

TUESDAY, JUNE 27, 2017

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2017-13

The Dodge County Commissioners met in regular session June 27, 2017, in the County Board Room at the Dodge County Government Services Building, Mantorville, MN, at 5:00 p.m. CDT. Vice Chair Rodney Peterson called the meeting to order at 5:00 p.m. CDT.

Meeting
Convened

The pledge of allegiance was recited.

Pledge of
Allegiance

The Vice Chair acknowledged those present:

Those Present

| | | |
|------------------|-----------------|----------------------|
| Members present: | John Allen | District #1 |
| | Rodney Peterson | District #3 |
| | Rhonda Toquam | District #4 |
| | David Kenworthy | District #5 |
| Members absent: | Tim Tjosaas | District #2 |
| Also present: | Jim Elmquist | County Administrator |
| | Becky Lubahn | Deputy Clerk |

Motion by Allen seconded by Kenworthy to approve and adopt the agenda as presented. *Motion adopted unanimously.*

Agenda
Approved

Public Health Director Amy Roggenbuck introduced the following new employees:

New Employee
Introductions

Emily Stensvold – Public Health Social Worker – employed for just over a year.
Kaitlyn Suhr – Health Educator – employed for almost 11 months.
Brenda Gullickson – Account Technician – employed for a month and a half.
Elizabeth Armstrong – employed for almost 9 months.

Ms. Roggenbuck noted some of these employees have been with the county for over a year but were never formally introduced to the County Board.

The Board welcomed the new employees.

Motion by Kenworthy seconded by Toquam to approve the following Consent Agenda items:

Consent Agenda
Items Approved

- 1.1 June 13, 2017 committee of the whole meeting minutes as presented.
- 1.2 June 13, 2017 regular meeting minutes.
- 1.3 Public Health to write off outstanding balances for accounts F15762 (\$641.52) and F4099 (\$3.00) for previous clients that are now deceased.

Motion adopted unanimously.

EDA Director Tom Monson presented for the Board's consideration a French Repair and Fabrication, Inc. loan request.

French Repair
and
Manufacturing,
Inc. Loan
Approved

Dodge County EDA has received a loan request from French Repair and Manufacturing, Inc. for \$25,000.00 at 3% over 10 years. After staff review and credit analysis, the EDA loan committee received a recommendation for approval of the loan at \$25,000 at 3% over 15 years. Loan committee recommended approval to EDA with the staff recommended terms. The EDA has recommended County Board approval as presented in the proposed Loan Proposal.

The project will align with county policy by increasing tax base by funding new construction of a 5,000 square foot commercial building in the Page Industrial Park, creating two new full-time jobs at \$16-\$22 per hour, and meeting the but-for test. Additionally, EDA loan funds stood at \$51,820.57 as of May 17, 2017, providing sufficient lending capacity for the loan as requested.

Commissioner Peterson stated he objects to commercial businesses being built in the ag district.

Motion by Allen seconded by Toquam to approve and authorize an EDA loan of \$25,000 at 3% over 15 years for French Repair and Manufacturing, Inc. as requested. *Motion adopted unanimously.*

Clean Energy Resources Local Government Outreach Coordinator, Peter Lindstrom and Southeast Minnesota Coordinator Chris Meyers met with the Board to discuss the Property Assessed Clean Energy Financing Program & the proposed Joint Powers Agreement.

Property
Assessed Clean
Energy Joint
Powers
Agreement
Approved

Dodge County staff has been contacted by the Clean Energy Resource Team (CERTS) to request Dodge County participation in PACE. PACE is a clean energy financing program to facilitate small renewable energy or energy efficiency improvement projects via voluntary special assessments for repayment. The program was initially created under MN State Statute 216C.435-436, granting local tax jurisdictions the authority to allow this form of clean energy financing. The MN Department of Commerce later contracted the St. Paul Port Authority (SPPA) to provide loan funds statewide, contingent upon local jurisdictional approval, for this program. Summarily, PACE functions in a step by step process:

1. Business contacts CERTS and SPPA to complete application and receive loan approval.
2. Business will contact Dodge County EDA staff to request voluntary special assessment.
3. County Board and relevant staff will determine approval of voluntary special assessment.
4. Loan is executed, special assessment is placed, and energy project is completed.
5. Special assessment is repaid through property taxes and special assessment payments are sent to SPPA.

MN Stat. 216C.436 Subd. 8(c) explicitly states that the local government approving the special assessment shall not be made to repay the debt obligation. PACE also does not require any financial participation from Dodge County, but does require staff handling of special assessments. Staff meetings with Paul Kiltinen and Lisa Kramer have provided conclusions that the program requires no financial commitments and negligible staff time, but the program does require County Board approval of a Joint Powers Agreement with SPPA per statutory requirements. Dodge County Economic Development Authority on June 21, voted unanimously in favor of recommending approval of PACE.

Property Assessed Clean Energy Joint Powers Agreement Approved - Continued

Request from CERTS requiring immediate action to participate in PACE:

- Approval of Joint Powers Agreement as provided

Included in the Board packet for review was the proposed Joint Powers Agreement draft and program summary.

Motion by Kenworthy seconded by Toquam to approve and authorize the Vice Chair and County Administrator to sign the proposed Port Authority of the City of Saint Paul Property Assessed Clean Energy Program Joint Powers Agreement as presented. *Motion adopted unanimously.*

Finance Director Lisa Kramer reviewed bills with the Board.

Bills Approved

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

| | | |
|----|----------------------------|---------------------|
| 01 | Revenue Fund | \$ 141,321.50 |
| 13 | Road and Bridge Fund | \$ 124,871.56 |
| 16 | Environmental Quality Fund | <u>\$ 11,248.29</u> |
| | Total | \$ 277,441.35 |

Motion adopted unanimously.

County Administrator Jim Elmquist presented the Personnel Agenda for the Board's consideration.

Personnel Actions Approved

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

A. Sheriff's Office

- A.1 Tyler Breuer - Deputy Sheriff – Part-Time
Authorization to employ at C41 hire step \$22.03 to fill approved vacancy.
Effective Date: 6/28/17

B. Extension

- B.1 Kristen Hurley – 4H Summer Assistant
Authorization to employ at \$11.50/hour to fill approved vacancy.
Effective Date: 6/6/17 – 8/11/17

C. Land Records

- C.1 Breea Hare – Deputy Recorder
Step increase from B22 step 7 \$18.07 to B22 step 6 \$18.63.
Effective Date: 6/7/17

D. Attorney’s Office

D.1 Julie Ahlstrand – Paralegal
Authorization to employ at B24 step 7 \$20.36 to fill approved vacancy.
Effective Date: 7/10/17

Personnel
Actions
Approved -
Continued

Motion adopted unanimously.

Zoning Administrator Melissa DeVetter discussed with the Board a Concord Township Zoning Memorandum of Understanding (MOA).

Concord
Township
Memorandum of
Understanding
Approved

Several years ago the county approached the townships with zoning to see if they would be interested pursuing a cooperative agreement with Dodge County to administer zoning on their behalf. Currently, the county has such an agreement with Canisteo Township which has proven to be a successful effort which effectively respects and promotes the priorities of Canisteo Township while maintaining consistency with Dodge County criteria and standards.

During this time, Concord Township had also previously expressed interest, but due to issues with the number of variances required for development and maintenance of nonconforming structures in old Concord, had not pursued this option. The County worked with the township to address these issues and adopted a “Hamlet” Zoning District with appropriate uses and reduced setbacks which recognizes the unique issues that old platted areas such as Old Concord face.

In addition, Concord Township went through the process of abandoning undeveloped roads within the plat and adopted a new ordinance titled Concord Township Zoning Ordinance No. 17 on June 8, 2017. In this ordinance, the setbacks for feedlots of 30 AU or more are 1,320 feet, which is more restrictive than the county’s 1,000 foot setback. All other provisions of the Concord Township Zoning Ordinance are the same as those in the Dodge County Zoning Ordinance.

Dodge County will receive a minimum of \$500.00 compensation for administration of the ordinance, which based upon review of permit history, should be covered by the public hearing and zoning permit application fees issued in the township. The MOU was structured after the currently existing MOU with Canisteo Township. It has been reviewed and found acceptable by both the Dodge County Attorney and the Township Attorney.

Motion by Allen seconded by Kenworthy to approve and authorize the Vice Chair and Deputy Clerk to sign the proposed Memorandum of Understanding with Concord Township for coordination and county administration of Concord Township Ordinance No. 2017. *Motion adopted unanimously.*

Ms. DeVetter presented for the Board’s consideration a request to approve a decision on the assumption of jurisdiction of buffer law.

County Declines
Option to
Assume
Jurisdiction for
Enforcement of
Buffer Law

At the Committee of the Whole meeting, Department staff discussed the buffer law requirements and whether or not Dodge County would want to assume jurisdiction for enforcement.

If the county assumes jurisdiction, there are funds allocated in the amount of \$79,644 in FY18 and \$99,555 in FY19 for this purpose. In order to assume jurisdiction and receive the funds, the county needs to scan and submit a copy of the signed resolution to the buffer program to the BWSR Board Conservationist by June 28, 2017.

County Declines
Option to
Assume
Jurisdiction for
Enforcement of
Buffer Law -
Continued

If the county does not assume jurisdiction, enforcement of the buffer law will be implemented by BWSR and no action is required on Dodge County’s part.

Motion by Allen seconded by Toquam to decline the option to move forward with assuming jurisdiction for enforcement of the buffer law. *Motion adopted unanimously.*

Environmental Services Director Mark Gamm met with the Board to discuss suspending the county’s waste designation and temporarily closing the Transfer Station.

Suspension of
Designation for
Transfer Station
Approved by
Resolution
#2017-27

Mr. Gamm reported the County Ordinance requires licensed haulers and self-haulers to deliver garbage to the Transfer Station. They then transfer the waste in their 110-yard trailer to the Olmsted Waste to Energy Facility (OWEF). The Ordinance allows the County Board, by resolution, to suspend the designation requirement at any time.

Between July 17 and July 31, 2017, County Road 21 will be paved with concrete. During this time, access to the Transfer Station and Recycling Center will be restricted to one-lane, prohibiting the county’s outgoing transfer of waste in their existing tractor-trailer equipment.

Also, to maintain a one-lane access to/from the Transfer Station will require the concrete paving equipment to break the continuous pour and fill the break later manually, which often leads to an uneven paved surface.

Environmental Services is recommending the Board approve closing the Transfer Station from July 17 through July 31, 2017 and adopting the proposed resolution to suspend the Designation Ordinance.

If the Board votes in favor for the recommendation, Environmental Services will:

1. Send notice to licensed haulers, providing them the option to haul garbage directly to the OWEF and Olmsted County Landfill.
2. Notify public of closure and provide them the option to haul their waste to Olmsted’s Recycle Plus Facility (which current takes Olmsted’s self-haulers).
3. Move our recycling drop-off containers from the Recycling Center to the parking lot of the Kasson-Mantorville School Football Field.
4. Continue to provide recycling drop-off service at all other drop-off locations.
5. Continue to staff the facility to perform the following: replace damaged siding/liner on buildings, clean-out and repair sedimentation basins, repair fencing, add fencing, clean radiant heaters, replace lamps, repair block walls, remove trees, clean-up and miscellaneous repairs.
6. Notify construction and demolition debris customers and inform them of nearby disposal and transfer facilities.

- 7. Notify commercial recycling customers of alternative locations that will accept recyclable material.

Suspension of Designation for Transfer Station Approved by Resolution #2017-27-Continued

Commissioner Allen offered the following resolution (#2017-27), seconded by Commissioner Kenworthy:

Suspend Designation

WHEREAS, the Dodge County Solid Waste Designation Ordinance requires licensed Haulers and Self-haulers to deliver Municipal Solid Waste to the Transfer Station; and

WHEREAS, Section II, Subsection 6 of the Ordinance allows the County Board, by resolution, to suspend the designation requirement at any time; and

WHEREAS, between July 17 and July 31, 2017, County Road 21 will be under construction, prohibiting the outgoing transfer of waste via county’s existing tractor-trailer equipment; and

WHEREAS, the county will provide alternative facilities for licensed haulers and self-haulers to dispose of municipal solid waste between July 17 and July 31, 2017.

THEREFORE BE IT RESOLVED, effective 8:00 AM July 17, 2017, Dodge County will suspend designation requirements defined by County Solid Waste Ordinance No. 2 until 8:00 AM July 31, 2017.

Resolution adopted unanimously.

Sewage Treatment Program Manager Elizabeth Crane presented for the Board’s consideration a request to approve a SSTS Low Income Grant.

SSTS Grant Payment Approved

Dodge County received a grant in 2016 and 2017 to help low income participants upgrade septic systems that have been found non-compliant and/or deemed an Imminent Public Health Threat (IPHT). One applicant met the income guidelines and was approved for cost share. Cost share assistance is limited to 50% of the total cost of the septic system, not to exceed \$8,000.00. This system is to be funded by the remaining portion of the 2016 grant and a portion of the 2017 grant. The new septic system was recently completed and issued a Certificate of Compliance.

Motion by Allen seconded by Toquam to approve and authorize a cost share payment of \$6,935.00 on 2016 Imminent Public Health Threat SSTS Abatement Program contract #2016-04/2017-01 as recommended. *Motion adopted unanimously.*

County Administrator Jim Elmquist discussed performance measures with the Board.

Performance Standards Approved by Resolution #2017-28

Mr. Elmquist reported each year the state asks for the county to report certain performance standards based on state determined criteria. The state only asks that ten measures be done but the County Administrator decided to report on all data that was available to the county. Due to some constraints due to timing, opinion measures were not collected and reported in this data.

A resolution was not done in 2016 for 2015 data. The data is available on the spreadsheet which was included in the Board packet along with a corresponding resolution.

Performance Standards Approved by Resolution #2017-28 - Continued

Mr. Elmquist noted the Sheriff data was verified and the way it was reported in years past may be different than what is being asked from the state. Sheriff Administration reported actual PART 1 & 2 in the data but the way it was collected in years past is reported in the comments section.

Bridge Sufficiency – if the county rates under 80, we are eligible for funding. The Engineer explained that currently we have 16 that are under 68 and because we haven't had bonding the last few years, money hasn't been available.

Commissioner Kenworthy offered the following resolution (#2017-28), seconded by Commissioner Toquam:

2016 State Performance Standards Annual Result Report

WHEREAS, benefits to the Dodge County for participation in the Minnesota Council on Local Results and Innovation's comprehensive performance measurement program are outlined in MS 6.91 and include eligibility for a reimbursement as set by State statute; and

WHEREAS, any city/county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, the Dodge County Board has adopted and implemented at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes.

NOW THEREFORE IT BE RESOLVED THAT, Dodge County will continue to report the results of the performance measures to its citizens by the end of the year through publication, direct mailing, posting on the county's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

BE IT FURTHER RESOLVED, Dodge County will submit to the Office of the State Auditor the actual results of the performance measures adopted by the city/county.

Resolution adopted unanimously.

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

Administration Committee Report

Commissioners provided their agency reports. Commissioner Allen attended a Board of Appeal and Equalization meeting, an EDA meeting and a Fairview Care Center meeting. Commissioner Kenworthy attended a Board of Appeal and Equalization meeting, a DFO Community Corrections Joint Powers Board meeting and a Fairview Care Center meeting. Commissioner Peterson attended an Ice Arena meeting, a MNPrairie Finance meeting, a Drug Court meeting, a Fairview Care Center meeting and a MNPrairie meeting. Commissioner Tjosaas was not available to report his meeting attendance. Commissioner Toquam attended a Board of Appeal and Equalization meeting, a Fairview Care Center meeting, an EDA meeting, a One Watershed One Plan meeting, a South Central Human Relations meeting and a County Board meeting.

Agency Reports

Motion by Allen seconded by Toquam to adjourn the meeting at 6:28 p.m. CDT.
Motion adopted unanimously.

Meeting
Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on July 11, 2017 at 9:30 a.m. CDT.

Next Regular
Meeting

ATTEST:

RODNEY PETERSON
VICE CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: