



*Trail to the Past. Road to the Future.*

---

**CITY COUNCIL MEETING**  
**MANTORVILLE CITY COUNCIL CHAMBERS**  
**21 5<sup>TH</sup> STREET E, MANTORVILLE, MN 55955**  
**Monday, August 14, 2023**  
**6:30 PM**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Adopt the Agenda**

**4. Consent Agenda \***

- A. Accounts Payable August 14, 2023
- B. Mantorville Chamber of Commerce meeting minutes July 2023
- C. County Board of Commissioners Regular Meeting Draft Minutes July 11, 2023
- D. County Board of Commissioners Regular Meeting Draft Minutes July 25, 2023
- E. County Board COW Draft Minutes July 25, 2023

**5. Proclamations, Presentations and Recognitions**

**6. Public Concerns**

*Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium and state their name and address for the Clerk's audio and written record. Generally, the City Council will not take official action on items discussed at this time but may, typically, refer the matter to Staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

**7. Public Safety Update**

- A. Sheriff's Report July 2023

**8. Public Hearing – No Items**

**9. New Business**

- A. WHKS – discussion of miscellaneous items
- B. The Mantorville Saloon – discussion of Marigold Days Events
- C. Will Lambert – discussion of plans for Marigold Days street closings
- D. Karen Steele – discussion of City Contracts and other miscellaneous items
- E. Council's decision on accepting the retirement of Jim Tibbals from the Mantorville Fire Department after 20 years of service. \*
- F. Resolution approving a Temporary 1 to 4 Day On-Sale Liquor License Application for the Mantorville Fire Department Relief Association for September 9 & 10, 2023. \*
- G. Resolution 2023-21 accepting the donations of brats and hamburgers from the Mantorville Restoration Association and 12 dozen cookies and ice from Casey's General Store for Mantorville's National Night Out. \*

**10. Old Business**

The year-long moratorium on edible cannabinoid products in the City of Mantorville will be expiring early January of next year. With the recent passing of Minnesota’s new laws regarding cannabis use, City Clerk Lohrbach has enclosed Resolution 2023-05 and Ordinance 2023-04, which were passed by Council on the 9<sup>th</sup> of January this year, for Council to review for future discussion. Also enclosed is a sample cannabis use in public county ordinance. Sheriff Scott Rose will be at the Council Meeting on the 28<sup>th</sup> of August to talk more about these new laws.

**11. Tabled Items – No Items**

**12. Reports**

- A. Public Works Report
- B. City Clerk Report
  - 1. National Night Out
  - 2. Workman’s Comp Audit progress
  - 3. Report on preliminary budget for next year will be on next meeting’s agenda
  - 4. Quote from On-Site Computers for new computer in Clerk’s Office. \*
- C. Consultant Report
- D. Committee Reports
  - Chamber, EDA, Finance/Budget, Fire Department, Infrastructure, KM Joint Powers-recent meeting packet enclosed, MRA, Park Board, Personnel, Township*
- E. Councilmember Reports
- F. Mayor’s Report

**13. Executive Session – No Items**

**14. Adjourn \***

<b><i>Upcoming Meetings and Events in Mantorville:</i></b>		
<i>August 14, 2023</i>	<i>6:30pm</i>	<i>Regular City Council Meeting</i>
<i>August 16, 2023</i>	<i>7:30pm</i>	<i>Fire Department Regular Meeting</i>
<i>August 28, 2023</i>	<i>6:30pm</i>	<i>Regular City Council Meeting</i>
<i>August 29, 2023</i>	<i>6:30pm</i>	<i>Regular Parks &amp; Recreation Board Meeting</i>
<i>September 4, 2023</i>		<i>Labor Day – City offices closed</i>
<i>September 9 &amp; 10, 2023</i>		<i>Marigold Days</i>
<b><i>Members of the City Council and other Boards may be in attendance at all meetings and community events in Mantorville</i></b>		

\* Indicates Council Action Items Requiring Council Approval

MANTORVILLE, MN

08/11/23 10:55 AM

Page 1

Payments

Current Period: August 2023

Payments Batch 080923PAY				\$89,080.14
Refer	0 AFLAC	-		
Cash Payment	G 101-21710 AFLAC			\$33.12
Invoice	859697 8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$33.12
Refer	0 AMAZON	Ck# 005955	8/14/2023	
Cash Payment	E 101-41500-437 Other Miscellaneous	Materials for Golf Permit Stickers		\$51.57
Invoice	8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$51.57
Refer	0 AMAZON	Ck# 005956	8/14/2023	
Cash Payment	E 101-41500-200 Supplies	Health-Employee		\$79.87
Invoice	8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$79.87
Refer	0 BADGER METER	-		
Cash Payment	E 602-49450-300 Professional Srvs (GEN	Services for July		\$247.88
Invoice	80134004 8/14/2023			
Cash Payment	E 601-49400-300 Professional Srvs (GEN	Services for July		\$165.26
Invoice	80134004 8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$413.14
Refer	0 CMS - CONSTRUCTION MGMT. SE	-		
Cash Payment	E 101-42400-300 Professional Srvs (GEN			\$572.80
Invoice	817-234236-7 8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$572.80
Refer	0 CASEYS BUSINESS MASTERCARD	Ck# 005958	8/14/2023	
Cash Payment	E 602-49450-212 Motor Fuels			\$330.50
Invoice	8/14/2023			
Cash Payment	E 101-45200-212 Motor Fuels			\$27.53
Invoice	8/14/2023			
Cash Payment	E 101-45200-200 Supplies			\$90.53
Invoice	8/14/2023			
Cash Payment	E 101-42200-212 Motor Fuels			\$392.65
Invoice	8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$841.21
Refer	0 DODGE COUNTY INDEPENDENT	-		
Cash Payment	E 101-41110-352 Publishing	Advertising		\$81.00
Invoice	8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$81.00
Refer	0 FIRE SAFETY USA, INC	-		
Cash Payment	E 101-42200-240 Tools and Minor Equipm	Battery		\$69.90
Invoice	170312 8/14/2023			
Cash Payment	E 101-42200-240 Tools and Minor Equipm	Rescue Auger		\$1,113.95
Invoice	170312 8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$1,183.85
Refer	0 GOPHER STATE ONE CALL	-		

MANTORVILLE, MN

08/11/23 10:55 AM

Page 2

Payments

Current Period: August 2023

Cash Payment	E 601-49400-300	Professional Srvs (GEN		\$17.01
Invoice	3080570	8/14/2023		
Cash Payment	E 602-49450-300	Professional Srvs (GEN		\$11.34
Invoice	3080570	8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$28.35
Refer	0	<u>HOMETOWN HAULERS</u>	-	
Cash Payment	E 101-41940-384	Refuse/Garbage Dispos	Trash	\$113.11
Invoice	10809	8/14/2023		
Cash Payment	E 101-42200-384	Refuse/Garbage Dispos	Trash	\$48.08
Invoice	10809	8/14/2023		
Cash Payment	E 101-41940-384	Refuse/Garbage Dispos	Trash	\$48.07
Invoice	10809	8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$209.26
Refer	0	<u>HY-VEE ACCOUNTS RECEIVABLE</u>	<u>Ck# 005950 8/14/2023</u>	
Cash Payment	E 101-41500-437	Other Miscellaneous	NNO Supplies	\$142.72
Invoice		8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$142.72
Refer	0	<u>HY-VEE ACCOUNTS RECEIVABLE</u>	<u>Ck# 005961 8/14/2023</u>	
Cash Payment	E 101-42200-217	Other Operating Supplie	Snacks FD	\$5.98
Invoice		8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$5.98
Refer	0	<u>HY-VEE ACCOUNTS RECEIVABLE</u>	<u>Ck# 005962 8/14/2023</u>	
Cash Payment	E 101-42200-217	Other Operating Supplie	Snacks	\$34.79
Invoice		8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$34.79
Refer	0	<u>HY-VEE ACCOUNTS RECEIVABLE</u>	<u>Ck# 005949 8/14/2023</u>	
Cash Payment	E 101-41500-437	Other Miscellaneous	NNO Supplies	\$71.92
Invoice		8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$71.92
Refer	0	<u>INTERNAL REVENUE SERVICE</u>	-	
Cash Payment	G 101-21701	Federal Withholding	Changes to Dec 31, 2022	\$38.80
Invoice		8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$38.80
Refer	0	<u>INTERNAL REVENUE SERVICE</u>	<u>Ck# 005952 8/14/2023</u>	
Cash Payment	G 101-21703	FICA Tax Withholding	PR15	\$1,041.66
Invoice		8/14/2023		
Cash Payment	G 101-21709	Medicare	PR15	\$243.62
Invoice		8/14/2023		
Cash Payment	G 101-21701	Federal Withholding	PR15	\$719.68
Invoice		8/14/2023		
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b> \$2,004.96
Refer	0	<u>KASSON HARDWARE HANK</u>	-	
Cash Payment	E 601-49400-228	Equip. Repair and Maint	Galvanized Unions and Hose Adaptor	\$33.97
Invoice		8/14/2023		
Cash Payment	E 601-49400-228	Equip. Repair and Maint	Galvanized Unions and Hose Adaptor	\$26.99
Invoice		8/14/2023		



MANTORVILLE, MN

08/11/23 10:55 AM

Page 3

Payments

Current Period: August 2023

Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b>	<b>\$60.96</b>
Refer	0 <u>KENNEDY &amp; GRAVEN, CHARTERE</u>		-		
Cash Payment	E 101-41600-304	Legal Fees	Annexations/General		\$464.10
Invoice	175981	8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b>	<b>\$464.10</b>
Refer	0 <u>KM ISD 204</u>		-		
Cash Payment	E 101-45200-430	Miscellaneous	Joint Ventures		\$5,000.00
Invoice		8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b>	<b>\$5,000.00</b>
Refer	0 <u>KMTELECOM</u>		-		
Cash Payment	E 101-41940-321	Communications Phone/	CITY HALL MAIN 5170		\$140.50
Invoice		8/14/2023			
Cash Payment	E 101-41940-321	Communications Phone/	CITY HALL - 5176 - 2ND LINE		\$20.79
Invoice		8/14/2023			
Cash Payment	E 101-41940-321	Communications Phone/	CITY HALL FAX 5300		\$25.00
Invoice		8/14/2023			
Cash Payment	E 101-42200-321	Communications Phone/	FD 5440		\$25.78
Invoice		8/14/2023			
Cash Payment	E 101-41940-321	Communications Phone/	STREETS - SHOP 5119		\$80.77
Invoice		8/14/2023			
Cash Payment	E 601-49400-321	Communications Phone/	WATER TOWER ALARM 3588		\$45.43
Invoice		8/14/2023			
Cash Payment	E 602-49450-321	Communications Phone/	LIFT STATION ALARM 5066		\$35.43
Invoice		8/14/2023			
Cash Payment	E 602-49450-321	Communications Phone/	WWTP 5463 ALARM		\$35.43
Invoice		8/14/2023			
Cash Payment	E 101-41940-321	Communications Phone/	LONG DISTANCE/TAXES/FEES		\$5.85
Invoice		8/14/2023			
Cash Payment	E 101-46500-437	Other Miscellaneous	EDA 800 NUMBER		\$0.30
Invoice		8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b>	<b>\$415.28</b>
Refer	0 <u>MINNESOTA REVENUE</u>		<u>Ck# 005953 8/14/2023</u>		
Cash Payment	G 101-21702	State Withholding	PR15		\$392.10
Invoice		8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b>	<b>\$392.10</b>
Refer	0 <u>MN PERA</u>		<u>Ck# 005954 8/14/2023</u>		
Cash Payment	G 101-21704	PERA	PR15		\$1,269.18
Invoice		8/14/2023			
Transaction Date	8/9/2023	MBT Bank Checking	10100	<b>Total</b>	<b>\$1,269.18</b>
Refer	0 <u>MN PUBLIC FACILITIES AUTHORITY</u>		-		
Cash Payment	E 602-49450-611	Bond Interest	Interest CW-01 FY11		\$984.07
Invoice		8/14/2023			
Cash Payment	G 602-25550	Notes Payable	Principal CW-01 FY11		\$12,000.00
Invoice		8/14/2023			
Cash Payment	E 310-47000-611	Bond Interest	Interest CW-02 FY18		\$1,855.00
Invoice		8/14/2023			

MANTORVILLE, MN

08/11/23 10:55 AM

Page 4

Payments

Current Period: August 2023

Cash Payment	G 310-25550	Notes Payable	Principal CW-02 FY18	\$23,000.00
Invoice		8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$37,839.07
Refer	0	<u>ON-SITE COMPUTERS, INC</u>	-	
Cash Payment	E 101-41500-300	Professional Srvs (GEN)		\$374.28
Invoice	cw87575	8/14/2023		
Cash Payment	E 601-49400-300	Professional Srvs (GEN)		\$12.00
Invoice	cw87575	8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$386.28
Refer	0	<u>PITNEY BOWES GLOBAL FINANCI</u>	Ck# 005960 8/14/2023	
Cash Payment	E 101-41500-322	Postage	Due Date 8/21/2023	\$210.00
Invoice		8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$210.00
Refer	0	<u>AG PARTNERS COOPERATIVE</u>	-	
Cash Payment	E 101-45200-212	Motor Fuels	State Tax Red Diesel	\$148.60
Invoice	0151127	8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$148.60
Refer	0	<u>PAYMENT SERVICE NETWORK, IN</u>	Ck# 005951 8/14/2023	
Cash Payment	E 602-49450-300	Professional Srvs (GEN)		\$98.34
Invoice	280563	8/14/2023		
Cash Payment	E 601-49400-300	Professional Srvs (GEN)		\$65.56
Invoice	280563	8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$163.90
Refer	0	<u>RITEWAY BUSINESS FORMS</u>	-	
Cash Payment	E 601-49400-200	Supplies	Laser Utility Bills	\$260.38
Invoice	23-31824	8/14/2023		
Cash Payment	E 602-49450-200	Supplies	Laser Utility Bills	\$173.59
Invoice	23-31824	8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$433.97
Refer	0	<u>SAMS CLUB</u>	Ck# 005957 8/14/2023	
Cash Payment	E 101-41500-437	Other Miscellaneous		\$122.25
Invoice		8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$122.25
Refer	0	<u>SIMPLY TIDY, LLC</u>	-	
Cash Payment	E 101-41940-439	Janitors	inv 723	\$65.00
Invoice		8/14/2023		
Cash Payment	E 101-41940-439	Janitors	inv 609	\$65.00
Invoice		8/14/2023		
Cash Payment	E 101-41940-439	Janitors	inv 849	\$65.00
Invoice		8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$195.00
Refer	0	<u>SOUTHEAST SERVICE COOPERAT</u>	Ck# 005947 8/14/2023	
Cash Payment	E 101-41500-120	Benefits		\$2,510.94
Invoice		8/14/2023		
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$2,510.94
Refer	0	<u>WARSAW SOLAR, LLC</u>	-	

MANTORVILLE, MN

08/11/23 10:55 AM

Page 5

Payments

Current Period: August 2023

Cash Payment	E 101-43160-381	Electric Utilities	Power Sales June 2023	\$5,423.06
Invoice			8/14/2023	
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> \$5,423.06
Refer	0	XCEL ENERGY	-	
Cash Payment	E 101-43160-381	Electric Utilities	STREET LIGHTS	\$1,804.97
Invoice				
Cash Payment	E 101-43160-381	Electric Utilities	300 MAIN N BRIDGE LIGHTS	\$23.50
Invoice				
Cash Payment	E 101-43160-381	Electric Utilities	130 ST.HWY 57 S.CITY SIGN	-\$4.87
Invoice				
Cash Payment	E 101-43160-381	Electric Utilities	60003 ST.HWY 57 N CITY SIGN	\$15.59
Invoice				
Cash Payment	E 101-42200-380	Utility Services	21 5TH STREET SIREN	\$6.77
Invoice				
Cash Payment	E 101-42200-380	Utility Services	21 5TH STREET E FH/CH/PUMP	-\$42.53
Invoice				
Cash Payment	E 101-42200-380	Utility Services	701 CHESTNUT SIREN	\$6.94
Invoice				
Cash Payment	E 101-43160-381	Electric Utilities	410 CLAY POLE ON EDA LOT	\$28.22
Invoice				
Cash Payment	E 101-41940-380	Utility Services	600 7TH STREET WEST MANTORFIEL	\$67.17
Invoice				
Cash Payment	E 101-41940-380	Utility Services	340 CLAY RIVERSIDE W CENTER	\$12.80
Invoice				
Cash Payment	E 101-41940-380	Utility Services	342 MAIN ST N RIVERSIDE NE	\$15.23
Invoice				
Cash Payment	E 101-41940-380	Utility Services	601 GOLFFVIEW DENNISON FIELD	\$18.28
Invoice				
Cash Payment	E 101-41940-380	Utility Services	1008 EAST CITY SHOP	-\$346.08
Invoice				
Cash Payment	E 602-49450-380	Utility Services	121 BLANCH WWTF+SEC+PUMP	-\$2,058.56
Invoice				
Cash Payment	E 601-49400-380	Utility Services	841 BLANCH WTR WELL HOUSE	-\$295.07
Invoice				
Cash Payment	E 601-49400-380	Utility Services	924 JEFFERSON WATER TOWER	-\$26.17
Invoice				
Cash Payment	E 603-45183-381	Electric Utilities	324 MAIN ST N CAMPGROUND	\$442.88
Invoice				
Cash Payment	E 101-41940-380	Utility Services	101 BLANCH NEW SHOP	\$0.00
Invoice				
Cash Payment	E 101-41940-380	Utility Services	15 4TH STREET WEST RIVERSIDE	\$17.24
Invoice				
Cash Payment	E 602-49450-380	Utility Services	601 JEFFERSON LIFT STATION	-\$14.87
Invoice				
Cash Payment	E 602-49450-380	Utility Services	121 BLANCH AUTO PROTECT LIGHT	\$9.96
Invoice				
Cash Payment	E 101-43160-381	Electric Utilities	CHRISTMAS LIGHTS	\$0.00
Invoice				
Transaction Date	8/9/2023		MBT Bank Checking 10100	<b>Total</b> -\$318.60

**MANTORVILLE, MN**

08/11/23 10:55 AM

Page 6

**Payments**

**Current Period: August 2023**

Refer	0	MAXSON ELECTRIC	-			
Cash Payment	E 101-45200-212	Motor Fuels	APRA			\$52.32
Invoice		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$52.32
Refer	0	MAXSON ELECTRIC	-			
Cash Payment	E 101-45200-212	Motor Fuels	APRA			\$209.60
Invoice		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$209.60
Refer	0	NAPA	-			
Cash Payment	E 101-45200-404	Repairs/Maint Machiner				\$50.99
Invoice		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$50.99
Refer	0	QUALITY FLOW SYSTEMS	-			
Cash Payment	E 602-49450-220	Bldg.Repair and Mainten				\$11,140.00
Invoice		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$11,140.00
Refer	0	BOB THE BUG MAN	-			
Cash Payment	E 101-41940-220	Bldg.Repair and Mainten	Horents Nest			\$275.00
Invoice 70190		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$275.00
Refer	0	GOPHER SEPTIC SERVICE, INC	-			
Cash Payment	E 101-43100-224	Street Maint Materials				\$500.00
Invoice		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$500.00
Refer	0	SL CONTRACTING, INC	-			
Cash Payment	E 601-49400-228	Equip. Repair and Maint				\$15,415.00
Invoice		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$15,415.00
Refer	0	DURST OUTDOOR SERVICES	-			
Cash Payment	E 101-43100-224	Street Maint Materials				\$927.80
Invoice 1816		8/14/2023				
Transaction Date	8/9/2023		MBT Bank Checking	10100	<b>Total</b>	\$927.80

**Fund Summary**

	10100 MBT Bank Checking	
101 GENERAL FUND		\$25,068.79
310 CWRP WW BOND 2017A		\$24,855.00
601 WATER FUND		\$15,720.36
602 SEWER FUND		\$22,993.11
603 RV PARK		\$442.88
		<u>\$89,080.14</u>

Pre-Written Checks	\$7,901.39
Checks to be Generated by the Computer	\$81,178.75
<b>Total</b>	<u>\$89,080.14</u>

# Mantorville Chamber of Commerce

July 5, 2023

Greek Revival House

President Terry Eckstein called the June meeting of the Mantorville Chamber of Commerce to order.

In attendance were Bill K., Lynnette N., Terry E., Wendy S., Lois H., Jennifer Galloway, Marilyn L, Mindy, May T., Paul L., Karen J. and Barbara L.

**Visitors:** none

Agenda:

**The secretary's:** The secretaries report was emailed to each member. Marilyn Lermon, made the motion to accept the secretaries report and seconded by Paul Larsen. Motion Passed.

**Treasure Report:** A copy of the treasure report was passed out to each in attendance. Paul Larsen made the motion to accepted the treasure report and seconded by Marilyn . Motion passed.

**Farmers Market** – Paul reported that one of the vendors from the Farmers market had passed away. Veggies will be coming soon.

**High Schools photos:** Were taken down and were taken to the Art Guild. A thank you to Karen Jorgenson for all her hard work in getting the pictures.

**Trolly-** No new information at this time. Terry will be going to the next EDA meeting.

**Cemetery Walk** – Things all went well. Smaller crowd this year. \$350.00 was raised for the Evergreen Cemetery.

**Marigold Days:** Food stand- It was decided that the Chamber will sell snacks, pop and water as we did last year. Paul if he will take care of getting the items. Also help is needed for this food stand.

**Fall Festival:** There will be a planning meeting September 5, 2023 at the Greek Revival house. At 5:30 pm.

**Old Fashion Christmas:** The winner of the Cookie Tin Contest was Missy Lushinsky. After much discussion it was decided that we order 144 tins. Selling price will be \$20.00. Each participant will be asked to either have 1 large cookie or 2 small cookies for each tin. There will be a reception for the cookie tin winner some time in November

**New Business:** Paul brought up about radio adds. There was much discussion. Jennifer also brought up some ideas to bring younger people to Mantorville. Bill Kenny said if things were to be done in the park you would have to get permission from the park board. Tom Munson brought up about the "Paint the Town Grant. Tom will look into more information in it.

Announcements : next Month's meeting the KM Lions are serving breakfast for the chamber.

August 2<sup>nd</sup> the KM Lions are serving breakfast for the Chamber.

August 1st is National Night Out. If you want to help with this even see City Hall about it.

Secretary,

Barbara Loquai

**UNAPPROVED MINUTES OF THE  
DODGE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD  
JULY 11, 2023**

**Chair**

**Convene County Board Meeting**

The Dodge County Commissioners met in regular session July 11, 2023, in the Board Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. Chair Rodney Peterson called the meeting to order at 9:30 a.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
John Allen	District 1	Present	9:30 AM
Tim Tjosaas	District 2	Absent	
Rodney Peterson	District 3	Present	9:30 AM
Rhonda Toquam	District 4	Present	9:30 AM
David Kenworthy	District 5	Present	9:30 AM

**Pledge of Allegiance**

The pledge of allegiance was recited.

**Determine Quorum**

The Chair acknowledged those present and established there was a quorum.

Also present:

Jim Elmquist            County Administrator  
Becky Lubahn            Deputy Clerk  
Paul Kiltinen            County Attorney

**Establish Agenda**

**Agenda Approved**

Motion by Kenworthy seconded by Toquam to approve and adopt the agenda as presented.

*Motion Adopted [Unanimous]*

**Consent Agenda**

It was noted that on page 4 of the minutes, under the authorization to advertise for proposal item, any reference to advertising in the DCI will be removed. The project advertising will sent to Quest.

Motion by Allen seconded by Kenworthy to approve the following Consent Agenda items:

*Motion Adopted [Unanimous]*

- 1.1. Board of Commissioners - Regular Meeting - Jun 27, 2023 5:00 PM
- 1.2. Dodge County Fair Fireworks Display

**Lisa Kramer, Finance Director**

**Bills Reviewed**

Ms. Kramer reviewed bills with the Board.

Motion by Toquam seconded by Kenworthy to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	\$ 115,819.13
13	Road and Bridge Fund	\$ 79,385.67
16	Environmental Quality Fund	\$ 4,450.04
19	Eda-Hra-Dodge County	\$ 7,240.50
37	Debt Fund-County Go	\$ 54,006.00
64	Environmental Grant & Loan Fund	\$ 20,700.00
80	Agency Fund	<u>\$ 4,040.08</u>
	Total	\$ 285,641.42

*Motion Adopted [Unanimous]*

**Catherine Grondin, Zoning Administrator**

**Planning Commission Recommendations Reviewed**

The Zoning Administrator presented for the Board’s consideration the July 5, 2023 Planning Commission recommendations.

**IUP #23-02 West Reviewed**

Ms. Grondin discussed IUP #23-02 West.

Motion by Toquam seconded by Allen to approve of the following action of the Planning and Zoning Commission as reviewed on July 5, 2023 with the reasons, recommendations and conditions as found in the individual permit

**IUP #23-02 West**

The first public hearing to consider an application for Interim Use Permit #23-02 for a request to establish a dwelling on less than 53 acres. The property is located in the Agricultural District on approximately 40 acres, Section 16, Vernon Township. The property owners and applicants are Bryan and Sally West.

**RECOMMENDATIONS**

The Environmental Services Staff recommends approval of the Interim Use Permit (I.U.P.) as



the request meets the ordinance requirements and criteria. The following conditions are recommended:

1. An Ag Covenant shall be signed and recorded prior to issuance of the Zoning Permit.
2. A Septic Permit shall be required prior to issuance of the Zoning Permit.
3. A Dodge County Zoning Permit shall be obtained before construction.
4. An address shall be obtained from the Dodge County Road Authority.
5. Any new access drive shall meet the requirements of the road authority.

*Motion Adopted [Unanimous]*

### **IUP #23-03 Pine Ridge Siberians Reviewed**

Ms. Grondin reviewed IUP #23-03 Pine Ridge Siberians.

Commissioner Toquam wanted to know why recommendation 7 was struck.

Ms. Grondin reported that the Planning Commission members voted to remove said condition as they didn't believe it was necessary. The Zoning Administrator noted that said condition was proposed because the commercial kennels that currently operate within the County are inspected, per condition, on an annual basis. Since this is the first private kennel, it was proposed to conduct inspections every 2 years. Ms. Grondin didn't have any issues with the removal of condition #7 and voiced that the review process of all CUPs and IUPs would still apply, which is done every 3 years.

Commissioner Toquam questioned why they had to come in for a permit?

The Zoning Administrator informed the Board that her office was requested to look into this property. The owner of the kennel does a lot of educational type posts regarding the Siberians on Facebook and someone that read her posts asked that Environmental Services look into this kennel. Environmental Services staff reviewed the property and found that it met the criteria for a private kennel and needed an Interim Use Permit. Ms. Hron is aware that the review was prompted by her Facebook posts, but plans to continue doing educational posts on Facebook. Ms. Grondin voiced that doing so is permitted.

Ms. Grondin clarified that a complaint generated this request for a review of the property.

Commissioner Allen expressed frustration with allowing individuals that aren't willing to come a meeting to discuss concerns or aren't willing to sign a complaint form to trigger an inspection on a property. Mr. Allen felt we are potentially addressing things that we don't necessarily need to be dealing with due to these types of complaints.

It was pointed out that someone may have a neighbor that they don't care for and this type of

complaint could be used as a way to create problems for neighbors who don't get along.

Commissioner Toquam stated now this kennel is there on the property, and wondered if the property is sold at some point, would this permit carry over to the new property owners.

The Zoning Administrator reported this permit doesn't transfer to a new owner; it is only granted to this applicant.

Motion by Toquam seconded by Kenworthy to approve of the following action of the Planning and Zoning Commission as reviewed on July 5, 2023 with the reasons, recommendations and conditions as found in the individual permit:

**IUP #23-03 Pine Ridge Siberians**

The second public hearing is to consider an application for Interim Use Permit #23-03 to allow the establishment of a Private Kennel. The property is located in the Agricultural District on approximately 5.52 acres located in Section 9, Vernon Township. The property owner is Derek Severson, and the applicant is Cassandra Hron.

**RECOMMENDATIONS**

The Zoning Staff recommends approval of the Interim Use Permit (I.U.P), as the request meets the ordinance requirements. The following conditions are recommended:

1. The use shall comply with Minnesota Statutes 346.39 and the Best Management Standards for Dogs and Cats, and Section 16.32.2 of the Dodge County Zoning Ordinance.
2. An Ag Covenant shall be signed and recorded.
3. All pet waste generated on site shall be properly collected and disposed of in a manner that is protective of groundwater and human health.
4. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance, MPCA rules and USDA Guidance.
5. The indoor kennel area shall be cleaned and maintained in a healthful manner. If drains are installed in the structure, no feces or urine shall enter the drains without proper containment in a holding tank
6. Every animal located on site shall be current on all vaccinations.
- ~~7. The site shall be inspected on a biennial basis by Environmental Services staff.~~
8. Any change involving the addition of new kennel related structures, activities or dogs beyond that specified in the findings on file with the IUP, enlargement, intensification of the use or similar changes not specifically permitted by the IUP shall require an amended IUP to be issued by the County Board.

9. A Dodge County Zoning Permit shall be obtained before any construction.
10. The outdoor kennel area shall be cleaned and maintained in a healthful manner. Maintenance shall prevent nuisances from arising and keep an orderly appearance.
11. The business shall comply with Section 17.19 (Nuisance Standards). Nuisance complaints shall result in review of the IUP by the Planning Commission.

*Motion Adopted [Unanimous]*

### **CUP #23-02 Derby Reviewed**

Ms. Grondin discussed CUP #23-02 Derby.

It was Commissioner Peterson's opinion that this type of business would be better served within a commercial district, not a township.

Motion by Allen seconded by Kenworthy to approve of the following action of the Planning and Zoning Commission as reviewed on July 5, 2023 with the reasons, recommendations and conditions as found in the individual permit:

#### **CUP #23-02 Derby**

The third public hearing is to consider an application for Conditional Use Permit #23-02 to allow for the establishment of an agricultural sales business, in the form of a sawmill operation. The property is located in the Agricultural District on approximately 24.02 acres located in Section 7, Milton Township. The property owner is Stanley Streiff, and the applicant is David Derby.

#### **RECOMMENDATIONS**

The Zoning Staff recommends approval of the Conditional Use Permit (C.U.P.), as the request meets the ordinance requirements. The following conditions are recommended:

1. The business hours of operation will be 7 a.m. to 7 p.m., Monday through Friday. A second work shift will operate from 7 p.m. to 3 a.m., Monday through Friday. Work on the weekend may be performed on an occasional basis.
2. Any complaint received regarding noise levels shall result in the review of the business' hours of operation and possible revocation of the CUP if concerns cannot be mitigated.
3. Operation will comply with all local, state, and federal regulation regarding the proposed use of the property. The business shall obtain and maintain all necessary licenses, registrations and/or other approvals for activities taking place at the site.
4. Verification that the site and buildings comply with the Minnesota Accessibility Code, State Building Code and Fire Code shall be provided to be included with a copy of the CUP on file in the Environmental Services Department.

5. Any change involving the addition of new business-related structures or employees beyond that specified in the business plan on file with the CUP, enlargement, intensification of the use or similar changes not specifically permitted by the CUP shall require an amended CUP to be issued.
6. The business shall comply with the conditions of this permit and the information provided in the business plan and details provided in the emails on file.
7. Any sign proposed for the business shall meet the performance standards of the Dodge County Zoning Ordinance.
8. The business shall comply with the Nuisance Standards of the Dodge County Zoning Ordinance. Nuisance complaints shall result in review of the CUP by the Planning Commission.
9. Zoning Permits shall be required prior to any structures subject to permitting under the Dodge County Zoning Ordinance.
10. If the applicant connects to his neighboring property well, a well agreement will be needed for the business. Any new well or modifications to the other well would need to meet Minnesota Department of Health requirements.
11. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules. Chemical, flammable and hazardous substances shall be properly stored on site. Any contaminated chemical shall be properly disposed of.
12. Proof of compliance with MPCA's Construction/Industrial Stormwater Permitting requirements and a copy of the SWPPP shall be provided to the Environmental Services Department to include with the CUP.
13. Lights on the property shall comply with section 17.16 of the Ordinance and installed so as to deflect light away from adjacent properties and public roads.
14. The applicant may be requested to install a privacy fence if complaints are received regarding the outdoor storage area.
15. The applicant shall meet the recommendations of the Dodge County SSTS Program manager.
16. A complete septic permit shall be submitted prior to start of business activities on site. An operating permit and contract with an MPCA Licensed Maintainer will be required to be submitted prior to approval of the holding tank septic permit.
17. Prior to start of business activities on site, a primary and secondary site for a septic soil dispersal area (drainfield) shall be located and identified by a licensed designer and protected throughout the life of the business.

*Motion Adopted [3 to 1]*

**CUP #23-03 Midcontinent Communications Reviewed**

Ms. Grondin reviewed CUP #23-03 Midcontinent Communications.

Commissioner Peterson questioned what value this fiber optic request would have for the county.

The Zoning Administrator reported this same question was asked at the Planning Commission meeting and the applicant wasn't able to provide information on any value added to the county for this project, this is just a fiber optic line going through the county.

Commissioner Toquam wondered why is this request was any different than any other fiber optic that was coming through the county.

Ms. Grondin informed the Board that station to station lines are handled differently than a line intended for enroute consumption.

Commissioner Peterson wanted to know if the county would have the authority to deny this request.

The Zoning Administrator reported the County Board would have the authority to say no to this request.

Commissioner Allen suggested that they get more information regarding the request. Mr. Allen stated all we know is it's going through the county and has no benefit to the county.

Commissioner Peterson asked the County Attorney for input on the request.

Mr. Kiltinen reported that he'd have to look at the statute again in order to provide additional input.

Commissioner Peterson stated he'd like to table the request and ask the applicant to provide information on what benefit it is to Dodge County to approve this request.

*Motion No Vote*

**Melissa DeVetter, Project Manager**

**Environmental Grant and Loan Fund**

Ms. DeVetter met with the Board to discuss the Environment Grant and Loan Fund request. On December 7<sup>th</sup>, 1994, the Environmental Grant and Loan Fund was created for the purpose implementing the Comprehensive Local Water Management Plan utilizing unspent and unencumbered funds from the Minnesota BWSR Planning Base Grant.

The Resolution (94-65) creating this fund indicates that the Dodge County Technical Water

Planning Committee will recommend to the County Board, protocol and procedures for administering grants and loans from the fund. Over the past several years, the Dodge County Comprehensive Local Water Management Plan has been replaced by adoption of the Cedar, Root and Zumbro Comprehensive Watershed Management Plans. In addition, the Dodge County Technical Water Planning Committee is no longer an active advisory group.

It was noted the resolution is currently outdated and Environmental Services staff is recommending that it be updated to reflect current watershed planning conditions and goals. The Environmental Grant and Loan Fund will continue to be utilized solely for the purpose of providing grants and loans to eligible actions which satisfy the goals and objectives of the different Comprehensive Watershed Based Plans which will be administered by the Environmental Services Department.

The Comp Plan/Land Use Manager recommended that the Board approve the proposed Environmental Grant and Loan Fund resolution to reflect current comprehensive watershed planning and implementation efforts and administration of the Environmental Grant and Loan Fund.

Commissioner Allen offered the following resolution (#2023-27), seconded by Commissioner Toquam:

**WHEREAS**, Resolution No. 94-65 adopted on December 7<sup>th</sup>, 1994, established the Dodge County Environmental Grant and Loan Fund with unspent and unencumbered Minnesota Board of Water and Soil Resource's Planning Base Grant dollars; and

**WHEREAS**, the purpose of this fund is to help implement the Dodge County Comprehensive Local Water Management Plan; and

**WHEREAS**, new comprehensive watershed management plans (Cedar, Zumbro, Root) have been adopted by Dodge County which supersede the previous local water plan; and

**WHEREAS**, the protocols, procedures, goals and allowable uses originally established by the Technical Water Planning Committee require updating to reflect current watershed based priorities; and

**WHEREAS**, Dodge County Environmental Services currently administers the Environmental Grant and Loan Fund program; and

**WHEREAS**, consistent with Resolution No. 94-65, the funds will be used solely for the purpose of providing grants and loans to eligible Dodge County applicants for actions which satisfy the goals and objectives of the larger adopted comprehensive watershed management plans; therefore

**BE IT RESOLVED**, that the administration and use of the Dodge County Environmental Grant and Loan Funds shall be revised to reflect the current goals of the comprehensive watershed management plans adopted by Dodge County.

*Resolution Adopted [Unanimous]*

**Catherine Grondin, Zoning Administrator**

**CUP #23-03 Midcontinent Communications Request Discussion Continued**

The Board further discussed CUP #23-03 Midcontinent Communications.

Commissioner Kenworthy reported that it would be nice to know what their intent is instead of just occupying a space in the right of way that would prevent someone else from using this right of way.

Commissioner Toquam wondered if there wasn't another route that they could use.

Motion by Toquam seconded by Allen to table CUP #23-03 Midcontinent Communications for more data.

*Motion Adopted [Unanimous]*

**Lauren Cornelius, Environmental Services Director & Rita Cole, Waste Management Administrator**

**Harter's Disposal MOA**

Ms. Cornelius and Ms. Cole met with the Board to discuss their request to approve a Memorandum of Agreement with Harter's Disposal of MN.

This Memorandum of Agreement (MOA) is to state that the Dodge County Transfer Station will accept single stream recyclable material for a fee from Harter's Disposal of MN and transfer it to the Allied/Republic Services Inver Grove Heights Recyclery in Inver Grove Heights, MN. The MOA was included in the Board packet and outlines this one-year agreement, with one automatic one-year renewal option. It also outlines that if the amount of recycling grows due to increased customer base and the Dodge County Transfer Station is unable to handle the recycling capacity, arrangements will be made with a licensed 3rd party hauler, at the expense of Harter's Disposal of MN.

Motion by Allen seconded by Kenworthy to approve and authorize the Environmental Services Director to sign the proposed Memorandum of Agreement with Harter's Disposal of MN, effective July 1st, 2023.

*Motion Adopted [Unanimous]*

**Lisa Hager, Employee Relations Director**

**Employee Relations Manual**

Ms. Hager informed the Board that the Minnesota Legislature passed several changes this year that required updates to our policy manual. All the changes are highlighted within the manual

that was included in the Board packet. The Employee Relations Director pointed out a few of the changes where just items that moved to different locations within the document.

Ms. Hager shared the following summary information:

1. Equal Employment Opportunity protected class changes.
2. Trial Worker Period clarification about temporary, seasonal and interim positions.
3. Payroll Procedures just putting current practice in writing.
4. Bone Marrow leave added no penalties for using.
5. Pregnancy and Parenting Leave available for all employees, must provide notice and no penalties for using.
6. School Activities Leave available for all employees.
7. Voting Leave language changes.

Motion by Toquam seconded by Allen to approve and authorize the amended Employee Relations Manual as presented.

*Motion Adopted [Unanimous]*

### **Personnel Agenda Reviewed**

Ms. Hager presented the Personnel Agenda for the Board's consideration.

Motion by Toquam seconded by Kenworthy to approve the following personnel actions:

#### **A. Highway**

- A.1 Timothy Beinhorn - Equipment Operator  
Authorization to hire at B23 step 2 \$26.37 to fill approved vacancy.  
Effective Date: 7/20/23
- A.2 Stephen O'Brien - Equipment Operator  
Authorization to hire at B23 step 2 \$26.37 to fill approved vacancy.  
Effective Date: 8/14/23
- A.3 Part-time Highway staff review of FTE status. The following changes need to be made according to average hours worked. The next audit will be 1/2024.  
Ashley Larson - Administrative Assistant  
Increase FTE from .80 to .85.  
Effective Date: 7/1/23

#### **B. Environmental Services**

- B.1 Samantha Johnson - Environmental Administrative Technician  
Regular status and step increase from B24 step 9 \$22.83 to B24 step 8 \$23.61.  
Effective Date: 7/1/23

#### **C. Public Health**

- C.1 Mayra Monarrez - Community Health Worker  
Regular status and step increase from B23 step 9 \$21.54 to B23 step 8 \$22.26.  
Effective Date: 7/18/23
- C.2 Part-time Public Health staff review of FTE status. The following changes need to be made according to average hours worked. The next audit will be 1/2024.  
Jill Otterbein - Administrative Assistant



Decrease FTE from .65 to .60.

Effective Date: 7/1/23

**D. Sheriff's Office**

D.1 Miranda Wintheiser - Records Support Specialist

Authorization to hire at B21 step 5 \$21.59 to fill approved vacancy.

Effective Date: 7/10/23

D.2 Zachary Kasper - Deputy Sheriff - On-Call

No longer employed.

Effective Date: 5/19/23

**E. Administration**

E.1 Part-time Administration staff review of FTE status. The following changes need to be made according to average hours worked. The next audit will be 1/2024.

Sarah Johnson - Account Technician

Increase FTE from .90 to .95.

Effective Date: 7/1/23

*Motion Adopted [Unanimous]*

**Paul Kiltinen, County Attorney**

Mr. Kiltinen provided the Board with a legal update.

