

TUESDAY, AUGUST 10, 2010

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

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

**COUNTY ADMINISTRATION OFFICE
MANTORVILLE, MN**

2010-14

The Dodge County Board of Commissioners met in regular session August 10, 2010, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 9:30 a.m. CDT. Lyle Tjosaas, Chair called the County Board of Commissioners meeting to order at 9:35 a.m. CDT.

Meeting Convened

The pledge of allegiance was recited.

Pledge of Allegiance

The Chair acknowledged those present and established that there was a quorum:

Those Present

Members present:	Klaus Alberts	District #1
	Lyle Tjosaas	District #2
	David Erickson	District #3
	Don Gray	District #4
	David Hanson	District #5
Members absent:	None	
Also present:	Jim Elmquist	County Administrator
	Becky Lubahn	Deputy County Clerk
	Paul Kiltinen	County Attorney

Motion by Gray seconded by Hanson to approve and adopt the agenda as amended to include a legal update from the County Attorney. *Motion adopted unanimously.*

Agenda Approved

Environmental Services Director Mark Gamm presented for the Board's consideration the August 4, 2010 Planning Commission recommendations.

Planning
Commission
CUP #10-07
Approved

Commissioner Gray expressed concern with condition eight which reads as follows:

8. Hours of operation shall be 8:00 a.m. to 5:00 p.m., Monday through Friday except during the months of April through August when hours are extended for Ag related business.

It was Mr. Gray's opinion that this condition is too restrictive, he suggested that it be changed to read: Hours of operation shall be normal ag related business hours.

Motion by Gray seconded by Alberts to approve of the following action of the Planning and Zoning Commission as reviewed on August 4, 2010 with the reasons, recommendations and conditions as found in the individual permit:

Dean & Jody Schrom – CUP #10-07

The first public hearing is to consider an application for a Conditional Use Permit to allow an Ag Related Business for Seed and Agronomy Services in the Agricultural District. The property is 4.5 acres located in the SW ¼ of the SW ¼ of Section 16, Claremont Township. Dean and Jody Schrom are the applicants and property owners.

Planning
Commission
CUP #10-07
Approved -
Continued

The Planning Commission recommends approval of the Findings of Facts and Recommendations of the agenda report with the following conditions:

1. Operation will comply with all local, state, and federal regulation regarding the use and activities performed on site.
2. The sign advertising the business shall not exceed sixteen (16) square feet and shall be set back a minimum of ten (10) feet from the right-of-way. Lighted signs are prohibited.
3. Any change involving the addition of new business related structures or employees beyond that specified in the agreement/application on file with the CUP, enlargement, intensification of the use or similar changes not specifically permitted by the CUP shall require an amended CUP to be issued.
4. The business shall comply with the conditions of this permit and the Business Plan, which shall be recorded with the CUP.
5. A Zoning Permit shall be obtained prior to any additional construction.
6. The access drive shall conform to the Dodge County Zoning Ordinance requirements.
7. The business shall comply with Section 1611 (Nuisance Standards). Nuisance complaints shall result in review of the CUP by the Planning Commission.
8. Hours of operation: normal agricultural related business hours.

Motion adopted unanimously.

Mr. Gamm presented for the Board's consideration Zoning Amendment – Repeal language of Section 3.

Zoning Amendment
– Repeal Language
of Section 3 –
Approved by
Resolution #2010-44

The second public hearing is to consider repealing the current Section 3 language and reserving the chapter for future use. The language of Section 3 is now contained in Chapter 1, which was amended on July 13, 2010.

The Planning Commission recommends approval to repeal the current language and to reserve Chapter 3 for future use.

Motion by Erickson seconded by Hanson to approve of the Chair and Deputy Clerk to sign resolution #2010-44 in support of Zoning Ordinance Amendment – Chapter 3:

WHEREAS, the last major revision of the Dodge County Zoning Ordinance was on May 16th, 1995; and

WHEREAS, sections of the 1995 Dodge County Zoning Ordinance are not in compliance with current Minnesota Statutes; and

WHEREAS, the 1995 Dodge County Zoning Ordinance contains numerous administrative and reference errors; and

WHEREAS, ordinance provisions regarding land uses do not accurately reflect current Dodge County issues and priorities; and

WHEREAS, the Dodge County Zoning Ordinance provisions provide for amendments to the zoning ordinance upon recommendation of the Planning Commission; and

WHEREAS, the Environmental Services staff informed the Dodge County Planning Commission of the issues with the 1995 Dodge County Zoning Ordinance; and

WHEREAS, the Dodge County Planning Commission directed Environmental Services staff to commence ordinance revisions at its October 7th, 2009 public hearing; and

WHEREAS, the content of the existing Section 3 is now contained in Chapters 1 and 2, adopted by the County Board on June 8th, 2010; and

WHEREAS, a summary of the proposed repealed and amended Chapter 3 (Jurisdiction and Scope) has been published in the legal newspaper on July 21st, 2010 and posted upon the county website; and

WHEREAS, a public hearing on the proposed repeal and amendment was held by the Dodge County Planning Commission on August 4th, 2010; and

WHEREAS, the Planning Commission recommended approval of the repealed and amended Chapter to the Dodge County Board of Commissioners; and

WHEREAS, the Dodge County Board of Commissioners adopted the proposed repealed and amended Chapters at its August 10, 2010 meeting.

THEREFORE BE IT RESOLVED, that the County Board of Dodge County hereby repeals the 1995 language of:

Section 3 (Jurisdiction and Scope) and replaces it with Chapter 3
(Reserved for Future Use)

Resolution adopted unanimously.

The Environmental Services Director provided for the Board's review conclusions from the July 27, 2010 meeting regarding residential growth in the Ag District. Mr. Gamm indicated that the information provided in the Board packet was intended to create a record that has a conclusion and indicates where to go next regarding residential growth in the Ag District.

The following information was provided for the Board's review:

Zoning Amendment
– Repeal Language
of Section 3 –
Approved by
Resolution #2010-44
- Continued

Conclusions from
7/27/10 Residential
Growth in the Ag
District Meeting
Supported

Chronology of decision making:

- 1) In 2008, the County Board requested the Land Use Task Force to provide recommendations regarding residential growth management as it relates to the goals outlined in the County's Comprehensive Land Use Plan.
- 2) From June 2008 to November 2009, the Land Use Task Force reviewed the Comp Plan, studied existing and projected conditions, and discussed growth management options.
- 3) On March 23, 2010 the Task Force presented its recommendations to the County Board of Commissioners.
- 4) From March 2010 to July 2010, staff from the County Environmental Services Department reviewed the Land Use Task report to determine how the Task Force's recommendations could be implemented and alternatives.
- 5) On July 27, 2010 the Environmental Services staff presented its findings and recommendations to the County Board of Commissioners. Following the staff presentation, the Board discussed the options and concluded that:
 - A) The current abundance of housing and lack of demand does not call for the county to provide additional residential development opportunities in the Ag District at this time.
 - B) When demand again justifies additional residential growth opportunities in the Ag District, the Board believes that the "Land Use Task Force's Preferred Option" should be pursued with the zoning methodology recommended by county staff in its July 27, 2010 report, pages 10 to 23.
 - C) The County should move forward this year on the Land Use Task Force recommendation to: "remove the current distinction between a farm dwelling and a non-farm dwelling in the zoning ordinance". This change was described in the July 27 staff report as the "Staff Recommended Option", pages 37 to 45.
 - D) County staff will provide a detailed explanation of its "Recommended Option" to the County Board in September or October 2010.

It was the consensus of the Board that they supported the plan and Environmental Services moving forward with the plan.

Commissioner Alberts discussed the possibility of creating a second Ag District. Mr. Alberts suggested a plan that would not allow new feedlots into the area but would allow existing feedlots to expand and an area to be designated where more density would be allowed.

The Board acknowledged the work the Land Use Task Force in coming up with a recommendation regarding residential growth in the ag district.

Conclusions from
7/27/10 Residential
Growth in the Ag
District Meeting
Supported-
Continued

The Environmental Services Director indicated that he will wait on further direction from the County Board before moving forward with the creation of a second ag district.

Conclusions from
7/27/10 Residential
Growth in the Ag
District Meeting
Supported-
Continued

Motion by Hanson seconded by Gray to direct Environmental Services to follow the residential growth in the ag district findings in the August 10, 2010 Board packet memo from Mark Gamm, parts 5 A-D as discussed. *Motion adopted unanimously.*

Mr. Gamm and Solid Waste Facility Manager Terry Selthun discussed with the Board their request to renew an Electronics Recycling Agreement.

Electronics
Recycling
Agreement
Approved

The Environmental Services Director reported that over the past several years the Recycling Center has hired CRT Processing to transport and recycle electronics (TV's, computers, etc.). This year, Universal Recycling Technologies (URT) has purchased CRT Processing.

URT would like Environmental Services to enter into a contract that is similar to the contract they currently have with CRT.

Summary of Agreement:

1. Residential Electronics: No fee for first 100,000 pounds then 18 cents per pound thereafter.
2. Commercial Electronics: 18 cents per pound
3. Term of Agreement: 2 years but either party can terminate with 60 day notice.

Motion by Alberts seconded by Gray to approve and authorize the Environmental Services Department to enter into an Electronics Recycling Agreement with Universal Recycling Technologies (URT) and authorize the Environmental Service Director to sign the necessary paperwork on behalf of the county. *Motion adopted unanimously.*

Taxpayer Services Director Rose Culbertson reviewed bills with the Board. Motion by Gray seconded by Erickson to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

Bills Approved

01	Revenue Fund	\$194,763.62
11	Human Services Fund	\$ 65.00
13	Road and Bridge Fund	\$ 46,916.11
16	Environmental Quality Fund	\$ 3,457.86
80	Agency Fund	\$ 48.00
	Total	<u>\$245,250.59</u>

A credit to Schilling Supply Company in the amount of \$17.83 on page 5 was pulled; this credit was previously taken on another bill.

Motion adopted unanimously.

Employee Relations Director Lisa Hager presented the Personnel Agenda for the Board's consideration. Motion by Erickson seconded by Hanson to approve the following personnel actions:

Personnel Actions
Approved

A. Environmental Services

- A.1 Robert Naatz – Sorter/Processor
Annual review.
Effective Date: 7/6/10

B. Public Health

- B.1 Holly Alsleben – Public Health Nurse I - .8 FTE
Authorization to employ at C42 step 8 \$20.49(+\$3.00 R/R) to fill approved vacancy created by resignation.
Effective Date: 8/31/10
- B.2 Mary Krebs – Public Health Nurse I – 1.0 FTE
Authorization to employ at C42 step 6 \$22.87(+\$3.00 R/R) to fill approved vacancy created by resignation.
Effective Date: 9/1/10
- B.3 Robyn Warner – Case Aide
Step increase from B22 step 7 \$15.22 to B22 step 6 \$15.72.
Effective Date: 8/29/10
- B.4 Gail Hester – Business Office Manager
Step increase from C41 step 2 \$25.17 to C41 step 1 \$25.86.
Effective Date: 8/14/10

C. Human Services

- C.1 Renaux Swancutt – Social Worker – 1.0 FTE
Authorization to employ at C42 step 9 \$19.73 to fill approved vacancy created by resignation.
Effective Date: 8/30/10
- C.2 Lynn Beckard – Social Worker
Resignation.
Effective Date: 8/20/10
- C.3 Social Worker – 1.0 FTE
Authorization to fill vacancy created by resignation.
Effective Date: 8/10/10
- C.4 Ashley Ozuna – Social Worker – 1.0 FTE
Authorization to employ at C42 step 9 \$19.73 to fill approved vacancy created by resignation.
Effective Date: 8/30/10

D. Sheriff's Office

- D.1 Bill Weber – Transport Officer
Resignation.
Effective Date: 7/29/10
- D.2 Transport Officer – On-Call
Authorization to post and fill vacancy created by resignation.
Effective Date: 8/10/10
- D.3 Kevin Krause – Deputy Sheriff
Step increase from C42 36 month step \$22.76 to C42 48 month step \$23.56.
Effective Date: 8/26/10

- D.4 Deputy Sheriff – On-Call
Authorization to fill two (2) on-call officer positions from eligibility roster.
Effective Date: 8/10/10
- D.5 Jim Jensen – Deputy Sheriff
Annual review.
Effective Date: 4/30/10
- D.6 Jeremy Gunderson – Investigator
Annual review.
Effective Date: 4/28/10
- D.7 Scott Rose – Deputy Sheriff
Annual review.
Effective Date: 5/28/10
- E. Administration**
- E.1 Ashley Peterson - Drug Court Intern/Volunteer
Authorization to allow the completion of a 400 hour internship/volunteer with Drug Court.
Effective Date: 8/10/10

Personnel Actions
Approved -
Continued

Motion adopted unanimously.

The County Attorney provided the Board with a legal update.

Legal Update

Mr. Kiltinen briefly discussed a roofing issue at the Fairview Care Center.

Commissioner Erickson provided a summary of the Human Services Committee report.

Human Services
Committee Report

Motion by Erickson seconded by Hanson to approve Human Services actions consistent with Human Services resolution #95-10:

Human Services
Resolution #95-10
Approved

- Authorize payment of all claims and bills received in the prior month.
- Approve all Financial Assistance case actions taken in the prior month.
- Approve all Social Services case actions taken in the prior month.
- Approve destruction of closed cases listed for destruction in this month.

Motion adopted unanimously.

The Board reviewed the Human Service Director's request to approve a sub-delegation agreement with South Central Human Relations Center.

Sub-Delegation
Agreement with
South Central
Human Relations
Center Approved

Dodge County recently executed an agreement whereby South Country Health Alliance (SCHA) delegates certain responsibilities to county Human Services and Public Health agencies. Such responsibilities include enabling access to Dodge County's elderly waiver provider network; and provision of community care connector services, long-term care consultation, care coordination (for AbilityCare enrollees, non-elderly waiver Community Well enrollees, and nursing facility residents), elderly waiver case management, and relocation service coordination. Dodge County Human Services, in turn, sub-delegates to South Central Human Relations Center for care coordination for Ability Care enrollees with mental illness.

Motion by Erickson seconded by Hanson to approve and authorize the execution of a sub-delegation agreement with South Central Human Relations Center for the period January 1, 2010 to December 31, 2012. *Motion adopted unanimously.*

Sub-Delegation Agreement with South Central Human Relations Center Approved

Commissioner Alberts provided a summary of the Public Health Committee report.

Public Health Committee Report

The Board reviewed the Public Health Director's request to approve destruction of Public Health records.

Destruction of Public Health Records Approved

Motion by Alberts seconded by Gray to approve and authorize the destruction of Public Health records according to the Minnesota Record Retention Schedule as requested. *Motion adopted unanimously.*

The County Attorney left the meeting at 10:25 a.m. CDT.

County Attorney Left Meeting

Commissioner Tjosaas 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 July 27, 2010 Committee of the Whole meeting minutes as presented. *Motion adopted unanimously.*

07/27/10 Committee of the Whole Meeting Minutes Approved

Motion by Gray seconded by Alberts to approve and authorize the July 27, 2010 meeting minutes as corrected on page 147. *Motion adopted unanimously.*

07/27/10 Meeting Minutes Approved

Commissioners provided their agency reports. Commissioner Hanson attended a Second Ag District meeting, a SEAAA meeting, an AMC Policy meeting, a Hi-Speed Rail meeting, a WDI meeting and a HRC Joint Powers meeting. Commissioner Alberts attended a Planning meeting, a DFO Corrections meeting, a Semcac meeting and a Law Library meeting. Commissioner Gray attended a Planning and Zoning meeting and a SCHRC meeting. Commissioner Erickson attended a DFO Joint Powers meeting, a Regional Radio Board meeting, a Cedar River Watershed District Rules Advisory Committee meeting and a Law Library Committee meeting. Commissioner Tjosaas attended an AMC meeting, a Planning and Zoning meeting and a Semcac meeting.

Agency Reports

Motion by Gray seconded by Hanson to adjourn the meeting at 10:50 a.m. CDT. *Motion adopted unanimously.*

Meeting Adjourned

The next regular meeting of the Dodge County Board of Commissioners will be held on August 24, 2010 at 9:30 a.m. CDT.

Next Regular Meeting

ATTEST:

LYLE TJOSAAS
CHAIR, COUNTY BOARD

BECKY LUBAHN
DEPUTY CLERK

DATED: