

TUESDAY, OCTOBER 28, 2008

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2008-20

The Dodge County Board of Commissioners met in regular session October 28, 2008, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Klaus Alberts, 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:	Becky Lubahn	Deputy County Clerk
	Paul Kiltinen	County Attorney

Motion by Erickson seconded by Tjosaas to approve and adopt the agenda as presented. It was noted that the request to approve a bike path easement at the fairgrounds which is listed under deferred business will be the first item discussed this morning. *Motion adopted unanimously.*

Agenda Approved

Commissioners were informed that the Dodge County Fair Board had an opportunity to review the proposed bike path easement agreement from the City of Kasson. County Attorney Paul Kiltinen and the attorney for the City of Kasson met to finalize language on the agreement.

Bicycle Path
Easement Approved
by Resolution
#2008-44

Mr. Kiltinen provided the Board with an update on the changes that were made to the proposed agreement.

Kasson City Planner Mike Martin was available to comment.

Motion by Tjosaas seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2008-44 in support of granting the City of Kasson an easement to the Dodge County fairgrounds for a bike path:

WHEREAS, Dodge County, a Minnesota political subdivision, owns certain land legally described in Exhibit "A" which is attached hereto and is made a part hereof by reference; and

WHEREAS, the City of Kasson has requested that the Board of County Commissioners, Dodge County, Minnesota grant to it a perpetual easement for bicycle path purposes; and

Bicycle Path
Easement Approved
by Resolution
#2008-44 -
Continued

WHEREAS, the Board of County Commissioners, Dodge County, Minnesota has determined that it is in the best interests of Dodge County to grant to the City of Kasson a perpetual easement for bicycle path purposes over the property located in Dodge County and legally described in the attached Exhibit "A".

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners, Dodge County, Minnesota as follows:

1. That Dodge County shall grant to the City of Kasson a perpetual easement for bicycle path purposes over the property described in Exhibit "A".
2. That the Chairperson of the Board of County Commissioners, Dodge County, Minnesota and the Dodge County Administrator are authorized to execute all documents necessary to grant said bicycle path easement to the City of Kasson.

Resolution adopted unanimously.

County Engineer Guy Kohlhofer and Maintenance Superintendent Dallas Ness met with the Board to discuss a request to purchase a new mower attachment for approximately \$20,000.

Highway Department
Mower Equipment
Purchase Discussion

Mr. Kohlhofer informed the Board that the mower they would like to purchase is available off of state contract for approximately \$20,000. The request is for an Alamo Falcon 15 Flex-Wing Rotary Mower. The mowing width is 15' with hydraulic blade motors.

The planned use of the new mower is to replace the two disc mowers currently being used by the department. Those mowers will be retained for use during heavy mowing periods. The new mower is a heavier duty mower than the disc system and will do a better job of venturing off of the top cut.

The Highway Department does not currently have a tractor to use with this mower. Their plan is to lease a tractor during the mowing season at an estimated cost of \$6,000. Mr. Kohlhofer reported that purchasing a new tractor may be considered in the future as the need is assessed. The current purchase price for a tractor of the required size (115hp) is approximately \$55,000.

The 2008 budget currently contains \$18,000 for the purchase of a new mower. The Highway Department will obtain the other \$2,000 from multiple subcategories within the shop budget.

Commissioner Gray expressed concern with purchasing a part for something the Highway Department does not have. It was Mr. Gray's opinion that the Highway Department staff does a good job with the equipment that they currently have. Commissioner Gray indicated that he would like to see other price comparisons for similar equipment before approving this request.

Highway Department
Mower Equipment
Purchase Discussion
- Continued

Discussion took place on the pros and cons of gear drive vs. hydraulic drive.

The Board directed the Highway Department to come back to the next meeting with additional price comparisons for the mower attachment.

Septic System Coordinator/Account Technician Sandra Schaefer and Solid Waste Facility Manager Terry Selthun discussed with the Board a request to approve an agreement with Swenke Company for the Transfer Station project.

Improvements
Contract for Transfer
Station Approved

Ms. Schaefer informed the Board that in late September they advertised for proposals for improvements at the Transfer Station. Improvements include expanding the yard to improve traffic flow and adding customer unloading areas. The lowest and only proposal submitted was from Swenke Company, Kasson, Minnesota. After negotiations with Swenke Company, the Environmental Quality office has drafted an agreement to pay unit cost prices with a total estimated construction cost of \$74,012. The date of substantial completion is December 1, 2008. No payment or performance bond is required but 10% of payment will be withheld until project is complete. It is Environmental Quality's intent to pay the entire project from their 2008 budget which includes expenditures from Environmental Quality's fund balance.

