

TUESDAY, NOVEMBER 14, 2017

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2017-22

The Dodge County Commissioners met in regular session November 14, 2017, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. CST. Chair Tim Tjosaas called the meeting to order at 9:34 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
	Rhonda Toquam	District #4
	David Kenworthy	District #5

Members absent: None

Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy Clerk

Commissioner Peterson left the meeting at 9:34 a.m. CST.

Commissioner
Peterson Left the
Meeting

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

Agenda Approved

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

Consent Agenda
Items Approved

- 1.1 October 24, 2017 Committee of the Whole meeting minutes.
- 1.2 October 24, 2017 regular session meeting minutes.
- 1.3 Tobacco Retailer License for Dollar General Store #18254 located at 18876 State Hwy 30, Hayfield.

Motion adopted unanimously.

Environmental Technician Rita Cole presented for the Board's consideration a request to write off uncollectable debt.

Uncollectable Debts
for Environmental
Services Written Off

Included in the Board packet was Statute 16D.09 and a listing of customers which the Environmental Services office deems as uncollectable.

The Customer Charge Accounts from the Dodge County Transfer Station and Recycling Center listed below have been deemed uncollectable for various reasons. No funds have been collected through several attempts and notification to the customer.

Ms. Cole noted the amount due from Full Circle Organics is being reduced by \$4,200. At the end of last year the Transfer Station received \$4,200 worth of compost in lieu of payment. A journal entry was made but the amount due from Full Circle Organics was never reduced.

Uncollectable Debts
for Environmental
Services Written Off
- Continued

Environmental Services feels the following debts are uncollectable:

Full Circle Organics - \$7,028.56

FCO Companies is no longer operating and has gone through their liquidation process and still have a deficiency of several million dollars. With advice from the Dodge County Attorney, it would be against better judgement to pursue this collection any further.

Grobe Builders & Concrete Specialists - \$212.45

Several attempts have been made to collect these funds. Environmental Services were recently informed that the owner of Grobe Builders is currently incarcerated for an undetermined amount of time therefore, they deem these funds uncollectible.

It is Environmental Services recommendation that the accounts receivable for these two accounts be listed as cancelled.

Commissioner Peterson returned to the meeting at 9:36 a.m. CST.

Commissioner
Peterson Returned

Motion by Allen seconded by Peterson to approve and authorize the write off of \$7,028.56 from Full Circle Organics and \$212.45 from Grobe Builders & Concrete Specialists as recommended by Environmental Services. *Motion adopted unanimously.*

Uncollectable Debts
for Environmental
Services Written Off
- Continued

Zoning Administrator Melissa DeVetter presented for the Board's consideration the November 1, 2017 Planning Commission recommendations.

IUP #17-12
Approved

Ms. DeVetter discussed Lori Rouhoff - IUP #17-12.

Motion by Allen seconded by Toquam to approve of the following action of the Planning and Zoning Commission as reviewed on November 1, 2017 with the reasons, recommendations and conditions as found in the individual permit:

Lori Rouhoff – IUP #17-12

The first 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 19.5 acres located in the E ½ of the NW ¼ of the NE ¼, Section 21 Hayfield Township. The applicant and property owner is Lori Rouhoff.

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 Chapter 21 of the Dodge County Zoning Ordinance. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit.
4. The boundary of the wetland shall be located. Any dwelling or accessory structure shall be located no closer than 60 feet from the wetland boundary.
5. Any improvements to the existing driveway will need to obtain a permit from MnDOT.

IUP #17-12
Approved -
Continued

Motion adopted unanimously.

Ms. DeVetter reviewed with the Board Neal Knutson – IUP #17-13.

IUP #17-13
Approved

Motion by Allen seconded by Kenworthy to approve of the following action of the Planning and Zoning Commission as reviewed on November 1, 2017 with the reasons, recommendations and conditions as found in the individual permit:

Neal Knutson – IUP #17-13

The second 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 will be a split of 5 acres from a 45.97 acre parcel located in the N ¾ of the E ½ of the SW ¼ in Section 2, Milton Township. Neal Knutson is the applicant and 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. If the dwelling is proposed on slopes of 12% or more an engineer’s report showing adequate footings can be constructed shall accompany the permit.
3. Drainage plans shall be provided to address the prevention of erosion during and after construction.
4. Grading plans shall be provided for the site development.
5. The sewage treatment system must meet the requirements of Chapter 21 of the Dodge County Zoning Ordinance. A Dodge County Sewage Treatment System shall be obtained prior to issuance of the Zoning Permit.
6. An address shall be obtained from the Dodge County Highway Department.
7. No land disturbing or development activities, including grading, filling or placement of structures shall occur on slopes of 18% or greater.

- 8. The sloped areas near the proposed dwelling are conducive to the development of karst features, and a thorough on-site survey for karst features by appropriate qualified private, state or local staff is required prior to issuance of the Zoning Permit.
- 9. The proposed site’s location on the Decorah Edge, and on steep slopes, makes it uniquely sensitive to surface pollutants – water seeping into, or running off, this property has a high probability of reaching the St. Peter Sandstone drinking water aquifer. Precautions to prevent surface pollutants being applied to this property are highly recommended.

IUP #17-13
Approved -
Continued

Motion adopted Tjosaas, Allen, Toquam, Kenworthy aye, Peterson nay.

Ms. DeVetter reviewed with the Board Zoning Amendment – ZA #17-05.

ZA #17-05
Reviewed

Zoning Amendment – ZA #17-05

The third public hearing is to consider an amendment to the Dodge County Zoning Ordinance. The proposal is to add language to Chapter 16; 16.46.2 Performance Standards and to repeal and replace language in Chapter 18; 18.13 Conditional Use Permits, Section 18.13.14, Section 18.13.15 and Section 18.13.16.

The Planning Commission recommends approval of Chapter 16; Section 16.46.2 as presented with the proposed resolution.

The Planning Commission recommends approval of Chapter 18; Section 18.13, Section 18.13.14, Section 18.13.15 and Section 18.13.16 as presented with the proposed resolution.

Commissioner Kenworthy offered the following resolution (#2017-44), seconded by Commissioner Toquam:

Zoning Ordinance
Amendment –
Chapter 16, Section
16.46 Item 2 G
Approved by
Resolution #2017-44

Zoning Ordinance Amendment – Chapter 16, Section 16.46 (Solar Energy Farms) Item 2 (Performance Standards) G (Vegetation Management)

WHEREAS, the Dodge County Comprehensive Plan promotes sustainable development; and

WHEREAS, Solar Energy Farms are allowed as a Conditional Use in the Agricultural Zoning District; and

WHEREAS, it is in the interest of agricultural production, public perception, public health and Dodge County citizens for the vegetation on all Solar Energy Farms to be properly managed and maintained; and

WHEREAS, the vegetation on some Solar Energy Farms in Dodge County have not been properly managed and maintained; and

WHEREAS, proper vegetation management and maintenance is a performance standard that should apply to all Solar Energy Farms in Dodge County, rather than added as a CUP condition; and

WHEREAS, a summary of the language to be added to Chapter 16 (Performance Standards), has been published in the legal newspaper October 18th, 2017 and posted upon the county website; and

Zoning Ordinance
Amendment –
Chapter 16, Section
16.46 Item 2 G
Approved by
Resolution #2017-44

WHEREAS, a public hearing on the proposed amendments was held by the Dodge County Planning Commission on November 1st, 2017; and

WHEREAS, the Planning Commission recommended approval of the proposed amended Section 16.46.2.G (Vegetation Management) to the Dodge County Board of Commissioners; and

WHEREAS, the Dodge County Board of Commissioners adopted the proposed amended Chapter 16 at its November 14th, 2017 meeting.

THEREFORE BE IT RESOLVED, that the County Board of Dodge County hereby adopts the amendment to Section 16.46.2 (Performance Standards) for Solar Energy Farms.

Resolution adopted unanimously.

Commissioner Kenworthy offered the following resolution (#2017-45), seconded by Commissioner Allen:

Zoning Ordinance
Amendment –
Chapter 18, Section
18.13 Approved by
Resolution #2017-45

**Zoning Ordinance Amendment – Chapter 18, Section 18.13
(Conditional Use Permits)**

WHEREAS, the Dodge County Zoning Ordinance currently provides for an extension for CUP’s and IUPs; and

WHEREAS, based upon review of requests in the past several years, extension requests have become the rule, rather than the exception; and

WHEREAS, the timeframes for satisfy existing CUP and IUP conditions has not been adequate, considering the construction season, other required permits/approvals from Dodge County and other state and federal permitting agencies, or other applicant issues; and

WHEREAS, all extension requests have been routinely granted upon request of the applicant; and

WHEREAS, preparation of documents associated with extension requests and processing the request places an unnecessary burden on the time of staff, Planning Commission and the County Board; and

WHEREAS, the extension request fee does not adequately cover the cost involved in preparing the request for the Planning Commission and County Board; and

WHEREAS, the proposed ordinance amendment extending the timeframes proposed for completion of CUP and IUP conditions, without additional extension, should address the issues identified and provide adequate time for projects that are intending to move forward; and

WHEREAS, a summary of the language to be added to Chapter 16 (Performance Standards), has been published in the legal newspaper October 18th, 2017 and posted upon the county website; and

Zoning Ordinance
Amendment –
Chapter 18, Section
18.13 Approved by
Resolution #2017-45
- Continued

WHEREAS, a public hearing on the proposed amendments was held by the Dodge County Planning Commission on November 1st, 2017; and

WHEREAS, the Planning Commission recommended approval of the proposed amended Section 18.13 (Conditional Use Permits) to the Dodge County Board of Commissioners; and

WHEREAS, the Dodge County Board of Commissioners adopted the proposed amended Chapter 16 at its November 14th, 2017 meeting.

THEREFORE BE IT RESOLVED, that the County Board of Dodge County hereby adopts the amendments to Section 18.13 (Conditional Use Permits).

Resolution adopted unanimously.

Ms. DeVetter discussed with the Board a proposed SSTS Grant fund payment.

SSTS Grant
Payment Approved
for Contract
#2017-03

Dodge County received a grant in 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 2017 upgrade grant #2. The new septic system was recently completed and issued a Certificate of Compliance.

Motion by Allen seconded by Peterson to approve and authorize a cost share payment of \$7,287.50 on 2017 Imminent Public Health Threat SSTS Abatement Program contract #2017-03 as requested. *Motion adopted unanimously.*

Taxpayer Services Director Rose Culbertson reviewed bills with the Board.

Bills Approved

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

01	Revenue Fund	\$ 16,896.48
13	Road and Bridge Fund	\$ 102,412.59
16	Environmental Quality Fund	\$ 96,104.25
17	Eq Revolving Equip Fund	\$ 17,718.00
	Total	\$ 233,131.32

Motion adopted unanimously.

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

Personnel Actions
Approved

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

Personnel Actions
Approved -
Continued

A. Sheriff’s Office

- A.1 Kara Schmidt – 911 Dispatcher – On-Call
No longer employed.
Effective Date: 10/24/17
- A.2 Nicole Bacigalupo – 911 Dispatcher – On-Call
No longer employed.
Effective Date: 10/24/17
- A.3 911 Dispatcher (2) – On-Call
Authorization to post and fill vacancies.
Effective Date: 11/14/17
- A.4 Shannon Boerner – Sergeant
Step increase from C43 24 month step \$32.46 to C43 36 month step \$32.96.
Effective Date: 5/12/17
- A.5 Bruce Allen – Transport Officer – On-Call
Step increase from B21 step 7 \$16.92 to B21 step 6 \$17.46.
Effective Date: 7/1/17
- A.6 Shelly Grossman – Records Administrative Assistant
Regular status and step increase from B22 step 9 \$16.93 to B22 step 8 \$17.49.
Effective Date: 8/15/17
- A.7 Kate Henderson – Jury Attendant – On-Call
No longer employed.
Effective Date: 11/8/17

B. Public Health

- B.1 Elizabeth Armstrong – Administrative Secretary .6 FTE
No longer employed.
Effective Date: 11/27/17
- B.2 Administrative Secretary - .6 FTE
Authorization to post a fill vacancy.
Effective Date: 11/14/17
- B.3 Dorys Reyes – Language Interpreter
No longer employed.
Effective Date: 11/14/17
- B.4 Rochelle Grossman – Intern
Authorization for 20 hour unpaid internship.
Effective Date: 11/14/17 for 20 hours.

C. Land Records

- C.1 Matt Naatz – Property Appraiser II
Step increase from B24 step 4 \$22.39 to B24 step 3 \$23.06.
Effective Date: 11/2/17

D. Annual Band and Grade Review

- D.1 Approval of recommended changes in Band and Grade assignment. Band and Grade review completed by Mark Goldberg.

	<u>From</u>	<u>To</u>
Assistant Zoning Administrator	B23	B24

Effective Date: 12/1/17

Motion adopted unanimously.

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

Legal Update

Mr. Kiltinen discussed the opioid addiction issue that numerous counties across the State of Minnesota are experiencing and the possibility of several counties suing manufacturers and distributors relative to the opioid epidemic. The County Attorney noted a number of lawsuits could eventually be merged into a massive suit and settlement.

Mr. Kiltinen reported information has surfaced that indicates pharmaceutical manufacturers knew of the addiction potential and still marketed their products despite the dangers.

The County Administrator presented for the Board's consideration the third quarter financials.

Third Quarter Financials Update

Mr. Elmquist noted Rose Culbertson in Finance prepared the provided spreadsheets along with comments as to why certain funds are high or low. Overall, expenditures and revenues are trending as anticipated with a few exceptions:

Expenditures

HR/Finance – Payroll is being paid out of Finance entirely where in years past it was paid out of both HR and Finance accounts. It is reconciled at the end of the year. This is a Kronos change. There are some items in 4th quarter finances that will be paid that will better show the disparity at that point.

Human Services - Costs are paid twice a year, concurring with when tax payments are received.

Building Operations – Tuck pointing expenses were significantly less than anticipated. Payment on the roof project has not yet been made.

E911 - Service Agreement for Next Generation Phone System first payment in 2016 registered in 2017. Radios have also been purchased.

Revenue

Revenues usually look dissimilar to expenditures after third quarter due to second half tax payments being received in December.

The Board thanked the County Administrator and Ms. Culbertson for the update.

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

Public Health Committee Report

The Board reviewed the Public Health Director's desire to discontinue the process of reporting the destruction of records to the Public Health Committee.

Public Health Destruction of Files Discussed

It has been past practice that when Public Health documents and records are to be destroyed, that it is brought to the Public Health Committee for approval.

Dodge County Public Health currently follows the state Retention Schedule in regards to destruction of records. It is not mandated by the State for the County Board to approve the normal destruction of records. Public Health would like to request that these items no longer come before the Committee for review.

Public Health
Destruction of Files
Discussed -
Continued

It was the consensus of the Board that Public Health be allowed to continue to follow the State's rules for records retention and discontinue the process of requesting approval from the Dodge County Board of Commissioners to destroy Public Health related documents.

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

Public Safety
Committee Report

The Board discussed the Sheriff's office jail number trends report.

Jail Number Trends
Reviewed

Included in the Board packet were two charts showing monthly and weekly jail population averages for this year. The chart shows a dramatic increase in beds over the past three months. While the Sheriff's Office shows this leveling off at some point, they don't anticipate these numbers to go down any time soon with our new Assistant County Attorney – who has been extremely aggressive with patrol, narcotics, and probation cases.

The more aggressive the new Assistant County Attorney works on these cases, the more aggressive they see both patrol and investigations working on the streets.

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

Administration
Committee Report

Commissioners provided their agency reports. Commissioner Allen attended a Fairview Care Center meeting. Commissioner Kenworthy attended a special Fairview Care Center meeting, a Township Supervisors meeting and a retirement reception for Sergeant Rich Allee. Commissioner Peterson attended a SEMWRB meeting, a Renewable Energy Program, a Township Officers meeting, a SCHA meeting, a retirement reception for Sergeant Rich Allee, an AMC District 9 meeting and a special Fairview Care Center meeting. Commissioner Tjosaas attended a Semcac Board meeting. Commissioner Toquam attended a special Fairview Care Center meeting and a Dodge County Township Officers meeting.

Agency Reports

The County Administrator provided the Board with a County Administrator update.

County
Administrator
Update

Mr. Elmquist and Finance Director Lisa Kramer discussed with the Board the proposed 2018 capital outlay budget and the tax rate comparison between certified 2017 county taxes and a 2018 7% net levy and 4.5% net levy.

Commissioner Allen stated he'd like to get to a 3.5% levy.

Commissioner Kenworthy commented he'd like to see a 4.5-5% levy.

It was Commissioner Tjosaas' opinion the county has three big dollar items that can't be cut, Human Services, Sheriff and Road and Bridge.

County
Administrator
Update - Continued

The County Administrator clarified what he is hearing from Commissioner's is that they would like to be somewhere between 3.5% - 4.5% for the 2018 levy.

Motion by Peterson seconded by Kenworthy to adjourn the meeting at 10:43 a.m. CST. *Motion adopted unanimously.*

Meeting Adjourned

The next meeting of the Dodge County Board of Commissioners will be held on November 28, 2017 at 5:00 p.m. CST.

Next Regular
Meeting

ATTEST:

**TIM TJOSAAS
CHAIR, COUNTY BOARD**

**BECKY LUBAHN
DEPUTY CLERK**

DATED: