

TUESDAY, NOVEMBER 14, 2006

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2006-22

The Dodge County Board of Commissioners met in regular session November 14, 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 Hanson to approve and adopt the agenda as amended to change the Planning out-of-state travel request attendees from Duane Johnson and Ken Folie to Duane Johnson and Commissioner David Erickson. *Motion adopted unanimously.*

Agenda Approved

Finance Director Tom Olney informed the Board that he had resigned from Dodge County.

Finance Director
Resignation
Announced

Commissioner Erickson thanked the Finance Director for his work and wished him well in his new position in Olmsted County.

Commissioner Tjosaas commented that Mr. Olney has done a good job for us here in Dodge County.

Comptroller Lisa Kramer reviewed bills with the Board. Motion by Hanson 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	\$ 98,742.62
11	Human Services Fund	\$ 2,181.77
13	Road and Bridge Fund	\$ 67,204.75
16	Environmental Quality	\$ 93,847.74
19	EDA/HRA Dodge County	\$ 50.00
41	J.D. #1 (Ripley Ditch) Fund	\$ 15.00
42	J.D. #7 (Havana) Fund	\$ 15.00
	Total	\$262,056.88

A payment on page one to Melanie Leth in the amount of \$50.00 was pulled from the bills, the dollar amount was incorrect and will be corrected in the next Board packet. *Motion adopted unanimously.*

Bills Approved - Continued

County Administrator David McKnight shared with the Board the proposed 2007 non-union salary schedule.

2007 Non-Union Salary Schedule Approved

Mr. McKnight reminded the Board that they reviewed the proposed salary schedule at a County Board Budget Work Session held in September.

The County Administrator reported that the proposed salary schedule includes a 2.5% increase over 2006. This falls in line with the other employee groups in the county who will see the following increases in 2007:

Transfer Station	2.0%
Sheriff	2.8%
Courthouse	2.5%
Human Services	2.5%
Dispatchers	3.0% (3-1-2007)
Highway	\$0.55 per hour

The 2007 proposed schedule also drops off the 2006 step 11 and adds a new step five or one to help deal with the drag that has occurred over the years on this schedule. Employees must have been at the previous top step for at least one year before they are eligible to move to the new top step in their scale. In addition, each employee must have had a positive performance review within the past year to be eligible for this new top step. Employees will stay with their hourly rate when going from the 2006 schedule to the 2007 schedule, not their step in 2006.

Mr. McKnight stated that the costs of these increases are incorporated into the 2007 budget.

Motion by Alberts seconded by Gray to approve the 2007 Non-Union Salary Schedule as presented effective December 1, 2006. *Motion adopted unanimously.*

The Board thanked Mr. McKnight and the Management Team for their work on the non-union salary schedule.

The County Administrator provided the Board with a summary of the 2006 General Election that was held on November 7, 2006. Mr. McKnight shared with the Board the results of the races held in Dodge County and a summary of voter turnout by precinct.

2006 General Election Update

The County Administrator noted that overall the election process went very well in the county. Dodge County encountered one equipment problem at the start of the day in West Concord that was easily resolved over the telephone with the programming vendor by 7:30 a.m. Voting was not interrupted while the machine was fixed and the election judges and County Administrator were happy to resolve the problem so quickly.

2006 General
Election Update -
Continued

Mr. McKnight reported that the counting process went well on election night. Dodge County entered their first results into the state system at 9:08 p.m. which the County Administrator was happy with. Election staff discovered an issue with the City of Mantorville relating to the number of signatures on the roster and addition errors which took about 90 minutes to resolve. This extended the election staff's night to 1:00 a.m.; otherwise they would have been done sooner. The City of Kasson had a number of write in votes in a city council race, but they completed their work sooner than anticipated and with no issues.

It was the County Administrator's opinion that overall the first General Election with the new voting equipment went very well. The fears that some people had of the equipment not working properly were never realized. Mr. McKnight stated that he does need to give credit to the election judges throughout the county and the county staff who prepared the election and worked on election night to ensure that all of the votes were counted properly. The County Administrator felt they deserve a thank you the next time the Board sees them.

Mr. McKnight reminded the Board that this was his last election as the Elections Administrator for the county as these duties will be moving to the Accounting Services Director as soon as this position is filled. The County Administrator noted that while he will miss the election night work, he is confident that county staff will continue to administer elections in a professional manner.

The Board thanked the election staff for their work.

County Assessor Wendell Engelstad met with the Board to discuss five regular abatement application requests.

Abatement
Applications
Approved

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

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

Abatement
Applications
Approved -
Continued

Based on the applicant's claims and the investigation of the facts, the County Auditor/Treasurer and County Assessor recommended approval of the abatements as presented.

Motion by Gray seconded by Alberts to approve the following abatements as discussed:

Year 2005 changes with taxes payable in 2006:

Parcel ID	Owner	Street	City	Reason	Tax Reduction
12.186.1009	Kuster, David	16820 739 th St	Hayfield	Failed to timely file homestead application.	\$189
17.676.0361	Carstensen, Daniel	21147 599 th St	Dodge Center	Failed to timely file homestead application.	\$285
22.450.0150	Busch, Craig	403 9 th St NW	Dodge Center	Failed to timely file homestead application.	\$214
26.126.0240	Cazares, Jose	517 South St	West Concord	Failed to timely file homestead application.	\$262

Assessment year 2004 changes with taxes payable in 2005:

Parcel ID	Owner	Street	City	Reason	Tax Reduction
22.450.0150	Busch, Craig	403 9 th St NW	Dodge Center	Failed to timely file homestead application.	\$139

Motion adopted unanimously.

Mr. Kiltinen discussed with the Board his request to restructure the Dodge County Attorney's Office.

Attorney's Office
Reorganization
Approved

The County Attorney informed the Board that his office has gone through a significant period of staffing issues involving leaves and the need to provide staff to meet the needs of the office and other departments with whom they work. It is anticipated that the current lower caseload will not continue, and the office will again be faced with growing demands on limited personnel. There will be an expectation that this office be appropriately staffed such that the workload can be managed without surprise or significant distress.

Mr. Kiltinen reported that the County Attorney's Office is physically located in the southwest corner of the historic courthouse near the courtroom. It is comprised of two large rooms and one small office. The larger rooms contain support staff and filing areas, as well as a desk that the County Attorney uses when in the office. Meetings with clients, staff, witnesses, etc. are held in one of the larger rooms or at different locations within the courthouse. The small room is an office for the full-time Assistant County Attorney. Space constraints are expected to be an ongoing issue due to the fact that there is no additional available space in the courthouse. The anticipated staffing changes discussed herein would conform to any future office changes that would be anticipated.

Attorney's Office
Reorganization
Approved -
Continued

The County Attorney noted that the office is currently staffed with a .5 FTE Secretary/Receptionist (formerly the legal secretary), a full-time staff person whose duties include part-time legal work and part-time paralegal work, a full-time Assistant County Attorney, and a part-time County Attorney. The individual who currently wears two hats does so based upon an earlier agreement with Human Services to provide an attorney in the office who would not have other attorney duties, but would be available to respond to their issues. Because of the Paralegal vacancy due to a leave of absence, the Secretary/Receptionist has been working at .75 FTE multi-tasking and providing assistance in areas other than normally assigned.

Mr. Kiltinen proposed the following changes:

Assistant Attorney #1: This full-time position would have primary responsibility for adult prosecution: misdemeanors, gross misdemeanors and felonies, criminal appeals, juvenile delinquency trials, and other contested litigation.

Assistant Attorney #2: This full-time position would have primary responsibility for Human Services' needs including paternity establishment, child support enforcement, child protection cases including CHIPS and Termination of Parental Rights, voluntary foster care reviews, commitments, guardianships, conservatorships, and Human Services appeals, with the added function of being responsible for any related legal research, pleadings, and orders needed to be drafted in support of these functions.

Paralegal/Legal Secretary: This full-time position would be responsible for drafting adult criminal complaints, juvenile delinquency petitions, motions, writs, orders, and informational responses to discovery requests. In addition this position would be responsible for management of case files in preparation of anticipated trials and other court hearings, filing, and maintenance of the daily court calendar. In addition, this person will manage the Law Library, a function recently transferred from Court Administration.

Secretary/Receptionist: This .5 FTE position would have primary meeting and greeting responsibilities both at the office and on the telephone, opening and closing files, ordering supplies, and billing for services done through the County Attorney's office.

The County Attorney suggested that these changes would be appropriate for the office, as this is essentially the staffing pattern currently used, and would work in either their current physical space or one of greater space. Mr. Kiltinen noted that the Attorney's Office has had one Paralegal position vacant for several years due to military leave. The other Paralegal position was filled by an individual who is an attorney, and acts in that capacity on a number of occasions as outlined above. Bookkeeping problems are significant and the distinction between paralegal and legal work is often an artificial one, unrelated to level of expertise dedicated to the position. Having this individual do their own work as an attorney would clearly identify the position as a professional, allow attorney coverage in the office on all occasions, and more accurately reflect that individual's place in the office. It would also allow the possibility of hiring an individual in the Paralegal position who is not at the top of the anticipated pay scale, so more in keeping with the Legal Secretary designation. The use of a single Paralegal/Legal Secretary in conjunction with two full-time attorneys would allow for decrease in the time allotted to the Secretary/Receptionist and clarify the expectations of all positions for future candidates.

Attorney's Office
Reorganization
Approved -
Continued

Mr. Kiltinen anticipates that the proposed changes would have an upward effect on the budget, but not a significant one. The current hourly rate of pay for the shared Attorney/Paralegal position is \$16.77 for paralegal work and \$24.09 for attorney work, or a difference of \$7.32 per hour. The conversion of this position to full-time Assistant County Attorney would therefore increase this individual's base compensation by approximately \$9,592.75 per year (not taking into account any changes regarding employer contribution to PERA and such, or the increased cost of PTO, which would be paid at the higher hourly rate.) This increase, however, would be offset by the other proposed staffing changes, as the balance of her paralegal time would be eliminated, and the currently vacant Paralegal position would be converted to a Paralegal/Legal Secretary position, which could be filled at a lower rate of pay, with the Secretary/Receptionist position cutting back to half-time.

It was the County Attorney's opinion that the restructuring of this office in the proposed format would provide for an organized and professional office with an identifiable chain of command and even distribution of job responsibilities. The Attorney's Office would then have a flow chart that would describe staff responsibilities in a fashion that would be constant, even with a change in current personnel. In the past, the Attorney's Office has changed those responsibilities on a regular basis to account for the talents of their staff and gaps in staffing associated with vacancies. This change would allow for a more seamless appearance to the respective county departments and a more professional appearance to the public. This change can also be accomplished with minimal effect on the budget and without changing the work area that they currently occupy.

Motion by Tjosaas seconded by Gray to approve and authorize the reorganization of the Attorney's Office as presented and discussed, effective January 2, 2007. *Motion adopted unanimously.*

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

Legal Update

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board's review. Motion by Alberts seconded by Hanson to approve the following personnel actions:

Personnel Actions
Approved

A. Environmental Quality

- A.1 Dean Schrandt – Environmental Technician/Educator
Annual review.
Effective Date: 11/30/06

B. Human Services

- B.1 Jodi Holmberg – Case Aide
Authorization to change status from Office Support Specialist (B21) step 3 \$14.50 to Case Aide (B22) step 3 \$14.98 to fill approved vacancy.
Effective Date: 11/20/06
- B.2 Kelly Madsen – Information Systems Specialist
Authorization to change status from Office Support Specialist (B21) to Information Systems Specialist (B21) to fill approved vacancy
Effective Date: 1/2/07
- B.3 Office Support Specialist (2) – 1.0 FTE
Authorization to post and fill vacancies created by status changes.
Effective Date: 11/14/06
- B.4 Cynthia Minnihhan – Financial Worker
Step increase from B22 step 8 \$12.76 to B22 step 7 \$13.19.
Effective Date: 11/26/06

C. Administration

- C.1 Tom Olney – Finance Director
Resignation.
Effective Date: 11/27/06
- C.2 Finance Director
Authorization to post and fill vacancy created by resignation.
Effective Date: 11/14/06
- C.3 George Gunderson – Custodian .5 FTE
Resignation.
Effective Date: 11/3/06
- C.4 Custodian - .5 FTE
Authorization to post and fill vacancy created by resignation.
Effective Date: 11/14/06
- C.5 Administrative Assistant – Extension - .5 FTE (temporary)
Authorization to use temporary employment service or on-call roster to fill Secretary Clerk duties as needed.
Effective Date: 11/27/2006-1/5/2007
- C.6 Dennis Nawrocki – Mechanic/Maintenance
Annual review.
Effective Date: 6/5/06

D. Public Health

- D.1 Jessica Schleck – Family Support Worker – On-Call
Authorization to employ at A13 step 6 \$11.49 to fill approved vacancy (granted funded position).
Effective Date: 11/20/06

- D.2 Mary Wobschall – Family Support Worker
Request authorization to employ at A13 step 6 \$11.49 to fill approved vacancy (granted funded position).
Effective Date: 11/20/06
- E. Attorney's Office**
- E.1 Janet Mahle Hinds – Assistant County Attorney
Authorization to change status from Paralegal/Assistant County Attorney to FT Assistant County Attorney.
Effective Date: 1/2/07
- E.2 Paralegal – 1.0 FTE
Authorization to post and fill vacant position.
Effective Date: 11/14/06
- E.3 Eileen Callahan – Legal Secretary
Authorization to change FTE from .85 to .50.
Effective Date: 1/2/07
- F. Sheriff's Department**
- F.1 Deputy Sheriff – 1.0 FT
Authorization to fill position created by resignation.
Effective Date: 11/14/06
- F.2 Scott Prins – Deputy Sheriff
Change status from FT temporary to FT position created by resignation.
Effective Date: 11/14/06
- F.3 Deputy Sheriff – FT Temporary
Authorization to post and fill for vacancy created by LOA and change of status.
Effective Date: 11/14/06 – 6/30/07 (approximately)
- F.4 Brandon Sell – Deputy Sheriff – On-Call
Authorization to employ at C41 hire step \$17.07 to fill approved vacancy.
Effective Date: 11/14/06
- F.5 David Skadson – Deputy Sheriff
Step increase from C41 36 month step \$20.92 to C41 48 month step \$21.65.
Effective Date: 10/8/06
- F.6 Nicole Kaehler – Processor Civil/Criminal
Annual review.
Effective Date: 10/30/06
- F.7 Debra Morgan – Processor Civil/Criminal - .9 FTE
Step increase from B21 step 6 \$12.75 to B21 step 5 \$13.18.
Effective Date: 11/12/06
- F.8 Jodi Benson – On-Call Dispatcher
Termination.
Effective Date: 11/14/06
- F.9 On-Call Dispatcher
Authorization to post and fill vacancy created by termination.
Effective Date: 11/14/06
- Motion adopted unanimously.*

Personnel Actions
Approved -
Continued

Ms. Hager reviewed with the Board the Law Enforcement Labor Services Labor Agreement for 2006-2007. The agreement includes both language that was mutually agreed upon between the parties and language dictated through the binding arbitration process.

Law Enforcement
Labor Services Labor
Agreement for 2006-
2007 Approved

The Employee Relations Director noted that significant changes includes the following:

1. Article IVI – Shift Differential (Arbitrator's Award)
2. Article XVII – Clothing Allowance and Maintenance (Arbitrator's Award)
3. Article XXIV – Trail Work Period (Mutual Agreement)
4. Appendix A – Pay Scale 3% for 2006 and 2.8% for 2007 (Arbitrator's Award)

Motion by Gray seconded by Alberts to approve and authorize the Chair, Employee Relations Director and County Administrator to sign the Law Enforcement Labor Services Labor Agreement for 2006-2007 as presented and discussed. *Motion adopted unanimously.*

The Board thanked Ms. Hager for her efforts to finalize this agreement.

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

Human Services
Committee Report

Motion by Tjosaas seconded by Hanson to approve Human Services Action Item 1.1, payment of the bills as found on the bill payment list pursuant to resolution #95-10, to approve all Financial Assistance case actions as presented, all Social Services case actions with the reasons and actions as found in the individual case files, and to approve the destruction of the closed case files as found on the monthly closed case destruction list. *Motion adopted unanimously.*

Human Services
Action Item 1.1
Approved

Motion by Tjosaas seconded by Hanson to approve the Minnesota Food Support Employment and Training Program Annual County Plan for FFY 2007. This year the plan was completed as part of a regional effort including the counties of Dodge, Houston, Fillmore, Freeborn, Mower, Steele, Goodhue, Wabasha, and Rice with Workforce Development, Inc. *Motion adopted unanimously.*

MN Food Support
Employment &
Training Program
Annual County Plan
Approved

Motion by Tjosaas seconded by Hanson to approve renewing Dodge County Agency membership dues with the Minnesota Social Services Association (MSSA) for CY 2007 in the amount of \$525.00. *Motion adopted unanimously.*

Membership Dues
with MSSA for 2007
Approved

Commissioner Tjosaas reported that Dodge County Human Services, for the 2nd year in a row, through its Financial Assistance Unit working with the Workforce Development, Inc., has earned the maximum performance based funding of 7.5% for Minnesota Family Investment Program performance based funding. Dodge County was one of only six counties in the state to achieve this level of performance based funding.

Human Services
Financial Staff
Recognized

Commissioner Hanson asked that the County Administrator send a letter recognizing Dodge County Human Service Financial Workers on their achievement.

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

Public Safety
Committee Report

The Board reviewed a training request for a class that Deputy Hoffman has requested to attend. Motion by Hanson seconded by Tjosaas to approve and authorize Deputy Jeff Hoffman to attend Interview and Interrogation training November 27 – December 1, 2006 at Camp Dodge in Johnston, Iowa as requested. Training is free. The estimated cost for fuel is \$30.00. *Motion adopted unanimously.*

Out-of-State Travel
for Deputy Hoffman
Approved

The Board discussed a request to accept a donation to the Sheriff's Office from McNeilus Companies/Oshkosh. Chief Deputy Trihey, Deputy Allee and Sheriff Thompson attended a company meeting at McNeilus Companies in Dodge Center where they were presented with a donation in the amount of \$5,000. The donation will allow the Sheriff's Office to purchase three additional AED's (defibrillators) for the patrol cars, bringing the total number of new style defibrillators to eight.

McNeilus Companies
Donation for
Defibrillators
Accepted

Motion by Hanson seconded by Tjosaas to approve and authorize the Sheriff's Office to accept a donation in the amount of \$5,000 from McNeilus Companies in Dodge Center to purchase three AED's for patrol cars. *Motion adopted unanimously.*

The County Administrator was directed to send a thank you letter to McNeilus Companies on behalf of the County Board.

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

Public Health
Committee Report

Mr. Alberts reported that UCare's first annual audit has been completed. The regulatory requirements for Utilization Management and Case Management for the UCare products managed by Public Health were audited. Items reviewed were policies and procedures that addressed comprehensive client assessment, care plan development, implementation and evaluation as well as implementation of care coordination rules and regulations. Public Health met the standard (100%) on all requirements.

Public Health Staff
Recognized

The Board recognized the work of Deb Harlow, Iva Kietzmann and Jenna Fadlalla who have worked very hard to follow the regulatory requirements while delivering the highest quality of care to the seniors in our community.

Public Health Staff
Recognized -
Continued

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

Public Works
Committee Report

The Board reviewed an out-of-state travel request for the Planning Office. Duane Johnson and David Erickson have requested to travel to Sioux City, Iowa to participate in a conference on siting livestock facilities. The conference is November 15-16, 2006 which will require two hotel rooms and any additional travel expense. There is no conference registration fee.

Out-of-State Training
Approved for
Planning Office Staff
& County
Commissioner

Motion by Gray seconded by Alberts to approve and authorize Duane Johnson and David Erickson to attend out-of-state training on November 15-16, 2006 for a Siting Livestock Facilities Using Odor Modeling: A Regional Workshop in Sioux City, Iowa as requested. *Motion adopted unanimously.*

The Board reviewed with the Planning Director the EDA recommendation on Con-Tech Manufacturing.

Public Hearing Date
Set for JOBZ
Consideration in
Ashland Township

Con-Tech Manufacturing manufactures new and replacement parts for repair of concrete mixer trucks for both trucks and mixers. The business will be located at the Welsh Equipment JOBZ site in Section 19, Ashland Township.

Motion by Tjosaas seconded by Hanson to set a public hearing date of Tuesday, November 28, 2006 at 10:00 a.m. CST to consider a proposal to grant Job Opportunity Building Zone Business Subsidies to Con-Tech Manufacturing, Inc. *Motion adopted unanimously.*

Mr. Johnson discussed with the Board the Planning Commission Recommendations from the November 1, 2006 meeting.

Planning
Commission
CUP #06-33 Denied

The Planning Director presented Kevin Rohwer conditional use permit #06-33 for the Board's consideration.

Kevin Rohwer – CUP #06-33

The request is 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 building approximately 102 x 196 feet with a beneath barn concrete pit for manure storage. The property is located in the NE ¼ of the NE ¼ of Section 19 of Wasioja Township. Kevin Rohwer is the applicant and the property owner.

The Planning Commission recommends approval of CUP #06-33 by a 4 -2 vote (John Allen, Harlan Buck, Larry Schmeling, Jon Balzum ayes and Richard Wolf, Galen Johnson nays) with the following conditions:

Planning
Commission
CUP #06-33 Denied

1. The Feedlot Advisory Report dated October 19, 2006 with the addition of a time frame of one year from the start of construction as per date of zoning permit of the building for the Bio-filter (condition #8) and windbreak (condition #3) to be in place.

Commissioner Hanson commented that he was at the October 19, 2006 meeting and stated that the location of the feedlot is a concern to him. Mr. Hanson desired a more efficient bio-filer. Commissioner Hanson reviewed location options that were previously discussed along with the Rohwer's reason for choosing the location they did. Another concern raised was bio-security.

Mr. Hanson informed the Board that he would have a hard time agreeing to the conditional use permit request because of concerns with the location and bio-security concerns.

Commissioner Alberts indicated that he concurs with Commissioner Hanson. Mr. Alberts stated that he does not agree with the location chosen for this feedlot and is not in favor of the proposed site.

Commissioner Tjosaas commented that the Rohwers have not finished the other feedlot site requirements and questioned if the Board should issue another permit when the first facility is not yet complete.

Commissioner Erickson briefly commented on site location, wetland issues and other concerns with the buildings proposed location.

Commissioner Hanson wanted to know if NRCS or Soil and Water have been contacted regarding installing a wind break.

Duane Johnson reported that he assumes the Rohwers would work with NRCS and Soil and Water to develop a plan for a wind break, but that he has not seen a plan yet.

Commissioner Erickson stated that there is a big concern with the bio-security issue.

Commissioner Gray asked for clarification on the Planning Commission votes. It was reported that Jon Balzum inadvertently was left off the list of names that voted in favor of the request which passed on a 4-2 vote.

Commissioner Hanson informed the Board that there was an objection to this request by a neighbor to the south due to water issues.

Duane Johnson commented that he does not feel that the availability of water is an issue with this conditional use permit request.

Commissioner Hanson wanted to know if BWSR has been contacted? Mr. Hanson also wanted to know if the amount of water available to surrounding property owners is decreased due to the installation of the feedlot if the Rohwers would have to pay for the decreased availability of water.

Planning
Commission
CUP #06-33 Denied

Mr. Johnson indicated that they would have to pay for the decrease in available water.

Commissioner Erickson noted that representatives from Wasioja Township were available and asked if Wasioja Township had any comments.

A representative of the Wasioja Township stated that the request meets the requirements for a permit and that the township approved the request.

Motion by Hanson seconded by Alberts to deny Kevin Rohwer – CUP #06-33 due to bio-security issues.

Commissioner Alberts indicated that he felt a building could be built at a different site. Mr. Alberts noted that the applicant initially expressed concern with bio-security issues at this site.

Commissioner Hanson reported that the location is a concern for him.

Steve Gray of Wasioja Township asked for clarification on whether the applicant can find an alternate site or if he had to start over with the application process?

The Planning Director stated that if the Rohwers chose a new site location that there would have to be a new public hearing. Mr. Johnson clarified that this was necessary because most of the application is site specific which is an issue.

Commissioner Erickson wanted to know if the application fee would be applied to a new application?

Commissioner Hanson stated that he was in favor of waiving the fee for the Rohwers if they submitted a new application.

Mr. Johnson commented that he would like some direction from the Board on the fee issue.

The County Attorney commented on the fee question.

Jim Masching a representative of the Feedlot Advisory Board wanted to know if they should be looking at the close proximity of other farms to newly proposed feedlots when reviewing these requests.

Commissioner Erickson reported that the Feedlot Advisory Committee will need to discuss the close proximity issue with Planning and Zoning.

Mr. Erickson was not in favor of issuing the conditional use permit because the applicant made a statement at one time that the proposed site was not preferred due to bio-security issues. Commissioner Erickson questioned what has changed to make the Rohwers believe that this site is now okay to build on.

Planning
Commission
CUP #06-33 Denied

Mr. Masching discussed other farms that were in close proximity to current feedlots and stated that the Feedlot Advisory Board will have a hard time placing a barn in the future. Mr. Masching wanted to know what they could do better to address these issues?

The Planning Director informed the Board that he spoke with Carl Deckinger regarding this issue and was informed that they will encounter many problems if they try to incorporate bio-security issues into the process.

It was Commissioner Erickson's opinion that the county needs to do more research on these type of issues and become better educated so they can make informed decision.

Motion to deny the request adopted unanimously.

The Planning Director discussed CUP #06-34 with the Board.

Planning
Commission
CUP #06-34 Tabled

Gerald Miller was available to comment. Mr. Miller informed the Board that he has removed most of the cars on this property and is waiting for payment for the cars that have already been removed before removing the remaining six vehicles. Mr. Miller noted that the remaining vehicles are used as spare vehicles by family members.

Commissioner Hanson stated that he was concerned with the fact that the applicant did not meet with the township on this issue.

Mr. Johnson reported that the township was advised of the meeting and noted that Mr. Miller was not able to make the meeting.

Lawren Castner, a Mantorville Township officer, informed the Board that the Millers have not met with the township. Mr. Castner indicated that Mr. Miller has been advised of the problem with the number of cars on this property and is making an attempt to clean it up. Mr. Castner stated that he would like to prevent future stockpiling of vehicles on this property.

Commissioner Erickson wanted to know if there was a time table that applied to the request.

Duane Johnson stated that they would have another 50 days.

It was Commissioner Erickson's opinion that a decision on this request should be delayed in order to give the applicants time to meet with the township to address concerns and then revisit the request at the December 12th County Board meeting.

Motion by Alberts seconded by Tjosaas to table the following action of the Planning and Zoning Commission until December 12, 2006:

Planning
Commission
CUP #06-34 Tabled

Rebecca Miller – CUP #06-34

The request is to establish a non-farm dwelling in the Ag District. The property is 3 acres in the NE ¼ of the SW ¼, of Section 20, Mantorville Township. Rebecca Miller is the applicant and Gerald Miller is the property owner.

The Planning Commission unanimously recommends denial of a Conditional Use Permit (C.U.P.). The request does not meet the ordinance requirements and the “Criteria to Apply to CUP”. The following reasons are recommended for denial;

1. The present use of the property is in violation of the zoning ordinance.
2. As of this report, there has been no effort to clean up the site and remove the vehicles.
3. By ordinance if a C.U.P. is denied the applicant may resubmit the request in six months or on proof of change of conditions found to be valid by the Planning Commission.
4. Section 19, 1903.1 states that it is a violation to issue a C.U.P. if there is a current violation on the property.

Motion adopted unanimously.

Mr. Miller left abruptly stating that he was going to be contacting his attorney.

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

Planning
Commission V#06-06
Approved

Bigelow/Edgewood Estates 2nd – V#06-06

The third public hearing is for a request for a variance under section 20.2005.2 Dodge County Subdivision Ordinance to the 50 foot front yard setback minimum to 25 foot and the 25 foot side yard minimum to 15 foot on one side yard if needed for Edgewood Estates 2nd Subdivision. The subdivision is zoned Urban Expansion Residential and the lot size of .75 to 1 acre lots is similar to Edgewood Estates 1st Subdivision which was also granted a variance for the same yard setbacks. This variance request will apply to the 18 lots of Edgewood Estates 2nd Subdivision located in the SW ¼ of the SE ¼, of Section 15, Mantorville Township. Joel Bigelow & Sons Enterprises are the applicants and property owners.

The Planning Commission unanimously recommends approval of this request for a blanket variance of 50 foot front yard setback minimum to 25 foot and the 25 foot side yard minimum to 15 foot on one side yard if needed for Edgewood Estates 2nd Subdivision.

Motion adopted unanimously.

Motion by Gray seconded by Hanson to close the meeting to the public at 11:18 a.m. CST to discuss the MTM v. Dodge County Tax Court Case with legal counsel. *Motion adopted unanimously.*

Closed Session

Those present include the all five County Commissioners, County Attorney, County Administrator, Finance Director and County Assessor.

The Chair opened the meeting to the public at 11:50 a.m. CST.

Meeting Opened to Public

Commissioner Erickson 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 24, 2006 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

10/24/06 Committee of the Whole Meeting Minutes Approved

Motion by Alberts seconded by Hanson to approve and authorize the October 24, 2006 meeting minutes as corrected on pages 263 and 268. *Motion adopted unanimously.*

10/24/06 Meeting Minutes Approved

Motion by Gray seconded by Alberts to approve and authorize the October 24, 2006 Land Division Ordinance meeting minutes as presented. *Motion adopted unanimously.*

10/24/06 Land Division Ordinance Meeting Minutes Approved

The Zumbro Valley Recreation Club in Mantorville is requesting a renewal of their liquor and Sunday sale license. This renewal will cover the time period of January 1, 2007 through December 31, 2007.

Zumbro Valley Recreation Club 2007 Liquor License Renewal Approved

Motion by Gray seconded by Alberts to approve and authorize the County Auditor/Treasurer to sign a Liquor and Sunday Sale license for the Dodge Country Club for calendar year 2007 pending the approval of the County Attorney and County Sheriff and the submission of all required insurance documentation. *Motion adopted unanimously.*

The Board reviewed the annual maintenance contracts as provided by Technology Coordinator Dave Deschene. All items are covered by the Information Systems 2006 budget.

Information Systems Service Contracts Approved

Motion by Tjosaas seconded by Gray to approve the following contracts for renewal:

- NBX 3Com Telephone Switch \$1,498
This covers the courthouse and Fairview Care Center telephone system switch and its component parts. It does not cover the telephones, for which we self insure.

- Adtran Atlas 550 Integrated Access Device \$690
This device connects our incoming voice telephone lines to the NBX, and incoming fax and modem lines to those devices within the courthouse.
- CPS Contract for AS400 server, AS400 tape drive and printer \$2,664.80.
This is the server that our tax, integrated financial, payroll, and personnel applications run on. This fee is for hardware maintenance for the AS400, the tape drive used for nightly backups, and the printer used by Human Services for printing checks.

Motion adopted unanimously.

The Board discussed Integrated Financial System Enhancements. The Integrated Financial System (IFS) is an application that runs on the AS400, providing financial transaction support, tracking all income and expenditures for the county. MCCC member counties have voted to enhance this application, with all counties running the application being billed for these enhancements.

Counties will be allowed to pay this fee over three years, with the option to pay more quickly if they choose. Information Systems has money in its budget to cover the total for this project.

Motion by Hanson seconded by Alberts to approve and authorize the Technology Coordinator's request to pay Dodge County's entire share of \$19,762 in 2006 for the IFS upgrade. *Motion adopted unanimously.*

The Board reviewed a Computer Aided Dispatch (CAD) remote server request. In the event of a disaster resulting in loss of the Sheriff's CAD server or requiring evacuation of Dispatch, current disaster recovery/business continuity plans call for a longer than desired length of time to restore access to CAD.

Motion by Gray seconded by Alberts to approve and authorize the expenditure of funds to implement a Remote Computer Aided Dispatch Server Proposal that would provide near instantaneous restoration of services by creating a remote backup server and keeping it synchronized with the production CAD server at the courthouse as recommended by the Technology Coordinator. *Motion adopted unanimously.*

Information Systems
Service Contracts
Approved -
Continued

Integrated Financial
System Upgrade
Approved

Remote Computer
Aided Dispatch
Server Proposal
Approved

Commissioners provided their agency reports. Commissioner Hanson attended a Land Division meeting, a SEAAA meeting, a SERTS Energy meeting, a Technology meeting, a Ditch meeting, a Workforce Development Joint Powers meeting, a Dodge-Steele Board of Health Joint Powers meeting, an EMS & WDI Joint Powers meeting, a Southeast Water Resource meeting and a Southeast Human Resources meeting. Commissioner Alberts attended a Planning meeting and a Semcac meeting. Commissioner Gray attended an Elections Canvassing meeting, a SCHRC meeting and a Judicial Ditch meeting. Commissioner Erickson attended a MN Transmission Planning meeting, a Public Hearing on Land Division Ordinance, a DFO Advisory Board meeting, a SCHA meeting, a SCHA special Executive Committee meeting, the General Election, a Dodge County Nursing Home meeting, visited the Rohwer feedlot site and the courthouse and attended a SCHA Joint Powers Board meeting. Commissioner Tjosaas attended a Planning and Zoning meeting, an EDA meeting, a County Board Nursing meeting, a Semcac meeting and a Public Health meeting.

Agency Reports

Motion by Alberts seconded by Gray to adjourn the meeting at 12:14 p.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on November 28, 2006 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

DAVID ERICKSON
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: