

TUESDAY, MARCH 28, 2006

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2006-06

The Dodge County Board of Commissioners met in regular session March 28, 2006, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CST. David Erickson, Chair called the County Board of Commissioners meeting to order at 9:30 a.m. CST. Meeting Convened

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 Gray seconded by Alberts to approve and adopt the agenda as presented. *Motion adopted unanimously.* Agenda Approved

The Board discussed the Sheriff's request to accept a donation from the United Way for the D.A.R.E. Program. Motion by Alberts seconded by Tjosaas to approve and authorize the Sheriff's Department to accept a donation in the amount of \$1,000.00 from the Dodge County United Way to be targeted for the D.A.R.E. Program. *Motion adopted unanimously.* United Way Donation for D.A.R.E. Program Approved

The Olmsted County Board of Commissioners and staff met with the Board to discuss waste delivery assurances. Waste Delivery Assurances

Olmsted County Board Chair Ken Brown provided information regarding trash collection in Olmsted County. Mr. Brown reported that they are considering three alternatives to their current collection system: Discussed with Olmsted County

1. Keep current hauling system but change the way customers are charged by their hauler.
2. Divide the county into trash hauling service districts where haulers would compete for contracts to serve each district.
3. The county buys trucks, hires drivers and creates a garbage hauling operation.

Commissioner Erickson wanted to know how the current agreement works with Olmsted County.

Environmental Quality Director Mark Gamm informed the Board that anything collected at the Dodge County Transfer Station goes to Olmsted County.

Waste Delivery
Assurances
Discussed with
Olmsted County -
Continued

Commissioner Erickson asked for clarification on Dodge County's role.

Mr. Brown stated that Dodge County's role would be to continue with the working relationship we currently have with Olmsted County.

Mr. Gamm commented that we need to watch this play out and see what happens. The Environmental Quality Director noted that they encourage haulers to leave the garbage here but the haulers do have the option to go outside of the state with the waste collected in Dodge County.

Ken Brown stated that they would encourage Dodge to strengthen this area in the agreement and require haulers to leave the waste from the county in the county.

It was Commissioner Alberts' opinion that Olmsted County and Dodge County would need their own trucks.

Concern was expressed that contracted haulers may continue to haul waste out of the state.

Mr. Brown reported that they have ways to determine where haulers are going by potentially installing GPS equipment on the trucks as well as monitoring the volume of waste brought in. If the waste volume goes down they would do some research to see if the haulers are violating their contract. Mr. Brown stated that they need to aggressively enforce contracts to ensure that they are getting the garbage.

Commissioner Alberts commented that Dodge and Olmsted County both recognize the value of the service.

Commissioner Gray questioned how you would regulate and compare service to propaganda. Mr. Gray was concerned with contracting with haulers that promised services that they could not deliver.

Ken Brown agreed that service is an issue. The services provided by haulers would be monitored and checked for compliance. If problems were discovered haulers would be fined for the violation.

Mr. Brown reported that the feedback he is hearing from the entities he has talked to is that they do not like option three.

Commissioner Erickson wanted to know the difference between option one and option two.

Ken Brown stated that with option one it is business as usual, the billing will change and the tipping fee will be lowered. With option two we would tell the haulers where they do their business and we do the billing. Under option two there would only be one hauler per zone and we would have to go through a formal bid process.

Waste Delivery
Assurances
Discussed with
Olmsted County -
Continued

Commissioner Erickson questioned if there was a difference in getting haulers to deliver to Olmsted.

Mr. Brown reported that contracts will be in place to determine where the waste is delivered.

Commissioner Hanson voiced his opinion that this is the way to go and appreciated the way Olmsted County is utilizing the renewable energy.

The Board took the information under advisement.

County Administrator David McKnight reviewed with the Board a request to consider membership in the Highway 14 Partnership. Mr. McKnight reported that Dodge County recently received its annual membership statement from the Highway 14 Partnership for 2006. This is an organization that Dodge County has belonged to for a number of years that works on obtaining funding for different portions of this highway.

Highway 14
Partnership
Discussed

The County Administrator noted that the County Board has discussed membership benefits in this organization each year since he has been here. Dodge County contributes \$1,000 annually out of the Highway Department budget.

The Board reviewed a contribution statement for 2006. This organization is recommending that counties each contribute \$1,500.

It was the consensus of the Board that the portion of highway that affects Dodge County is not a priority for this partnership and that they will not be addressing this stretch of road for another 20 years.

It was Commissioner Erickson's opinion that it is unlikely that the Department of Transportation will take a look at this stretch of road unless the death toll rises significantly.

It was Commissioner Gray's opinion that Dodge County receives no benefit from belonging to this partnership and felt that the money could be put to better use.

Commissioner Alberts agreed with Commissioner Gray and believes the county should pull its funding for the Highway 14 Partnership since there is no benefit to the county for its continued membership.

Motion by Gray seconded by Alberts to terminate membership in the Highway 14 Partnership. The County Administrator will notify the partnership of Dodge County's intent to terminate its membership. *Motion adopted unanimously.*

Planning Director Duane Johnson met with the Board to continue discussions on the Kevin & William Rohwer Conditional Use Permit request #06-09.

Rohwer CUP #06-09
Discussion

At the March 14, 2006 County Board meeting the commissioners requested that the applicant consider alternative sites. The commissioners also requested county staff to evaluate the capacity of the feedlot.

The original request was for a Conditional Use Permit to establish a feedlot of 960 animal units (2400 hogs) in the Ag District. The animals will be confined to a building approximately 51 x 388 feet with a beneath barn concrete pit for manure storage. The property is located in the SW ¼ of the SW ¼ of Section 16 of Wasioja Township. Kevin & William Rohwer are the applicants and Kenneth Rohwer is the property owner.

The Planning Commission recommends approval with the following conditions:

1. Compliance with the conditions provided in the Feedlot Advisory Report dated January 31, 2006.
2. An additional wind break of trees on the east side of the applicant's property.

Mr. Johnson shared the following staff report regarding feedlot capacity: As of March 22, 2006 staff reviewed a building plan layout for a mechanically ventilated building submitted by Will Rohwer. The plan shows a building that is 101 X 196 feet; with room for 80 pens having the capacity per pen of 30 finishing hogs which equals 2,400 head or 960 animal units. This barn will be approximately 19,796 square feet in size which represents eight square feet per pig space which is an industry standard.

The Planning Director noted that reports indicate that the feedlot will be 97% odor/annoyance free.

Commissioner Erickson stated that the conditional use permit was tabled at the last meeting to clarify the feedlots capacity.

Duane Johnson shared with the Board a sketch of how the proposed building will look. There will be a total of 80 pens. A wall in the middle of the building separates these pens leaving them 40 pens on each side of the building.

The Planning Director stated that under suggested standards for square footage per hog the illustration verifies that the capacity will not exceed 2,400 head.

Commissioner Hanson asked that the Planning Director elaborate further on questions regarding the proposed tunnel ventilated building.

Duane Johnson reported that with a tunnel ventilated system we can control odor more efficiently and that with a curtain system there is not enough information available to know how effective they are at controlling odor.

Commissioner Erickson stated that another concern brought up was that Will Rohwer would need 53 acres in order to build a home on the property.

Rohwer CUP #06-09
Discussion -
Continued

Kevin Rohwer stepped forward and provided the Planning Director with a letter stating that he will make available to Will three acres to add to this property in order to build a home. The letter will be on file in the Planning Office. It was noted that the additional three acres are located to the west of the proposed feedlot.

Commissioners discussed windbreak concerns. Kevin Rohwer stated that the windbreaks depend on the building layout. Windbreaks may be located on three sides.

Commissioner Alberts commented that it appears that all of the questions are geared towards the original site.

Will Rohwer discussed with the commissioners possible site locations and his reasons for staying with the original site plan. Mr. Rohwer informed the Board that they looked at a site in Claremont Township. This site is uneven and they do not travel to this area frequently making it an inconvenient location. Another drawback to this site was the topography. All of the manure would have to be hauled to the manure acres which are one mile to the east.

Mr. Rohwer informed the Board that the second site considered was a site near Highway 56. They looked at sites on the top of the hill and came to the conclusion that they would need to level off the top of the hill in order to build in this location. It was the applicant's opinion that the topography for this site was not desirable. Will Rohwer informed the Board that there was another hog unit to the northwest of the site which brings up concerns with disease control.

The applicant reported that the third site reviewed was the home place right on Highway 56 on the northeast side of the buildings. The problem with this site was that they have two homes under a ¼ mile away and that he could not get financing there because it was too close to his parents home.

Mr. Rohwer noted that in the proposed location he believes the lazy air flows to the northwest and away from nearby homes, making this a more desirable site.

Commissioner Erickson discussed the proposed tunnel ventilated system and the fact that it changed the structure of the building. Mr. Erickson also discussed the need for additional soil borings.

Assistant Feedlot Officer/Zoning Administrator Ken Folie confirmed that the original soil borings will work for this barn.

Commissioner Gray wanted to know if they were using the offset procedure if this would fit.

Duane Johnson commented that yes, there is a 97-98% offset which is very desirable with this type of building.

Rohwer CUP #06-09
Discussion -
Continued

Commissioner Erickson expressed concern with Attorney Jack Perry's comment that they wanted to finish the process then negotiate on the barn location after the permit was in hand.

Mr. Erickson reported that he did some research on this issue and learned that the county is dealing with a specific site and only that site. The permit is not transferable to another site. If the applicant was interested in moving the site location the Board would need to deny this site. Will Rohwer would then need to apply for a different site or withdraw the application for the original site. Commissioner Erickson stated that if Mr. Rohwer chooses to move the site that the new site location would have to go through the same process for approval. It was Mr. Erickson's opinion that they needed to deal with the site issue now.

Mr. Perry clarified his intent with the statement in question and noted that Mr. Erickson was correct in regard to the permit not being transferable to another site. The applicant's attorney commented that they felt that they were $\frac{3}{4}$ the way through the process and could negotiate with the neighbors another potential site once they had the permit.

Commissioner Erickson thanked Mr. Perry for the letter he received on property value diminution, the information helped clarify some questions and will be helpful in the Board's decision making process.

Mr. Erickson acknowledged that neighbors are concerned with the site location.

Commissioner Erickson was concerned that the letter from Mr. Perry came across as an attempt to use the county ordinance rules to bargain with the neighbors. Mr. Erickson indicated that he did not like to see the county ordinance used in this way. Commissioner Erickson commented that the applicant's reason for this site is because it is the one they want. It will be up to the commissioners to decide if the permit meets the criteria or not. Mr. Erickson stated that he did not like the comment in the letter in regards to allowing the public to negotiate the location. Commissioner Erickson did not dispute the applicants cost estimates or the other points about economic losses. Mr. Erickson reported that the County Board will decide on the application based on how it meets Dodge County's Planning and Zoning Ordinance.

Jack Perry commented on the letter and the language in the letter. The applicant did not initiate this discussion.

Commissioner Erickson reviewed the ordinance which states that the use will not be substantially injurious to the permitted uses nor unduly restrict the enjoyment of other property in the immediate vicinity nor substantially diminish and impair property values within the area.

Mr. Erickson stated that this issue is always very difficult to deal with and feels that argument can be made both ways. The proposed property owner, in this case the Rohwers, has the right to use and enjoy their property and the neighbors have their rights too. The ordinance says “the use will not be substantially injurious to the permitted uses nor unduly restrict the enjoyment of other property.” Commissioner Erickson voiced his opinion that what may be substantially injurious to one individual may well be considered not a problem for someone else. The same can be said of the statement “nor unduly restrict the enjoyment of other property.” The commissioners as representatives of the county and the overall population have to take all of this information into consideration when making their decision.

Rohwer CUP #06-09
Discussion -
Continued

Commissioner Erickson reported that the members of the Planning Commission which is made up of seven individuals from throughout the county were in unanimous agreement on the conditional use of this project. The Feedlot Advisory Board looked at this site and also agreed it met the standards spelled out in our ordinance.

Mr. Erickson stated that as a commissioner he has to weigh the rights and concerns of both sides. This responsibility is something that he does not take lightly. Commissioner Erickson indicated that he has read the concerns expressed by the neighbors and noted that many of these concerns have been expressed in other areas by neighbors of other proposed feedlots. Mr. Erickson felt that most of these concerns are dealt with by the conditions and rules that apply to both the construction of the facility and the rules that apply to the operation of the facility once it is occupied.

Commissioner Erickson commented that the required use of bio-filters should go a long way in dealing with the odor issue and felt that a properly designed windbreak would also aid the work of the bio-filter system as well as add to the appearance of facility.

Mr. Erickson noted that this type of facility is a permitted use within Dodge County and for the Board to deny this permit they would need to have specific reasons. The Board cannot just say they do not like the request and deny it based on that factor alone.

Commissioner Tjosaas shared with the Board his concerns regarding manure hauling and stated that in his opinion the manure should be injected into the ground.

The Planning Director informed the Board that sometimes it is not possible to inject the manure and that they needed to allow the applicant some flexibility in manure application. Mr. Johnson noted that it may not be feasible to inject manure because of weather conditions or equipment breakdowns. The Planning Director did not want the applicant to be locked into something he could not perform.

Commissioner Tjosaas wanted to know if anyone needs to be notified as to when and why the applicant cannot inject manure.

Rohwer CUP #06-09
Discussion -
Continued

Commissioner Erickson questioned what the capacity for manure was and if they would have to pump the pit.

Mr. Johnson reported that they must have capacity for nine months per ordinance but noted that the building could hold twelve months of manure.

Commissioner Hanson discussed the Feedlot Advisory Report and his desire to see the following changes: odor reduction percentage changed from 94% to 97%, change the annoyance free set back and a stipulation added that the bio-filters need to be in effect at the time of operation.

Duane Johnson informed the Board that the reason for waiting to install the bio-filter system was that the finish grade will move and settle and that the bio-filters will also move and settle if installed right away. Installing the bio-filters later allows time for the building to settle and eliminates the need to move the bio-filters. Mr. Johnson reported that they expect movement on the filters and that the additional time allows the building to settle. The Planning Director stated that this way the building site is able to go through a freeze and thaw cycle.

Commissioner Alberts questioned why it was necessary to install bio-filters in this manner on this particular building. Mr. Alberts commented that the Finstuen feedlot has the bio-filters situated on pillars and felt that this feedlot could also put their bio-filters on pillars.

The Planning Director informed Mr. Alberts that in this case the filter lies on the ground. Mr. Johnson noted that the Finstuen bio-filters flex and that are being looked at to see if this system is working. The Planning Director repeated that the time is set aside specifically so the ground can settle.

It was Commissioner Alberts' opinion that ground heaving is not going to be an issue.

Commissioner Hanson would like to see the following additions to the conditions:

- Item 12. spread areas be buffered to reduce risk to area ponds and rivers
- Item 13. tunnel ventilated system be specified

It was noted that these items were requested and agreed to by the applicant at the March 14, 2006 County Board meeting.

Buffer concerns were discussed.

Jack Perry reported that the applicant understands that on condition twelve that they would work with Mark Gamm to comply with NCRS plans. Mr. Perry preferred that the Board include all requirements of the permit in the conditions.

It was recommended that condition twelve read: any spread areas would need, by ordinance, to be buffered or bermed according to NCRS specifications.

Rohwer CUP #06-09
Discussion -
Continued

Commissioner Gray noted that he was still not happy with condition eight that states the bio-filters need to be installed and operational by September 30, 2007. Mr. Gray stated that for the neighbors he would like to see the bio-filters installed earlier. Commissioner Gray suggested putting the bio-filters on pillars so settling is not an issue. Mr. Gray was not in favor of the feedlot going all summer without the bio-filters.

Commissioner Erickson further discussed the Board's desire to see the bio-filters installed no later than September 30, 2007.

Commissioner Hanson wanted the conditions to reflect the fact that the building will be a tunnel ventilate system and that it will be 97% odor free.

Commissioner Erickson clarified that the producer has agreed to the tunnel ventilated system. Mr. Erickson commented that condition thirteen should include verbiage to state that the system will have bio-filters on the pit fans.

County Attorney Paul Kiltinen commented that it is not necessarily to add the conditions to the request since it is not a part of the conditional use permit.

