

TUESDAY, FEBRUARY 13, 2007

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2007-04

The Dodge County Board of Commissioners met in regular session February 13, 2007, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CST. Don Gray, 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
	David Erickson	District #3
	Don Gray	District #4
	David Hanson	District #5
Members absent:	Lyle Tjosaas	District #2
Also present:	David McKnight	County Administrator

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

Agenda Approved

Motion by Alberts seconded by Hanson to approve and authorize the following items on the consent agenda:

Consent Agenda
Items Approved

1. The Chairman of the Board, County Administrator and Finance Director's signature on the 2006 Audit Engagement Letter.
2. Signing authority for the Scottrade Brokerage Account be transferred from Tom Olney to Lisa Kramer. This trading account is for stock transactions associated with the Frances C. Anderson Trust/Claremont Cemetery.
3. The Chairman of the Board and Clerk to sign resolution #2007-08 establishing a savings rate for Governmental Agencies that qualify for accrued interest.

WHEREAS, Dodge County needs to establish an annual interest rate payable to governmental agencies that qualify for accrued interest, and

WHEREAS, the interest rate used by Wells Fargo Bank savings account will be considered the benchmark rate, and

WHEREAS, the general funds were invested in the year 2006 in a money market savings account earning 2.55% at year end 2006.

THEREFORE BE IT RESOLVED, that the year 2007 annual interest rate payable to qualified agencies shall be 2.55%.

Consent Agenda
Items Approved -
Continued

- 4. Amendment to the Classification and Compensation Policy located in the Employee Relations Manual. The following language was added to the policy under item #5, On-Call Employees: On-call employees who do not work for a period of twelve months will be considered voluntarily terminated and be removed from all on-call lists.

- 5. Re-bid the chloride solution with a bid closing date of Tuesday, March, 6, 2007 at 11:00 a.m.

Motion adopted unanimously.

The County Attorney arrived to the meeting at 9:33 a.m. CST.

County Attorney
Arrived to Meeting

Doug Lambert, Director of DFO Community Corrections and Kurt Petzold, DFO Supervisor provided the Board with a Joint Powers Agreement and a Community Corrections Act Subsidy Agreement for their consideration. It was determined that action on the Joint Powers Agreement and Community Corrections Act Subsidy Agreement would be delayed to allow the Board time to review the documents.

2007 DFO Budget
Review

Mr. Lambert provided the Board with 2007 DFO budget review and discussed various DFO program.

County Engineer Guy Kohlnhofer met with the Board to discuss a Cost Participation Agreement for 20-634-011 CSAH 34 Dodge Center.

Cost Participation
Agreement for SAP
20-634-011 CSAH 34
Dodge Center
Approved

The Section of CSAH 34 west of the Triton High School to McNeilus Truck will be reconstructed to include curb and gutter, turn lanes, storm sewer, city utilities and sidewalk. With the exception of the utility work much of this project will be funded by Dodge County using State Aid Turnback dollars as negotiated in the turnback settlement with MnDOT. Those items not covered in that negotiation will need to be paid for with local dollars.

The Board reviewed with Mr. Kohlnhofer an agreement between the City of Dodge Center and Dodge County. The agreement lays out the financial responsibility of each party for those items not wholly covered by State Aid Turnback dollars. In the event that an agreement is not reached the project will be reduced or postponed.

Dodge Center City Administrator Lee Mattson and Dodge Center Mayor Bill Ketchum were present to comment.

Motion by Hanson seconded by Erickson to approve and authorize the County Attorney, County Engineer, Chairman of the Board and Clerk to sign a participation Agreement between the City of Dodge Center and Dodge County for CSAH 34 reconstruction within Dodge Center as amended.

Motion adopted unanimously.

The County Engineer requested authorization to advertise SAP 20-634-011 CSAH 34 Dodge Center, 20-634-012 CSAH 34 Mill and Overlay, 20-634-013 CSAH 34 Mill and Overlay East End.

Highway Department
Authorized to Set Bid
Dates for SAP 20-
634-011, 20-634-012
& 20-634-013

Mr. Kohlhofer reported that these three project numbers encompass the CSAH 34 project from Kasson to TH 56. The project includes the following sections:

Rural area west of Dodge Center and East of McNeilus

This area will be milled and overlaid to include four foot paved shoulders. The inslopes will be flattened for better recovery and minor ditch work performed.

City Section in Dodge Center

This area will be reconstructed to include curb and gutter, turn lanes, storm sewer, city utilities and sidewalk.

The majority of this project will be paid for with State Aid Turnback dollars as negotiated with MnDOT for this turnback of old TH 14. Any additional costs above the negotiated fix will be local responsibility. Within the city the costs will be shared by Dodge County and Dodge Center as laid out in an agreement. Additional costs for the rural section will be picked up by Dodge County using funds from the County's State Aid allotment.

Project 20-634-13 is the ¾ mile portion from Kasson to the old TH 14 connection.

This is from a previous turnback and will be paid for entirely with the County's State Aid allotment.

As this is a county road project within a city it is necessary to have the cities sign off on the plans. In order to expedite the process and avoid scheduling issues between the three authorities the Highway Department would like the authority to advertise and set a bid opening date as soon as the plans are approved.

Costs have been estimated for this project however in order to preserve the bidding process they are not available for public release at this time.

Motion by Erickson seconded by Alberts to approve and authorize the Highway Department to set dates to advertise and open bids for SAP 20-634-011, 20-634-012 and 20-634-013 at the discretion of the County Engineer and County Administrator. *Motion adopted unanimously.*

Mr. Kohlhofer provided for the Board's review the 2007 seasonal supply bids.

2007 Seasonal
Supply Bids Awarded

Motion by Erickson seconded by Alberts to award the season supply bids to the following low bidders:

Supply	Bidder	Bid Amount
Aggregate Material, CL.2, Mantorville Quarry	Stussy Construction	\$96,450.00
Aggregate Material, CL.2, Concord Quarry	Milestone Materials	\$90,300.00
Aggregate Material, CL.2, Rockdell Quarry	Stussy Construction	\$65,200.00
Aggregate Material, FA-2	Milestone Materials	\$19,944.00
Bituminous Mixture	Shamrock	\$30,460.00
Bituminous Material CRS-2	Flint Hills	\$68,047.50
Pavement Marking	Traffic Marking	\$32,260.00

2007 Seasonal
Supply Bids Awarded
- Continued

Motion adopted unanimously.

The County Engineer discussed his request for 2007 load limit restrictions.

2007 Load Limit
Restrictions
Approved by
Resolution #2007-09

Motion by Alberts seconded by Hanson to approve and authorize the Chair and Clerk to sign resolution #2007-09 setting the 2007 Load Limit Restrictions:

BE IT RESOLVED, by the County Board of Commissioners of Dodge County, that due to deteriorations caused by snow, rain and the usual spring climatic conditions, county roads will be seriously damaged unless restrictions are placed on the vehicles operating thereon;

NOW, THEREFORE, no person shall operate any vehicle or combinations of vehicles upon any County State Aid Highway or County Aid Road over the posted weight limit per axles, as defined by Minnesota Statute, Section 169.87 and as amended by the 1981-82 legislature, and not to exceed six tons per axle based on gross weight formulas except on roads restricted by bridges of lesser posted weight and those roads specified as follows:

10 TONS PER AXLE

- C.S.A.H. 1 described as follows:
Beginning at the junction of T.H. No. 14 and C.S.A.H. No. 1, thence southerly along C.S.A.H. No. 1 to its junction with C.S.A.H. 3 (Front Street), thence easterly along C.S.A.H.3 (Front Street), to its junction with Claremont's East Street, as designated on the original plat, and there terminating.
- C.S.A.H. 7 from T.H. 14 to C.S.A.H. 34 (old T.H. 14)
C.S.A.H. 13 from T.H. 14 to 3,450 feet Southeast
C.S.A.H. 34 from T.H. 56 to 900 feet west of C.S.A.H. 25
C.A.R. "X" from Al-Corn Road to C.S.A.H. 1

9 TONS PER AXLE

- C.S.A.H. 1 from T.H. 14 to C.S.A.H. 24
C.S.A.H. 2 from the west County Line to C.S.A.H. 5
C.S.A.H. 3 from T.H. 30 to T.H. 14
C.S.A.H. 5 from C.S.A.H. 2 to T.H. 30
C.S.A.H. 7 from C.S.A.H. 34 (Old T.H. 14) to the North County Line
C.S.A.H. 9 from C.S.A.H. 16 to C.S.A.H. 22

C.S.A.H. 11 from C.S.A.H. 16 to C.S.A.H. 22 West
 C.S.A.H. 12 from C.S.A.H. 21 to T.H. 57
 C.S.A.H. 13 from T.H. 30 to 3,450 feet Southeast of T.H. 14
 C.S.A.H. 15 from T.H. 30 to C.S.A.H. 34
 C.S.A.H. 16 from T.H. 56 to the East County Line
 C.S.A.H. 17 from C.S.A.H. 16 to C.S.A.H. 22
 C.S.A.H. 20 from C.S.A.H. 1 to T.H. 56
 C.S.A.H. 21 from C.S.A.H. 34 to C.S.A.H. 12
 C.S.A.H. 22 from C.S.A.H. 9 to T.H. 57
 C.S.A.H. 22 from C.S.A.H. 11 to the East County Line
 C.S.A.H. 24 from the West County Line to T.H. 56
 C.S.A.H. 25 from T.H. 14 to C.S.A.H. 34 (Old T.H. 14)
 C.S.A.H. 34 from 900 feet west of C.S.A.H. 25 to the East County Line
 C.A.R. "N" (Industrial Park Blvd.) from T.H. 56 to C.A.R. "T"
 C.A.R. "L" from T.H. 30 to 1.5 miles North

2007 Load Limit
Restrictions
Approved by
Resolution #2007-09
- Continued

7 TONS PER AXLE

C.S.A.H. 1 from the West County Line to C.S.A.H. 3 (Front Street in
 Claremont)
 C.S.A.H. 4 from T.H. 56 to the East County Line
 C.S.A.H. 5 from C.S.A.H. 24 to the North County Line
 C.S.A.H. 5 from T.H. 30 to T.H. 14
 C.S.A.H. 9 from the South County Line to C.S.A.H. 34 (Old T.H. 14)
 C.S.A.H. 9 from C.S.A.H. 34 (Old T.H. 14) to C.S.A.H. 16
 C.S.A.H. 10 from C.S.A.H. 5 to T.H. 56
 C.S.A.H. 11 from C.S.A.H. 22 West to the North County Line
 C.S.A.H. 12 from C.S.A.H. 9 to C.S.A.H. 21
 C.S.A.H. 15 from C.S.A.H. 34 to T.H. 57
 C.S.A.H. 18 from C.S.A.H. 11 to the East County Line
 C.S.A.H. 19 from 240th Avenue to the East County Line
 C.S.A.H. 20 from the West County Line to C.S.A.H. 1
 C.S.A.H. 22 from C.S.A.H. 24 to C.S.A.H. 9
 C.S.A.H. 22 from T.H. 57 to C.S.A.H. 11
 C.S.A.H. 24 from T.H. 56 to the East County Line
 C.A.R. "G" from the West County Line to C.S.A.H. 1

Emergency vehicles of the public utilities used incidental to making repairs to its plant and equipment or fire apparatus vehicles shall be exempt from the provisions of this resolution.

The County Board authorizes the County Engineer to determine the effective date for road postings as he sees the need.

Resolution adopted unanimously.

The Board reviewed the County Engineer's request for parking restrictions.

Dodge County Highway Department has planned a mill and overlay project on County Road 34 from TH 56 north to 12th Avenue NW in the City of Kasson under project numbers SAP 20-634-011, SAP 20-634-012, and SAP 20-634-013. This project goes through the City of Dodge Center and into the City of Kasson and does not provide adequate width for parking on both sides of the street within the city limits. For this reason, the proposed construction as a County State Aid Highway project must be conditioned upon parking restrictions.

CSAH 34 Parking
Restrictions for the
City of Kasson
Approved by
Resolution #2007-10

The Highway Department requests the board to approve the two resolutions restriction parking on County Road 34 within the cities of Dodge Center and Kasson.

Motion by Erickson seconded by Alberts to approve and authorize the Chair and Clerk to sign resolution #2007-10 in support of parking restrictions on CSAH 34 in the City of Kasson and resolution #2007-11 in support of parking restrictions on CSAH 34 in the City of Dodge Center:

Resolution #2007-10 Relating to Parking Restrictions

S.A.P. 20-634-013 from 235th Avenue to 186 feet east of 13th Avenue NW in the City of Kasson, Minnesota.

WHEREAS, this resolution was passed this 13th day of February, 2007, by the County of Dodge in Dodge County, Minnesota; and

WHEREAS, Dodge County, has planned the improvement of County State Aid Route No. 34 from 235th Avenue to 186 feet east of 13th Avenue NW in the City of Kasson; and

WHEREAS, Dodge County will be expending Municipal County State Aid Funds on the improvements of this Street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a County State Aid Highway project must therefore be conditioned upon certain parking restrictions.

NOW THEREFORE BE IT RESOLVED, that Dodge County shall ban the parking of motor vehicles on C.S.A.H. 34 at all times.

Resolution adopted unanimously.

Resolution #2007-11 Relating to Parking Restrictions

S.A.P. 20-634-011 and S.A.P. 20-634-012 from 644 feet west of 6th Avenue NW to Airport Drive (C.S.A.H. 25) in the City of Dodge Center Minnesota.

CSAH 34 Parking
Restrictions for the
City of Dodge Center
Approved by
Resolution #2007-11

WHEREAS, this resolution was passed this 13th day of February, 2007, by the County of Dodge in Dodge County, Minnesota; and

CSAH 34 Parking
Restrictions for the
City of Dodge Center
Approved by
Resolution #2007-11
- Continued

WHEREAS, Dodge County, has planned the improvement of Highway Street State Aid Route No. 34 from 644 feet west of 6th Avenue NW to Airport Drive (C.S.A.H. 25) in the City of Dodge Center; and

WHEREAS, Dodge County will be expending State Aid Turnback Funds and Municipal State Aid Funds on the improvements of this Street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a County State Aid Highway project must therefore be conditioned upon certain parking restrictions.

NOW THEREFORE BE IT RESOLVED, that Dodge County shall ban the parking of motor vehicles on Highway Street (C.S.A.H. 34) at all times.
Resolution adopted unanimously.

Finance Director Lisa Kramer reviewed bills with the Board. Motion by Alberts seconded by Hanson to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

Bills Approved

01	Revenue Fund	\$305,226.02
11	Human Services Fund	\$ 60.00
13	Road and Bridge Fund	\$194,395.17
16	Environmental Quality	\$ 54,064.19
80	Agency Fund	\$ 21.00
82	Forfeit Land Fund	<u>\$ 25.00</u>
	Total	\$553,791.38

A bill in the amount of \$814.73 to White Water Wireless on page 14 was pulled for further research. *Motion adopted unanimously.*

Ms. Kramer discussed with the Board a request for abatement of penalty and interest on 2006 delinquent property taxes.

2006 Delinquent
Property Tax
Abatement Request
Discussion

The Finance Director reported that Deborah Boelter has submitted a request to abate the penalty and interest for her 2006 property tax payment. Ms. Boelter contends that she mailed the check on time, but the check has neither been cashed nor has it been returned to her. The county has never received this check. Ms. Boelter chose not to contact the county with regards to her un-cashed check until she received the delinquent letter in early January. Her second half property tax was due October 16, 2006.

Motion by Erickson seconded by Hanson to deny the property tax penalty and interest abatement requests of Deborah Boelter. *Motion adopted unanimously.*

Boelter Delinquent
Property Tax
Abatement Request
Denied

Ms. Kramer stated that the second request is from Betty Engvall who has submitted a request to abate the penalty and interest for her second half 2006 property tax payment. Ms. Engvall purchased parcel number 26.576.0120 in West Concord from Phillip Lermon in August. At the closing Ms. Engvall's costs were reduced by a prorated second half tax amount of \$201.31. Ms. Engvall also had a title opinion done by Atypical Title as part of this land sale. The property tax is clearly indicated on the title opinion that was completed on July 31, 2006. Ms. Engvall asserts that at the time of closing she was told by Atypical Title to come to the county to find out what was due for the second half. She maintains that she came to the courthouse and was told that the taxes were paid. If Ms. Engvall did come to the courthouse to obtain tax information, she most likely did not have the parcel number, but gave her name as the search information, as this is the most common practice. By looking under her name her newly purchased parcel would not show. Tax records are only updated before taxes are certified and her purchase was mid year, so that parcel only appeared under the Lermon name. The parcel that showed under Ms. Engvall's name was paid because she was splitting it at the same time as this purchase, and splits require payment of taxes in full.

2006 Delinquent
Property Tax
Abatement Request
Discussion

Motion by Alberts seconded by Erickson to deny the property tax penalty and interest abatement requests of Betty Engvall. *Motion adopted unanimously.*

Engvall Delinquent
Property Tax
Abatement Request
Denied

Environmental Quality Director Mark Gamm presented a request to set the 2007 Hauler License fee. Mr. Gamm noted that the proposed 2007 fee is the same as the existing 2006 fee.

2007 Hauler License
Fee Set by
Resolution #2007-12

Motion by Erickson seconded by Alberts to approve and authorize the Chair and Clerk to sign resolution #2007-12 setting the 2007 Hauler License Fee:

WHEREAS, the Dodge County Board of Commissioners has the authority to set appropriate fees for obtaining a license to collect and transport Mixed Municipal Solid Waste (MMSW); and

WHEREAS, it is the policy of the county to recuperate the cost of providing Waste Management Services through fees paid by those who generate waste in the county; and

WHEREAS, it is the policy of the county to collect fees based on the amount of waste a generator throws away; and

WHEREAS, licensed haulers determine the ultimate destination of MMSW they collect, provide a direct link to generators, and provide volume-based pricing service to their customers.

THEREFORE BE IT RESOLVED that the Dodge County Board of Commissioners hereby establishes license fees based on the amount of waste collected and disposed of by licensed haulers.

BE IT FURTHER RESOLVED that the license fee for 2007 will be .0070 per pound (14.00/Ton) of MMSW disposed; calculation shown on “2007 License Fee Calculation”.

2007 Hauler License
Fee Set by
Resolution #2007-12
- Continued

BE IT FURTHER RESOLVED that rather than collecting fees with license applications, fees shall be remitted monthly based on actual pounds disposed. If actual pounds cannot be obtained, the amount will be estimated based on the generator’s container size and frequency of collection using the following weight to volume ratio:

- 110 lbs. per uncompacted cubic yard and
- 0.54 lbs. per gallon

For example:

- a) The monthly fee for collecting one 90-gallon cart 4 times in the month would be: 0.54 lb x 90 gal. X \$.0070/lb x 4 (frequency) =\$1.36.
- b) The monthly fee for collecting a 1.5 yard container 10 times each month would be: 110 lb x 1.5 yard x \$.0070 x 10 = \$11.55.

Resolution adopted unanimously.

The Environmental Quality Director discussed with the Board a request to approve 2007 Hauler’s License.

2007 Hauler’s
License Approved by
Resolution #2007-13

Steve Milde from A to Z Sanitation was available to comment.

Motion by Hanson seconded by Alberts to approve and authorize the Chair and Clerk to sign resolution #2007-13 granting 2007 Hauler’s License:

WHEREAS, the following waste haulers have applied for a license to collect and transport solid waste in Dodge County:

Alli Rolloff Inc., Veolia Environmental Services,
Waste Management Inc., Veit Container Corp, Triple J Disposal

WHEREAS, the Dodge County Solid Waste Officer has reviewed the hauler’s application and supplemental information and finds that they meet requirements set forth in Dodge County Solid Waste Ordinance.

THEREFORE, BE IT RESOLVED; that the Dodge County Board of Commissioners grants a license to collect and transport solid waste in Dodge County for a period from February 13, 2007 to February 14, 2008 to the following haulers:

Alli Rolloff Inc., Veolia Environmental Services,
Waste Management Inc., Veit Container Corp, Triple J Disposal.

BE IT FURTHER RESOLVED that the enforceable conditions of each license is as follows:

1. The licensee will comply with all enforceable provisions of Dodge County Ordinance and state law.
2. The licensee, if choosing to arrange for final disposal in an out-of-state facility, can do so only if that facility meets design and operating requirements for the state in which that facility resides.
3. The licensee, if choosing to arrange for final disposal in an out-of-state facility, must provide to the County Solid Waste Officer, prior to disposal, a copy of the facility's permit, construction certification, and operating manuals required by permit. The licensee will also provide to the Dodge County Solid Waste Officer, on a monthly basis, an accurate estimate of volume or weight of waste collected from customers in Dodge County which is disposed in an out-of-state facility. If actual pounds can not be obtained, the amount will be estimated based on the generator's container size and frequency of collection using the following weight to volume ratio:
 - 110 lbs per uncompacted cubic yard and
 - 0.54 lbs per gallon
4. License fees will be submitted in accordance with Dodge County Resolution named: "2007 Hauler License Fee".
Resolution adopted unanimously.

2007 Hauler's
License Approved by
Resolution #2007-13
- Continued

Also included in the motion was authorization for a one month license for A – Z Sanitation contingent upon the submittal of a letter for credit by March 13, 2007.

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

Personnel Actions
Approved

A. Human Services

- A.1 Gary Trelstad – Collections and Accounting Supervisor
Annual review.
Effective Date: 2/17/07
- A.2 Debra Klein – Office Support Specialist –Temporary
End of temporary employment.
Effective Date: 1/26/07
- A.3 Kelly Madsen – Information Support Specialist
Step increase from B21 step 3 \$14.39 to B21 step 2 \$14.86.
Effective Date: 2/8/07
- A.4 Jodi Holmberg – Case Aide
Completion of trial work period for new position.
Effective Date: 2/20/07

B. Public Health

- B.1 Sara Marquardt – Account Technician .8 FTE
Resignation.
Effective Date: 2/23/07
- B.2 Account Technician - .8 FTE
Authorization to post and fill position due to resignation.
Effective Date: 2/13/07

- B.3 Amber Converse – Dietitian .55 FTE
Step increase from C42 step 7 \$18.31 to C42 step 6 \$19.00.
Effective Date: 11/25/06

Personnel Actions
Approved –
Continued

C. Administration

- C.1 Sara Marquardt – Account Technician
Authorization to employ at B23 step 7 \$15.02 to fill approved vacancy.
Effective Date: 2/26/07

D. Highway Department

- D.1 Equipment Operator III
Authorization to post and fill position created due to termination.
Effective Date: 2/13/07
- D.2 Mitchell Peterson – Seasonal Highway Maintenance
End of seasonal employment.
Effective Date: 10/29/06

E. Environmental Quality

- E.1 Compliance Officer – 1.0 FTE
Approval of job description and authorization to create and fill new position.
Effective Date: 2/13/07

F. Attorney's Office

- F.1 Eileen Callahan – Legal Secretary
Amend effective date of previous Personnel Action to change FTE from .85 to .5.
Effective Date: To Be Determined
- F.2 Stephanie Morris – Paralegal
Authorization to employ at B31 step 8 \$15.60.
Effective Date: 2/26/07

G. Sheriff's Department

- G.1 Part-time Sheriff Department Staff review of FTE status. The following changes need to be made according to average hours worked. The next audit will be 7/2007.
Matthew Kuth – 911 Dispatcher
Increase FTE from On-Call to .4 FTE
Effective Date: 1/1/07

Motion adopted unanimously.

Building Operations Supervisor Roger Friedt discussed a courthouse roofing project request with the Board.

Maintenance
Authorized to
Request Proposals
for Courthouse Re-
Roof Project

Mr. Friedt reported that the courthouse roof shingles are in need of replacement. The shingles are 20 plus years old. There are areas where parts of shingles have broken away, gravel coating of the shingles has worn away, shingles are curling, metal material used in roof valleys is rusting, flashing around cupola, roof vents and chimney are in need of repair and minor leaks in recent years are indicators of roofing replacement. This is a 2007 capital improvement project estimated at approximately \$40,000.

The Building Operations Supervisor noted that to re-roof the courthouse there is a need to look at other areas that are directly affected when replacing the shingles. The cupola, fascia board, chimney repair and gutter replacement are in need of repairs before new roofing is to be installed. These items were part of a 2007 capital improvement request that was cut from the budget.

Maintenance
Authorized to
Request Proposals
for Courthouse Re-
Roof Project -
Continued

The cupola has six architectural wood columns. Two of the columns are in need of replacement. The base of the two columns is rotting away and is loose. The columns are not critical components to the overall structural support of the cupola. The columns are designed to be an architectural feature that adds to the overall strength of the cupola's domed roof. There are asbestos siding panels around the base of the cupola that are loose, cracked or broken and need to be abated and replaced. The entire cupola needs to be repainted.

Mr. Friedt reported that there are areas around the perimeter of the roof where the fascia board needs repairs and all the fascia board needs to be repainted.

The chimney is in need of tuck pointing the mortar joints to preserve the brick construction of the chimney.

The Building Operations Supervisor informed the Board that the gutters need to be replaced with new gutters that will include some type gutter guards for eliminating clogged gutters and overtopping of the gutters during heaving rains. This will also reduce maintenance of the gutters that are 30 feet above the ground.

Mr. Friedt commented that the above project introduces some challenges that he thinks the county will need to consider some assistance in going forward with this project. The Building Operations Supervisor believes there should be a specifications developed to address the roofing materials and selection, column replacement, painting specifications for the wood and metal in the cupola exterior and fascia boards, tuck pointing and an adequate low maintenance gutter system. This may also assist in helping stretching the existing budget to accomplish as much as possible the items outside of just re-roofing.

Motion by Erickson seconded by Alberts to direct the Building Operations Supervisor to request proposals from building engineering firms or construction management firms to assist in developing specifications for the courthouse re-roof project. Estimated cost for this to be in the area of \$2,000-\$3,000. *Motion adopted unanimously.*

Public Health Director Peggy Espey presented for the Board's consideration a proposed resolution in support of the 2007 Freedom to Breathe Act.

2007 Freedom to Breathe Act
Supported by Resolution #2007-14

The Freedom to Breathe Act bill was introduced to the legislature the week of January 26 and is currently being heard in committees. One of Local Public Health's legislative priorities is to support a comprehensive statewide ban on smoking in all workplaces. The recent results of our local Smoking Survey support the adoption of a smoke free law. Public Health Departments have been encouraged by their Local Public Health Association to seek resolutions from their County Boards supporting this Freedom to Breathe Act.

Motion by Alberts seconded by Hanson to approve and authorize the Chair and Clerk to sign resolution #2007-14 in support of the 2007 Freedom to Breathe Act:

WHEREAS, the body of scientific evidence establishing secondhand smoke exposure as a serious health threat continues to grow; and

WHEREAS, exposure to secondhand smoke contributes to the death of 46,000 nonsmokers in the United States from heart disease each year and 3,000 nonsmokers in the United States from lung cancer each year; and

WHEREAS, the Dodge County Public Health Survey conducted in October, 2006, found that seven-in-ten Dodge County residents support a smoke-free law; and

WHEREAS, while 40 percent of Minnesotans live in communities with smoke free ordinances, 60 percent do not have this public health protection; and

WHEREAS, the release of the Surgeon General's report last year concluded that the debate on the dangers of secondhand smoke is over; and

WHEREAS, the Surgeon General also concluded that the only way to truly protect nonsmokers from the risk is through smoke-free buildings and public places; and

WHEREAS, smoke-free policies are overwhelmingly supported in Minnesota communities and are popular with voters; and

WHEREAS, the legislature failing to adopt a strong smoke-free workplaces law this year will continue to leave many workers at risk.

THEREFORE, BE IT RESOLVED that Dodge County Commissioners support:

- The passage of the Freedom to Breathe Act during the 2007 legislative session, putting in place a strong smoke-free workplaces law with no loopholes that would protect everybody's right to breathe clean air.

- The right of local governments to strengthen local laws to further protect workers from secondhand smoke exposure.

Resolution adopted Alberts, Hanson, Erickson aye, Gray nay.

2007 Freedom to Breathe Act
Supported by Resolution #2007-14
- Continued

Planning Director Duane Johnson presented the February 7, 2007 Planning Commission Recommendations. Motion by Hanson seconded by Erickson to approve the following action of the Planning and Zoning Commission as reviewed on February 7, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission Recommendation CUP #07-03
Approved

Darrin Jensen/Chris Torgerson – CUP #07-03

The request is for a Conditional Use Permit to establish a home occupation in an accessory building. The property is located in the SE ¼ of the SE ¼ of Section 11 of Wasioja Township in the village of Wasioja. Darrin Jensen and Chris Torgerson are the applicants and Jerry Bartel is the property owner.

The Planning Commission recommends approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Home Occupation Agreement is signed and recorded with the CUP.
2. The permit will be reviewed by the Planning Commission before any expansion of outside activity area or any new accessory buildings outside.
3. Ag Covenant be signed and recorded.
4. Feedlot is allowed to continue to operate.
5. Business operation conform to all State and Federal Rules including sandblasting and sandblast material after use; use of solvents, paints or other fabricating materials stored, used or disposed of.
6. Sandblasting operation be in a shed or enclosed to eliminate noise of sandblasting process and air compressor.

Motion adopted unanimously.

Mr. Johnson reviewed CUP #07-04. Motion by Alberts seconded by Erickson to approve the following action of the Planning and Zoning Commission as reviewed on February 7, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission Recommendation CUP #07-04
Approved

Donald Leth – CUP #07-04

The request is for a Conditional Use Permit to establish a non-farm dwelling on 3 acres in the Ag District. The property is located in the SW ¼ of SW ¼ of Section 1 of Mantorville Township. Donald Leth is the applicant and the property owner.

The Planning Commission recommends approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. The Ag Covenant shall be signed and recorded.
2. The septic system must meet the county's septic ordinance.
3. Driveway access and permits be obtained from the County Highway Department.

Motion adopted unanimously.

Planning
Commission
Recommendation
CUP #07-04
Approved -
Continued

The Planning Director reviewed with the Board CUP #2-029. Motion by Alberts seconded by Erickson to approve the following action of the Planning and Zoning Commission as reviewed on February 7, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning
Commission
Recommendation
CUP #2-029
Approved

B&M Sand – CUP #2-029

The Planning Commission has review and recommends renewal of this CUP along with the reviewed site plan and application for extraction of minerals and materials. After the retention pond is built and the pit is operational, in the spring, the sand pit be inspected to be sure erosion control measures are in place. These control measures should include;

1. Additional slit fencing along the east side of the operation where stockpiling has taken place to prevent runoff into ravine.
2. Berming or clean water diversion to prevent storm water entering the pit area.
3. Seeding of the stockpiles as soon as possible; submit plan for weed control.
4. Remove or pull back overburden that has been pulled into ravined area (this is a small area that amounts to 3-10 yards of black dirt from previous operator).
5. Review of permit in 5 (five) years from date September 4th, 2007.

Motion adopted unanimously.

The Planning Director reviewed with the Board CUP #05-11. Motion by Erickson seconded by Hanson to approve the following action of the Planning and Zoning Commission as reviewed on February 7, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning
Commission
Recommendation
CUP #05-11
Approved

Frederickson – CUP #05-11

The Planning Commission recommends approval of this review and renewal the existing conditional use permit with the following changes;

1. Change of ownership.
2. Changing the sign face orientation to a "V" shape.
3. Changing the color of sign structures.
4. Illumination of sign faces.
5. Replacement of the Bonds as approved by the Planning Office.
6. Any change to physical structure requires county approval.

Motion adopted unanimously.

The Planning Director reviewed with the Board request for extension of CUP #06-08. Motion by Erickson seconded by Alberts to approve the following action of the Planning and Zoning Commission as reviewed on February 7, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning
Commission
Recommendation
CUP #06-08
Approved

Paul Moe CUP- #06-08

The Planning Commission recommends approval for an extension of CUP #06-08 for 1 (one) year based on reasons stated in the letter from new owner, Erik Hess dated 12/22/06.

Staff Comments:

The Planning Commission recommendation should also include the following;

1. The Ag Covenant shall be signed and recorded.
2. The septic system must meet the County's septic ordinance.
3. Driveway access and permits be obtained from MnDot if needed.

Motion adopted unanimously.

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

Legal Update

Motion by Erickson seconded by Hanson to close the meeting to the public at 11:21 a.m. CDT to discuss the MTM v. Dodge County tax court case.

Closed Session

Members present included four County Commissions, County Administrator, County Assessor and the County Attorney.

The Chair opened the meeting to the public at 11:42 a.m. CDT.

Meeting Opened to the Public

Motion by Alberts seconded by Erickson to approve and authorize a stipulation, Order for Judgment and Judgment settling the McNeilus Truck and Manufacturing (MTM) v. Dodge County tax court case and setting values for the property for assessment years 2001-2010. *Motion adopted unanimously.*

Settlement
Agreement Between
Dodge County and
McNeilus Truck and
Manufacturing
Approved

Chair Gray reported that Dodge County approved a settlement agreement today in the tax court case between the county and McNeilus Truck and Manufacturing (MTM). These two court case that were initiated by MTM in 2002 involved the value of the property owned by MTM in Dodge County and required the county to defend the case and incur fees in excess of \$250,000.

The settlement approved today by the County Board uses the court determined values of the property for assessment years 2001-2006 and establishes values for the property for assessment years 2007-2010. While the County Board has always been confident in the values established by the county on this property, the legal fees associated with this case and the continued impact of this case on the county are two areas that lead to the county's decision to settle this case.

The County Board looks forward to MTM's continued and future success in Dodge County.

Settlement Agreement Between Dodge County and McNeilus Truck and Manufacturing Approved - Continued

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

Human Services Committee Report

Motion by Hanson seconded by Erickson 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

Motion by Hanson seconded by Erickson to approve an Amendment to our existing Contract with Workforce Development, Inc. (WDI); in the amount of \$4,269; to provide the service of on-the-job training, for the term of 02-13-07 to 12-31-07. The additional funds are a result of Dodge County, in cooperation with Wabasha, Goodhue, Fillmore, Steele, and Rice Counties and with the assistance of WDI applying for and receiving a Minnesota Family Investment Program (MFIP) Innovation Project grant from the MN Department of Human Services. *Motion adopted unanimously.*

Workforce Development, Inc. Contract Amendment Approved

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

Public Health Committee Report

The Board reviewed the Public Health Director's request to accept the Minnesota Department of Health "Save a Bundle" Perinatal Smoking Reduction Project Mini Grant.

Minnesota Department of Health "Save a Bundle" Perinatal Smoking Reduction Project Mini Grant Accepted

Last December 2006, Local Public Health Departments were notified by MDH of the availability of mini grants. The purpose of the mini grants are for increasing the use of available smoking cessation resources by tobacco users who are pregnant, or of childbearing age. The funds are to be spent between February and June of 2007. The amount of the grant is for \$1,000. The mini grant funds will be used to purchase educational materials and provide client incentives as part of the efforts to meet the objectives of the grant. Public Health has been notified by MDH that their grant has been approved.

Motion by Alberts seconded by Erickson to approve and authorize the Public Health Department to accept the Minnesota Department of Health "Save a Bundle" Perinatal Smoking Reduction Project Mini Grant in the amount of \$1,000 to be used to purchase educational materials and provide tobacco users who are pregnant, or of childbearing age incentives to stop smoking. *Motion adopted unanimously.*

The Board discussed Public Health's request for Centers for Medicare and Medicaid (CMS) electronic funds transfer. CMS is requesting that providers billing Medicare must apply to be able to receive payment by electronic transfers. The name CMS currently has on their record is Commissioner Klaus Alberts. This may be due to his role as Chair in the past or serving on the Community Health Board.

[Electronic Funds Transfer Agreement Approved for CMS](#)

Motion by Erickson seconded by Hanson to approve and authorize Commissioner Alberts to sign the Electronic Funds Transfer (EFT) Authorization Agreement which allows Centers for Medicare and Medicaid to be able to receive payment by electronic transfers for Medicare billing.
Motion adopted unanimously.

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

[Public Works Committee Report](#)

The Board reviewed the Environmental Quality Directors request to approve a Waste Management Service fee.

[Waste Management Fee Schedule Approved by Resolution #2007-15](#)

The approved 2007 budget calls for a \$1 increase in the Solid Waste Management fee authorized by Ordinance #5. The fee helps pay for county's recycling, hazardous waste, and waste administration services. The current fee is \$17 per household per year. The fee has not been increased since January 2004.

Motion by Erickson seconded by Alberts to approve and authorize the Chair and Clerk to sign resolution #2007-15 approving the Waste Management Fee Schedule:

WHEREAS, pursuant to Minn. Stat. Sec. 400.08 the Dodge County Board of Commissioners is authorized to establish an ordinance for the purpose of setting fees for waste management activities such as recycling and household hazardous waste programs; and

WHEREAS, the Waste Management Fee Ordinance was adopted by the Dodge County Board of Commissioners on November 12, 1991; and

WHEREAS, subsection 4 of the Waste Management Fee Ordinance authorized the Dodge County Board to establish or revise rate schedules for waste management fees; and

WHEREAS, the County Board has reviewed costs of waste management services and determines them to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, that Dodge County will impose a service charge for waste management activities provided to properties in the county and such charges will be payable with real estate taxes.

BE IT FURTHER RESOLVED, that the rate schedule beginning on January 1, 2007 will be:

<u>Property Description</u>	<u>Unit Value</u>
Agriculture/Residential	1.0
Residential/Homestead	1.0
Residential/Non-Homestead	
1-3 Units	1.0
4-5 Units	4.0
6 or More Units	6.0
Mobile Homes	1.0
Commercial/Industrial	0.0
Tax Exempt Properties	0.0

Waste Management
Fee Schedule
Approved by
Resolution #2007-15
– Continued

Dodge County's Annual Waste Management Assessment Fee is \$18.00 per unit value.

Resolution adopted unanimously.

The Board discussed Mr. Gamm's request to approve a Labor Agreement for the Feedlot Grant Project.

Labor Agreement for
Feedlot Grant Project
Approved

Over the past six years Dodge County has been a part of a SE MN Water Resources Board project to help feedlot operators get into compliance with state rules. The grant funded projects have been called "Feedlot I" and "Feedlot II." Under the Feedlot I Grant, Dodge County contracted with Larry Berg to provide technical services. Under the Feedlot II Grant we contracted with Brian Hanson of the Dodge SWCD to provide technical services. Brian Hanson no longer works for the SWCD so we need to find another service provider. The remaining balance of the state grant is about \$30,000.

Mr. Gamm believes that Larry Berg did an excellent job for us in the Feedlot I Grant project. Mr. Berg is willing and able to provide services required in the Feedlot II Grant. Environmental Quality recommends that the county enter into an agreement with Larry Berg to provide the required services at a flat rate of \$25 per hour. The rate includes all labor and expenses. The term of the agreement is until the end of 2007 with possibility for renewal. The maximum payout is \$30,000 which is the remaining balance of our Feedlot II Grant allocation.

Motion by Erickson seconded by Alberts to approve and authorize the Chair to sign a Contractual Services Agreement for Feedlot Assistance between Dodge County and Larry Berg to provide technical assistance to feedlot owners in accordance with the Feedlot II Grant Project. *Motion adopted unanimously.*

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

Administration
Committee Report

Motion by Erickson seconded by Hanson to approve and authorize the January 23, 2007 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

01/23/07 Committee
of the Whole Meeting
Minutes Approved

Motion by Hanson seconded by Erickson to approve and authorize the January 23, 2007 meeting minutes as corrected on pages 23, 26, 30 and 31. *Motion adopted unanimously.*

[01/23/07 Meeting Minutes Approved](#)

Commissioners provided their agency reports. Commissioner Hanson attended a Sheriff's Office Safe & Sober Award presentation, a SEAAA meeting and a South Central Human Relations meeting. Commissioner Alberts attended a Semcac meeting, a Planning meeting, and a ribbon cutting for the Semcac bus. Commissioner Gray attended a South Central H.R.C. meeting. Commissioner Erickson attended a DFO Advisory Board meeting, a Sheriff's Office Safe & Sober Award presentation, a SCHA Executive Committee meeting, a Dodge County Task Force Corrections meeting, an open house for the Dodge County Nest Program, a Semcac ribbon cutting for the Public Transportation bus, a work session, a Dodge County Planning & Zoning meeting, an ITV program on Drug Court and a SCHA Joint Powers Board meeting. Commissioner Tjosaas was not available to report his meeting attendance.

[Agency Reports](#)

The Chair recessed the meeting at 12:27 p.m. CST until Tuesday, February 20, 2007 at 9:30 a.m. CST at the Fairview Care Center in Dodge Center, Minnesota.

[Meeting Recessed](#)

The meeting was reconvened at 10:05 a.m. CST on Tuesday, February 20, 2007 at the Fairview Care Center in Dodge Center, Minnesota.

[Meeting Reconvened](#)

The Chair acknowledged those present and established that there was a quorum:

[Those Present](#)

Members present:	Klaus Alberts	District #1
	Lyle Tjosaas	District #2
	David Erickson	District #3
	Don Gray	District #4
	David Hanson	District #5
Members absent:	None	
Also present:	David McKnight	County Administrator

The Board reviewed a liquor license application for Adam Hansen. Motion by Erickson seconded by Hanson to approve and authorize a liquor license application for Adam Hansen as presented. *Motion adopted unanimously.*

[Liquor License Request Approved](#)

The Board discussed a request to approve a Joint Powers Agreement, an agreement establishing participation in Dodge-Fillmore-Olmsted County Community Corrections Program Under the Minnesota Community Corrections Act. Motion by Alberts seconded by Hanson to approve and authorize the Chair and County Administrator to sign the DFO Joint Powers Agreement as presented. *Motion adopted unanimously.*

[DFO Joint Powers Agreement Approved](#)

The Board reviewed the Minnesota Department of Corrections - Community Corrections Act Subsidy application. Motion by Hanson seconded by Tjosaas to approve and authorize the Chair to sign the DFO Community Corrections Act Subsidy application as presented. *Motion adopted unanimously.*

[DFO Community Corrections Act Subsidy Application Approved](#)

Motion by Erickson seconded by Alberts to adjourn the meeting at 10:14 a.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on February 27, 2007 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

DAVID MCKNIGHT
CLERK

DATED: