

TUESDAY, MAY 8, 2012

**APPROVED MINUTES OF THE
COUNTY BOARD OF COMMISSIONERS MEETING HELD**

**STATE OF MINNESOTA)
COUNTY OF DODGE)**

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2012-10

The Dodge County Board of Commissioners met in regular session May 8, 2012, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Don Gray, Chair called the County Board of Commissioners meeting to order at 9:31 a.m. CDT.

Meeting Convened

The pledge of allegiance was recited.

Pledge of Allegiance

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
	Becky Lubahn	Deputy County Clerk
	Paul Kiltinen	County Attorney

Motion by Olive seconded by Hanson to approve and adopt the agenda as presented. *Motion adopted unanimously.*

Agenda Approved

Motion by Olive seconded by Tjosaas to approve the following items on the Consent Agenda:

Consent Agenda
Items Approved

- 1.1 Human Services actions consistent with Human Services resolution #95-10.
- 1.2 Chair and County Attorney to sign an amendment to the current child support supervision contract with Steele County to adjust the per hour rate to \$60 for the period January 1, 2012 to September 14, 2012.
- 1.3 Adoption of the revised Human Services mission statement.

Motion adopted unanimously.

County Attorney Paul Kiltinen provided the Board with a legal update.

Legal Update

Finance Director Lisa Kramer presented for the Board's consideration the 2012/2013 snowmobile clubs sponsorship request.

Sponsorship of K-M
Snowdrifters
Snowmobile Club

The State Department of Natural Resources requests resolutions confirming Dodge County's sponsorship of the Dodge County Snowseekers Snowmobile Club and the K-M Snowdrifters Snowmobile Club for the 2012/2013 season accompany each club's grant application.

Approved by
Resolution #2012-19

Ms. Kramer requested an approved resolution confirming that the county functions as a sponsor for the Dodge County Snowseekers Snowmobile Club and for the K-M Snowdrifters Snowmobile Club with the addition of granting the Finance Director the ability to sign the grant agreements and related reports.

Sponsorship of K-M Snowdrifters Snowmobile Club Approved by Resolution #2012-19 - Continued

The county does not provide any funds for trail maintenance but acts as a flow through agent for the state reimbursement.

Motion by Tjosaas seconded by Erickson to approve and authorize the Chair and Clerk to sign resolution #2012-19 confirming Dodge County sponsorship of the K-M Snowdrifters Snowmobile Club for the 2012/2013 season:

WHEREAS, Dodge County has two snowmobile clubs that maintain the county snowmobile trails; and

WHEREAS, these snowmobile clubs need the county to act as sponsor to receive their reimbursements from the State Department of Natural Resources; and

WHEREAS, the Finance Director needs County Board approval to sign the grant agreements and expense reports.

THEREFORE BE IT RESOLVED, that the County Board approves the county sponsorship of the K-M Snowdrifters Snowmobile Club and gives approval to the County Finance Director to sign the related reports.

Resolution adopted unanimously.

Motion by Tjosaas seconded by Erickson to approve and authorize the Chair and Clerk to sign resolution #2012-20 confirming Dodge County sponsorship of the Dodge County Snowseekers Snowmobile Club for the 2012/2013 season:

Sponsorship of Snowseekers Snowmobile Club Approved by Resolution #2012-20

WHEREAS, Dodge County has two snowmobile clubs that maintain the county snowmobile trails; and

WHEREAS, these snowmobile clubs need the county to act as sponsor to receive their reimbursements from the State Department of Natural Resources; and

WHEREAS, the Finance Director needs County Board approval to sign the grant agreements and expense reports.

THEREFORE BE IT RESOLVED, that the County Board approves the county sponsorship of the Dodge County Snowseekers Snowmobile Club and gives approval to the County Finance Director to sign the related reports.

Resolution adopted unanimously.

The Finance Director discussed with the Board her request to approve remaining 2012 Agency Appropriations.

2012 Agency Appropriations Approved

The commissioner's budget details a list of agency appropriations that the Board funds to benefit the community. These payments are normally paid in July, but this year Ms. Kramer would like to get them paid out prior to her leave this summer.

2012 Agency
Appropriations
Approved -
Continued

Motion by Olive seconded by Hanson to authorize payment of the following agency appropriations as requested:

- SE Minnesota Initiative Fund - \$ 1,320.00
- SE MN Area Agency on Aging - \$ 300.00
- SEMCAC - \$ 3,685.00
- Dodge County Historical Society - \$ 5,500.00
- Soil and Water Conservation District - \$97,000.00

Motion adopted unanimously.

Commissioner Hanson discussed with the Board his request to appoint a Parks and Trails Commission/Advisory Board.

Parks and Trails
Commission/Advisory
Board Establishment
Approved

The draft Dodge County Park & Trails Advisory Board plan reads as follows:

Purpose:

To provide a citizen Advisory Board to work cooperatively with the Highway Department in the development of all Dodge County owned parks and trails.

Membership:

This advisory committee will consist of at least five members appointed by the Board of Commissioners. Each member will be asked to serve a term of three years.

One County Commissioner and an alternate should be appointed each year to serve on the committee.

Responsibilities:

1. Hold at least one meeting per year to discuss development plans and budget requests.
2. Work to secure grants to aid in funding the stabilization of the Seminary ruins and development of county parks & trails.
3. Advisory committee members will serve without pay.

It was Commissioner Erickson's opinion that anyone that serves on the proposed board should be eligible for per diems. Mr. Erickson stated that all other appointed board and committee members receive per diems and this board shouldn't be treated any differently. Item 3 under Responsibilities will read as follows:

3. Advisory committee members will serve without pay.

Discussion took place on whether or not the word “should” needed to be replaced with “shall” in the second sentence under Membership. Commissioners agreed that the sentence should read as follows:

One County Commissioner and an alternate ~~should~~ shall be appointed each year to serve on the committee.

Parks and Trails
Commission/Advisory
Board Establishment
Approved -
Continued

Commissioner Gray suggested that under Membership the first sentence be changed as follows:

This advisory committee will consist of ~~at least a minimum of five-seven~~ members appointed by the Board of Commissioners.

Motion by Erickson seconded by Olive to authorize the establishment of the Parks and Trails Commission/Advisory Board with the recommended changes to the proposed Dodge County Park and Rails Advisory Board Plan. *Motion adopted unanimously.*

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

Motion by Olive seconded by Tjosaas to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	\$ 29,842.13
13	Road and Bridge Fund	\$ 66,705.33
16	Environmental Quality	<u>\$ 3,751.49</u>
	Total	\$100,298.95

Motion adopted unanimously.

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board’s consideration. Motion by Olive seconded by Tjosaas to approve the following personnel actions:

Personnel Actions
Approved

A. Human Services

- A.1 Emily Handevidt – Office Support Specialist
Regular status and step increase from B21 step 8 \$14.06 to B21 step 7 \$14.52.
Effective Date: 3/9/12
- A.2 Becky Eifert – Financial Worker
No longer employed.
Effective Date: 5/30/12
- A.3 Financial Worker – 1.0 FTE
Authorization to fill vacancy.
Effective Date: 5/8/12

B. Sheriff

- B.1 Matt Wohlenhaus – Deputy Sheriff
Step increase from C41 12 month step \$20.84 to C41 24 month step \$22.31.
Effective Date: 2/23/12

- B.2 Jim Lee – 911 Dispatcher
 Authorization to change status from on-call B22 step 10 \$14.80 to .8 FTE B22 step 1 \$16.08.
 Effective Date: 5/8/12

Personnel Actions
Approved -
Continued

C. Public Health

- C.1 Nicolett Brandt – PHN I - .5 FTE
 Regular status and step increase from C42 step 8 \$20.85 (+\$3 R/R) to C42 step 7 \$21.62 (+ \$3 R/R).
 Effective Date: 5/18/12

Motion adopted unanimously.

Commissioners recessed to meet and greet visitors at 9:57 a.m. CDT.

Recessed Meeting

The meeting was reconvened at 10:05 a.m. CDT.

Reconvened Meeting

Zoning Administrator Melissa DeVetter presented for the Board's consideration the May 2, 2012 Planning Commission recommendations.

CUP #04-07 (Amend)
Approved

Don Marti, a representative of Community Celebration Church, and the County Engineer were available to comment on the request.

Motion by Erickson seconded by Olive to approve of the following action of the Planning and Zoning Commission as reviewed on May 2, 2012 with the reasons, recommendations and conditions as found in the individual permit:

Community Celebration Church – CUP#04-07 (amend)

The first public hearing is to consider a request to amend Conditional Use Permit #04-07 to allow an expansion of a church. The property is 4.61 acres located in the NW ¼ of the NE ¼ of the SW ¼ of Section 36, Mantorville Township. Community Celebration Church is the applicant and Douglas and Debra Buck are the property owners.

The Planning Commission recommends the removal of condition #3 and approval of the following conditions.

1. Dodge County Zoning Permit shall be obtained before construction.
2. The sewage treatment system(s) serving the church and offices must meet the requirements of Dodge County's Subsurface Sewage Treatment Ordinance No. 4, and Minnesota Rules Chapter 7080-7083, where applicable. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit.
3. ~~The applicant shall construct, to County Highway Department specifications, a right turn lane along CSAH34 leading to the main/east access to the church.~~
4. The applicant shall obtain a change of use permit for the access proposed to serve the church's office space. Should this access be connected to the main facility or other changes are proposed that may substantially increase its usage, relocation of the access further west and a turn lane may be required.

5. The applicant shall meet the MPCA's stormwater requirements. Prior to issuance of the Zoning Permit, the applicant shall provide the County with copies of any required MPCA permit and a copy of the Stormwater Pollution Prevention Plan, when applicable. Best Management Practices to control erosion and sedimentation from the site shall be installed prior to any land disturbing activities.
6. The applicant shall increase parking spaces for the church to a minimum of 250 spaces in accordance to current Zoning regulations addressing parking. Parking for the office shall comply with Planning Commission and County Board Recommendations.
7. Any lighting shall be directed away from adjacent residences.

CUP #04-07 (Amend)
Approved -
Continued

Motion adopted unanimously.

Ms. DeVetter presented for the Board's consideration ZA #12-01 (Chapter 3 & 4). Motion by Tjosaas seconded by Hanson to approve of the following action of the Planning and Zoning Commission as reviewed on May 2, 2011 with the reasons, recommendations and conditions as found in the individual permit:

ZA #12-01 (Chapter
3 & 4) Approved by
Resolution #2012-21

Zoning Amendment – ZA #12-01 (Chapter 3 & 4)

The second public hearing is to consider an amendment to the Dodge County Zoning Ordinance. The proposal includes new language for Chapter 3 (Land Description and Survey) and Chapter 4 (Definitions).

The Planning Commission recommends approval as presented.

Motion adopted unanimously.

Also included in the motion was authorization for the Chair and Clerk to sign resolution #2012-21 in support of Zoning Ordinance Amendment ZA #12-01 (Chapters 3 & 4):

WHEREAS, the last major revision of the Dodge County Zoning Ordinance was on May 16th, 1995; and

WHEREAS, sections of the 1995 Dodge County Zoning Ordinance are not in compliance with current Minnesota Statutes; and

WHEREAS, the 1995 Dodge County Zoning Ordinance contains numerous administrative and reference errors; and

WHEREAS, ordinance provisions regarding land uses do not accurately reflect current Dodge County issues and priorities; and

WHEREAS, the Dodge County Zoning Ordinance provisions provide for amendments to the zoning ordinance upon recommendation of the Planning Commission; and

WHEREAS, the addition of the language addressing land description and surveys will reconcile a number of accuracy and legal issues identified by the Dodge County Assessor's Office, Dodge County Recorder's Office, Dodge County Finance Department, and the Dodge County Environmental Services Department; and

ZA #12-01 (Chapter 3 & 4) Approved by Resolution #2012-21 - Continued

WHEREAS, the public hearing on the first draft of Chapter 3 (Land Description and Survey) was held by the Planning Commission on November 2nd, 2011 and tabled until the December meetings by the County Board on November 8th, 2011; and

WHEREAS, comments received on the draft ordinance language after the public hearing held on November 2nd, 2011, constituted significant enough changes for staff to recommend denial of the proposed draft in its current form and revisions to the draft be made; and

WHEREAS, the required revisions have been made to address issues in the first draft; and

WHEREAS, a summary of the proposed amended Chapter 3 (Land Description and Surveys) and Chapter 4 (Definitions) has been published in the legal newspaper on April 18th, 2012 and posted upon the county website; and

WHEREAS, a public hearing on the proposed amendment was held by the Dodge County Planning Commission on May 2nd, 2012; and

WHEREAS, the Planning Commission recommended approval of the amended Chapters 3 & 4 to the Dodge County Board of Commissioners; and

WHEREAS, the Dodge County Board of Commissioners adopted the proposed amended Chapters at its May 8th, 2012 meeting.

THEREFORE BE IT RESOLVED, that the County Board of Dodge County hereby amends Chapter 3 (Reserved for Future Use) and replaces it with the language of Chapter 3 (Land Description and Surveys) as adopted on May 8th, 2012.

Resolution adopted unanimously.

Ms. DeVetter presented for the Board's consideration IUP #11-03 (Extension). Motion by Erickson seconded by Olive to approve of the following action of the Planning and Zoning Commission as reviewed on May 2, 2011 with the reasons, recommendations and conditions as found in the individual permit:

IUP #11-03 (Extension) Approved

Sherman Stoflet – IUP# 11-03 (Extension)

The Planning Commission recommends approval for an extension of IUP #11-03 for 1 (one) year. I.U.P. #11-03 would be extended from June 14, 2012 to June 14, 2013 with the following conditions:

1. Submit and Erosion Control Plan in accordance with Section 1617 prior to construction if proposed construction is on slopes 12% or greater.
2. A Dodge County Zoning Permit shall be obtained before construction.
3. The Agricultural Use Covenant shall be signed and recorded in the Dodge County Recorder's Office prior to construction. A copy of the recorded document is required to be submitted to the Dodge County Environmental Services Department to file with the CUP.
4. The septic system must meet the requirements of Dodge County's sewage and wastewater treatment ordinance.
5. An address shall be obtained from the Dodge County Highway Department.

IUP #11-03
(Extension) Approved
- Continued

Motion adopted Erickson, Hanson, Olive, Gray aye, Tjosaas abstained.

Ms. DeVetter presented for the Board's consideration CUP #07-10 (Review). Motion by Erickson seconded by Hanson to approve of the following action of the Planning and Zoning Commission as reviewed on May 2, 2011 with the reasons, recommendations and conditions as found in the individual permit:

CUP #07-10
(Review) Approved

Rochester Sand & Gravel – CUP #07-10 (review)

The Planning Commission recommends approval of Extraction of Minerals and Sand with the following conditions and a review in 5 years (May 2017):

1. Permit is issued for one year for the batching plant.
2. Permit is issued for five years and renewed at that time for the sand pit operation.
3. A road bond in the amount of \$25,000 would be posted for 237th Avenue for the length of the term of the sand operation with the township.

Motion adopted unanimously.

Commissioner Olive presented a summary of the Human Services Committee report.

Human Services
Committee Report

The County Attorney left the meeting at 10:42 a.m. CDT.

County Attorney Left
Meeting

Commissioner Erickson presented a summary of the Public Works Committee report.

Public Works
Committee Report

Commissioner Gray presented a summary of the Administration Committee report and action items.

Administration
Committee Report

Motion by Hanson seconded by Olive to approve and authorize the April 24, 2012 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

04/24/12 Committee
of the Whole Meeting
Minutes Approved

Motion by Tjosaas seconded by Erickson to approve and authorize the April 24, 2012 meeting minutes as presented. *Motion adopted unanimously.*

04/24/12 Meeting
Minutes Approved

The Board reviewed the IT Director's request to approve cell phone stipends for IT staff.

IT Staff Cell Phone Stipend Approved

All members of the IT department (Paul Wiltgen, Tobey Hicks, and Janet Stanton) use cell phones to conduct county business during off hours. The cell phones are used for both voice and data communication. The county's new cell phone policy allows for an increase in the monthly stipend from \$20 to \$50 for eligible plans as authorized by department heads and the County Board.

Motion by Olive seconded by Hanson to approve and authorize the new cell phone stipend of \$50/month for Paul Wiltgen, Tobey Hicks, and Janet Stanton as requested. *Motion adopted unanimously.*

Commissioners provided their agency reports. Commissioner Erickson attended a Space Study work session, a SCHA Joint Powers Board meeting, a PSAP meeting with Rice/Steele Dispatch, a Planning and Zoning meeting and a Dodge County Township Officers meeting. Commissioner Gray attended a Space Study work session, a County Township Officers meeting, and a Planning and Zoning meeting. Commissioner Hanson attended a Space Study work session, a Parks and Trails meeting, a Planning and Zoning meeting, and a Township Officers meeting. Commissioner Olive attended a Space Study meeting, a Dodge County Trails Association meeting, a KM business appreciation breakfast, a SEMAC Grant Review Panel meeting, a WDI Best Places to Work banquet, a Food Hub Feasibility Study meeting, a Workforce Development meeting and a Human Services Redesign work shop. Commissioner Tjosaas attended an Extension Committee meeting, a Planning and Zoning meeting, a Redesign meeting, a Space Study work shop, a Township Officers meeting and a KM business appreciation breakfast.

Agency Reports

Jim Elmquist provided the Board with a County Administrator update.

County Administrator Update

Motion by Olive seconded by Tjosaas to adjourn the meeting at 11:16 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on May 22, 2012 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPTY CLERK

DATED: