

## CHAPTER 387

## SHERIFF

387.20 Salaries; appeals.  
387.212 Contingent fund.

**387.20 SALARIES; APPEALS.**

*[For text of subds 1 to 6, see M.S.1984]*

Subd. 7. The sheriff, if dissatisfied with the action of the county board in setting the amount of his or her salary or the amount of the budget for the office of sheriff, may appeal to the district court on the grounds that the determination of the county board in setting such salary or budget was arbitrary, capricious, oppressive or without sufficiently taking into account the extent of the responsibilities and duties of said office, and his or her experience, qualifications, and performance. The appeal shall be taken within 15 days after the date of the resolution setting such salary or budget by serving a notice of appeal on the county auditor and filing same with the clerk of the district court. The court either in term or vacation and upon ten days notice to the chairman of the board shall hear such appeal. On the hearing of the appeal the court shall review the decision or resolution of the board in a hearing de novo and may hear new or additional evidence, or the court may order the officer appealing and the board to submit briefs or other memoranda and may dispose of the appeal on such writings. If the court shall find that the board acted in an arbitrary, capricious, oppressive or unreasonable manner or without sufficiently taking into account the extent of the responsibilities and duties of the office of the sheriff, his or her experience, qualifications, and performance, it shall make such order to take the place of the order appealed from as is justified by the record and shall remand the matter to the county board for further action consistent with the court's findings. After determination of the appeal the county board shall proceed in conformity therewith.

*[For text of subd 8, see M.S.1984]*

**History:** 1985 c 281 s 10

**387.212 CONTINGENT FUND.**

The board of county commissioners in any county may create a sheriff's contingent fund and may credit thereto not more than \$3,000. The money in such fund may be used for the advancement and reimbursement of expenses of the sheriff and his office. Such moneys shall be disbursed by the county treasurer in accordance with rules and regulations prescribed by the board. Any balance remaining at the end of the year shall be transferred to the revenue fund.

**History:** 1985 c 82 s 1