Waste Management  
Tax Established by  
Resolution #2009-47

Mr. Gamm reported that our proposed Waste-to-Energy Service Fee can be exempt from the Minnesota Solid Waste Management Tax. To receive this exemption, the county must identify the market price by resolution of County Board. With this resolution, residents and businesses will avoid paying about \$50,000 per year in state taxes on the Waste-to-Energy Service Fee.

Motion by Gray seconded by Alberts to approve and authorize the Chair and Deputy Clerk to sign resolution #2009-47 in support of establishing a market price for solid waste management tax:

Market Price for Solid Waste Management Tax Established by Resolution #2009-47 - Continued

**WHEREAS**, the Minnesota Solid Waste Management Tax requires political subdivisions to identify by resolution a market price if the political subdivision:

- a. Subsidizes the cost of service at a facility; or
- b. Directly bills on a property tax statement for organized collection of mixed municipal solid waste.

**WHEREAS**, the political subdivision will be liable for any solid waste management tax based only on the market price amount identified through the resolution; and

**WHEREAS**, the market price is identified in state statute as the “lowest price available in the area”; and

**WHEREAS**, Dodge County has performed research to identify the lowest price available in the area as summarized below:

Locations of MSW Disposal and Transfer Facilities:	Tipping Fee Per Ton	Miles Per Round-Trip	Cost Per Mile	Transport Cost Per Trip	Transport Cost Per Ton	Total Market Price/Ton
WMI Transfer Station, Austin	\$66.00	58	\$3.00	\$174.00	\$8.70	\$74.70
WMI Landfill, Lake Mills	\$31.40	140	\$3.00	\$420.00	\$21.00	\$52.40
Steele Co Landfill, Bixby	\$39.50	42	\$3.00	\$126.00	\$6.30	\$45.80
Waseca Co. TS, Waseca	\$57.27	84	\$3.00	\$252.00	\$12.60	\$69.87
Rice Co Landfill, Dundus	\$51.33	102	\$3.00	\$306.00	\$15.30	\$66.63
WMI Pine Bend LF, Rosemont	\$44.00	112	\$3.00	\$336.00	\$16.80	\$60.80

**NOW THEREFORE BE IT RESOLVED**, that Dodge County declares a market price of \$47 per ton based on a tipping fee amount of \$40 per ton at Steele County Landfill and additional transportation costs of \$7 per ton.

*Resolution adopted unanimously.*

Building Operations Supervisor Roger Friedt met with the Board to discuss sidewalk, curb and parking lot improvements.

The courthouse/annex and the maintenance garage locations have areas of concrete sidewalk, curb and pavement in need of replacement. The areas have deteriorated due to age of the concrete, freeze/thaw cycles causing heaving and uneven edges, use of de-icing salt causing pot holes in the walks and pavement, snow plowing equipment breaking concrete curbing and sidewalk edges.

These areas have been of concern for a number of years. From a safety standpoint these areas need to be replaced to minimize occurrences of tripping and falling and any related injuries. These areas have also been of concern from a maintenance standpoint as they continually are in need of patching and repairing and the patching and repairing materials loosen causing additional safety hazards.

These concrete repairs and replacement have been budgeted in the 2009 capital improvement budget. Proposals from concrete contractors have been received to make the necessary concrete repairs and replacement.

Sidewalk, Curb and Parking Lot Improvements Approved for Courthouse/Annex and Maintenance Garage

The budgeted amount for the Courthouse Annex was \$25,000.

The budgeted amount for the Maintenance Garage was \$30,000.

Sidewalk, Curb and  
Parking Lot  
Improvements  
Approved for  
Courthouse/Annex  
and Maintenance  
Garage – Continued

Contractor	Courthouse/Annex Sidewalk and Curb Areas	Maintenance Garage Pavement/Sidewalk
Muehlies Concrete	\$21,195.80	\$29,395.00
Thiemann Construction	\$16,841.50	\$25,996.80

Motion by Gray seconded by Erickson to approve and authorize Thiemann Construction, Inc. to provide the labor and materials to make the sidewalk, curb and parking lot improvements at the Courthouse/Annex location and the maintenance garage location for a total of \$42,838.30. *Motion adopted unanimously.*

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

Bills Approved

01	Revenue Fund	\$183,638.32
11	Human Services Fund	\$ 356.98
13	Road and Bridge Fund	\$ 37,024.56
16	Environmental Quality Fund	\$ 14,407.48
32	County Capital Projects	\$ 425.89
	Total	\$235,853.23

*Motion adopted unanimously.*

Employee Relations Director Lisa Hager presented the personnel agenda for the Boards consideration. Motion by Alberts seconded by Gray to approve the following personnel actions:

Personnel Actions  
Approved

**A. Highway**

- A.1 Chad Leonhardt – Seasonal Maintenance  
End of seasonal employment.  
Effective Date: 8/21/09
- A.2 Brad Bordelon - Seasonal Maintenance  
End of seasonal employment.  
Effective Date: 8/21/09

**B. Environmental Services**

- B.1 Sandy Schaefer – Septic System Coordinator/Account Technician  
Annual review.  
Effective Date: 8/8/09

**C. Sheriff's Office**

- C.1 Kevin Krause – Deputy Sheriff  
Step increase from C41 24 month step \$21.27 to C41 36 month step \$22.76.  
Effective Date: 8/26/09

- C.2 Joe Rau – 911 Dispatcher  
Step increase from B22 step 7 \$18.31 to B22 step 8 \$19.05.  
Effective Date: 8/27/09
- C.3 Christine Wolcott – 911 Dispatcher  
Step increase from B22 step 7 \$18.31 to B22 step 8 \$19.05.  
Effective Date: 8/19/09
- C.4 Matt Maas – Emergency Management Director  
Regular status and step increase from C41 step 2 \$25.17 to C41 step 1 \$25.86.  
Effective Date: 9/2/09
- D. Administration**
- D.1 Tobey Hicks – Information Systems Specialist  
Step increase from B24 step 7 \$17.22 to B24 step 6 \$17.64.  
Effective Date: 9/17/09
- D.2 Lisa Hager – Employee Relations Director  
Step increase from C43 step 5 \$28.49 to C43 step 4 \$29.59.  
Effective Date: 9/2/09
- D.3 Roger Friedt – Building Operations Supervisor  
Step increase from B32 step 2 \$21.06 to B32 step 1 \$21.48.  
Effective Date: 7/13/09
- E. Extension**
- E.1 Kirsten Weis – 4H Summer Assistant  
End of seasonal employment.  
Effective Date: 8/13/09

Personnel Actions  
Approved -  
Continued

*Motion adopted unanimously.*

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

Legal Update

Commissioner Erickson presented 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 consistent with Human Services resolution #95-10:

Human Services  
Resolution #95-10  
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.*

Commissioner Gray presented a summary of the Public Works Committee report and action items.

Public Works  
Committee Report

The Board reviewed the County Engineers request to approve the final payment for SAP 20-996-01.

Final Payment for  
SAP 20-996-01  
Approved

SAP 20-996-01 was a flood remediation project to construct a retaining wall and slope stabilization in Vernon Township on 720<sup>th</sup> Street.

Minnowa Construction, Inc. was the contractor on this project. The project was completed on June 11, 2009. The final contract amount was \$61,825 with the final payment amount being \$3,471.25.

Final Payment for  
SAP 20-996-01  
Approved -  
Continued

Motion by Gray seconded by Alberts to approve and authorize the final payment of \$3,471.25 to Minnowa Construction. *Motion adopted unanimously.*

The Board discussed the Highway Department's request to award SAP 20-599-102.

SAP 20-599-102 Bid  
Contract Awarded

Bids were opened Thursday, August 27, 2009 for a contract to construct Milton Township Bridge No. 20J37, 7.3 miles NE of Mantorville on 535<sup>th</sup> Street. The bids received are as follows:

<b>Plan Holder</b>	<b>Amount</b>
Fitzgerald Excavating & Trucking	\$44,667.00
Swenke Co.	\$45,057.50
BCM Construction	\$45,888.00
Schumacher Excavating	\$46,073.60
Blitz Construction	\$49,486.50
Jech Excavating	\$49,889.00
Midwest Construction	\$57,691.00

This project is to replace a small, steel beam structure located on 535<sup>th</sup> Street in Milton Township that is in poor structural condition with one line of box culverts.

The low bidder for this contract is Fitzgerald Excavating & Trucking with a bid of \$44,667. This is below the engineer's estimate. Funding for this project is from the Town Bridge account.

Motion by Gray seconded by Alberts to award the contract for project S.A.P. 20-599-102 to Fitzgerald Excavating & Trucking for the amount of \$44,667. Authority was given to the County Engineer to approve contract changes up to 15% of contract amount. *Motion adopted unanimously.*

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

Administration  
Committee Report

Motion by Erickson seconded by Gray to approve and authorize the August 25, 2009 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

08/25/09 Committee  
of the Whole Meeting  
Minutes Approved

Motion by Alberts seconded by Erickson to approve and authorize the August 25, 2009 meeting minutes as presented. *Motion adopted unanimously.*

08/25/09 Meeting  
Minutes Approved

Motion by Tjosaas seconded by Gray to approve and authorize the September 1, 2009 County Board/Department Head/Supervisor meeting minutes as presented. *Motion adopted unanimously.*

09/01/09 County  
Board/Department  
Head/Supervisor  
Meeting Minutes  
Approved

Motion by Gray seconded by Alberts to approve and authorize the September 1, 2009 work session meeting minutes as presented. *Motion adopted unanimously.*

09/01/09 Work  
Session Meeting  
Minutes Approved

The Board reviewed the Accounting Services Director's request to approve a fireworks display permit for Harvest Fest in Dodge Center.

Harvest Fest  
Fireworks Permit  
Approved

Harvest Fest is requesting a fireworks permit for September 19, 2009. The fireworks display will be at 63919 190<sup>th</sup> Avenue, Dodge Center, MN.

Motion by Erickson seconded by Gray to approve and authorize a fireworks permit for the Harvest Fest for September 19, 2009 pending the approval of the County Sheriff. The \$20 application fee has been paid and all required insurance documentation has been received. *Motion adopted unanimously.*

The County Attorney left the meeting at 10:23 a.m. CDT.

Attorney Left Meeting

Commissioners provided their agency reports. Commissioner Hanson attended a S.E.A.A.A. meeting, a Waste to Energy meeting, a budget meeting and a radio meeting. Commissioner Alberts attended a budget meeting, a Waste to Energy meeting and a road tour. Commissioner Gray attended a budget meeting, a Waste Energy meeting and a radio meeting. Commissioner Erickson attended a SCHA Quality Assurance Committee meeting, a public informational meeting on Waste to Energy Services changes, a continuation of County Board meeting on Waste to Energy Agreement, a work session on budgets and an Emergency Management & Sheriff meeting on radios. Commissioner Tjosaas attended a Semcac seminar, a public hearing and a work session.

Agency Reports

The County Administrator informed the Board that due to the Cash for Clunkers Program and the purchase of extended warranties for the two new vehicle purchases previously approved for Central Services will cost the county an additional \$2,439.23. This can be attributed to the demand for vehicles and the purchase of extended warranties for both vehicles. The new purchase amount plus the cost of tax and license for the 2010 Dodge Caravan and 2010 Ford Fusion will still be within the budgeted amount of \$40,000.

Central Services  
Vehicle Purchase  
Update

The following purchase price information was shared with the Board:

2010 Dodge Caravan	\$22,255.15
2010 Ford Fusion	\$16,561.39
Sub Total	\$38,816.54
Tax	\$ 2,523.08
License Fees	\$ 70.00
Sub Total	\$41,409.62
Sale of Damaged Van	(\$ 1,500.00)
Total	\$39,909.62

The Chair recessed the meeting at 10:30 a.m. CDT until Tuesday, September 15, 2009 at 9:15 a.m. CDT at the Fairview Care Center, Dodge Center, MN to discuss the parking lot project and allow time for a budget work session/seminary property issue.

Meeting Recessed

The Chair reconvened the meeting on September 15, 2009, in the Fairview Care Center meeting room, Dodge Center, MN, at 9:16 a.m. CDT.

Meeting Reconvened

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
	Don Gray	District #4
	David Hanson	District #5

Members absent: None

Also present: David McKnight County Administrator

County Administrator David McKnight updated the Board on the proposed parking lot project. The City of Mantorville voted on Monday, September 14, 2009 to deny the county conditional use permit request. The County Administrator advised the Board that the city attorney and city staff recommended approval of the conditional use permit.

Parking Lot Project Discussed

The direction of the Board was to keep the house in place for now, continue with the abatement process and allow the Sheriff's Office to train in the house.

The Board discussed the 2010 budget and a levy request from SEMMCHRA.

2010 SEMMCHRA Levy Request Denied

Motion by Alberts seconded by Gray to deny SEMMCHRA's 2010 levy request. *Motion adopted unanimously.*

Motion by Tjosaas seconded by Alberts to adjourn the meeting at 9:34 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on September 22, 2009 at 9:30 a.m. CDT.

Next Regular Meeting

**ATTEST:**

\_\_\_\_\_  
DAVID HANSON  
CHAIR, COUNTY BOARD

\_\_\_\_\_  
BECKY LUBAHN  
DEPUTY CLERK

\_\_\_\_\_  
DATED: