

**TUESDAY, JUNE 9, 2015**

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

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

**COUNTY ADMINISTRATION OFFICE  
MANTORVILLE, MN**

**2015-12**

The Dodge County Commissioners met in regular session June 9, 2015, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. CDT. Chair John Allen 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
	Tim Tjosaas	District #2
	Rodney Peterson	District #3
	David Erickson	District #4
	Steven Gray	District #5

Members absent: None

Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy Clerk
	Paul Kiltinen	County Attorney

Motion by Tjosaas seconded by Gray to approve and adopt the agenda as presented. *Motion adopted unanimously.*

Agenda Approved

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

Consent Agenda  
Items Approved

- 1.1 4-Day Temporary On-Sale Liquor License for the Dodge County Agricultural & Mechanical Society effective July 15-18, 2015, pending the approval of the County Sheriff and County Attorney.
- 1.2 Out-of-State training for Dispatch Supervisor Mike Burton to attend Armer Radio Programmer Training in Schaumburg, IL June 22-26, 2015, expenses will be reimbursed by a MN State Grant.

*Motion adopted unanimously.*

Chief Medical Examiner Dr. Ross Reichard provided the Board with an Annual Medical Examiner report.

Annual Medical  
Examiner Report

Monica Kendall, Supervisor, Death Investigators was available to comment.

Mr. Reichard reported the Southern Minnesota Regional Medical Examiner's Office investigates sudden, violent, unexpected, and suspicious deaths that occur in Dodge, Fillmore, Goodhue, Houston, Olmsted, Wabasha, and Winona counties in southeastern Minnesota. The Office of the Medical Examiner certifies death after investigation and postmortem examination and issues the death certificate as required by law. Complete findings of the death investigation are distributed to families and law enforcement agencies as appropriate.

The main duties of the Office of Medical Examiner are to determine the cause and manner of death, and certify deaths that are reported to the medical examiner. The cause of death is the disease process or injury that resulted in death. There are thousands of diseases and injuries that may result in death. The manner of death is a classification in which a determination is made regarding whether the death resulted from natural causes, homicide, suicide, or an accident. On occasion, the manner of death is classified as indeterminate.

Information collected during the investigation helps clarify the circumstances, such as the sequence of events prior to death. Evidence collected during a death investigation and/or postmortem examination may help in criminal investigations. The medical examiner staff members are available 24 hours a day, 365 days per year.

With the skill and experience of the Medical Examiner Investigators and board-certified Forensic Pathologists, they believe the quality of death investigations in Dodge County are among the best in the state. The death scene investigation reports filed by the Investigators are very thorough and supply comprehensive information to the Medical Examiners.

Mayo Clinic Medical Examiner Investigators also extend their duties to the living by answering questions and addressing concerns regarding deaths within the county. Medical Examiners and Death Investigators frequently make personal contact with family members of a deceased and assist them by providing appropriate answers regarding the circumstance of the death. Medical Examiner Investigators are supplied with a pamphlet for distribution to families. The information provides answers to common questions and facts about autopsies and also provides resource information pertaining to grief counseling.

The Office of the Medical Examiner utilizes the Medicolegal Death Investigation Log, or MDI Log. MDI Log is a comprehensive investigative report/database system that enables the Medical Examiners and Death Investigators to submit and review death scene investigation information, as well as communicate, in an efficient manner through a secure internet site any time of the day.

Dr. Reichard shared the following 2014 Dodge County statistics with the Board:

Population (2014)	20, 353
Cases Reported to the Medical Examiner	91
A. Number of deaths certified after postmortem examination	17
1. Number of Medical Examiner Cases with Complete Autopsy	15
2. Number of Medical Examiner Cases with External Examination	1
3. Number of Medical Examiner Cases with Limited Examination	1
B. Number of deaths certified without postmortem examination	15
C. Number of deaths not certified by Medical Examiner's Office after investigation	59

Commissioner Gray wanted to know who determines when an autopsy is performed.

Mr. Reichard reported State Statute is followed in order to determine which deaths warrant an autopsy.

Commissioner Gray questioned the number of suicides listed in Dr. Reichard's report; he has heard from other sources the number of suicides in Dodge County averages one per month.

Annual Medical  
Examiner Report -  
Continued

Dr. Reichard informed Mr. Gray that he will review other resource information he has access to and report back to the County Board what he finds.

Commissioner Peterson clarified the figures listed in Dr. Reichard's reports are for individuals that passed away in Dodge County, Dodge County residents that passed away in other counties will have their deaths recorded in the county where they passed away.

A brief discussion took place regarding the fact that the figures presented are slightly skewed because they don't reflect all Dodge County residents' deaths. Also pointed out was the bigger cities such as Rochester, who has a large medical facility, will also have skewed figures because numerous people from other areas come to Rochester for medical treatment and sometimes pass away in Olmsted County. It was reiterated that the death record is filed in the county in which the individual died.

Dr. Reichard informed the Board the public can locate information for Dodge County deaths through the Department of Health web site.

Brief discussion took place regarding the claim that there is one death/suicide per month in Dodge County.

Dr. Reichard commented that one death per month in Dodge County seems high. Ms. Kendall concurred with Dr. Reichard's comment.

The Board thanked Dr. Reichard for the update.

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

Personnel Actions  
Approved

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

**A. Administration**

- A.1 Jeremy Griffin – Information Systems Specialist  
Step increase from B31 step 7 \$20.78 to B31 step 6 \$21.28.  
Effective Date: 6/24/15

**B. Public Health**

- B.1 Leah Hoegh – PHN II  
Authorization to employ as on-call PHN II at C42 step 8 \$25.66.  
Effective Date: 6/10/15
- B.2 Heather Angell – Interim Nursing Supervisor  
Authorization to change status from .8 FTE Interim Nursing Supervisor to on-call PHN II. (end \$2.00/hour interim pay)  
Effective Date: 6/27/15
- B.3 Deb Harlow – Interim Nursing Supervisor  
Authorization for temporary wage increase of \$2.00/hour due to higher level responsibility in the absence of a Public Health Director.  
Effective Date: 6/15/15

- B.4 Nursing Supervisor – 1.0 FTE  
New job description and authorization to post and fill vacancy.  
Effective Date: 6/10/15

Personnel Actions  
Approved -  
Continued

**C. Environmental Services**

- C.1 Dean Schrandt – Water Program Manager  
Step increase from C41 step 4 \$25.04 to C41 step 3 \$25.96.  
Effective Date: 5/30/15

- C.2 Melissa DeVetter – Zoning Administrator  
Step increase from C43 step 2 \$35.27 to C43 step 1 \$36.73.  
Effective Date: 6/10/15

**D. Attorney’s Office**

- D.1 Arianna Prunty – Assistant County Attorney  
Step increase from C43 step 6 \$29.95 to C43 step 5 \$31.33.  
Effective Date: 6/2/15

*Motion adopted unanimously.*

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

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

01	Revenue Fund	\$	59,574.19
13	Road and Bridge Fund	\$	41,862.75
16	Environmental Quality Fund	\$	2,683.09
32	County Capital Projects	\$	61,224.97
41	Ditch Fund	\$	12.00
	Total	\$	165,357.00

*Motion adopted unanimously.*

Economic Development Consultant Tom Monson presented for the Board’s consideration a revolving loan fund request.

Berg Properties  
Revolving Loan  
Approved

Berg Properties is requesting a loan of \$25,000 to be used for new construction. The requested loan proposal was approved by the EDA on Wednesday, May 20, 2015.

Motion by Tjosaas seconded by Peterson to approve and authorize a Business Development Agreement/Revolving Loan between the Dodge County EDA and Berg Properties in the amount of \$25,000 as requested. *Motion adopted unanimously.*

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

Public Health  
Committee Report

The Board reviewed the Interim Business Manager’s request to approve a resolution reaffirming South Country Health Alliance (SCHA) and UCare as Dodge County’s Managed Care Organizations (MCO’s).

SCHA and UCare  
Recommended as  
Dodge County’s  
MCO’s Approved by  
Resolution #2015-15

Every three years DHS puts out a Request for Proposal for qualified grantees to provide health care services to recipients of Medical Assistance (MA) and MinnesotaCare in all Minnesota Counties. For Dodge County, Julie Holgate from MNPrairie and Gail Hester from Public Health reviewed the proposals submitted from SCHA, UCare, Medica and Blue Plus. SCHA ranked the highest and the other three health plans ranked within one point of each other. Since Dodge County currently has SCHA and UCare as our MCO's, Ms. Hester is recommending that the county remain with the same health plans. Both agencies have served the county well, the county has a good working relationship with them and it would be unnecessarily burdensome for their clients and staff to switch plans.

SCHA and UCare  
Recommended as  
Dodge County's  
MCO's Approved by  
Resolution #2015-15  
- Continued

Commissioner Tjosaas offered the following resolution (#2015-15), seconded by Commissioner Gray:

**Recommend South Country Health Alliance and UCare as Dodge County's Managed Care Organizations (MCO's)**

**WHEREAS**, the Minnesota Department of Human Services has published a Request For Proposals to provide health care services to recipients of Medical Assistance and MinnesotaCare in 87 Minnesota counties including Dodge County; and

**WHEREAS**, the Minnesota Department of Human Services has requested county evaluations and recommendations regarding the RFP proposals from each respective county; and

**WHEREAS**, South Country Health Alliance, UCare, Blue Plus and Medica submitted proposals to provide managed health care services in Dodge County; and

**WHEREAS**, representatives of Dodge County Public Health and MNPrairie have reviewed and evaluated the proposals; and

**WHEREAS**, South Country Health Alliance and UCare have submitted proposals suitable to meet our needs and are our current Managed Care Organizations whom we have an established working relationship with and it would be burdensome for clients and staff to switch plans;

**THEREFORE, BE IT RESOLVED** that the Dodge County Board of Commissioners supports the recommendation of Dodge County Public Health approving South Country Health Alliance and UCare as Managed Care Organizations (MCO's) providing managed health care services in Dodge County.

*Resolution adopted unanimously.*

Executive Director of Minnesota Prairie County Alliance Jane Hardwick provided the Board with a Minnesota Prairie County Alliance update.

Minnesota Prairie  
County Alliance  
Update

**I. Implementation budget.** For the 17-month implementation period of August 1, 2013 to December 31, 2014, expenditures for implementation were \$986,820. Of this total, \$300,000 was funded by a grant from the Bush Foundation, with the remainder funded by the member counties.

Expenditures occurred in the following categories:

<b>Implementation Expenditures</b> 8/1/2013 to 12/31/2014	
Project & Program Management	\$307,000
People	\$62,000
Finance & Administration	\$35,000
Metrics	\$21,000
Infrastructure & Technology	\$561,000
Contingency	\$0
<b>Total</b>	<b>\$986,000</b>

Minnesota Prairie  
County Alliance  
Update

Note: figures were rounded to the nearest one hundredth.

Some aspects of implementation continue into 2015, with additional implementation expenditures of approximately \$150,000 occurring in the first calendar quarter. Accordingly, total implementation expenditures to date (over 20 months) are approximately \$1.1 million.

**II. First quarter budget report.** MNPrairie expenditures for calendar quarter ending 03/31/2015 were an estimated \$4.798 million from the 2015 budget of \$21.742 million (or 22%) and revenues of \$2.003 million from the 2015 budget of \$20.442 million (or 10%). Revenues are lower than 25 percent of the total projected because many, including local levy revenues and some state revenues, are scheduled for second quarter or later.

**III. 2014 financial accruals.** Human Services agencies typically receive some residual revenue and make some residual payments toward the beginning of a calendar year that are attributable to expenditures made or services provided toward the end of the preceding year. For 2015, these residual revenues and expenditures would ordinarily be deposited in or paid from the Human Services fund in 2015, recognized in the 2015 Human Services budget, but accrued to the 2014 Human Services financial statement.

With the merger, the MNPrairie Joint Powers Agreement required that these residual 2014 revenues and expenditures be transferred to the member county and accrued to the 2014 financial statement for each of our member county’s Human Services agencies. At present, those “2014 accruals” are recognized in the MNPrairie budget report for the first quarter. After June 30, 2015, MNPrairie will settle-up with the Treasurers and Finance Directors of our member counties, to appropriately transfer and accrue these transactions to the member counties for 2014.

**IV. Tuesday night office hours.** MNPrairie began offering evening hours in March 2015 by extending hours to 7 pm on Tuesday evenings with the intent of (1) not reducing the number of hours that member county Steele’s office was open each week (45 hours per week) and (2) increasing accessibility to Human Services customers who are employed (over 50 percent).

There are staff from each program area on site for the evening hours. The areas include Office Support/Accounting, Income Maintenance, Child Support, Child & Family Services, Adult & Disability Services, and a Supervisor or Manager. Some have volunteered to change their schedule to work Tuesdays on an ongoing basis, others on a rotational basis. Costs associated with this extension are limited to facilities (such as having lights on longer) and some overtime costs for staff in Waseca who have a regular work schedule of 8:00 a.m. to 4:30 p.m.

Over the course of the first two months (nine Tuesday evenings) in March and April 2015, MNPrairie handled 43 phone calls to the front desk and had 48 people walk in. They have started to offer evening appointments, and through the end of April, fourteen appointments had taken place.

People have come in to drop off paperwork, ask questions, or seek specific assistance.

Interview rooms have been set up with the technology needed to allow a worker at one site to complete an interview with a client at another site. This will be available during all office hours and is not restricted to only evening hours.

On many of the evenings there have been other activities on site. In Steele and Dodge the County Boards have Tuesday evening meetings. In Waseca there have been Family Group Decision-Making Conferences and car seat training on some of the Tuesday evenings.

There are still concerns related to safety when working in the evening with such a small complement of staff. Some things like exterior lighting at the Waseca site will be addressed as they look to make other changes with the building layout.

**V. Caseloads & staffing.** The MNPrairie management team recently began a more extensive review of staffing and caseloads. Initially they are focusing on the staffing and caseloads for Income and Health Care Eligibility programs like Minnesota Family Investment Program, General Assistance, Food Support, Medical Assistance, MNSure and Child Care Assistance Program.

**Growth in eligibility caseload.** Since January 2014, the MNPrairie income & health care assistance eligibility caseload has increased from 7,149 to 9,407. This is an increase of nearly 2,300 cases (or 32%). Most of this increase is associated with MNSure or related health care eligibility changes. Many of these cases were historically counted in their MAXIS case count, but because of the very different and cumbersome processes associated with the new MNSure program and associated computer system, their health care eligibility is handled separately.

During this same time, the eligibility staff increased by one at Waseca County and none at the other two sites. Dodge County reduced eligibility workers by one in 2013 following a retirement succession plan and was waiting to see what the MNsure impact would be before increasing staffing. Steele increased the number of eligibility workers by two in 2013 in anticipation of growth in MNsure-related cases. Waseca County had been down by two workers from their historical level and added one back in 2014.

Minnesota Prairie  
County Alliance  
Update - Continued

**Eligibility staff-to-caseload ratio too low.** Their customer service and timeliness of processing has been negatively impacted to a great degree by this federal and state change and the relative inexperience of many of their eligibility staff.

If they were fully staffed with experienced workers (two years or more), their current eligibility worker to case ratio would be: 1 to 307 cases overall. They currently have four vacancies. When they take into account the caseload capacity of a worker who has been in place for less than two years, their ratio is 1 to 417. They would normally aim to have a ratio of 1 to 270 with their electronic document management system in place.

Federal match at 75% is available for staff who conduct Medical Assistance-related eligibility activities. They are discussing staffing options with the MNPrairie Joint Powers Board to address this concern.

**Other staffing concerns.** MNsure and Medical Assistance changes also have impacts on child support caseloads that they have not yet evaluated. They have not yet realized the full impact of MnCHOICES (long-term care assessments) implementation and are continuing to monitor it. They have experienced a staffing shortage in chemical dependency (CD) assessors with the transfer of CD assessment responsibilities from the Waseca Corrections staff to MNPrairie, without accompanying funding or staffing. In addition, they are seeing some further challenges and opportunities in child protection that will be heavily influenced by state changes to child protection policies and funding.

With the implementation of MNPrairie, three employees opted to take a voluntary lay-off. As of June 8, 2015, they have 16 vacancies: 10.5 full-time equivalent (FTE) direct service staff, 4.5 FTE supervisors, and 1 FTE new manager. This is a higher-than-ordinary number of vacancies –although Human Services agencies tend to have a higher-than-average turnover rate – and can be attributed to a number of factors including normal job opportunities as well as the merger.

**VI. Office sites.** The Dodge site is undergoing a remodel, requiring that MNPrairie staff at that site be temporarily relocated to the upper level of the Courthouse Annex. Ms. Hardwick has moved her office to the Steele site to be more present with staff that she has not yet had a chance to get to know. Charity Floen, Adult & Disability Services Manager, has relocated to the Dodge site; while Shari Kottke, Child & Family Services Manager, is located at the Steele site and Ann Ruedy, Interim Finance Manager is located at the Waseca site.



At the Waseca site, they are continuing to work with Waseca County Public Health and Maintenance, along with Wold Architects, to develop a short-term space plan that complies with federal IRS and Social Security data practices requirements.

Minnesota Prairie  
County Alliance  
Update - Continued

The Board thanked Ms. Hardwick for the update.

Zoning Administrator Melissa DeVetter presented for the Board's consideration the June 3, 2015 Planning Commission recommendations.

IUP #15-01 Approved

Joel Bigelow – IUP #15-01 was discussed.

Motion by Erickson seconded by Gray to approve of the following action of the Planning and Zoning Commission as reviewed on June 3, 2015 with the reasons, recommendations and conditions as found in the individual permit:

**Joel Bigelow – IUP #15-01**

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 parcel is 4 acres located in the E ½ of the NE ¼ of the SE ¼ of the NW ¼ of Section 21, Milton Township. Joel Bigelow is the applicant and Joanne Larrison 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. 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. Driveway access permit/approval shall be obtained from Milton Township.
5. An address shall be obtained from the Dodge County Highway Department.
6. Updated shared well agreement/easement shall be provided to the Environmental Services Department to include with a copy of the IUP.

*Motion adopted Allen, Gray, Tjosaas, Erickson aye, Peterson nay.*

Zoning Amendment – ZA #15-02 was reviewed.

ZA #15-02 Reviewed

The Planning and Zoning Commission reviewed the request on June 3, 2015 with the reasons, recommendations and conditions as found in the individual permit:

**Zoning Amendment – ZA#15-02**

The second public hearing is to consider a Zoning Amendment to the Dodge County Zoning Ordinance. The proposal includes new and amended language for Chapter 16: Performance Standards, Section 16.19 Dwelling Units – Single Family Primary, Section 16.20 Dwelling Units – Temporary Second, Section 16.49 Towers, Satellite Arrays & Antennas and Chapter: 4 Rules and Definitions pertaining to Towers, Satellite Arrays & Antennas.

The Planning Commission recommends approval of the Zoning Amendment as presented.

ZA #15-02 Reviewed - Continued

Commissioner Gray offered the following resolution (#2015-16), seconded by Commissioner Erickson:

Zoning Ordinance Amendment – Chapter 16, Section 16.19 & Section 16.20 Approved by Resolution #2015-16

**Zoning Ordinance Amendment – Chapter 16, Section 16.19 (Dwelling Units – Single Family Primary), Section 16.20 (Dwelling Units – Temporary Second)**

**WHEREAS**, Minnesota Statutes 394.25, Subd. 3c (e) states:

“A local ordinance that contains a setback for new feedlots from existing residences must also provide for a new residence setback from existing feedlots located in areas zoned agricultural at the same distances and conditions specified in the setback for new feedlots, unless the new residence is built to replace an existing residence. A county may grant a variance from this requirement under section 394.27, subdivision 7.”

**WHEREAS**, the setback for feedlots from dwelling language currently exists under Section 16.24 (Feedlots & Pastures) under the performance standards for feedlots; and

**WHEREAS**, setback language for dwellings to feedlots should be added to the performance standards listed in Section 16.19 (Dwelling Units – Single Family Primary) and Section 16.20 (Dwelling Units – Temporary Second) for ease and clarity, rather than to default to Minnesota Statutes 394.25, Subd. 3c(e), although the statute applies whether or not it is identified in the ordinance; and

**WHEREAS**, a summary of the language to be added to Sections 16.19 and 16.20, has been published in the legal newspaper May 20, 2015 and posted upon the county website; and

**WHEREAS**, a public hearing on the proposed amendments was held by the Dodge County Planning Commission on June 3, 2015; and

**WHEREAS**, the Planning Commission recommended approval of the proposed amendments to Section 16.19 and 16.20 to the Dodge County Board of Commissioners; and

**WHEREAS**, the Dodge County Board of Commissioners adopted the proposed amended Chapter 16 at its June 9, 2015 meeting.

**THEREFORE BE IT RESOLVED**, that the County Board of Dodge County hereby adopts the amendment to Chapter 16 (Performance Standards), Section 16.19 (Dwelling Units – Single Family Primary) and Section 16.20 (Dwelling Units – Temporary Second).

*Resolution adopted unanimously.*

Commissioner Erickson offered the following resolution (#2015-17), seconded by Commissioner Tjosaas:

Zoning Ordinance  
Amendment –  
Chapter 16, Section  
16.49 & Chapter 4  
Approved by  
Resolution #2015-17

**Zoning Ordinance Amendment – Chapter 16, Section 16.49 (Towers.....) & Chapter 4 (Rules and Definitions)**

**WHEREAS**, the Dodge County Zoning Ordinance periodically needs to be amended to comply with federal and state laws; and

**WHEREAS**, on October 21, 2014, the Federal Communication Commission (FCC) released their Order on wireless infrastructure siting which further clarifies section 6409 of the Middle Class Tax Relief Act which states:

“...a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.”

**WHEREAS**, the FCC Order also exempts towers meeting certain criteria (“Temporary Towers”) from providing local governments 30 days for public comment on the proposed tower’s environmental effects; and

**WHEREAS**, the FCC Order also defines what is considered a “modification” and “substantial change” to a tower and the criteria for the Temporary Tower exemption, which have been included in Chapter 4 of the Dodge County Zoning Ordinance; and

**WHEREAS**, the Dodge County Zoning Ordinance is currently more restrictive than the FCC order with regards to changes in the tower modifications; and

**WHEREAS**, the Dodge County Zoning Ordinance is required to be consistent with the FCC order; and

**WHEREAS**, a summary of the language to be added to Chapter 16 (Performance Standards), has been published in the legal newspaper May 20, 2015 and posted upon the county website; and

**WHEREAS**, a public hearing on the proposed amendments was held by the Dodge County Planning Commission on June 3, 2015; and

**WHEREAS**, the Planning Commission recommended approval of the proposed Section 16.49 and the associated definitions added to Chapter 4 to the Dodge County Board of Commissioners; and

**WHEREAS**, the Dodge County Board of Commissioners adopted the proposed amended Chapters 16 and 4 at its June 9, 2015 meeting.

**THEREFORE BE IT RESOLVED**, that the County Board of Dodge County hereby adopts the amendment to Chapter 16 (Performance Standards) and Chapter 4 (Rules and Definitions).

*Resolution adopted unanimously.*

Ms. DeVetter reviewed with the Board the Byron Sportsmen Club & Conservation – CUP #14-06.

Byron Sportsmen Club & Conservation – CUP #14-06 – Findings of Facts & Recommendations Approved

Motion by Gray seconded by Peterson to accept the Byron Sportsmen Club & Conservation – CUP #14-06 revised Findings of Fact & Recommendations as reviewed by the Planning Commission June 3, 2015.

*Motion adopted unanimously.*

Motion by Gray seconded by Tjosaas to approve the Byron Sportsmen Club & Conservation – CUP #14-06 subject to the conditions put forth by the Planning Commission.

Byron Sportsmen Club & Conservation – CUP #14-06 - Approved

**Byron Sportsmen Club & Conservation – CUP#14-06 – the applicant requested that the County Board table this item at the October 14, 2014 meeting.**

The public hearing is to consider an application for a Conditional Use Permit to allow an expansion of an existing gun club and including the addition of a new shooting range in the Ag district. There are five parcels that are included in this expansion that total approximately 114.59 acres. Three parcels totaling 84.85 acres are located in the SW ¼ of Section 13 and two parcels totaling 29.74 acres are located in the SE ¼ of Section 14, Mantorville Township. Joseph Hensel is the applicant and Byron Sportsmen & Conservation Club is the property owner.

Zoning Staff and the Planning Commission recommend approval CUP for the expansion which included the addition of land associated with the Byron Sportsman’s Club facility; however, the Planning Commission, does not approve the siting of the proposed trap ranges, due to the information submitted at the Public Hearing and supplemental findings based upon the testimony and letters received from nearby property owners, as well as personal experience and knowledge of the area. The issues of concern with this site were the high visibility due to the elevation of the area where the range is located, the potential traffic impacts and safety concerns, and the increase in nuisance noise above and beyond that which currently occurs. Alternatives were also discussed to the siting. As a result, the Planning Commission recommended the removal of condition #2 and modification of condition #3 to reflect that the approved hours of operation that were allowed under the BSCC’s Certificate of Occupancy issued by Dodge County. Based upon legal advice from the county’s zoning attorney, the language of condition 2, (originally proposed to be removed by the Planning Commission) has been modified to specify allowed uses on the additional land acquired by the BSCC and the area where the proposed trap ranges were sited. The following conditions are recommended:

1. Operation will comply with all local, state, and federal regulation regarding the use and activities performed on site as well as any permits issued there under. Modifications or improvements to existing operating ranges shall comply with Minnesota Statutes 87A and the National Rifle Association’s Range Sourcebook.

2. The use of the additional lands acquired within the floodplain, shoreland, and the area where the trap ranges were proposed to be reactivated shall be limited to passive club uses, such as recreation, camping, trails and other similar uses, consistent with Minnesota Statutes 87A.03 which expressly allows the acquisition of additional land to be used for buffer areas or mitigation efforts. ~~reactivated trap range and any newly constructed trap, or other shotgun (clay target) ranges shall be limited to no more than three nights per week until 10:00 p.m. All range lighting shall be turned off when not in use for the league events.~~
3. The hours of all ranges at the site shall be 9:00 a.m. to 9:00 p.m. in accordance with the original Certificate of Occupancy issued by Dodge County. ~~All other ranges at the site shall be closed at sunset as indicted by the BSCC Range Rules.~~
4. The BSCC shall control dust on the adjacent township road near residences, as directed by Mantorville Township.
5. All accesses shall be secured when not in use.
6. The BSCC shall vacate the Stipulation Agreement and the Certificate of Occupancy shall be terminated.
7. The BSCC shall develop and implement a lead management which will include a recovery and recycling program that is site specific to the range utilizing EPA’s “BMP’s for Lead at Outdoor Shooting Ranges”. The plan should be completed within 180 days of permit issuance and shall be on file with a copy of the CUP. Lead shot shall not be allowed to discharge directly into the watercourses or wetlands
8. When required, Zoning Permit shall be obtained prior to any construction.
9. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules.
10. Parking shall comply with the design requirements of Section 1602.2 and any County Board requirements.
11. The BSCC shall comply with Section 17.19 (Nuisance Standards). Nuisance complaints shall result in review of the CUP by the Planning Commission.

Byron Sportsmen Club & Conservation – CUP #14-06 – Approved - Continued

*Motion adopted unanimously.*

Commissioner Tjosaas left the meeting at 10:59 a.m. CDT.

Commissioner Tjosaas Left Meeting

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

Legal Update

Mr. Kiltinen discussed technology changes that will affect his office in the future.

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

Public Works Committee Report

The Board reviewed the Director of Land Records request to approve 2016 imagery.

2016 Imagery Update Approved

Imagery for GIS and Pictometry is out of date. The current contract with Pictometry included a flyover in 2015 for \$56,834.50. Land Records plan was to have a flyover every three years. Due to issues with flyovers in 2012 the Dodge County flyover was done in the fall. Flyovers are typically done in the spring.

Mr. DeCook decided to wait an extra year because he did not think a 2015 flyover was necessary.

2016 Fly Over  
Approved -  
Continued

Dean Larson from Pictometry and the Director of Land Records have been talking about the current Dodge County contract. Even though the county has signed a contract with them for a second flight Mr. Larson was willing to negotiate some details and is working on a contract with MCCC that could save Dodge County even more money. Mr. Larson's current offer is \$56,635.50 and that includes an upgrade to better imagery. The current deal that Mr. Larson is working on with MCCC would save Dodge County an addition \$3,600 in annual maintenance but is not finalized.

Motion by Peterson seconded by Erickson to approve and authorize the Directory of Land Records to move forward with updating the county's contract with Pictometry to complete a fly over in the spring of 2016. *Motion adopted unanimously.*

Commissioner Allen 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 May 26, 2015 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

05/26/15 Committee  
of the Whole Meeting  
Minutes Approved

Motion by Erickson seconded by Peterson to approve and authorize the May 26, 2015 meeting minutes as corrected on pages 98, 100 and 101. *Motion adopted unanimously.*

05/26/15 Meeting  
Minutes Approved

Commissioners provided their agency reports. Commissioner Allen attended a Building Committee meeting. Commissioner Erickson attended a Fairview Care Center meeting, an AMC District IX meeting, a Construction Committee meeting, Dodge/Steele Community Health Director interviews, a Dodge County Planning Commission meeting, a SCHA Quality Assurance Committee meeting and a Building Committee meeting. Commissioner Gray attended a Dodge County Board meeting, a Dodge Refreshed meeting, an AMC meeting, a SCHRC meeting, Dodge/Steele Community Health Director interviews, a Public Health staff meeting and a Planning Commission meeting. Commissioner Peterson attended an Ice Arena meeting, a Hiawatha Valley meeting and a MnPrairie Joint Powers meeting. Commissioner Tjosaas attended a SCHRC meeting, Dodge/Steele Community Health Director interviews and a SEMREX meeting.

Agency Reports

The County Administrator provided the Board with an administrative update.

County Administrator  
Update

Motion by Peterson seconded by Gray to adjourn the meeting at 11:31 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on June 23, 2015 at 5:30 p.m. CDT.

Next Regular  
Meeting

**ATTEST:**

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**JOHN ALLEN  
CHAIR, COUNTY BOARD**

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**BECKY LUBAHN  
DEPUTY CLERK**

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**DATED:**