

TUESDAY, MARCH 20, 2012

**APPROVED MINUTES OF THE
COUNTY BOARD OF COMMISSIONERS SPECIAL SESSION HELD**

**STATE OF MINNESOTA)
DODGE COUNTY)**

**FAIRVIEW CARE CENTER
DODGE CENTER, MN**

2012-01 Special

The Dodge County Board of Commissioners met in special session March 20, 2012, at the Fairview Care Center, Dodge Center, MN, at 10:00 a.m. CDT. Don Gray, Chair called the County Board of Commissioners meeting to order at 10:00 a.m. CDT.

Meeting Convened

The Chair acknowledged those present and established that there was a quorum:

Those Present

Members present: Jane Olive District #1
Lyle Tjosaas District #2
David Erickson District #3
Don Gray District #4
David Hanson District #5

Members absent: None

Also present: Jim Elmquist County Administrator
Guy Kohlhofer County Engineer

Guy Kohlhofer, County Engineer introduced the sewer issue on 2nd Street NW in Dodge Center. Mr. Kohlhofer reported that the property of Mr. Ken Behounek at 406 2nd Street NW experienced a sewer backup and there is a need to replace the utility connection at the front of the house which involves digging into the County Road. Mr. Kohlhofer stated the current practice followed by the County Highway Department and any contractor needing to cut into a county roadway is to create a 6:1 ramp back from the edge of the trench for the top four feet, a typical frost depth. Although they may have a potential elevation change of six inches over the trench there would only be a change of 3 inches at 12 feet and 1.5 inches at 18 feet from the trench. This procedure results in a less perceptible bump or dip in the road.

Dodge Center
Sewer Issue
Discussion

Mr. Kohlhofer also explained that another procedure to perform when cutting and replacing trenches is to replace all the original materials and leave the blacktop off for a while. However, it is hard to compact the soils when they are returned to the trench and are rarely compacted as well as the soils around them. By leaving the pavement off for a period of time and letting nature and traffic work on the soils you can achieve greater compaction prior to paving. Mr. Kohlhofer stated that although this is a good practice to achieve compaction it does little to achieve consistent soils and uniform frost heaving.

Mr. Kohlhofer informed the Board that Mr. Behounek is asking the county to wave the required sloping of a trench on CR H. He stated the road was recently resurfaced in 2008 and has a strong surface and smoothness. Prior to the resurfacing county highway crews replaced several culverts and performed subgrade repairs at a few locations. In each instance a 6:1 was followed for sloping procedure. It will be more than 20 years before the surface needs major maintenance again. The Highway Department recommended the request be denied.

Dodge Center
Sewer Issue
Discussion -
Continued

Commissioner Hanson acknowledged the homeowner and the other individuals present, Dodge Center City Administrator Lee Mattson and City Engineer Neil Britton. Mr. Hanson stated that he was contacted two weeks ago by the property owner and was told the county practice of 6:1 was going to cost the home-owner in the upwards of \$10,000. Commissioner Hanson said most cities across the region only require vertical trenching and that the process recommended may be excessive. Mr. Hanson stated that the cities of Kasson and Dodge Center have historically allowed cutting in the roadway and a replacement practice with vertical cutting which was less costly to the home-owner. Commissioner Hanson also pointed to 1989 and 1990 when Dodge County didn't require a 6:1 ratio and instead vertical cutting on 3rd Avenue NW and didn't seem to experience the heaving that Mr. Kohlhofer is concerned about. The County Engineer stated that while it is true the 3rd Avenue NW project didn't experience the heaving described previous that this looks to be the exception and not the norm.

Mr. Behounek stated that his quotes for a vertical road cut is \$2,500 and to do a 4:1 standard as the county communicated they would allow in a meeting a few weeks ago was \$8,750. Mr. Behounek said that was just for roadwork and didn't include the utility replacement. It was Mr. Behounek's opinion that it's unaffordable to complete this work.

Commissioner Hanson stated that while he is a strong believer in the Highway Department's practices and procedures, he didn't believe this requirement was necessary in a low-speed area within Dodge Center's corporate limits and the standard should be more like a city standard would be.

Mr. Behounek stated he talked with the Cities of Byron, Rochester, and Olmsted County and their standard wasn't as strict as Dodge County's.

Mr. Kohlhofer stated the standard isn't intended to be excessive, it's to protect against problematic heaving and ensure that a newer stretch of roadway would be restored to its intended condition. The County Engineer also said that what is allowed here would be our new standard.

Commissioner Erickson asked about what the process entailed to replace the sewer in Dodge Center and who has cost obligations. Mr. Erickson stated that in some cities, the city may have the cost obligation if the connection is past the curbside. City Administrator Lee Mattson stated that it's the rule of the city that up to the main, it's the homeowner's responsibility.

Mr. Kohlhofer stated that another consideration could be the homeowner be allowed to do the vertical trenching but in order for it to be permitted, a performance bond must be attained by the contractor ensuring that if heaving occurs in the following years, the bond is a surety to the replacement if the problem takes place. Mr. Kohlhofer also talked about what the PUC standards are for vertical trenching which is different than what is being proposed.

Dodge Center
Sewer Issue
Discussion -
Continued

Commissioner Gray stated he has concerns about the vertical trenching being allowed because it's evident where it has been permitted by cities and those roads are not in good condition. He stated he has issues with a newer road in this county being allowed to be restored at a standard not expected by staff.

Commissioner Tjosaas said he felt it's a difficult issue and with the standard being where it is versus what the city allows, maybe there could be an opportunity found for compromise. If the county requires a standard of at least 4:1 due to this instance and the city allows a vertical cut, could the homeowner, city, and the county all participate in the project? Commissioner Olive agreed with the thought. County Administrator Jim Elmquist stated that the city has an ordinance in place identifying where the city is responsible for a sewer issue and when it's the homeowner's responsibility and in this case it's the homeowner so the City of Dodge Center would not be compelled to participate.

Commissioner Olive stated that a priority here is to maintain the road and should develop a standard the road would be replaced to and the county would then participate at some level ensuring costs to a citizen aren't excessive. Mr. Kohlhofer stated that if the county wants to participate in the project cost it should be for private citizens only and would be for a percentage of the project cost up to a maximum level.

County Administrator Elmquist recommended to the Board the following action be considered: direct the County Engineer to draft a policy to include county participation in the project ensuring a standard of 4:1 is upheld on County Roads when excavation is taking place. This item will be brought to the County Board on March 27th.

It was the consensus of the Board to move forward with this direction.

County Administrator Elmquist updated the Board on the progress of the Dodge County Recorder Bill. Mr. Elmquist said the bill's language was approved by the Senate Committee as moved forward by Senator Senjem. However, in presentation to the House, it was explained to the Administrator that Representative Quam authored an amendment requiring a retention election. The individual appointed to this position would then be subject to having their name put on the ballot the next available election and every four years thereafter asking the county citizenry for their approval in retaining the position. The County Board was unanimous in their disapproval of the amendment and will talk with Representative Quam about it.

Dodge County
Recorder Bill
Update

The meeting was closed at 11:33 a.m. CDT to conduct the County Administrator's annual review.

County
Administrator
Review

The meeting was opened at 11:54 a.m. CDT.

Meeting Opened

Motion by Olive seconded by Tjosaas to conclude that the County Administrator had performed wonderfully in the previous year. *Motion approved unanimously.*

County
Administrator's
Performance
Acknowledged

Motion by Erickson seconded by Tjosaas to adjourn the meeting at 11:55 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

JIM ELMQUIST
CLERK

DATED: