

TUESDAY, JULY 24, 2007

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2007-15

The Dodge County Board of Commissioners met in regular session July 24, 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 pledge of allegiance was recited.

Pledge of Allegiance

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

Those Present

Members present:	Klaus Alberts	District #1
	Lyle Tjosaas	District #2
	David Erickson	District #3
	Don Gray	District #4
	David Hanson	District #5

Members absent: None

Also present:	David McKnight	County Administrator
	Becky Lubahn	Deputy County Clerk
	Paul Kiltinen	County Attorney

Motion by Hanson seconded by Alberts to approve and adopt the agenda as amended to allow the County Administrator to present the Personnel Agenda in the Employee Relations Director's absence and the addition of a High Country Energy presentation at 11:30 a.m. with Leon Steinberg. *Motion adopted unanimously.*

Agenda Approved

Human Services Director Brian Hartung introduced Jolene Nelson-Mahtab who is a new Social Worker in his department. The Board welcomed Ms. Nelson-Mahtab.

New Employee
Introduced

Compliance Officer Melissa DeVetter provided the Board with a junk yard update.

Junk Yard Update

Ms. DeVetter reported that there are numerous properties in Dodge County that meet the definition of a junk yard or salvage yard under the Dodge County Zoning Ordinance. Most of these properties are located in the agricultural district. Junk and salvage yards are not a permitted use in the ag district, and as a result the properties are currently in violation of the ordinance.

The Compliance Officer stated that in an effort to promote voluntary compliance, local recycling centers were contacted to get current prices offered for junk vehicles and scrap metal. Timm's Auto Salvage of St. Charles, Minnesota indicated that they had a portable crusher and shears and have assisted other counties with their junk yard clean-up projects. With a 100 car minimum, Timm's Auto Salvage would set up at a staging area and crush vehicles at no cost to the county. All money generated from the crushing of the vehicles and scrap would be returned to the property owners. Of the twenty-nine property owners contacted, eight will be participating in this county coordinated clean-up providing the minimum 100 cars needed for the portable operation to come to Dodge County. Currently it is planned that the operation will be staged at one of the sites in Vernon Township as a majority of the junked vehicles participating in the clean-up are located there.

Junk Yard Update -
Continued

Ms. DeVetter noted that of the remaining twenty-one sites, twelve property owners will be voluntarily cleaning-up their sites. Some of the larger sites have submitted a written time-frame for a phased clean-up effort. There were five sites that requested additional information before a decision would be made on how to proceed. Four of the sites have either not made contact at all or have challenged the county's view of the property as a junk yard.

The Compliance Officer stated that in this first effort the department hopes to reduce the number of vehicles and scrap. However, it should be noted that a number of the sites also have other debris that will need to be removed from the property at the expense of the property owner. The cost for the disposal of tires is a big issue and it is hoped that the income generated from the crushing of the junked vehicles will help to defray this cost and aid in the clean-up.

Commissioner Erickson commented that he appreciates the work being done by Ms. DeVetter.

Commissioner Gray stated that the Board is supportive of the work the Compliance Officer is doing and thanked Ms. DeVetter for the update.

County Administrator David McKnight reviewed with the Board 2006 population estimates.

2006 Population
Estimates for Dodge
County Reviewed

Mr. McKnight reported that each year the Minnesota State Demographer provides population estimates to each county for review. The Board reviewed a letter and 2006 population estimates provided for Dodge County. The County Administrator also provided the Board with a spreadsheet showing population history for Dodge County. Mr. McKnight noted that this information is provided to the commissioners on an annual basis.

The County Administrator informed the Board that the 2006 population estimate for Dodge County is 19,769, up from 19,596 in 2005. This is a population increase of 0.88% between 2005 and 2006. The rate of growth has slowed substantially from the previous years where Dodge County's growth has been between 1.5% - 2.2%. The slow down in the housing market is one of the major reasons for the growth rate slowing down.

2006 Population
Estimates for Dodge
County Reviewed -
Continued

Mr. McKnight stated that Kasson continues to be the county's largest city with a population of 5,504 (+192), followed by Dodge Center at 2,565, (+13) and Hayfield at 1,355 (-6). It is interesting to note that Mantorville Township is Dodge County's third largest entity at 1,821 (+11). The county's population continues to become more urban as we now have 60.94% of residents living in one of our cities compared to 39.06% of residents living in townships.

The County Administrator reported that Dodge County's population has increased since 2000 by 2,038 residents or 11.5%. In addition Dodge County's 2000 population was divided with 58.99% living in cities and 41.01% living in townships.

It was noted that the report was for informational purposes only and that no action was needed on this item.

The County Administrator requested authorization to accept donations to Drug Court.

Drug Court Donations
Accepted by
Resolution #2007-22

Motion by Erickson seconded by Tjosaas to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-22 accepting donations to the Dodge County Drug Court program:

WHEREAS, the Dodge County Drug Court has received donations from a number of individuals; and

WHEREAS, the Dodge County Drug Court wishes to accept these donations and utilize them for the purpose of the Sober Fest event and Drug Court graduations; and

WHEREAS, pursuant to Minnesota Statute 465.03, the county shall by resolution of the governing body adopted by a two-thirds majority of its members accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners hereby accepts the following donations to be used for the Drug Court Sober Fest event and Drug Court graduations:

McNeilus Steel	\$100	
Autodata Publishing	\$300	
Anonymous Donations	\$240	
McNeilus Truck & Manufacturing	\$500	(5- \$100 gift cards to Wal-Mart)

Drug Court Donations
Accepted by
Resolution #2007-22
- Continued

BE IT FURTHER RESOLVED, that any donated dollars remaining after the Sober Fest event will be used to purchase graduation incentives for drug court graduates.

Resolution adopted unanimously.

Mr. McKnight presented an out-of-state training request for Drug Court.

Out-of-State Training
Approved for Drug
Court Case Manager

Drug Court is requesting authorization to send Emily Ostlund to the NDCI Community Supervision Training to be held in Annapolis, Maryland November 27, 2007 through December 1, 2007. This training comes highly recommended by other staff members and shares the fundamentals on tasks associated with drug court case management.

The estimated cost of the training is \$1,477 which includes \$750 for conference registration, \$277 for the flight, \$350 for hotel costs and \$100 for food. The Drug Court budget includes dollars to cover the costs of this training.

Motion by Alberts seconded by Hanson to approve and authorize Emily Ostlund to attend the NDCI Community Supervision Training in Annapolis, Maryland from November 27, 2007 through December 1, 2007 at an estimated cost of \$1,477. *Motion adopted unanimously.*

The County Administrator presented a request to set a work session date.

Space Needs
Workshop Date Set

Mr. McKnight stated that with the completion of the inspection of the Ag Center in Dodge Center and information requests completed by the County Administrator in the past month on a few properties, a work session is needed to discuss the counties short and long term space options.

Motion by Tjosaas seconded by Hanson to set a County Board workshop date of August 7, 2007 at 8:30 a.m. CDT at the Dodge County Courthouse. *Motion adopted unanimously.*

Southern Minnesota Initiative Foundation Donor Services and Outreach Officer Reuven Doron provided the Board with a program update and briefly reviewed their 2008 budget request.

Southern Minnesota
Initiative Foundation
Program Update and
2008 Budget Request
Discussion

Mr. Doron shared with the Board that Timothy Penny is excited about his new role as President/CEO of Southern Minnesota Initiative Foundation (SMIF).

The SMIF Donor Services and Outreach Officer stated that thanks to partners such as Dodge County, their work continues to promote and cultivate innovation, entrepreneurship, and collaboration throughout our region. SMIF has supported over 350 businesses with loans and technical assistance totaling over \$19.5 million, securing over 6,300 jobs. They have also assisted more than 150 communities through grants, training, and asset based community development initiatives totaling nearly \$17 million. Moving forward, they plan to increase their focus toward workforce development and the emerging bioscience and renewable energy arenas.

Southern Minnesota Initiative Foundation Program Update and 2008 Budget Request Discussion - Continued

It was reported that the foundation is in a position to make a big difference in our communities and requests Dodge County's continued help in connecting to the opportunities within our community. SMIF is asking for Dodge County's support as a financial partner. Dodge County's last contribution of \$2,000 was made April 30, 2007. As Dodge County begins their budgeting process for 2008, SMIF asks that we continue our partnership with the foundation with a contribution of \$2,500. This request is in proportion to the counties population and the overall demographics of our 20-county region.

It was noted that the request will be considered during the 2008 budget process.

Campus Regional Director Luann Hiniker and 4-H Program Coordinator Diane Whalen, members of the Extension Committee were present to review with the Board their 2008 budget request.

2008 Extension Budget Request Discussed

Ms. Hiniker discussed with the Board her request for an Extension Educator/ Technical Advisor position at the Extension office and why she felt the position was needed. The Campus Regional Director shared comments from Bruce Schwartau on the need for another position at the Extension office.

Commissioner Hanson wanted to know if Dodge County hires a part-time Extension Educator/Technical Advisor if that same person could also work with another county part-time.

Ms. Hiniker reported that this is not a requirement, but it would be possible.

The Campus Regional Director discussed Extension's desire to reach a diverse group of people and find activities for kids that need to become involved in something that promotes positive youth activities.

The Board thanked Ms. Hiniker and Ms. Whalen for attending the meeting.

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

Bills Approved

01	Revenue Fund	\$148,590.08
11	Human Services Fund	\$ 41.72
13	Road and Bridge Fund	\$187,092.97
16	Environmental Quality Fund	\$ 47,709.91
30	County Building Fund	\$ 5,295.26
37	Debt Fund-Courthouse Improvement	\$ 2,850.00
80	Agency Fund	<u>\$ 60.00</u>
	Total	\$391,639.94

Motion adopted unanimously.

Sheriff Gary Thompson met with the Board to review his request to replace the call recorder.

Digital Voice Logging Recorder/Reproducer Purchase Approved for Sheriff's Office

Mr. Thompson reported that the Sheriff's Office digital voice logging recorder/reproducer is in dire need of replacement. The current unit is made by Dictaphone and was purchased approximately four years ago at a cost of approximately \$12,000. Since then Dictaphone has sold the recorder portion of their business to a company in New Jersey who is fazing this recorder out. Parts and service are no longer available for this unit. The Sheriff stated that the unit has had a history of hard drive problems and has recently been exhibiting similar problems. With help from Information Systems, the Sheriff's Office has been able to limp this unit along. The recorder is a necessity for the office, it records and stores all radio and phone traffic.

The Sheriff reviewed quotes for two similar digital voice logging recorder/reproducer units. Mr. Thompson indicated that either unit would do the job however the Sheriff's Office is leaning toward the unit Northland Business Systems as it has a CML Interface feature not available on the Motorola system.

Mr. Thompson stated that the Sheriff's Office anticipates going with the Northland system but will not make their final decision until a Northland representative can demo the recorder at their office. The demo should take place sometime in the next week or two.

Motion by Tjosaas seconded by Erickson to approve and authorize the Sheriff's Office to purchase a new digital voice logging recorder/reproducer system from Northland Systems at a cost of approximately \$17,451 plus tax. Funds will be taken from the 911 Revenue fund. *Motion adopted unanimously.*

The Sheriff provided the Board with a 0.8 FTE dispatcher update.

Request to Hire Third
0.8 FTE Dispatcher
Discussed

Mr. Thompson stated that as a follow-up to his request at the last Board meeting to obtain one additional 0.8 FTE dispatcher, he has researched the potential affect on the budget and is prepared to share this information with the Board.

The Sheriff's Office is currently staffed with five full-time dispatchers, two 0.8 FTE dispatchers, and five part-time dispatchers. Mr. Thompson reported that they have recently lost one 0.5 FTE dispatcher and one 0.4 FTE dispatcher. The Sheriff noted that their full-time and 0.8 FTE dispatcher positions are relatively stable and that the turn-over problem lies with their part-time staff.

Mr. Thompson informed the Board that the base salary for a part-time dispatcher (0.3 FTE and under) is \$12.83 per hour. The base salary for those above 0.3 FTE is \$14.46 per hour. Base annual salary for a 0.8 FTE dispatcher (1,664 hours) would be \$24,000.00 plus pro-rated PTO and holiday pay. The base pay for all others would be \$21,395.84, a difference of approximately \$2,046. The Sheriff noted that the current schedule provided for the 0.4 and 0.5 dispatchers is to fill the majority of the open shifts, which means those dispatchers would be paid \$14.46 per hour. Additionally, it is not uncommon to fill open shifts with full-time dispatchers at an overtime rate.

The Sheriff reported that the addition of a third 0.8 FTE dispatcher would be beneficial for a number of reasons. It would allow for additionally stability and flexibility in the schedule, reduce the number of opens shifts from seven to four per pay period which would free up time for Rick Eggert the Lead Dispatcher. The addition of a third 0.8 FTE dispatcher would potentially reduce some overtime and could be done with little or no additional expense to the county.

Rick Eggert was available to comment.

The County Administrator informed the Board that if they were in support of hiring an additional 0.8 FTE dispatcher that this item has been submitted for approval under the personnel agenda items.

Motion by Erickson seconded by Hanson to approve the following personnel actions:

Personnel Actions
Approved

A. Administration

- A.1 Rose Culbertson – Taxpayer Services Director
Step increase from C41 step 11 \$18.56 to C41 step 10 \$19.11.
Effective Date: 6/26/07
- A.2 Nichole Farnsworth – Account Technician
Authorization to employee at B23 step 6 \$15.34 to fill approved vacancy.
Effective Date: 8/6/07

- A.3 Karla Volkert – Custodian
Authorization to change status from 0.5 FTE to 1.0 FTE to fill approved vacancy.
Effective Date: 7/9/07
- A.4 Custodian - 0.5 FTE
Authorization to fill vacancy created by status change.
Effective Date: 7/16/07
- A.5 Becky Lubahn – Executive Assistant
Step increase from B31 step 2 \$17.99 to B31 step 1 \$18.35.
Effective Date: 7/10/07
- B. Public Health**
- B.1 Carol Braun – Health Educator 0.5 FTE
Change status from 0.5 FTE to On-Call.
Effective Date: 8/31/07
- B.2 RN, PHN, Health Educator, ECFE - 0.6 - 0.7 FTE
Authorization to post and fill vacancy created by status change.
Effective Date: 7/24/07
- B.3 Kelly Fennell – PHN I
Step increase from C42 step 8 \$18.09 to C42 step 7 \$18.77 + \$3.00 R/R.
Effective Date: 7/31/07
- C. Sheriff's Department**
- C.1 911 Dispatcher - 0.8 FTE
Authorization to post and fill vacancy created by resignation at increased FTE.
Effective Date: 7/10/07
- C.2 Dawn Frieberg – 911 Dispatcher 0.8 FTE
Regular status and step increase from B22 step 1 \$14.48 to B22 step 2 \$14.91.
Effective Date: 6/28/07

Motion adopted unanimously.

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

Legal Update

Mr. Kiltinen briefly updated the Board on the Unger lawsuit.

The County Attorney discussed with the Board a request to approve a retainer agreement with Ryan and Grinde, Ltd.

New Retainer
Agreement with Ryan
and Grinde, Ltd.
Approved

Mr. Kiltinen reviewed a proposed retainer agreement with Ryan and Grinde. It was noted that Ryan and Grinde is the law firm that is representing Dodge County in the Shamrock Enterprises v. Holms Brothers and Dodge County lawsuit.

The County Attorney reported that the county was dismissed from this lawsuit by court order May 7, 2007. The plaintiffs have appealed this ruling and Ryan and Grinde have requested that the county sign a new retainer agreement to continue to represent Dodge County in this case. The new retainer agreement contains the same provisions as the first and continues to cap attorney fees at \$175 per hour.

Motion by Erickson seconded by Tjosaas to approve and authorize the County Board Chair and County Administrator to sign the new retainer agreement with Ryan and Grinde, Ltd. which will allow them to continue to represent Dodge County in the Shamrock Enterprises v. Holms Brothers and Dodge County lawsuit. *Motion adopted unanimously.*

New Retainer Agreement with Ryan and Grinde, Ltd. Approved - Continued

Planning Director Duane Johnson presented the July 11, 2007 Planning Commission Recommendations for the Board's consideration.

Planning Commission Recommendation CUP #07-15 Tabled

Mr. Johnson reviewed the following conditional use permit request:

Sherman Stoflet – CUP #07-15 (tabled) (Deadline – August 8, 2007)

Discussion continued from the June meeting to allow for township input and decision on this request for a Conditional Use Permit to establish a non farm dwelling in the Agricultural District. The property is 40 acres located in the SW ¼ of SW ¼, of Section 25, Canisteo Township. Sherman Stoflet is the applicant and the property owner.

Motion by Harlan Buck, seconded by Jon Balzum to recommend 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 Dodge County's septic ordinance.
3. Driveway access and permits be obtained from the Dodge County Highway Department.
4. Home is built 500' or more from wildlife management area.
5. The township grants a variance to the definition of a farm.

A vote of 3 – 3 was taken.

Ayes, Harlan Buck, Jon Balzum, Larry Schmeling and nays, John Allen, Richard Wolf, Galen Johnson.

Motion by Alberts seconded by Erickson to acknowledge receipt of the request to table CUP #07-15 until August 31st at the latest so township action could be considered. *Motion adopted, Erickson, Hanson, Alberts, Gray aye, Tjosaas abstained.*

The Board discussed Rodney Johnson CUP #07-17. It was the consensus of the Board that they were not in favor of condition number five as recommended by the Planning Commission since it did not fit with the intended use of the property. Condition number five reads as follows:

Planning Commission Recommendation CUP #07-17 Approved

5. Nuisance coming from business practices must comply with standards set forth in Section 16, 1611 Nuisance Standards 1-6.

Motion by Alberts seconded by Tjosaas to approve the following action of the Planning and Zoning Commission as reviewed on July 11, 2007 with the reasons, recommendations and conditions as found in the individual permit, with the exception of recommendation number five removed:

Rodney Johnson – CUP #07-17

The first public hearing is to consider an application for a Conditional Use Permit to establish an agricultural business in the Agricultural District. The property is 35.61 acres located in the NE ¼ of SW ¼, of Section 9, Milton Township. Rodney A. Johnson is the applicant and the property owner.

Planning Commission
Recommendation
CUP #07-17
Approved - Continued

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. 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.

Motion adopted unanimously.

The Board discussed Al-Corn Clean Fuel/Randall Doyal ZA #07-02.

Planning Commission
Recommendation
ZA #07-02 Approved

Concerns were addressed regarding access to 110th Avenue.

Randall Doyal clarified that a public roadway cannot be blocked for any length of time by railroad cars. Mr. Doyal indicated that he was open to working with the neighbor in order to provide him with to access 110th Avenue but was unsure if the public would be allowed to use the access.

Commissioner Alberts stated that he was interested in seeing the neighboring property owner allowed to access the road.

It was Commissioner Hanson's opinion that since 110th Avenue is a township road that the property owners and township need to be involved in working with the neighbor on the issue of road access.

Commissioner Gray reported that there were members in the audience that were present to hear discussion on this request. Mr. Gray acknowledged their presence and informed them that this is a zoning change request that is being considered by the County Board and not a public hearing, the hearing on this subject has already been conducted.

Commissioner Erickson noted that the township has approved the applicant's request for a zone change.

Discussion took place regarding railway/roadway evaluations, the possibility of closing 110th Avenue as well as abandoning the right-of-way for 110th Avenue since it is likely that there will be trains sitting across the road for hours/days at a time.

County Engineer Guy Kohlnhofer was available to comment on the subject and stated that he could find out if there are exceptions to closing a road.

Motion by Alberts seconded by Erickson to approve the following action of the Planning and Zoning Commission as reviewed on July 11, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission
Recommendation
ZA #07-02 Approved
- Continued

AI-Corn Clean Fuel / Randall Doyal – ZA #07-02

The fourth public hearing is to consider a Zoning Amendment to rezone Urban Expansion to Industrial on 74.9 acres located in the NW ¼ of the NW ¼ of Section 29, Claremont Township. The second part of this request is a zoning change from Agricultural to Industrial on 114.35 acres located in the NE ¼ in Section 30, Claremont Township. Randall J. Doyal is the applicant and AI-Corn Clean Fuel 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. Prior to construction, all federal, state and local environmental review be completed (EAW).
2. Upon completion of the EAW a General Development Plan be submitted and the plat process begin.
3. Work with the neighbor on the issue of 110th Avenue.

Motion adopted unanimously.

The Board reviewed CUP #07-18. Motion by Alberts seconded by Hanson to approve the following action of the Planning and Zoning Commission as reviewed on July 11, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission
Recommendation
CUP #07-18
Approved

Michael Asche – CUP #07-18

The third public hearing is to consider an application for a Conditional Use Permit to establish a second non farm dwelling in the Agricultural District. The property is 6.36 acres located in the NE ¼ of SW ¼, of Section 19, Mantorville Township. Michael Asche 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. A driveway access permit and address be obtained from the Dodge County Highway Department.
4. The sunset clause applies. When the home is no longer used by the father it is to be vacated.

Motion adopted Erickson, Hanson, Alberts, Gray aye, Tjosaas abstained.

The Board reviewed CUP #07-19. Motion by Tjosaas seconded by Alberts to approve the following action of the Planning and Zoning Commission as reviewed on July 11, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission
Recommendation
CUP #07-19
Approved

David M. Holey – CUP #07-19

The fourth public hearing is to consider an application for a Conditional Use Permit to establish a non farm dwelling in the Agricultural District. The property is 4.13 acres located in the NE ¼ of SE ¼, of Section 26, Mantorville Township. David M. Holey is the applicant and Milton and Arleen Holey are the property owners.

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. A driveway access permit and address be obtained from the Dodge County Highway Department.

Motion adopted unanimously.

The Board reviewed preliminary plat #07-01.

Planning Commission
Recommendation
Preliminary Plat
#07-01 Discussed

Jay Harris – Preliminary Plat #07-01

The fifth public hearing is to consider a Preliminary Plat for a subdivision. The property is 10 acres located in the NE ¼ of NW ¼ of SW ¼ of Section 15, Mantorville Township. Jay Harris is the applicant and property owner.

The applicant and Planning Commission concurred to continue the Public Hearing to the September meeting.

No action was needed at this time since the preliminary plat has been continued until September.

The Board discussed FP #07-01. Motion by Hanson seconded by Alberts to approve the following action of the Planning and Zoning Commission as reviewed on July 11, 2007 with the reasons, recommendations and conditions as found in the individual permit:

Planning Commission
Recommendation
Final Plat #07-01
Approved

Thiemann Addition – FP #07-01

The Planning Commission recommends approval of the Thiemann Final Plat and the following waivers:

1. Granting the waiver of the Section 2009 Subdivision Platting, item 5 Development Agreement.
2. Granting the waiver of the Section 2011 Preliminary Plat Procedures, item 6 Preliminary Plat Approval Duration.
3. Granting the waiver of street name "Thiemann Drive" be changed to 199th Avenue.

Motion adopted unanimously.

Chief Executive Officer Leon Steinberg of Wind Energy Developers shared with the Board a Wind Energy project proposal.

Community-Based
Energy Development
Approved by
Resolution #2007-23

Mr. Steinberg informed the Board that counties involved in the project need to sign a resolution of support.

The Board was provided with a map which outlined the areas in which Wind Energy Development was interested in placing wind turbines.

High Country Energy, LLC is proposing a community owned wind farm up to 300 megawatts located on 49 square miles along the eastern Dodge and western Olmsted county borders.

Mr. Steinberg reported that Romuld Wind Consulting has completed a wind analysis, HDR has completed an environmental analysis, Excel Engineering has completed a transmission report and that Wind Energy Developers have reviewed initial land lease opportunities and initiated wind option agreements.

Leon Steinberg informed the Board that at 80m hub height, the current estimates show a strong wind regime. Data has also been collected for the proposed wind turbine area and will be analyzed on an ongoing basis by Romuld Wind Consulting. Mr. Steinberg noted that an on-site met tower will be installed to collect on-site data within 30 days.

Mr. Steinberg shared with the Board a map outlining where the ideal locations for the wind turbines are in the proposed area.

Leon Steinberg informed the Board that there would be an interconnection for up to 300 megawatts at the Byron substation. The initial study was completed by Excel Engineering. The initial filing for a feasibility study filed with MISO is \$10,000. Mr. Steinberg reported that the project will require the construction of an eight mile private transmission line. The interconnection is generally an 18-36 month process and costs \$160,000.

Mr. Steinberg stated that partnering on landowner based projects represents a unique market opportunity and believes landowners will slowly start to turn to wind power as the next cash crop.

Mr. Steinberg commented that wind energy development is now in a similar position to where ethanol was only ten years ago.

Duane Johnson wanted to know if Mr. Steinberg could project what kind of profit the wind turbines will generate.

Leon Steinberg shared the following information with the Board.

- Nationally, the country expects to have four times the amount of wind power in the next ten years.
- Most landowner projects have started small but Wind Energy Developers has proven that landowners can sponsor larger projects, at least as economically as larger developers.
- Landowners fund development costs (\$1 - \$2.0M) and Managing Partner raises Project Capital - i.e. a 100 megawatts project requires \$170 - 190M to build out.

Community-Based
Energy Development
Approved by
Resolution #2007-23
- Continued

Mr. Steinberg reported that there are two steps to the project. The first step is a wind option followed by a full turbine lease as the project goes into construction.

Commissioner Erickson questioned what could be expected per tower in tax returns.

Mr. Steinberg stated that because of recent changes he did not have the most current information.

The Board was directed to bullet number two on page two of the C-BED overview which reads as follows:

- A September 2004 US General Accounting Office study found that local ownership of wind systems generates an average of 2.3 times more jobs and 3.1 times more local dollar impact compared to “out of area” interests. For example, a single 40 megawatt project built in Pipestone County, Minnesota, would generate about \$650,000 in new income for the county annually. In contrast, a locally owned project at 40 megawatts (40 megawatt total) would generate about \$3.3 million annually in the same county.

Leon Steinberg shared with the Board what he believed the project impact would be on the county. The turbines would produce enough electricity to power 87,400 homes, would eliminate 750 tons of green house gasses, and will produce 50 jobs during construction and 20 permanent jobs.

Commissioner Hanson asked for clarification on who was eligible for community ownership.

Mr. Steinberg stated that they want to give everyone in the community a chance to invest in the project.

Commissioner Erickson wanted to know if people from outside the designated boundaries for the project could invest.

Leon Steinberg reported that the Wind Energy Developers Board determines who can have ownership in the project.

Duane Johnson wanted to know if Wind Energy Developers will recommend that the project be completed in phases when the proposal is presented to the Planning Commission.

Community-Based
Energy Development
Approved by
Resolution #2007-23
- Continued

Mr. Steinberg indicated that the plan would be presented in phases and explained the process.

County Attorney Paul Kiltinen was available to comment on the proposed resolution.

Motion by Erickson seconded by Alberts to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-23 acknowledging Community-Based Energy Development (CBED) status for High Country Energy, LLC.:

WHEREAS, it is the policy of the State of Minnesota to foster Community-Based Energy Development (C-BED) projects; and

WHEREAS, the state C-BED statute calls for County Board approval of C-BED projects - Minn. Stat. § 216B.1612, subd.2(f)(3); and

WHEREAS, the development of (CBED) wind projects in Dodge County provides economic opportunity for residents of the county; and

WHEREAS, the High Country Energy, LLC project which is proposed for development in Dodge County and will be owned by a Minnesota limited liability company, High Country Energy, LLC organized by Minnesota residents; and

WHEREAS, the Minnesota limited liability company that will be developing wind turbines is High Country Energy, LLC; and

WHEREAS, the developers understand and accept responsibility for securing all necessary permits for development of wind turbines and towers; and

WHEREAS, this project calls for the development of up to 300 megawatts of wind energy to be produced by as many as 150 turbines; and

WHEREAS, the projects are structured to ensure that a majority of the financial benefit of the project accrues to the local owners of the project.

NOW THEREFORE, BE IT RESOLVED, that the Dodge County Board of Commissioners hereby indicates its support for the development of the High Country Energy Center project as a C-BED project, subject to the authority of said County Board, to grant or deny any applications for permits or licenses for said project as may be provided by state statute or local ordinances, rules or regulations.

Resolution adopted unanimously.

The County Attorney left the meeting at 12:24 p.m. CDT.

County Attorney Left
Meeting

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

Human Services
Committee Report

The Board discussed a request to allocate the interest income produced by the Equity Distribution Funds received from South Country Health Alliance back into the Equity Distribution Fund. It was the consensus of the Board that they needed to get a legal opinion on this request before they take any action.

Equity Distribution
Funds Interest
Income Request
Discussed

Motion by Hanson seconded by Tjosaas to approve and authorize the use of the Veterans Information Management System (VIMS) software through the purchase of an annual maintenance contract with Sterling Solutions at a yearly cost of \$700.00; and further recommend that this purchase be paid from the Human Services fund balance account. *Motion adopted unanimously.*

Use of Veterans
Information
Management System
Software Approved

The Board briefly discussed Zumbro Valley Mental Health Center's request for a \$6,000 contribution from Dodge County for their building project, specifically for their detoxification program and residential treatment services. The County Administrator indicated that he will speak with the Human Services Director to address if it is legal to do this and clarify why we would want to do this.

Zumbro Valley Mental
Health Center
Request Discussed

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

Public Safety
Committee Report

The Board reviewed the Sheriff's Office out-of-state travel request for the School Resource Officer Dave Skadson.

Out-of-State Training
Approved for School
Resource Officer

The request is for a three-day Advanced School Resource Officers training program in Watertown, Wisconsin. Deputy Skadson will be starting his second year as School Resource Officer and this training will greatly enhance his effectiveness as School Resource Officer.

Expenses for the training will include tuition, lodging, meals and travel totaling approximately \$700. All expenses will be covered by the Family Services Collaborative.

Motion by Tjosaas seconded by Hanson to approve and authorize Deputy Dave Skadson to attend a three-day Advanced School Resource Officers training program in Watertown, Wisconsin August 13-15, 2007 at a cost of approximately \$700. *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 July 10, 2007 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

07/10/07 Committee
of the Whole Meeting
Minutes Approved

Motion by Tjosaas seconded by Hanson to approve and authorize the July 10, 2007 meeting minutes as corrected on page 150. *Motion adopted unanimously.*

07/10/07 Meeting Minutes Approved

Commissioners provided their agency reports. Commissioner Hanson attended a budget meeting, a Planning and Zoning meeting, a Fairview Care Center meeting and an Aging Population meeting. Commissioner Alberts attended a work session and attended the county fair. Commissioner Gray attended a work session, a Dodge Center 34 meeting, a Care Center meeting and a RC&D meeting. Commissioner Erickson attended a budget work session, a Dodge County Planning & Zoning meeting and a Dodge County Fair Appreciation program. Commissioner Tjosaas attended a Fair Board picnic, a Care Center meeting, a work session and a session on aging.

Agency Reports

Motion by Alberts seconded by Hanson to adjourn the meeting at 12:51 p.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on August 14, 2007 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: