

TUESDAY, OCTOBER 14, 2014

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2014-20

The Dodge County Commissioners met in regular session October 14, 2014, in the Commissioner's Room at the Dodge County Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Chair Rodney Peterson called the 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:

Those Present

Members present:	John Allen	District #1
	Rodney Peterson	District #3
	David Erickson	District #4
	Steven Gray	District #5
Members absent:	Tim Tjosaas	District #2
Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy Clerk
	Paul Kiltinen	County Attorney

Drug Court Coordinator Eric Thompson introduced Missy Kasten who is the new Drug Court Case Manager. The Board welcomed Ms. Kasten.

New Employee
Introduced

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

Consent Agenda
Items Approved

- 1.1 Appointment of Jane Hesper to the County Extension Committee to fill a vacancy, term runs through December 2016.
- 1.2 Adoption of Data Access Security Policy.
- 1.3 Set 2015 Tobacco License Fee at \$250.00 per vendor.
- 1.4 Human Services resolution #95-10.

Motion adopted unanimously.

County Engineer Guy Kohlnhofer discussed with the Board the Kasson Car Wash and vacuum station.

Licensing of Kasson
Car Wash Vacuum
Station Approved

The County Engineer recommended against the requested use of the right-of-way (r/w), citing State Statute 160.2715. Mr. Kohlnhofer noted that in the event the decision is made to go ahead with the licensing of the vacuum station in the r/w, he recommended licensing the area of the vacuum and the width of vacuum to the west to where it meets the entrance. The County Engineer felt that without the installation of a fence this area will, for all intents and purposes, be utilized by the car wash. This results in a licensed area of 4'x30' and a five year license of \$1,080.

Commissioner Peterson stated that he was disappointed that the owner of this facility knew where the right-of-way was and proceeded anyway. Mr. Peterson briefly discussed the potential for a future sidewalk in this area.

Commissioner Peterson pointed out the county has however made concessions to other businesses in the county.

Licensing of Kasson Car Wash Vacuum Station Approved - Continued

Motion by Erickson seconded by Allen to approve a five year license at a cost of \$1,080 for the Kasson Car Wash vacuum station in the CSAH 34 right-of-way. This licensed area is 4'x30'. *Motion adopted Erickson, Allen, Peterson aye, Gray nay.*

Mr. Kohlnhofer discussed with the Board the CSAH 3 bridge repair plan.

CSAH 3 Bridge Repairs Approved

The County Engineer informed the Board that the timber bridge on CSAH 3 just south of Claremont was inspected this summer. Split timbers were discovered by the inspection team and the bridge was quickly posted to an 8 ton total vehicle weight. As this greatly restricts the bridge from carrying anything more than standard passenger vehicles, an effort has been made to come up with a repair plan that will restore a more usable posting until the bridge can be replaced.

Mr. Kohlnhofer reported that a repair plan was developed and several bridge contractors were contacted. One of the contractors, Icon Constructors LLC, submitted an alternate repair at a substantially lower cost than the planned repair. The Highway Department consulted with structural engineers and the alternate repair will allow them to post the bridge at 26T 40T 40T, allowing a typical farm semi to utilize the route (no agriculture overload exemption permitted). This alternate repair comes in at approximately \$25,000 and was not budgeted. Due to scheduling and the imminent corn harvest the repair was considered an "emergency" and the contractor directed to proceed. The County Engineer informed the Board that repairs are taking place as of today.

Motion by Allen seconded by Erickson to approve and authorize the unbudgeted emergency repair to the CSAH 3 bridge as requested. *Motion adopted unanimously.*

Director of Land Records Ryan DeCook informed the Board that Minnesota Statutes 375.192 provides that the County Board may grant the reduction or abatement of a property taxpayer's estimated market valuation and the resulting taxes, costs, penalties, or interest which have been erroneously or unjustly assessed. The County Board may consider and grant reductions and abatements for applications as they relate to taxes payable in the current year and the two prior years. However, abatements for the two prior years shall be considered and granted only for clerical errors and when the taxpayer fails to file for a reduction or an adjustment due to a hardship, as determined by the County Board.

Property Tax Abatement Approved

All applications must be written and approved by the County Assessor and the County Auditor before consideration by the County Board. Said abatement applications are entirely discretionary, subject to precedence and prior Board policy, and are not appealable to another level of authority. Based on the applicants' claims and the investigation of the facts, the Finance Director and Mr. DeCook are offering the following assessment changes for taxes payable in the years listed.

Parcel ID	Owner	Street	City/TWP	Reason	Tax Reduction
R18.029.0300	Phyllis Peterson	75285 110th Ave, Blooming Prairie	Westfield	Property ownership changed: policy of office to track homestead and add parcels to a homestead linkage if they qualify. Missed because owner already was linked but only as 50% owner. Became eligible for full homestead in payable 2012.	\$4,872 Includes: 2012 2013 2014 Payable Tax Years

Property Tax Abatement Approved - Continued

Motion by Allen seconded by Erickson to approve and authorize the 2012, 2013 and 2014 property tax abatements for parcel R18.029.0300 as requested.
Motion adopted unanimously.

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

Legal Update

Fairview Care Center Administrator Jane Sheeran met with the Board to discuss adjusting the Fairview Care Center pay scale to recognize the secondary effect of the Minnesota minimum wage increase.

Fairview Care Center Wage Scale Adjustment Approved

Ms. Sheeran informed the Board that this past legislative session resulted in an increase to the Minnesota minimum wage effective August 1, 2014. Even though the Minnesota minimum wage increase had no direct impact on the pay scale, the Department of Human Services recognizes a “secondary effect” caused by the increase. The secondary effect recognized the need to maintain a wage spread similar to what existed prior to the minimum wage increase. The secondary effect is minimal and amounts to \$0.06 per hour for employees earning under \$14.00 an hour. Included in the Board packet was the proposed pay scale which highlights the wages that Ms. Sheeran is requesting to increase by the \$0.06. The total cost of this increase is approximately \$3,000 and their Medical Assistance rate increase will cover this cost.

The Fairview Care Center Administrator reported the Department of Human Services developed a tool for Care Centers to use to calculate the wage increase and the resulting rate increase. The total effect will be phased in over the three years in which the minimum wage increase is being phased in.

The Fairview Care Center pay scale was briefly discussed. The pay scale highlights the steps which are affected by this increase. All the highlighted areas fell below \$14.00 per hour with the exception of Line 10 - Step 9 and Line 12 – Steps 7, 8 and 9. Ms. Sheeran is recommending that the increase be carried through the entire line to maintain the wage spread for these lines.

Ms. Sheeran reported that the proposed wage scale is effective September 22, 2014 which was the start of a new pay period. The new wages must be in effect by October 1, 2014.

Motion by Erickson seconded by Allen to approve the proposed Fairview Care Center wage scale adjustment which was necessitated by the August 1, 2014 Minnesota minimum wage increase. The proposed wage scale adjustment is effective September 22, 2014. *Motion adopted unanimously.*

Fairview Care
Center Wage Scale
Adjustment
Approved -
Continued

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board’s consideration.

Personnel Actions
Discussed

Commissioner Gray asked that items F.1, F.2 and F.3 be pulled and acted on separately.

Commissioner Allen asked that item C.1 be pulled from the agenda and acted on separately.

Motion by Erickson seconded by Allen to approve the following personnel actions:

Personnel Actions
Approved

A. Administration

A.1 Tobey Hicks – Director of Information Technology
Recommend step increase from C43 step 8 \$26.68 to C43 step 7 \$28.03.
Effective Date: 10/1/14

B. Environmental Services

B.1 Sandy Schafer – Septic System Coordinator/Acct. Tech
Annual review.
Effective Date: 8/8/14

D. Sheriff’s Office

D.1 Ashley Bjornson – Records
No longer employed.
Effective Date: 10/14/14
D.2 Kevin Krause – Deputy Sheriff
Annual review.
Effective Date: 8/26/14

E. Highway

E.1 Equipment Operator II – 1.0 FTE
Request authorization to post and fill vacancy.
Effective Date: 10/14/14

G. Job Description Annual Review

G.1 **Annual Review of Job Descriptions**
Request approval of revised job descriptions for:
1. Payroll Specialist/Employee Relations Assistant
(All updates have been reviewed by the employees in the position, Department Heads, County Administrator and Employee Relations.)
Effective Date: 12/1/14

Motion adopted unanimously.

The Board discussed personnel action C.1. Commissioner Gray explained the rationale for the request.

Personnel Action
C.1 Postponed

The personnel action reads as follows:

C. Public Health

- C.1 Peggy Espey – Public Health Director
Request authorization for temporary wage increase of \$2.00/hour due to higher level responsibility as Community Health Services Administrator.
Effective Date: 1/1/14 – 12/31/14

Personnel Action
C.1 Postponed -
Continued

Motion by Gray seconded by Erickson to postpone action on item C.1 until the next County Board meeting in order to obtain additional information.

Motion adopted unanimously.

The Board discussed personnel action F.1.

Personnel Action F.1
Approved

Motion by Erickson seconded by Allen to approve the following personnel action:

F. Human Services

- F.1 Tracie Sandoval – Case Aide - .8 FTE
Request authorization to employ at B22 step 10 \$14.93 to fill approved vacancy.
Effective Date: 10/13/14

Motion adopted unanimously.

The Board discussed personnel action F.2.

Action on Personnel
Action F.2 & F.3
Postponed

Commissioners Allen and Gray expressed concern with the length of time needed to complete the hiring process which includes posting, advertising, accepting applications, interviewing and finally offering the position to an individual. The individuals would then have to be trained. It would then be a month or more before someone could be hired for the positions. Mr. Allen and Mr. Gray felt the actual benefit to the county for filling these two positions would be minimal since MNPrairie would take over Human Services operations as of January 1, 2015.

It was Commissioner Peterson’s opinion that the county would be setting MNPrairie up for success by filling the Social Services Supervisor position and the Child Support Supervisor & Data Practices Specialist position. If the county doesn’t fill these positions, Mr. Peterson felt they were setting MNPrairie up for failure.

The personnel actions read as follows:

F. Human Services

- F.2 Social Services Supervisor – Child & Family Unit – 1.0 FTE
Eliminate contracted position and post and fill vacancy.
Effective Date: 10/14/14
- F.3 **Human Services**
Child Support Supervisor & Data Practices Specialist – 1.0 FTE
Eliminate contract position and post and fill vacancy.
Effective Date: 10/14/14

Motion by Erickson seconded by Allen to postpone any action on the two personnel actions until Commissioner Tjosaas and the Human Services Director are available to comment on the requests. *Motion adopted unanimously.*

Action on Personnel
Action F.2 & F.3
Postponed -
Continued

Ms. Hager presented for the Board's consideration the Highway Union 2015-2017 Labor Agreement.

AFLCIO Local 49 –
Highway Union
Labor Agreement
Approved

The Employee Relations Director informed the Board that the AFLCIO Local 49 – Highway Union has voted to sign the proposed agreement.

A summary of significant issues includes the following:

1. Article VIII – Seniority and Job Posting – added language: *All Dodge County Engineering Technicians II's, after three (3) years of service, that exhibit an increased knowledge and skill base in plan design and state aid standards, shall advance to the Technician III position upon a satisfactory performance evaluation.*
2. Article XVI Longevity – Eliminated all longevity from the contract.
3. Article XXII Wages and Employment – Implemented a payscale and incorporated what was Longevity Pay into the scale; increased by 2% in 2015 and 2% in 2016 and 2.25% in 2017. Also, incorporated recruitment/retention pay into the payscale for Engineering Technicians. Modified the payscale for three positions: Mechanic, Sign Technician, and Foreman.

Motion by Gray seconded by Allen to approve and authorize the Chair, County Administrator and Employee Relations Director to sign the proposed Labor Agreement between Dodge County and the AFLCIO Local 49 – Highway Union for 2015-2017 as requested. *Motion adopted unanimously.*

Commissioner Erickson thanked Ms. Hager for her work on this contract.

The Employee Relations Director presented for the Board's consideration the Insurance Committee recommendation for 2015.

Insurance
Committee
Recommendation for
2015 Approved

Ms. Hager informed the Board that the Insurance Committee is not recommending any increase to the county cafeteria contributions for 2015.

The Employee Relations Director reported that the Insurance Committee considered the following information in the making of this recommendation: health, life, and LTD insurance premiums did not increase. Dental premiums increased by 7.9%. The Insurance Committee recognizes that this is a tight budget year and appreciates the fact that the County Board has been very responsive to contribution increase requests in the past.

Insurance Committee member Rick Eggert was available to comment on the recommendation.

Motion by Gray seconded by Allen to accept the Insurance Committee recommendation which was no country cafeteria contribution increase for 2015. *Motion adopted unanimously.*

Commissioner Peterson thanked the Insurance Committee for recognizing the county's position with levy limitations and recommending no cafeteria contribution increase for 2015.

Insurance
Committee
Recommendation for
2015 Approved -
Continued

Taxpayer Services Director Rose Culbertson reviewed bills with the Board. Ms. Culbertson informed the Board that a payment to Ricoh in the amount of \$8,982.06 is being pulled on page 6; Marco will be paying this bill.

Bills Approved

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

01	Revenue Fund	\$ 156,231.59
11	Human Services Fund	\$ 192.00
13	Road and Bridge Fund	\$ 117,938.74
16	Environmental Quality Fund	\$ 6,775.84
37	Debt Fund-County Go	\$ 100.00
80	Agency Fund	\$ 300.00
	Total	\$ 281,538.17

Motion adopted unanimously.

Building Operations Supervisor Roger Friedt discussed with the Board his request to purchase a replacement vehicle in Central Services.

Vehicle Purchase for
Central Services
Approved

The Central Services fund has \$18,000.00 budgeted for a new replacement vehicle in their 2014 capital budget. This new vehicle will replace the existing Unit #124, a 2006 Dodge Stratus with 108,000 miles used by Public Health. This unit is recommended for replacement because the engine has a bad cylinder and needs to be overhauled. The Stratus is unreliable because it is hard to start. Estimated repairs for the Stratus are approximately \$3,500.00. The new vehicle will be put into the Central Services motor pool and an older model from the motor pool will be moved to Public Health for their use.

The replacement vehicle will be purchased through the Minnesota Materials Management Division state contract. The car dealership being approved by the state for this purchase is Ford of Hibbing in Hibbing, MN.

Mr. Friedt recommended purchasing a 2015 Ford Fusion from Ford of Hibbing in the amount of \$17,521.00 which includes required options.

Motion by Gray seconded by Allen to approve and authorize the Building Operations Supervisor to purchase a 2015 Ford Fusion from Ford of Hibbing in the amount of \$17,521.00 for Central Services and authorize the County Administrator to enter into a purchase order agreement for this purchase.

Motion adopted unanimously.

Mr. Friedt discussed with the Board his request to purchase a replacement vehicle for Human Services.

Vehicle Purchase for
Human Services
Approved

Human Services has budgeted \$28,000 for a new replacement vehicle in their 2014 capital budget. This new vehicle will replace Unit #123, a 2006 minivan with 108,000 miles. The rear air needs work but is too costly to repair, there is \$1,800.00 of body damage, and the body is rusting in the rocker panels and sliding door.

The replacement minivan will be purchased through the Minnesota Materials Management Division state contract. The car dealership approved by the state for this purchase is Dodge of Burnsville in Burnsville, MN.

Dodge is the only manufacturer offering a minivan through the state contract.

Mr. Friedt recommended purchasing a 2015 Dodge Grand Caravan (minivan) from Dodge of Burnsville in the amount of \$23,304.00, which includes required options.

Motion by Erickson seconded by Gray to approve and authorize the Building Operations Supervisor to purchase a Dodge Grand Caravan from Dodge of Burnsville in the amount of \$23,304.00 for the Human Services Department and authorize the County Administrator to enter into a purchase order agreement for this purchase. *Motion adopted unanimously.*

The Building Operations Supervisor presented for the Board's consideration a request to replace windows at the Highway Department in Dodge Center.

Highway
Department Window
Replacement
Approved

The Highway Department office building windows are in need of replacement. The windows are original to the building constructed in 1980. The windows are metal frame stationary glass. The metal frames are rusted with holes in the frames. Some of the double pane glass windows have lost vacuum and no longer have insulating value. The metal frames conduct cold in the winter months causing rooms to feel drafty and cold. The Highway Department has budgeted \$14,000 in their 2014 capital budget to replace the windows.

Dodge County has requested and received two proposals for the window replacement for the office building. The proposals were included in the Board packet for review.

Motion by Gray seconded by Allen to approve and authorize Ford Metro, Inc. of Rochester, MN to furnish and install eleven windows in the Highway Department office building in the amount of \$10,977.00 and authorize the County Engineer to enter into a purchase order agreement for the window replacement. *Motion adopted unanimously.*

Mr. Friedt discussed with the Board his request to approve asbestos removal in the Claremont apartment buildings and the Government Services Building.

Asbestos Removal
in Claremont
Apartment Buildings
and Government
Services Building
Approved

Dodge County, with the assistance of IEA Consultants, has received proposals for the removal of asbestos materials from the Claremont apartment buildings located at 216-218 Front Street in Claremont, MN prior to demolition and the school building and/or future Government Services Building prior to renovation.

Included in the Board packet were proposal results provided by IEA and the recommendation of a qualified contractor for removal and disposal of asbestos materials.

Asbestos Removal
in Claremont
Apartment Buildings
and Government
Services Building
Approved -
Continued

Motion by Erickson seconded by Gray to approve and authorize Twell Environmental from Brooklyn Park, MN to provide removal and disposal of asbestos materials from the Claremont apartment buildings in the amount of \$7,654.00 and the school building/Government Services Building in the amount of \$8,130.00 and authorize the County Administrator to sign the agreement documents. *Motion adopted unanimously.*

The meeting was recessed at 10:43 a.m. CDT.

Meeting Recessed

The meeting was reconvened at 10:50 a.m. CDT.

Meeting
Reconvened

Accounting Services Director Sara Marquardt discussed with the Board her request to establish an Absentee Ballot and UOCAVA Ballot Board.

Absentee Ballot and
UOCAVA Ballot
Boards Established
by Resolution
#2014-43

Ms. Marquardt reported that the State Statute for establishing a Regular Absentee Ballot Board is State Statute 203B.121, subd. 1. State Statute 203B.121, subd, 1 requires the governing body of each county with responsibility to accept and reject absentee ballots must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number (minimum of 2) of election judges trained in the handling of absentee ballots and that are appointed as provided in sections 204B.19 to 204B.22. The board may include staff trained as election judges. Included in the Board packet were copies of State Statutes 230B.121 and 204B.19 through 204B.22.

The Accounting Services Director informed the Board that the regular Absentee Ballot board duties include two or more election judges, examining the return envelope and marking them accepted or rejected. The regular absentee ballot board must receive all return envelopes during the 45 days before the election. Within five days of receipt of the envelopes, the Accounting Services Director must deliver them to the ballot board, except during the 14 days immediately preceding an election; the ballots must be delivered to the ballot board within three days.

The State Statute for establishing a UOCAVA Absentee Ballot Board is State Statute 203B.23, subd. 1. An absentee board must be established for ballots issued under sections 203B.16 to 203B.27. The board may consist of staff trained as election judges, in which case, the board is exempt from sections 204B.19, subd. 5 and 204C.15, relating to party balance in appointment of judges and to duties to be performed by judges of different major political parties.

The UOCAVA Absentee Ballot board duties are the same as those for the regular absentee ballot board, except that the UOCAVA ballots are to be reviewed immediately upon receipt of them. They then need to be accepted or rejected immediately.

The absentee voting period for the State Primary was June 27 – August 11, 2014. The absentee period for the State General is September 19 – November 4, 2014.

Absentee Ballot and UOCAVA Ballot Boards Established by Resolution #2014-43 - Continued

It was Ms. Marquardt’s recommendation that the County Board set forth a resolution approving the establishment of a UOCAVA and Regular Absentee Ballot Boards. Also that the board appoint the staff trained election judges as the County Absentee Ballot Board and UOCAVA Absentee Ballot Board.

Commissioner Allen offered the following resolution (#2014-43), seconded by Commissioner Gray:

Establishing Absentee Ballot and UOCAVA Ballot Boards – 2014 Elections

WHEREAS, Minnesota Statute 203B.121 subs. 1 requires the governing body of each county with responsibility to accept and reject absentee ballots must, by ordinance or resolution, establish a ballot board; and

WHEREAS, the board must consist of a sufficient number of election judges trained in the handling of absentee ballots. The board may include staff trained as election judges; and the board is exempt from sections 204B.19, subs.5, and 204C.15 relating to party balance for election judges; and

WHEREAS, Minnesota Statute 203B.23, subs. 1 for establishing a UOCAVA Absentee Ballot Board; and

WHEREAS, the board may consist of staff trained as election judges, in which case, the board is exempt from sections 204B.19, subd. 5 and 204C.15, relating to party balance in appointment of judges and to duties to be performed by judges of different major political parties.

NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Commissioners hereby establish an Absentee Ballot Board;

BE IT RESOLVED that the Dodge County Board of Commissioners hereby establishing an UOCAVA Absentee Ballot board;

BE IT FINALLY RESOLVED that the Absentee Ballot Board and the UOCAVA Absentee Ballot Board will be made up of trained county staff.

Resolution adopted unanimously.

Zoning Administrator Melissa DeVetter presented for the Board’s consideration the October 8, 2014 Planning Commission recommendations.

IUP #14-02 Approved

Dylan McDonah – IUP #14-02 was discussed.

Motion by Allen seconded by Gray to approve of the following action of the Planning and Zoning Commission as reviewed on October 8, 2014 with the reasons, recommendations and conditions as found in the individual permit:

Dylan McDonah – IUP#14-02

IUP #14-02
Approved -
Continued

The first public hearing is to consider an application for an Interim Use Permit to establish a dwelling on less than 53 acres in the Agricultural District. The proposed parcel will be a split of 3 acres from an 80 acres parcel located in the E ½ of the SE ¼ of Section 4, Vernon Township. Dylan McDonah is the applicant and Eastlee Family Farms, LLC/Allan Eastlee is the property owner.

The Planning Commission recommends approval with the following conditions:

1. The Ag Covenant shall be recorded prior to issuance of the Zoning Permit.
2. The survey and split shall be completed prior to issuance of the Zoning Permit.
3. Dodge County Zoning Permit shall be obtained before construction.
4. The sewage treatment system must meet the requirements of Dodge County's Subsurface Sewage Treatment Ordinance No. 4. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit.
5. An access/driveway permit shall be obtained from the Dodge County Highway Department and all conditions or requirements of the Highway Department shall be met.
6. An address shall be obtained from the Dodge County Highway Department.

Motion adopted unanimously.

Steve Garness –IUP#14-03 was discussed.

IUP #14-03
Approved

Motion by Gray seconded by Allen to approve of the following action of the Planning and Zoning Commission as reviewed on October 8, 2014 with the reasons, recommendations and conditions as found in the individual permit:

Steve Garness –IUP#14-03

The second public hearing is to consider an application for an Interim Use Permit to establish a dwelling on less than 53 acres in the Agricultural District. The proposed parcel will be a split of 4.8 acres from a 21 acres parcel located in the W ½ of the NE ¼ of Section 21, Wasioja Township. Steve Garness is the applicant and the property owner.

The Planning Commission recommends approval with the following conditions:

1. The Ag Covenant shall be signed and recorded prior to issuance of the Zoning Permit.
2. Dodge County Zoning Permit shall be obtained before construction.
3. The sewage treatment system must meet the requirements of Dodge County's Subsurface Sewage Treatment Ordinance No. 4. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit.

Motion adopted unanimously.

Rod Garness –IUP#14-04 was discussed.

IUP #14-04
Approved

Motion by Erickson seconded by Gray to approve of the following action of the Planning and Zoning Commission as reviewed on October 8, 2014 with the reasons, recommendations and conditions as found in the individual permit:

Rod Garness – IUP#14-04

The third public hearing is to consider an application for an Interim Use Permit to establish a dwelling on less than 53 acres in the Agricultural District. The parcel is 6.2 acres parcel located in the NE ¼ of the NW ¼ of Section 23, Westfield Township. Rod Garness is the applicant and the property owner.

The Planning Commission recommends approval with the following conditions:

1. The Ag Covenant shall be recorded prior to issuance of the Zoning Permit.
2. Dodge County Zoning Permit shall be obtained before construction.
3. The sewage treatment system must meet the requirements of Dodge County's Subsurface Sewage Treatment Ordinance No. 4. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit.
4. When required, the applicant will provide a copy of any permit from the Cedar River Watershed District on file with a copy of the IUP.

Motion adopted unanimously.

Canisteo Solar, LLC – CUP#14-07 was discussed.

CUP #14-07
Approved

Motion by Gray seconded by Erickson to approve of the following action of the Planning and Zoning Commission as reviewed on October 8, 2014 with the reasons, recommendations and conditions as found in the individual permit:

Canisteo Solar, LLC – CUP#14-07

The fourth public hearing is to consider an application for a Conditional Use Permit to allow a Solar Energy Farm in the Ag District. The parcel is 40.1 acres located in the SW ¼ of the SW ¼ of Section 10, Ashland Township. Canisteo Solar, LLC is the applicant and GM, LLC is the property owner.

The Planning Commission recommends approval with the following conditions:

1. Dodge County Zoning Permit shall be obtained before construction.
2. Operation will comply with all local, state, and federal regulation regarding the use and activities performed on site.
3. Any change involving the enlargement, intensification or expansion of the use or similar changes not specifically permitted by the CUP shall require an amended CUP to be issued by the County Board.
4. The use shall comply with Section 17.19 (Nuisance Standards). Nuisance complaints shall result in review of the CUP by the Planning Commission.

5. The permittee shall obtain the appropriate stormwater permit from MPCA. A copy of the permit and Stormwater Pollution Prevention Plan (SWPPP) shall be on file with the CUP in the Environmental Services Office. The name and phone number of the individual responsible for installation, maintenance and monitoring of the stormwater practices shall be provided to the Department.
6. The design of the facility must be the same as that used in the Solar Glare Hazard analysis, and the final design of the facility meet the criteria using the SGHAT tool.
7. The applicant shall identify wetlands on site so they are adequately protected during construction and shall fully comply with the Minnesota Wetland Conservation Act (WCA) rules.
8. The solar farm shall meet the Performance Standards of Section 16.46.2 of the Dodge County Zoning Ordinance.
9. A Decommissioning Plan including financial assurance which complies with Section 16.46.3 of the Dodge County Zoning Ordinance shall be submitted to the Environmental Services Department to be on file with the CUP. Dodge County shall be the holder of the required decommissioning performance bond or escrow account.

CUP #14-07
Approved -
Continued

Motion adopted unanimously.

The Board was informed the Byron Sportsmen Club & Conservation – CUP#14-06 request has been delayed until additional information can be provided to Environmental Services. The applicant will be amending their conditional use permit application and has asked to waive the 60-day time limit.

CUP #14-06 Action
Delayed

It was clarified that this CUP request will come back to a public hearing at a later date.

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

Public Health
Committee Report

The Board reviewed the Public Health Director’s request to approve a donation to the Public Health Family Program.

Donation to Public
Health Approved by
Resolution #2014-44

Bundles of Love, Oronoco, MN, donated fall/winter bundles valued at \$180.00 to the Public Health Family Health Program.

Commissioner Gray offered the following resolution (#2014-44), seconded by Commissioner Erickson:

Public Health Family Program Donation

WHEREAS, the Dodge County Public Health Department has received donations from Bundles of Love, Oronoco, MN ; and

WHEREAS, the Dodge County Public Health Department wishes to accept these donations and utilize it for the purpose of the Public Health Family Programs; and

WHEREAS, pursuant to Minnesota Statute 465.03, the county shall by resolution of the governing body adopted 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.

Donation to Public Health Approved by Resolution #2014-44 - Continued

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners hereby accepts the following donation to be used for the Family Health Program:

Bundles of Love, Oronoco, MN \$180.00 (Fall/Winter Bundles -Baby quilts and baby items)

Resolution adopted unanimously.

The County Attorney left the meeting at 11:14 a.m. CDT.

County Attorney Left Meeting

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

Human Services Committee Report

Commissioner Allen presented a summary of the Public Works Committee report and action items.

Public Works Committee Report

The Board reviewed the Environmental Services Director’s request to set the 2015 Market Price.

2015 Market Price for Minnesota Solid Waste Management Tax Approved by Resolution #2014-45

Dodge County only needs to pay MN Solid Waste Management Tax on the “Market Price” of waste disposal services. The Market Price is the “lowest price available in the area”. Dodge County disposal costs are higher than the Market Price so, to lower our tax rate, the county needs to pass a resolution that identifies the Market Price; then submit it to the state for approval.

Commissioner Allen offered the following resolution (#2014-45), seconded by Commissioner Erickson:

2015 Market Price for Minnesota Solid Waste Management Tax Set

WHEREAS the Minnesota Solid Waste Management Tax requires political subdivisions to identify by resolution a Market Price if the political subdivision:

- a. Subsidizes the cost of service at a facility; or
- b. Directly bills on a property tax statement for organized collection of mixed municipal solid waste.

WHEREAS the political subdivision will be liable for any solid waste management tax based only on the Market Price amount identified through the resolution; and

WHEREAS the Market Price is defined in Minnesota statute as the “lowest price available in the area” considering disposal and transportation costs; and

WHEREAS Dodge County’s research has identified the Steele County Landfill as the lowest disposal price available in the area at a rate of \$40.00 per ton.

2015 Market Price for Minnesota Solid Waste Management Tax Approved by Resolution #2014-45 - Continued

THEREFORE BE IT RESOLVED; that County of Dodge, considering transportation costs, declares a 2015 Market Price of \$47 per ton.

Resolution adopted unanimously.

The Board discussed an out-of-state travel request for County Engineer Guy Kohlnhofer.

Out of State Travel Request for County Engineer Approved

MnDOT has requested that Guy Kohlnhofer as the Dodge County Engineer attend the January 11-15, 2015 Transportation Research Board (TRB) annual meeting and workshop in Washington DC. The TRB is the national side of our own Local Roads Research Board (LRRB) that Mr. Kohlnhofer has served on several committees over the years ranging from Worker Safety to Complete Streets Design.

As a guest of MnDOT all of the County Engineer’s airfare, lodging and most meals are paid for by the LRRB.

Motion by Gray seconded by Erickson to approve and authorize out-of-state travel for the County Engineer to Transportation Research Board annual meeting and workshop being held in Washington DC January 11-15, 2015. *Motion adopted unanimously.*

The Board reviewed an out-of-state travel request for Zoning Administrator Melissa DeVetter.

Out of State Travel Request for Zoning Administrator Approved

Environmental Services has been contacted to participate in the Wisconsin Land and Water Conservation Association’s 2015 conference. Wisconsin is contacting Minnesota counties who have implemented the buffer rule to obtain information on implementation efforts. All expenses will be paid by the conference organizers.

Motion by Gray seconded by Erickson to approve and authorize out-of-state travel for Melissa DeVetter to attend the 2015 WLWCA Conference (Wisconsin Land and Water Conservation Association) in Appleton, Wisconsin March 9, 2015. *Motion adopted unanimously.*

The Board reviewed the County Engineer’s request to spend unused bituminous funds.

Unused Bituminous Funds Discussion

As the Highway Department looks into the 2015 budget year they are seeing a potential shortfall in their aggregate program. 2015 is the year that the Highway Department crushes the bituminous they have stockpiled at the Highway Department for use in shouldering. When the Highway Department crushes this they blend it 50/50 with virgin aggregate. The crushing cost comes out of their aggregate budget as well as the aggregate used. The Highway Department has amassed such a bituminous pile that this will severely strain their 2015 aggregate budget.

Due to a busy summer for the Highway Department maintenance crew they were unable to utilize the majority of their 2014 bituminous budget. The Highway Department is proposing to utilize the remaining bituminous budget (\$40,000) for aggregate purchase that would be stockpiled at the Highway Department and the quarry.

Unused Bituminous Funds Discussion - Continued

No action was needed on this item.

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

Administration Committee Report

Motion by Erickson seconded by Gray to approve and authorize the September 16, 2014 special meeting minutes as presented. *Motion adopted unanimously.*

09/16/14 Special Meeting Minutes Approved

Motion by Gray seconded by Allen to approve and authorize the September 23, 2014 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

09/23/14 Committee of the Whole Meeting Minutes Approved

Motion by Erickson seconded by Gray to approve and authorize the September 23, 2014, meeting minutes as corrected on page 251. *Motion adopted unanimously.*

09/23/14 Meeting Minutes Approved

Commissioners provided their agency reports. Commissioner Allen attended a Building Committee meeting and a meeting at the Mantorville Cafe. Commissioner Erickson attended a SCHA Joint Powers Board meeting and a Havana Ditch Project meeting. Commissioner Gray attended a regular Dodge County Board meeting, a MACCAC Conference, a Dodge County Corrections Task Force meeting, a Zip Rail Informational meeting, a Building Construction Kick-Off meeting, an Olmsted County Corrections Task Force meeting, an Ice Arena meeting and a Planning Commission meeting. Commissioner Peterson attended an Ice Arena meeting, a Radio Board meeting, a MNPrairie meeting, a SE MN Water Resources meeting, a Fair Board meeting and an Audit Financial meeting. Commissioner Tjosaas was not available to report his meeting attendance.

Agency Reports

The County Administrator provided the Board with an administrative update.

County Administrator Update

Motion by Gray seconded by Allen to adjourn the meeting at 11:51 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on October 28, 2014 at 5:30 p.m. CDT.

Next Regular Meeting

ATTEST:

RODNEY PETERSON
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: