

**641.265 ADMISSION; WITHDRAWAL OF COUNTIES.**

Subdivision 1. **Admission.** A county which could cooperate in a regional jail system under the provisions of section 641.262, subdivision 1, but has not cooperated in its formation, may acquire an interest in the regional jail if the county board of each of the cooperating counties decides, by majority vote, to admit the county. With the approval of the county board of each cooperating county, the regional jail board shall fix the terms and conditions upon which an additional county may acquire an interest in the regional jail. A county acquiring such an interest has all of the rights, privileges, duties, and obligations provided by sections 641.261 to 641.266, provided that as a condition for admission the county may be required to pay initially or annually a sum sufficient to reimburse to the other cooperating counties part or all of the additional county's proportionate share of amounts theretofore paid by the other counties with respect to capital cost, debt service, or lease rentals, based on the relative populations of the respective counties according to the last federal or state census preceding admission.

Subd. 2. **Withdrawal.** A county board may withdraw from cooperation in a regional jail system in accordance with the terms of a joint powers agreement. With the approval of the county board of each cooperating county, the regional jail board shall fix the sum, if any, to be paid to the county withdrawing, to reimburse it for capital cost, debt service, or lease rental payments made by the county prior to withdrawal, in excess of its proportionate share of benefits from the regional jail prior to withdrawal, and the time and manner of making the payments. The payments shall be deemed additional payments of capital cost, debt service, or lease rentals to be made proportionately by the remaining counties and, when received, shall be deposited in and paid from the regional jail fund; provided that:

(1) payments shall not be made from any amounts in the regional jail fund which are needed for maintenance and operation expenses or lease rentals currently due and payable; and

(2) the withdrawing county shall remain obligated for the payment of its proportionate share of any lease rentals due and payable after its withdrawal, in the event and up to the amount of any lease payment not made when due by one or more of the other cooperating counties.

**History:** 1963 c 452 s 5; 1980 c 597 s 11; 2007 c 54 art 6 s 18