

TUESDAY, NOVEMBER 13, 2012

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2012-22

The Dodge County Board of Commissioners met in regular session November 13, 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 9:30 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:	Lyle Tjosaas	District #2
	David Erickson	District #3
	Don Gray	District #4
	David Hanson	District #5
Members absent:	Jane Olive	District #1
Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy County Clerk
	Steven Gray	Dodge County Resident

Finance Director Lisa Kramer introduced Jennifer Driesch who is a new Deputy Recorder in the Recorder's Office.

New Employee
Introduced

The Board welcomed Ms. Driesch.

Motion by Erickson seconded by Hanson to approve the agenda as presented.
Motion adopted unanimously.

Agenda Approved

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

Consent Agenda Items
Approved

- 1.1 Chair and Deputy Clerk to sign resolution #2012-45 accepting a \$2,800 grant to enhance the county Veteran Service Office operations and adopt a motion to execute the grant contract accordingly.
- 1.2 Chair and Deputy Clerk to sign resolution #2012-46 accepting a \$2,298 grant for outreach to veterans in the community and adopt a motion to execute the grant contract accordingly.
- 1.3 Human Services Resolution #95-10.
- 1.4 Human Services Director and Chairman of the Board to sign a contract with South Central Human Relations Center to provide targeted case management services to children and adults with mental illness and severe emotional disturbance for calendar year 2013 at the rates indicated.

Motion adopted unanimously.

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

Ms. Culbertson informed the Board that a payment to the Minnesota Board of Assessors in the amount of \$25.00 on page 14 for training will be pulled and paid as an Auditor's Warrant.

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

01	Revenue Fund	\$171,035.32
11	Human Services	\$ 747.00
13	Road and Bridge Fund	\$ 42,875.51
16	Environmental Quality	\$ 11,568.90
17	EQ Revolving Equip Fund	\$ 46,336.35
80	Agency Fund	\$ 1.50
	Total	\$272,564.58

Motion adopted unanimously.

Ms. Culbertson informed the Board that Terry Eckstein, Controller for RDM of Minnesota, submitted a request to abate the penalty for the 2012 second half taxes on six parcels. Included in the Board packet was a letter from Mr. Eckstein which explains that because of a change in personnel the second half taxes were not paid. RDM of Minnesota has now taken care of the scheduling of the payment and request that due to their long history of paying on time the penalty be abated.

RDM of Minnesota
Property Tax Penalty
Abatement Request
Denied

It was Ms. Culbertson's recommendation to remain consistent with past decisions and deny this abatement request.

Motion by Erickson seconded by Hanson to deny the 2012 property tax penalty abatement request of RDM of Minnesota in order to remain consistent with past decisions. *Motion adopted unanimously.*

Sheriff Jim Jensen met with the Board to discuss his request to approve a Next Generation Reimbursement Grant.

Acceptance of Next
Generation
Reimbursement Grant
Approved by Resolution
#2012-47

Sheriff Jensen reported that Dodge County will be upgraded to Next Generation 911 sometime before June 30, 2013. Next Generation 911 will provide a high speed voice and data network for routing and delivering emergency calls. This grant will reimburse the Dodge County Sheriff's Office for the purchase and installation of necessary equipment and network requirements to convert from the Legacy 911 to the Next Generation 911, up to \$10,000.00.

Motion by Tjosaas seconded by Hanson to approve and authorize the Chair and Deputy Clerk to sign resolution #2012-47 accepting the Next Generation Reimbursement Grant:

WHEREAS, the Dodge County Sheriff's Office from time to time receives donations from individuals and/or organizations; and

WHEREAS, the Dodge County Sheriff's Office wishes to accept this donation and utilize it for the purpose of reimbursement of costs associated with the installation of the Next Generation 911 system; and

Acceptance of Next Generation Reimbursement Grant Approved by Resolution #2012-47

WHEREAS, pursuant to Minnesota Statute 465.03, the county shall by resolution of the governing body adopt by a two-thirds majority of its members accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners hereby accept the following Grant donation to be used for reimbursement of costs associated with the installation of the Next Generation 911 system:

Minnesota Department of Public Safety – Reimburse and amount not to exceed \$10,000.00

Resolution adopted unanimously.

Also included in the motion was authorization for the Chair and Sheriff to sign the State of Minnesota Grant Contract for the Next Generation Reimbursement Grant.

The Sheriff presented for the Board's consideration a resolution request to accept a cash donation to the Sheriff's Office.

Sheriff's Office Donation Approved by Resolution #2012-48

The Dodge County Sheriff's Office received a donation of \$250.00 from the Elroy and Sandra Nuss family.

On October 22, 2012 Elroy Nuss and his wife went to their son's residence near Claremont to pick him up for a doctor's appointment. When they arrived they found him unresponsive. Mr. Nuss called 911 and the Claremont First Responders, Dodge Center Ambulance Service and the Dodge County Sheriff's Office responded to the scene.

Mr. and Mrs. Nuss sent a letter along with a check for \$250.00 to the Sheriff's Office. The letter commended Chris Wolcott (dispatcher), the Dodge Center Ambulance, Claremont First Responders, Sergeant Karlen, Deputy Skadson and the Sheriff for the performance, guidance and comfort they provided the family.

The Nuss family wanted to donate the money to assist in the purchase of additional equipment that will continue to assure this level of care in Dodge County communities.

Motion by Tjosaas seconded by Erickson to approve and authorize the Chair and Deputy Clerk to sign resolution #2012-48 accepting a donation to the Dodge County Sheriff's Office for the purpose of purchasing additional First Responder equipment:

WHEREAS, the Dodge County Sheriff's Office from time to time receives donations from individuals and/or organizations; and

WHEREAS, the Dodge County Sheriff's Office wishes to accept this donation and utilize it for the purpose of purchasing additional First Responder equipment; and

Sheriff's Office
Donation Approved by
Resolution #2012-48 -
Continued

WHEREAS, pursuant to Minnesota Statute 465.03, the county shall by resolution of the governing body adopt by a two-thirds majority of its members accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners hereby accept the following Grant donation to be used for the purpose of purchasing additional First Responder equipment:

Cash donation of \$250.00 from Elroy and Sandra Nuss

Resolution adopted unanimously.

The Board reviewed the Sheriff's request to purchase a new server and software for the CIS CAD system to allow the E-Charging Program to be installed and activated on December 3, 2012.

Purchase of New
Server, License and
Software for E-
Charging Program
Approved

The State of Minnesota informed the Sheriff in October that they would be installing the E-Charging Program with Dodge County on December 3rd of this year. When the state informed Mr. Jensen of the installation plan, the only thing he was told was that the Sheriff's Office needed to order a \$2,400.00 adapter from CIS. When the Sheriff's Office contacted CIS on November 2nd to check on the delivery schedule for the adapter, they were told they also needed additional server hard drives or a new server and new software with the server.

Mr. Jensen discussed the issue with IT and with CIS and it was decided that the purchase of a new server would be the best route to go as the current server is at the end of its life cycle. IT did some price checking to get the best price for a server and software. The Sheriff included in the Board packet three quotes for a server, software license and software for the server. The total cost to purchase this server will be \$14,704.41. Because of the time it takes to get a server delivered and installed, Mr. Jensen asked IT to order the server. The server was also ordered early because the server and software needs to be in place before the state can install the E-Charging Program and train employees. The State of Minnesota has scheduled installation and training at Dodge County for December 3rd through December 5th, 2012.

The Sheriff has money in his budget to pay for this server from savings in the Jail Contract and some savings in what was set aside for narrow banding.

Motion by Hanson seconded by Erickson to approve and authorize the Sheriff to purchase a server, license and software at a cost of \$14,704.41 for the E-Charging Program that will be installed by the State of Minnesota December 3, 2012. *Motion adopted unanimously.*

EDA Coordinator Chris Giesen met with the Board to discuss EDA staffing changes and introduce Dodge County's new EDA representative.

EDA Staffing Changes
Discussed/New EDA
Representative
Introduced

Mr. Giesen reported that Community and Economic Development Associates (CEDA) has been providing staffing services to the Dodge County Economic Development Authority on a regular basis since January 2010. Since that time, Mr. Giesen has been the CEDA staff person assigned to Dodge County.

Because of company growth and staff changes since that time, CEDA has begun to modify its staffing structure accordingly.

Beginning November 19, 2012, Mr. Giesen is being reassigned to the cities of Stewartville, Chatfield, and Harmony and will no longer be the CEDA representative serving Dodge County. Mr. Giesen's CEDA colleague, Andrew Barbes, will be taking over his responsibilities in Dodge County at that time.

Mr. Giesen stated that he has really enjoyed his time working with Dodge County businesses, communities, County Board, EDA, other county staff.

It was Mr. Giesen's opinion that the transition to a new representative should be seamless. Mr. Giesen reported that he will be introducing Mr. Barbes to the EDA at the next meeting, and getting him acclimated in Dodge County.

Mr. Giesen noted that currently, Mr. Barbes is the CEDA representative working with the communities of West Concord and Blooming Prairie. Also through CEDA, Mr. Barbes has worked on a number of individual projects for communities and organizations such as Goodhue County EDA, Howard County (Iowa) Business and Tourism, BEST of Waseca, and with programs such as Small Cities Development Block Grants.

Mr. Giesen assured the Board that although he will not be in the Dodge County office, he will remain behind the scenes to ensure a smooth transition on all projects, reports, prospects, etc. In addition, Mr. Giesen noted that the entire CEDA team is always behind each community they serve.

Commissioner Erickson inquired as to whether or not Mr. Barbes intends to continue working the same schedule as Mr. Giesen which is on Wednesdays. Mr. Barbes indicated that he may be working on Monday instead of Wednesday, Mondays works better with his schedule.

The Board thanked Mr. Giesen for his work in Dodge County and welcomed Mr. Barbes.

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

Personnel Actions
Approved

A. Sheriff's Office

- A.1 Jeff Brion – Deputy Sheriff
Step increase from C41 36 month step \$23.88 to C41 48 month step \$24.72.
Effective Date: 10/31/12

B. Assessor

- B.1 Matt Naatz – Property Appraiser
Step increase from B23 step 6 \$16.99 to B23 step 5 \$17.56.
Effective Date: 11/2/12

C. Human Services

- C.1 Cindy Minnihan – Eligibility Worker
Step increase from B23 step 4 \$18.11 to B23 step 3 \$18.70.
Effective Date: 11/26/12
- C.2 Robert Flach – Social Worker
6 month review.
Effective Date: 10/2/12
- C.3 Jane Hardwick – Director of Human Services
Annual review.
Effective Date: 8/18/12

D. Administration

- D.1 Janet Stanton – IS Specialist
Regular status and step increase from B31 step 5 \$19.83 to B31 step 4 \$20.30.
Effective Date: 11/28/12

E. Environmental Services

- E.1 County Feedlot Officer/Water Quality Technician – 1.0 FTE
Approval of updated job description (formerly Environmental Technician) and request authorization to post and fill vacancy.
Effective Date: 11/13/12

Motion adopted unanimously.

SSTS Coordinator Sandra Schaefer discussed with the Board her request to approve a Fairground Sanitary Sewer Maintenance Agreement.

Ms. Schaefer reported that in 2011, the county replaced much of the Fairground's on-site sewer system and connected to the City of Kasson's wastewater treatment system. Since then, the City of Kasson has monitored the Fairground's pump station and responded to alarms at no cost to the county. Both entities agree that a written agreement should be in place for long-term monitoring, maintenance, and repair of the Fairgrounds Sewer System.

Included in the Board packet was an agreement that was developed after several months of discussion between county and city staff. The Kasson City Council has approved the agreement.

Personnel Actions
Approved - Continued

Fairgrounds Sanitary
Sewer Maintenance
Agreement with the City
of Kasson Approved

Basic Conditions of the Agreement are:

1. County is the owner of the pump, tanks, and sewer system within Fairgrounds property.
2. City of Kasson will regularly inspect the system components and provide routine maintenance at a cost of \$30/month to the county.
3. City of Kasson will also perform non-routine repairs and will bill the county at city's cost for labor and materials.
4. The Agreement may be terminated by either party following a 60 day written notice.

Fairgrounds Sanitary Sewer Maintenance Agreement with the City of Kasson Approved - Continued

Motion by Erickson seconded by Hanson to approve and authorize the County Administrator to sign the proposed Sewer Maintenance Agreement with City of Kasson as presented. *Motion adopted unanimously.*

The County Attorney was not available to provide the Board with a legal update.

Legal Update

The Chair recessed the meeting at 10:12 a.m. CDT.

Meeting Recessed

The Chair reconvened the meeting at 10:26 a.m. CDT.

Meeting Reconvened

Human Services Director Jane Hardwick met with the Board to discuss whether or not to include Public Health in this phase of development and implementation of a Multi-County Human Services Delivery Authority.

Public Health Not Included in Current Phase of Design of Multi-County Service Delivery Authority

Included in the Board packet was an update on the Mobilize Phase of the development and implementation of a Multi-County Human Services Delivery Authority. One of the primary questions outstanding as they define the scope of development for the multi-county entity, is whether to include Public Health at this time.

Ms. Hardwick stated that as the Board may be aware, Mower County merged their Public Health Department with their Human Services Department earlier in 2012. A number of counties throughout the state have done so in the past forty years for various reasons. In this region, the counties of Fillmore, Goodhue, Mower, and Winona have merged departments. (The remaining seven currently keep separate departments.)

When the four counties proceeding with the development of a Multi-County Human Services Agency adopted resolutions in September, each county left open the potential to include the administration of Public Health duties at the option of each participating county. On November 1, 2012, the Steering Committee for the Southeast Minnesota Human Services Delivery Authority development heard presentations from Mower County Health & Human Services and Southwest [Minnesota] Health & Human Services regarding their merger process and organizational structure.

In preparation for a November 20, 2012 decision by the Steering Committee regarding whether to include Public Health within the scope of redesign at this time, Ms. Hardwick felt it would be helpful to have a sense of whether the Dodge County Board of Commissioners desire to include Dodge County's Public Health Department in the development during this phase.

Public Health Not
Included in Current
Phase of Design of
Multi-County Service
Delivery Authority -
Continued

Motion by Erickson seconded by Hanson to go on record that the Dodge County Board of Commissioners does not authorize including the Dodge County Public Health Department in the current phase of the design of a Multi-County Service Delivery Authority that is under development for Human Services. Inclusion of the Public Health Department will be considered at a later date. *Motion adopted unanimously.*

Zoning Administrator Melissa DeVetter presented for the Board's consideration the November 7, 2012 Planning Commission recommendations.

CUP #12-01 Approved

Motion by Erickson seconded by Hanson to approve of the following action of the Planning and Zoning Commission as reviewed on November 7, 2012 with the reasons, recommendations and conditions as found in the individual permit:

Frontier Communications – CUP #12-01

The first public hearing is to consider an application for a Conditional Use Permit for the installation of a major essential service (fiber optic cable). The planned route is located in Ashland Township within the Right of Way starting at State Highway 56 running west on the north side of County Road 10 (650th Street) to the corner of 180th Avenue turning north on the east side of 180th Avenue to the AT&T cell tower located on Earl Eipers property. Frontier Communications is the applicant.

The Planning Commission recommends approval with the following conditions:

1. Frontier Communications shall provide a copy of the Insurance Certificate for Contractors General Liability and Property Damage to Dodge County Planning staff prior to the installation of the fiber optic cable.
2. Frontier Communications shall obtain a Dodge County Highway Department ROW permit and provide a copy of the permit to Dodge County Planning staff prior to the installation of the fiber optic cable.
3. Frontier Communications shall obtain a MnDot ROW permit, where applicable, and provide a copy of the permit to Dodge County Planning staff prior to installation of the fiber optic cable.
4. Frontier Communications shall notify Dodge County Zoning and the Dodge County Highway Department 48 hours prior to starting the project.
5. As built, plans shall be submitted to each impacted Township and to the Dodge County Highway Department within 60 days of project completion.

6. Frontier Communications shall contact all landowners to obtain information on tile lines and crossings in the project area. All drainage facilities and patterns shall be repaired to pre-construction condition. When tile lines are cut and before repairs are made, tile openings shall be protected to prevent dirt, silt or animals from entering the tile system. All tile lines which are impacted shall be restored and repaired to the previous conditions and operable state without cost to the landowner. All repair/restoration activities shall coincide with installation of the cable.
7. Construction activities shall be conducted in such a manner as to minimize impacts agricultural operations.
8. Fiber optic cable shall be installed no less than 3 feet below ground within the ROW and under public road surfaces.
9. Fiber optic cable shall be bored under all public and private roads (including driveways) unless the County Board approves an alternate process.
10. Fiber optic cable shall be bored under any roadside prairie, wetland or watercourse areas.
11. No installation outside of the ROW is authorized without written landowner permission submitted to Dodge County Zoning staff prior to installation of the fiber optic cable.

CUP #12-01 Approved - Continued

Motion adopted unanimously.

Commissioner Erickson asked that Ms. DeVetter verify with Ashland Township that there were no other problems with the request.

Ms. DeVetter presented for the Board's consideration IUP #12-09. Motion by Tjosaas seconded by Hanson to approve of the following action of the Planning and Zoning Commission as reviewed on November 7, 2012 with the reasons, recommendations and conditions as found in the individual permit:

IUP #12-09 Approved

Jeff Franzen – IUP#12-09

The second public hearing is to consider an application for an Interim Use Permit to allow a home occupation in an accessory structure in the Agricultural District. The parcel is 3.01 acres located in the NE 1/4 of the NE 1/4 of Section 21 in Wasioja Township. Jeff Franzen is the applicant and property owner.

The Planning Commission recommends approval with the following conditions:

1. Operation will comply with all local, state, and federal regulation regarding the storage and use of hazardous products and the treatment and disposal of hazardous waste.
2. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules.
3. When present, floor drains from the shop shall meet EPA requirements.
4. The sign shall meet the performance standards of the Dodge County Zoning Ordinance. A sign advertising the Home Occupation business shall not exceed nine (9) square feet and shall be set back a minimum of ten (10) feet from the right-of-way.

5. Any change involving the addition of new business related structures or employees beyond that specified in the home occupation agreement/application on file with the IUP, enlargement, intensification of the use or similar changes not specifically permitted by the IUP shall require an amended IUP to be issued.
6. The business shall comply with the conditions of this permit, supporting documentation and the Home Occupation Agreement, which shall be recorded with the IUP.
7. The business shall comply with the Nuisance Standards. Nuisance complaints shall result in review of the IUP by the Planning Commission.

IUP #12-09 Approved -
Continued

Motion adopted unanimously.

Ms. DeVetter presented for the Board's consideration CUP #12-02. Motion by Erickson seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on November 7, 2012 with the reasons, recommendations and conditions as found in the individual permit:

CUP #12-02 Approved

Arvig Enterprises – CUP#12-02

The third public hearing is to consider an application for a Conditional Use Permit for the installation of a major essential service (fiber optic cable).

The planned route is located within the Right of Way starting at the Goodhue/Dodge County line along State Highway 56 running south on the west side of State Highway 56 through Concord Township continuing into Wasioja Township to the corner of County Road 16 (600th Street). At the corner of State Highway 56 and County Road 16 (600th Street) the route turns east along the south side of County Road 16 (600th Street) through the Village of Wasioja into Mantorville Township continuing on County Road 16 (600th Street) to Dodge/Olmsted County Line. Arvig Enterprises is the applicant.

The Planning Commission recommends approval with the following conditions:

1. Arvig Enterprises shall provide a copy of the Insurance Certificate for Contractors General Liability and Property Damage (as per section 17.1709) to Dodge County Planning staff prior to the installation of the fiber optic cable.
2. Arvig Enterprises shall obtain a Dodge County Highway Department ROW permit and provide a copy of the permit to Dodge County Planning staff prior to the installation of the fiber optic cable.
3. Arvig Enterprises shall obtain a MnDot ROW permit and provide a copy of the permit to Dodge County Planning staff prior to installation of the fiber optic cable.
4. Arvig Enterprises shall notify Dodge County Planning and the Dodge County Highway Department 48 hours prior to starting the project.
5. As built, plans shall be submitted to each impacted Township and to the Dodge County Highway Department within 60 days of project completion.

6. Arvig Enterprises shall contact all landowners to obtain information on tile lines and crossings in the project area. All drainage facilities and patterns shall be repaired to pre-construction condition. When tile lines are cut and before repairs are made, tile openings shall be protected to prevent dirt, silt or animals from entering the tile system. All tile lines which are impacted shall be restored and repaired to the previous conditions and operable state without cost to the landowner. All repair/restoration activities shall coincide with installation of the cable.
7. Construction activities shall be conducted in such a manner as to minimize impacts on agricultural operations.
8. Fiber optic cable shall be installed according the requirements of the approved permit from the appropriate road authority.
9. Fiber optic cable shall be bored under all public and private roads (including driveways) unless the County Board approves an alternate process.
10. Fiber optic cable shall be bored under any roadside prairie, wetland or watercourse areas.
11. Arvig Enterprises shall submit a copy of the DNR's license to cross to the Department to include with the CUP file.
12. No installation outside of the ROW is authorized without written landowner permission submitted to Dodge County Zoning staff prior to installation of the fiber optic cable.

CUP #12-02 Approved - Continued

Motion adopted unanimously.

Ms. DeVetter presented for the Board's consideration ZA #12-02 (continued).

ZA #12-02 (Continued)
Approved by Resolution
#2012-49

Commissioner Hanson questioned the language used on Chapter 17 which reads as follows:

17.29.1 SETBACK FROM ROW

Trees and shrubs adjacent to the road Right of Way may constitute a "public nuisance", as well as a maintenance and safety issue for the road authority. Property owners in Dodge County are put on notice that if any Road Authority determines that their trees and/or shrubs constitute a safety issue due to overhanging the road or road right of way.

Commissioners and Ms. DeVetter agreed that the last sentence of section 17.29.1 should read as follows: Property owners in Dodge County are put on notice that if any Road Authority determines that their trees and/or shrubs constitute a safety issue due to overhanging the road or road right of way, they may be pruned or removed.

Motion by Erickson seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on November 7, 2012 with the reasons, recommendations and conditions as found in the individual permit, and the recommended change to 17.29.1:

Zoning Amendment – ZA#12-02 (continued)

ZA #12-02 (Continued)
Approved by Resolution
#2012-49 - Continued

The third public hearing is to consider an amendment to the Dodge County Zoning Ordinance. The proposal includes new language for Chapter 16 (Performance Standards) and Chapter 17 (General Development Standards), and Chapter 4 (Definition pertaining to Chapter 16 & 17). Chapter 8 (Agricultural District), Chapter 10 (Urban Expansion District), Chapter 11 (Rural Residential District), Chapter 12 (Commercial District), Chapter 13 (Industrial District), Chapter 14 (Shoreland Overlay District), Chapter 15 (Flood Plain Overlay District) have amended language or references pertaining to Chapter 16 and 17. Chapter 5 (General Limitations), Chapter 9 (Public Recreational Land and Trails), Chapter 21 (Wind Energy Conversion Systems), and Chapter 23 (Adult Entertainment) will be repealed and reserved for future use contents are under Chapter 16.

The Planning Commission recommends approval of Zoning Amendment #12-02 as presented.

Motion adopted unanimously.

Also included in the motion was authorization for the Chair and Clerk to sign resolution #2012-49 in support of Zoning Ordinance Amendment ZA #12-02 (continued):

WHEREAS, the last major revision of the Dodge County Zoning Ordinance was on May 16, 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 Environmental Services staff informed the Dodge County Planning Commission of the issues with the 1995 Dodge County Zoning Ordinance; and

WHEREAS, the Dodge County Planning Commission directed Environmental Services staff to commence ordinance revisions at its October 7, 2009 public hearing; and

WHEREAS, a summary of the proposed repealed and replaced Chapter 16 (Performance Standards), Chapter 17 (General Development Standards) amended Chapter 4 (Definitions), Chapter 8 (Agricultural District), Chapter 10 (Urban Expansion District), Chapter 11, (Rural Residential District), Chapter 12 (Commercial District), Chapter 13 (Industrial District), Chapter 14 (Shoreland Overlay District), Chapter 15 (Floodplain Overlay District), and Chapter 26 (Effective Date of Zoning Amendments) have been published in the legal newspaper on August 22, 2012 and September 19, 2012 and posted upon the county website; and

ZA #12-02 (Continued)
Approved by Resolution
#2012-49 - Continued

WHEREAS, a public hearing on the proposed repeals and amendments was held by the Dodge County Planning Commission on September 5, 2012, October 3, 2012, and November 7, 2012; and

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

WHEREAS, the Dodge County Board of Commissioners adopted the proposed repealed and amended Chapters at its November 13, 2012 meeting.

THEREFORE BE IT RESOLVED, that the County Board of Dodge County hereby repeals the language of:

Section 16 (General Regulations) and replaces it with Chapter 16 (Performance Standards)

Chapter 17 (Essential Services) and replaces it with Chapter 17 (General Development Standards)

Chapter 5 (General Limitations) and replaces it with Chapter 5 (Reserved for Future Use)

Chapter 9 (Public Recreational Land and Trails) and replaces it with Chapter 9 (Reserved for Future Use)

Chapter 21 (Wind Energy Conversion Systems (WECS)) and replaces it with Chapter 21 (Reserved for Future Use)

Section 23 (Adult Entertainment) and replaces it with Chapter 23 (Reserved for Future Use)

as adopted on November 13, 2012. In addition, the County Board of Commissioners adopts the amendments to Chapter 4 (Definitions), Chapter 8 (Agricultural District), Chapter 10 (Urban Expansion District), Chapter 11, (Rural Residential District), Chapter 12 (Commercial District), Chapter 13 (Industrial District), Chapter 14 (Shoreland Overlay District), Chapter 15 (Floodplain Overlay District), and Chapter 26 (Effective Date of Zoning Amendments).

In addition, Resolution #2004-24 (The Agricultural Use Covenant) is repealed and replaced by this resolution which amended the language pertaining to the Ag Covenant in Chapter 8 to include impacts from flying debris.

Resolution adopted unanimously.

ZA #12-02 (Continued)
Approved by Resolution
#2012-49 - Continued

The Board thanked Ms. DeVetter for her work on updating the Zoning Amendment.

Commissioner Tjosaas presented a summary of the Human Services Committee report and action items.

Human Services
Committee Report

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

Administration
Committee Report

Motion by Tjosaas seconded by Hanson to approve and authorize the October 23, 2012 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

10/23/12 Committee of
the Whole Meeting
Minutes Approved

Motion by Erickson seconded by Hanson to approve and authorize the October 23, 2012 meeting minutes as corrected on page 223. *Motion adopted unanimously.*

10/23/12 Meeting
Minutes Approved

Commissioners provided their agency reports. Commissioner Erickson attended a Transportation Alliance Legislative forum, an AMC District IX meeting, a SCHA Joint Powers Board meeting, Dodge/Steele Joint Ditch meetings for Ripley Ditch and Havana Ditch, a Dodge County Township Officers meeting, a Dodge County Planning and Zoning meeting and a social event sponsored by the Human Services Department. Commissioner Gray attended an AMC District IX meeting, an Annual Ditch meeting, a County Planning meeting and a County Township Officers meeting. Commissioner Hanson attended a Transportation forum, a Voter ID forum, a Dodge/Steele Public Health Joint Powers meeting, a District IX AMC meeting, a Ripley & Havana Ditch Joint Powers Board meeting, a Dodge County Township Officers meeting, a Planning & Zoning meeting and two Civil War meetings. Commissioner Olive was not available to report her meeting attendance. Commissioner Tjosaas attended a Dodge County Health meeting with Legislator Quam, an AMC meeting, two SCHA meetings, a Township Officers meeting and a social event sponsored by the Human Services Department.

Agency Reports

Motion by Tjosaas seconded by Erickson to adjourn the meeting at 11:58 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on November 27, 2012 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

DON GRAY
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPTY CLERK

DATED: