

TUESDAY, DECEMBER 26, 2007

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2007-25

The Dodge County Board of Commissioners met in regular session December 26, 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 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 Alberts seconded by Hanson to approve and adopt the agenda as amended to include the addition of a liquor license request for E&H Company under the Administration Committee report. *Motion adopted unanimously.*

Agenda Approved

Assistant County Engineer Kirk Rolfson met with the Board to discuss a State Aid funding advancement resolution request.

State Aid Funding
Advancement
Request Approved by
Resolution #2007-46

Mr. Rolfson reported that in order to complete projects over the last few years the Highway Department has utilized the tool of advancing State Aid construction funds from MnDOT. The procedure for doing this allows counties to advance funds for three years utilizing one request with an accompanying Board resolution. As it turns out 2007 was the fourth year of the original requests in 2004 and MnDOT is requesting a new resolution for their records.

The Highway Department's 2004 resolutions advanced one year's allotment of approximately \$1.4 million. To date Dodge County has repaid all but approximately \$536,000. The Capital Improvement Plan being submitted today relies on extending that advancement until 2010. The proposed resolution permits that advancement and increases the amount to a possible \$750,000. This increase is not shown in the Capital Improvement Plan but will allow for possible overages due to construction cost inflation. The Assistant County Engineer reported that the Highway Department generally includes estimated inflation in their budgeting and that it is getting more difficult to do this over the years.

Motion by Erickson seconded by Alberts to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-46 in support of the Highway Department applying for State Aid funding advancement to assist in the continued work on county highways:

State Aid Funding Advancement Request Approved by Resolution #2007-46 - Continued

WHEREAS, Dodge County is planning to implement County State Aid Street Project(s) in 2007 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

WHEREAS, said county is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular Construction Account; and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date 1/1/07		\$ 401,703.88
Less estimated disbursements:		
Project #020-602-014	\$135,052.38	
Project #020-616-015	\$471,231.46	
Project #020-617-004	\$202,967.60	
Project #020-634-013	\$128,146.56	
CSAH 9 Resurfacing	\$214,305.88	
Bond Principle (if any)	\$ 0.00	
Project Finals (overruns-if any)	\$ 0.00	
Other _____	\$ 0.00	
Total Estimated Disbursements		\$1,151,703.88
Advance Amount (amount in excess of account balance)		\$ 750,000.00

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820; and

WHEREAS, the county acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW THEREFORE BE IT RESOLVED, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of Dodge County in an amount up to \$750,000.00 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular Construction Account of said county in accordance with the schedule herein indicated:

- Repayment from entire future year allocations until fully repaid.
- Repayment in ___ equal annual installments
- Repayment from future year allocations in amounts listed below until fully repaid (maximum 3 year repayment).

State Aid Funding Advancement Request Approved by Resolution #2007-46 - Continued

\$ 00.00 CY 2008
 \$500,000 CY 2009
 \$250,000 CY 2010

Resolution adopted unanimously.

Mr. Rolfson discussed with the Board a request to purchase survey equipment.

Survey Equipment
Purchase Approved
for Highway
Department

The Assistant County Engineer informed the Board that due to decreased construction funding, road construction has been delayed and the Engineering Division of the Highway Department has been operating at a reduced level of personnel. This combined with a need to update some of their survey equipment has resulted in budgeting for a new survey instrument. Staff has researched the various options of updating equipment in connection with working with fewer staff. It was determined that a stand alone GPS survey receiver, called a rover, would best fit their needs.

Mr. Rolfson reported that the rover allows a single individual to go out in the field and obtain topographic survey data needed for road and bridge improvements. The rover may also be used to place many of the marker stakes needed during construction. Although this does not fully replace the main survey equipment the Highway Department currently uses, it is a piece of the replacement equipment they hope to obtain as budgeting permits.

The Assistant County Engineer noted that a second user of the rover may be the County Surveyor as it will obtain precise location data needed for marking section corners and property markers. It is expected the rover will be loaned to the Surveyor as needed until long term plans are made for that duty.

Mr. Rolfson stated that two GPS manufacturers were contacted for demonstrations and equipment quotes, Leica and Trimble. Both gave presentations of excellent equipment to fit the Highway Department’s needs. The Assistant County Engineer reported that although both are good performers the software used in the Leica system results in a higher speed unit. Leica also submitted a quote \$2,500 below that of Trimble and 12% below budget.

The Assistant County Engineer informed the Board that the purchase of this equipment is budgeted for 2008 but they are requesting authorization to purchase early in the year due to the vendor’s desire to increase 2007 sales. Also noted was that prices are increasing January 1st and the Highway Department has been given excellent quotes substantially below what they would expect to pay in 2008. Quotes are as follows:

Leica Geosystems Inc.	\$21,925.75
Trimble	\$24,484.50

Survey Equipment
Purchase Approved
for Highway
Department -
Continued

Motion by Erickson seconded by Alberts to approve and authorize the Highway Department to purchase a SmartRover from Leica for approximately \$22,000.
Motion adopted unanimously.

Mr. Rolfson presented for the Board's consideration a five-year capital improvement plan.

Highway Department
5-Year CIP Approved

On September 6th the Highway Department held a public hearing to review the Dodge County Transportation Capital Improvement Plan (CIP). Suggestions and public concerns were heard and addressed as best as possible. It was noted that funding continues to be a concern for all roads with the county continuing to supplement transportation costs with increased reliance on property taxes.

Mr. Rolfson reported that the roads under county jurisdiction are reviewed for their condition and a five year plan is developed based on the needed maintenance and rehabilitation strategies to best economically maintain their surfaces. The Assistant County Engineer reviewed with the Board the proposed five-year capital improvement plan which the Highway Department feels best meets those needs with the funds available.

The Assistant County Engineer reported that since the CIP hearing the proposed plan has been slightly adjusted with the movement of projects between years. The dollars indicated are estimates based on historic quantities and costs for similar projects of similar length.

Mr. Rolfson noted that in some years it will become necessary to borrow ahead on the county's state aid allocation. This may be adjusted as state funding changes. The Highway Department proposes the following 5-year CIP Plan be adopted:

2008 Construction Year	
Highway Department Projects	Township Projects
CSAH 9 – Special Resurface (3.5 miles) CSAH 34 to CSAH 16	L6473, Ashland, 660 th St.
CSAH 35 – Mill & Overlay Clay Street (Mantorville)	L2582, Concord, 575 th St.
CSAH 17 – Joint Repair (Olmsted) East County Line (done in 2006)	
CSAH 3, 5, 22, 24 – Curve Entrance Upgrade	
CR H – Overlay CSAH 5 to CSAH 7 \$250,000	
CR J – Surface improvements West County Line to CSAH 3 \$ 75,000	

2009 Construction Year	
Highway Department Projects	Township Projects
CSAH 5 – Special Resurface TH 14 to CSAH 6 (6 miles)	L1028, Milton, 270 th Ave.
CSAH 25 – Install Gates at RR (Our share of state project)	
CR T – Reclaim & Repave TH 30 to CR N	

Highway Department
5-Year CIP Approved
- Continued

CSAH 36 (West Concord) – Grade & Pave CSAH 24 to 2 nd St.	
--	--

2010 Construction Year	
Highway Department Projects	Township Projects
CSAH 3 – Special Resurface TH 14 to CSAH 10 (3 miles)	
CSAH 5 – Special Resurface CSAH 6 to TH 30 (5 miles)	
CSAH 31 (DC) – Regrade and Pave CSAH 7 to 4 th Ave.	
CR G – Surface improvements CSAH 1 to TH 56	

2011 Construction Year	
Highway Department Projects	Township Projects
CSAH 3 – Special Resurface CSAH 10 to TH 30 (8 miles)	Br #665, Canisteo 260 th Ave.
CSAH 11 – Overlay Surface CSAH 16 to CSAH 22 W.	
CSAH 24 – Replace Bridge 6628 Old Concord	

2012 Construction Year	
Highway Department Projects	Township Projects
CSAH 16 – Special Resurface TH 56 to CSAH 9	New Bridge, Milton 535 th St.
CSAH 13 – Special Resurface TH 14 to TH 30 (9 miles)	

Motion by Alberts seconded by Hanson to approve and authorize the Highway Department five-year Capital Improvement Plan as presented. Also included in the motion was authorization for the Highway Department to go ahead with planning the 2008 construction year. *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 the following Human Services contracts:

Human Services
Action Item 1.1

1.11 MN DHS & Semcac; to provide Transportation/Volunteer Driver Program; \$.49 per mile plus 2008 IRS mileage reimbursement rate per mile; funded through Medical Assistance; for the term of 01-01-08 to 12-31-08.

1.12 Workforce Development, Inc.; to provide MFIP & DWP Employment & Training; not to exceed \$75,030; for the term of 01-01-08 to 12-31-08.

1.13 James L. Schwinghammer; to provide Conservatorship & Guardianship services for indigent residents; at the rate of \$33.00 per hour & \$.445 per mile; for the term of 01-01-08 to 12-31-08.

1.14 South Central Human Relations Center; Rule 29 Mental Health Services; not to exceed \$47,000; for the term of 01-01-08 to 12-31-08.

1.15 South Central Human Relations Center; to provide mental health services in accordance with the Comprehensive Adult and Children’s Mental Health Act; in the amount of \$73,439 for adults and \$38,071 for children; for the term of 01-01-08 to 12-31-08.

1.16 Consolidated Chemical Dependency Treatment Fund Agreement with Nehemiah Family Services; to provide adult and adolescent chemical dependency out-patient treatment services; at the rate of \$25 per hours for adults and \$32 per hour for adolescents; for the term of 01-01-08 to 12-31-08.

1.17 Exchange Club Center for Family Unity; to provide child/family supervised visitation services; not to exceed \$10,000; for the term of 01-01-08 to 12-31-08.

Motion adopted unanimously.

Motion by Hanson seconded by Tjosaas to reaffirm Dodge County resolution #2004-07 which authorizes the Human Services Director to sign documents which legally bind the department and pay expenditures utilizing auditor’s warrants that are necessary to implement the judicially or statutorily fiscal responsibilities of the department for the term of 01-01-08 to 12-31-08. *Motion adopted unanimously.*

Human Services
Collection Fees
Write-Off Approved

The Chair called the 2008 fee schedule public hearing to order at 10:04 a.m. CST.

2008 Fee Schedule
Public Hearing Called
to Order

County Administrator David McKnight presented for the Board’s consideration a draft 2008 fee schedule. Mr. McKnight reported that he and the department heads have reviewed the schedule and are recommending approval of the proposed fees after the Board conducts the public hearing.

2008 Fee Schedule
Discussed

It was noted that the flu shot fee for 2008 is currently \$23.00 and the tobacco license fee for 2008 is currently \$200.

Environmental Quality Director Mark Gamm discussed with the Board the proposed electronic recycling fee and the differences between business and household fees.

The meeting was opened to the public for comment. There were no citizens in the audience that wanted to comment on the proposed 2008 fee schedule.

Motion by Tjosaas seconded by Hanson to close the 2008 fee schedule public hearing at 10:10 a.m. CST. *Motion adopted unanimously.*

Public Hearing
Closed

Motion by Alberts seconded by Hanson to approve and authorize the 2008 fee schedule as discussed. *Motion adopted unanimously.*

2008 Fee Schedule
Approved

Mr. McKnight shared with the Board a proposed contract with Wold Architects for work to be performed on the Ag Center facility in Dodge Center. The project will include the complete remodeling of the Ag Center property which will become the new home to the Public Health and Extension departments.

Contract with Wold
Architects for Ag
Center Project
Approved

The cost of the contract is based off of the estimated construction costs of the project (8.5%) plus an additional cost for the structural investigation for a total cost of \$84,000 plus reimbursables. The County Administrator noted that the Board had an opportunity to ask questions and discuss the document in detail with John McNamara of Wold at their work session on Tuesday, December 18, 2007.

Commissioner Alberts stated that he is not in favor of the proposal when it is unclear what will be happening with the school property across the road. Mr. Alberts commented that he believes remodeling the Ag Center will only be a band aid fix to the space concerns at the Courthouse.

Commissioner Erickson stated that the Board is trying to look at the needs that we have right now and that remodeling the Ag Center will give us space for two departments.

Commissioner Tjosaas noted that he understands Commissioner Alberts' position but time is an issue.

Commissioner Alberts commented that he sees a need to keep Public Health and Human Services in the same building.

Commissioner Hanson discussed space constraints in the Courthouse, our options and space needs for the next ten years. Mr. Hanson feels updating is needed. Commissioner Erickson reported that he does not agree with building another building and leaving the current Extension office empty.

Contract with Wold
Architects for Ag
Center Project
Approved -
Continued

Commissioner Gray commented that he is in favor of upgrading the Ag Center.

Motion by Erickson seconded by Hanson to approve and authorize the County Board Chair's signature on the contract with Wold Architects for work on the Ag Center renovation project. *Motion adopted, Erickson, Tjosaas, Hanson, Gray aye, Alberts nay.*

County Administrator David McKnight presented the Personnel Agenda for the Boards consideration. Motion by Tjosaas seconded by Alberts to approve the following personnel actions:

Personnel Actions
Approved

A. Sheriff's Department

- A.1 Bou Gazley – 911 Dispatcher – On-Call
Resignation.
Effective Date: 12/5/07
 - A.2 911 Dispatcher – On-Call
Authorization to post and fill vacancy created by resignation.
Effective Date: 12/26/07
 - A.3 Robert Rose – Transport Officer – On-Call
Resignation.
Effective Date 12/26/07
 - A.4 Rayelle Yankowiak – 911 Dispatcher – FT
Resignation.
Effective Date 12/13/07
 - A.5 911 Dispatcher – FT
Authorization to post and fill vacancy created by resignation.
Effective Date: 12/26/07
 - A.6 Nikole Kaehler – Processor Civil/Criminal
Annual review.
Effective Date: 10/30/07
- B. Environmental Quality**
- B.1 Larry Edgar – S.W. Facility Operator – On-Call
Authorization to hire at B22 step 1 \$17.80.
Effective Date: 1/2/08
 - B.2 Mark Gamm – Environmental Quality Director
Annual review.
Effective Date: 12/6/07
 - B.3 Terrance Selthun – Solid Waste Facility Manager
Step increase from B32 step 3 \$19.71 to B32 step 2 \$20.15.
Effective Date: 1/2/08
- C. Administration**
- C.1 Amanda Linderman – Drug Court Case Manager
Authorization to employ at C41 step 9 \$16.62 to fill approved vacancy.
Effective Date: 12/26/07
 - C.2 Jacob Hiebeler – Custodian/Maintenance
Authorization to hire at A13 step 5 \$12.44 to fill approved vacancy.
Effective Date: 12/26/07

Personnel Actions
Approved -
Continued

- C.3 Lisa Kramer – Finance Director
Step increase from D61 step 10 \$24.55 to D61 step 9 \$25.78.
Effective Date: 12/12/07
- D. Public Health**
- D.1 Kyla DeLeon – Account Technician - .8 FTE
Step increase from B23 step 9 \$13.47 to B23 step 8 \$13.90.
Effective Date: 12/4/07
- D.2 Teresa Prond – Public Health Nurse I
Step increase from C42 step 5 \$20.20 to C42 step 4 \$20.96 + \$3.00 R/R.
Effective Date: 12/22/07
- E. County Attorney**
- E.1 Tabatha Durand – Legal Secretary - .5 FTE
Authorization to employ at B22 step 10 \$13.46 to fill approved vacancy.
Effective Date: 1/2/08
- F. Human Services**
- F.1 Jennifer Adamson – Social Worker
Step increase from C42 step 3 \$22.29 to C42 step 2 \$23.13.
Effective Date: 1/7/08
- G. Annual Band and Grand Review**
- G.1 Approval of recommended changes in Band and Grade assignment. Band and Grade review completed by Dale Ignatius.

	<u>From</u>	<u>To</u>
Highway Accountant	B31	C41

Effective Date: 12/1/07
- H. Retention and Recruitment Pay**
- H.1 Approval to continue R/R pay for the following positions with a 2.5% adjustment: County Engineer, Director of Human Services and Assistant County Attorney.
Effective Date: 12/1/07

Motion adopted unanimously.

Environmental Quality Director Mark Gamm met with the Board to request that they adopt a proposed amendment to the Waste Designation Ordinance.

Waste Designation
Ordinance
Amendment
Approved by
Resolution #2007-47

Mr. Gamm reminded the Board that his office is proposing to amend Section II of Dodge County Solid Waste Ordinance Number two (Dodge County Solid Waste Designation Ordinance) as follows:

Subsection 1. Application of Ordinance. This ordinance shall govern the transportation and disposal of all designated waste generated or disposed of within the county, ~~unless deposited outside the State of Minnesota,~~ and all persons engaged in transportation of designated waste within the county.

Subsection 2. Designation. On and after the effective date, all designated waste generated within the county, ~~unless deposited outside the State of Minnesota,~~ must be delivered to the facility at the Dodge County Landfill, and may not be delivered to any other disposal site except as provided in subsections 3, 4 and 5 herein.

The Environmental Quality Director reported that on November 15, 2007, the Dodge County Board of Commissioners held a public hearing on the proposed amendment. The only comment received was a written comment from one of the solid waste haulers operating in the county. The comment expressed support for the proposed amendment.

Waste Designation Ordinance Amendment Approved by Resolution #2007-47 - Continued

Motion by Alberts seconded by Erickson to approve the Chair and Deputy Clerk to sign resolution #2007-47 in support of the Waste Designation Ordinance amendment:

WHEREAS, Minnesota Statutes Section 115A.80, et. seq., authorizes a county to designate delivery of solid waste generated in its jurisdiction to a solid waste processing or disposal facility; and

WHEREAS, Minnesota Statutes Section 115A.84 provides that before designating a solid waste processing facility a county must adopt a designation plan, which designation plan must be approved by the State of Minnesota; and

WHEREAS, Dodge County's Solid Waste Designation Plan identifies the county owned and operated Transfer Station as the facility where all designated solid waste generated within Dodge County must be delivered; and

WHEREAS, waste deposited at the Transfer Station is transported to the publicly owned and operated Olmsted County Waste-to-Energy Facility in accordance with the Dodge/Olmsted Joint Powers Agreement; and

WHEREAS, on March 14, 1985, the State of Minnesota approved the Dodge County Solid Waste Designation Plan; and

WHEREAS, pursuant to Minnesota Statutes Section 115A.85, Dodge County held a public hearing on April 4, 1985 to take testimony on the designation, and for 90 days following the hearing Dodge County negotiated with persons entitled to written notice under the statute for the purpose of developing contractual agreements that required the use of the Transfer Station; and

WHEREAS, pursuant to Minnesota Statutes Section 115A.86, after a public hearing on November 15, 1985 and another public hearing on February 4, 1986, Dodge County on February 4, 1986 adopted Solid Waste Ordinance Number 2 (the Designation Ordinance) to establish standards and procedures needed to implement the Designation Plan, and such adoption was subject to approval by the State of Minnesota and was not effective until January 1, 1987; and

WHEREAS, on May 1, 1986, the State of Minnesota approved the Dodge County Designation Ordinance; and

WHEREAS, Dodge County implemented its Designation Ordinance on January 1, 1987; and

WHEREAS, at the time the county adopted its Designation Ordinance, Minnesota Statutes Chapter 115A did not allow counties to designate waste destined for disposal outside of Minnesota. Therefore, Dodge County's Designation Ordinance, as approved on May 1, 1986, did not designate solid waste destined for out-of-state disposal; and

Waste Designation
Ordinance
Amendment
Approved by
Resolution #2007-47
- Continued

WHEREAS, Minnesota Statutes Chapter 115A was subsequently amended to allow counties to designate waste destined for disposal out-of-state; and

WHEREAS, in June 1991, pursuant to Minnesota Statutes 115A.86 Subd. 5, Dodge County submitted an application to the State of Minnesota to amend its Designation Ordinance to remove the exception for waste deposited out of the state, with such amendment proposed to make the Designation Ordinance consistent with the intent, purpose and plain language of Minnesota Statutes Chapter 115A, as amended; and

WHEREAS, on September 6, 1991, the State of Minnesota approved the county's proposed amendment to delete the following language from Section II of the Dodge County Solid Waste Designation Ordinance: "... unless deposited outside the State of Minnesota," finding the amendment a non-substantive change from the approved Designation Plan and in furtherance of the state policies and purposes expressed in Minnesota Statutes Chapter 11 5A; and

WHEREAS, Dodge County did not at that time act to adopt the amendment to the Designation Ordinance that was approved by the State of Minnesota, due to uncertainty arising from Commerce Clause legal challenges to similar designation ordinances in Minnesota and in other states; and

WHEREAS, on April 30, 2007, the United States Supreme Court decided *United Haulers Assn., Inc. v. Oneida-Herkimer Solid Waste Management Authority*, 127 S. Ct. 1786 (2007) ("Oneida Herkimer"). In *Oneida-Herkimer*, the Supreme Court determined that a county designation ordinance that directs delivery of solid waste to a publicly owned and operated facility does not discriminate against interstate commerce and is therefore enforceable; and

WHEREAS, the Transfer Station to which the Dodge County Designation Ordinance designates solid waste is owned and operated by Dodge County, and the solid waste deposited at the Transfer Station is delivered to the publicly owned and operated Olmsted County Waste-to-Energy (WTE) Facility; and

WHEREAS, the electricity produced by the Olmsted WTE Facility from combustion of the solid waste designated by Dodge County qualifies as an eligible energy technology in helping utilities meet the State of Minnesota's new renewable energy standards and such solid waste combustion is considered a form of renewable biomass under Minnesota Statutes Chapter 216B; and

WHEREAS, a study conducted by Olmsted County has shown that combustion of solid waste for production of renewable energy at the Olmsted WTE Facility helps to reduce emissions of greenhouse gases that contribute to climate change, as opposed to landfilling of such waste; and

WHEREAS, Dodge County's alliance with the Olmsted WTE for recovery of renewable energy from solid waste is only one component of a comprehensive solid waste management system provided for by Dodge County, which includes comprehensive recycling and household hazardous waste management programs, and such a comprehensive solid waste management system is consistent with the findings of the U.S. Supreme Court in Oneida-Herkimer; and

Waste Designation Ordinance Amendment Approved by Resolution #2007-47 - Continued

WHEREAS, Dodge County now desires to proceed with the amendment to its Designation Ordinance in light of the Oneida-Herkimer decision, and the prior approval by the State of Minnesota.

NOW THEREFORE BE IT RESOLVED, after proper notice on October 31, 2007 and public hearing on November 15, 2007, the Board of Commissioners of Dodge County hereby does ordain to amend Section II, Subsections 1 and 2 of Dodge County Solid Waste Ordinance Number 2 (Dodge County Solid Waste Designation Ordinance) as follows:

Subsection 1. Application of Ordinance. This Ordinance shall govern the transportation and disposal of all Designated Waste generated or disposed of within the county, ~~unless deposited outside the State of Minnesota~~, and all Persons engaged in transportation of Designated Waste within the county."

Subsection 2. Designation. On and after the effective date, all Designated Waste generated within the county, ~~unless deposited outside the State of Minnesota~~, must be delivered to the facility at the Dodge County Landfill, and may not be delivered to any other disposal site except as provided in subsections 3, 4 and 5 herein.

BE IT FURTHER RESOLVED that the above amendment shall become effective on May 1, 2008.

Resolution adopted unanimously.

The Board thanked Mr. Gamm and Mr. Selthun for their work on the Waste Designation Ordinance amendment.

Mr. Gamm and Solid Waste Facility Manager Terry Selthun requested authorization to replace a skid steer loader.

Skid Steer Load Replacement Approved

The Environmental Quality Director informed the Board that the 2008 Budget allows for the replacement of the Bobcat skid steer loader used at the Dodge County Recycling Center. Mr. Gamm shared with the Board the following quotes which reflect prices on the state contract:

Company	Equipment	Price	Trade-In	Total Cost
Carlson Tractor	New Holland L175	\$ 25,275	\$ 10,000	\$ 15,275
Bobcat of Rochester	Bobcat Skid S205	\$ 26,294	\$ 11,000	\$ 15,294
RDO Equipment	John Deer 320	\$ 26,921	\$ 11,000	\$ 15,921
St. Joseph Equipment	Case 430	\$ 28,100	\$ 12,000	\$ 16,100
Ziegler Cat	Cat 232B	\$ 31,805	\$ 8,000	\$ 23,805

Mr. Gamm reported that the equipment was reviewed by Mr. Selthun and the staff at the Recycling Center. The report read as follows:

Skid Steer Load Replacement Approved - Continued

The Bobcat S205 is the Transfer Stations preferred skid loader. It will accomplish all the required duties at the Recycling Center. The S205 is very user friendly in both the operation and maintenance of the machine.

The New Holland L175 was the second choice. It was user friendly in both operation and maintenance but the L175 did not meet all the performance requirements at the Recycling Center; they could not use it to bale plastics.

The third choice was the Case 430 but the staff did not like how it worked with the plastic cages. Climbing in and out of the cab was more difficult and the employees had to raise the cab to get at some of the filters.

The John Deere 320 was the last choice. The Transfer Station staff felt it was not user friendly they had to crawl in and out of the cab, there was very little room in the cab, and it would not work with the plastic cages.

Mr. Selthun answered questions on tire requirements/preferences and how the skid loader would be utilized at the Transfer Station.

Motion by Erickson seconded by Hanson to approve and authorize the Environment Quality Department to purchase a Bobcat S205 from Bobcat of Rochester at a cost of \$15,294 to replace the skid steer loader. *Motion adopted unanimously.*

The Environmental Quality Director and Solid Waste Facility Manager presented a request to add recycling drop-off containers.

Additional Recycling Drop-Off Container Purchases Approved

Mr. Gamm reported that their 2008 budget allows for the addition of one recycling container (blue roll-off box) at each of the following drop-off locations: City of Claremont, City of Dodge Center, City of Hayfield, and City of West Concord. The Environmental Quality Director noted that at these locations one container will be used for collection of plastic bottles, glass bottles, tin cans, and aluminum cans. The second container will be used to collect cardboard, magazines, and mixed paper including newspaper, junk mail, and folding cartons (cereal type boxes).

Mr. Gamm stated that the benefit is that this improvement will reduce overfilling, reduce litter, decrease mixing of materials, improve sorting efficiency, and improve safety.

The Environmental Quality Director shared with the Board the following container quotes for the purchase of five roll-off recycling containers:

Company	Location	Price Quote
Northeast Ind. Mfg.	Greenville, PA	\$21,198

Additional Recycling Drop-Off Container

Pro-Tamer	Alexandria, MN	\$23,500
Nedland Industries	Ridgeland, WI	\$25,770
Wastequip	Albany, OR	\$31,050

Purchases Approved
- Continued

Mr. Gamm informed the Board that their first choice is Nedland. Nedland Industries provides a longer warranty and will use heavier steel throughout the container. Environmental Quality has purchased Nedland containers before and find that they will last longer and require less maintenance than other containers. Nedland doors and dividers also function well and provide easy unloading. The Environmental Quality Director explained that they did not have set specifications on the containers, they just asked vendors for prices. Mr. Gamm also explained that they are purchasing five containers to have one extra available to allow for rotation when the containers are full.

Motion by Hanson seconded by Erickson to approve and authorize Environmental Quality to purchase five recycling roll-off containers from Nedland Industries at a cost of \$25,770. *Motion adopted unanimously.*

County Assessor Wendell Engelstad met with the Board to discuss a GIS Land Use Overlay Map development proposal.

GIS Land Use
Overlay Map
Development
Request Denied

Mr. Engelstad reported that in the ongoing quest to improve their overall assessment quality and equity, the time is right for the revaluation of the approximately 3,700 agricultural parcels in Dodge County. The current valuations are based on soils mapped by the USDA/SCS in 1961, Crop Equivalent Ratings developed in the late 1970's and valuations applied in the early 1980's. With the roll-out of the Minnesota Web Soil Survey in 2006 and the recent development of new soil Productivity Indexes by the Minnesota Board of Soil and Water Conservation, the technology and data are available to do an improved valuation of Dodge County's agricultural parcels. The first phase of this major project is to develop a GIS Land Use Overlay Map for Dodge County which includes a layer over the parcel basemap for agricultural classified land and sub-layers for building sites, tillable cropland, non-tillable land, wasteland and roads and ditches, as well one-acre sites, excess site land, zoning restricted land, non-zoning restricted land and all soils with productivity indexes.

The County Assessor informed the Board that he has solicited proposals from the following three vendors for Phase I of this project:

- Pro-West Associates, Inc. (Walker, MN) \$16,000
- The Schneider Corporation (Indianapolis, IN & Ames, IA) \$25,530
- The Sidwell Company (St. Charles, IL) \$18,260

Commissioners commented on the proposal and voiced concerns about the need for a GIS Land Use Overlay Map when a Pictometry program was just purchased. Commissioners believe that the Pictometry program could be useful to the Assessor's Office.

GIS Land Use
Overlay Map
Development
Request Denied -
Continued

Commissioner Erickson wanted to know what value the GIS Land Use Overlay Map is going to bring to the county.

GIS Land Use
Overlay Map
Development
Request Denied -
Continued

Mr. Engelstad reported that it would provide fair data and information for the property owners.

It was the consensus of the Board that they needed more information on the request before they could approve it. The Board specifically wanted to know how the development of a GIS Land Use Overlay Map would benefit the citizens of Dodge County.

Motion by Alberts seconded by Gray to deny the County Assessor's request to hire Pro-West Associates, Inc. to develop a GIS Land Use Overlay Map. *Motion adopted unanimously.*

The County Administrator noted that this item may be brought back at a later date with additional information for the Board's review.

Planning Director Duane Johnson shared with the Board his request to approve a Flood Recovery Common Community Application.

Flood Recovery
Assistance
Amendment
Approved by
Resolution #2007-48

Mr. Johnson reported that in October the Board authorized the submission of a preliminary application for flood recovery. Since that time the SEMDC has assisted his office with the rest of the information for an application amendment.

The Board reviewed the following final draft of the elements to be submitted with the application amendment:

- Exhibit 1, Copy of minutes of 12/06/2007 EDA meeting
- Exhibit 2, Dodge County Flood recovery application
- Exhibit 3, Dodge County Business recovery fund loan agreement
- Exhibit 4, Flood recovery waiver and release form
- Exhibit 5, Dodge County loan fund application summary
- Exhibit 6, MIF loan terms for flood disaster relief supplement to county
- Exhibit 7, Guaranty Agreement
- Exhibit 8, Promissory Note
- Additional attachments indicating estimates of flood damage incurred.

Mr. Johnson stated that with Board approval, these items along with the final estimates of cost will be sent to DEED for a request to allocate funding. Based on the latest assessments Dodge County will be requesting approximately \$923,158. This money will be used as gap financing in addition to FEMA and SBA loans and grants.

Motion by Alberts seconded by Tjosaas to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-48 in support of the submission of a Flood Recovery Common Community application amendment:

Flood Recovery Assistance Amendment Approved by Resolution #2007-48

WHERAES, Dodge County is authorized to act as the legal sponsor for project(s) contained in the Flood Recovery Common Community Application to be submitted and apply to the Department of Employment and Economic Development for funding of this project on behalf of the citizens of Dodge County; and

WHERAES, Dodge County has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life; and

WHERAES, Dodge County has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice; and

WHERAES that upon approval of its application by the state, Dodge County, may enter into an agreement with the State of Minnesota for the above referenced project(s), and that Dodge County certifies that it will comply with all applicable laws and regulations as stated in all contract agreements.

NOW THEREFORE BE IT RESOLVED, that David McKnight, Dodge County Administrator, or his successor in office, is hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

Resolution adopted unanimously.

Accounting Services Director Sara Marquardt provided for the Board’s review an updated Dodge County Investment Policy.

Amended Dodge County Investment Policy Approved

Ms. Marquardt reported that she and the Finance Director have reviewed and updated the Investment Policy based on GASB 40, Minnesota statutes and recommendations from the State Auditor.

Motion by Erickson seconded by Hanson to approve and authorize the amended Dodge County Investment Policy as presented. *Motion adopted unanimously.*

Taxpayer Services Director Rose Culbertson reviewed bills with the Board. Motion by Erickson 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	\$169,391.65
11	Human Services Fund	\$ 259.18
13	Road and Bridge Fund	\$ 45,893.63
16	Environmental Quality Fund	\$ 48,550.76
	Total	\$264,095.22

Motion adopted unanimously.

Finance Director Lisa Kramer and Soil and Water Conservation District Ditch Inspector Jim Hruska discussed with the Board the redetermination of benefits and damages and the appointment of engineer and viewers for the redetermination of County Ditch No.1 and County Ditch No. 5.

Re-determination of Benefits of Dodge County Ditch No. 1 /Order Appointing Engineer Approved by Resolution #2007-49

Ms. Kramer reported that the redetermination of benefits and damages for County Ditch No. 1 and County Ditch No. 5 were discussed at the November 27, 2007 Commissioners Board meeting. The Board must now approve the redetermination of benefits and damages for County Ditch No. 1 and County Ditch No. 5, approve the order appointing the engineer and the viewers for each ditch and approve a resolution affirming the appointment of the engineer and viewers for each ditch.

The engineering firm Ms. Kramer and Mr. Hruska wish to use is Jones, Haugh & Smith, Inc. and the viewers are Chris Christianson, Wesley Tennis, and Robert Hansen. All were recommended by Dennis Distad, Auditor-Treasurer in Freeborn County.

Motion by Alberts seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-49 to approve an order in the Matter of Re-determination of Benefits of Dodge County Ditch No. 1 Dodge County, Minnesota:

ORDER APPOINTING ENGINEER

WHEREAS, the Dodge County Board of County Commissioners has determined that the original benefits or damages determined in the above drainage system do not reflect reasonable present day land values or that the benefited or damaged areas have changed.

NOW THEREFORE BE IT RESOLVED, that Jones, Haugh & Smith, Inc. an engineering firm, is appointed as a competent and experienced civil engineer to make a preliminary survey and to make and file its report in the Dodge County Finance Office for the purpose of assisting the Viewers in their duties pursuant to M.S. § 103E.311. Such duties shall include, but not be limited to, preparation of maps and data as follows:

1. Locating and plotting watershed boundaries;
2. Plotting county ditches and tile on maps;
3. Determination and plotting ownership boundaries;
4. Computation of areas to be acquired for right-of-way and for one-rod grass strip; and
5. Such other technical assistance as the Viewers may request.

Resolution adopted unanimously.

Re-determination of Benefits of Dodge County Ditch No. 1 /Order Appointing Engineer Approved by Resolution #2007-49 - Continued

Motion by Alberts seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-50 to approve an order in the Matter of Re-determination of Benefits of Dodge County Ditch No. 1 Dodge County, Minnesota:

Re-determination of Benefits of Dodge County Ditch No. 1 /Order Appointing Viewers Approved by Resolution #2007-50

ORDER APPOINTING VIEWERS

WHEREAS, the Dodge County Board of County Commissioners hereby determines that the original benefits or damages determined in drainage proceedings for Dodge County Ditch No. 1 do not reflect present day land values or that the benefited or damaged areas have changed.

IT IS THEREFORE ORDERED, that:

Chris Christianson
27258 — 810 Avenue
Hollandale, MN 56045

Wesley J. Tennis
23086 — 820 Avenue
Hayward, MN 56043

Robert M. Hansen
P.O. Box 152
1100 Park St. W
Freeborn, MN 56032

Three disinterested residents of the state, be and hereby are appointed viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Dodge County Ditch No. 1.

IT IS FURTHER ORDERED, that the viewers, after taking an oath to faithfully perform their duties as viewers and, after having received from the County Finance Director, certified copies of the order appointing them as viewers and of the order designating the time and place of their first meeting, proceed with their work as such viewers pursuant to law and make and file their report with the Auditor at the earliest possible date.

Resolution adopted unanimously.

Motion by Alberts seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-51 to approve an order in the Matter of Re-determination of Benefits of Dodge County Ditch No. 5 Dodge County, Minnesota:

Re-determination of Benefits of Dodge County Ditch No. 5 /Order Appointing Engineer Approved by Resolution #2007-51

ORDER APPOINTING ENGINEER

WHEREAS, the Dodge County Board of County Commissioners has determined that the original benefits or damages determined in the above drainage system do not reflect reasonable present day land values or that the benefited or damaged areas have changed.

NOW THEREFORE BE IT RESOLVED, that Jones, Haugh & Smith, Inc. an engineering firm, is appointed as a competent and experienced civil engineer to make a preliminary survey and to make and file its report in the Dodge County Finance Office for the purpose of assisting the Viewers in their duties pursuant to M.S. § 103E.311. Such duties shall include, but not be limited to, preparation of maps and data as follows:

1. Locating and plotting watershed boundaries;
2. Plotting county ditches and tile on maps;
3. Determination and plotting ownership boundaries;
4. Computation of areas to be acquired for right-of-way and for one-rod grass strip; and
5. Such other technical assistance as the Viewers may request.

Resolution adopted unanimously.

Motion by Alberts seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2007-52 to approve an order in the Matter of Re-determination of Benefits of Dodge County Ditch No. 5 Dodge County, Minnesota:

Re-determination of Benefits of Dodge County Ditch No. 5 /Order Appointing Viewers Approved by Resolution #2007-52

ORDER APPOINTING VIEWERS

WHEREAS, the Dodge County Board of County Commissioners hereby determines that the original benefits or damages determined in drainage proceedings for Dodge County Ditch No. 5 do not reflect present day land values or that the benefited or damaged areas have changed.

IT IS THEREFORE ORDERED, that:

Chris Christianson
27258 — 810 Avenue
Hollandale, MN 56045

Wesley J. Tennis
23086 — 820 Avenue
Hayward, MN 56043

Robert M. Hansen
P.O. Box 152
1100 Park St. W
Freeborn, MN 56032

Re-determination of
Benefits of Dodge
County Ditch No. 5
/Order Appointing
Viewers Approved by
Resolution #2007-52
- Continued

Three disinterested residents of the state, be and hereby are appointed viewers to redetermine and report the benefits and damages and the benefited and damaged areas of Dodge County Ditch No. 5.

IT IS FURTHER ORDERED, that the viewers, after taking an oath to faithfully perform their duties as viewers and, after having received from the County Finance Director, certified copies of the order appointing them as viewers and of the order designating the time and place of their first meeting, proceed with their work as such viewers pursuant to law and make and file their report with the Auditor at the earliest possible date.

Resolution adopted unanimously.

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

Legal Update

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

Public Works
Committee Report

The Board reviewed the County Engineer’s request to advertise for 2008 seasonal supplies.

2008 Seasonal
Supply Bid
Advertising Approved

Each year the Highway Department requests bids for seasonal supplies. These are supplies used in large quantities with regularity each year. The following list shows the products and the approximate quantities needed:

- FA-2 Seal Coat Chips 1,800 tons
- Aggregate Material, Cl. 2 Rock 30,000 tons
- Bituminous Mixture 800 tons
- Bituminous Material, CRS-2 211,000 tons
- Calcium Chloride Solution 110,000 gallons
- Pavement Markings 3,000 gallons

Motion by Erickson seconded by Alberts to approve and authorize the Highway Department to advertise and open bids for the 2008 season supplies. Bids will be opened January 29, 2008 and submitted for Board approval February 12, 2008.

Motion adopted unanimously.

The County Attorney left the meeting at 11:43 a.m. CST.

County Attorney Left
Meeting

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

Administration
Committee Report

Motion by Tjosaas seconded by Hanson to approve and authorize the December 6, 2007 Truth in Taxation meeting minutes as presented. *Motion adopted unanimously.*

12/06/07 Truth in
Taxation Meeting
Minutes Approved

Motion by Erickson seconded by Tjosaas to approve and authorize the December 11, 2007 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

12/11/07 Committee of the Whole Meeting Minutes Approved

Motion by Tjosaas seconded by Erickson to approve and authorize the December 11, 2007 meeting minutes as corrected on pages 292 and 297. *Motion adopted unanimously.*

12/11/07 Meeting Minutes Approved

The Board reviewed the Employee Relations Director's request to approve an Employee Interchange Agreement with Olmsted County.

Employee Interchange Agreement with Olmsted County Approved

Dale Ignatius, Associate Human Resource Director for Olmsted County, has agreed to continue to assist Dodge County with the Band and Grade evaluations of Dodge County job descriptions as the need arises. Olmsted County will bill us at a rate equal to Mr. Ignatius' compensation for time spent on these evaluations.

Motion by Erickson seconded by Tjosaas to approve the County Administrator and Employee Relations Director to sign an Employee Interchange Agreement with Olmsted County. *Motion adopted unanimously.*

The County Administrator reviewed the MII Life Service Agreement request.

MI Life Service Agreement Approved

MI Life has been administering Dodge County's Flexible Spending Accounts since 2004. The proposed service agreement reflects a decrease in price due to the fact that MII Life went out for bid on financial institutions this year and rolled everything over to a new service provider 11/1/2007. This allowed them to reduce the cost of their services.

This agreement has been reviewed by legal counsel. The Employee Relations Director recommends signing this new service agreement.

Motion by Erickson seconded by Alberts to approve and authorize the Chair to sign the MII Life Service Agreement as presented. *Motion adopted unanimously.*

Mr. McKnight discussed with the Board the Memorandum of Intent (MOI) for Nutrition Education Program for 2008.

Memorandum of Intent for Nutrition Education Program for 2008 Approved

The Board was provided, in their agenda packet, a draft Memorandum of Intent between Dodge County and the University of Minnesota Extension for the Nutrition Education Program that was discussed at their last meeting with Extension employee Kathleen Lovett. The County Administrator noted that the MOI was in front of the Board today for consideration and approval.

Mr. McKnight stated that in reviewing the MOI it is consistent with the documents that the Board has approved in the past for this program.

Motion by Alberts seconded by Hanson to approve the signature of the County Board Chair on the Memorandum of Intent between Dodge County and the University of Minnesota Extension for the Nutrition Education Program for the period of January 1, 2008 through December 31, 2008. *Motion adopted, Erickson, Tjosaas, Hanson, Alberts aye, Gray nay.*

Memorandum of Intent for Nutrition Education Program for 2008 Approved - Continued

The County Administrator stated that it should be noted that he and Public Health Director Peggy Espey will be reviewing this program with Extension officials during 2008 to review areas of possible overlap between Public Health and Extension in this program. The proposed co-location of these two departments in 2009 will not enable Dodge County to duplicate services in any area and this is a good time to prepare for that co-location.

The Board reviewed the Dodge Country Club liquor license request.

Dodge Country Club 2008 Liquor License Approved

The Dodge Country Club in Dodge Center is requesting a renewal of their liquor and Sunday sale license. This renewal will cover the time period of January 1, 2008 through December 31, 2008.

Motion by Hanson seconded by Erickson to approve and authorize the Liquor and Sunday Sale license for the Dodge Country Club for calendar year 2008, pending the approval of the County Attorney and County Sheriff and the submission of all required insurance documentation. *Motion adopted unanimously.*

The Board reviewed the liquor license request for E&H Company, formally the Oaks Bar & Grill.

E&H Company 2008 Liquor License Approved

E&H Company in Hayfield is requesting a renewal of their liquor and Sunday sale license. This renewal will cover the time period of January 1, 2008 through December 31, 2008.

Motion by Erickson seconded by Alberts to approve and authorize the Liquor and Sunday Sale license for the E&H Company for calendar year 2008, pending the approval of the County Attorney and County Sheriff and the submission of all required insurance documentation. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Hanson attended a SEAAA meeting, a Fairview Care Center meeting, a County Trail meeting, a Land Use Task Force meeting and a Workforce Development meeting. Commissioner Alberts attended a Fairview Care Center meeting. Commissioner Gray attended a Care Center meeting and a Wold presentation. Commissioner Erickson attended a Surface Water Management Study report for Upper Cedar River Watershed District, a Fairview Care Center meeting, a work session on county issues and an extension of the County Board meeting. Commissioner Tjosaas attended a Care Center meeting.

Agency Reports

Motion by Alberts seconded by Tjosaas to adjourn the meeting Sine Die at 12:09 p.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on January 8, 2008 at 9:30 a.m. CST.

Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: