

TUESDAY, OCTOBER 9, 2012

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

**STATE OF MINNESOTA)
DODGE COUNTY)**

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2012-01 BOH

The Dodge County Board of Commissioners met as the Dodge County Board of Health October 9, 2012, at the Courthouse Annex, Mantorville, MN, at 10:28 a.m. CDT. Don Gray, Chair called the County Board of Health meeting to order at 10:28 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
Becky Lubahn Deputy County Clerk
Peggy Espey Public Health Director
Sandra Schaefer Septic System Coordinator/Account
Tech.
Mike Martin City of Kasson Economic Development
Coordinator

Public Health Director Peggy Espey met with the Board to discuss a potential Public Health nuisance issue in the City of Kasson.

Potential Public
Health Nuisance
Discussion

On September 24, 2012 following a meeting Ms. Espey was attending the County Attorney contacted her and Commissioner Jane Olive to discuss a potential public health nuisance located in Kasson, Minnesota. During this discussion it was their understanding from the County Attorney that this was a property that they had been working on prior to this discussion. Commissioner Olive and the Public Health Director did not at that time feel a letter should be signed without further discussion with the full County Board.

At the September 25, 2012 County Board meeting Ms. Espey reviewed the nuisance issue with her focus committee and Commissioner Olive shared the nuisance issue with the full County Board that morning. Ms. Espey was later informed that this was not the property they had previously been working on. September 24, 2012 was the first time that she had been approached regarding working on the new property in question. Since this time the Public Health Director has requested and obtained further information regarding the property under question from the Dodge County Environmental Services Department and County Attorney. The location of the potential public health nuisance is in Kasson but is a different property than the one that they are currently working on. The property under question is located at 85 East Veteran's Memorial Highway.

Ms. Espey shared the following property history:

- The original complaint was first received by Minnesota Pollution Control Agency (MPCA) on June 5, 2012.
- Dodge County Environmental Services was notified by MPCA and they provided information to MPCA regarding the property.
- A letter was sent to the owners by Environmental Services that an imminent health threat septic system complaint had been registered with MPCA and they requested a time to inspect the property.
- An onsite assessment was made by Environmental Services on August 6, 2012 stating this was an imminent health threat due to improper disposal of sewage.
- August 22, 2012 MPCA sent correspondence to the owner regarding this same violation. This letter informed the owner that according to Minnesota Statute this noncompliance issue must be fixed sooner than 10 months.
- Another letter was sent to the owner on August 27, 2012 notifying the owner of the violation of a sewer system that was inadequate and that a connection to the municipal sewer system should happen within 60 days of the letter.

Potential Public Health Nuisance Discussion - Continued

After review of this recently acquired data, Ms. Espey was quite concerned with the property and is recommending to the County Board that discussion regarding this property take place and a decision for action made. The property has a very old septic tank which has a direct pipe discharging sewage into Masten Creek.

The Public Health Director shared the following recommendations/findings for the property located at 85 East Veteran's Memorial Highway, Kasson, MN:

- The property is within the city limits of Kasson with a main sewer hookup close to the property. Owners need to contact City of Kasson to obtain a permit to hook up to the Kasson sanitary sewer system.
- Whoever is hired to hook up to the city must also abandon the old septic tank and disconnect the line from the home.
- The tanks need to be pumped, crushed and filled.
- An abandon certificate must be filled out and returned to Dodge County Environmental Services when completed.
- Action must be completed within ten (10) days of receipt of the Order for Abatement.
- If the property owner fails to comply with the requirements of the abatement then the City of Kasson shall abate the public health nuisance. If the City of Kasson performs the work to abate this public health nuisance, the cost of the abatement shall be assessed and charged against the property owners.

County Attorney Paul Kiltinen stated that he discussed this issue with Joe Guzinski, the City Attorney for Kasson, and Mr. Guzinski confirmed that the City would be responsible for the costs associated with bringing the property into compliance.

Motion by Olive seconded by Tjosaas to agree with the Public Health Director's findings on the property located at 85 East Veteran's Memorial Highway, Kasson, MN and declare the property a imminent health threat and order the abatement of the septic system within 10 days. *Motion adopted unanimously.*

City of Kasson Property Declared Imminent Health Threat

Ms. Espey reminded the Board that several years ago she was appointed the authorized agent to act on behalf of the county in matters concerning the Dodge County Board of Health.

Potential Public Health Nuisance Discussion - Continued

City of Kasson Economic Development Coordinator Mike Martin commented that it would be nice if the City of Kasson received a letter from the county asking the city to work with the county and send a joint letter to the property owners to fix the septic system issue.

Motion by Tjosaas seconded by Olive to approve and authorize the Public Health Director to sign a letter along with the City of Kasson to the property owners of 85 East Veteran’s Memorial Highway, Kasson, MN for the abatement of their septic system which has been deemed an imminent health threat. *Motion adopted unanimously.*

Public Health Director Authorized to Sign Letter Regarding Imminent Health Threat

Motion by Olive seconded by Erickson to adjourn the meeting at 10:43 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: