

TUESDAY, OCTOBER 26 2010

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2010-21

The Dodge County Board of Commissioners met in regular session October 26, 2010, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Lyle Tjosaas, 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:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy County Clerk
	Paul Kiltinen	County Attorney

Motion by Gray seconded by Hanson to approve and adopt the agenda as amended to include the addition of an Extension Committee appointment under the Administration Committee report. *Motion adopted unanimously.*

Agenda Approved

Friends of Wasioja Representative Don Smith met with the Board to discuss a request to declare November 11th as a Day in History in Dodge County.

November 11th
Proclaimed a Day of
History in Dodge
County

Motion by Hanson seconded by Erickson to approve and authorize the Dodge County Board of Commissioners to sign a proclamation in support of declaring November 11th a Day of History in Dodge County:

PROCLAMATION

The Dodge County, Minnesota, Commissioners and the Friends of Wasioja

BE IT PROCLAIMED:

Whereas, Thursday, November eleventh is Veteran's Day, a day of remembrance and honor for those who served in the military.

Whereas, a memorial has been erected at Seminary County Park by the Dodge County Commissioners and the Friends of Wasioja in remembrance of those brave individuals who served in the War Between the States.

Whereas, this memorial will be dedicated on this day, Thursday, November eleventh in the year Two Thousand and Ten.

November 11th
Proclaimed a Day of
History in Dodge
County - Continued

Now, Therefore: The Dodge County Commissioners, in conjunction with the Friends of Wasioja do hereby proclaim Thursday, November Eleventh Two Thousand and Ten, a Day of History in Dodge County, Minnesota.

Motion adopted unanimously.

Water Program Manager Dean Schrandt discussed with the Board his request to approve the continuation of the SE Minnesota Volunteer Nitrate Monitoring Network.

Continuation of SE
MN Volunteer
Nitrate Monitoring
Network Approved

Mr. Schrandt informed the Board that in cooperation with the Minnesota Department of Health, and the Minnesota Department of Ag, the Southeast Minnesota Water Resources Board, in 2007, was funded through a three-year, Clean Water Partnership (MPCA) grant to establish an eleven county, SE MN Volunteer Nitrate Monitoring Network, designed to track nitrate trends in groundwater. Approximately 85 landowners in Dodge County participated in the original grant.

The Water Program Manager reported that since nitrate trends often take longer than three years to develop, the grant is now being extended for the years 2010-2012, accompanied by a companion grant directed toward a targeted, sub-network of wells in each county. This sub-network will increase the wells being tested in Dodge County to approximately 110.

Mr. Schrandt reported that the combination of these two new grants will bring \$13,833 to the county. The county will be eligible to receive up to \$9,100 to implement the SE Minnesota Volunteer Nitrate Monitoring Network and \$4,733 for implementation of the targeted, sub-network monitoring project.

Motion by Hanson seconded by Alberts to approve and authorize the Chair to sign a sub-recipient agreement with the Southeast Minnesota Water Resources Board (SEMWRB) to continue the SE Minnesota Volunteer Nitrate Monitoring Network for an additional three years (2010-12). *Motion adopted unanimously.*

Motion by Erickson seconded by Hanson to approve and authorize the Chair to sign a sub-recipient agreement with the Southeast Minnesota Water Resources Board (SEMWRB) for the implementation of the targeted, sub-network monitoring project effective March 12, 2010 through December 31, 2013. *Motion adopted unanimously.*

SE MN Volunteer
Nitrate Targeted
Monitoring Project
Approved

SSTS Coordinator Sandra Schaefer presented for the Board's consideration a request to approve a payment for SSTS construction grants.

Payment for SSTS
Construction Grants
Approved

Ms. Schaefer reported that Dodge County received a Clean Water Amendment Grant for replacement of septic systems that are considered an Imminent Public Health Threat. Six systems were approved under this grant.

The following existing conditions information was shared:

Construction has been completed for all of the systems under the 2010 grant reimbursement. Six systems have received a “Certificate of Compliance” and all of the identified systems have been completed. The following addresses are asking for grant reimbursement:

Payment for SSTS
Construction Grants
Approved -
Continued

Date of Compliance	Vendor	Explanation	Cost
10/9/2010	16890 575th Street West Concord, MN	Completed Septic System	\$12,478.00
10/6/2010	69261 120th Avenue Blooming Prairie, MN	Completed Septic System	\$14,962.50
		Total Amount From Grant Funds	\$27,440.50

Motion by Alberts seconded by Gray to approve and authorize payment of \$27,440.50 for installation of two final septic systems from the grant funding for 16890 575th Street, West Concord, MN and 69261 120th Avenue, Blooming Prairie, MN. *Motion adopted unanimously.*

The SSTS Coordinator discussed with the Board her request to approve a 2011 SSTS Imminent Health Threat Abatement Grant.

2011 SSTS
Imminent Health
Threat Grant
Approved

Ms. Schaefer informed the Board that Dodge County applied through the Board of Water & Soil Resources (BWSR) for 2011 funding to upgrade septic systems through the Clean Water Amendment funding designated to protect our environment.

Dodge County was awarded a \$45,512 to replace three septic systems that have been identified as imminent health threats. This grant agreement is entirely state funded, and requires no match or monetary commitment from Dodge County.

The SSTS Coordinator noted that this is the second grant awarded to Dodge County through the Clean Water Amendment funding for septic systems.

Motion by Gray seconded by Alberts to approve and authorize Dodge County SSTS Coordinator, Sandra Schaefer to sign the proposed State of Minnesota Board of Water and Soil Resources Grant Agreement Fiscal Year 2011 SSTS Imminent Health Threat Abatement on behalf of Dodge County. *Motion adopted unanimously.*

Zoning Administrator Melissa DeVetter met with the Board to discuss her request to waive the application fee for two floodplain variance applications.

Floodplain Variance
Application Fees
Waived

Included in the Board packet were two requests to waive the application fee for a Variance from Section 1507.4 of the Floodplain regulation of the Dodge County Zoning Ordinance.

Ms. DeVetter noted that as fees are set by the County Board, the applicant's request has been forwarded to the County Board for consideration.

The applicants who are requesting the Variances have sustained substantial damage (damage greater than 50%) and are required to bring their structures into compliance with the existing Floodplain regulations, which requires them to elevate the structure on fill so that the lowest floor including basement is at or above the Regulatory Flood Protection Elevation.

Floodplain Variance
Application Fees
Waived - Continued

The Zoning Administrator reported that according to Section 1507.4 (Development Standards), "all structures, including accessory structures and/or additions to existing structures, shall be constructed on fill so that the basement floor, or first floor, if there is no basement is at or above the Regulatory Flood Protection Elevation (RFPE). The finished fill elevation shall be no less than one (1) foot below the RFPE and shall extend at such elevation at least 15' beyond the limits of the structure constructed thereon.

FEMA allows rebuilding of structures to the requirements of Technical Bulletin 1, which allows alternatives to elevating on fill, but only in instances where the local Ordinance permits it as a CUP. The Dodge County Zoning Ordinance does not currently list this type of construction as a CUP. However, the request could be processed as a Use variance under the hardship criteria of Chapter 18. A Variance cannot be used to permit a Use that is not allowed within the district, but (according to the courts) this type of criteria is used when applicants are asking to vary the performance standards for any permitted Use. In consulting with the State Floodplain Hydrologist who is responsible for administering and ensuring compliance with the National Flood Insurance Program, Dodge County was informed that, while not allowed as a CUP, the proper avenue through the County Ordinance to consider a request for this type of alternative construction would be through the Variance process.

The applicants are interested in rebuilding to the standards of Technical Bulletin 1 as an alternative to fill. The applicants' Variance requests are proposed to be considered by the Board of Adjustment according to the criteria for granting variances of Chapter 18 and Chapter 15 on November 16th, 2010. The lowest floor for Floodplain purposes would be at or above the RFPE for all structures constructed according to Technical Bulletin 1, provided the use of the space is also consistent with the requirements.

Ms. DeVetter stated that due to the flooding impacts, which were beyond the applicants' control and the need for the county to follow FEMA process, Dodge County Environmental Services has no objection to waiving the fee for the Variance applications in these cases. With the time of year, the timelines involved, and the need for a public hearing which will determine how the structures will need to be rebuilt, Dodge County Environmental Services is requesting that the decision on this issue be made at today's meeting.

Motion by Alberts seconded by Hanson to approve and authorize waiving the Floodplain Variance Application fee of \$646.00 for both Wayne Minto and Jeanne Postier as requested. *Motion adopted unanimously.*

The County Attorney provided the Board with a legal update.

Legal Update

County Assessor Wendell Engelstad reviewed with the Board his request to approve regular and local option abatements.

2010 Assessment
Change Approved

Mr. Engelstad informed the Board that 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.

Minnesota Statutes 273.1233 also provides for a Local Option Abatement of taxes payable in the year of and the year after a natural disaster such as a fire, flood, or tornado. These are different than the reductions and abatements in sections MS 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.

Motion by Gray seconded by Alberts to approve the following assessment change for taxes payable in the year indicated:

Parcel ID	Owner	Street	City	Reason	Tax Reduction
R13.029.0100 (2009 pay1 0)	Sterling Larson	61907 State Highway 57	Kasson	Misclassified from RVL to commercial.	\$738.00

Motion adopted unanimously.

The Board reviewed the Building Operations Supervisor's request to approve 2010-2011 snow removal services.

2010-2011 Snow
Removal Services
Approved

Mr. Friedt reported that snow removal service agreements are up for renewal. Dodge County's current snow removal contractors are interested in continuing their services with the county for the 2010-2011 season. Last season Swenke Company Inc. from Kasson provided snow removal at the courthouse and maintenance garage and sand/salting in the parking lots. Wirth Septic Systems from Dodge Center provided snow removal at the Service Center in Dodge Center. Both contractors will provide this seasons' snow removal at the same equipment prices as last season.

Other snow removal contractors in the area were contacted for providing snow removal services this year, however, there was a poor response. Those that responded were not interested, did not want to take on additional customers, equipment was too small or did not answer the proposal requests.

Motion by Erickson seconded by Gray to renew snow removal service agreements with Swenke Company Inc., of Kasson, MN and Wirth Septic Systems of Dodge Center, MN to provide 2010-2011 snow removal services for the county at the same equipment prices as last season. *Motion adopted unanimously.*

2010-2011 Snow
Removal Services
Approved -
Continued

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board's consideration. Motion by Gray seconded by Erickson to approve the following personnel actions:

Personnel Actions
Approved

A. Sheriff's Department

A.1 Bobby Sendle – Deputy Sheriff - On-Call Resignation.

Effective Date: 10/15/10

A.2 Deputy Sheriff – On-call

Authorization to fill vacancy created by resignation.

Effective Date: 10/26/10

B. Human Services

B.1 Julie Holgate – Social Services Supervisor

Step increase from C51 step 5 \$29.13 to C51 step 4 \$30.34.

Effective Date: 10/4/10

C. 2011 Cafeteria Plan Contribution

C.1 Set 2011 cafeteria contribution amounts at \$765 for single and \$1,390 for family.

Motion adopted unanimously.

Ms. Hager discussed with the Board her request to nominate a Dodge County Commissioner for candidacy to the Southeast Service Cooperative (SSC) Board of Directors.

SSC Board of
Directors
Nomination
Approved

The Southeast Service Cooperative is looking for nominations for a two year term for someone representing Local Government Agencies. This nomination has to be made by the majority vote of the local board that holds an active membership in the Southeast Services Cooperative.

Printed ballots will be sent by U.S. mail to Southeast Service Cooperative active members on or about Monday, November 8. This ballot will include the names of all candidates whose nomination petitions have been received by the deadline listed. The background and experience of each candidate included in the nomination will be printed and distributed to all eligible voters. Each individual serving on the board or council of an active member agency will have one vote. Ballots must be returned to the Southeast Service Cooperative by Tuesday, December 21. The candidates with the highest number of votes will be declared elected in their respective category by the Southeast Service Cooperative Board Canvassing committee at the December meeting currently scheduled for Wednesday, December 22, 2010.

Commissioner Erickson nominated Commissioner Lyle Tjosaas as a candidate for the Southeast Service Cooperative Board of Directors, Don Gray seconded the nomination.

Motion by Gray seconded by Erickson to cease nominations and cast a unanimous ballot of candidacy for Commissioner Tjosaas to serve on the Southeast Service Cooperative Board of Directors. *Motion adopted unanimously.*

SSC Board of
Directors
Nomination
Approved -
Continued

County Administrator Jim Elmquist provided the Board with a quarterly financial report.

Quarterly Financial Report

Mr. Elmquist presented for the Board's consideration contracts for the Fairview Care Center roofing project.

Fairview Care Center Roof Project Contract Approved

At the September 28, 2010 County Board meeting the lowest base bid of \$246,500 from Allweather Roof of Austin, MN was approved to replace the existing ballasted roof and north deteriorated metal roof at the Fairview Care Center. At that time the contracts with Allweather were not available to sign and the motion to approve the bid did not include authorization for the Chair to sign the proposed contracts. Wold Architects has since requested the Chair's signature on a contract with Allweather for the Fairview Care Center roof project.

Motion by Gray seconded by Alberts to approve and authorize the signature of the County Board Chair on a contract with Allweather for roof repairs to the Fairview Care Center. *Motion adopted unanimously.*

Commissioner Erickson discussed with the Board a request to approve a resolution of support for South Country Health Alliance (SCHA) and the Freeborn County service area.

SCHA's Continued Service to Freeborn County for 2011 Approved by Resolution #2010-51

Motion by Erickson seconded by Gray to approve and authorize the Chair and Deputy Clerk to sign resolution #2010-51 in support of South Country Health Alliance's continued service to eligible enrollees of Freeborn County in 2011;

WHEREAS; South Country Health Alliance is a 14 County Minnesota Managed Care Organization authorized to provide managed care services in various Minnesota counties; and

WHEREAS; South Country Health Alliance has entered into a contract with the Center for Medicare and Medicaid Services (CMS) and is participating in Medicare Advantage as a Dual Eligible Special Needs Plan (SNP); and

WHEREAS; Freeborn County has been a participating Member County of South Country Health Alliance Member since 2001, but has chosen to discontinue its membership with South Country Health Alliance beginning 1/1/11; and

WHEREAS; South Country and Freeborn County have developed a mature and successful provider network that serves a significant Medicare and Medicaid enrollee membership located in Freeborn County; and

WHEREAS; the Freeborn County Board of Commissioners has approved Freeborn County Resolution #HS-10-6012010 in support of continuing to contract for the provision of managed care services to eligible Freeborn County residents through South Country Health Alliance for the 2011 service year; and

SCHA's Continued
Service to Freeborn
County for 2011
Approved by
Resolution #2010-51
- Continued

WHEREAS; to avoid disruption of service to the eligible enrollees, the Minnesota Department of Human Services has acknowledged that South Country Health Alliance would continue to serve the eligible enrollees of Freeborn County in 2011 as a part of its approved service area; and

WHEREAS; the member counties of South Country Health Alliance, in accordance with Minn. Stat. 471.59 and through Resolutions passed by their respected County Boards, have duly empowered the Joint Powers Board of South Country Health Alliance to provide managed care services as authorized under the term of the Joint Powers Agreement and By-Laws; and

WHEREAS; to ensure minimal disruption of service to the citizens of Freeborn County, the South Country Health Alliance Joint Powers Board has unanimously approved South Country Health Alliance Resolution #01-0610-0001 authorizing South Country Health Alliance to continue to provide managed care services to eligible enrollees living in Freeborn County in 2011;

NOW THEREFORE, BE IT RESOLVED; that Dodge County hereby ratifies the action of the South Country Health Alliance Joint Powers Board regarding the continuing provision of managed care service to eligible enrollees living in Freeborn County,

AND BE IT FURTHER RESOLVED; that Dodge County recognizes and acknowledges that the provision of managed care services to enrollees living in Freeborn County is subject to all the rights, obligations and conditions incident thereto; including those described in the South Country Health Alliance Joint Powers Board Articles and By-Laws and any contractual obligations incident thereto.

Resolution adopted unanimously.

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

Human Services
Committee Report

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

It was noted that a payment to Ziegler Inc. on page 1 for \$270.00 will be changed to read Ziebell Law Office. The payment is for court appointed attorney fees.

Motion by Alberts seconded by Gray to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	\$ 71,341.64
11	Human Services Fund	\$ 41.69
13	Road and Bridge Fund	\$ 41,031.48
16	Environmental Quality Fund	\$ 12,038.88
80	Agency Fund	\$ 125.00
	Total	\$124,578.69

Bills Approved -
Continued

Motion adopted unanimously.

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

Public Health
Committee Report

The Board reviewed the Public Health Director's request to approve an ACS Maintenance and Support Contract.

Ratification
Statement with
MCCC Approved

As Public Health moves forward with the Beacon grant which included funding to move the Public Health Software "Champ" currently being used to the "PH-Doc" software that all eleven Southeast counties will be using, the counties are required to ratify the PH-Doc Maintenance and Support Agreement between ACS State and Local Solutions, Inc. and the Minnesota Counties Computer Cooperative.

Motion by Alberts seconded by Gray to approve and authorize the Chair and County Administrator to sign a Ratification Statement with Minnesota Counties Computer Cooperative to ratify the PH-Doc Maintenance and Support Agreement between ACS State and Local Solutions, Inc. and the Minnesota Counties Computer Cooperative for the development of maintenance and support of PH-Doc for a term to coincide with the development of the PH-Doc 2012 Project.

Motion adopted unanimously.

The Board discussed Public Health's request to join the Minnesota Counties Computer Cooperative (MCCC) Community Health Service User Group.

Public Health
Authorized to Join
MCCC Community
Health Service
Users Group

Dodge County already has in place a Joint Powers Agreement and Amendment to the Joint Powers Agreement on file at MCCC and has in place approval for other Dodge County Department user groups. This request is to join the Community Health Service User Group. MCCC dues are currently \$1,200 per year but this fee will be covered by the Beacon Grant for 2011, 2012 and 2013. The cost to Dodge county for 2011, 2012 and 2013 will be Public Health's current annual fee for Champ support in the amount of \$7,000.00 for 2011, \$7,211 for 2012 and \$7,427 for 2013. 2012 and 2013 reflect a 3% increase per year. The other costs of acquisition, conversion and support which includes purchase of PH-Doc, training and installation, licenses, PH-Doc support, ACOM/Mn HIE exchange, H-Doc 2012 project, and base conversion cost for 2011, 2012 and 2013 will be paid by the Beacon Grant and PH-Doc in kind from PH-Doc owners totaling \$101,213. In 2014 it is estimated that costs to Public Health would be the annual support of \$19,209, MCCC dues \$1,312, and MN HIE Exchange \$2,302 for a total cost of \$22,823 per year. These costs are not exact but the best projected estimates provided. Also the PH-Doc owners are currently reviewing the annual support fee structure and are entertaining a different annual support formula based on size of the agency. If the proposed annual support formula was adopted it could mean up to a reduction of \$5,000 to the annual support fee.

Motion by Alberts seconded by Gray to approve and authorize Public Health's request to join the Minnesota Counties Computer Cooperative Community Health Service User Group at a projected cost of \$22,823 per year. *Motion adopted unanimously.*

Public Health
Authorized to Join
MCCC Community
Health Service
Users Group -
Continued

The Board reviewed the Public Health Director's request to approve a Cellular Telephone Agreement for a Public Health employee.

Cellular Telephone
Allowance
Agreement with
Public Health
Employee Approved

The request is to allow Mary Krebs, a Public Health employee, to enter into the Dodge County Cellular Telephone Allowance Agreement. It was noted that the County Administrator is supportive of this proposal.

Motion by Alberts seconded by Gray to approve and authorize Chair and County Administrator to sign a Dodge County Cellular Telephone Allowance Agreement with Mary Krebs as requested. *Motion adopted unanimously.*

The County Attorney left the meeting at 10:47 a.m. CDT.

County Attorney Left
Meeting

Commissioner Tjosaas 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 October 12, 2010 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

10/12/10 Committee
of the Whole
Meeting Minutes
Approved

Motion by Gray seconded by Erickson to approve and authorize the October 12, 2010 meeting minutes as corrected on page 213. *Motion adopted unanimously.*

10/12/10 Meeting
Minutes Approved

The Board reviewed IT Director Paul Wiltgen's request to donate a surplus laptop computer to Deputy Rich Allee to use when teaching DNR classes.

Donation of Surplus
Laptop to Teach
DNR Classes
Approved

Deputy Rich Allee teaches DNR classes, on a volunteer basis. He uses his own personal equipment for the presentations. Mr. Allee own computer is old, out-of-date, and doesn't always work properly. Rich Allee asked if the IT department would consider donating a surplus laptop to him to be used during these DNR classes. The IT Director does have an old laptop available that was recently taken out of service and not yet sold at auction which would serve Mr. Allee's needs. This donation would be made with the understanding that once donated the computer is no longer owned or managed by Dodge County, meaning the IT Department does not provide technical support; if the computer breaks, it breaks.

As a precedent, the county donated an old laptop to the Sheriff's Posse last year.

Motion by Erickson seconded by Alberts to approve and authorize the donation of a surplus laptop computer to Deputy Rich Allee to be used when teaching DNR classes. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Hanson attended an Emergency Management Joint Powers meeting, a Workforce Development meeting, a Fairview Care Center meeting and a District IX meeting. Commissioner Alberts attended a Fairview meeting, an AMC meeting, a Joint Powers Health meeting and a Fair Board meeting. Commissioner Gray attended a Care Center meeting, a work session and an AMC meeting. Commissioner Erickson attended a SCHA Utilization Committee meeting, a SCHA Executive Committee meeting, a Fairview Care Center meeting, a work session and a District IX meeting. Commissioner Tjosaas attended an AMC meeting and a Care Center meeting.

Agency Reports

Commissioner Tjosaas informed the Board that Dodge County needs to appoint someone to replace Kathy Lea on the Extension Committee. Mr. Tjosaas reported that Jackie Torrens is interest in serving on this committee.

Extension
Appointment
Approved

Motion by Alberts seconded by Hanson to appoint Jackie Torrens to serve on the Extension Committee to fill the remainder of Kathy Lea’s term. *Motion adopted unanimously.*

Motion by Hanson seconded by Gray to adjourn the meeting at 11:13 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on November 9, 2010 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

LYLE TJOSAAS
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPTY CLERK

DATED: