CHAPTER 375

COUNTY BOARDS

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ORGANIZATION AND PROCEEDINGS

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. In Anoka, Hennepin, Ramsey, and St. Louis Counties the board shall have seven members.

History: *(650) RL s 419; 1974 c 576 s 1; 1981 c 241 s 1; 1984 c 629 s 2*

375.02 MS 1971 [Repealed, 1974 c 240 s 2]

375.025 COMMISSIONER DISTRICTS.

Subdivision 1. **Standards.** The redistricting plan in use in a county shall be used until a new plan is adopted in accordance with this section. Each county shall be divided into as many districts numbered consecutively as it has members of the county board. Commissioner districts shall be bounded by town,

municipal, ward, or precinct lines. Each district shall be composed of contiguous territory as regular and compact in form as practicable, depending upon the geography of the county involved and shall be as nearly equal in population as possible. No district shall vary in population more than ten percent from the average for all districts in the county, unless the result forces a voting precinct to be split. A majority of the least populous districts shall contain not less than a majority of the population of the county. A county may be redistricted by the county board after each federal census. When it appears after a federal census that the districts of the county are not in accord with the standards set forth in this subdivision, the county shall be redistricted by the county board within the times set in section 204B.135, subdivision 2. Before acting to redistrict, the county board, or a redistricting commission if one is appointed, shall publish three weeks' notice of its purpose, stating the time and place of the meeting where the matter will be considered, in the newspaper having the contract to publish the commissioners' proceedings for the county for the current year.

Subd. 2. **Voters rights.** Any qualified voter may apply to the district court of the county for a writ of mandamus (a) requiring the county to be redistricted if the county board has not redistricted the county within the time specified in subdivision 1, or (b) to revise the redistricting plan. Any application for revision of a redistricting plan filed with the county auditor that seeks to affect elections held in a year ending in two must be filed with the district court no later than one week before the first day to file for office in the year ending in "2." The district court may direct the county board to show cause why it has not redistricted the county or why the redistricting plan prepared by it should not be revised. On hearing the matter it may allow the county board additional time in which to redistrict the county or to correct errors in the redistricting plan. If it appears to the court that the county board has not been sufficiently diligent in performing its redistricting duties, the court may appoint a redistricting commission to redistrict the county in accordance with the standards set forth in subdivision 1 and any other conditions the court shall deem advisable and appropriate. If a redistricting commission is appointed, the county board shall be without authority to redistrict the county.

Subd. 3. **Redistricting commission.** The redistricting commission shall be composed of not less than five nor more than nine residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership. Members of the commission shall not be eligible for election to the county board until two years after the redistricting in which they participated becomes effective. Members shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission.

Subd. 4. **Redistricting plan; election following redistricting.** A redistricting plan whether prepared by the county board or the redistricting commission shall be filed in the office of the county auditor. A redistricting plan shall be effective on the 31st day after filing unless a later effective date is specified but no plan shall be effective for the next election of county commissioners unless the plan is filed with the county auditor not less than two weeks before the first date candidates may file for the office of county commissioner. One commissioner shall be elected in each district who, at the time of the election, is a resident of the district. A person elected may hold the office only while remaining a resident of the commissioner district or, after the last day to file for office during a year ending in "2," while remaining a resident of the county. The county board or the redistricting commission shall determine the number of members of the county board who shall be elected for two-year terms and for four-year terms to provide staggered terms on the county board. Thereafter, all commissioners shall be elected for four years. When a county is redistricted, there shall be a new election of commissioners in all the districts at the next general election except that if the change made in the boundaries of a district is less than five percent of the average of all districts of the

county, the commissioner in office at the time of the redistricting shall serve for the full period for which elected.

History: *1974 c 240 s 1; 1980 c 487 s 13; 1984 c 543 s 39; 1984 c 629 s 2; 1986 c 444; 1987 c 297 s 3; 1991 c 349 s 40,41; 1993 c 32 s 1; 2011 c 18 s 8,9*

375.03 TERMS IN NEW COUNTY OR IF BOARD ENLARGED.

Subdivision 1. **Staggering; vacancies.** In each new county, and in each county that has an increase of the number of commissioners, a commissioner shall be elected from each odd-numbered district for a term of two years, and from each even-numbered district for a term of four years. Thereafter all commissioners shall be elected for a term of four years, except that elections to fill vacancies shall be for the unexpired term only.

Subd. 2. **Except Ramsey County.** This section does not apply to Ramsey County.

History: *(652) RL s 421; 1951 c 102 s 1; 1973 c 524 s 1; 1974 c 435 art 7 s 1; 1975 c 280 s 1; 1976 c 181 s 2; 1984 c 629 s 2; 1986 c 444; 1991 c 326 s 18*

375.04 TIE DETERMINED BY LOT.

If two or more persons have an equal and the highest number of votes for the office of county commissioner in a district, the auditor shall give written notice to them to attend at the auditor's office at a time specified. The auditor shall then and there, in their presence, publicly decide by lot which shall be declared elected. The person selected shall be the commissioner from the district.

History: *(653) RL s 422; 1984 c 629 s 2; 1986 c 444*

375.05 MS 1965 [Repealed, 1967 c 716 s 5]

375.055 COUNTY COMMISSIONERS' COMPENSATION.

Subdivision 1. **Fixed by county board.** (a) The county commissioners in all counties, except Hennepin and Ramsey, 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. The salary and schedule of per diem payments shall not be effective until January 1 of the next year. The resolution shall contain a statement of the new salary 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 is 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 this subdivision.

(b) Notwithstanding paragraph (a), a resolution adopted by the county board to decrease commissioners' salaries or per diem payments may take effect at any time.

Subd. 2. MS 1965 [Repealed, 1967 c 716 s 5]

Subd. 3. MS 1974 [Repealed, 1975 c 301 s 16]

Subd. 4. **Inconsistent provisions superseded.** Except as otherwise herein provided, all acts or parts of acts, which relate to salaries of county commissioners, in any county having a population of less than 100,000 according to the 1960 federal census, are superseded as of January 1, 1969 insofar as they are inconsistent with this section.

Subd. 5. **Other benefits.** Except as provided herein nothing in this section shall limit the right of a county commissioner to collect and retain any fees, per diem payment made pursuant to subdivision 1, or any mileage or expense allowance, or reimbursement of expenses in attending meetings or in the conduct of the business of a board, commission or committee of county government on which the commissioner serves, which the commissioner is now authorized by any other law to collect and retain in addition to the stated annual salary; or to participate in any group insurance program instituted by the county board for county officers and employees. Members of the county board shall not receive a per diem for service on the board of auditors, the board of equalization, or the canvassing board.

Subd. 6. **Validation.** The salary heretofore paid any county commissioner under any existing law insofar as it is inconsistent with this section, which may be found to be unconstitutional or invalid for any reason by a court, is legalized and made valid.

Subd. 7. MS 1949 [Repealed, 1951 c 327 s 6]

Subd. 7. MS 1965 [Repealed, 1967 c 716 s 5]

Subd. 8. **Training expenses.** The county board may reimburse a newly elected county commissioner for expenses incurred prior to assuming office for attendance at a training or education program which will familiarize the commissioner with official duties.

History: *1945 c 526 s 1,2, 4-6; 1947 c 259 s 1; 1949 c 423 s 1; Ex1959 c 4 s 1; 1967 c 716 s 1-3; 1969 c 1133 s 1; 1975 c 301 s 7,8; 1981 c 230 s 1; 1984 c 629 s 2; 1985 c 109 s 5; 1986 c 444; 2009 c 152 s 8*

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. The county commissioner districts shall be redistricted by the county board in accordance with section 375.025.

History: *1981 c 230 s 2; 1984 c 629 s 2*

375.057 SPECIAL ACTS PROVIDING FOR PAYMENT OF PER DIEMS.

Any special act for a single county or group of counties providing for the payment of per diems to county commissioners is superseded to the extent that it is inconsistent with Laws 1975, chapter 301, sections 1 to 14. This section does not apply to Hennepin, Ramsey, and St. Louis Counties.

History: *1975 c 301 s 15; 1984 c 629 s 2*

375.06 COMPENSATION FOR COMMITTEE WORK; TRAVEL EXPENSES.

Subdivision 1. **Per diem, travel expense.** The members of the county boards in counties other than Hennepin, Ramsey, and St. Louis, may be paid a per diem pursuant to section 375.055, subdivision 1, for each day necessarily occupied in the discharge of their official duties while acting on any committee under the direction of the board, and may be paid their actual and necessary traveling expenses in accordance with

section 471.665 for travel incurred in the discharge of the committee work. Any committee may be comprised of all of the members of the county board.

The members of the county boards in addition to any compensation authorized for their duties may be allowed and paid their actual and necessary traveling expenses in accordance with section 471.665 for travel incurred in attending meetings of the board. The chair of the county board may receive mileage reimbursement in accordance with section 471.665 for going to the county seat to sign warrants during recess of the county board.

Subd. 2. **Travel reimbursement conditions.** If a county commissioner is authorized to be reimbursed for traveling expenses while performing official duties as a county commissioner or while serving on a board, commission or committee, the reimbursement shall be limited to expenses actually paid or incurred. If authorized to be paid mileage or receive reimbursement for expenses in performing a duty and the commissioner uses a private automobile, the commissioner may be reimbursed for its use at not more than the rate specified for reimbursement in section 471.665 for each mile actually traveled. This subdivision does not supersede any law specifying a maximum mileage or expense allowance for a commissioner or for all commissioners on a county board.

History: *(657) 1907 c 296 s 1; 1911 c 283 s 1; 1913 c 456 s 1; 1951 c 487 s 1; 1957 c 612; 1963 c 387 s 4; 1965 c 286 s 1; 1967 c 716 s 4; 1975 c 301 s 9; 1984 c 629 s 2; 1986 c 444*

375.065 MEETINGS, PAY.

A member of the county board of a county who is paid a salary that is more than 50 percent of the salary of the governor may not be paid any amount, by per diem or otherwise, except as reimbursement for expenses, for attendance at meetings related to the business of any local government unit.

History: *1990 c 460 s 6*

375.07 MEETINGS; QUORUM.

The board shall meet at the county seat for the transaction of business on the first Tuesday after the first Monday in January, and may meet on other days and at other locations within the county it prescribes as necessary for the interests of the county. A majority shall constitute a quorum, and no business shall be done unless voted for by a majority of the whole board, but less than a majority may adjourn. Sessions shall be called by a majority of the board and the clerk shall give at least ten days' notice of them to each of the commissioners.

History: *(658) RL s 424; 1982 c 435 s 1; 1984 c 629 s 2; 2005 c 42 s 1*

375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.

(a) Except as provided in paragraph (b) or section 375.081, when a vacancy occurs in the office of an elected county auditor, county treasurer, county recorder, sheriff, county attorney, county surveyor, or coroner, the county board must fill it by appointment at a regular or special meeting. A person appointed to a vacancy pursuant to this paragraph must give the bond and take the oath required by law, and serve the remainder of the term, and until a successor qualifies.

(b) When a vacancy occurs in the office of sheriff or county attorney less than 84 days before the state primary in the year preceding the end of the term, the county board may fill the vacancy by appointment at a regular or special meeting. A person appointed to fill a vacancy pursuant to this paragraph serves only until the successor is elected. The person elected at the general election to the office for the ensuing term

must take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.

(c) When a vacancy occurs in an office that has a chief deputy or first assistant, the chief deputy or first assistant may perform all the duties and functions of the office until it is filled by appointment by the county board.

History: *(659) RL s 425; 1939 c 153; 1976 c 181 s 2; 1978 c 706 s 65; 1984 c 629 s 2; 1986 c 444; 1Sp2019 c 10 art 2 s 17; 2024 c 112 art 2 s 70*

375.081 VACANCY IN OFFICE OF SHERIFF OR COUNTY ATTORNEY; OPTIONAL SPECIAL ELECTION.

As an alternative to the appointment procedure provided in section 375.08, a vacancy in the office of sheriff or county attorney may be filled at a special election as provided in this section. The county board may, by resolution, call for a special election to be held on a date authorized by section 205.10, subdivision 3a. The person elected at the special election must take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and must serve the remainder of the unexpired term. This section does not apply to a vacancy that occurs less than 84 days before the state primary in the year preceding the end of the term.

History: *2024 c 112 art 2 s 71*

375.09 COMMISSIONER'S MALFEASANCE; AFFECTED ACTIONS ARE VOID.

Subdivision 1. **No county employment or other elected office.** No county commissioner shall hold another elected office during tenure as commissioner nor be employed by the county.

Subd. 2. **No bribery.** 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.

Subd. 3. **Affected elections, contracts, votes to pay are void.** Every election and every contract or payment voted for or made contrary to this section is void.

Subd. 4. **Violation is malfeasance.** Any violation of this section is a malfeasance in office.

History: *(778) RL s 447; 1981 c 163 s 1; 1984 c 629 s 2; 1986 c 399 art 1 s 19; 1986 c 416 s 1; 1986 c 444*

375.10 MS 1974 [Repealed, 1975 c 280 s 3]

375.101 VACANCY IN OFFICE OF COUNTY COMMISSIONER.

Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided in subdivision 3, a vacancy in the office of county commissioner may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election. The county board may by resolution call for a special election to be held on a date authorized by section 205.10, subdivision 3a.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

Subd. 2. **When victor seated immediately.** If a vacancy for which a special election is required occurs less than 120 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at that election for the ensuing term who shall take office immediately after receiving the certificate of election, filing the bond and taking the oath of office.

Subd. 3. **Inability or refusal to serve.** In addition to the events specified in section 351.02, a vacancy in the office of county commissioner may be declared by the county board when a commissioner is unable to serve in the office or attend board meetings for a 90-day period because of illness, or because of absence from or refusal to attend board meetings for a 90-day period. If any of the preceding conditions occurs, the county board may, after the board by resolution has declared a vacancy to exist, make an appointment to fill the vacancy at a regular or special meeting for the remainder of the unexpired term or until the ill or absent member is again able to resume duties and attend county board meetings, whichever is earlier. If the original member is again able to resume duties and attend board meetings, the board shall by resolution so determine and remove the appointed officeholder and restore the original member to office.

Subd. 4. **Vacancies of less than one year; appointment option.** Except as provided in subdivision 3, and as an alternative to the procedure provided in subdivisions 1 and 2, any other vacancy in the office of county commissioner may be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. If one year or more remains in the unexpired term, a special election must be held under subdivision 1. If less than one year remains in the unexpired term, the county board may appoint a person to fill the vacancy for the remainder of the unexpired term, unless the vacancy occurs within 90 days of the next county general election, in which case an appointment shall not be made and the vacancy must be filled at the general election. The person elected to fill a vacancy at the general election takes office immediately in the same manner as for a special election under subdivision 1, and serves the remainder of the unexpired term and the new term for which the election was otherwise held.

Subd. 5. **County boards vacancy appointment; public hearing.** Before making an appointment to fill a vacancy under subdivision 4, the county board must hold a public hearing not more than 30 days after the vacancy occurs with public notice given in the same manner as for a special meeting of the county board. At the public hearing the board must invite public testimony from persons residing in the district in which the vacancy occurs relating to the qualifications of prospective appointees to fill the vacancy. Before making an appointment, the board also must notify public officials in the affected district on the appointment, including town board and city council members, and must enter into the record at the board meeting in which the appointment is made the names and addresses of the public officials notified. If after the public hearing, the board is unable or decides not to make an appointment under subdivision 4, it must hold a special election under subdivision 1, but the time period in which the election must be held begins to run from the date of the public hearing.

History: *1975 c 280 s 2; 1984 c 629 s 2; 1996 c 422 s 1; 2007 c 52 s 1,2; 2008 c 246 s 1,2; 2010 c 201 s 80,81; 2017 c 92 art 2 s 18*

375.11 BOARD SEAL; REBUTTABLE EVIDENCE OF BOARD PROCEEDINGS.

Subdivision 1. **Auditor's seal is board seal.** The seal of the county auditor shall be the seal of the board.

Subd. 2. **Authenticated proceedings are evidence.** Copies of its proceedings, authenticated as required by law, shall be prima facie evidence of them in all cases.

History: *(661) RL s 427; 1984 c 629 s 2*

375.12 PROCEEDINGS IN QUALIFIED PAPER WITHIN 30 DAYS; LET BY BID.

Subdivision 1. **Summary; in daily or weekly.** The county board shall have the official proceedings of its sessions published in a qualified newspaper of general circulation in the county. The publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year. If the county board determines that publication of a summary of the proceedings would adequately inform the public of the substance of the proceedings, the county board may direct that only a summary be published, conforming to the requirements of section 331A.01, subdivision 10. In each county whose population exceeds 600,000, the proceedings shall be published in a daily newspaper. The board may reject any offer if, in its judgment, the public interests require, and may then designate a newspaper without regard to any rejected offer. In any county whose population exceeds 50,000, and is less than 250,000, the proceedings may be published in one daily and one weekly newspaper at the county seat. If the official newspaper of the county ceases to exist for any reason except consolidation with another newspaper, the county board may designate another newspaper for the remainder of the year. The publication shall occur within 30 days of the meeting to which the proceedings relate.

Subd. 2. **Small claims totaled.** Individualized itemized accounts, claims or demands allowed by the county board pursuant to section 471.38, subdivision 1, need not be published pursuant to subdivision 1, if the amount allowed from each claim is $2,000 or less. The official proceedings following the itemization of accounts required shall contain a statement showing the total number of claims that did not exceed $2,000 and their total dollar amount.

History: *(662) RL s 428; 1907 c 447; 1941 c 507; 1947 c 161 s 1; 1949 c 69 s 1; 1967 c 532 s 1; 1971 c 532 s 1; 1978 c 743 s 14; 1979 c 252 s 3; 1982 c 572 s 1; 1984 c 543 s 40; 1984 c 629 s 2; 2004 c 182 s 28; 2009 c 152 s 9*

375.13 CHAIR.

The county board, at its first session in each year, shall elect from its members a chair and a vice-chair. The chair shall preside at its meetings and sign all documents requiring signature on its behalf. The chair's signature, attested by the clerk of the county board, shall be binding as the signature of the board. In case of the absence or incapacity of the chair, the vice-chair shall perform the chair's duties. If the chair or vice-chair are absent from any meeting, all documents requiring the signature of the board shall be signed by a majority of it and attested by the clerk.

History: *(663) RL s 429; 1937 c 165 s 1; 1978 c 743 s 15; 1982 c 435 s 2; 1984 c 629 s 2; 1986 c 444*

ADMINISTRATION AND FINANCE

375.14 OFFICES AND SUPPLIES FURNISHED FOR COUNTY OFFICERS.

The county board shall provide offices at the county seat for the auditor, treasurer, county recorder, sheriff, court administrator of the district court, and an office for the county engineer at a site determined by the county board, with suitable furniture and safes and vaults for the security and preservation of the books and papers of the offices, and provide heating, lighting, and maintenance of the offices. The board shall furnish all county officers with all books, stationery, letterheads, envelopes, postage, telephone service, office equipment, electronic technology, and supplies necessary to the discharge of their respective duties. The board is not required to furnish any county officer with professional or technical books or instruments

except when the board deems them directly necessary to the discharge of official duties as part of the permanent equipment of the office.

History: *(664) RL s 430; 1927 c 346; 1976 c 181 s 2; 1978 c 706 s 66; 1980 c 560 s 2; 1984 c 629 s 2; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1995 c 189 s 8; 1996 c 277 s 1; 2005 c 4 s 66; 2009 c 83 art 2 s 27*

375.15 DAMAGED RECORDS TRANSCRIBED.

If the records of any office named in section 375.14 are damaged so as to render any portion of them liable to become illegible, destroyed, or lost, the county board shall provide suitable books, and cause the records to be transcribed, so that the new volumes will correspond, in designation, letter or number, and page, to the original records. The fees for the work shall be fixed by the board, and shall not exceed seven cents per folio for the whole work done. Printed record books shall be used when practicable for both original and transcribed records.

History: *(666) RL s 432; 1984 c 629 s 2*

375.16 COUNTY APPROPRIATION FOR INCIDENTAL EXPENSES.

Subdivision 1. **Procedure.** At its regular meetings the county board may appropriate from the county revenue fund a sum to pay incidental expenses of county officers incurred for postage, and for necessary express, freight, telephone, telegraph, water, light, other utility charges, and the mileage and per diem of town officers making election returns, to be paid on the warrant of the county auditor upon the presentation of a properly itemized and verified bill. On considering the sum charged excessive, the county auditor shall file the bill, if requested by the person presenting it, for action by the board at its next meeting.

Subd. 2. **Except Hennepin County.** This section does not apply to Hennepin County.

History: *(665) RL s 431; 1907 c 390 s 1; 1919 c 305; 1947 c 149 s 1; 1957 c 55; 1961 c 538 s 1; 1973 c 100 s 1; 1979 c 198 art 4 s 13; 1984 c 629 s 2; 1986 c 444*

375.161 INCIDENTAL COSTS AND EXPENSES; CONTINGENT FUND.

Subdivision 1. **Up to $1,500.** In addition to the amount authorized by section 375.16, each county board may annually appropriate from the county revenue fund not more than $1,500 as a contingent fund for use by the county board to pay for incidental costs and expenses incurred by them in expediting the business of the county.

Subd. 2. **Special act.** Nothing in subdivision 1 shall operate to lessen the amount of a contingent fund available to the county board or the chair of a county board under the authority of a special act for a single county enacted before August 1, 1973.

Subd. 3. **Except Hennepin County.** This section does not apply to Hennepin County.

History: *1973 c 373 s 1; 1979 c 198 art 4 s 13; 1984 c 629 s 2; 1986 c 444*

375.162 IMPREST CASH FUNDS.

Subdivision 1. **Procedure.** The county board may establish one or more imprest funds for the payment in cash of any proper claim against the county which it is impractical to pay in any other manner. No claim for salary or personal expenses of a county officer or employee shall be paid from an imprest fund. The county board shall appoint a custodian of each imprest fund who shall be responsible for its safekeeping and disbursement according to law. Money for the operation of an imprest fund shall be secured by a warrant

issued on the general revenue fund. A claim itemizing all the various demands for which disbursements have been made from the fund shall be presented to the county board at the next county board meeting after the month in which the disbursements have been made. The county board shall act upon it as in the case of other claims and a warrant shall be issued to the custodian for the amount allowed. The custodian shall use the proceeds of the warrant to replenish the fund, and if the county board fails to approve the claim in full for any sufficient reason, the custodian shall be personally responsible for the difference.

Subd. 2. **For travel.** The county board may authorize an imprest fund for the purpose of advancing money to officers or employees to pay their actual and necessary expenses in attending meetings outside the county or for other travel that is related to the performance of their job duties. The county board shall appoint a custodian of the fund who shall be responsible for its safekeeping and disbursement according to law. Attendance at meetings and other travel outside the county shall be authorized in advance by the county board. At a meeting of the county board in the month after approved travel outside the county, the officer or employee shall submit an itemized claim for the actual and necessary expenses incurred and paid related to the approved travel. The county board shall act upon it as in the case of other claims and a warrant shall be issued to the officer or employee for the amount allowed. The officer or employee shall use the proceeds of the warrant to repay the amount advanced from the fund. If the amount approved by the county board is insufficient to repay the advance, the officer or employee shall be personally responsible for the difference.

History: *1974 c 254 s 1; 1984 c 629 s 2; 1986 c 444; 1993 c 315 s 8*

375.163 ASSOCIATION OF MINNESOTA COUNTIES; DUES, EXPENSES.

The county board may appropriate money to pay the annual dues of the county for membership in the Association of Minnesota Counties and the actual necessary expense of delegates designated by the county board to attend meetings of the association.

History: *1955 c 364 s 1; 1984 c 629 s 2*

375.164 BROADCAST FACILITIES.

The county board may appropriate annually from the county general revenue fund an amount necessary to fund the construction, acquisition, improvement, operation, or maintenance of a translator station or a noncommercial television broadcast facility to receive and transmit television broadcasting signals that can be received by residents of the county.

History: *1973 c 213 s 1; 1984 c 629 s 2; 1991 c 155 s 1*

375.165 COUNTY TRANSLATOR SYSTEMS; FUNDING.

Notwithstanding section 375.164, or any other contrary law, the county board of any county owning, operating or maintaining a translator system on April 14, 1976, may singly or jointly with contiguous counties appropriate from the general revenue fund an amount necessary to fund the construction, acquisition, improvement, maintenance and operations of a translator system either in or outside of the county to receive and transmit television broadcasting signals. The county may singly or jointly with contiguous counties acquire, by gift, lease or purchase, any real estate or interest in real estate upon the terms or conditions, including contracts for fees, it determines, either in or outside of the county, to establish, improve or operate a television translator system. No real estate located in another county may be acquired unless the county board of the county where the real estate is located approves the proposed acquisition. The county may issue

bonds in accordance with chapter 475, for the acquisition, construction or improvement of television translator systems and the acquisition of real estate for them.

History: *1976 c 249 s 17; 1984 c 629 s 2*

375.167 NONPROFIT LEGAL ASSISTANCE CORPORATIONS.

Subdivision 1. **Appropriations.** Notwithstanding any contrary law, a county board may appropriate from the general revenue fund to any nonprofit corporation a sum not to exceed 0.00604 percent of estimated market value to provide legal assistance to persons who are unable to afford private legal counsel.

Subd. 2. **Contiguous counties may combine appropriations.** Any two or more contiguous counties may by concurrent resolution of their county boards combine their appropriations to a single nonprofit corporation to serve the purpose of subdivision 1 in their counties.

History: *1974 c 321 s 1,2; 1Sp1981 c 1 art 5 s 10; 1982 c 489 s 1; 1984 c 593 s 39; 1984 c 629 s 2; 1987 c 384 art 2 s 1; 1988 c 719 art 5 s 84; 1989 c 277 art 4 s 32; 1994 c 505 art 2 s 4; 2013 c 143 art 14 s 52*

375.168 UNDERCOVER BUY FUND; EXPENDITURE OF MONEY BY COUNTIES.

A county board may appropriate money for investigation of criminal activity relating to receiving or selling stolen goods, including the setting aside of money for "buy funds."

History: *1982 c 536 s 4; 1984 c 629 s 2*

375.169 PUBLICATION OF SUMMARY BUDGET STATEMENT.

Annually, upon adoption of the county budget, the county board shall cause a summary budget statement to be published in the official newspaper of the county, or if there is none, in a qualified newspaper of general circulation in the county. The statement shall contain information relating to anticipated revenues and expenditures in a form prescribed by the state auditor. The form prescribed shall be designed so that comparisons can be made between the current year and the budget year. A note shall be included that the complete budget is available for public inspection at a designated location within the county.

History: *1984 c 543 s 41*

375.1691 JUDICIAL ORDER AFTER BUDGET PREPARATION.

Notwithstanding any law to the contrary, a judicial order compelling payment out of county funds shall not be paid unless approved by the county board, if a budget request for the item was not submitted to the county board prior to adoption of the budget in effect for the fiscal year. If the county board refuses to approve payment, the order may be paid in the first fiscal year for which a budget is approved after receipt of the order. This section does not apply to a judgment or other award against the county that is a result of litigation to which the county or a county official in an official capacity was a party.

History: *1988 c 719 art 6 s 15*

375.17 PUBLICATION OF FINANCIAL STATEMENTS.

Subdivision 1. **Statement contents; summaries.** 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. The prescribed form and any changes or modifications of it shall so far as practical be uniform for all counties. Annually the board shall publish the statement or a summary of the statement in a form as prescribed by the state auditor, for one issue in a duly qualified legal newspaper in the county.

Subd. 2. **Full statement; publication conditions.** If the board elects to publish the full statement, it may refrain from publishing:

(1) 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 the information, if 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;

(2) the names and amounts of salaries and expenses paid to employees but shall publish the totals of disbursements for salaries and expenses; and

(3) the names of persons receiving human services aid and the amounts paid to each, but the totals of the disbursements for those purposes must be published.

This subdivision does not apply to a summary published pursuant to subdivision 1.

Subd. 3. **Filing.** In addition to the publication in the newspaper designated by the board as the official newspaper for publication of the financial statement, the statement shall be published in one other newspaper, if one of general circulation is located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each publication. If a provision of this section is inconsistent with section 393.07, the provisions of that section shall prevail. The financial statement must be filed with the county auditor for public inspection.

History: *(667) RL s 433; 1907 c 205 s 1; 1933 c 410; 1941 c 370 s 1; 1945 c 170 s 1; 1947 c 235 s 1; 1957 c 543; 1973 c 492 s 7; 1975 c 278 s 1; 1979 c 252 s 4; 1980 c 379 s 1; 1981 c 320 s 1; 1984 c 543 s 42; 1984 c 629 s 2; 1993 c 158 s 3; 2004 c 182 s 29*

375.171 CREDIT CARDS.

A county board may authorize the use of a credit card by any county officer or employee otherwise authorized to make a purchase on behalf of the county. If a county officer or employee makes a purchase by credit card that is not approved by the county board, the officer or employee is personally liable for the amount of the purchase. A purchase by credit card must otherwise comply with all statutes, rules, or county policy applicable to county purchases.

History: *2000 c 328 s 1*

POWERS

375.18 GENERAL POWERS.

Subdivision 1. **Accounts, examination, settlement and allowance.** Each county board may examine and settle all accounts of the receipts and expenses of the county, and examine, settle, and allow all accounts, demands, and causes of action against the county, and, when so settled, issue county orders for them, as provided by law.

Subd. 1a. **Definition.** For purposes of this section, a "county administrative official" shall mean a county auditor, treasurer, auditor-treasurer, administrator, coordinator, manager, a clerk/administrator, or a senior fiscal officer.

Subd. 1b. **Delegation for paying certain claims.** A county board, at its discretion, may delegate its authority to pay certain claims made against the county to a county administrative official. County boards opting to delegate their authority to review claims before payment pursuant to this subdivision shall have internal accounting and administrative control procedures to ensure the proper disbursement of public funds. The procedures shall include regular and frequent review of the county administrative officials' actions by the board. A list of all claims paid under the procedures established by the county board shall be presented to the board for informational purposes only at the next regularly scheduled meeting after payment of the claim. A county board that delegates its authority to pay certain claims made against the county must adopt a resolution authorizing a specified county administrative official to pay the claims that meet the standards and procedures established by the board. This subdivision does not apply to a home rule charter county for which the county charter provides an alternative method for paying claims made against the county.

Subd. 1c. **Client-directed support program.** Notwithstanding any law to the contrary, a county board, at its discretion, and upon approval by the Department of Human Services, may implement a client-directed support program that authorizes responsible parties for county human services and public health clients to expend public funds for the benefit of the clients without complying with subdivision 1b or section 384.13, 471.38, or 471.391. County boards opting to implement the program according to this subdivision must have internal accounting and administrative control procedures to ensure proper disbursement of public funds. The procedures must include county-owned demand deposit accounts and periodic review of the program by the county board.

Subd. 2. **Manage property, funds, business.** Each county board may have the care of the county property, and management of the county funds and business, except in cases otherwise provided for, and make orders concerning them as it deems expedient.

Subd. 3. **Courthouse.** Each county board may erect, furnish, and maintain a suitable courthouse. No indebtedness shall be created for a courthouse in excess of an amount equal to a levy of 0.04030 percent of estimated market value without the approval of a majority of the voters of the county voting on the question of issuing the obligation at an election.

Subd. 4. MS 1984 [Repealed, 1985 c 169 s 18]

Subd. 5. MS 1984 [Repealed, 1985 c 169 s 18]

Subd. 6. MS 1984 [Repealed, 1985 c 169 s 18]

Subd. 7. **Transfer of surplus.** Each county board may transfer by a majority vote any surplus beyond the needs of the current year in any county fund to any other county fund to supply a deficiency in it.

Subd. 8. **Ag society, farm improvement association.** Each county board may appropriate to any county agricultural society of its county, which is a member of the state agricultural society, or to any farm improvement association organized by the citizens of two or more counties jointly to advance the agricultural interest of each of the counties, a sum of money not exceeding $1,000 each, annually. In any county where two county agricultural societies are members of the state agricultural society any appropriation so made shall be divided equally between them. In addition to the appropriation referred to above, if a county owns grounds and buildings used for agricultural fairs and other purposes, the county board, by a majority vote, may appropriate annually a sum of money equal to ten percent of the total value of the property to the

association or society having the management, control, and direction of agricultural fairs held there, to repair, maintain, improve, extend and alter the grounds and buildings.

Subd. 9. **County fair land.** Each county board may purchase or condemn land, with improvements on it, to hold agricultural fairs and exhibitions and appropriate money to pay for it, not exceeding $25,000. The county board may purchase or condemn land for holding fairs and exhibitions and appropriate money in payment for it in excess of $25,000 when authorized by a vote of the people. It may accept and receive a donation to be used to obtain lands for the purpose of holding agricultural fairs and exhibitions and in that case and for that purpose, without being authorized by a vote of the people, it may purchase or condemn lands not exceeding in value the amount of the donation; improve and erect structures on the lands, for which they may receive donations of money, materials or labor. It may lease the land from time to time to agricultural and other societies of similar nature and establish reasonable rules and regulations under which it may be used by the societies in the county. All structures and improvements made on the land by societies using it shall belong to the county.

All proceedings for the condemnation of the lands shall be under the provisions of chapter 117.

Subd. 10. **Veterans memorial.** Each county board may appropriate funds to erect or aid in erecting a monument or other memorial to the soldiers and sailors of the nation to be constructed in the county.

Subd. 11. **Railways.** Each county board may authorize by resolution any person, company, or corporation to construct and maintain railway lines to be operated by other than steam power upon any public road outside of cities not boulevarded or parked, for a period not exceeding 25 years, upon the terms as to use and occupation prescribed in the resolution. The use granted shall not interfere with the reasonable use of the road as a highway, and shall cease in case of the vacation of the road, unless proceedings to condemn are taken within six months after the vacation and diligently prosecuted. The railway and its property shall be subject to taxation by the methods and at the rate as the proper authorities may from time to time prescribe in accordance with law.

Subd. 12. **Land for public use.** Each county board may acquire by gift or purchase and improve land within the county, for use as a park, site for a building, or other public purpose, and, when required by the public interest, sell and convey it. The land may be paid for out of moneys in the county treasury not otherwise appropriated, or by issuing bonds of the county. The county board may acquire development rights in the form of a conservation easement under chapter 84C. The holder of the conservation easement may be determined by a governmental body.

Subd. 13. **Other powers in law.** Each county board may exercise the other powers conferred upon it by law.

Subd. 14. **Unauthorized deposit of solid waste.** Each county board may by ordinance:

(1) prohibit the deposit of solid waste within the county not otherwise authorized by law;

(2) require the owners or occupants of property to remove the unauthorized deposit of solid waste;

(3) if it is not removed, provide for removal of the solid waste at the owner's or occupant's expense; and

(4) provide for the expense to be a lien on the property and collected as a special assessment.

A county board may also seek civil penalties and damages from persons responsible for unauthorized deposit of solid waste under section 115A.99, which, if unpaid, may be imposed as a lien on property owned by the responsible persons and collected as a special assessment.

Subd. 15. **Community action agencies.** Each county board may appropriate county funds to and contract with a community action agency designated under section 142F.301 and located within the county. The money appropriated shall be spent for authorized purposes of the community action agency and as the county board may, by resolution, provide. A contract may be for the purchase, lease, sale or other acquisition or disposition of equipment, supplies, materials, or other property, including real property. The contract is not subject to statutory or ordinance provisions requiring public bidding or third-party intermediaries for the transfer of property.

History: *(668) RL s 434; 1911 c 89; 1911 c 255; 1913 c 94; 1913 c 347; 1913 c 478; 1915 c 219; 1917 c 347; 1919 c 125; 1919 c 139; 1921 c 337; 1941 c 130; 1947 c 637 s 1; 1951 c 82 s 1; 1973 c 123 art 5 s 7; 1973 c 773 s 1; 1977 c 347 s 56; 1977 c 442 s 15; 1980 c 597 s 1; 1984 c 629 s 2; 1986 c 399 art 1 s 20; 1986 c 416 s 2; 1988 c 719 art 5 s 84; 1989 c 277 art 4 s 33; 1Sp1989 c 1 art 20 s 24; 1993 c 42 s 1; 1993 c 315 s 9,10; 1994 c 412 s 4; 1Sp1995 c 3 art 16 s 13; 1999 c 243 art 5 s 35; 2002 c 271 s 1; 2005 c 98 art 1 s 24; 2013 c 143 art 14 s 53; 2017 c 9 s 1; 2024 c 80 art 6 s 4; 2024 c 115 art 16 s 43*

375.181 COUNTY BUILDING SITES.

If the board of county commissioners at any regular or extra meeting adopts and enters in the minutes of its proceedings a resolution declaring that it is necessary to acquire for the use of the county any land, describing it, to be used as a site for a courthouse or other public building or to enlarge the site of a courthouse or other public building already owned by the county, and the board of county commissioners is unable to purchase the land at a reasonable price, the land may be acquired by condemnation as provided in chapter 117.

History: *(6558) 1905 c 7 s 1; 1961 c 561 s 7; 1984 c 629 s 2*

375.182 NEGLECT OF DUTY.

Every member of the county board who shall neglect or omit to discharge any of the duties imposed by law shall be deemed guilty of a gross misdemeanor; and, upon conviction, punished by a fine of not less than $100, nor more than $3,000.

History: *(855) RL s 509; 1969 c 9 s 82; 1984 c 628 art 3 s 11*

375.19 ADDITIONAL POWERS.

A county board may accept for its county real or personal property by gift, bequest, devise, conveyance, or otherwise from any person whose care, support, treatment, or maintenance, in whole or part, is or may be chargeable to or furnished or provided by the county, and hold or dispose of it for the benefit of the county, as in the case of other county property. It may permit use of county equipment for soil conservation projects and make annual expenditures from the general revenue fund for soil conservation purposes.

History: *(669) 1923 c 241; 1947 c 255 s 1; 1951 c 645 s 1; 1969 c 637 s 1; 1974 c 72 s 1; 1984 c 629 s 2*

375.191 MS 1967 [Repealed, 1969 c 333 s 7]

375.192 REDUCTIONS OR ABATEMENTS OF VALUATION OR TAXES.

Subdivision 1. MS 1989 Supp [Repealed, 1990 c 604 art 3 s 65]

Subd. 2. **Procedure, conditions.** Upon written application by the owner of any property, the county board may grant the reduction or abatement of estimated market valuation or taxes and of any costs, penalties,

or interest on them as the board deems just and equitable and order the refund in whole or part of any taxes, costs, penalties, or interest which have been erroneously or unjustly paid. Except as provided in sections 469.1812 to 469.1815, no reduction or abatement may be granted on the basis of providing an incentive for economic development or redevelopment. Except as provided in section 375.194, the county board may consider and grant reductions or abatements on applications only as they relate to taxes payable in the current year and the two prior years; provided that reductions or abatements for the two prior years shall be considered or granted only for (i) clerical errors, or (ii) when the taxpayer fails to file for a reduction or an adjustment due to hardship, as determined by the county board. The application must include the Social Security number of the applicant. The Social Security number is private data on individuals as defined by section 13.02, subdivision 12. All applications must be approved by the county assessor, or, if the property is located in a city of the first or second class having a city assessor, by the city assessor, and by the county auditor before consideration by the county board, except that the part of the application which is for the abatement of penalty or interest must be approved by the county treasurer and county auditor. Approval by the county or city assessor is not required for abatements of penalty or interest. No reduction, abatement, or refund of any special assessments made or levied by any municipality for local improvements shall be made unless it is also approved by the board of review or similar taxing authority of the municipality. On any reduction or abatement when the reduction of taxes, costs, penalties, and interest exceed $10,000, the county board shall give notice within 20 days to the school board and the municipality in which the property is located. The notice must describe the property involved, the actual amount of the reduction being sought, and the reason for the reduction.

An appeal may not be taken to the Tax Court from any order of the county board made in the exercise of the discretionary authority granted in this section.

The county auditor shall notify the commissioner of revenue of all abatements resulting from the erroneous classification of real property, for tax purposes, as nonhomestead property. For the abatements relating to the current year's tax processed through June 30, the auditor shall notify the commissioner on or before July 31 of that same year of all abatement applications granted. For the abatements relating to the current year's tax processed after June 30 through the balance of the year, the auditor shall notify the commissioner on or before the following January 31 of all applications granted. The county auditor shall submit a form containing the Social Security number of the applicant and such other information the commissioner prescribes.

Subd. 3. **Homestead status.** Subject to the approval of the commissioner of revenue, the county board shall authorize the county auditor to grant the classification denied under section 272.115, subdivision 4, if a certificate of value has been filed with the county auditor. The county board shall not hear any requests under this subdivision after May 31 of the year in which the taxes are payable.

Subd. 4. **Delegation by county board.** Notwithstanding any law to the contrary, the county board may delegate to the county auditor any authority, power, or responsibility assigned to the county board in this section. If delegation is granted under this subdivision, the county board shall prescribe the conditions for the delegation and may revoke delegation without good cause or prior notice. If the county auditor holds elective office, no delegation shall be made under this subdivision unless the county auditor concurs in the delegation.

History: *1949 c 76 s 1; 1949 c 485 s 1; 1963 c 591 s 1; Ex1967 c 32 art 8 s 4; 1973 c 582 s 3; 1977 c 423 art 4 s 3; 1980 c 607 art 3 s 8; 1Sp1981 c 1 art 8 s 17; 1984 c 629 s 2; 1986 c 444; 1988 c 719 art 5 s 84; art 6 s 16; 1989 c 277 art 2 s 58; 1989 c 329 art 13 s 20; 1990 c 604 art 3 s 38; 1991 c 291 art 12 s 21; 1992 c 511 art 2 s 34; art 4 s 22; 1993 c 375 art 5 s 31; 1995 c 264 art 3 s 26; 1996 c 471 art 3 s 36; 1997 c 231 art 2 s 32; 1999 c 243 art 13 s 19; 2014 c 275 art 1 s 107*

375.193 MS 1982 [Repealed, 1984 c 503 s 6]

375.194 ECONOMIC DEVELOPMENT TAX ABATEMENT.

Subdivision 1. **Definitions.** For purposes of this section, the following terms have the meanings given them.

(a) "Eligible county" means a county whose county government average tax rate is at least 45 points higher than an adjacent neighboring county's county government average tax rate in the initial year that the tax abatement is granted on the eligible property. An eligible county cannot be one of the seven metropolitan counties under section 473.121, subdivision 4.

(b) "Neighboring county" means a county whose average county government tax rate is at least 45 points lower than the average county government tax rate of an adjacent county that is an eligible county, in the initial year that the tax abatement is granted.

(c) "Eligible property" means property located in an eligible county within 20 miles of the neighboring county and is either (i) commercial property classified under section 273.13, subdivision 24, whose estimated market value has increased by at least $400,000 from improvements made on that property by the taxpayer after January 2, 1996, or (ii) industrial property classified under section 273.13, subdivision 24, whose estimated market value has increased by at least $100,000 from improvements made on that property by the taxpayer after January 2, 1996.

(d) "Improvements" means (i) new construction, and (ii) rehabilitation, reconstruction, and additions to existing structures.

(e) "Maximum tax abatement" for any given year means the difference between (i) the eligible county's current year county government tax rate times the net tax capacity of the eligible property, and (ii) the neighboring county's current year county government tax rate times the net tax capacity of the eligible property.

(f) "Taxpayer" means the person who is responsible for payment of the property tax, including a lessee who pays the taxes on the eligible property.

Subd. 2. **Abatement authority.** The county board of an eligible county may enter into a written agreement with the taxpayer of eligible property to grant a property tax abatement to the taxpayer. The agreement must specify the percentage of the maximum tax abatement to be granted for each of the designated tax abatement years. The agreement must not provide a property tax abatement for any given year that exceeds the maximum tax abatement under subdivision 1, paragraph (e). The maximum length of the agreement is ten years. Even if the difference in the two county average tax rates in any given year is less than the required 45-point minimum, the agreement shall remain in effect for its duration. The agreement is binding unless both the eligible county's county board and the taxpayer mutually agree upon any changes in the agreement.

Subd. 3. **Abatement calculations.** The actual tax abatement shall be computed annually by the county auditor of the county in which the eligible property is located using (i) the difference between the eligible county's current year average county government tax rate and the neighboring county's current year average county government tax rate, and (ii) the percentage of the maximum tax abatement specified in the agreement.

If the improvements are made over two calendar years, the county board is allowed to grant the initial tax abatement based on improvements of less than the $100,000 estimated market value for industrial property and $400,000 estimated market value for commercial property, provided that the county board has finalized the agreement and is reasonably assured that the minimum dollar requirements provided in subdivision 1

will be met over the two-year time period. However, the agreement's ten-year maximum time period begins with the year the first abatement is granted.

Subd. 4. **Proposed and final property tax statements.** For purposes of determining the eligible property's taxes on the proposed property tax statement under section 275.065, the amount shown will be the amount before the deduction of the tax abatement under subdivision 3. The property taxes shown on the final property tax statement shall reflect both the taxes before and after the tax abatement granted under this section.

Subd. 5. **Determination of county tax rate.** The eligible county's proposed and final tax rates shall be determined by dividing the certified levy by the total taxable net tax capacity, without regard to any abatements granted under this section.

Subd. 6. **Property eligible TIF.** Eligible property may be located in a tax increment financing district, provided that (i) the governing body of the municipality containing the district approves the written agreement under subdivision 2, and (ii) the county treasurer, when making property tax settlements of the property tax collected on eligible property, shall deduct the full amount of the tax abatement granted to the eligible property under this section from the property tax distribution made to the tax increment financing district.

History: *1996 c 471 art 3 s 37; 2009 c 88 art 3 s 5*

375.195 SALE OF BUILDINGS ON PUBLIC PROPERTY.

Subdivision 1. **County auditor may sell property.** Upon resolution of the county board, the county auditor may sell at public auction for cash at not less than the value appraised by the county board, buildings or improvements upon lands held by the state in trust for the taxing districts. If the buildings are not sold at the public auction, they may, at any time within one year from the date of the auction, be sold at private sale by the county auditor at not less than the appraised value.

Subd. 2. **Sale on request of DNR commissioner.** The county auditor may sell at public auction any buildings or improvements upon state lands or platted lots under the control of the commissioner of natural resources not held in trust for the taxing districts, at not less than the value appraised by the county board and approved by the commissioner of natural resources, if requested to do so by the commissioner of natural resources. If the buildings or improvements are not sold when offered at the public sale, they may within one year from the date of the auction be sold at private sale by the county auditor at not less than their appraised value.

Subd. 3. **Finding by county board.** The buildings or improvements shall not be offered for sale or sold until the county board has, by resolution, found that they constitute a fire hazard, an inducement to trespass, or a public nuisance. At least two weeks before the sale, the county auditor shall publish in a legal newspaper in the county and post on the bulletin board in the auditor's office and at least one other prominent place in the courthouse, a notice of the sale, which shall include the date of the sale, a description of the buildings and improvements and the lands upon which they are situated and their appraised value.

Subd. 4. **Sale conditioned upon removal.** All sales under subdivisions 1 or 2 shall be conditioned upon the removal from the land by the purchaser of all buildings and improvements within 90 days of the date of purchase. Upon failure to so remove them, the buildings shall revert to the state and may be resold as provided in subdivision 1 or 2.

Subd. 5. **Disposition of proceeds.** The proceeds from the sale of buildings or improvements located on lands held by the state in trust for the taxing districts, shall be deposited in the forfeited tax fund of the county and distributed in the same manner as if the parcel of land on which the buildings or improvements were situated had been sold. The proceeds from the sale of buildings or improvements on lands held by the state

free of any trust for the taxing districts shall be remitted by the county auditor to the commissioner of natural resources to be deposited in the state treasury in the fund to which the proceeds from the sale of the lands from which the buildings are removed would properly be credited.

History: *1945 c 465; 1947 c 181 s 1-4; 1969 c 1129 art 3 s 1; 1984 c 629 s 2; 1986 c 444*

375.197 MS 1961 [Repealed, 1965 c 45 s 73]

375.20 BALLOT QUESTIONS.

If the county board may do an act, incur a debt, appropriate money for a purpose, or exercise any other power or authority, only if authorized by a vote of the people, the question may be submitted at a special or general election, by a resolution specifying the matter or question to be voted upon. If the question is to authorize the appropriation of money, creation of a debt, or levy of a tax, it shall state the amount. Notice of the election shall be given as in the case of special elections. If the question submitted is adopted, the board shall pass an appropriate resolution to carry it into effect. In the election the form of the ballot shall be: "Shall (here state the substance of the resolution to be submitted)?, Yes ..... No.....,". The county board may call a special county election upon a question to be held at least 84 days after a resolution to that effect is adopted by the county board. The special election must be held on a uniform election date established in section 205.10, subdivision 3a. 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: *(786) RL s 450; 1931 c 384; 1961 c 560 s 32; 1975 c 5 s 133; 1981 c 29 art 7 s 34; 1984 c 629 s 2; 1986 c 444; 2013 c 131 art 2 s 79; 2025 c 39 art 8 s 86; 2026 c 102 s 14*

CONTRACTS, PROPERTY, AND APPROPRIATIONS

375.21 CONTRACTS OF COUNTY BOARDS.

Subdivision 1. **Procedure, conditions.** When required by the dollar limitations of section 471.345, a contract for work or labor, or to purchase furniture, fixtures, or other property, or to construct or repair 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. 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. 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 contract shall be awarded to the lowest responsible bidder and duly executed in writing. The person to whom a contract is awarded for work or labor or for the construction or repair of roads, bridges, or buildings 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 industrywide or regional increase or decrease in the vendor's costs.

Every contract made without compliance with this section is 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 property in the county, if the public

health, safety, or welfare would suffer by delay, contracts for purchase or repairs may be made without advertising for bids, but in that case the action of the board shall be recorded in its official proceedings.

Subd. 1a. **Except Hennepin County.** This section does not apply to Hennepin County.

Subd. 1b. **Best value alternative.** As an alternative to the procurement method described in subdivision 1, a county board may award a contract for construction, building, alteration, improvement, or repair work to the vendor or contractor offering the best value under a request for proposals as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Subd. 2. MS 1965 [Repealed, 1967 c 364 s 2]

Subd. 3. MS 1965 [Repealed, 1967 c 364 s 2]

History: *(991, 992, 993-1) RL s 618,619; 1919 c 355; 1921 c 376; 1923 c 80; Ex1933 c 69; 1935 c 17; 1939 c 5; 1939 c 246; 1947 c 138 s 1; 1957 c 497 s 1; 1959 c 337 s 1; 1967 c 364 s 1; 1969 c 153 s 1; 1969 c 613 s 3; 1979 c 198 art 4 s 13; 1981 c 45 s 1; 1984 c 629 s 2; 1987 c 164 s 2; 1990 c 389 s 1; 2007 c 148 art 3 s 22*

375.22 REPAIRS WITHOUT BIDS IN EMERGENCY.

Subdivision 1. **Procedure.** In case of an emergency arising from breakage, damage, or decay in county property that cannot be allowed to wait for the time required to advertise for bids, repairs may be made without advertising for bids if the work is authorized by a majority of the board of county commissioners, and the action is ratified and recorded in the official proceedings of the board at its next meeting.

Subd. 2. **Except Ramsey County.** This section does not apply to Ramsey County.

History: *(993) 1905 c 189 s 1; 1974 c 435 art 7 s 1; 1984 c 629 s 2*

375.23 MS 2014 [Repealed, 2015 c 77 art 2 s 88]

375.24 MS 1994 [Repealed, 1996 c 310 s 1]

375.25 COUNTY BONDS MAY BE BOUGHT BY FUNDS IN TREASURY; RESALE.

When a fund in the treasury of a county having not more than 50,000 population is of a size that, in the opinion of the county board, it will not be necessary to be spent for the purpose for which it was paid in within the next two years the board may authorize the auditor and treasurer of the county to purchase out of the fund any outstanding bonds of the county at not more than their face value and accrued interest to the date of purchase. The bonds shall be kept by the treasurer as an asset of the fund. The bonds may again be sold by the board at not less than their face value when, in its judgment, it is necessary to replenish the fund out of which they were purchased.

History: *(669-1, 669-2) 1907 c 214 s 1,2; 1984 c 629 s 2*

375.26 GIFTS, ACCEPTANCE.

A county may receive by grant, gift, devise, or bequest, and take charge of, own, hold, control, invest, and administer free from taxation, in accordance with the terms of the trust or the conditions of the gift, personal property, and real property in one county, for the use and benefit of the inhabitants of the county or as a park or recreation grounds, and to encourage, aid, and maintain the county cooperative work and education in agriculture and home economics. The county may, from time to time, by resolution of the

county board, appropriate from the county revenue fund the sums deemed necessary by the board to suitably maintain, improve, and care for the property.

History: *(669-12) 1925 c 13 s 1; 1933 c 59 s 1; 1939 c 30 s 1; 1949 c 481 s 1; 1951 c 158 s 1; 1957 c 8 s 1; 1980 c 379 s 2; 1984 c 629 s 2*

375.27 LIABILITIES, LIMITATIONS, AND CONDITIONS OF GIFTS OF REALTY.

No county, by receiving a grant, gift, devise, or bequest of property pursuant to section 375.26 and holding and managing it, shall incur or be subject to any liability of any kind or nature growing out of its ownership or management, but limitations and conditions may be imposed by the deed of gift as to the use of the property and it shall be the duty of the county to comply with them.

History: *(669-13) 1925 c 13 s 2; 1984 c 629 s 2*

375.273 ACCEPTANCE OF DONATIONS FOR CARE OF CEMETERIES.

Subdivision 1. **Acceptance of donations.** The board of county commissioners may accept money from private sources or from any person, firm, or corporation, including fiduciaries, donated for the perpetual care of cemeteries located either wholly or partly in the county, and use the funds for the purposes provided in subdivision 2.

Subd. 2. **Use of public money for cemeteries.** The board may expend public funds under its control to maintain and improve, and otherwise permanently care for cemeteries located either wholly or partly in the county. The expenditures shall be included in, and shall not be in excess of, limitations on expenditures fixed by law.

Subd. 3. **Donations deposited with county treasurer.** The money donated or made available for use by the board to permanently care for cemeteries, shall be paid into the county treasury, and kept in a separate fund and disbursed only as authorized by the county board.

History: *1945 c 364 s 1; 1984 c 629 s 2*

375.28 REWARDS FOR CAPTURE.

A county board may offer and pay rewards in the amounts, not exceeding $500 in any one case, as it deems advisable for the apprehension, arrest, or conviction, or for information leading to the apprehension, arrest, or conviction, of persons accused of crime in any court in the county or for the apprehension, or for information leading to the apprehension, of any prisoner escaped from a jail in the county.

History: *(669-15) 1925 c 23 s 1; 1984 c 629 s 2*

375.29 MS 1982 [Repealed, 1984 c 629 s 4]

375.30 COUNTY BOARD MAY APPROPRIATE MONEY FOR CERTAIN PURPOSES.

Subdivision 1. **Rust-producing bushes.** A county board may appropriate, annually, a sum of money to eradicate and remove rust-producing bushes, including barberry and mahonia and excluding Japanese barberry. The money appropriated shall be spent as the county board may, by resolution, provide.

Subd. 2. **Wild hemp.** A county board, by resolution, may appropriate and spend money as necessary to spray and otherwise eradicate wild hemp on private property within the county. The county board may authorize the use of county equipment, personnel and supplies and materials to spray or otherwise eradicate

wild hemp on private property, and may pro rate the expenses involved between the county and owner or occupant of the property. Industrial hemp grown by a person licensed under chapter 18K is not wild hemp.

History: *(671) 1921 c 142; 1971 c 812 s 1; 1984 c 629 s 2; 1Sp2015 c 4 art 2 s 79*

375.31 MOTOR VEHICLES, DAMAGE FROM OPERATION.

A county board may indemnify any county officer or employee for loss or expense arising or resulting from any claim made against the officer or employee because of bodily injury, death or property damage sustained by reason of the officer's or employee's operation of a motor vehicle while performing official duties. The county board may defend any suit brought against an officer or employee to enforce such a claim. The county board may settle the claim or suit and pay the amount of the settlement or the amount of any final judgment rendered against an officer or employee on the claim without first requiring the officer or employee to pay it.

History: *(672-1) 1931 c 330 s 1; 1951 c 131 s 1; 1984 c 629 s 2; 1986 c 444*

375.32 INSURANCE POLICIES; PREMIUM, PAYMENT.

Subdivision 1. **Payment of premium.** A county board may pay the premium on an insurance policy which insures a county officer or employee or a group of county officers or employees against liability for injuries to person or property within the limitations of section 375.31. The payment shall not impose any liability upon the county. The insurance may be written by any insurance company authorized to transact business in Minnesota.

Subd. 2. **Automobile insurance coverage.** A county board may take action as necessary to bring the county and its officers and employees within the provisions and limitations of chapter 65B.

History: *(672-2) 1931 c 330 s 2; 1951 c 131 s 2,3; 1984 c 629 s 2*

375.33 MS 1982 [Repealed, 1983 c 314 art 11 s 21]

375.335 [Renumbered 134.20]

375.34 MEMORIAL DAY AND VETERANS DAY, APPROPRIATION FOR OBSERVANCE.

The county board of each county may appropriate funds from the revenue fund of the county to aid in the observance of Memorial Day in commemoration of the noble and valiant deeds of the nation's soldier dead and Veterans Day.

History: *(762) 1911 c 109 s 1; 1955 c 24 s 1; 1979 c 310 s 1; 1984 c 629 s 2; 2008 c 192 s 1; 2024 c 100 s 19*

375.35 APPROPRIATIONS TO MILITARY SERVICE ORGANIZATIONS FOR MEMORIAL DAY AND VETERANS DAY.

A county board may also appropriate funds annually to each post of a recognized military service persons' organization or society, holding charter from Congress or incorporated in this state, organized and existing in the county, to defray the expenses of Memorial Day and Veterans Day exercises.

History: *(762-1) 1921 c 233 s 1; 1927 c 407; 1949 c 120 s 1; 1974 c 161 s 14; 1979 c 310 s 2; 1984 c 629 s 2; 2008 c 192 s 2; 2024 c 100 s 20*

375.36 MAY BUY AND KEEP UP PART OF CEMETERY AS SOLDIERS' REST.

Subdivision 1. **County powers; soldiers' rest.** A county board may purchase a plot of ground in any duly organized cemetery lying, in whole or part, in the county, or in a contiguous county, to be designated and used exclusively as a soldiers' rest. The county may appropriate money for its cost, embellishment, and upkeep, and for the opening and the closing of graves in it.

Subd. 2. **Veteran may run.** The board may use the portion of the appropriation as it deems necessary for compensation and expenses of an agent, who shall be a veteran, to care for the burial ground and to issue permits for burial in it.

Subd. 3. **Except Ramsey County.** This section does not apply to Ramsey County.

History: *(763) 1917 c 60 s 1; 1923 c 335 s 1; 1937 c 178 s 1; 1945 c 257 s 1; 1974 c 435 art 7 s 1; 1984 c 629 s 2; 2006 c 176 s 1*

375.37 "SOLDIERS' REST" USED ONLY FOR VETERANS AND SPOUSES.

Any plot of ground secured and designated as a "soldiers' rest" shall be used exclusively for the interment of deceased veterans, as defined in section 197.447, and spouses of veterans without charge for space in it.

History: *(764) 1917 c 60 s 2; 1933 c 336; 1937 c 178 s 2; 1945 c 145 s 1; 1984 c 629 s 2; 1993 c 100 s 4*

375.38 VIOLATION A MISDEMEANOR.

A person who inters or causes to be interred a body, or makes a charge for a burial lot in a soldiers' rest, except as provided by section 375.37, is guilty of a misdemeanor.

History: *(765) 1917 c 60 s 3; 1937 c 178 s 3; 1984 c 629 s 2*

375.383 MS 1994 [Repealed, 1996 c 310 s 1]

OTHER POWERS

375.39 CHANGE OF NAME OF COUNTY; ORDER OF COUNTY BOARD.

A county board may change the name of the county upon a petition signed by a number of the legal voters of the county equal to 55 percent of the votes cast at the last preceding general election, and shall adopt the new name suggested in the petition as the official name of the county. The petition shall be filed with the county auditor who shall then promptly give public notice of the filing of the petition by publishing it in the official newspaper of the county. The petition shall be considered at the next meeting of the board held not less than 30 days after the date of the notice.

The petition being granted, the board shall make a formal order to that effect, which shall be filed with the auditor. After filing, the official name of the county shall be the one adopted.

History: *(674, 675) 1905 c 23 s 1,2; 1984 c 629 s 2*

375.40 COUNTY BOARD MAY LICENSE EXHIBITIONS AND SHOWS.

A county board may license and regulate itinerant shows, carnivals, circuses, endurance contests, and exhibitions of any nature whatsoever. Sections 375.40 to 375.42 do not apply to shows, carnivals, circuses, contests, and exhibitions held within the incorporated limits of a city.

The fee for a license shall be fixed by the county board in the amount it deems advisable.

The board may require, as a condition for granting the license, the posting of a penal bond in the amount it shall determine.

Application for a license shall be made on the form the county board determines. Upon approval of an application and the payment of the license fee and the posting of the required bond, the county auditor shall issue the license.

History: *(10536-11, 10536-12, 10536-13, 10536-14) 1937 c 331 s 1-4; 1973 c 123 art 5 s 7; 1984 c 629 s 2; 2001 c 22 s 1*

375.41 MISDEMEANOR TO TAKE PART IN UNLICENSED ITINERANT SHOW.

A person, partnership, association, or corporation who conducts, or takes part in, any itinerant show, carnival, circus, endurance contest, or exhibition not licensed, as provided in section 375.40, is guilty of a misdemeanor.

History: *(10536-15) 1937 c 331 s 5; 1984 c 629 s 2*

375.42 EXCEPTIONS.

Sections 375.40 and 375.41 do not apply to any itinerant show, carnival, circus, endurance contest, or exhibition held in connection with an agricultural association fair.

History: *(10536-16) 1937 c 331 s 6; 1984 c 629 s 2*

375.43 MS 1974 [Repealed, 1975 c 301 s 16]

375.435 MS 1994 [Repealed, 1996 c 310 s 1]

375.44 MILEAGE, COUNTY HOSPITAL BOARD MEMBERS.

The county board of any county in which a county hospital is located may by resolution authorize the members of any county hospital board who are not members of the county board to receive reimbursement for each mile necessarily traveled in attending meetings in the performance of their duties.

History: *1957 c 83 s 1; 1984 c 629 s 2*

375.45 CHANGE FUNDS, ESTABLISHMENT.

The county board shall establish funds in the county offices and departments as it deems necessary for the purpose of making change only. The change funds shall be established by making an appropriation for them from the proper fund in whatever amounts the county board shall determine. The officer receiving a change fund shall be its custodian and responsible for its safekeeping and use. The change fund shall not be used to make payments of expenses provided for in section 375.16.

History: *1959 c 502 s 1; 1967 c 44 s 1; 1976 c 181 s 2; 1984 c 629 s 2*

375.46 MAY GIVE GENERAL FUND MONEY TO SHERIFF FOR PATROLS.

Subdivision 1. **On county roads, highways.** A county board may appropriate, out of its general fund, money to permit the sheriff to patrol the roads and highways of the county to investigate conditions respecting observances of laws.

Subd. 2. **Must patrol if asked.** Upon request by the county board the sheriff shall provide a patrol of roads and highways as provided in subdivision 1.

History: *1961 c 258 s 1; 1977 c 158 s 1; 1984 c 629 s 2*

375.47 EXPENSE ALLOWANCES FOR MEMBERS OF BOARDS AND AGENCIES.

Subdivision 1. **Reasonable allowance.** The board of county commissioners of each county may, by resolution, set a reasonable allowance for expenses or a per diem allowance in lieu of expenses and a mileage allowance to be paid the members of boards or agencies authorized by statute, and members of advisory boards or committees, performing duties for all or part of the county, when the board or agency does not itself have power to make expense allowances for its members. The allowances shall be paid from the funds under the administration of the boards or agencies. Members of the board of county commissioners shall not receive any per diem pursuant to this subdivision.

Subd. 2. **No doubling of expenses.** No member of a board, agency, advisory board, or committee shall receive an allowance for expenses, or a per diem allowance in lieu of expenses, or a mileage allowance pursuant to subdivision 1, if in another capacity the member receives from the county under authority of any other statute or resolution either:

(a) an allowance for or per diem allowance in lieu of the same expenses or mileage; or

(b) a fixed amount, whether as part of a salary or otherwise, for expenses of like kind incurred in the performance of duties in the other capacity.

History: *1967 c 78 s 1,2; 1975 c 301 s 10; 1978 c 481 s 1; 1984 c 629 s 2; 1986 c 444; 2000 c 454 s 1; 2022 c 71 s 1*

375.471 LAND CONSERVATION AND UTILIZATION; FEDERAL AID.

The county boards of the several counties which have been designated as a resource conservation and development project area under United States Code, title 7, section 1011(e) and acts amendatory thereof, may enter into agreements as necessary with the secretary of agriculture of the United States and other agencies of the federal government for the program of land conservation and land utilization authorized by United States Code, title 7, section 1010 and acts amendatory thereof, to accept assistance for the program under United States Code, title 7, section 1011 and acts amendatory thereof, to engage in works of improvement as necessary for the purpose of the acts and to cooperate with the secretary of agriculture and federal agencies so that residents of this state obtain the benefits and advantages available to them and intended by Congress to be available by the acts. The county boards shall comply with the requirements of federal law and any rules and regulations promulgated under it and with appropriate state laws to accomplish the purposes intended by this section. If a proceeding is instituted by petition for an improvement under this section, it may be conducted by a board in the same manner provided for the establishment of a drainage system under chapter 103E. A majority of the landowners as defined in section 103E.212, subdivision 2, shall be required for a valid petition. They may also proceed under authority provided by other law.

History: *1967 c 581 s 1; 1976 c 2 s 136; 1984 c 629 s 2; 1985 c 172 s 128; 1990 c 391 art 8 s 39*

COUNTY COORDINATOR

375.48 MAY APPOINT COUNTY COORDINATOR TO SERVE AT ITS PLEASURE.

Subdivision 1. **Terms; title; salary; qualifications.** Notwithstanding sections 375A.01 and 375A.12, a county board may employ a county coordinator upon terms it considers advisable. It may assign whatever title to the county coordinator that it decides is appropriate. It may appropriate funds and provide suitable office space for the office. The county board shall set the salary of the county coordinator. The coordinator shall be chosen solely on the basis of training, experience and administrative qualifications and need not be a resident of the county at the time of appointment. The county coordinator serves at the pleasure of the board and employment may be terminated by the board without notice. The board may provide for a termination allowance.

Subd. 2. **May be officer or employee.** The county board may appoint as county coordinator any county officer or employee except a county commissioner during the term for which the commissioner was elected. If a county officer or employee is appointed county coordinator, the board may provide that the duties of county coordinator are in addition to the duties as an officer or employee.

Subd. 3. **Except Hennepin County.** This section does not apply to Hennepin County.

History: *1967 c 585 s 1; 1973 c 542 s 14; 1978 c 462 s 2; 1979 c 198 art 4 s 13; 1984 c 629 s 2; 1985 c 109 s 6; 1987 c 164 s 3*

375.49 COUNTY COORDINATOR DUTIES; CONSIDERED DEPARTMENT HEAD.

Subdivision 1. **County board to prescribe.** (a) The county board shall prescribe the duties of the county coordinator.

(b) Insofar as required by the county board, the county coordinator is responsible to the board for the proper administration and management of any assigned duty and for these purposes is considered the head of a department.

Subd. 2. **Possible duties and responsibilities.** (a) The county coordinator may be assigned any of the following duties and responsibilities:

(1) to manage any or all of the affairs of the county which the county board has authority to control;

(2) to examine regularly the books, papers and accounts of each department, office, and agency of the county under the control of the county board and to report to the board the condition in which the county coordinator finds them and other information as the board directs;

(3) to submit to the board recommendations concerning the affairs of the county, its future financial needs, and its offices, departments and agencies as the county coordinator considers proper;

(4) to see that all orders, resolutions and regulations of the county board are faithfully executed;

(5) to initiate and present a proposed annual budget to the county board for its review and consideration; and

(6) to serve as clerk of the county board.

(b) When a resolution is adopted directing the county coordinator to assume the responsibilities of clerk of the board, the county auditor shall no longer be held responsible for the duties as clerk to the board imposed by section 384.09.

Subd. 3. **Except Hennepin County.** This section does not apply to Hennepin County.

History: *1967 c 585 s 2; 1973 c 542 s 14; 1979 c 198 art 4 s 13; 1984 c 629 s 2; 1985 c 109 s 7*

375.50 MAY RESCIND COUNTY COORDINATOR RESOLUTION.

Subdivision 1. **Anytime.** The board at any time may rescind the resolution establishing the office of county coordinator. Any duties and responsibilities previously assigned to the county coordinator, upon adoption of the rescinding resolution, shall be vested in the officer or department which had responsibility for the function before the transfer of the function to the county coordinator.

Subd. 2. **Except Hennepin County.** This section does not apply to Hennepin County.

History: *1967 c 585 s 3; 1973 c 542 s 14; 1979 c 198 art 4 s 13; 1984 c 629 s 2; 1985 c 109 s 8*

COUNTY ORDINANCES

375.51 ORDINANCES; ENACTMENT, PUBLICATION.

Subdivision 1. **Enactment.** In any instance in which a county board is authorized by law to enact ordinances, the ordinances shall be adopted in the manner prescribed in this section except as otherwise provided by law. A public hearing shall be held before the enactment of any ordinance adopting or amending a comprehensive plan or official control as defined in section 394.22. Every county ordinance shall be enacted by a majority vote of all the members of the county board unless a larger number is required by law. It shall be signed by the chair of the board and attested by the clerk of the board. The ordinance shall be published as provided in this section. Proof of the publication shall be attached to and filed with the ordinance in the office of the county auditor. Every ordinance shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances shall be suitably entitled and shall be substantially in the style: "The county board of ..... county ordains:".

Subd. 2. **Notice of intention.** No county ordinance shall be enacted unless a notice of the intention to enact it has been published in the official newspaper of the county not less than ten days before the meeting or public hearing required by subdivision 1 at which it is to be considered. Public hearings may be continued from time to time and additional hearings may be held. The notice shall state the subject matter and the general purpose of the proposed ordinance. Proof of the publication of the notice shall be attached to and filed with the ordinance, if enacted, in the office of the county auditor.

Subd. 3. **Publication.** Every ordinance enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance may be published in its entirety, or otherwise as provided in this subdivision.

To the extent of the authority described in subdivision 1, a county may incorporate in an ordinance by reference any statute of Minnesota, any administrative rule of any department of the state of Minnesota affecting the county, or any code. The term "code" as used in this subdivision means any compilation or parts of a compilation of regulations or standards prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

A lengthy ordinance or an ordinance which includes charts or maps need not be published in its entirety if the title and a summary of the ordinance conforming to section 331A.01, subdivision 10, are included in the publication of the proceedings of the meeting at which it is enacted, with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the office of the county auditor. In that case and if a statute, administrative rule or a code is adopted by reference, all requirements of statute for the publication of ordinances shall be satisfied if the summary of the ordinance or the ordinance incorporating the statute, rule or code is published in the required manner and if, prior to publication, at least one copy of the entire ordinance or of the statute, rule, or code is marked as the official copy and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, or code incorporated in the ordinance by reference shall be as much a part of the ordinance as if they had been set out in full in it.

History: *1967 c 698 s 1; 1974 c 571 s 47-49; 1984 c 543 s 43; 1984 c 629 s 2; 1986 c 444*

375.52 REVISION AND CODIFICATION.

A county may revise and codify and print in book, pamphlet or newspaper form any general and special laws, ordinances, resolutions and rules in force in the county. The codification shall be a sufficient publication of any ordinance included in it and not previously published in a newspaper if a substantial quantity of the codification is printed for general distribution to the public. The county board may make a reasonable charge for the cost of printing and distribution of ordinances or a codification of ordinances. A copy of any ordinances adopted by the county must be furnished to the county law library or its designated depository. A county, upon request, shall be reimbursed a reasonable charge by the county law library for a copy furnished.

History: *1967 c 698 s 2; 1984 c 543 s 44; 1984 c 629 s 2; 1995 c 105 s 1*

375.53 VIOLATIONS OF ORDINANCES, PENALTIES.

The county board may declare that the violation of any ordinance shall be a penal offense and prescribe penalties for a violation. The penalties shall not exceed those permitted for conviction of a misdemeanor as defined by law.

History: *1967 c 698 s 3; 1984 c 629 s 2*

375.54 PROSECUTIONS UNDER ORDINANCE.

All prosecutions for violation of county ordinances shall be brought by the county attorney in the name of the county upon complaint and warrant as in other criminal cases.

History: *1967 c 698 s 4; 1984 c 629 s 2*

375.55 DISPOSITION OF FINES RECOVERED FOR ORDINANCE VIOLATIONS.

All fines, forfeitures, and penalties recovered for the violation of a county ordinance shall be paid into the county treasury. Every court or officer receiving such money, on or before the tenth day after the last day of the month in which the money is collected, shall make a return of it under oath and be given duplicate receipts for the amounts paid. One of the receipts shall be filed with the county auditor.

History: *1967 c 698 s 5; 1984 c 629 s 2*

COUNTY JOBS PROGRAM

375.551 COUNTY EMERGENCY JOBS PROGRAM.

A county board of a county experiencing chronic high unemployment may establish an emergency employment program to meet the needs of its economically disadvantaged, unemployed residents.

History: *1983 c 307 s 1; 1984 c 629 s 2*

375.552 DEFINITIONS.

Subdivision 1. **Application.** For the purposes of sections 375.551 to 375.555, the following terms have the meanings given them.

Subd. 2. **Employment program.** "Employment program" means a program offering job training programs or jobs through public works projects to economically disadvantaged, unemployed residents of a county.

Subd. 3. **Economically disadvantaged, unemployed resident.** "Economically disadvantaged, unemployed resident" means a person (a) who is not eligible for or who refuses to accept financial assistance pursuant to chapter 256, 256B, 256D, or 268; (b) whose income or household income is at or below 25 percent of the statewide median household income as determined by the 1980 federal census; (c) who is a bona fide resident of the county; and (d) who is unemployed.

Subd. 4. **Wage.** "Wage" means the basic minimum wage pursuant to section 177.24.

Subd. 5. **Chronic high unemployment.** "Chronic high unemployment" means an unemployment rate, as defined by the Department of Employment and Economic Development, in a county or portion of a county that exceeds the national unemployment rate for four consecutive months in the 12-month period immediately preceding September 1.

History: *1983 c 307 s 2; 1984 c 629 s 2; 1Sp1985 c 14 art 9 s 75; 1994 c 483 s 1; 2004 c 206 s 52*

375.553 COUNTY EMERGENCY EMPLOYMENT PROGRAM.

The funds authorized in section 375.555 shall be expended by the county for job training programs or for jobs through public works projects submitted to the county by its departments and agencies and those of cities, towns, school districts, state and federal agencies, park reserve districts, and other special districts, including metropolitan agencies that are located totally or partially within the county. The funds shall be expended only for training programs or public works projects located within the county. The projects shall be beneficial to the submitting local unit and may include permanent improvements or maintenance of public property, residential weatherization programs, landscaping of public grounds or parks, planting or trimming trees, improving open space areas, playgrounds, and recreational facilities owned or operated by the sponsoring unit of government, and reclamation and reforestation. The sponsoring unit of government shall provide the administration, supervision, supplies, and materials for its training program or public works project. All funds available through the authority granted in section 375.555 shall be expended for wages and benefits for program participants except that up to two percent of the total amount shall be available to reimburse the county for its actual cost of administering the program.

History: *1983 c 307 s 3; 1984 c 629 s 2*

375.554 PROGRAM RULES.

The county board shall establish rules governing the operation of the employment program. Rules shall include but not be limited to number of hours worked, benefits, and methods and terms of payment.

History: *1983 c 307 s 4; 1984 c 629 s 2*

375.555 FUNDING.

To implement the county emergency jobs program, the county board may expend an amount equal to what would be generated by a levy of 0.01209 percent of estimated market value. The money to be expended may be from any available funds not otherwise earmarked.

History: *1983 c 307 s 5; 1984 c 629 s 2; 1989 c 277 art 4 s 34; 2013 c 143 art 14 s 54*

PERSONNEL ADMINISTRATION SYSTEM

375.56 CREATE DEPARTMENT; APPOINT APPEALS BOARD TO ESTABLISH.

A county board may establish a county personnel administration system by adopting a resolution creating a personnel department, establishing an effective date and appointing a personnel appeals board pursuant to section 375.65.

History: *1976 c 182 s 1; 1984 c 629 s 2*

375.57 DEFINITIONS.

Subdivision 1. **Application.** For the purpose of sections 375.56 to 375.71, unless the context clearly indicates that a different meaning is intended, the terms defined in this section have the following meanings.

Subd. 2. **Appointing authority.** "Appointing authority" means the official, employee, board, or commission, or the person or group of persons empowered by statute, ordinance or resolution to make an appointment to positions as county employees within the scope of sections 375.56 to 375.69.

Subd. 3. **Director.** "Director" means the director of the department of personnel.

Subd. 4. **Personnel department.** "Personnel department" means the personnel director and the employees engaged in the administration of the personnel department.

Subd. 5. **Board of appeals.** "Board of appeals" means the personnel board of appeals established pursuant to section 375.65.

History: *1976 c 182 s 2; 1984 c 629 s 2*

375.58 JURISDICTION.

Subdivision 1. **All but excluded.** The jurisdiction of a county personnel department created pursuant to section 375.56 shall include every county level public employment position for which the appointing authority is the county board, the local social services agency, the county human services board, an elected county official, an appointed county department head, or a commission or board appointed by the county board, except the positions excluded under subdivisions 2 and 3.

Subd. 2. **Excluded.** The following positions are excluded from the jurisdiction of the county personnel department:

(a) elected positions;

(b) positions for which a county or district court judge is the appointing authority;

(c) positions designated as department heads appointed by the county board;

(d) positions designated as department heads appointed by boards or commissions appointed by the county board;

(e) one position designated by each elected department head as a chief or principal assistant;

(f) one position designated by each elected department head as a personal secretary.

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

(a) any positions subject to merit systems established pursuant to sections 12.22, subdivision 3, 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: *1976 c 182 s 3; 1981 c 317 s 2; 1984 c 629 s 2; 1994 c 631 s 31; 2014 c 192 art 4 s 2,3*

375.59 PERSONNEL DIRECTOR APPOINTMENT.

A county board which has adopted the resolution authorized in section 375.56 shall promptly appoint a personnel director or assign the function of personnel director to an existing officer or employee. In a county which is operating under an optional form pursuant to sections 375A.01 to 375A.13, the authority to appoint the personnel director shall be the same as for the appointment of other department heads. The terms and conditions of employment of the person appointed as director or assigned the function of director shall be established by the county board.

History: *1976 c 182 s 4; 1984 c 629 s 2*

375.60 DUTIES AND POWERS OF DIRECTOR.

Subdivision 1. **Rules.** The personnel director shall prepare personnel rules, which shall be effective upon approval by the county board, to carry out sections 375.56 to 375.71. The rules shall provide, among other things, for:

(a) Preparation of a classification plan and classification of positions within the jurisdiction of the department in accordance with the plan.

(b) Creation and maintenance of lists of eligibles. No name shall remain on an eligible list for more than two years.

(c) Certification of names to the appointing authority from the eligible list for appointment, promotion, or reemployment.

(d) Establishment of procedures for the recruitment, selection and advancement of personnel on the basis of relative ability, knowledge and skills.

(e) Establishment of procedures assuring nondiscriminatory and fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed.

(f) Establishment of procedures for suspension or termination or other disciplinary action, including procedures for appeal of actions by appointing authorities with respect to suspension or termination or other disciplinary action.

Subd. 2. **Administration.** The director shall administer the personnel department. In addition to the duties imposed elsewhere in sections 375.56 to 375.71, the director shall:

(a) Appoint, supervise and direct the work of the employees of the personnel department.

(b) Schedule and conduct hearings as required by rules adopted pursuant to sections 375.56 to 375.71 or at the direction of the county board.

(c) Provide for, formulate and hold competitive examinations as required by rule to determine the qualifications of persons seeking employment in positions within the jurisdiction of the department.

(d) Make investigations concerning the administration and effect of rules made pursuant to sections 375.56 to 375.71 and report the findings and recommendations to the county board.

(e) Establish programs for training and continuing education of employees as deemed appropriate by the county board to improve the quality of service of employees holding positions within the jurisdiction of the department.

(f) Prepare a compensation plan and recommend a schedule of salary or wage rates for positions within the jurisdiction of the personnel department for adoption by the county board.

History: *1976 c 182 s 5; 1984 c 629 s 2; 1986 c 444*

375.61 PAYROLLS APPROVED BY DIRECTOR.

No disbursing officer shall pay a salary or compensation for service to a person holding a position within the jurisdiction of a personnel department established pursuant to sections 375.56 to 375.71 unless the payroll or account for the salary or compensation is certified by the personnel director or an authorized employee that the persons paid or compensated have been appointed in accordance with sections 375.56 to 375.71 and rules adopted pursuant to sections 375.56 to 375.71. The director shall not certify a payroll item for a person holding a position within the jurisdiction of the department unless the person has been appointed and employed in accordance with sections 375.56 to 375.71 and rules adopted pursuant to sections 375.56 to 375.71.

History: *1976 c 182 s 6; 1984 c 629 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, 256.012, and 387.31 to 387.45, from the jurisdiction of the personnel department, the provisions of sections 12.22, subdivision 3, 256.012, and 387.31 to 387.45 and any rules promulgated pursuant to those sections shall be superseded insofar as they are inconsistent with sections 375.66 to 375.71, but no positions subject to merit systems established pursuant to sections 12.22, subdivision 3, 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: *1976 c 182 s 7; 1981 c 317 s 3; 1984 c 629 s 2; 1985 c 248 s 70; 2014 c 192 art 4 s 2,3*

375.63 VETERANS TO BE GIVEN PREFERENCE.

Nothing in sections 375.56 to 375.71 shall be construed to remove, limit, or extend the rights and preferences of veterans as established by sections 197.455 and 197.46, except that the county board may enact rules relative to retirement age which shall apply to veterans on the same basis as they apply to other persons.

History: *1976 c 182 s 8; 1984 c 629 s 2*

375.64 COLLECTIVE BARGAINING RELATIONSHIPS.

Subdivision 1. **Joint employer.** For purposes of negotiating collective bargaining agreements and resolving grievances involving them pursuant to sections 179A.01 to 179A.25, the appointing authority and the county board shall be deemed the joint employer for positions within the jurisdiction of a personnel department established pursuant to sections 375.56 to 375.71. Both shall be signatories to negotiated agreements or grievance settlements. In the event of disagreement between the county board and the appropriate appointing authority as to the final terms of a negotiated agreement or grievance settlement, the decision of the county board shall be final and binding on behalf of the county as employer for all employees of the county, including employees under the jurisdiction of an appointing authority other than the county board.

Subd. 2. **Incumbent employees.** Any employee holding a position covered by sections 375.56 to 375.71 shall, upon the effective date of the establishment of a county personnel administration system, retain the position without further examination and suffer no loss in wages, seniority or benefits as the result of the implementation of sections 375.56 to 375.71.

History: *1976 c 182 s 9; 1984 c 462 s 27; 1984 c 629 s 2*

375.65 PERSONNEL BOARD OF APPEALS.

Subdivision 1. **Members, terms, qualifications.** The county board shall appoint three persons to serve staggered terms as members of a personnel board of appeals. After the first appointments, successors shall serve for terms of three years each. Expiration dates for expiring terms shall be fixed by the county board and vacancies shall be filled by a majority vote of the county board for the unexpired term. Persons appointed to the personnel board of appeals shall not serve while holding any county office or while standing as a candidate for any county office, or while employed by the county. Each member shall be a resident of the county and shall forfeit office on becoming a nonresident.

Subd. 2. **Compensation, expenses.** Compensation for members of the personnel board of appeals shall be set by the county board and each member shall be paid actual and necessary expenses.

Subd. 3. **Officers, rules.** The personnel board of appeals shall organize by electing a chair and vice-chair and shall develop rules of procedure for matters brought before it under sections 375.56 to 375.71 and rules promulgated pursuant to sections 375.56 to 375.71.

History: *1976 c 182 s 10; 1984 c 629 s 2; 1986 c 444*

375.66 DUTIES OF BOARD OF APPEALS.

Subdivision 1. **Jurisdiction.** The personnel board of appeals shall meet upon call of its chair or the personnel director to make findings and report to the county board within 30 days of the filing of an appeal by an applicant, employee, or appointing authority in the following circumstances:

(a) Alleged arbitrary or capricious action on the part of the county board with respect to final establishment of rules under sections 375.56 to 375.71.

(b) Alleged discrimination by the personnel director or the director's employees in examination procedures or preparation of lists of eligible candidates, or discriminatory use of them by the appointing authority under sections 375.56 to 375.71 or rules promulgated under them.

(c) Alleged misinterpretation or evasion by the personnel director or the county board of provisions of sections 375.56 to 375.71 or the rules promulgated under them in a manner seriously detrimental to the party bringing the appeal.

(d) Other matters of grievance as provided for in rules promulgated under sections 375.56 to 375.71.

Subd. 2. **Procedures.** The personnel board of appeals shall establish procedures setting forth the methods and timetable for appeals to the board.

Subd. 3. **Appeal findings.** Findings and reports of the personnel board of appeals shall be submitted to the county board for consideration and action as deemed appropriate by the county board, but, to the extent required for employees of departments and agencies paid in full or in part by federal funds, the findings of the personnel board of appeals shall be final and binding if necessary to conform to a federal or state regulation affecting the department or position.

History: *1976 c 182 s 11; 1984 c 629 s 2; 1986 c 444*

375.67 JUDICIAL REVIEW.

Subdivision 1. **Appeal.** The employee or the appointing authority may appeal from an order of the board of appeals in accordance with chapter 14.

Subd. 2. MS 1982 [Repealed, 1983 c 247 s 219]

Subd. 3. MS 1982 [Repealed, 1983 c 247 s 219]

History: *1976 c 182 s 12; 1983 c 247 s 147; 1984 c 629 s 2*

375.68 ABOLITION OF SYSTEM.

A personnel administration system established pursuant to sections 375.56 to 375.69 may be abolished at any time by resolution of the county board adopted by a majority of all its members. Upon adoption of the resolution, the personnel department shall cease to exist and the status of all departments, commissions, and employees shall be the same as if no personnel administration system had been established.

History: *1976 c 182 s 13; 1984 c 629 s 2*

375.69 APPROPRIATION BY COUNTY BOARD.

The county board may make appropriations as necessary to carry out sections 375.56 to 375.71.

History: *1976 c 182 s 14; 1984 c 629 s 2*

375.70 FEDERAL AID FOR MANPOWER SERVICES.

A county may receive financial assistance from agencies of the United States, and plan for, and carry out comprehensive manpower services as provided for in the Emergency Employment Act of 1971, as amended, and the Comprehensive Employment and Training Act of 1973, as amended.

History: *1976 c 182 s 15; 1984 c 629 s 2*

375.71 PROTECTION OF RIGHTS UNDER STATE AND FEDERAL LAWS.

Subdivision 1. **Equal employment, human rights.** Nothing in sections 375.56 to 375.69 shall be construed to permit or encourage any action or conduct prohibited by the Minnesota Human Rights Act or prohibit recourse to any remedies provided in the Minnesota Human Rights Act or any other state or federal law relating to equal employment opportunities, and the provisions of these acts shall continue to apply to county employment generally, including positions excluded from the jurisdiction of the county personnel administration system.

Subd. 2. **PELRA rights.** Nothing in sections 375.56 to 375.69 shall be construed to affect the rights and obligations of employees and employers under sections 179A.01 to 179A.25, or to in any way supersede provisions regarding public employment relationships under the Public Employment Labor Relations Act of 1971, or the provisions of any contracts or agreements executed pursuant to it.

History: *1976 c 182 s 16; 1984 c 462 s 27; 1984 c 629 s 2*

PURCHASING

375.72 COUNTY PURCHASING DEPARTMENT.

In order to create economies through volume buying, to promote competitive bidding, and to provide more efficient public service, the county board of any county may establish a county purchasing department. The county board may direct an existing county office, department or agency to perform the duties of the county purchasing department or may create a new department or agency for that purpose.

History: *1961 c 447 s 1; 1985 c 109 s 13,16*

375.73 DUTIES OF PURCHASING DEPARTMENT.

Subdivision 1. **Scope.** The county purchasing department shall perform all acts necessary to purchase or contract for all supplies, materials, equipment, and contractual services required by any or all county offices, departments or agencies. The county board shall select the county offices, departments or agencies to be serviced by the county purchasing department. The board may authorize any county office, department or agency designated by the board to purchase directly, without the intervention of the director of purchasing, certain specified supplies, materials, equipment, or contractual services, and shall designate the manner in which the purchases shall be made.

Subd. 2. **Specifications, surplus items.** The county purchasing department also shall perform the following duties:

(1) prepare all specifications for supplies, materials and equipment;

(2) transfer to or between county offices, departments or agencies, or sell supplies, materials, and equipment which is surplus, obsolete, or unused.

History: *1961 c 447 s 2; 1985 c 109 s 13,16*

375.74 DIRECTOR OF PURCHASING; EMPLOYEES.

The county board shall appoint a director of purchasing to direct the operations of the county purchasing department. The director of purchasing shall be qualified by training and experience for the position. The board may appoint an existing county officer to serve as director of purchasing. The board shall fix the salary of the director and require the director to post a bond as the board determines necessary. The board shall provide the director with assistants, office space, equipment, and supplies necessary to carry out the duties of the office. Except for the director, who may be removed from that office by the board for reasons of misconduct or incompetency after due notice and hearing, all employees of the county purchasing department shall be employed in accordance with civil service regulations existing in the county, if any regulations exist.

History: *1961 c 447 s 3; 1985 c 109 s 13,16*

375.75 RULES AND REGULATIONS.

The county board shall adopt rules and regulations as necessary to carry out sections 375.72 to 375.76 and file them with the county auditor. The board may authorize any county office, department or agency designated by it to purchase supplies, materials, equipment or contractual services in the open market for immediate delivery in emergencies. It shall define emergencies and designate the manner in which these purchases shall be made and reported to the director of purchasing.

History: *1961 c 447 s 4; 1985 c 109 s 13,16*

375.76 VOIDABLE PURCHASES, CONTRACTS, AND SALES.

The purchase or contract for any supplies, material, equipment, or contractual service by any county office, department or agency, or the sale of surplus, obsolete, or unusable supplies, material, or equipment by any county office, department or agency contrary to sections 375.72 to 375.76 is voidable. The head of the office, department or agency is personally liable for the cost of such an order or contract and for the reasonable value of supplies, material, or equipment sold. If an order or contract has been paid for out of county funds, the amount may be recovered in the name of the county in an action brought for that purpose. Property sold contrary to sections 375.72 to 375.76, or the reasonable value of the property, may be recovered in the name of the county in a similar manner.

History: *1961 c 447 s 5; 1985 c 109 s 13,16*

375.77 LAWS NOT AFFECTED.

Sections 375.72 to 375.76 are not intended to modify, amend, or repeal any law relating to counties in regard to bidding or any law existing at the time of passage of sections 375.72 to 375.76 which authorize the establishment or creation of a county purchasing agent or department, or a combined city and county joint purchasing arrangement.

History: *1961 c 447 s 6; 1985 c 109 s 13,16*

375.771 VETERAN-OWNED SMALL BUSINESS CONTRACTS.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Award" means the granting of a contract in accordance with all applicable laws and rules governing competitive bidding, except as otherwise provided in this section.

(c) "Contract" means an agreement entered into between a business entity and the county for procurement of goods and services including both technical and nontechnical goods and services, printing, and construction.

(d) "County board" or "board" has the meaning given in section 375.01.

(e) "County purchasing department" has the meaning given in section 375.72.

(f) "Director of purchasing" has the meaning given in section 375.74.

(g) "Subcontractor" means a business entity that enters into a legally binding agreement with another business entity that is a party to a contract as defined in paragraph (c).

(h) "Veteran" has the meaning given in section 197.447.

(i) "Veteran-owned small business" means a business designated under section 16C.16, subdivision 6a.

Subd. 2. **Policy; purpose; director.** (a) A county board may establish a program within the county in accordance with this section to provide a bid preference for awarding contracts to designated veteran-owned small businesses for the procurement of technical and nontechnical goods and services including, but not limited to, printing and construction, broadly defined to include all phases of the construction process.

(b) The purpose of this program is to facilitate the transition of veterans from military to civilian life, and to help compensate veterans for their sacrifices including, but not limited to, their sacrifice of health and time to the community, state, and nation during their military service, as well as to enhance economic development throughout Minnesota.

(c) The county board may direct the county director of purchasing, or other designated official within the county purchasing department, to administer this program in accordance with county policy established by the board.

Subd. 3. **Small business set-asides.** (a) The county director of purchasing may award up to a six percent preference in the amount bid for procurement of goods and services including, but not limited to, technical and nontechnical goods and services, printing, and construction to veteran-owned small businesses having their principal place of business in Minnesota.

(b) The board, as a condition of awarding a construction contract, may set goals that require the prime contractor to subcontract a portion of the contract to veteran-owned small businesses. The board must establish a procedure for granting waivers from the subcontracting requirement when qualified veteran-owned small businesses are not reasonably available. The board may establish financial incentives for prime contractors who exceed the goals for use of veteran-owned small business subcontractors and financial penalties for prime contractors who fail to meet goals under this paragraph. The subcontracting requirements of this paragraph do not apply to prime contractors who are veteran-owned small businesses.

Subd. 4. **Awards to small businesses.** At least 75 percent of subcontracts awarded to veteran-owned small businesses must be performed by the business to which the subcontract is awarded or another veteran-owned small business.

Subd. 5. **Awards, limitations.** Contracts awarded under this section are subject to all limitations adopted by the board.

Subd. 6. **Recourse to other businesses.** If the director is unable to award a contract under subdivisions 3 and 4, the award may be placed under normal solicitation and award statutes and rules.

Subd. 7. **Noncompetitive bids.** The board is encouraged to purchase from veteran-owned small businesses designated under section 16C.16, subdivision 6a, when making purchases that are not subject to competitive bidding procedures.

Subd. 8. **Report to board.** At the request of the county board, the county treasurer shall report to the board on compliance with this section. The information must be reported at the time and in the manner requested by the board.

History: *2012 c 254 art 2 s 1*

AGRICULTURAL EXHIBITS AND DEVELOPMENT

375.78 AID TO POULTRY ASSOCIATIONS.

A county board may make an annual appropriation of not more than $500 from the county treasury to aid any poultry association organized and existing in the county; provided, the poultry association holds at least one annual poultry exhibit and pays premiums at the exhibit in at least the amount of the appropriation.

History: *(738-17 1/2) 1929 c 256 s 1; 1985 c 109 s 14,16*

375.79 EXHIBITS AT STATE FAIR.

A county board, for the purpose of assisting to maintain an exhibit of the products of the county at the Minnesota State Fair, may appropriate out of the general revenue fund of the county, not more than $1,000, not including money received by the county as premiums or prizes at the state fair for that year.

All money derived from premiums or prizes for the county exhibit at the State Fair shall be paid into the treasury of the county.

History: *(733) 1907 c 99 s 1; 1909 c 26 s 1; 1917 c 139 s 1; 1985 c 109 s 14,16*

375.80 APPOINTMENT OF PERSON TO SUPERVISE.

A county board appropriating money as provided in section 375.79 shall, at the same meeting, or some subsequent meeting, appoint a county resident to supervise and have full charge of the exhibit and of the disbursement of the appropriation. The county board shall set the compensation for the position at the same meeting at which the person is appointed. Compensation shall be paid out of the appropriation made for the exhibit.

History: *(734) 1907 c 99 s 2; 1985 c 109 s 14,16*

375.81 APPROPRIATION; BOND.

The appropriation shall be paid on the county auditor's warrant to the person in charge of the exhibit after filing a bond with the auditor in double the amount of the appropriation, on the condition that the appropriation is properly disbursed for the purpose intended, and that a true account is made to the county board as provided in section 375.82. The auditor shall approve the bond.

History: *(735) 1907 c 99 s 3; 1985 c 109 s 14,16*

375.82 STATEMENT TO BOARD.

The person in charge of the exhibit shall give a detailed statement to the county board of all the person's expenditures made to maintain the exhibit. The statement shall be given before November 2 of the year in which the exhibit is made. If the statement shows that any part of the appropriation is not spent, the balance shall be paid into the treasury of the county. When the county board approves the report, the person shall be relieved and discharged from all liability under the bond provided for in section 375.81.

History: *(736) 1907 c 99 s 4; 1985 c 109 s 14,16*

375.83 ECONOMIC AND AGRICULTURAL DEVELOPMENT.

A county board may appropriate money out of the general revenue fund of the county to be paid to any incorporated development society or organization of this state which, in the board's opinion, will use the money for the best interests of the county in promoting, advertising, improving, or developing the economic and agricultural resources of the county.

History: *(739) 1913 c 77 s 1; 1919 c 205; 1921 c 128; 1929 c 295; 1933 c 174; 1945 c 136; 1971 c 188 s 1; 1980 c 487 s 15; 1982 c 381 s 1; 1985 c 109 s 14,16; 1986 c 399 art 2 s 11; 1986 c 400 s 11; 1Sp1986 c 3 art 2 s 41; 1988 c 702 s 1; 1995 c 264 art 5 s 9*

COMPUTER SOFTWARE PRODUCTS

375.84 PREPAY SOFTWARE, SUBSCRIPTIONS, UNITED STATES DOCUMENTS.

A county may make advance deposits or payments for software development or maintenance services for county-owned or leased electronic data processing equipment and for newspaper, magazine, and other subscription fees customarily paid for in advance, and may allow advance deposits by any department or agency of the county with the Library of Congress and federal Supervisor of Documents for items to be purchased from these federal agencies.

History: *1986 c 399 art 1 s 21; 1986 c 416 s 3*

375.85 COUNTIES MAY MARKET SOFTWARE PRODUCTS.

Notwithstanding any other law to the contrary, a county or group of counties acting jointly under section 471.59 may sell or license self-developed or vendor custom-developed computer software products or systems either on competitive bids or in the open market, in the discretion of the county or joint powers board. Prices for the software products or systems may be based on market considerations. A county or group of counties may make agreements with private persons or entities to assist with marketing software products or systems.

History: *1986 c 399 art 1 s 22; 1986 c 416 s 4; 1Sp1986 c 3 art 2 s 31*

375.86 APPLICATION OF OTHER LAW.

County software product programming source code, object code, and all material relating to product or system development and distribution is "trade secret information" for purposes of classification under section 13.37, subdivision 2.

History: *1986 c 399 art 1 s 23; 1986 c 416 s 5*

PUBLIC SAFETY COMMUNICATIONS

375.87 RADIO SYSTEMS FOR PUBLIC SAFETY COMMUNICATIONS.

Subdivision 1. **Establishment.** A county may establish and rent, lease, construct, equip, and maintain a radio broadcasting station or stations, with land-fixed repeater stations and other necessary communication equipment, to be used for public safety communications. It may acquire land, towers, or equipment by gift, purchase, lease, exchange, condemnation, or other means for use as a site for public safety communications equipment. Public safety communications sites may be acquired by lease for a period of up to 25 years in duration. Public safety communications may include police, fire, highway maintenance, emergency medical service, local government, forestry conservation, and other communications as determined by the county board.

Subd. 2. **Antenna site use agreements.** Use of county-owned radio towers, building rooftops, lands, and easements may be made available to commercial wireless service providers or other users for the purpose of installing antennas and equipment. The county may charge site use fees for the value of the real property or structure made available and for public safety communications systems costs. In lieu of a site use fee, the county may make agreements with commercial wireless service providers or other tower owners to place county equipment on privately owned towers and may accept improvements such as tower reinforcement, reconstruction, site development, or other site improvements to the county's communications system facilities or real or personal property. Antenna site use agreements and leases may be entered into by any means available and in the manner determined by the county board, with or without advertisement for bids.

History: *2003 c 43 s 1*