

Resolution 80 - 01/03/06

WHEREAS Minnesota Statute §6.79 allows local governments to submit to the State Auditor proposed changes to state mandates, and

WHEREAS the State Auditor has encouraged local units governments to take this opportunity to suggest improvements, and

WHEREAS the Kanabec County Board of Commissioners supports actions which could lower costs, improve services to the public and make expenditures more accountable, and

WHEREAS the County Board has statutory authority and responsibility to set the county budget, and

WHEREAS Minnesota Statutes §384.151, 385.373, 386.015, 387.20 and 388.18 give (respectively) the County Auditor, County Treasurer, County Recorder, County Sheriff and County Attorney the authority to appeal their wages or budget to District Court, and

WHEREAS these appeals occur after the board has duly set the levy and budget pursuant to public law, and

WHEREAS the result is lawyers fighting out the dispute at public expense in front of a judge serving at public expense, and

WHEREAS if the elected official's attorney is better than the County Board's attorney and an award is made in the elected official's favor, then some other department's budget must go down because the levy cannot be increased, and

WHEREAS the true loser in any such court action is the one party not represented: the taxpayer;

BE IT RESOLVED that the Kanabec County Board of Commissioners recommends that the legislature rescind that portion of Minnesota Statutes §384.151, 385.373, 386.015, 387.20 and 388.18 authorizing authority to appeal their wages or budget to District Court.