Attorney Jack Perry stated that if it is not listed in the conditions it is not considered a requirement. If the added conditions are something the Board requires Mr. Perry felt the conditions should be listed on the conditional use permit. The applicant's attorney discussed his concern with the permit stating that the feedlot will be 97% odor free and not being able to meet that requirement.

The Planning Director informed the Board that they have no way of measuring the 97% offset.

Commissioner Alberts wished the applicant luck with the building but expressed disappointment that he did not move the site. Mr. Alberts reminded Mr. Rohwer that he has to live with the neighbors for a long time.

Commissioner Erickson thanked Will Rohwer and Jack Perry for their time and the information they provided.

Chuck Johnson representing fourteen neighbors near the proposed feedlot shared his concerns with the Board. Neighbors believe the building size is a concern.

Mr. Chuck Johnson believes that six sites were reviewed for the possible location of this feedlot, only three were address by Will Rohwer today.

Chuck Johnson shared with the Board a number of concerns the neighbors have with the project including the use of bio-filters.

Mr. Chuck Johnson informed the Board that if the permit is approved today they will be appealing the decision.

Rohwer CUP #06-09
Discussion -
Continued

Chuck Johnson reminded the Board that this permit is being compared to the Finstuen permit which was for a farrowing barn and the Rohwer barn would be a finishing barn.

Mr. Chuck Johnson indicated that there are also traffic concerns to consider with the location of this building.

Chuck Johnson discussed prevailing wind concerns and reviewed with the Board wind maps. Chuck Johnson provided the Board with an update on a lawsuit that took place in Iowa.

Commissioner Tjosaas wanted to know if the feedlot in Iowa had bio-filters on it.

Chuck Johnson stated that the person he talked to about the lawsuit did not say whether or not the barn had bio-filters installed.

Commissioners questioned the distance of the home in Iowa to the feedlot and the number of pigs housed in the building.

Commissioner Hanson stated that they are talking about two entirely different situations when comparing the lawsuit in Iowa to the proposal of Will Rohwer.

Commissioner Hanson stated that this is such an emotional issue and that commissioners are concerned about the residents and the applicant.

Mr. Hanson noted that he had concerns with the site location and being neighbor friendly.

Commissioner Hanson remarked that neighbors are concerned about water pollution. Staff presented methods to protect the water at the last meeting.

Mr. Hanson felt that the need for manure injection was there.

Commissioner Hanson informed those present that in his opinion water pollution is not a concern, it will be protected.

Mr. Hanson agreed that the bio-filter system is new but commented that he has had a chance to observe these and has seen what they can do and is happy with what he has seen.

Commissioner Hanson feels that the Rohwers are true to their word and work.

Mr. Hanson would like to have seen the Rohwers go to the neighbors.

Commissioner Hanson believes the Rohwers have their reasons for choosing the location they did and reminded those present that the Board cannot tell the Rohwers where to locate the building. The Board has to follow the ordinance when making a decision.

Rohwer CUP #06-09
Discussion -
Continued

Mr. Hanson indicated that he believes any leakage will be addressed immediately.

Commissioner Hanson reported that they do not hide behind the rules, they enforce them.

Mr. Hanson commented that the Planning Board and Feedlot Board have both approved this request.

Commissioner Hanson indicated that he feels this permit, if approved, will go before a judge but felt that they could not deny the permit because of the location.

Motion by Hanson seconded by Gray to approve the following action of the Planning and Zoning Commission as reviewed on March 1, 2006 with the reasons, recommendations and conditions as found in the individual permit:

Planning
Commissioner
Recommendation
CUP #06-09
Approved

Kevin & William Rohwer –CUP #06-09

The request for a Conditional Use Permit to establish a feedlot of 960 animal units (2,400 hogs) in the Ag District. The animals will be confined to a mechanically ventilated building approximately 101 x 196 feet with a beneath barn concrete pit for manure storage. The property is located in the SW ¼ of the SW ¼ of Section 16 of Wasioja Township. Kevin & William Rohwer are the applicants and Kenneth Rohwer is the property owner.

The Planning Commission recommends approval with the following conditions:

1. Compliance with the conditions provided in the Feedlot Advisory Report dated January 31, 2006.
2. An additional wind break of trees on the east side of the applicant's property.

Feedlot Advisory Report information conditions amended by the County Board:

Conditions:

1. Soil borings shall be taken at the building site location. These will assist in calculating soil loads for designing the concrete basin and building support.
2. Dedicated drain tile with a dedicated inspection tee shall be placed around the foundation of the barn. Existing field tile needs to be cut and separately routed around the barn so they do not interfere with the dedicated perimeter tile.

3. A windbreak shall be planted at the building site on the north and west sides that meets NRCS/SWCD approval. The windbreak shall be designed to allow for the future house and residence.
4. Accurate Manure Application Plans be established and maintained that meet the MPCA 7020.2225 requirements.
5. Sufficient acres be maintained for agronomic rate nutrient plans.
6. Manure should be injected at agronomic rates and application records kept. MPCA 7020.2225 will be followed for land application of manure. If weather or soil conditions do not allow for injection, then the Dodge County feedlot officer shall be notified and MPCA 7020.2225 followed for surface application setbacks and rates.
7. A secured area shall be provided for dead animal storage and disposal that meets Minnesota Board of Animal Health requirements. If rendering is not used, a separate carcass -compost shed or incinerator meeting the Minnesota Board of Animal Health requirements shall be provided for dead animal disposal.
8. Odor reduction with the use of bio-filters built to University of Minnesota specifications. Offset without bio-filters indicates a 94% annoyance free setback distance of 1,061 feet. The bio-filters need to be installed and operational as soon as possible but no later than September 30, 2007 to allow backfill settling and final grading to occur before installation.
9. All MPCA permits in place and MPCA 7020.2100 followed for concrete construction.
10. Pre construction meeting to include owner, concrete contractor, professional engineer and Dodge County Officials.
11. A photographic record needs to be submitted through the design engineer documenting the excavation and construction steps. The photographic record shall meet the MPCA Photographic Inspection of Concrete Manure Storage Pits fact sheet.
12. Will have required setbacks as required by Shoreland Ordinance and agree to work with NRCS on buffer/berm issue in northeast section.
13. Applicant has agreed to and shall use a tunnel ventilated building with required bio-filters on pit fans.

Planning
Commissioner
Recommendation
CUP #06-09
Approved -
Continued

Commissioner Gray stated that this is a gut wrencher. There are concerns that the Rohwers will have to deal with.

Commissioner Alberts stated that it is not hard to meet the conditions of the building and that the Board needs to consider environmental concerns and reminded them that they do not have to vote in favor of the permit request.

Planning
Commissioner
Recommendation
CUP #06-09
Approved -
Continued

Commissioner Tjosaas noted that this is emotional issue but the commissioners need to put conditions on the permit to address their concerns. *Motion adopted unanimously*

Lynae Schoen and John McNamara of Wold Architects provided the Board with an update on the work that has been completed to this point on the Facilities Needs Study. Also outlined was the work that is left to be completed and a timeline for this work.

Facilities Needs
Study Update

Mr. McKnight reported that once this work is completed a final report will be presented to the County Board for their consideration.

The Board thanked Ms. Shoen and Mr. McNamara for their time and took the information under advisement.

Comptroller Lisa Kramer reviewed bills with the Board. Motion by Gray 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	\$ 68,630.59
11	Human Services Fund	\$ 707.69
13	Road and Bridge Fund	\$ 33,855.26
16	Environmental Quality	\$ 18,570.72
30	County Building Fund	<u>\$ 8,786.98</u>
	Total	\$130,551.24

Motion adopted unanimously.

Mr. McKnight informed the Board that he will bring the mandate submissions to the State Auditor agenda item back at the next board meeting on April 11, 2006.

Mandate
Submissions to State
Auditor Action
Deferred to Next
Meeting

The County Administrator reviewed with the Board a promissory note for the loan that the County Board approved for the Dodge County Fair at their meeting on February 14, 2006 in the amount of \$150,000. Mr. McKnight mentioned that this note was drafted by the County Attorney.

Promissory Note for
Dodge County Fair
Loan Approved

The County Administrator provided the Board with a spreadsheet showing the monthly and yearly payment amounts from 2006-2011 and the 2011 balloon payment amount. Mr. McKnight stated that as the Board can see from the promissory note, the county reserves the right to renegotiate the balance for an additional number of years at the mutual agreement of the parties.

Motion by Alberts seconded by Hanson to approve and authorize the County Board Chair's signature on the promissory note for the \$150,000 loan between Dodge County and the Dodge County Fair Board. *Motion adopted unanimously.* It was noted that the payment will be made as an Auditor's Warrant, due to the dire need of the Fair Board to obtain funds for its current projects.

Promissory Note for Dodge County Fair Loan Approved - Continued

County Administrator David McKnight presented the Personnel Agenda for the Board's review. Motion by Tjosaas seconded by Gray to approve the following personnel actions:

Personnel Actions Approved

A. Sheriff's Department

A.1 Transport Officer – On-Call
Authorization to post and fill vacancy created by status change.
Effective Date: 3/28/06

B. Public Health

B.1 Iva Kietzmann – PHN II - .55 FTE
Step increase from C41 step 5 \$18.79 to C41 step 4 \$19.49 + \$3.00 R/R.
Effective Date: 4/1/06

C. Human Services

- C.1 Karen Smith – Case Aide - .85 FTE
Step increase from B22 step 6 \$13.61 to B22 step 5 \$14.05.
Effective Date: 4/8/06
- C.2 Jessica Westphal – Social worker
Regular status and step increase from C42 step 9 \$17.01 to C42 step 8 \$17.65.
Effective Date: 4/3/06
- C.3 Lynn Beckard – Social Worker
Resignation.
Effective Date: To be determined
- C.4 Social Worker – 1.0
Authorization to post and fill position created by resignation.
Effective Date: 3/28/06

D. Attorney's Office

D.1 Amanda Cox – Paralegal – FT – Temporary
Authorization to hire at B31 step 10 \$14.04 to fill approved temporary vacancy.
Effective Date: To be determined.

Motion adopted unanimously.

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

Legal Update

Mr. Kiltinen discussed pending litigation with the Board. Motion by Alberts seconded by Hanson to approve and authorize the County Attorney to contract with an appraiser for litigation purposes on the MTM tax case. *Motion adopted unanimously.*

Litigation Appraiser Services Approved

Commissioner Hanson left the meeting at 12:04 p.m. CST.

Commissioner Left Meeting

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

Human Services
Committee Report

Mr. Tjosaas reported that once again Gary Trelstad and the accounting staff have received a commendation from the MN Department of Human Services for a perfect performance in meeting DHS financial reporting requirements for calendar year 2005. This effort required submission of 32 major reports over the four quarters. Starting in 1990, the Accounting Unit has achieved a perfect performance 13 times and 3 times was in the 95 to 99% reporting category. The Board acknowledged the achievements of the Human Services staff.

Gary Trelstad and
Accounting Staff
Recognized

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

Public Safety
Committee Report

The Board reviewed the Sheriff's Safe & Sober Grant request. The Dodge County Sheriff's Office and Kasson Police Department are jointly eligible for grant monies up to \$3,000 for participation in the "May Mobilization" project. This is an increased enforcement effort focusing on seat belt and child restraint usage, and will occur over a three week period around the Memorial Day weekend.

Safe & Sober Grant
Acceptance
Approved

The grant will reimburse the county for all expenses related to this effort, resulting in no cost to the county. The Sheriff would like to participate in this effort once again this year, and requested that the Board authorize him to submit their acceptance to the Office of Traffic Safety.

Motion by Tjosaas seconded by Alberts to approve and authorize the Sheriff to sign a grant contract with the State of Minnesota for the May Seat Belt and Child Seat Mobilization project as requested. *Motion adopted unanimously.*

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

Public Health
Committee Report

Motion by Alberts seconded by Gray to approve the 2005 Maternal Child Health (MCH) Statistical/Expenditure Report, the 2005 Local Public Health Services Statistical/Expenditure Report and the 2006 Local Public Health Services Budget as presented. *Motion adopted unanimously.*

MCH Statistical/
Expenditure Report,
Local Public Health
Services Statistical/
Expenditure Report &
Local Public Health
Budget Approved

The County Attorney left the meeting at 12:12 p.m. CST.

County Attorney Left
Meeting

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

Public Works
Committee Report

The Board reviewed the County Engineer's request to approve the purchase of a backhoe tractor.

Purchase of Backhoe Tractor Approved

The following is a cost summary for similarly equipped backhoe tractors from three different manufacturers. These prices were derived from the state bid contract as provided for political subdivisions.

	John Deere 410 G	Case 590 SM	Caterpillar 430 E
Cost of equipped backhoe	\$82,540	\$86,275	\$95,247
Trade-In Credit	- \$15,219	- \$17,500	- \$18,000 estimated
Total Contract Cost	\$67,321	\$68,775	\$77,247

The backhoe listed as a trade-in is a 1991 Case 580 SK. It is an underpowered piece of equipment that the crew has struggled with for years. There are currently approximately 4,050 hours on this unit. The operating joints have become sloppy and the hydraulic system and areas of structural steal are showing signs of stress.

The 2006 Highway Department budget contains \$80,000 for the purchase of a backhoe replacement. This purchase is within budget with a little savings. Additionally the John Deere dealer is in the area resulting in excellent service.

Motion by Gray seconded by Alberts to approve and authorize the Highway Department to purchase a John Deere 410 G backhoe tractor at an estimated final cost of \$67,321. *Motion adopted unanimously.*

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

Administration Committee Report

Motion by Gray seconded by Alberts to approve and authorize the March 14, 2006 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

03/14/06 Committee of the Whole Meeting Minutes Approved

Motion by Alberts seconded by Tjosaas to approve and authorize the March 14, 2006 meeting minutes as presented. *Motion adopted unanimously.*

03/14/06 Meeting Minutes Approved

Motion by Tjosaas seconded by Gray to approve and authorize the March 21, 2006 Work Session meeting minutes as presented. *Motion adopted unanimously.*

03/21/06 Work Session Meeting Minutes Approved

The Board reviewed an out of state travel request for the Drug Court Case Mangers.

Out of State Travel Request Approved for Drug Court Employees

On June 4-8, 2006 the National Rural Institute on Alcohol and Drug Abuse will hold their yearly training. The training is held in Menomonie, Wisconsin at the University of Wisconsin-Stout.

The conference offers Dodge County Drug Court the opportunity to interact with other rural alcohol and drug professionals, federal agency representatives, and nationally known institute faculty and resource personal. Presenters from throughout the United States will present on twelve in-depth tracks, mini tracks and special topic sessions on current events, innovative and emerging topics.

*Out of State Travel
Request Approved
for Drug Court
Employees -
Continued*

Registration is \$435.00 per person, which includes all training materials, a single room and food.

Food allowance is anticipated to be \$50.00. Sunday June 4th and Thursday June 8th they will be on their own for lunch and supper. Employees plan to use a county car for transportation. Total cost of the conference is expected to be \$920.00.

Motion by Gray seconded by Alberts to approve and authorize Drug Court employees Jackie Neve and Matthew Kohl to attend out of state training in Menomonie, Wisconsin June 4-8, 2006 for the National Rural Institute on Alcohol and Drug Abuse at an estimated cost of \$920.00. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Hanson attended a Nursing Home meeting, a SEAAA meeting, a Water Planning meeting and a Township Officers meeting. Commissioner Alberts attended a Steele & Dodge Joint Powers Health meeting, a Nursing Home meeting, a Soil & Water meeting, a Fair Board meeting, a Semcac meeting, an Environment meeting, a DFO meeting and a Feedlot meeting. Commissioner Gray attended a Nursing Home meeting and a RC&D meeting. Commissioner Erickson attended Annual Township meetings, a Fairview Nursing Home meeting, met with Ken, Kevin & William Rohwer on feedlot issues, attended a McNeilus Steel tax issue meeting, an MCIT Land Use Seminar, a Dodge County Township Officers meeting, a Dodge County Task Force meeting and an Environmental Regulations Board of Adjustments meeting. Commissioner Tjosaas attended a Fairview Nursing Home meeting, a Semcac meeting and a Task Force meeting.

Agency Reports

Motion by Alberts seconded by Gray to adjourn the meeting at 12:28 p.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on April 11, 2006 at 9:30 a.m. CST.

*Next Regular
Meeting*

ATTEST:

DAVID ERICKSON
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: