

TUESDAY, DECEMBER 10, 2015

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2015-24

The Dodge County Commissioners met in regular session December 10, 2015, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. CST. Chair John Allen called the meeting to order at 9:30 a.m. CST.

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 |

Motion by Erickson seconded by Peterson 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 2016 Tobacco License applications as requested.

Motion adopted unanimously.

County Attorney Paul Kiltinen arrived at 9:31 a.m. CST.

County Attorney
Arrived

Facilities and Fleet Manager Duke Harbaugh discussed with the Board furniture for the Court Room and Hearing Room.

Furniture Order and
Moving Expenses
Approved

Mr. Harbaugh reported the reconstruction is well underway in the Courthouse. They have been working with Schmidt Goodman to come up with a proposal under the state contract to suit the Court Room and Hearing Room. There are areas such as office areas and the Law Library that will be outfitted with existing furniture. The furniture will include Jury chairs, Attorney's desk and chairs, and private viewing seating in the Court Room. The Hearing Room is proposed to be a versatile room with furniture that can be moved so the room can be used as overflow seating for the Court Room, Jury orientation, as well as Drug Court purposes.

Furniture Order and
Moving Expenses
Approved -
Continued

Mr. Harbaugh has worked with Schmidt Goodman on a move proposal that included Courts moving to the Government Services Building and Courts moving back to the Courthouse. This will be the final move related cost the county will incur.

Proposals were listed as follows:

Schmidt Goodman Furniture Proposal for Court Room

| | |
|------------------------------------|---------------------|
| • 13 Pedestal Jury Chairs/1 Caster | \$ 10,662.60 |
| • Attorney Presenter Desks | \$ 2,291.22 |
| • Attorney Chairs | \$ 3,513.30 |
| • Private Secure Viewing Seating | \$ 641.48 |
| Total | <u>\$ 17,108.60</u> |

Schmidt Goodman Hearing Room Proposal

| | |
|------------------------------|--------------------|
| • Judge/Clerk/Reporter Desks | \$ 1,870.80 |
| • Attorney Presenter Desk | \$ 1,074.40 |
| • Hearing Room Seating | \$ 1,272.96 |
| Total | <u>\$ 4,218.16</u> |

Court Room and Hearing Room Total \$ 21,326.76

The Facilities and Fleet Manager is proposing the Board approve the furniture order totaling \$21,326.76 to suit the Court Room and Hearing Room needs.

The Board was reminded this is the installed pricing.

Courts, Public Defender and Attorney’s Office Moves \$ 5,545.00

Mr. Harbaugh is proposing the Board approve the cost of \$5,545.00 which included the moving of the Attorney’s Office to their new office area and Courts and Public Defender to Government Services Building and will include Courts and Public Defender moving back to the Courthouse.

Motion by Tjosaas seconded by Peterson to approve and authorize the Facilities and Fleet Manager to sign the Schmidt Goodman furniture order totaling \$21,326.76 to suit the Court Room and Hearing Room needs. Also included in the motion was authorization for payment of \$5,545.00 to Schmidt Goodman for moving of the Attorney’s Office to their new office area and moving Courts and Public Defender to Government Services Building and back to the Courthouse. *Motion adopted unanimously.*

Mr. Harbaugh provided the Board with the following construction update:

Construction Update

Government Services Building

- There is still some work to be done on the railing of the main stair case, this work must be done before Jay Kruger (CMS Inspector) will sign off on the building. The detail of the work is in progress and will be adding a return to one of the hand railings which is an ADA requirement.

- Warranty work will be happening on some of the drywall cracks that are starting to appear. Benike is aware of these and will be having their sub cut in some expansion joints in the problem areas.
- The roof top units are creating a substantial amount of condensation on the roof resulting in quite a bit of ice formation on the roof. They have a resolution to the problem and the county will be getting proposals to complete the needed piping and heat taping required.
- Benike and their subs are still working toward fixing the roof leak near the curtain wall. This leak is on the addition and is not in connection with the existing wall/roof leak.
- We still have some subsurface water near and around the flag poles on the west side of the building. While the work that was done to alleviate the seepage in the parking lot has worked, it has not drained the area by the flag poles. Wold, along with the civil engineers, continues to search out a remedy to the issue.

Construction Update
- Continued

Lower Level Annex

- Benike and their sub continue to look for a solution to the security issue at the MNPrairie front service window.
- A new cabinet unit heater will be installed in the entrance vestibule.
- A new drinking fountain was installed thanks to the wellness funds and the drinking fountain was faulty, a new one was ordered and will be installed as soon as Harty receives it.
- They continue to work with Benike's sub for the office door locks.
- A final punch list inspection has not been scheduled as of December 1, 2015, but will be happening in the near future.

Main Level Annex

- Work has been substantially completed to the west end of the Annex and Wold will now be able to schedule a punch list inspection to the area.
- They have experienced water infiltration in the Dispatch Center and they are working with a mechanical engineer as it seems to be duct work condensation. It will take some more exploratory work by Mr. Harbaugh and recording data and getting data to the engineer to see if insulation will be the fix.
- Work in the perimeter offices of the Sheriff's Office has been completed as well as demo work in the old dispatch and records storage. Walls are now starting to be framed and drywall is going up.
- Infill of the exterior doors with new block is complete thus allowing the bathrooms and holding area to be dry walled and finishes applied.
- The evidence pass through lockers were set in place and the area is starting to take shape.

Courthouse

- Demo work in the Courthouse has been completed and reconstruction is well underway.

- The elevator shaft has been complete and Benike’s sub will be onsite next week to install the cab and the mechanical components associated to the elevator.
- The Court Room is 80% dry walled and spray foam was applied to the last wall allowing the sub to sheet the last wall and start finishing.
- Mechanical work is well underway in the attic with all the new equipment in place and duct work is now being piped.
- Plumbing work has been completed and inspected allowing all pipes to be insulated and dry walled or plastered over. The new water softener is in place and piped.
- Ryan Electric disconnected the main 600 amp service to the Courthouse and is in the works of installing the new 800 amp panel to allow a new service to be installed. The Courthouse is running on a temporary panel fed from the Annex power service.
- The old Feedlot vault is home to Drug Court and Drug Court will be moving to their permanent location in the lower level of the Courthouse as work has been completed in their area. They were moved into their new area December 4, 2015 allowing Benike to make the needed changes to the old vault.
- Benike has yet to produce a schedule or provide a finish date, they are hopeful to have a schedule and a target finish date within the next week.
- Furniture has been picked out and laid out to suit the Courts need and will be ordered upon Board approval.

Construction Update
- Continued

The Board thanked Mr. Harbaugh for the update.

Paul Kiltinen introduced Crysta Parkin who is the new Assistant County Attorney.

New Employee
Introduced

The Board welcomed Ms. Parkin.

Commissioner Peterson left the meeting at 9:51 a.m. CST.

Commissioner
Peterson Left
Meeting

Finance Director Lisa Kramer reminded the Board the final Board meeting this year is on December 22, 2015. Many departments will receive bills the last week of December that need to be paid by year-end.

Final Payment of
2015 Bills Approved

Ms. Kramer would like the Board to authorize the Finance Department to approve and authorize the payment of bills that may occur prior to the end of the 2015 fiscal year with final review by the Finance Director. The final payment of bills will be on December 31, 2015.

Motion by Erickson seconded by Tjosaas to approve and authorize the payment of bills that may occur prior to the end of the 2015 fiscal year with final review by the Finance Director. *Motion adopted unanimously.*

County Ditch System
Annual Review

Ms. Kramer provided the Board with an annual review of county ditch systems.

Every year the county ditch systems are inspected and the information is brought to the County Board for review and to set new assessments for the upcoming year. Included in the Board packet was information regarding current fund balances and the estimated repairs for the four county ditch systems.

The Finance Director reviewed with the Board the anticipated expenses for County Ditch 1, 4, 5 and 7 for 2016.

Ms. Kramer stated the Board will need to make a motion to set the 2016 assessments if necessary. No bids were received for a 2016 maintenance contractor, so the inspector will award repair work to the first available contractor.

The following anticipated ditch expense information was shared with the Board:

| 2016 Estimated Costs for County Ditch 1 | | Fund 41-612 |
|---|--|--------------------|
| 2016 Estimated Expenditures | | |
| 6240 Advertising | | \$ 20.00 |
| 6273 Repairs | | \$ 400.00 |
| 6260 Professional Services | | \$ 100.00 |
| 6660 Capital Outlay | | \$ 0.00 |
| Total Expenses | | \$ 520.00 |
| November 2015 Fund Balance | | \$3,290.90 |
| Anticipated 2015 2 nd Half Settlement | | \$ 0.00 |
| Anticipated December 2015 Fund Balance | | \$3,290.90 |
| Requested 2016 Assessment | | \$1,000.00 |
| 2016 Fund Balance (Use) or Addition | | \$ 480.00 |
| Anticipated December 2016 Fund Balance | | \$3,770.90 |
| A \$1,000 assessment is recommended for County Ditch 1. | | |

| Fast Facts | |
|---------------------------|------------|
| Requested 2016 Assessment | \$1,000.00 |
| Total Ditch Acres | 615 |
| Assessment Cost Per Acre | \$ 1.63 |

| 2016 Estimated Costs for County Ditch 4 | | Fund 41-613 |
|---|--|--------------------|
| 2016 Estimated Expenditures | | |
| 6240 Advertising | | \$ 20.00 |
| 6273 Repairs | | \$ 200.00 |
| 6260 Professional Services | | \$ 100.00 |
| Total Expenses | | \$ 320.00 |
| November 2015 Fund Balance | | \$2,981.54 |
| Anticipated 2015 2 nd Half Settlement | | \$ 0.00 |
| Requested 2016 Assessment | | \$1,000.00 |
| 2016 Fund Balance (Use) or Addition | | \$ 680.00 |
| Anticipated December 2016 Fund Balance | | \$3,661.54 |
| A \$1,000 assessment is recommended for County Ditch 4. | | |

County Ditch System
Annual Review -
Continued

| Fast Facts | |
|---------------------------|------------|
| Requested 2016 Assessment | \$1,000.00 |
| Total Ditch Acres | 1,273 |
| Assessment Cost Per Acre | \$.79 |

| 2016 Estimated Costs for County Ditch 5 Fund 41-614 | |
|--|-------------------|
| 2016 Estimated Expenditures | |
| 6240 Advertising | \$ 20.00 |
| 6273 Repairs | \$ 200.00 |
| 6260 Professional Services | \$ 100.00 |
| Total Expenses | \$ 320.00 |
| November 2015 Fund Balance | \$ 8,585.52 |
| Anticipated 2015 2 nd Half Settlement | \$ 0.00 |
| Requested 2016 Assessment | \$ 0.00 |
| 2016 Fund Balance (Use) or Addition | -\$ 320.00 |
| Anticipated December 2016 Fund Balance | \$ 8,265.52 |
| No assessment is needed for 2016. | |
| Fast Facts | |
| Requested 2016 Assessment | \$ 0.00 |
| Total Ditch Acres | 2,672 |
| Assessment Cost Per Acre | \$ 0.00 |

| 2016 Estimated Costs for County Ditch 7 Fund 41-615 | |
|--|-------------------|
| 2016 Estimated Expenditures | |
| 6240 Advertising | \$ 20.00 |
| 6273 Repairs | \$ 400.00 |
| 6260 Professional Services | \$ 100.00 |
| Total Expenses | \$ 520.00 |
| November 2015 Fund Balance | \$2,572.12 |
| Anticipated 2015 2 nd Half Settlement | \$ 0.00 |
| Requested 2016 Assessment | \$1,000.00 |
| 2016 Fund Balance (Use) or Addition | \$ 480.00 |
| Anticipated December 2016 Fund Balance | \$3,052.12 |
| A \$1,000 assessment is recommended for County Ditch 7. | |
| Fast Facts | |
| Requested 2016 Assessment | \$1,000.00 |
| Total Ditch Acres | 630 |
| Assessment Cost Per Acre | \$ 1.59 |

Motion by Erickson seconded by Tjosaas to approve setting 2016 ditch assessments for Ditch #1, Ditch #4 and Ditch #7 at \$1,000 as recommended by the Finance Director. *Motion adopted unanimously.*

2016 Ditch
Assessment Set

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

Legal Update

Water Program Manager Dean Schrandt met with the Board to discuss his request to approve a 5-year extension to the existing Water Management Plan.

Intent to Amend the Dodge County Comprehensive Water Management Plan Approved by Resolution #2015-36

Mr. Schrandt reported the current Dodge County Comprehensive Water Management Plan has been in place for 10 years (2006-2016), with a five-year amendment conducted in 2011.

In past years, Dodge County would have been required, at this time, to conduct a 10-year major revision of their Water Plan, involving 1-2 years of preparatory work.

However, with the advent of watershed planning in Minnesota, Board of Water & Soil Resources (BWSR) is allowing some counties to conduct a five-year implementation plan extension of the existing plan, with updates made to the Executive Summary and activities.

Since watersheds typically contain parts of several counties, each of whom have county water plans expiring at different times, a plan was needed to coordinate the water plan activities of the counties in each watershed. This extension will serve that purpose by focusing some attention on watershed planning activities.

It is anticipated that BWSR will grant permission for the extension in early 2016. The update process, involving work by the Dodge Technical Water Planning Committee, agency reviews, and a public hearing, will conclude in September 2016 with final County Board approval and an official request to BWSR to grant the extension effective in 2017.

Commissioner Erickson offered the following resolution (#2015-36), seconded by Commissioner Tjosaas:

Resolution of Intent to Amend the Dodge County Comprehensive Water Management Plan

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a Comprehensive Local Water Management Plan, and

WHEREAS, Dodge County currently has a state-approved Comprehensive Local Water Management Plan that covers the years 2006-2016; and

WHEREAS, Dodge County has determined that the revision and continued implementation of a local water management plan will help promote the health and welfare of the citizens of Dodge County.

NOW, THEREFORE, BE IT RESOLVED, that the Dodge County Board of Commissioners resolve to revise and amend its current local water management plan through development of a five-year implementation plan extension.

BE IT FURTHER RESOLVED, that Dodge County will coordinate its efforts in the revision and amendment of its plan with all local units of government within the county, and the state review agencies; and will incorporate, where appropriate, any existing plans and rules which have been developed and adopted by watershed districts having jurisdiction wholly or partly within Dodge County into its local water management plan.

BE IT FURTHER RESOLVED, that the Dodge County Board of Commissioners authorizes the establishment of the Dodge County Technical Water Planning Committee, with the responsibility of revising and amending the plan, and who shall report to the County Board on a periodic basis.

Intent to Amend the Dodge County Comprehensive Water Management Plan Approved by Resolution #2015-36 - Continued

THEREFORE BE IT FURTHER RESOLVED, that the Dodge County Board of Commissioners delegates the Environmental Services Office the responsibility of coordinating, assembling, writing and implementing the revised local water management plan pursuant to M.S. 103B.301.

Commissioner Gray discussed groundwater concerns in Dodge County.

Mr. Schrandt reported Dodge County groundwater is in pretty good shape. The Water Program Manager noted there are groundwater concerns in surrounding counties to the east but not as many concerns with groundwater in counties on our western border.

Resolution adopted unanimously.

The Board thanked Mr. Schrandt for the update.

Commissioner Erickson thanked the Water Program Manager for providing groundwater information at the Planning and Zoning meeting.

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

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

| | | | |
|----|----------------------------|----|-----------------|
| 01 | Revenue Fund | \$ | 32,248.59 |
| 13 | Road and Bridge Fund | \$ | 18,510.71 |
| 16 | Environmental Quality Fund | \$ | 12,106.82 |
| 17 | Eq Revolving Equip Fund | \$ | 2,836.00 |
| 32 | County Capital Projects | \$ | <u>4,606.36</u> |
| | Total | \$ | 70,308.48 |

Motion adopted unanimously.

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

Personnel Actions Approved

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

A. Public Health

- A.1 Iva Kietzmann – PHN II
Authorization to change status from .65 FTE to .80 FTE.
Effective Date: 11/24/15

B. Highway

- B.1 Trevor Augenstein – Equipment Operator III
Annual review.
Effective Date: 12/1/15

Motion adopted unanimously.

The meeting was recessed at 10:23 a.m. CST.

Meeting Recessed

The meeting was reconvened at 10:30 a.m. CST.

Meeting Reconvened

Commissioner Peterson returned to the meeting at 10:30 a.m. CST.

Commissioner Peterson Returned to Meeting

Zoning Administrator Melissa DeVetter reviewed with the Board an MPCA Feedlot Delegation Agreement and Work Plan for 2016-2017.

MPCA Feedlot Delegation Agreement and Work Plan for 2016-2017 Approved

Included in the Board packet was the 2016-2017 County Feedlot Delegation Agreement and Work Plan for the term of January 1, 2016 through December 31, 2017. Dodge County has received a 2016 Base Grant Award in the amount of \$23,437 requiring a county match of \$16,406 for administration of the Minnesota Pollution Control Agency’s Feedlot Program. This funding was previously part of the Natural Resources Block Grant, but is currently awarded from the MPCA.

Under the Feedlot Program, Dodge County is required to sign the delegation agreement and work plan and submit a copy to the Minnesota Pollution Control Agency.

Motion by Erickson seconded by Gray to approve and authorize the Chair and Feedlot Officer to sign the proposed agreement titled MPCA County Feedlot Program Delegation Agreement Work Plan for work plan years 2016-2017. *Motion adopted unanimously.*

Zoning Administrator Melissa DeVetter presented for the Board’s consideration the December 2, 2015 Planning Commission recommendations.

CUP #15-03 Approved

Motion by Gray seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on December 2, 2015 with the reasons, recommendations and conditions as found in the individual permit:

Dodge Holdco/SolarStone Partners, LLC – CUP#15-03

The 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 151.54 acres and the Solar Energy Farm will cover approximately 30 acres located in the NE ¼ of the SE ¼, Section 20, Mantorville Township. Dodge Holdco/SolarStone NRG is the applicant and Stussy Construction, Inc. 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. The use applies only to the approximately 30 acre area where the solar farm is proposed as identified in revised Sheet Number E-100 ~~(9/01/2015)~~ (11/09/2015). 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). The permittee shall designate an individual present on the site during construction activities to receive and address calls regarding nuisance complaints such as noise, dust, waste management or other concerns/issues. Signs with the contact information of the designated individual should be posted near the site at a highly visible location and the contact information for the individual should be provided to the Department. The permittee shall notify the Environmental Services Department of any complaints received and their efforts to address the issue. Nuisance complaints may result in review of the CUP by the Planning Commission.
5. The permittee shall obtain the appropriate stormwater permit(s) 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 permittee shall fully comply with the Minnesota Wetland Conservation Act (WCA) rules and other wetland rules that apply to the site.
7. The permittee shall provide screening adequate to mitigate visual impacts to neighboring properties to the north, where topography and setbacks do not adequately mitigate this issue.
8. An annual performance report on the solar farm shall be provided to the Environmental Services Department and the City of Kasson by January 31st of each calendar year.
9. The solar farm shall meet the Performance Standards of Section 16.46.2 of the Dodge County Zoning Ordinance.
10. 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 #15-03
Approved -
Continued

Motion adopted unanimously.

Ms. DeVetter reviewed ZA #15-04 with the Board.

ZA #15-04 Approved

Motion by Tjosaas seconded by Erickson to approve of the following action of the Planning and Zoning Commission as reviewed on December 2, 2015 with the reasons, recommendations and conditions as found in the individual permit:

Kristofor Johnson – ZA#15-04

The first public hearing is to consider an application for a Zoning Amendment to allow an Agricultural District to be rezoned to a Rural Residential District. The parcel is 13.37 acres located in the S ½ of N ¼ of the W ¼ of the NW ¼, Section 23 Mantorville Township. Kristofor Johnson is the applicant and Kristofor and Victoria Johnson are the property owners.

The Planning Commission recommends approval of Zoning Amendment #15-04 as presented.

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

Ms. DeVetter reviewed ZA #15-05 with the Board.

ZA #15-05 Approved

Commissioner Peterson asked that condition #3 be removed; he didn't feel the county should be responsible for enforcing the Northern Natural Gas Easement. Condition #3 reads as follows:

3. No structures or trees shall be placed within the Northern Natural Gas Easement location until the easement is released by Northern Natural Gas.

Motion by Gray seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on December 2, 2015 with the reasons, recommendations and conditions as found in the individual permit:

Christopher Wendland – ZA#15-05

The second public hearing is to consider an application for a Zoning Amendment to allow an Urban Expansion District to be rezoned to an Urban Expansion Residential District. The parcel is 4.47 acres located in the NW ¼ of the SW ¼, Section 21 Mantorville Township. Christopher Wendland is the applicant and Robert and Nancy Fryer are the property owners.

The Planning Commission recommends approval of Zoning Permit # 15-05 with the following conditions:

1. No trees or structures shall be placed in a triangle created by extending a line diagonally across the property from a point 150 feet south and a point 150 feet east of intersection of TH 57 and CSAH 15 to provide a sight corner for vehicles approaching the intersection.
2. All site plans and drainage must be submitted to MnDOT for formal review and approval. No access off of State Hwy 57 would be permitted.

Motion adopted unanimously.

Ms. DeVetter reviewed IUP #15-07 with the Board.

IUP #15-07 Approved

Motion by Gray seconded by Erickson to approve of the following action of the Planning and Zoning Commission as reviewed on December 2, 2015 with the reasons, recommendations and conditions as found in the individual permit:

Tara & Jeremy Anderson – IUP#15-07

The third public hearing is to consider an application for an Interim Use Permit to allow a dwelling on less than 53 acres in the Agricultural District. The parcel is 40 acres located in the NW ¼ of the NW ¼ of Section 12 Vernon Township. Tara and Jeremy Anderson are the applicants and Alan & Sandy Iverson are the property owners.

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. The permittee shall contact the Dodge County Highway Department regarding acceptable access locations before locating their proposed home. 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.
5. An address shall be obtained from the Dodge County Highway Department.

IUP #15-07 Approved
- Continued

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

Ms. DeVetter reviewed CUP #15-04 with the Board.

CUP #15-04
Approved

Motion by Erickson seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on December 2, 2015 with the reasons, recommendations and conditions as found in the individual permit:

Jason Masching – CUP#15-04

The fourth public hearing is to consider an application for a Conditional Use Permit to establish a new feedlot of 3,300 head of finishing hogs or 990 animal units. The parcel is 3.52 acres parcel located in the SW ¼ of the SW ¼ of Section 33, Hayfield Township. Jason Masching is the applicant and the property owner.

The Planning Commission recommends approval with the following conditions:

1. A Dodge County Zoning Permit shall be obtained before construction of the building.
2. The Dodge County animal feedlot registration shall be updated prior to occupation of the barn.
3. An address for the site shall be obtained from the Dodge County Highway Department.
4. All recommendations of the Feedlot Advisory Report dated 11/02/15 completed.
5. A copy of the appropriation permit from Minnesota DNR (when required) shall be submitted to Department for feedlot file and to include with a copy of the CUP.
6. An access permit shall be obtained from the appropriate road authority, if applicable. The applicant will work with Hayfield Township, Waltham Township and DNR Wildlife staff regarding access. Should issues with road maintenance arise, the applicant will be required to work with Waltham Township to address issues.
7. ~~The area where the driveway is proposed and the area in the road right of way will need to be re-evaluated by DNR prior to mowing activities in 2016 to determine the presence of endangered species. When applicable, the applicant will be required to fully comply with the Endangered Species Act. The area should be clearly marked and the designated person(s) shall be on site during the preconstruction meeting to assist in avoiding and minimizing impacts.~~ The permittee shall work with DNR to develop a native prairie management plan to avoid/minimize disturbance to the prairie community.

Commissioner Erickson asked Ms. DeVetter to clarify the difference between coliform bacteria and E. coli.

CUP #15-04
Approved -
Continued

Ms. DeVetter stated Dean Schrandt did an excellent job of explaining the difference between coliform bacteria and E. coli at the Planning Commission meeting. E. coli bacteria is only one type of coliform bacteria and its presence in a well would indicate the well has been contaminated by either a septic system or manure. The Zoning Administrator reported the test results from Mr. Schmeling's well did indicate the presence of coliform bacteria; however, E. coli was not detected. As a result, the coliform bacteria in Mr. Schmeling's well is not attributed to sewage or manure. At the meeting Mr. Schrandt explained coliform bacteria can enter a well when maintenance is performed or if the well casing is deteriorated. Mr. Schmeling chlorinated his well and the second test did not detect either coliform bacteria or E. coli in the water. Based upon the conversation at the public hearing, it appears that the test results were misinterpreted.

PCA requirements were briefly discussed.

Mr. Allen stated he concurred with Mr. Wolf and Mr. Wyttenbach's comments at the public hearing regarding the contents of the black binder which was presented at the public hearing. Mr. Allen felt it was unnecessary for banking information to be presented because it had nothing to do with the CUP #15-04 request.

Motion adopted unanimously.

The County Attorney left the meeting at 10:56 a.m. CST.

County Attorney Left
Meeting

Ms. DeVetter reviewed IUP #15-08 with the Board.

IUP #15-08 Approved

Motion by Erickson seconded by Gray to approve of the following action of the Planning and Zoning Commission as reviewed on December 2, 2015 with the reasons, recommendations and conditions as found in the individual permit:

Harold Wipf – IUP#15-08

The fifth public hearing is to consider an application for an Interim Use Permit to establish a Limited Rural Business in the Agricultural District. The parcel is 13.10 acres located in the SE ¼ of the NE ¼ of the SE ¼ of Section 17, Claremont Township. Harold Wipf is the applicant and Donald Hodgman is the property owner.

The Planning Commission recommends approval with the following conditions:

1. Operation will comply with all local, state, and federal regulation regarding the proposed use of the property. The business shall obtain all necessary licenses, registrations and/or other approvals for activities taking place at the site. The permittee shall contact the MPCA's Small Business Environmental Assistance program to determine if additional permits/approvals are required for the proposed business.
2. All waste generated on site shall be properly disposed of in accordance with the Dodge County Solid Waste Ordinance and MPCA rules.

3. Any sign proposed for the business shall meet the performance standards of the Dodge County Zoning Ordinance. A sign advertising the Limited Rural Business shall not exceed nine (9) square feet and shall be set back a minimum of ten (10) feet from the county road right-of-way.
4. 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.
5. The business shall comply with the conditions of this permit, Chapter 16 (performance standards for Limited Rural Business) and the Home Occupation/Limited Rural Business Agreement, which shall be recorded with the IUP.
6. The business shall comply with the Nuisance Standards of the Dodge County Zoning Ordinance. Nuisance complaints shall result in review of the IUP by the Planning Commission.

IUP #15-08 Approved - Continued

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

County Administrator Jim Elmquist presented for the Board’s consideration the proposed 2016 per diem rates.

2016 Per Diem Rate Set by Resolution #2015-37

Commissioner Peterson offered the following resolution (#2015-37), seconded by Commissioner Gray:

2016 Per Diem Rate

WHEREAS, the Dodge County Board appoints members to different boards and commissions to perform work for the county; and

WHEREAS, these boards and commissions are eligible to receive a per diem for the work that they perform.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board sets the 2016 per diem rate at \$80.

Resolution adopted unanimously.

The County Administrator provided the Board with an Administrator update.

Administrator Update

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

Administration Committee Report

Motion by Erickson seconded by Peterson to approve and authorize the November 24, 2015 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

11/24/15 Committee of the Whole Meeting Minutes Approved

Motion by Erickson seconded by Peterson to approve and authorize the November 24, 2015 minutes as corrected on pages 219, 220 and 222. *Motion adopted unanimously.*

11/24/15 Meeting Minutes Approved

Commissioners provided their agency reports. Commissioner Allen attended a Planning meeting. Commissioner Erickson attended a Planning Commission meeting, a SCHA Joint Powers Board meeting, a SCHA Quality Assurance Committee meeting and an AMC Annual conference. Commissioner Gray attended two Rail Forum teleconferences, a Dodge Refreshed meeting, a Dodge County Planning meeting and an AMC Annual conference. Commissioner Peterson attended a Minnesota Association of Watershed Districts Annual meeting, an AMC Annual conference and a MNPrairie meeting. Commissioner Tjosaas attended an AMC Annual conference.

Agency Reports

Motion by Tjosaas seconded by Peterson to adjourn the meeting at 11:20 a.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on December 22, 2015 at 5:30 p.m. CST.

Next Regular Meeting

ATTEST:

JOHN ALLEN
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: