

CHAPTER 375

COUNTY BOARDS

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375.01 MEMBERS, NUMBER OF.

Each county shall have a board of five commissioners who shall be known as the county board and whose terms of office shall be four years and until their successors qualify; but, in St. Louis, Hennepin, Anoka, and Ramsey counties the board shall consist of seven members.

History: 1981 c 241 s 1

375.055 COUNTY COMMISSIONERS' COMPENSATION.

Subdivision 1. **Fixed by county board.** The county commissioners in all counties of the state, except Hennepin and Ramsey counties, shall receive as compensation for services rendered by them for their respective counties, annual salaries and in addition may receive per diem payments and reimbursement for necessary expenses in performing the duties of the office as set by resolution of the county board, provided that the salary and schedule of per diem payments shall not become effective until January 1 of the next year. The resolution shall contain a statement of the new salary to be established set forth on an annual basis. The board may establish a schedule of per diem payments for service by individual county commissioners on any board, committee, or commission of county government including committees of the board, or for the performance of services by individual county commissioners when required by law. In addition to its publication in the official newspaper of the county as part of the proceedings of the meeting of the county board, the resolution setting the salary and schedule of per diem payments shall be published in one other newspaper of the county, if there be one located in a different municipality in the county than the official newspaper. The salary of a county commissioner or the schedule of per diem payments shall not change except in accordance with the provisions of this subdivision.

[For text of subds 4 to 6, see M.S.1980]

History: 1981 c 230 s 1

375.056 SEVEN-MEMBER BOARD.

Any county with a population of 100,000 or more according to the last federal decennial census may by resolution of its county board provide for a seven-member board of county commissioners. A certified copy of the resolution of the county board of any county choosing to exercise this option shall be transmitted to the secretary of state, and the county commissioner districts shall be redistricted by the county board in accordance with section 375.025.

History: 1981 c 230 s 2

375.09 MAY NOT HOLD OTHER OFFICE; NO INTEREST IN CONTRACT; VIOLATION; MALFEASANCE.

No county commissioner shall be appointed or elected by the board of which he is a member to any office or position of trust or emolument nor employed by the county in which he is a commissioner, and no commissioner shall receive any money or other valuable thing as a condition of voting or inducement to vote for any contract or other thing under consideration by the board, or become a party to, or directly or indirectly interested in, any contract made by the board; and every appointment or election made and every contract or payment voted for or made contrary to the provisions of this section shall be void. Any violation of the provisions of this section shall be a malfeasance in office.

History: 1981 c 163 s 1

375.167 NONPROFIT LEGAL ASSISTANCE CORPORATIONS.

Subdivision 1. **Appropriations.** Notwithstanding the provisions and limitations of section 275.09, and any other law to the contrary, the county board of any county may appropriate from the general revenue fund to any nonprofit corporation a sum not to exceed one-fourth of a mill on the dollar of the taxable valuation of the county for the purpose of providing legal assistance to persons who are unable to afford private legal counsel. This levy shall not be subject to the levy limits established by sections 275.50 to 275.59 or First Special Session Laws 1981, Chapter 1, Article 5, Sections 3 to 7 and shall be disregarded in the calculation of levies subject to them.

[For text of subd 2, see M.S.1980]

History: 1Sp1981 c 1 art 5 s 10

375.17 PUBLICATION OF FINANCIAL STATEMENTS.

Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account, under the form and style prescribed by and on file with the state auditor, which prescribed form and any changes or modifications thereof shall so far as practical be uniform for all counties and shall be approved by the attorney general and the state printer and within 30 days thereafter shall cause the same to be published for one issue in some newspaper within the county, which newspaper must be a duly qualified legal newspaper, as provided by law. The county board may also refrain from publishing an itemized account of amounts paid out, to whom and for what purpose to the extent that the published proceedings of the county board contain such information, provided that all disbursements aggregating \$5,000 or more to any person are set forth in a schedule of major disbursements showing amounts paid out, to whom and for what purpose and are made a part of, and published with, the financial statement. The county board may refrain from publishing the names and amounts of salaries and expenses paid to employees but shall publish the totals of disbursements for salaries and expenses. The county board may refrain from publishing the names of persons receiving poor relief or direct relief and the amounts paid to each, but the totals of the disbursements for such purposes must be published. In addition to the publication thereof in the newspaper designated by the board as the official newspaper for publication of the financial statement, the same shall be published in one other newspaper of the

county, if there be one located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each publication. Insofar as any provision of this section is inconsistent with the provisions of section 393.07, the provisions of that section shall prevail.

History: 1981 c 320 s 1

375.192 REDUCTIONS IN ASSESSED VALUATION OF REAL PROPERTY.

[For text of subd 1, see M.S.1980]

Subd. 2. Notwithstanding section 270.07, upon written application by the owner of the property, where such application seeks a reduction in estimated market value not in excess of \$2,000, the county board may grant such reduction or abatement of estimated market valuation or taxes and of any costs, penalties or interest thereon as said board may deem just and equitable and to order the refundment in whole or in part of any taxes, costs, penalties or interest thereon which have been erroneously or unjustly paid. Such application must be approved by the county assessor, or if the property is located in a city of the first class or city of the second class having a city assessor, by such assessor, and by the county auditor prior to consideration by the county board. The methods of obtaining a reduction or abatement of ad valorem values contained in subdivisions 1 and 2 shall be in addition to the method provided in Minnesota Statutes 1965, Section 270.07.

[For text of subd 3, see M.S.1980]

History: 1Sp1981 c 1 art 8 s 17

375.20 QUESTIONS SUBMITTED TO VOTE; BALLOT.

When the county board is authorized to do any act, incur any debt, appropriate money for any purpose, or exercise any other power or authority, only when authorized to do so by a vote of the people, the question to be voted upon may be submitted at a special or any general election, by a resolution specifying the matter or question to be voted upon; and, if it is to authorize the appropriation of money, creation of a debt, or levy of a tax, shall state the amount thereof. Notice of the election shall be given as in the case of special elections; and, if the question submitted is adopted, the board shall pass an appropriate resolution to carry it into effect. In all such elections the form of the ballot shall be: "In favor of (here state the substance of the resolution to be submitted), Yes No.....," with a square opposite each of the words "yes" and "no," in one of which the voter shall mark an "X" to indicate his choice. The county board may call a special county election upon any such question to be held within 60 days after a resolution to that effect is adopted by the county board. Upon the adoption of the resolution the county auditor shall post and publish notices of the election, as required by section 204D.22, subdivisions 2 and 3. The election shall be conducted and the returns canvassed in the manner prescribed by sections 204D.20 to 204D.27, so far as practicable.

History: 1981 c 29 art 7 s 34

375.21 CONTRACTS OF COUNTY BOARDS.

Subdivision 1. When required by the dollar limitations provided by section 471.345, a contract for work or labor, or for the purchase of furniture, fixtures, or other property, or for the construction or repair of roads, bridges, or buildings shall be made by a county board only after advertising for bids or proposals in a

qualified legal newspaper of the county. If, for the purchase of property or for work and labor, two weeks published notice that proposals will be received, stating the time and place, shall be given. If, for the construction or repair of roads, bridges, or buildings, three weeks published notice shall be given. The notice shall state the time and place of awarding the contract and contain a brief description of the work. Every such contract shall be awarded to the lowest responsible bidder and duly executed in writing, and the person to whom the same is awarded shall give a sufficient bond to the board for its faithful performance. If no satisfactory bid is received, the board may readvertise. An advertised standard requirement price contract for supplies or services established by competitive bids may contain an escalation clause and may provide for a negotiated price increase or decrease. The escalation or negotiated change shall be based upon a demonstrable industry-wide or regional increase or decrease in the vendor's costs. Every contract made without compliance with the provisions of this section shall be void. In case of an emergency arising from the destruction or impassability of roads or bridges by floods, rain or snow, or other casualty, or from the breaking or damaging of any county property, where the public interests would suffer by delay, such contracts for purchase or repairs may be made without advertising for bids, but in such case the action of the board shall be recorded in its official proceedings.

History: 1981 c 45 s 1

375.335 REGIONAL LIBRARIES.

[For text of subs 1 to 3, see M.S.1980]

Subd. 4. **Property.** All property given, granted, conveyed, donated, devised or bequeathed to, or otherwise acquired by any regional library board or any regional public library system board however created shall vest in, and be held in the name of, the regional library board or regional public library system board. Any conveyance, grant, donation, devise, bequest, or gift made to, or in the name of, any regional library or public library system shall be deemed to have been made directly to the regional public library system board.

Subd. 5. **Ratification.** All property heretofore given, granted, conveyed, donated, devised, bequeathed to, or otherwise acquired by any regional library board or any regional public library system board however created is hereby validated, ratified and confirmed as the property of the board.

Subd. 6. **Ratification.** Any multicounty regional library heretofore created, and the agreements creating them, are hereby validated, ratified, and confirmed and the benefits of subdivisions 1 to 6 shall hereafter apply to these libraries.

History: 1981 c 358 art 6 s 34-36

375.58 JURISDICTION.

[For text of subs 1 and 2, see M.S.1980]

Subd. 3. At the option of the county board, the following positions may be excluded from the jurisdiction of the county personnel department:

- (a) Any or all positions subject to merit systems established pursuant to sections 12.22, subdivision 3, 144.071, 256.012, and 387.31 to 387.45;
- (b) Positions designated as temporary or seasonal;
- (c) Positions held by special deputies and volunteers serving without pay;
- (d) Positions held by students in training.

History: 1981 c 317 s 2

375.62 CIVIL SERVICE AND MERIT SYSTEM RELATIONSHIPS.

Unless a county board has elected to exclude any or all positions otherwise subject to merit systems established pursuant to sections 12.22, subdivision 3, 144.071, 256.012, and 387.31 to 387.45, from the jurisdiction of the personnel department, the provisions of sections 12.22, subdivision 3, 144.071, 256.012, and 387.31 to 387.45 and any rules and regulations promulgated pursuant to those sections shall be superseded insofar as they are inconsistent; provided that no positions subject to merit systems established pursuant to sections 12.22, subdivision 3; 144.071; and 256.012, shall be removed from existing merit system coverage and placed under a personnel department established pursuant to sections 375.56 to 375.71, until that personnel department is certified in accordance with the United States office of personnel management's standards for a merit system of personnel administration. Nothing in section 387.43, shall be construed to prohibit the inclusion of sheriff's department personnel in a personnel system established pursuant to sections 375.56 to 375.69.

History: 1981 c 317 s 3