*Motion No Vote*

**Duke Harbaugh, Facilities & Fleet Manager**

**Event Space Design Build**

Mr. Harbaugh reminded the Board that after June's meeting it was agreed to advertise for a design build event space that will comply with Minnesota Statute 326B.108 for places of public accommodation. The team at AB Systems is understanding of this and would be fully capable of completing this project. The additional cost for engineering, fire suppression, building energy codes and monitoring exceeded the original estimate, but Mr. Harbaugh noted we are truly building this event space by statute as well as trying to lead by example for other event spaces. The Facilities & Fleet Manager is recommending that the Board accept and authorize him to sign this construction agreement with AB Systems to get this project started. AB Systems submitted a preliminary schedule and they have indicated this build will be completed before the end of November which will allow us to get the water main for the entire grounds into this heated building before winter.

The Board discussed setting a site visit for the building site on Friday, July 28<sup>th</sup>, after the retreat.

Brief discussion took place regarding the orientation of the building.

The Facilities & Fleet Manager informed the Board that the building orientation was based off the Fair Board's request and the fact that they'd need 4 feet of fill, if not more, in order to get the correct elevation for the building project if it was aligned with the other buildings. This change would add additional cost to the project.

Commissioner Toquam reported if we could, she'd like to find a way to switch the orientation of the building, if possible.

Commissioner Kenworthy stated he likes the building orientation the way it is, he likes the elevation and the access to it.

Commissioner Allen reported that he doesn't like it the way it is proposed, he felt the building sits too far back from the other buildings and will get missed or not used during the fair because of its proposed location.

Commissioner Kenworthy believes they would have a better chance to use the parking lot with the proposed orientation, and a space for residents of Dodge County to use throughout the year.

Motion by Kenworthy seconded by Toquam to approve and authorize the Facilities & Fleet Manager to sign a construction agreement with AB Systems at a cost of \$707,735.00 for the Event Center design build at the fairgrounds as presented.

*Motion Adopted [Unanimous]*

### **South Annex Entry**

Mr. Harbaugh reported that back in July of 2021 Benike Construction was awarded the rework of the south entry of the Annex. Since then, there have been multiple attempts to get this work done as well as other issues within the GSB and Courthouse stemming from the remodel project. The Facilities & Fleet Manager is recommending they send a failure to perform and void the approved proposal with Benike Construction. Mr. Harbaugh would then recommend that we re-advertise for this project in the DCI and bring proposals back in August for approval.

Commissioner Allen reported that he would like to make a decision on the south Annex entry issue after they've had a chance to talk about the reconstruction and improvement issues during the closed session.

*Motion No Vote*

### **Closed Session - Pending Litigation Relating to Courthouse and Government Services Building Reconstruction and Improvement from 2015**

Motion by Toquam seconded by Allen to close the meeting to the public at 10:29 a.m. to discuss pending litigation relating to the Courthouse and Government Services Buildings reconstruction and improvements from 2015.

*Motion Adopted [Unanimous]*

### **Meeting Recessed**

The Chair recessed the meeting at 10:20 a.m.

### **Meeting Reconvened**

The Chair reconvened the meeting at 10:33 a.m.

### **Closed Session Closed**

Motion by Allen seconded by Kenworthy to close the closed session at 11:08 a.m.

*Motion Adopted [Unanimous]*

### **Closed Session: Pending Litigation - Courthouse and GSB Reconstruction & Improvements Discussion**

Motion by Toquam seconded by Allen to open the meeting to the public at 11:08 a.m.

*Motion Adopted [Unanimous]*

South Annex Entry Discussion - Continued

The Board further discussed the south Annex entry item.

Motion by Kenworthy seconded by Allen to revisit the south Annex entry discussion item in August.

*Motion No Vote*

### **Administration Committee Report - Commissioner Rodney Peterson**

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

The County Attorney left the meeting at 11:09 a.m.

Mr. Elmquist provided the Board with a County Administrator update.

*Motion No Vote*

Commissioners provided their agency reports. Commissioner Allen didn't have any meetings to report. Commissioner Kenworthy didn't have any meetings to report. Commissioner Peterson attended an AMC Focus Group meeting, Fairview Care Center DON/ADON interviews, a State Advisory Council on Mental Health meeting and a HSLF meeting in Cass County. Commissioner Tjosaas was not available to report his meeting attendance. Commissioner Toquam attended a Fairview Care Center Board meeting, a County Board meeting, a SCHA Board meeting, a picnic and a Fairview DON interview.

*Motion No Vote*

There were no Other Deferred Business items to discuss.

*Motion No Vote*

### **Adjourn**

**Meeting Adjourned**

The Chair adjourned the meeting at 11:40 a.m.

The next meeting of the Dodge County Board of Commissioners will be held on July 25, 2017 at 5:00 p.m.

*Motion No Vote*

**UNAPPROVED MINUTES OF THE  
DODGE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD  
JULY 25, 2023**

**Chair**

**Convene County Board Meeting**

The Dodge County Commissioners met in regular session July 25, 2023, in the County Board Room at the Dodge County Government Services Building, Mantorville, MN, at 5:00 p.m. Chair Rodney Peterson called the meeting to order at 5:00 p.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
John Allen	District 1	Present	5:00 PM
Tim Tjosaas	District 2	Present	5:00 PM
Rodney Peterson	District 3	Present	5:00 PM
Rhonda Toquam	District 4	Present	5:00 PM
David Kenworthy	District 5	Present	5:00 PM

**Pledge of Allegiance**

The pledge of allegiance was recited.

**Determine Quorum**

The Chair acknowledged those present and established there was a quorum.

Also present:

Jim Elmquist            County Administrator  
Becky Lubahn            Deputy Clerk  
Paul Kiltinen            County Attorney

**Establish Agenda**

**Agenda Approved**

Motion by Allen seconded by Kenworthy to approve and adopt the agenda as presented.

*Motion Adopted [Unanimous]*

**Consent Agenda**

Motion by Tjosaas seconded by Toquam to approve the following Consent Agenda items:

*Motion Adopted [Unanimous]*

- 1.1. Board of Commissioners - Regular Meeting - Jul 11, 2023 9:30 AM
- 1.2. Final Payment for 2021 Bituminous Projects

1.3. Award SAP 020-604-013

**Eric Thompson, Drug Court Coordinator**

**Third Judicial District Cooperative Agreement (FY2024)**

Mr. Thompson reported in the past, the Dodge County Drug Court has received reimbursement funding from the Third Judicial District. Pursuant to the proposed Treatment Court Cooperative Agreement for FY24, reimbursement funding from the Third Judicial District is available on a quarterly reimbursement basis from July 1, 2023 through June 30, 2024 and includes a) expenses for non-judicial branch employees, b) travel/training expense, c) contracted services, d) supplies, e) drug testing kits/services, and f) bus/taxi fares.

Dodge County received \$116,000.00 in reimbursement funding in 2023. The level of reimbursement funding for 2024 decreased to \$105,376.00.

Reimbursement funding continues to be predicated on the following conditions: a) report quarterly statistics using the Treatment Court Tracking Sheet, b) report treatment court data upon implementation of the Tyler Supervision Module, c) provide documentation of 30% local match as requested, d) provide annual case load information as requested, e) participate in the MN Treatment Court Peer Review program if requested, f) engage state and local partners in discussions about developing a sustainable treatment court including the exploration of federal, state, and local funding streams to support ongoing treatment court operations, and g) must follow all MN Judicial Branch Treatment Court financial policies.

On July 11, 2023 the State of Minnesota (Judicial Branch) presented Dodge County with a proposed FY24 cooperative agreement that includes identical language as in the current 2023 cooperative agreement. County Attorney Paul Kiltinen reviewed and approved the proposed FY24 cooperative agreement on July 12, 2023.

Motion by Allen seconded by Kenworthy to approve and authorize the Chair and Drug Court Coordinator to sign the proposed FY24 Treatment Court Cooperative Agreement with the State of Minnesota for reimbursement funding from the Third Judicial District.

*Motion Adopted [Unanimous]*

**Guy Kohlhofer, County Engineer & Andrew Hesper, Maintenance Superintendent**

**Motor Grader Transmission Replacement or Purchase of New Motor Grader**

Mr. Kohlhofer and Mr. Hesper met with the Board to discuss their request to replace or purchase a new motor grader. Unit 23, a 2012 Cat 140M2 Motor grader has transmission problems. It was taken to Ziegler for evaluation and repair. The Highway Department received a repair estimate (included in the Board packet) from Ziegler and this cost is \$74,499.03. They also had Ziegler quote them a price for a new machine. Below is a summary of this cost:

- Trade-in value (as is, transmission/differential fail)      \$ 60,000
- 2024 Cat 150MG      \$409,000

- o Hydraulic Snow Wing
- o Snow Tires w/fenders
- o Deluxe Cab
- o 4 Year Warranty

The County Engineer noted this item is for discussion purposed only, unless opposed.

Commissioner Kenworthy questioned whether or not the grader would be valued differently if it was operating. The Board briefly discussed the option of having an operating grader vs. a grader that wasn't running.

Commissioner Kenworthy recommended that they fix the grader.

Commissioner Allen suggested that the Highway Department get a quote to repair the grader from a couple of other businesses such as John Deer and Cat.

It was the consensus of the Board that Mr. Kohlnhofer and Mr. Hesper proceed with fixing the motor grader.

*Motion No Vote*

### **James Finn, Big Iron Classic President**

#### **Fairgrounds Building Discussion**

Mr. Finn met with the Board to discuss the proposed fairgrounds building.

The Big Iron Classic President informed the Board that in the past 22 years the Big Iron Classic has rented the fairgrounds and has tried to give back to the community because the surrounding businesses and people have always backed them 100%, which they appreciate. Mr. Finn noted in the beginning when they started renting the fairgrounds the Dodge County fairgrounds was in the hole financially, so they graciously gave the Dodge County fairgrounds the opportunity to run the beer garden the third year and ever since then they have made very good money working with them during this truck show. It was noted they have had some rough times and rough patches as far as there are certain people that apparently don't like the Big Iron Classic and start rumors and try to do anything they can to hurt the show. So, with this being said, Mr. Finn believes the Big Iron Classic has gone above and beyond working with everybody and putting up with a lot of nonsense, but they've made it through.

What brought Mr. Finn in today was that they have heard that there is a building going up, which he believes is a good thing because some of the old buildings need to be replaced, but he stated they cannot afford to lose much more real estate as the Big Iron Classic. The truck show president reported they are charged a very large amount to use the fairgrounds and they have agreed to pay the amount. Mr. Finn noted they could take the show to other places where they have been offered free facilities to use, but they do not want to take the truck show away from Dodge County, the Dodge County fairgrounds, and the city of Kasson.

Mr. Finn and Pat Barker, also representing the Big Iron Class, wanted to discuss the placement

of the new building with the County Board.

Commissioner Allen questioned whether or not the new fairgrounds Event Center would be started this month.

Facilities & Fleet Manager Duke Harbaugh was present and informed the Board that the Event Center work will start after the truck show.

Commissioner Peterson explained location of new building to Mr. Finn and Mr. Barker.

Mr. Harbaugh reported the reason they chose the location they did for the new building is because the new facility has to be ADA compliant, and they can't do that in the current pavilion location. In order to be ADA compliant, the new building has to have a parking lot and they don't have room for a parking lot in the pavilion's current location.

Mr. Finn discussed their needs as the promoters of the Big Iron Classic and noted the pavilion is in pretty rough shape.

Commissioner Peterson stated he knows the pavilion needs to go, and informed Mr. Finn that the county has funds to use on a 4-seasons building. Mr. Peterson reported he loves having the Big Iron Classic on the fairgrounds property.

Mr. Barker wanted to know if the water tower will be done this year.

The Facilities & Fleet Manager reported the new water tower passed the water test recently so the old tower should be coming down soon.

Commissioner Peterson informed Mr. Finn and Mr. Barker that other improvements are planned for the fairgrounds property, included routing the electrical lines underground and installing new water lines. Mr. Peterson reported with the new water lines the water pressure will be much better.

Mr. Barker wanted to know if there will be new electrical locations on the fairgrounds property that they can use for the truck show.

Mr. Harbaugh reported on the electrical changes that are being made and the location of those electrical changes.

A question was raised as to whether or not there would be electrical hookups in the middle of the grassy area at the fairgrounds.

Commissioner Peterson reported that the county tiled the center area so we want to keep that area open so it drains well and is dry. Mr. Peterson informed Mr. Finn that no electrical hookups will be placed in the center area.

Mr. Finn wanted to know if the county is going to blacktop the road that goes through the



fairgrounds. Mr. Finn noted it would be nice to have this area blacktopped since it's a high traffic area.

Commissioner Peterson informed Mr. Finn that blacktopping is something they are talking about. Mr. Peterson reported that the Big Iron Truck Classic will have a new building available for them to use next year.

Mr. Barker asked that the county not rent the facility to anyone else during the weekend of the Big Iron Classic next year.

Commissioner Peterson clarified that while the Fair Board has been in charge of scheduling the pavilion and other buildings in the past, Mr. Harbaugh will be in charge of the rental schedule for the new Event Center next year.

The Facilities & Fleet Manager informed the Board that he will communicate the scheduling plans for the building with Mr. Finn and Mr. Barker.

Mr. Finn and Mr. Barker were thanked for their time.

*Motion No Vote*

### **Duke Harbaugh, Facilities & Fleet Manager**

#### **Fairgrounds Water & Electric Upgrades**

Mr. Harbaugh presented for the Board's consideration the bid tabulation sheet and a proposal from Hodgman Drainage for the installation of the water and electrical upgrades within the Dodge County Fairgrounds. Nine contractors submit bids for water and electric updates at the fairgrounds and Hodgman was the low bidder, Hodgman has the most knowledge within the fairgrounds as they have installed several thousand feet of drain tile over the years. The Facilities & Fleet Manager reported overall, the numbers came in over budget partly due to additional areas of electric that were not included in the original budget estimates as well as increasing the size of the water main loop from 2.25" to 4". Over all with looking through the bid sheets Mr. Harbaugh feels the county should still proceed with this project as he believes it will not get any cheaper the longer we put it off. Mr. Harbaugh noted at this year's fair the water pressure was down in comparison to previous years and they knew this would happen with the City taking out the un-metered line that fed in from the west. The Facilities & Fleet Manager recommended that the Board award this project to Hodgman Drainage and authorize him to sign the contract paperwork once drawn up by WHKS and review by our Attorney's Office.

Commissioner Allen noted that Brandon Theobald told them the City of Kasson would be providing the water meter for the fairgrounds.

The Facilities & Fleet Manager was asked to look into who is paying for the new water meter at the fairgrounds and talk to the City of Kasson to clear up this question.

Motion by Allen seconded by Kenworthy to award the fairground water and electrical upgrades

to Hodgman Drainage at a cost of \$734,639.00 and approve and authorize the Facilities & Fleet Manager to sign the contract paperwork once drawn up by WHKS and reviewed by the County Attorney.

*Motion Adopted [Unanimous]*

**Catherine Grondin, Zoning Administrator**

**CUP #23-03 Midcontinent Communications**

Ms. Grondin presented for the Board's consideration the July 5, 2023 Planning Commission recommendations.

The Zoning Administrator discussed CUP #23-03 Midcontinent (Midco) Communications.

Mr. Kohlnhofer was present and reported that he has no issue with the Right-of-Way for this request.

Commissioner Peterson reported that this item was tabled from the previous meeting until they were able to determine what benefit Dodge County would be getting by approving this request. Mr. Peterson has been assured that Midcontinent Communications will provide services to Dodge County residents.

Melissa Wolf, the Government Relations representative for Midcontinent Communications was present and reported they will look for opportunities to expand and offer fiber fixed wireless to residents in Dodge County.

Also present was John Fisher who will be serving as the Midco contact for Dodge County staff.

Commissioner Peterson reported he would like an update from Midco once the fiber optic cable transmission line has been installed.

Motion by Kenworthy seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on July 5, 2023 with the reasons, recommendations and conditions as found in the individual permit:

**CUP #23-03 Midcontinent Communications**

The fourth public hearing is to consider an application for Conditional Use Permit #23-03 to allow for the installation of 44 miles of fiber optic cable transmission lines as a Major Essential Service. The proposed project runs through Ellington, Claremont, Ripley, Westfield, Concord, Hayfield, and Vernon Township and will be located within the Dodge County Road Right-of-Way (ROW). The applicant is Midcontinent Communications.

**RECOMMENDATIONS**

The Zoning Staff recommends approval of the Conditional Use Permit (C.U.P.), as the request meets the ordinance requirements. The following conditions are recommended:

1. Midcontinent Communications or authorized agent shall provide proof of insurance for all contractors performing work on the essential service project in accordance with Section 16.21.6 to Dodge County Planning and Zoning staff.
2. Midcontinent Communications or authorized agent shall obtain a Dodge County Highway Department ROW permit and provide a copy of the permit to Dodge County Planning staff prior to the installation of the fiber optic cable.
3. Midcontinent Communications or authorized agent shall obtain a MnDot ROW permit and provide a copy of the permit to Dodge County Planning staff prior to installation of the fiber optic cable.
4. If applicable, Midcontinent Communications or authorized agent shall obtain ROW permits from affected townships and provide a copy of the permits to Dodge County Planning staff prior to the installation of the fiber optic cable.
5. Midcontinent Communications or authorized agent shall notify Dodge County Planning and the Dodge County Highway Department 48 hours prior to starting the project.
6. As built plans shall be submitted to each impacted Township and to the Dodge County Highway Department within 60 days of project completion.
7. Midcontinent Communications or authorized agent shall contact Dodge County SWDC and all landowners to obtain information on tile lines and crossings in the project area. All drainage facilities and patterns shall be repaired to pre-construction condition. When tile lines are cut and before repairs are made, tile openings shall be protected to prevent dirt, silt or animals from entering the tile system. All tile lines which are impacted shall be restored and repaired to the previous conditions and operable state without cost to the landowner. All repair/restoration activities shall coincide with installation of the cable.
8. Construction activities shall be conducted in such a manner as to minimize impacts on agricultural operations.
9. Fiber optic cables shall be installed according to the requirements of the approved permit from the appropriate road authority.
10. Midcontinent Communications or authorized agent shall submit a copy of the license to cross public waters received through the lands and minerals division of the DNR (Department of Natural Resources) to Dodge County Planning and Zoning staff. If a public water work permit is required from the DNR, a copy shall also be submitted to Dodge County Planning and Zoning staff.
11. No installation outside of the ROW is authorized without written landowner permission submitted to Dodge County Highway Department and Planning and Zoning staff prior

to installation of the fiber optic cable.

12. Midcontinent Communications shall work with any landowners that have a septic system located within 10' of their project areas to discuss the potential impacts to the septic system and ensure the project does not negatively affect the septic system.
13. Environmental Services shall be notified when a discharge to the ROW of partially treated or raw sewage is observed during construction in the road right of way. The notification should include an address or detailed location of the discharge.

*Motion Adopted [Unanimous]*

**Scott Rose, Sheriff**

### **Part-Time Hayfield SRO Position**

Sheriff Rose met with the Board to discuss his request to approve a part-time School Resource Officer (SRO) position for the Hayfield School District. Triton School District and the City of Dodge Center have committed to working together to help fund a full-time SRO for Triton Schools. Moving Deputy Skadson to Triton full-time during the school year leaves them with their contract obligation to provide Hayfield School District with a qualified SRO on a part-time basis. The Sheriff's Office has Bob Morris, who has extensive SRO/Investigations experience, who is currently on the roster working part-time as a Court Officer. Sheriff Rose would like to reassign Mr. Morris to the part-time SRO position for Hayfield. The Sheriff's Office is looking for Board approval on the new part-time position which is funded by the financial commitment made by Triton and City of Dodge Center.

Sheriff Rose informed the Board that the City of Dodge Center is willing to help fund this position for one year with the hope that the cities of West Concord and Claremont would see the benefit to the schools and help fund this full-time position going forward.

Commissioner Allen wanted to know if they'd have to provide the new position with a car.

The Sheriff reported they will take an old car and re-purpose it for this position.

Commissioner Allen wanted to know who will take Mr. Morris's position.

Sheriff Rose informed Mr. Allen that as of now Olmsted County is covering all of our hours for Mr. Morris' position and noted we haven't used Court Officers since they switched over to using interactive hearing options.

Commissioner Allen reported he has a problem with cops being in the schools, he thinks the schools should handle their own security. Commissioner Allen questions why the schools weren't using their own people to provide security in the schools.

Mr. Rose informed the Board that the school can't hire a law enforcement officer and that any security provided in the schools has to be an employee of an agency, not the school. Sheriff

Rose noted in the State of Minnesota only law enforcement agencies can provide security in schools.

Commissioner Allen stated that because this requested has happened so fast he's reluctant to scramble to accommodate the request. Mr. Allen reported he wasn't sure if the other cities were going to support the program. Commissioner Allen suggested that they run the part-time position in the Hayfield School District this year and then see what the other two cities would be willing to kick in for the second year.

Sheriff Rose reported with the City of Dodge Center contributing money towards the position this year he felt they should run it for a year and then show the other two cities the benefit of having a full-time SRO position in Triton and a part-time SRO position in the Hayfield School District and see if they would help support the position.

Commissioner Toquam commented she thinks it's great they want to include the City of Claremont and the City of West Concord, but she believes there are a lot of hurt feelings yet over the school being built in Dodge Center. Ms. Toquam thinks Claremont and West Concord may not be supportive of kicking in money for a full-time School Resource Officer position. Ms. Toquam reported the Sheriff needs to show these two cities the benefits of having a full-time position in the school and sell them on why they need a full-time position before they are asked to contribute money towards the position.

Commissioner Tjosaas clarified that we're not hiring someone new for the position and with what is being proposed it gives us a two-year window to determine if it works.

Commissioner Toquam reported that she's not opposed to having officers in our schools, because at this time, that's unfortunately where we're at. Ms. Toquam reiterated she's not against it, she would just like them to stay proactive and figure out how to fund the full-time position in the future.

The Sheriff and Commissioner Kenworthy agreed that this is something they will have to continue to build on promote in the future.

Commissioner Kenworthy reported that he chatted with the Sheriff regarding this request and had an opportunity to listened to the Dodge Center City Council discuss this proposal. The city is in support of funding the position for a one-year trial period. Mr. Kenworthy commented he likes the fact that there is someone interested in the Hayfield position that has some experience. Commissioner Kenworthy stated he would like to hear feedback on how the trial period is going.

Commissioner Peterson stated he would support the new position as long as Triton will pay the full cost of Bob Morris' position which is \$5,876.31. It was Mr. Peterson's opinion that there was no benefit to the county to fund this position.

Sheriff Rose reported he doesn't believe the school will be supportive of paying for all of Mr. Morris' wages.

Commissioner Peterson informed the Board that he is not in support of the request if Triton won't pay for Bob Morris' entire wages.

Sheriff Rose informed the Board that the billing for this new position will be handled by the Sheriff's Office.

Motion by Tjosaas seconded by Toquam to approve and authorize the Sheriff's Office to reassign Bob Morris to the part-time School Resource Officer position in the Hayfield School District as requested for a one-year trial.

*Motion Adopted [4 to 1]*

**Lisa Kramer, Finance Director**

**Bills Reviewed**

Ms. Kramer reviewed bills with the Board.

Motion by Tjosaas seconded by Toquam to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	\$ 87,979.67
13	Road and Bridge Fund	\$ 37,421.83
16	Environmental Quality Fund	\$ 144,939.91
80	Agency Fund	<u>\$ 1,388.00</u>
	Total	\$ 271,729.41

*Motion Adopted [Unanimous]*

**Jim Elmquist, County Administrator & Lisa Kramer, Finance Director**

**2024 Budget Discussion**

Mr. Elmquist and Ms. Kramer met with the Board to discuss the first rendition of the 2024 budget.

The 2024 budget reflects a 5.8% increase on 2023's budget. It was stated that over the next multiple meetings the Board will hear budget presentations from department heads on what is driving the budget for next year. Commissioners indicated they are eager to hear the presentations. The expectation is there will be several renditions to the budget before the preliminary certification at the end of September.

*Motion No Vote*

**Jim Elmquist, County Administrator**

**Personnel Agenda Reviewed**

Mr. Elmquist presented the Personnel Agenda for the Board's consideration.

Motion by Allen seconded by Toquam to approve the following personnel actions:

**A. Highway**

- A.1 Ethan Koziolk - Engineering Technician  
Authorization to hire at B31 step 1 \$30.43 to fill approved vacancy.  
Effective Date: 7/31/23

**B. Public Health**

- B.1 Jill Otterbein - Administrative Assistant  
Regular status and step increase from B21 step 7 \$20.25 to B21 step 6 \$20.91.  
Effective Date: 1/17/23

*Motion Adopted [Unanimous]*

Mr. Elmquist did not have a County Administrator update to provide.

*Motion No Vote*

**Paul Kiltinen, County Attorney**

Mr. Kiltinen provided the Board with a legal update.

The County Attorney discussed with the Board a right-of-way issue involving NextEra and said the statute is very clear as to the allowable use of non-public energy providers being able to use the right-of-way. Mr. Kiltinen reported the County Engineer will need to determine the feasibility of accommodating the request and the effect to overall public safety.

The County Attorney also updated the Board on a lease agreement that will be coming up on an agenda for the County Seat regarding a small piece of County property. The Board agreed it would make sense to bring forward the agreement.

*Motion No Vote*

**Public Health Committee Report - Commissioner David Kenworthy**

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

**Request to Approve Public Health Donations**

Public Health is requesting authorization to accept baby quilts, booties, hat and animals from Dodge Center Dorcas Society, Dodge Center, MN.

Commissioner Tjosaas offered the following resolution (#2023-28), seconded by Commissioner Kenworthy:

**WHEREAS**, the Dodge County Public Health Department has received donations from Dodge Center Dorcas Society; and

**WHEREAS**, the Dodge County Public Health Department wishes to accept this donation and utilize it for the purpose of distributing to family home visiting clients; 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 donation to be used for the Public Health Programs:

Dodge Center Dorcas Society, Dodge Center, MN	\$320.00
Crochet baby quilts - 4	\$160.00
Crochet baby booties - 2	\$ 20.00
Crochet hat – 1	\$ 10.00
Crochet baby animals - 13	\$130.00

*Resolution Adopted [Unanimous]*

**Public Safety Committee Report - Commissioner Rhonda Toquam**

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

**Dodge's Alternative to Addiction (Drug Court) Sober Fest 2023 Donations**

Driessen Water (Culligan) recently donated nine cases of bottled water to Dodge’s Alternative to Addiction (Drug Court) that was used for the 17<sup>th</sup> annual Sober Fest celebration held on July 8, 2023.

In addition, they also received \$90.00 in anonymous cash donations at the Sober Fest event.

The Drug Court Coordinator requested that the Dodge County Board of Commissioners approve the above-noted donations.

Commissioner Toquam offered the following resolution (#2023-29), seconded by Commissioner Allen:

**WHEREAS**, Dodge County's Alternative to Addiction (Drug Court) receives donations from time to time from individuals and/or organizations; and

**WHEREAS**, Dodge's Alternative to Addiction wishes to accept these donations and utilize them for the purpose of sponsoring the 2023 Sober Fest event; 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 accept the following donations to be used for the 2023 Sober Fest event:

Driessen Water (Culligan) - 9 cases of bottled water

\$90.00 in anonymous cash donations

*Resolution Adopted [Unanimous]*

### **Public Works Committee Report - Commissioner John Allen**

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

### **Agreement to State Transportation Fund Local Bridge Replacement Program Grant Terms and Conditions for SAP 020-604-013**

In 2023 the Highway Department will be constructing Bridge No. 20J45 on CSAH 4, approximately .5 miles east of CSAH 3. The primary source of funding for the project will be from MVLST Bridge Funds in the amount of \$89,198.88 in the form of a Local Bridge Replacement Program (LBRP) Grant. The remaining project costs will be funded by CSAH funds.

In order to utilize these funds for their project the county must pass a resolution accepting the terms of the funds as laid out in Minnesota Statutes, section 174.50, subdivision 5. This clause states that we will use the funds only for the stated project and any expenditures in excess of the bonds will be secured through local sources.

Commissioner Toquam offered the following resolution (#2023-30), seconded by Commissioner Allen:

**WHEREAS**, Dodge County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 20J45; and

**WHEREAS**, the Commissioner of Transportation has given notice that funding for this project is available; and

**WHEREAS**, the amount of the grant has been determined to be \$89,198.88 by reason of the lowest responsible bid.

**NOW THEREFORE**, be it resolved that Dodge County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

*Resolution Adopted [Unanimous]*

**Administration Committee Report - Commissioner Rodney Peterson**

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

Commissioners provided their agency reports. Commissioner Allen did not have any meetings to report. Commissioner Kenworthy attended a SE EMS Special meeting, a SECB Steering Committee meeting, a Dodge Center City Council meeting and a Fairview Care Center meeting. Commissioner Peterson attended a Fairview Care Center meeting, a SEMMCHRA Board meeting, a MnPrairie Board meeting and the Dodge County fair. Commissioner Tjosaas attended a MnPrairie Finance meeting, a MnPrairie Joint Powers Board meeting and a Fairview Care Center meeting. Commissioner Toquam attended a Board meeting, a SCHRC Strategic Planning meeting and a SCHRC meeting.

*Motion No Vote*

There were no Other Deferred Business items to discuss.

*Motion No Vote*

**Adjourn**

The Chair adjourned the meeting at 7:02 p.m.

The next regular meeting of the Dodge County Board of Commissioners will be held on August 8, 2023 at 9:30 a.m.

City **Mantorville**  
 Date **7/1/2023** thru **7/31/2023**

<u>Agency</u>	<u>Incident_Nr</u>	<u>Location</u>	<u>LocCity</u>	<u>Activity</u>
K	202300002983	501 Main St N	Mantorville	Assist Other Agency
S	202300005102	621 Chestnut St	Mantorville	Alarm
S	202300005155	606 Clay St	Mantorville	Person In Crisis
S	202300005197	615 Main St N	Mantorville	Alarm
S	202300005208	606 Clay St	Mantorville	Person In Crisis
S	202300005088	606 Clay St	Mantorville	Other Driving Complai
S	202300005169	606 Clay St	Mantorville	Appreh/detention Orde
S	202300005100	721 Main St N	Mantorville	Ambulance Run
S	202300005191	401 Mantor Dr	Mantorville	Ambulance Run
S	202300005338	22 6th St E	Mantorville	Violate/cond-release
S	202300005340	910 Adams St	Mantorville	Ambulance Run
S	202300005373	706 West St	Mantorville	Ambulance Run
K	202300002584	606 Clay St	Mantorville	Assist Other Agency
K	202300002622	615 Main St N	Mantorville	Assist Other Agency
K	202300002630	606 Clay St	Mantorville	Assist Other Agency
K	202300002809	605 Clay St	Mantorville	Assist Other Agency
S	202300005177	812 Hickory Ln	Mantorville	Residence/business Ck
S	202300005219	320 Main St N	Mantorville	Cell Call Open Line
S	202300005227	321 Main St N	Mantorville	Vandalism
S	202300005583	115 6th St W	Mantorville	Residence/business Ck
S	202300005611	812 Hickory Ln	Mantorville	Residence/business Ck
S	202300005331	321 Main St N	Mantorville	Abandoned Vehicle
S	202300005354	22 6th St E	Mantorville	Agency History Check
S	202300005522	22 6th St E	Mantorville	Disturbance
S	202300005529	605 Clay St	Mantorville	Sexual Assault
S	202300005607	520 Clay St	Mantorville	Trespassing
S	202300005628	508 Clay St	Mantorville	Disturbance
S	202300005714	520 County Rd 12	Mantorville	Animal Bites
S	202300005808	321 Main St N	Mantorville	Weather Related Compl
S	202300005821	414 10th St W	Mantorville	Suspicious Activity
S	202300005850	520 County Rd 12	Mantorville	Animal Bites
S	202300005094	1105 7th St W	Mantorville	Fireworks Complaints
S	202300005117	12 Riverview Rd	Mantorville	Assist Other Agency
S	202300005316	22 6th St E	Mantorville	Assist Other Agency
S	202300005841	415 Main St N	Mantorville	Traffic
S	202300005382	406 Blanch St	Mantorville	Public Assist
S	202300005544	813 West St	Mantorville	Ambulance Run
S	202300005597	22 6th St E	Mantorville	Violate Drug Court Rules
S	202300005721	415 Main St N	Mantorville	Miscellaneous
S	202300005840	803 Chestnut St	Mantorville	Miscellaneous
S	202300005929	502 Main St N	Mantorville	Ambulance Run
S	202300005935	606 Clay St	Mantorville	Ambulance Run
S	202300005818	22 6th St E	Mantorville	Agency History Check
S	202300005819	22 6th St E	Mantorville	Agency History Check
S	202300005086	321 Main St N	Mantorville	Drunkenness
S	202300005104	501 Chestnut St	Mantorville	Animal Comp
S	202300005223	810 West St	Mantorville	Animal Comp
S	202300005348	702 Main St N	Mantorville	Welfare Check
S	202300005930	501 Main St N	Mantorville	Drunkenness

Total

49

**UNAPPROVED MINUTES OF THE  
DODGE COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE MEETING HELD  
JULY 25, 2023**

**Chair**

**Convene Committee of the Whole Meeting**

The Dodge County Commissioners met in Committee of the Whole July 25, 2023, in the County Board Room at the Dodge County Government Services Building, Mantorville, MN, at 4:30 p.m. Chair Rodney Peterson opened the meeting at 4:30 p.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
John Allen	District 1	Present	4:30 PM
Tim Tjosaas	District 2	Present	4:30 PM
Rodney Peterson	District 3	Present	4:30 PM
Rhonda Toquam	District 4	Present	4:30 PM
David Kenworthy	District 5	Present	4:03 PM

The Chair acknowledged those present and established there was a quorum.

Also present:

Jim Elmquist                      County Administrator  
Becky Lubahn                      Deputy Clerk

**Dr. R. Ross Reichard, Chief Medical Examiner**

**Medical Examiner Presentation**

Dr. Reichard provided the Board with his Annual Medical Examiner data report for 2022. Death Investigations Supervisor Monica Kendall was also available to answer questions.

The Chief Medical Examiner discussed the following with the Board:

- Jurisdictional Area
- Medical Examiner Staff
- Dodge County Medical Examiner Cases
- Death Certificate Information
- Manner of Death
- Deaths by Unnatural Causes
- Suicide by Means
- Suicide by Age
- Suicide Rate per Capita
- Homicide Deaths
- Homicide Rate per Capita

- Accidental Deaths by Type
- Accidental Deaths - Vehicle Crashes
- Vehicle Accidents by Type of Vehicle and Number of Fatalities Dodge, MN 2018-2022
- Vehicle Accidents by Year and Number of Fatalities Dodge, MN 2018-2022
- Motor Vehicle Fatality Rate per Capita
- Accidental Falls by Age Group
- Accidental Falls by Injury Location
- Deaths Related to Poison/Drugs
- Accidental Drug Deaths by Age
- Drug Overdose Rate per Capita
- Illicit Drugs by Category
- Deaths by Natural Causes
- Deaths by Age Group
- Medical Examiner Activities

Commissioner Peterson questioned why they are seeing more prescription medication deaths now.

Dr. Reichard reported these deaths are due to prescription medications being mixed with drugs or other prescription drugs and alcohol.

Commissioner Kenworthy informed the Board that they are seeing an increase in the number of ambulance calls for this type of medical emergency. Mr. Kenworthy also believes more reporting is being done with these types of deaths, and statistics are being reported earlier than they used to be, so more information is readily available.

Commissioner Peterson informed Dr. Reichard that the county's Public Health Director, Amy Evans was present. Mr. Peterson also reported that the county has money to put towards fixes for drug related problem, but the problem Dodge County is experiencing is with opioids.

Ms. Evans informed the Board that the issue with opioid use isn't going down, however intervention and access to Narcan is allowing them to address the problem or overdoses quickly.

Dr. Reichard stated education is the key.

Commissioner Peterson informed the Medical Examiner that tobacco use for youth in Dodge County is high and they are working to education Dodge County youth on the dangers of tobacco use.

The Board thanked Dr. Reichard for the update.

### **Adjourn**

The Chair adjourned the meeting at 4:49 p.m.

## Requests for City Council related to Marigold Days 2023, Sept. 8, 9, 10

Request the following street closures:

4th St Hwy 57 to alley West of Clay Friday, Saturday, Sunday (festival events/activities)

5th St Hwy 57 to alley West of Clay Saturday Midnight to Sunday 6pm...(car show, water fight)

Clay St 3rd St to 5th St Fr, Sun (festival activities)

5th to 6th Sat midnight to Sunday 3PM (car show and parade)

Request permission to use city owned barricades/cones for traffic management

Parade Route: no parking along route 1-3, Sunday (post signs Sat evening, p/u after parade



Minnesota Department of Public Safety  
Alcohol and Gambling Enforcement Division  
445 Minnesota Street, Suite 1600, St. Paul, MN 55101  
651-201-7507 TTY 651-282-6555  
**APPLICATION AND PERMIT FOR A 1 DAY  
TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization	Date of organization	Tax exempt number	
Mantorville Fire Relief	9/9/23 - 9/10/23	3305044	
Organization Address (No PO Boxes)	City	State	Zip Code
21 5th St E	Mantorville	MN	55955
Name of person making application	Business phone	Home phone	
Dave Gilbertson			
Date(s) of event	Type of organization	<input type="checkbox"/> Microdistillery	<input type="checkbox"/> Small Brewer
September 9, 10 2023	<input type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious	<input checked="" type="checkbox"/> Other non-profit	
Organization officer's name	City	State	Zip Code
Dave Gilbertson	Mantorville	MN	55955
Organization officer's name	City	State	Zip Code
Kyle Johnson		MN	
Organization officer's name	City	State	Zip Code
		MN	

Location where permit will be used. If an outdoor area, describe.  
21 5th St E Street Dance/Firehall

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Essig Agency

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license	Date Approved
Fee Amount	Permit Date
Event in conjunction with a community festival <input type="checkbox"/> Yes <input type="checkbox"/> No	City or County E-mail Address
Current population of city	

Please Print Name of City Clerk or County Official

Signature City Clerk or County Official

**CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event**

**No Temp Applications faxed or mailed. Only emailed.**

**ONE SUBMISSION PER EMAIL, APPLICATION ONLY.**

**PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO [AGE.TEMPORARYAPPLICATION@STATE.MN.US](mailto:AGE.TEMPORARYAPPLICATION@STATE.MN.US)**

**CITY OF MANTORVILLE  
DODGE COUNTY, MINNESOTA**

**RESOLUTION 2023-22**

**A RESOLUTION APPROVING AN APPLICATION FOR A ONE TO FOUR DAY  
TEMPORARY ON-SALE LIQUOR LICENSE AT THE MANTORVILLE FIREHALL,  
21 5<sup>th</sup> STRTEET EAST, MANTORVILLE, MINNESOTA – MANTORVILLE FIRE  
RELIEF, SEPTEMBER 9 & 10, 2023**

**WHEREAS**, Mantorville Fire Relief has submitted an application to the City of Mantorville for approval for a One to Four Day Temporary On-Sale Liquor License September 9 & 10, 2023; and

**WHEREAS**, said application will be forwarded to Minnesota Alcohol and Gambling Enforcement Division for approval; and

**WHEREAS**, the City has no objection to said activity.

**NOW, THEREFORE, BE IT RESOLVED** that the Mantorville City Council hereby concurs with the issuance of a One to Four Day Temporary On-Sale Liquor License to Mantorville Fire Relief, for an events to be held on September 9 & 10, 2023 at the Mantorville Firehall, 21 5<sup>th</sup> Street East, Mantorville, Minnesota.

Adopted by the City Council of the City of Mantorville, Minnesota, this 14<sup>th</sup> Day of August 2023.

ATTEST:

---

Chuck Bradford  
Mayor

---

Gretchen Lohrbach  
City Clerk-Treasurer



**CITY OF MANTORVILLE  
DODGE COUNTY, MINNESOTA**

**RESOLUTION 2023-21**

**A RESOLUTION ACCEPTING DONATIONS TO THE CITY OF MANTORVILLE**

**WHEREAS**, the following individuals, businesses and organizations have donated to the City of Mantorville:

<b>Donated By</b>	<b>Item Donated</b>	<b>Amount</b>
Mantorville Restoration Association	Hamburgers & Brats & Buns	Value \$160.00
Casey's General Store	12 dozen cookies and ice	Value \$180.00

**AND WHEREAS**, these donations were specifically provided for the 2023 National Night Out event; and

**WHEREAS**, the Mayor and City Council acknowledge the generosity of these individuals, businesses and organizations and extend appreciation on behalf of the City of Mantorville for their generous donations.

**NOW THEREFORE BE IT RESOLVED**, that the Mantorville Mayor and City Council accept these donations on behalf of the City of Mantorville and authorize City Staff to expend these funds in the manner described therein.

Adopted by the City Council of the City of Mantorville, Minnesota, this 14<sup>th</sup> Day of August, 2023.

ATTEST:

\_\_\_\_\_  
Chuck Bradford  
Mayor

\_\_\_\_\_  
Gretchen Lohrbach  
City Clerk-Treasurer

**CITY OF MANTORVILLE  
DODGE COUNTY, MINNESOTA**

**RESOLUTION NO. 2023-05**

**RESOLUTION AUTHORIZING PUBLICATION OF  
ORDINANCE NO. 2023-04 BY TITLE AND SUMMARY**

**WHEREAS**, the City Council of the City of Mantorville has adopted Ordinance No. 2023-04, an interim ordinance authorizing a study and imposing a moratorium on the sale of edible cannabinoid products; and

**WHEREAS**, Minnesota Statutes § 412.191, subdivision 4 allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

**WHEREAS**, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mantorville that City Staff shall cause the following summary of Ordinance No. 2023-04 to be published in the official newspaper in lieu of the ordinance in its entirety:

**Public Notice**

The City Council of the City of Mantorville has adopted Ordinance No. 2023-04, an interim ordinance authorizing a study and imposing a moratorium on the sale of certain edible cannabinoid products. The ordinance prohibits the sale of edible cannabinoid products, as that term is defined in Minnesota Statutes, section 151.72, that contain tetrahydrocannabinol (THC) while the City undertakes a study regarding such products and sales. While the ordinance is in effect, no business, person, or entity may sell edible cannabinoid products containing THC to the public within the jurisdictional boundaries of the city, and the City will not accept, process, or act on any application, site plan, building permit, or zoning or other approval for a business proposing to engage in the sale of such edible cannabinoid products.

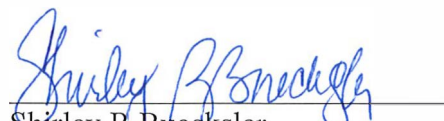
The full text of the ordinance is available at City Hall during regular business hours.

**BE IT FURTHER RESOLVED** by the City Council of the City of Mantorville that the City Clerk keep a copy of the ordinance in their office at City Hall for public inspection and that they post a full copy of the ordinance in a public place within the city.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9<sup>th</sup> day of January 2023.

ATTEST:

  
\_\_\_\_\_  
Chuck Bradford  
Mayor

  
\_\_\_\_\_  
Shirley R. Bueckler  
City Clerk-Treasurer

**CITY OF MANTORVILLE  
DODGE COUNTY, MINNESOTA**

**ORDINANCE NO. 2023-04**

**An Interim Ordinance Authorizing a Study and  
Imposing a Moratorium on the Sale of Certain Edible Cannabinoid Products**

The city council of the city of Mantorville ordains as follows:

**Section 1. Legislative Findings and Authority**

- (A) There is a great deal of uncertainty regarding the effect of Minnesota Laws 2022, Chapter 98 amending Minnesota Statutes, section 151.72 (the “Act”), which expressly allows the sale of edible cannabinoid products, as that term is defined therein, containing tetrahydrocannabinol (THC).
- (B) Because the proposal to allow the sale of such products received little publicity until after the Act went into effect on July 1, 2022, the City of Mantorville (the “City”) did not have an opportunity to fully study or consider the potential impacts of the Act or engage in policy discussions regarding the potential regulation of the sale of edible cannabinoid products in the City.
- (C) Although the Minnesota Board of Pharmacy is authorized to enforce the Act, the Act does not provide for any state-level licensing of businesses that manufacture or sell edible cannabinoid products. The Act is also silent regarding the enactment of local regulations related to edible cannabinoid products.
- (D) The Act does not expressly prohibit or limit local regulations of edible cannabinoid products. Additionally, the regulations established in the Act clearly do not constitute the Legislature having occupied the field of regulation regarding the sale of edible cannabinoid products.
- (E) The City Council finds that the uncertainties associated with the sale of edible cannabinoid products, as well as the options for local regulation, strongly suggest the need for a study to develop information the city council may use related to potential local regulation of the sale of edible cannabinoid products through the adoption of licensing or zoning controls.
- (F) Pursuant to Minnesota Statutes, section 462.355, subdivision 4(a), the City Council is authorized to adopt an interim ordinance “to regulate, restrict, or prohibit any use . . . within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective.”
- (G) The City Council is also authorized, under to Minnesota Statutes, section 412.221, subd. 32, “to provide for the government and good order of the city, the suppression



of vice and immorality, the prevention of crime, the protection of public and private property, the benefit of residence, trade, and commerce, and the promotion of health, safety, order, convenience, and the general welfare.” Pursuant to its general police power authority, the City Council may, for example, adopt business licensing requirements related to the sale of edible cannabinoid products.

- (H) The Minnesota Supreme Court in *Almquist v. Town of Marshan*, 245 N.W.2d 819 (Minn. 1976) upheld the enactment of a moratorium despite the lack of express statutory authority as being a power inherent in a broad grant of power to municipalities. The enactment of business licensing requirements, for example, is based on a City’s police powers, which is the broadest grant of power to cities. Inherent in that broad grant of authority is the power to place a temporary moratorium on a particular business activity to study and potentially implement regulations on that business activity.
- (I) There are both licensing and zoning issues associated with the sale of edible cannabinoid products containing THC. The City Council determines that it needs time to study the matter and to consider the development and adoption of appropriate local regulations. To protect the planning and decision-making process and the health, safety, and welfare of the residents while the City conducts its study and the City Council engages in policy discussions regarding possible regulations, the City Council determines it is in the best interests of the City to impose a temporary moratorium on the sale of certain edible cannabinoid products.

**Section 2. Definition.** For the purposes of this ordinance, the term “edible cannabinoid product” has the same meaning given the term in Minnesota Statutes, section 151.72, subdivision 1(c), as recently amended by the Act and as may be amended from time to time.

**Section 3. Study.** The City Council authorizes and directs City Staff and Consultants to conduct a study regarding edible cannabinoid products and provide a report to the City Council on the potential regulations relating to the sale of such products in the community. The report shall include recommendations on whether the City Council should adopt regulations and, if so, the recommended types of regulations. The study shall consider, but is not limited to, the following: (i) the potential impacts of the sale of edible cannabinoid products within the city; (ii) licensing the sale of edible cannabinoid products and related regulations; and (iii) zoning regulations related to the sale and distribution of edible cannabinoid products.

**Section 4. Moratorium.** A moratorium is hereby imposed within the city regarding the sale of edible cannabinoid products. No business, person, or entity may sell edible cannabinoid products to the public within the jurisdictional boundaries of the city during the period that this ordinance is in effect. The City shall not accept, process, or act on any application, site plan, building permit, or zoning or other approval for a business proposing to engage in the sale of edible cannabinoid products during the period that this ordinance is in effect.

**Section 5. Exceptions.** The moratorium imposed by this ordinance does not apply to the sale of medical cannabis. The moratorium imposed by this ordinance also does not apply to the sale of

products containing cannabidiol (CBD), provided, however, that such products do not contain tetrahydrocannabinol (THC).

**Section 6. Enforcement.** Violation of this ordinance is a misdemeanor. In addition, the City may enforce this ordinance by mandamus, injunction, or other appropriate civil remedy in any court of competent jurisdiction.

**Section 7. Severability.** Every section, provision, and part of this ordinance is declared severable from every other section, provision, and part of this ordinance. If any section, provision, or part of this ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this ordinance.

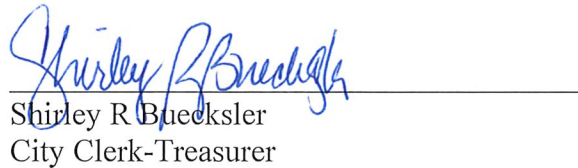
**Section 8. Effective Date and Term.** This ordinance shall take effect and be in full force from and after its adoption and publication, as provided by law. This ordinance shall remain in effect for one year after its effective date or until the city council expressly repeals it, whichever occurs first.

Passed by the City Council of the City of Mantorville, Minnesota, this 9<sup>th</sup> day of January 2023.



\_\_\_\_\_  
Chuck Bradford  
Mayor

ATTEST:



\_\_\_\_\_  
Shirley R. Buecksler  
City Clerk-Treasurer

COUNTY OF  
\_\_\_\_\_  
STATE OF  
MINNESOTA

ORDINANCE No.: \_\_\_\_\_

**ORDINANCE REGULATING THE USE OF CANNABIS  
AND CANNABIS DERIVED PRODUCTS IN PUBLIC  
PLACES**

THE \_\_\_\_\_ COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS  
AS FOLLOWS:

**SECTION 1. PURPOSE AND INTENT**

This Ordinance is adopted by the \_\_\_\_\_ County for the purpose of protecting public health and safety by REGULATING/PROHIBITING the use of Cannabis and cannabis derived products in public places and places of public accommodation within \_\_\_\_\_ County.

Minnesota Session Law 2023, Chapter 63, effective in relevant part August 1, 2023, establishes that the adult use, possession and personal growing of cannabis is legal subject to the requirements and restrictions of Minnesota Statutes.

Minnesota Session Law 2023, Chapter 63, Art. 4, section 19, codified as Minn. Stat. 342.0263, subd. 5 authorizes the adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis.

The County intends to be proactive in protecting public health and safety by enacting an ordinance that will mitigate threats presented to the public and public health by the public use of cannabis.

\_\_\_\_\_ County (hereinafter “the County”) recognizes the risks that unintended access and use of cannabis products and exposure to cannabis and its effects present to the health, welfare, and safety of members of the public and in particular the youth of the County.

**SECTION 2. DEFINITIONS**

Except as may otherwise be provided or clearly implied by context, all terms shall be given their commonly accepted definitions. The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them except where the context clearly indicates a different meaning.

- (a) **Adult-use cannabis flower.** “Adult-use cannabis flower” means cannabis flower that is approved for sale by the Minnesota Office of Cannabis Management or is substantially similar to a product approved by the office. Adult-use cannabis flower does not include medical cannabis flower, hemp plant parts, or hemp-derived consumer

products.

(b) **Adult-use cannabis products.** “Adult-use cannabis products” means a cannabis product that is approved for sale by the office or is substantially similar to a product approved by the office. Adult-use cannabis product includes edible cannabis products but does not include medical cannabinoid products or lower-potency hemp edibles.

(c) **Cannabis flower.** “Cannabis flower” means the harvested flower, bud, leaves, and stems of a cannabis plant. Cannabis flower includes adult-use cannabis flower and medical cannabis flower. Cannabis flower does not include cannabis seed, hemp plant parts, or hemp-derived consumer products.

(d) **Cannabis product.** “Cannabis product” means any of the following:

- (1) cannabis concentrate;
- (2) a product infused with cannabinoids, including but not limited to tetrahydrocannabinol, extracted or derived from cannabis plants or cannabis flower; or
- (3) any other product that contains cannabis concentrate.

(e) **Hemp derived consumer products.**

(1) “Hemp derived consumer products” means a product intended for human or animal consumption, does not contain cannabis flower or cannabis concentrate, and:

- (i) contains or consists of hemp plant parts; or
- (ii) contains hemp concentrate or artificially derived cannabinoids in combination with other ingredients.

(2) Hemp-derived consumer products does not include artificially derived cannabinoids, lower-potency hemp edibles, hemp-derived topical products, hemp fiber products, or hemp grain.

(f) **Lower-potency hemp edible.** A “lower-potency hemp edible” means any product that:

- (1) is intended to be eaten or consumed as a beverage by humans;
- (2) contains hemp concentrate or an artificially derived cannabinoid; in combination with food ingredients;
- (3) is not a drug;
- (4) consists of servings that contain no more than five milligrams of delta-9 tetrahydrocannabinol, 25 milligrams of cannabidiol, 25 milligrams of cannabivarin, or any combination of those cannabinoids that does not exceed the identified amounts;
- (5) does not contain more than a combined total of 0.5 milligrams of all other cannabinoids per serving;
- (6) does not contain an artificially derived cannabinoid other than delta-9 tetrahydrocannabinol;
- (7) does not contain a cannabinoid derived from cannabis plants or cannabis flower; and
- (8) is a type of product approved for sale by the office or is substantially similar to a product approved by the office, including



but not limited to products that resemble nonalcoholic beverages, candy, and baked goods.

(g) **Public place.** A “public place” means a public park or trail, public street or sidewalk, any enclosed, indoor area used by the general public, including, but not limited to, theaters, restaurants, bars, food establishments, places licensed to sell intoxicating liquor, wine, or malt beverages, retail businesses, gyms, common areas in buildings, public shopping areas, auditoriums, arenas, or other places of public accommodation.

(h) **Place of public accommodation.** “Place of public accommodation” means a business, refreshment, entertainment, recreation, or transportation facility of any kind, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.”

(i) **Exceptions to the definition of public place or place of public accommodation.** “A public place” or “a place of public accommodation” does not include the following:

- (1) a private residence, including the individual’s curtilage or yard.
- (2) a private property, not generally accessible by the public, unless the individual is explicitly prohibited from consuming cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products on the property by the owner of the property; or
- (3) on the premises of an establishment or event licensed to permit on-site consumption.

(j) **Smoking.** “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products. Smoking includes carrying or using an activated electronic delivery device for human consumption through inhalation of aerosol or vapor from the product.

### SECTION 3. PROHIBITED ACTS

**Subd. 1.** No person shall use cannabis flower, cannabis products, lower-potency hemp edibles, or hemp- derived consumer products in a public place or a place of public accommodation unless the premises is an establishment or event licensed to permit on-site consumption of adult-use cannabis flower and adult use cannabis products. *See Minnesota Session Law 2023, Chpt. 63, Art. 1, Sec. 9 codified as Minn. Stat. 342.09, subd. 1(2) and 342.09, subd.1 (7)(iii) and Art. 4, Sec. 19 codified as Minn. Stat. Sec. 152.0263, subd. 5.*

**Subd. 2.** No person shall vaporize or smoke cannabis flower, cannabis products, artificially derived cannabinoids, or hemp-derived consumer products in any location where the smoke, aerosol, or vapor would be inhaled by a minor. *Minnesota Session Law 2023, Chpt. 63, Art. 1, Sec. 9 codified as Minn. Stat. Sec. 342.09, subd. 1 (7)(b)(9).*

### SECTION 4. PENALTY

**Subd. 1. Criminal Penalty.** A violation of this ordinance shall be a petty misdemeanor punishable by a fine of up to \$300. Nothing in this ordinance shall prohibit the United States,

the State of Minnesota, or the County from investigating or prosecuting any other activity that is a crime under any other federal or state statute or county ordinance.

**Subd.2.** An alleged violation or violation of this ordinance may be investigated by a peace officer as defined in Minn. Stat. 626.84, Subd. 1. Any alleged violation or violation of this ordinance shall be prosecuted by the Office of the \_\_\_\_\_ County Attorney.

**SECTION 5. SEVERABILITY**

If any section or provision of this ordinance is held invalid, such invalidity will not affect any other section or provision that can be given force and effect without the invalidated section or provision.

**SECTION 6. EFFECTIVE DATE**

This ordinance shall be in full force and effect immediately from and after its passage and publication as required by law.

ADOPTED by the \_\_\_\_\_ County Board of Commissioners this \_\_\_\_\_ day of \_\_\_\_, 2023.

\_\_\_\_\_  
\_\_\_\_\_ County Board Chair

Attest: \_\_\_\_\_  
\_\_\_\_\_ County \_\_\_\_\_

We have prepared a quote for you



## Laptop

---

Quote # 003009 Version 1

Prepared for:

City of Mantorville

**JOINT VENTURES MEETING**  
**7:00 am Thurs, July 27, 2023**  
High School Community Forum Room

**K-M Schools**

Mark D. Matuska (Superintendent)  
Broc Threinen (Activities Director)  
JJ Williams (Operations Manager)  
Christian Unger (Grounds)  
Matt Wiley (Grounds)

**City of Kasson**

Chris McKern (Mayor)  
Ryan Christensen (City Council)  
Ben Langan (Park and Rec)

**City of Mantorville**

Chuck Bradford (Mayor)  
Joe Adams (Public Works)  
Mike Peck (Park Board)  
Wade Schroeder (Public Works)

**AGENDA:**

1. Approve [5.4.23 minutes](#)
2. [Budget update as of 7.26.23](#)
3. Updates on approved purchases
  - a. [East Diamond Park Batting Cage](#) Chris/Ben
4. Other projects being considered
  - a. Mantorville Park basketball courts and portable ice hockey rink update Joe
  - b. [Baseball Scoreboard](#) update
    - i. Broc: The baseball scoreboard is on hold as I haven't heard anything from their board.
5. Other items?
6. Next JV meeting - Oct/Nov timeline
7. Adjourn

# JOINT VENTURES MEETING

7:00 am Thurs, May 4, 2023

High School Community Forum Room

---

**Present: K-M Schools**

Mark D. Matuska (Superintendent)  
Broc Threinen (Activities Director)  
Matt Franke (Baseball Coach)

---

**City of Kasson**

Chris McKern (Mayor)  
Ryan Christensen (City Council)

---

**City of Mantorville**

Chuck Bradford (Mayor)  
Joe Adams (Public Works)  
Mike Peck (Park Board)  
Wade Schroeder (Public Works)

---

**Absent:** Matt Wiley (Grounds)

Christian Unger (Grounds)

JJ Williams (Operations Manager)

Ben Langan (Park and Rec)

Ryan made a motion, seconded by Broc to approve the [2.8.23 minutes](#). The motion passed unanimously.

Broc made a motion, seconded by Mayor McKern to approve the [Budget update](#). The motion passed unanimously.

Broc provided updates on approved purchases. The portable picnic tables at Softball Concessions are installed and getting good use. The portable pitching mounds at North 2 and Manor are installed and working well.

Other projects being considered:

- 1) [East Diamond Park Batting Cage](#) Rick met with Ben who met with the city engineer. Plenty of space and can move closer to the fence. No utility concern. Desire north park batting cage style. Price drop from 12k to 8k, includes nylon netting. Turf is the most expensive part, so they're seeking used from somewhere. Timeline: one month to receive equipment, start assembly July/Aug this summer. No timeline yet available on the additional field planned there. Approx 21k total minus 5k donation. Will be softball/baseball friendly. Motion for 16k from Ryan made a motion, seconded by Mayor Bradford to approve \$16,000 for this project. Check should be made out to the City of Kasson.
- 2) Mantorville Park basketball courts and portable ice hockey rink  
Joe reports that the Hanson family grant for 3k will go toward asphalt and striping. The City of Mantorville has approved 5k. Total project cost approx 80k. Goal for completion is in three years. The Hockey boosters have not yet been approached. The location has updated LED lighting.
- 3) [Baseball Scoreboard Options Discussion](#)  
Pitch count is mandatory to track, so would be nice to include on the sign. Sponsorships would help cut cost. Boosters likely to contribute. Move current sign to upgrade Mantor Field or North 2. Four other teams use Mantor field. Will bring back after sponsors are lined up. Total cost 67k and 45k options. Six to seven weeks to make and ship.

The next Joint Ventures meeting will be scheduled in July.

Mayor McKern made a motion, seconded by Adam to adjourn at 7:32 a.m.

Respectfully submitted by,

Karlynn Brewington



# KASSON CITY / MANTORVILLE CITY / K-M SCHOOL JOINT VENTURE

as of July 26, 2023

## REVENUES

TOTAL FROM CITY OF KASSON	150,000.00	
TOTAL FROM CITY OF MANTORVILLE	75,000.00	
TOTAL FROM K-M SCHOOLS	165,000.00	
<b>TOTAL REVENUES</b>		<b>390,000.00</b>

## EXPENDITURE DISTRIBUTION BY GROUP (Includes Committed Dollars)

<b>Equipment-Shared by Members</b>	83,411.58	24.9%
<b>CITY OF KASSON</b>	84,235.14	25.1%
<b>CITY OF MANTORVILLE</b>	71,182.13	21.2%
<b>K-M SCHOOLS</b>	96,483.33	28.8%
<b>TOTAL EXPENDITURES</b>		<b>335,312.18</b>

**BALANCE IN THE JOINT VENTURE FUND: 54,687.82**

## REVENUES

CITY OF KASSON		CITY OF MANTORVILLE		SCHOOL	
DATE	AMOUNT	DATE	AMOUNT	DATE	AMOUNT
10/10/2008	10,000.00	11/19/2008	5,000.00	3/18/2009	10,000.00
6/3/2009	5,000.00	2/12/2010	2,500.00	6/30/2010	5,000.00
2/5/2010	5,000.00	11/12/2010	2,500.00	6/30/2011	5,000.00
1/19/2011	5,000.00	12/5/2011	2,500.00	6/30/2012	5,000.00
3/1/2012	5,000.00	6/19/2012	2,500.00	6/30/2013	5,000.00
2/14/2013	5,000.00	6/19/2012	2,500.00	6/30/2014	5,000.00
1/15/2014	5,000.00				
12/3/2014	5,000.00	8/1/2013	5,000.00	12/31/2014	10,000.00
9/14/2015	10,000.00	1/8/2016	5,000.00	12/31/2015	10,000.00
6/27/2016	10,000.00	8/8/2016	5,000.00	6/30/2016	10,000.00
3/13/2017	10,000.00	7/13/2017	5,000.00	6/30/2017	10,000.00
1/31/2018	15,000.00	4/5/2018	7,500.00	6/1/2018	15,000.00
1/18/2019	15,000.00	5/30/2019	7,500.00	6/30/2019	15,000.00
1/21/2020	10,000.00				
6/30/2020	5,000.00	6/23/2020	7,500.00	6/30/2020	15,000.00
2/11/2021	15,000.00	8-13-2021	7,500.00	6/30/2021	15,000.00
2-15-2022	15,000.00	7-20-22	7,500.00	6/30/2022	15,000.00
				6/30/2023	15,000.00
	150,000.00		75,000.00		165,000.00
	38.46%		19.23%		42.31%
<b>TOTAL JOINT VENTURE REVENUES</b>		<b>390,000.00</b>			

FEES INCREASED TO THIS NEW LEVEL FOR 5 YEARS PER 2-22-18 MINUTES



JOINT VENTURE EXPENDITURES			CAPITAL	MAINTENANCE
4/17/2009	FENCING		1,027.86	
4/24/2009	SEEDER		12,500.00	
7/20/2009	SCOREBOARD (Dennison Field)		771.46	
10/9/2009	ABEL SIGNS-PAINT CONCESSION WAGON		-	350
12/1/2010	BLEACHERS		4,391.09	
5/6/2011	AERAVATOR		13,750.00	
8/12/2011	TURFCO TOP DRESSER		15,000.00	
6/15/2012	BLEACHER BUNKER @ DENNISON FIELD		11,339.00	
11/30/2012	PORTABLE BLEACHERS		6,916.00	
5/31/2013	Aerator Tine Repairs			925.48
10/25/2013	Fencing @ Denison Field		2,322.92	
2/7/2014	Images-6x6' Aluminum Logo; 21 x 6 Vinyl logo		240.00	
2/7/2014	Midwest Fence Denison Field		7,883.00	
2/21/2014	Abel Signs-championship Baseball & Wrestling Signs		1,625.00	
4/25/2014	Wahl's Turf Brush & Spraying Kit		4,075.00	
6/13/2014	MIDWEST FENCE (KASSON NE)		8,280.00	
8/7/2014	Abel Signs (lettering for St. Championship sign)		75.00	
1/3/2015	aerator purchased by city -ron unger		3,692.00	
4/19/2015	Aerator Tine Repairs (bill hanson)			250.20
5/20/2016	Stussy Construction Inc (Pea Rock ES softball fields)		807.63	
summer 2016	Cmty Ed Preschool Playground		10,000.00	
10/7/2016	BEACON ATHLETICS (STEEL TURF ROLLER)		1,395.00	
10/7/2016	BEACON ATHLETICS (BATTING CAGE)		4,464.00	
FALL 2016	CITY OF MANTORVILLE / R&M STEEL (MANTOR FIELD UPGRADES)		10,882.75	
1/13/2017	WAHL'S ENTERPRISES (tines)			987.00
4/28/2017	Stussy Construction Inc (Mantor Field Improvements))		483.62	
6/2/2017	Southern MN Inspection Co (BB Boards & Mounting Kits)		282.75	
6/8/2017	City of Mantorville Mantor Field Upgrades		3,972.00	
6/22/2017	United Rentals Skid Steer Auger Bit & Power Unit			469.97
8/10/2017	Southern MN Inspection Co (BB Boards & Mounting Kits)		11,351.88	
9/21/2017	Welker Custom Homes (reimburse concrete for BB hoop install)		547.20	
10/4/2017	City of Mantorville (Hutton-Mantor Field Tiling)		15,000.00	
2/13/2018	Images - Joint Venture Plaques (PO 111438)		237.50	
	Soccer goal combo set install (Committed 11-29-17)		3,459.00	
10/3/2018	Lions Park Matching Grant (NOT YET PAID-but committed - 11-29-17 \$7500 December 2017 & \$7500 December 2018)		7,500.00	
6/30/2018	1ST TRANSFER TO K-M SCHOOL FOR BASEBALL & SOFTBALL LIGHTING PROJECT (5 YEAR COMMITMENT AT \$12,500 PER YEAR)		12,500.00	
7/4/2018	Fertilizer Spreader (Tractor Supply)		630.60	
10/3/2018	City of Mantorville-bathroom hand dryers		310.38	
4/24/2019	BSN - Baseball Field Fence Pad		4,000.00	
6/30/2019	2ND TRANSFER TO K-M SCHOOL FOR BASEBALL & SOFTBALL LIGHTING PROJECT (5 YEAR COMMITMENT AT \$12,500 PER YEAR)		12,500.00	
9/19/2019	City of Kasson Fencing @ North 2 Ball Field		5,300.00	
9/19/2019	KM Lions 2nd half of Lions Park Shelter		7,500.00	
10/3/2019	Sanco Equipment Z Sprayer		13,399.00	
10/9/2019	BSN Sports- Pro Mounds		1,239.00	
4/16/2020	MTI DISTRIBUTING (aerator tines)			309.75
6-30-2020	3rd TRANSFER TO K-M SCHOOL FOR BASEBALL & SOFTBALL LIGHTING PROJECT (5 YEAR COMMITMENT AT \$12,500 PER YEAR)		12,500.00	
8/6/2020	SOD CUTTER		750.00	
10/2/2020	BACKSTOP NORTH PARK		7,430.00	
2/19/2021	FERGUSON TRAILER (TRAILER FOR SPRAYER)		2,585.10	
6/30/2021	4th TRANSFER TO K-M SCHOOL FOR BASEBALL & SOFTBALL LIGHTING PROJECT (5 YEAR COMMITMENT AT \$12,500 PER YEAR)		12,500.00	
9/30/2021	LIONS PARK BASKETBALL COURT		19,000.00	
9-30-2021	LIONS PARK PICKLEBALL COURT PROJECT		20,244.14	
10-06-2021	DENNISON PARK JV MATCH (2-17-21) (50% MATCH OF \$30,000 FROM CITY OF MANTORVILLE) 10-06-21 ck 123482		15,000.00	
6-30-22	5th TRANSFER TO K-M SCHOOL FOR BASEBALL & SOFTBALL LIGHTING PROJECT (5 YEAR COMMITMENT @ \$12,500 PER YEAR)		12,500.00	
7-22-22	Braxton Raymond Memorial Park Signage		1,300.00	
3-17-23	Portable Pitching Mounds (Mantorville)		3,217.00	
3-17-23	Portable Pitching Mounds (Kasson)		1,257.00	
4-14-23	Green Treated Lumber (picnic tables)		125.90	
obligated 5-4-23	East Diamond Batting Cage		16,000.00	
<b>TOTAL EXPENSES</b>			<b>348,019.78</b>	<b>3,292.40</b>
			<b>351,312.18</b>	
Distribution of Funds (Includes Committed Dollars)				% of total
<b>Equipment-Shared by Members</b>				
Mantorville			83,411.58	24.9%
Kasson			71,182.13	21.2%
School			84,235.14	25.1%
			96,483.33	28.8%
			335,312.18	