Motion by Gray seconded by Erickson to approve and authorize the Chair and County Administrator to sign a construction contract with Swenke Company for improvements to the Transfer Station at a cost of \$74,012 as requested. *Motion adopted unanimously.*

Building Operations Supervisor Roger Friedt and Kane and Johnson Project Designer/Manager Lindsey Scurlock reviewed with the Board change requests for cupola roofing materials.

Courthouse Cupola
Change Requests/
Directives Approved

Mr. Friedt informed the Board that Northfield Construction has submitted change requests or directives #6 and #7.

#6 – Northfield Construction is requesting to extend the re-roofing project calendar 30 calendar days due to delays in the cupola scaffolding.

#7 – Northfield Construction is deleting custom fabricating copper roofing materials for the dome of the cupola and replacing with a stamped patterned copper shingle and copper ridge caps. Add \$5,480.

Northfield Construction is deleting removal of 4,476 square feet of roof sheathing and disposal fees. Deduct: \$5,480.

Total amount of change: \$0.00.

The Board discussed with Mr. Friedt and Ms. Scurlock the reason for the delays in scaffolding, the difference in the material and cost for the cupola and the new completion date of November 28, 2008.

Courthouse Cupola
Change Requests/
Directives Approved -
Continued

Ms. Scurlock showed the Board samples of the proposed shingle and copper ridge cap.

Motion by Gray seconded by Hanson to approve and authorize change requests/directives #6 and #7 as requested. *Motion adopted unanimously.*

Taxpayer Services Director Rose Culbertson met with the Board to discuss an abatement request.

Property Tax
Abatement Request
Denied

Dennis Birch has submitted a request to abate the penalty for his 2008 second half property tax payment. Mr. Birch states that because of his wife's hospitalization and his own appointments at Mayo in Rochester for a serious health problem during the week of the 15th he forgot to pay his taxes until October 17th. To remain consistent with past decisions based on similar situations, it was Ms. Culbertson's recommendation that the request be denied.

The Board stated that they empathize with Mr. Birch's situation but could not support the request due to the fact that they have denied similar requests in the past.

Motion by Erickson seconded by Gray to deny the request of Dennis Birch to abate the penalty for his 2008 second half property tax payment in order to stay consistent with previously requested abatement requests. *Motion adopted unanimously.*

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

Bills Approved

01	Revenue Fund	\$100,786.26
11	Human Services Fund	\$ 98.23
13	Road and Bridge Fund	\$ 30,374.64
16	Environmental Quality Fund	\$ 57,511.49
64	Environmental Grant & Loan Fund	\$ 500.00
80	Agency Fund	\$ 1.50
	Total	\$189,272.12

A payment to John's Foods in the amount of \$1,784.74 for crime scene preservation control was added to the bills. The funds will be taken from the Sheriff's Department budget. *Motion adopted unanimously.*

The County Administrator arrived to the meeting at 10:25 a.m. CDT.

County Administrator
Arrives at Meeting

Commissioner Alberts provided a summary of the County Administrator's performance evaluation.

County Administrator
Performance
Evaluation Discussed

During the Board's October 14, 2008 meeting the Board held a closed session to conduct the annual performance review of the County Administrator. Under Minnesota Statute 13D, a public meeting may be closed to the public to conduct a performance evaluation unless the employee being evaluated requests to be evaluated in public.

State statute also requires that at the next meeting, the County Board summarize its conclusions regarding the evaluation.

Commissioner Alberts commented that the Board had a very positive discussion during the County Administrator's review. It was Mr. Albert's opinion that Mr. McKnight keeps the Board well informed of budget issues throughout the year, has handled emergency situations that have arose in the county professionally, and that the County Administrator has been successful in creating an atmosphere of ease within the courthouse.

It was the consensus of the Board that the work of the County Administrator over the past year has been very good.

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

Personnel Actions
Approved

A. Sheriff's Department

- A.1 Deputy Sheriff – On-Call
Authorization to fill vacancy created by status change.
Effective Date: 10/28/08
- A.2 Ryan Wright - Deputy Sheriff – On-Call
Authorization to hire at C41 Hire step \$17.99 to fill approved vacancy.
Effective Date: 10/28/08

B. Human Services

- B.1 Carrie Groth – Social Worker
Step increase from C42 step 8 \$18.54 to C42 step 7 \$19.24.
Effective Date: 10/29/08
- B.2 Shannan Thompson – Child Support Officer
Authorization to hire at B23 step 9 \$13.81 to fill approved vacancy.
Effective Date: 11/12/08
- B.3 Jodi Rau – Financial Worker
Six month review.
Review Date: 10/21/08

C. Recorder's Office

- C.1 Lindsay Stromback – Deputy Recorder
Step increase from B22 step 4 \$15.25 to B22 step 3 \$15.74.
Effective Date: 11/12/08
- C.2 Amy Kunkel – Data Entry
Authorization to change status from temporary to on-call.
Effective Date: 11/20/08

Personnel Actions

Approved -
Continued

D. Administration

D.1 David McKnight – County Administrator
Annual review.
Effective Date: 10/22/08

E. Public Health

E.1 Family Support Worker – On-Call
Authorization to post and fill vacancy created by change in status.
Effective Date: 10/28/08

Motion adopted unanimously.

At the request of Commissioner Gray the Planning Office was asked to provide the Board with an update on projects that have been discussed recently or projects that they had heard about.

Planning Projects
Update

Assistant Zoning Administrator/Compliance Officer Melissa DeVetter and Feedlot Officer/Ag Inspector Ken Folie provided the Board with an update on recent projects.

Derek Finstuen’s building changes were discussed. Mr. Finstuen’s conditional use permit request was for a curtain sided barn. The Dodge County Board approved the request with the change from a curtain sided barn to a tunnel ventilated barn.

Mr. Folie informed the Board that because they requested that the applicant build a tunnel ventilated barn in place of the original proposed curtain sided barn, site changes needed to be made. A tunnel ventilated barn is wider than the original proposed curtain sided barn and would not fit on the lot with the required set-backs. The land was resurveyed, recorded, and the building location adjusted to meet set-back requirements. An additional soil boring was done and new engineering plans submitted. Jeff Green was unavailable and suggested that Steve Lawler be present at the time of excavation to monitor whether there was a sink hole or other karst features present. Steve Lawler inspected the excavation and there were no karst features or sinkholes found. The concrete basin is now in, the concrete slats are on, and they are starting to build the barn.

Ms. DeVetter reported that the Highway Department did take measurements using GPS equipment to determine the set-backs. Stakes were put out marking the required 1,320 foot set-backs from the nearest neighbor. The barn was built with an additional 10 foot setback.

Mr. Folie noted that conditions have been met so far and that other conditions such as bio-filters and trees will need to be met as the project progresses.

Commissioner Erickson clarified that the exhaust fans in the building will now be situated on a different wall than previously proposed. The north wall will exhaust further away from the nearest neighbors. Trees also still need to be planted.

The second item discussed was the Collin Van Zuilen feedlot in Ellington Township.

Mr. Folie reported that the property will house a total of 9,600 nursery pigs in two barns at the feedlot site. There will be less than 500 animal units total in both barns.

Planning Projects
Update - Continued

It was noted that Ellington Township does have land use zoning for feedlots 500 animal units and larger. They referred to the counties set-backs when approving the Van Zuilen permit request which was less than 500 animal units.

Mr. Folie reported that he is involved in the process because of the MPCA 7020 Feedlot Rule for delegated counties. Dodge County is an MPCA delegated county to implement the feedlot rules for feedlots within the county. The MPCA does not delegate the feedlot rules to a township or city for enforcement. The township is involved with the land use portion of the request and once a feedlot is sited, the Feedlot Officer/Ag Inspector becomes involved with the implementation and enforcement of the 7020 Feedlot Rules, for building construction, feedlot operation and inspections. Ms. DeVetter is responsible for checking the set-backs and addressing compliance issues.

The Board briefly discussed other barns in the county.

Ms. DeVetter and Mr. Folie were thanked for the update.

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

Legal Update

The County Attorney left the meeting at 10:56 a.m. CDT.

County Attorney Left
Meeting

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

Human Services
Committee Report

Mr. Hanson reported that action on the Human Services' request to approve managed care organization(s) to serve Medical Assistance (MA) and General Assistance Medical Care (GAMC) recipients from Dodge County effective January 1, 2009 was not needed. The Department of Commerce has determined that South Country Health Alliance is a viable managed care organization contractor therefore no action is needed on this item.

Managed Care
Organization(s)
Discussed

The Board reviewed Human Services request to approve amendments to contract for MFIP-DWP employment and training services.

Amendments to
MFIP-DWP Contracts
Approved

The 2008 contract with Workforce Development, Inc. to provide employment and training services is being updated to reflect increases in state funding that have occurred since the contract was executed:

- \$1,500 for transportation expenses for MFIP and DWP participants.
- \$7,276.50 for supported work expenses for MFIP and DWP participants who require employer subsidy to obtain employment.

Motion by Hanson seconded by Tjosaas to approve amendments to contract for MFIP-DWP employment and training services as presented. *Motion adopted unanimously.*

Amendments to MFIP-DWP Contracts Approved - Continued

The Board discussed the Human Services Director’s request to approve a contract for food support employment and training (FSET) services for federal fiscal year (FFY) 2009.

FSET Services for 2009 Approved

A contract with Workforce Development, Inc. is being executed for the new FFY to provide:

- \$399 in employment and training services for certain Food Support recipients.

The county is required to purchase or provide these services up to the amount of the federal-state FSET grant we will receive for that period (\$399).

Motion by Hanson seconded by Tjosaas to approve and authorize a contract for Food Support employment and training (FSET) services for federal fiscal year (FFY) 2009 as presented. *Motion adopted unanimously.*

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

Public Works Committee Report

The Board reviewed the Environmental Educator’s request to approve a grant agreement with Kasson-Mantorville (K-M) Schools.

K-M Schools Environmental Grant Agreement Approved

Eagle Bluff Environmental Learning Center, near Lanesboro, provides extended stay environmental learning experiences for school groups. K-M School 5th graders are planning a three day trip there in May, with a focus on classes dealing with the water quality of ponds and streams as well as the karst environment of southeast Minnesota.

After being approached by K-M School, the Environmental Quality Department reviewed the curriculum taught at Eagle Bluff and recommended classes which would teach students a better understanding of how their actions impact both our water quality and geology systems. The Environmental Quality staff feels this type of educational opportunity fits well with the goals of their Comprehensive Water Plan.

Motion by Gray seconded by Erickson to approve and authorize the Chair and County Administrator to sign a grant agreement with K-M Schools to use \$1,500 from the Environmental Grant & Loan Fund to defray costs of attending an educational field trip to Eagle Bluff Learning Center. *Motion adopted unanimously.*

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

Administration Committee Report

Motion by Gray seconded by Tjosaas to approve and authorize the October 14, 2008 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

10/14/08 Committee of the Whole Meeting Minutes Approved

Motion by Erickson seconded by Hanson to approve and authorize the October 14, 2008 meeting minutes as presented. *Motion adopted unanimously.*

10/14/08 Meeting Minutes Approved

The Board reviewed the GIS Specialist's request to approve purchasing on-line mapping application/services.

On-Line Mapping Purchase Approved

The purpose of the on-line mapping is to provide web based access to GIS data for public, private and internal use.

The GIS Office Capital Improvement Plan for 2008 includes money for the purchase of on-line mapping. The budgeted amount in the CIP is \$35,000.

The total cost for this project will be \$30,380, this includes the following:

1. One time set up fee.	\$ 5,000
2. Core hosting fees.	\$16,200 (\$450/mo. X 36 mo.)
3. Comparable search module.	\$ 5,400 (\$150/mo. X 36 mo.)
4. Account management/password – authentication module.	<u>\$ 3,780</u> (\$105/mo. X 36 mo.)
TOTAL =	\$30,380

By purchasing three years of service up front, the county is saving \$5,000 off the one time set up fee. This project will also have possible revenue recapture from subscription sales to private companies.

The Schneider Corporation is the company that the IS office recommends purchasing the equipment from. Schneider Corporation has the best price offer, matched our needs very well and has excellent service. Also, the Schneider Corporation is currently providing services to seven other counties in Minnesota and approximately 40% of counties in Iowa.

The GIS office along with the IS, Assessor, Recorder and Environmental Quality Departments, recommend the purchase of on-line mapping from the Schneider Corporation as present.

Motion by Hanson seconded by Erickson to approve and authorize the GIS office to purchase from Schneider Corporation on-line mapping to provide web based access to GIS data for public, private and internal use at a cost of \$30,380. Funds will be taken from the GIS office Capital Improvement Plan. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Hanson attended a Fairview Care Center meeting, a County Trails meeting and an AMC District IX meeting. Commissioner Alberts attended an AMC meeting and a Public Health Joint Powers meeting. Commissioner Gray attended a Care Center meeting, an AMC District meeting, a Highway 14 meeting and an Energy meeting. Commissioner Erickson attended a DFO Advisory Board meeting, a SCHA Utilization Management Committee meeting, a Fairview Care Center Board meeting, an AMC District IX meeting and a Dodge County Fair Board meeting. Commissioner Tjosaas attended a Fairview Care Center meeting and an AMC meeting.

Agency Reports

Motion by Gray seconded by Hanson to adjourn the meeting at 11:33 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on November 12, 2008 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

KLAUS ALBERTS
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: