

TUESDAY, MAY 8, 2007

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2007-10

The Dodge County Board of Commissioners met in regular session May 8, 2007, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Don Gray, Chair called the County Board of Commissioners meeting to order at 9:30 a.m. CDT.

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

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

Agenda Approved

The County Attorney arrived at the meeting at 9:31 a.m. CDT.

County Attorney
Arrives

County Administrator David McKnight reviewed with the Board a draft agreement with Hildi Incorporated for actuarial services for GASB 43 and 45 requirements as they related to Other Post Employment Benefits (OPEB) that Dodge County offers to employees/retirees. Mr. McKnight reminded the Board that this issue was discussed at the April 17, 2007 budget work session.

Agreement with Hildi
Inc. for Actuarial
Services Approved

The County Administrator noted that OPEB concerns were raised in the past few years due to the large amount of promised benefits that the City of Duluth offered to retirees over the past 30 years. Dodge County had a program of "lifetime" county funded insurance that was ended in 1988. Dodge County currently has 30+ retirees on this program and another 21 active employees still eligible for this benefit. In addition the county has 19 employees eligible for the \$50 per month contribution towards health insurance program that was put in place for a short time in 1988.

Mr. McKnight informed the Board that our auditors have recommended that we obtain an actuarial estimate of our liability of these, and one other cost, into the future. A quote in the amount of \$6,200 for these services was received from Hildi. A detailed list of the services provided was provided for the Board's review. The County Administrator stated that at this point it is most important to get the actuarial number determined. Once the county has this, and hopefully once the state legislature provides counties with the option to set up a trust for this issue, the county can then look at funding options into the future for this liability.

Agreement with Hildi
Inc. for Actuarial
Services Approved -
Continued

Motion by Alberts seconded by Erickson to authorize the County Administrator to work with Hildi Inc. on actuarial services for GASB 43 and 45 at a cost of \$6,200 to be paid for out of the County Board contingency budget. *Motion adopted unanimously.*

Sheriff Gary Thompson met with the Board to request authorization to accept a grant that was awarded to the Sheriff's Office for a new Polaris Ranger 6x6.

Polaris Ranger 6x6
Utility Vehicle Award
Accepted

Mr. Thompson informed the Board that last month the Sheriff's Office was notified that they were selected to receive a new Polaris Ranger through a grant program by the U.S. Smokeless Tobacco Company. The Sheriff's Office will be receiving this vehicle to be used by their office as they see fit, no strings attached. The Sheriff anticipates using this vehicle for search and rescue operations, hauling equipment and personnel at crime scenes and at city events, etc. The Sheriff is sure that his office will find additional uses for this vehicle as time goes on.

Motion by Tjosaas seconded by Hanson to approve and authorize the Sheriff's Office to accept a grant for a Polaris Ranger 6x6 utility vehicle from the U.S. Smokeless Tobacco Company as presented. *Motion adopted unanimously.*

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

Human Services
Committee Report

Motion by Hanson seconded by Tjosaas 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

Finance Director Lisa Kramer reviewed with the Board her request to establish a new mini Auditor's Certificate Fee.

Mini Auditor's
Certificate Fee
Approved

Ms. Kramer stated that the Finance Office gets a variety of requests for Auditor's Certificates from cities and school districts in preparation for bonding issues and they are charged \$150.00 for this certificate. This year the Finance Office has also received a few requests that are somewhat less than a full Auditor's Certificate and the Finance Director would like to establish a lesser fee of \$50.00 for these reports.

The Finance Director reported that an Auditor's Certificate contains about eight different sections as follows; current valuation, valuation history, top taxpayers list, local tax rate history, bonded indebtedness, tax levies and collections, mobile home valuation, and number of county employees. This mini certificate fee would apply for a request of up to three of these eight items. Ms. Kramer feels that it is unfair to charge the full rate for what is not a full report but acknowledged that there is time spent compiling the mini reports.

Motion by Erickson seconded by Alberts to approve and authorize the Finance Office to establish a fee of \$50.00 for a mini Auditor's Certificate which could contain up to three items that are part of a full Auditor's Certificate. The fee will be in effect for the remainder of 2007. *Motion adopted unanimously.*

Tax Services Director Rose Culbertson 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	\$ 85,325.07
11	Human Services Fund	\$ 124.00
13	Road and Bridge	\$ 38,232.65
16	Environmental Quality	<u>\$ 16,620.27</u>
	Total	\$140,301.99

It was noted that a payment to Ryer Anderson on page 8 in the amount of \$2.59 will be corrected to read \$6.38 and the date description will be changed to 4/24/07. *Motion adopted unanimously.*

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

Personnel Actions
Approved

A. Highway Department

- A.1 Duane Doble Jr. - Seasonal Highway Engineering Intern
Authorization to employ at B21 step 10 \$12.19 not to exceed 6 months.
Effective Date: 5/14/07
- A.2 Ed Rose (3rd year) - Seasonal Highway Maintenance
Authorization to employ at A11 step 9 \$9.88 not to exceed 6 months.
Effective Date: 5/29/07

- A.3 Mike Shiek (3rd year) - Seasonal Highway Maintenance
Authorization to employ at A11 step 9 \$9.88 not to exceed 6 months.
Effective Date: 5/14/07
- A.4 Christopher Castner - Seasonal Highway Maintenance
Authorization to employ at A11 95% of step 11 \$9.02 not to exceed 6 months.
Effective Date: 5/14/07
- A.5 Nathan Truex – Seasonal Engineering Intern/ Maintenance
Authorization to employ at 95% of (A11 & B21 average) \$10.17 per hour not to exceed 6 months.
Effective Date: 5/14/07
- B. Public Health**
- B.1 Jenna Fadlalla – Public Health Nurse I
Step increase from C42 step 8 \$18.09 to C42 step 7 \$18.77 (+\$3 per hour R/R).
Effective Date: 5/9/07
- B.2 Elaine Vermilyea – Account Technician .8 FTE
Resignation.
Effective Date: 5/1/07
- B.3 Account Technician - .8 FTE
Authorization to post and fill position created by resignation.
Effective Date: 5/2/07
- C. Administration**
- C.1 Emergency Management Director – 1.0 FTE
Approval of new job description and authorization to post and fill new position.
Effective Date: 5/8/07
- C.2 Jackie Neve – Drug Court Case Manager
Resignation.
Effective Date: 5/17/07
- C.3 Drug Court Case Manager
Authorization to post and fill vacancy due to resignation.
Effective Date: 5/8/07
- C.4 Annette Best – Accounting Services Director
Resignation.
Effective Date: 5/7/07
- C.5 Accounting Services Director –
Authorization to post and fill vacancy created by resignation.
Effective Date: 5/8/07
- E. Sheriff's Department**
- E.1 Scott Prins – Deputy Sheriff
Regular status and step increase from C41 Hire step \$17.55 to C41 12 month step \$18.77.
Effective Date: 5/8/07
- E.2 Emily Sohm – Deputy Sheriff – PT
Authorization to change status from 911 Dispatcher 1.0 FTE to Deputy Sheriff – PT C42 Hire step \$17.55 to fill approved vacancy.
Effective Date: 5/8/07

Personnel Actions
Approved - Continued

E.3 911 Dispatcher – 1.0 FTE

Authorization to post and fill vacancy created by status change.

Effective Date: 5/8/07

E.4 Amanda Linderman – 911 Dispatcher

Authorization to change from .5 FTE to 1.0 FTE B22 step 1 \$14.48.

Effective Date: 5/23/07

Motion adopted unanimously.

Personnel Actions
Approved - Continued

Commissioner David Hanson discussed with the Board the seminary property that the county owns in Wasioja Township. Mr. Hanson shared with the Board the history of the property and discussed the following issues related to the property:

Seminary Property
Discussion

- Property Condition
- Potential Survey
- Park Board
- Funding
- Trail Connection
- Memorial

The Board reviewed pictures of the property as provided by the County Administrator.

Commissioner Erickson informed the Board that as a teacher he had toured the ruins with his students and believes that it is a unique feature in the county.

Commissioner Alberts wanted to know where the stones that have fallen off the structure have gone.

Commissioner Hanson stated that the stones that have fallen are still within the walls of the building. Mr. Hanson reported that the building is fenced off so people cannot get inside. Commissioner Hanson commented that he would like to memorialize the seminary property.

The Board acknowledged that the Historical Society currently maintains the property at no expense to the county.

Commissioner Alberts informed the Board that he supports keeping the property in good condition until the bike trail goes through.

The County Administrator stated that he thinks the property should be surveyed.

Mr. McKnight indicated that the Board should also budget money next year to replace the existing fence around the structure.

The County Administrator reported that he supports giving the Historical Society money next year for maintaining the site.

It was commissioner Gray's opinion that the Board needs to support the preservation of the seminary property.

Seminary Property
Discussion -
Continued

No action was needed at this time.

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

Legal Update

Planning Director Duane Johnson presented the May 8, 2007 Planning Commission recommendations. Motion by Alberts seconded by Hanson to approve the following action of the Planning and Zoning Commission as reviewed on May 8, 2007 with the reasons, recommendations and conditions as found in the individual permit and the Restoration Plan:

Planning Commission
Recommendation
CUP #07-10
Approved

Rochester Sand & Gravel – CUP #07-10

The public hearing was to consider an application for a Conditional Use Permit to establish a temporary hot mix asphalt plant and extraction of sand materials for screening operations on 15 acres in the Ag District. The property is 1.71 acres located in the NE ¼ of NE ¼ of Section 17, and 13.29 acres located in the NW ¼ of NW ¼ of Section 16, Milton Township. Rochester Sand and Gravel is the applicant and Leslie Kunz is the property owner.

The Planning Commission recommends approval of the Finding of Facts and Recommendations of the agenda report, and Amendments to Permit Application for the Extraction of Minerals and Sand with the following conditions:

1. Permit is issued for one year for the batching plant.
2. Permit is issued for five years and renewed at that time for the sand pit operation.
3. A road bond in the amount of \$25,000 would be posted for 237th Avenue for the length of the term of the sand operation with the township.

The Amendments to Permit Application for the Extraction of Minerals and Sand reads as follows:

Milestone Materials in addition to the permit application added the following additional restrictions that the County Board agreed with;

1. A road bond in the amount of \$25,000 would be posted for 237th Avenue, a Milton Township Road. This bond would not include the bridge itself. The bond will be made out to Milton Township and sent to the Township Clerk next week pending board approval this evening.

2. 237th Avenue will be maintained during hauling operations to reflect its existing or better than condition. This will include but is not limited to adding rock when needed, excavating soft areas and replacing with breaker rock, repairing ditch slopes, and drainage structures.
3. 237th Avenue will be chlorided or other equivalent dust suppressant other than water for dust control.
4. We met with James Kinsey and have agreed to build a berm along the common property line with Leslie Kunz (see map). We've also agreed to plant the berm with trees if so requested by Mr. Kinsey.
5. Hauling activities will not take place during the Berne Swiss Fest.
6. Pit slope restoration to occur within 200' of the active mining face.
7. MNDOT 300 seed mixes will be used in lieu of MNDOT 200 mixes for permanent seeding applications. The MNDOT 300 mixes better represent native plants and wetland vegetation.
8. The sand pit entrance will be marked, gated and locked when not in operation.
9. An MPCA permit has been received which outlines our soil erosion and storm water runoff requirements for this site.

Planning Commission
Recommendation
CUP #07-10
Approved - Continued

Motion adopted unanimously.

The Board discussed the Daniel Ebling – CUP #07-12 request which was the second public hearing to consider an application for a Conditional Use Permit for a mobile home as a second non-farm dwelling. The property is 9.29 acres located in the SW ¼ of SE ¼, of Section 13, Vernon Township. Daniel Ebling is the applicant and Darrell Ebling is the property owner.

Daniel Ebling – CUP
#07-12 Discussed

The Planning Commission tabled this request to allow Ebling and the adjacent property owner to work out an agreement on the driveway easement.

No action was needed at this time.

The Board discussed with Mr. Johnson the Jeffrey Berge conditional use permit request to establish a feedlot of 2,000 head of hogs or 800 animal units in Vernon Township.

Planning Commission
Recommendation
CUP #07-13
Approved

Commissioner Hanson discussed the monitoring of sites and the means for monitoring this type of site. Mr. Hanson discussed leaks and how they are monitored.

Duane Johnson commented that the Finstuen site is set up the same way with a line of tile and an inspection tee under the barn to monitor for leakage. Mr. Johnson stated that this type of system gives them a way to make sure there are not any problems.

Commissioner Erickson wanted to know who checks the inspection tee for leaks, how often they are checked and if the results are recorded.

The Planning Director indicated that there is no plan in place but that they do have the ability to check. Mr. Johnson reported that most buildings in the county have these inspection tees.

Planning Commission
Recommendation
CUP #07-13
Approved - Continued

Commissioner Tjosaas wanted to know if there are recommendations from the state as to how often the inspection tees should be checked.

Mr. Johnson stated that there are no recommendations from the state and noted that if there is a reason to check a site, they will.

Commissioner Tjosaas reported that he would like to include periodic checks as a condition of the permit. Mr. Tjosaas also expressed interest in seeing timelines included with the permit. Commissioner Tjosaas remarked that the inspection tees are no good if no one looks at them.

Commissioner Alberts stated that he does not think there should be a condition put on this request since this condition is not listed on any of the other barns.

The Planning Director discussed setting protocol for checking inspection tees and reported that the Board needs to understand what is involved before they come up with a plan.

Commissioner Erickson addressed questions and comments raised by neighbors of the proposed Berge feedlot.

Mr. Erickson stated that issues like feedlot concerns are a major concern to the County Board and are taken very seriously. Commissioner Erickson reported that he believes the concerns raised by the neighbors need to be taken into account as well as the rights of the property owners.

Commissioner Erickson commented that the Board needs to judge the proposed project as it fits the county ordinances and impacts the health and well being of the people of Dodge County.

Mr. Erickson noted that many of the concerns raise at the public hearing have been heard before and that the Board has attempted to address these concerns as they relate to other feedlot locations.

Commissioner Erickson briefly discussed an odor issue that occurred in a rural area while a funeral was taking place at a nearby church. Mr. Erickson was informed that the manure had been incorporated into the soil, not applied on top and that this was unfortunate that the manure was applied before the funeral took place. Mr. Erickson believes how this event relates to the question of location of the feedlot is another matter. The church, West St. Olaf, is located about a mile north of the proposed feedlot. It was Commissioner Erickson's opinion that the application of manure on the land around the church is not the issue, the manure that was applied to this land came from another site other than the one being proposed.

Mr. Erickson reported that according to a staff person from Greenway Coop manure has value. Farmers want and need to apply fertilizer to their land to improve their production. The decision the farmer needs to make is whether or not they will use commercial type fertilizer or animal waste, there are plus and minus factors to weigh with either method. Commissioner Erickson noted that a lot of farms are seeing a real value in animal waste and choosing to use it. The applicant works with MPCA to develop a manure management plan and the 7020 rules determine the proper amounts of manure to apply to the fields. It was noted that all manure spills are handled by MPCA. Mr. Erickson reported that the 7020 rules apply to set back distance as it applies to sinkholes, water ways, stream and conditions of this sort. Commissioner Erickson stated that farmers have the right to apply manure on their land.

Planning Commission
Recommendation
CUP #07-13
Approved - Continued

Commission Erickson commented that another concern raised was that a feedlot might have an impact on property values.

Mr. Erickson indicated that this is a very difficult concern to deal with because there are so many variables and you can find opinions to support whatever position you want to take. The truth of the matter is there have been studies conducted and no real pattern seems to be evident. Some studies claim an increase in property value while other studies claim the opposite. Some studies report that people still continue to locate and build near feedlots while others tell a different story altogether.

Commissioner Erickson stated that the value of property in itself is often difficult for people to agree on. The seller sees the property's value from a different view point than the buyer. It was Mr. Erickson's opinion that the only way to find out the value of a property is after the fact. After the project, in this case the feedlot, has been built.

Mr. Erickson reported that the Board does have the right to protect the public health and welfare and that the Board looks at these issues when making their decision. The value of the property however is not the issue the Board uses to determine if a project is allowable or not.

Commissioner Erickson addressed concerns raised on the effectiveness of bio-filters.

Mr. Erickson reported that he visited with Mr. Kjetil Aasen because other property owners believe his bio-filters are not working correctly. Mr. Aasen was very surprised to hear this and said that he has received a number of comments from people regarding the lack of odor which would indicate the bio-filters must be working.

Commissioner Erickson noted that he had an opportunity to attend a conference last fall in Sioux City, Iowa with Planning Director Duane Johnson. The conference was put on by four universities; Iowa State University, University of Nebraska, South Dakota State University and the University of Minnesota.

The conference was on placing livestock facilities and odor issues. These four universities have been studying siting issues and odor issues for a number of years and reported their findings at the conference. Each university seemed to take a different approach in their research but the common factor that all of them agreed on was that bio-filters do work when installed correctly. Mr. Erickson commented that not all states require bio-filters, most leave this decision to the local areas. Each state deals with feedlot siting differently. If the university is asked about odor issues, bio-filters are one method of odor control they can refer to. Commissioner Erickson reported that the Board has visited different feedlot sites and have been impressed by the use of bio-filters.

Planning Commission
Recommendation
CUP #07-13
Approved - Continued

Mr. Erickson discussed the issue of karst features in this area. Karst concerns were addressed by Mr. Chuck Peterson of the MPCA and Ken Folie at the Wednesday night meeting. Commissioner Erickson reported that the site will be inspected at the time of excavation for karst features, dedicated perimeter tile around the base of the pit will be installed with the capability to test this tile for leakage. Field tile in this site area will be cut and routed around the site area. If the soil tests reveal sand in the soil profile a dedicated tile will be installed under the pit floor to monitor for leakage.

Commissioner Erickson noted that the manure management plan was addressed and will be a condition as required under the 7020 rules.

Mr. Erickson commented that the artesian well and ground water concerns are addressed by the construction of a cement pit, built to a set of standards, with dedicated perimeter tile that is monitored for leakage. Commissioner Erickson pointed out that the manure management plan does deal with ground water contamination issues as it does with surface runoff issues for the water ways and streams.

Commissioner Erickson reported that he has looked at the concerns raised at the public hearing regarding whether or not the application was correctly filled out and if the rules have been followed and would have to refer them to county staff who have better knowledge of the issues.

Mr. Erickson stated that as to the questions of whether this conditional use permit complies with the ordinances of Dodge County on land use, based on the information he has, it does seem to meet the requirements and therefore he has no reason to reject the application on these grounds.

Commissioner Tjosaas thanked Commissioner Erickson for explaining the conditional use permit.

Mr. Tjosaas questioned the presence of quicksand at the proposed feedlot site.

Duane Johnson discussed with the Board the soil sampling that will take place at the site.

Commissioner Tjosaas wanted to know what would be done if quicksand is found on the site.

Planning Commission
Recommendation
CUP #07-13
Approved - Continued

Mr. Johnson reported that if quicksand is found they would leave it up to the engineer to determine what to do. The Planning Director indicated that he believes the applicant would have to abandon the site.

Commissioner Erickson commented that the result would be the same if karst features were found on the site, the building site would most likely have to be moved.

Commissioner Alberts wanted to know if there is enough acreage to spread manure.

The Planning Director stated that the applicant is assuring them that there are enough manure acres to apply the manure.

Commissioner Gray wanted to know if there is a 1,000 foot setback requirement between the wetland and the proposed barn.

Mr. Johnson indicated that there is not a requirement per say from wetland and noted that the applicant cannot build in a wetland or flood plain.

Commissioner Hanson commented on drainage concerns.

The Planning Director reported that any water would be outleted to the east.

Commissioner Hanson noted that there have been hog buildings in this area long before bio-filters were used and because of this there will still be odor issues with the barns.

Commissioner Erickson expressed a desire for follow through to make sure the bio-filters are being checked.

Commissioner Hanson discussed the possibility of an applicant putting a building on leased land and the owner changing their mind. Mr. Hanson suggested utilizing a longer lease agreement.

County Attorney Paul Kiltinen stated that this type of language is spelled out in a lease agreement provided by the lenders.

Motion by Erickson seconded by Tjosaas to approve the following action of the Planning and Zoning Commission as reviewed on May 8, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Jeffrey Berge – CUP #07-13

The third public hearing is to consider an application for a Conditional Use Permit to establish a feedlot of 2,000 head of hogs or 800 animal units. The proposal includes a confinement building approximately 51 x 340 feet with a beneath barn eight foot deep concrete pit for manure storage for 2,000 head of finishing hogs. The property is 10.01 acres located in the NW ¼ of SW ¼ in Section 11 of Vernon Township. Jeffrey Berge is the application and Kendall Boyum is the property owner.

Planning Commission
Recommendation
CUP #07-13
Approved - Continued

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

1. The Feedlot Advisory Report dated April 18, 2007.
2. If soil test profiles from the site indicate sand in the profile the county shall require a line of tile with an inspection tee under the barn to monitor for leakage. The tile would be installed per the engineer's approval.
3. Trees shall be planted on north side of building by July 1, 2008.

Item number seven of the Feedlot Advisory Report for Jeff Berge states that a designated area shall be provided for dead animal storage and disposal that meets Minnesota Board of Animal Health requirements. It was clarified that the method of disposal is composting.

Motion adopted unanimously.

The Board continued discussion with Mr. Johnson on the Mark Brannan CUP #07-09 request that was tabled at the April 10, 2007 meeting. The request was tabled for up to 30 days and the Planning Office was instructed to obtain additional information. The Board reviewed a copy of a letter sent to the applicant along with Mr. Brannan's response addressing the following issues.

Planning Commission
Recommendation
CUP #07-09
Approved

- Provide to the county the layout of your building site to include:
 1. Load out areas (see site plan).
 2. The area for Bio-filters (see site plan).
 3. Area for a windbreak (which requires a 25 foot setback for mature trees). Letter dated 4/17/07 from Brian DeVetter regarding the trees.
- Plan for animal carcass storage and disposal (see compost area on site plan).
- More information on manure handling and management.
 1. To what fields is the manure going (FSA maps provided.)
 2. Signed manure easements or agreements (signed agreements provided.)
 3. Will a commercial hauler be used (yes.)

The Planning Director also noted that the applicant is requesting a one year from completion of building to get the bio-filters in place.

Planning Commission
Recommendation
CUP #07-09
Approved - Continued

Commissioner Erickson reported that according to NRCS it is not necessary for trees to be planted at this site.

The Board discussed with Mr. Johnson building removal and air flow for the bio-filters.

Motion by Alberts seconded by Hanson to approve the following action of the Planning and Zoning Commission as reviewed on May 8, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Mark Brannan – CUP #07-09

This public hearing was to consider an application for a Conditional Use Permit to expand an existing feedlot from 231 to 990 animal units or a total of 2,475 head of finishing hogs. The expansion will include a new confinement building approximately 51 x 330 feet with a beneath barn eight foot concrete pit for manure storage for 2,000 hogs. The property is 5.84 acres located in the NW ¼ of SW ¼ of Section 7, Canisteo Township. Mark Brannan 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 Feedlot Advisory Report dated March 13, 2007.

Motion adopted unanimously.

The Planning Director and Assistant Feedlot Officer/Zoning Administrator provided the Board with an update on the Finstuen bio-filters.

Finstuen Bio-Filter
Update

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

Public Safety
Committee Report

The Board reviewed the Sheriff's request to approve out-of-state training for five of his employees. Deputies Ryer Anderson, Scott Rose, Rich Allee, Jean Valere and Investigator Jeremy Gunderson have requested to attend a three day Tactical Warrant Service training at Camp Dodge, Iowa. The training is conducted through Midwest Counterdrug, lodging and tuition are paid by federal grant. The only cost is transportation.

Out-of-State Training
Approved for Sheriff's
Office Employees

Motion by Tjosaas seconded by Hanson to approve and authorize Deputies Ryer Anderson, Scott Rose, Rich Allee, Jean Valere and Investigator Jeremy Gunderson to attend a three day Tactical Warrant Service training at Camp Dodge, Iowa as requested. *Motion adopted unanimously.*

The Board discussed the Sheriff's request to approve an ATV forfeiture.

Sheriff Authorized to
Research ATV
Options

In March 2006, one of the Dodge County officers attempted to stop an ATV for numerous traffic violations. The ATV fled but was subsequently stopped and the driver arrested. Because of the seriousness of the violations, the ATV was subject to forfeiture under MN Statutes. The Sheriff's Office went through the forfeiture procedure and was awarded the ATV which is a 2005 Yamaha Raptor valued at about \$4,000.

Because the ATV was sitting for so long, the Sheriff's Office took it to Sette Sports Center to get the carbs cleaned. Apparently this is a fairly popular ATV and Sette's expressed an interest in trading for a unit that would better meet our needs. It was pointed out that the Sheriff's Office will be conducting an ATV safety training course this summer, similar to the snowmobile safety training that is done by the Sheriff's Office in the fall. The Sheriff's Office has an agreement with the City of Hayfield to use property owned by the city for training and has arranged the use of portable obstacles from the DNR and has two area ATV dealers that have verbally committed to providing trailers and/or youth ATVs for the classes.

It is the Sheriff's belief that the Yamaha ATV will not be useful to them. Mr. Thompson is requesting that the Board allow him to explore some of the options and get "the biggest bang for the buck" out of this Yamaha. The Sheriff was told by Sette's who is interested in the ATV that they could put him into a full-sized ATV for little or no additional money. Mr. Thompson's intention would be to use the ATV for training, Posse use, etc.

Motion by Tjosaas seconded by Hanson to approve and authorize the Sheriff to research his options to exchange the 2005 Yamaha Raptor for a more appropriate ATV for his office. *Motion adopted unanimously.*

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

Public Works
Committee Report

The Board discussed the Environmental Quality Director's request to hire a facilitator for the Land Use Task Force.

Contractual Services
Agreement Approved
for Facilitator of the
Land Use Task Force

Norman Senjem has agreed to the terms of a Contractual Services Agreement with Dodge County as facilitator for the Land Use Task Force. The primary change from the previous contract is his pay would increase from \$200 to \$250 per meeting. The primary reason for the pay increase is that the meeting times have been extended based on their experience from last year. The pay covers Norman's meeting preparation time, travel time, and time with the Task Force.

Motion by Erickson seconded by Alberts to approve and authorize the Chairman of the Board and Clerk to sign a Contractual Services Agreement with Norman Senjem to continue his services as facilitator for the Land Use Task Force. *Motion adopted unanimously.*

Contractual Services Agreement Approved for Facilitator of the Land Use Task Force - Continued

The Board reviewed the County Engineers request to authorize final payment to Goodhue County for the construction of SAP 20-619-003.

Final Payment for SAP 20-619-003 Approved

The project is located on the Dodge County and Goodhue County line. It consisted of bituminous reclamation, base stabilization, bituminous surfacing and aggregate shouldering. The work was performed by Mathy Construction with the inspection and contract administration being performed by Goodhue County. The final contract amount for SAP 20-619-003 was \$291,746.48 with the final payment amount being \$34,528.55.

Motion by Erickson seconded by Alberts to approve and authorize final payment to Mathy Construction for the construction of SAP 20-619-003 in the amount of \$34,528.55. *Motion adopted unanimously.*

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

Administration Committee Report

Motion by Erickson seconded by Tjosaas to approve and authorize the April 24, 2007 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

04/24/07 Committee of the Whole Meeting Minutes Approved

Motion by Tjosaas seconded by Hanson to approve and authorize the April 24, 2007 meeting minutes as corrected on pages 93 and 94. *Motion adopted unanimously.*

04/24/07 Meeting Minutes Approved

The Board reviewed the 2007-2008 snowmobile clubs sponsorship requests as provided by the Finance Director.

Dodge County Snowmobile Sponsorships

The State Department of Natural Resources requests a resolution confirming the county's sponsorship of the K-M Snowdrifter Snowmobile Club and the Snowseeker Snowmobile Club for the 2007-2008 season to be sent with each year's grant application.

Approved by Resolution #2007-19

Motion by Erickson seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-19 in support of the county acting as a sponsor for the K-M Snowdrifter Snowmobile Club:

WHEREAS, Dodge County has two snowmobile clubs that maintain the county snowmobile trails; and

WHEREAS, these snowmobile clubs need the county to act as sponsor to receive their reimbursements from the State Department of Natural Resources; and

Dodge County
Snowmobile
Sponsorship
Approved by
Resolution #2007-19
– Continued

WHEREAS, the Finance Director needs County Board approval to sign the grant agreements and expense reports.

THEREFORE BE IT RESOLVED, that the County Board approves the county sponsorship of the K-M Snowdrifter Snowmobile Club and gives approval to the County Finance Director to sign the related reports.

Resolution adopted unanimously.

Motion by Erickson seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-20 in support of the county acting as sponsor for the Snowseeker Snowmobile Club:

Dodge County
Snowmobile
Sponsorship
Approved by
Resolution #2007-20

WHEREAS, Dodge County has two snowmobile clubs that maintain the county snowmobile trails; and

WHEREAS, these snowmobile clubs need the county to act as sponsor to receive their reimbursements from the State Department of Natural Resources; and

WHEREAS, the Finance Director needs County Board approval to sign the grant agreements and expense reports.

THEREFORE BE IT RESOLVED, that the County Board approves the county sponsorship of the Snowseeker Snowmobile Club and gives approval to the County Finance Director to sign the related reports.

Resolution adopted unanimously.

The Board discussed the Finance Director’s request for a gambling permit for the Holy Family Catholic Church.

Gambling Permit for
Holy Family Catholic
Church Approved

The Holy Family Catholic Church is requesting a gambling permit for excluded bingo at the Dodge County Fair July 18-22, 2007 to raise money for the church. This event will be held at the Dodge County Fairgrounds, Kasson, MN. Dodge County has previously approved such a permit for Holy Family Catholic Church. The Dodge County finance fee for this permit is set at \$25.00.

Motion by Alberts seconded by Tjosaas to approve and authorize a gambling permit request for the Holy Family Catholic Church. The license payment of \$25.00 has been paid and the submission of the required Certificate of Exempt Status has been provided. The license application will be available May 8, 2007 following the Monday night Mantorville Township meeting and their approval. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Hanson attended a Bike Trails meeting, a SEAAA Joint Powers meeting and a Planning and Zoning meeting. Commissioner Alberts attended a corrections meeting. Commissioner Gray did not have any meetings to report. Commissioner Erickson attended a SCHA Executive Committee meeting, a Dodge County Planning and Zoning meeting and a Dodge County Township Officers meeting. Commissioner Tjosaas attended a Township Officers meeting and a KM Summit meeting.

Agency Reports

Motion by Alberts seconded by Tjosaas to adjourn the meeting at 11:55 a.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on May 22, 2007 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: