

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: September 28, 2021

9:01 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present:

Dewey Severson, Eric Johnson, Robert Burns, Teresa Walter, and Greg Myhre

Others Present:

Auditor/Treasurer Donna Trehus, Reporter Craig Moorhead, Reporter Charlene Selbee, Finance Director Carol Lapham, Human Resources Director Theresa Arrick-Kruger, Public Health and Human Services Director John Puggleasa, Zoning Administrator/Interim Environmental Services Director Amelia Meiners, Board Clerk/EDA Director Allison Wagner, Engineer Brian Pogodzinski, Interim Recorder Mary Betz, Sheriff Mark Inglett, Assessor Lucas Onstad, MnDOT District 6 Planning Director Heather Lukes, MnDOT David Tsang and Tracy Schnell, Union AFSCME Representative Max Forrester, Human Services Employees Heather Berger, Hana El-Afandi, Erin Cognac, Alexie Krause, Haleigh Sierzant, Julie Renk, Carolyn Olson, Diane Schulze, Michelle Massman and Becky Wilhelmson

Presiding: Chairperson Burns

Call to order.

Pledge of Allegiance.

Motion was made by Commissioner Walter, seconded by Commissioner Myhre, motion unanimously carried to approve the agenda with two changes. The first change was adding action item No. 17: Consider a date of December 14th for the TNT meeting. The second change was moving consent item No. 4 from the consent agenda to No. 18 of the action items: Hire Tara Kowalke, Children's Services Lead Social Worker, C2 Step 8, effective November 1, 2021 conditioned upon a successful background check.

Motion was made by Commissioner Myhre, seconded by Commissioner Severson, motion unanimously carried to approve the board meeting minutes from September 14, 2021.

Motion was made by Commissioner Myhre, seconded by Commissioner Walter, motion unanimously carried to approve the workgroup meeting minutes from September 2, 2021.

Public Comment: Union AFSCME Representative Max Forrester said the union opposed the current proposal to hire a lead social worker. The union did not agree with the job offer as it was

proposed at Step 8. The union did not think anyone should be hired beyond a Step 4 because of contract language.

APPOINTMENTS

At 9:10 a.m. Heather Lukes, MnDOT District 6 Planning Director, gave a presentation to the Commissioners on MnDOT State & District Planning Updates. She presented on the 10-year Capital Highway Investment Plan (CHIP) for 2022-2031 for Southeast Minnesota, the 10-year District Roadway and Bridge Plan, Statewide Multimodal Transportation Plan (SMTP), Minnesota State Highway Investment Plan (MnSHIP), discussed transit planning for the current year, and gave an overview of upcoming local projects.

CONSENT AGENDA

Commissioner Walter moved, Commissioner Severson seconded, motion unanimously carried to approve the consent agenda. Items approved are listed below.

- 1) Change Kelly Peterson's job classification from Appraiser Trainee (B22, Step 5) to Certified Minnesota Appraiser B23, Step 3, retroactive to 9/21/2021.
- 2) Accept the resignation of Jason Leahy, Highway Maintenance Specialist, effective September 30, 2021. Thank Jason Leahy for his 15 years of service to the residents of Houston County.
- 3) Initiate a competitive search for a Highway Maintenance Specialist.

ACTION ITEMS

File No. 1 – Commissioner Severson moved, Commissioner Walter seconded, motion unanimously carried to approve Resolution No. 21-42 Resolution Approving State of Minnesota Joint Powers Agreements with the County of Houston on Behalf of its Attorney and Sheriff. See Resolution below.

RESOLUTION NO. 21-42

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF HOUSTON ON BEHALF OF ITS COUNTY ATTORNEY AND SHERIFF

WHEREAS, the County of HOUSTON on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of HOUSTON, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of HOUSTON on behalf of its County Attorney and Sheriff are hereby approved.
2. That the Mark Inglett, Houston County Sheriff, or his successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Brian Swedberg, Houston County Chief Deputy, is appointed as the Authorized Representative's designee.

3. That the Samuel D. Jandt, Houston County Attorney, or his or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Suzanne Bublitz, Assistant Houston County Attorney, is appointed as the Authorized Representative's designee.

4. That Robert Burns, the Chair of the County of HOUSTON, and Donna Trehus, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

File No. 2 – Commissioner Walter moved, Commissioner Burns seconded, motion unanimously carried to approve Court Data Services Subscriber Amendment to CJDN Agreement and authorize signatures.

File No. 3 – Commissioner Johnson moved, Commissioner Severson seconded, motion unanimously carried to approve State of Minnesota Joint Powers Agreement and authorize signatures.

File No. 4 – Commissioner Severson moved, Commissioner Johnson seconded, motion unanimously carried to approve an abatement for Josewski Parcel No. 11.0001.000. Assessor Lucas Onstad explained that the reason for this abatement was to correct an error in the system where the parcel had been incorrectly assessed. The individual who owned the property had paid the correct amount, as the system error had been caught before a payment was made.

File No. 5 – Commissioner Johnson moved, Commissioner Myhre seconded, motion unanimously carried to approve Resolution No. 21-43 Final Acceptance of Contract #315-

Fahrner Asphalt Sealers, LLC completes CP 2021-04 crackfilling for a total cost of \$21,751.09. Resolution is below.

RESOLUTION NO. 21-43

Resolution No. 21-43 Final Acceptance of Contract #315-Fahrner Asphalt Sealers, LLC completes CP 2021-04 crackfilling for a total cost of \$21,751.09

Whereas, Contract No. 315 has in all things been completed, and the County Board being fully advised in the premises; and

THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners Accepts said completed project for and behalf of the Houston DOT and authorize final payment as specified herein.

File No. 6 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to approve Resolution No. 21-44 Prioritized Bridge Replacement List. Resolution is below.

RESOLUTION 21-44

Prioritized Bridge Replacement List

Sent to Board of Commissioners for Board approval September 28, 2021

WHEREAS, Houston County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal, supplied by local citizenry and local units of government, and

WHEREAS, Houston County has identified those bridges that are high priority and that require replacement, rehabilitation, or removal within the next five years;

NOW, THEREFORE BE IT RESOLVED that the following deficient bridges are high priority and Houston County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available,

Old Bridge #	Road # or Name	Total Project Cost	Township Bridge/or State Aid Funds	Federal Funds	Bridge Bonding	Local Funds	Proposed Construction \
L4038	Hauge Hill Road	369,240.00	349,240.00	-	-	20,000.00	2022
88421	CSAH 12	359,040.00	225,440.00	-	81,600.00	52,000.00	2022
L3984	Wiebke Hill Road	376,625.00	356,625.00	-	-	20,000.00	2023
L3983	Wiebke Hill Road	376,625.00	356,625.00	-	-	20,000.00	2023

88431	CSAH 20	366,221.00	230,989.00	-	83,232.00	52,000.00	2023
7540	CSAH 10	511,502.00	374,605.00	-	84,897.00	52,000.00	2024
6937	CR 249	373,545.00	16,648.00	-	84,897.00	272,000.00	2024
4543	Oakland Drive	631,419.00	611,419.00	-	-	20,000.00	2024
L9502	Pfeffer Valley Road	402,665.00	382,665.00	-	-	20,000.00	2025
3968	Sylling Road	402,665.00	382,665.00	-	-	20,000.00	2025
		4,169,547.00	3,286,921.00	-	334,626.00	548,000.00	

FURTHERMORE, Houston County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

FURTHERMORE, Houston County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

File No. 7 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to approve grant agreement and Resolution No. 21-45 Authorization to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement Excluding Land Acquisition. (Federal funds for culvert lining.) See Resolution Below.

RESOLUTION 21-45

AUTHORIZATION TO EXECUTE MINNESOTA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT FOR AIRPORT IMPROVEMENT EXCLUDING LAND ACQUISITION

It is resolved by the County of Houston as follows: 1. That the state of Minnesota Agreement No. 1048534, "Grant Agreement for Airport Improvement Excluding Land Acquisition," for State Project No. A2801-33 at the Houston County Airport is accepted. 2. That the County Board Chairman and County Auditor-Treasurer are authorized to execute this Agreement and any amendments on behalf of the Houston County.

File No. 8 – Commissioner Walter moved, Commissioner Severson seconded, motion unanimously carried to approve furniture request proposals for the purchase of refurbished and some new desks and chairs for the new highway facility.

File No. 9 – Commissioner Severson moved, Commissioner Myhre seconded, motion unanimously carried to approve Highway Facility Change Order Requests 15-17 and 19-21 for a total of \$11,760.46. Change orders included adding a security block wall, a credit for foundation

work, electrical power to electric gates, more data lines and outlets, add ins for the IT room, and additional duct work.

File No. 10 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to approve the purchase of a John Deere 644P Wheel Loader. After a trade in the cost would be \$132,233.32. American Rescue Plan Act (ARPA) dollars would be used to purchase the equipment.

File No. 11 – Commissioner Myhre moved, Commissioner Walter seconded, motion carried 4-1, with Commissioner Johnson voting no to have Wieser Law Office assist with airport land acquisition.

File No. 12 – Commissioner Myhre moved, Commissioner Walter seconded, motion unanimously carried to approve Resolution No. 21-46 Final Acceptance of Contract #317-AAA Striping Service Co. Contract #317 – AAA Striping Service Co. Contract #317 completes CP 2021-05 Pavement Marking for a total cost of \$175,743.92.

RESOLUTION NO. 21-46

Final Acceptance of Contract #317-AAA Striping Service Co. Contract #317 – AAA Striping Service Co.

WHEREAS, Contract No. 317 has in all things been completed, and the County Board being fully advised in the premises; and

THEREFORE, BE IT RESOVED, the Houston County Board of Commissioners accepts said completed project for and on behalf of the Houston County DOT and authorize final payment as specified herein.

File No. 13 – Commissioner Walter moved, Commissioner Severson seconded, motion unanimously carried to approve SCORE Grant Agreement and authorize signatures.

File No. 14 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to rescind a motion made on 7-27-2021 approving a \$50.00 payment to each County staff person for County Staff Appreciation Day. Chairperson Burns said they had found out that to do so would be illegal.

File No. 15 – Commissioner Walter moved, Commissioner Myhre seconded, motion unanimously carried to purchase a new copy machine for the Sheriff's Office.

File No. 16 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to adopt the 2022 Preliminary Levy at a 3% increase.

Commissioner Johnson moved, Commissioner Myhre seconded, motion unanimously carried to set the 2022 Preliminary Budget at \$29,622,331. See Resolutions below.

RESOLUTION NO. 21-47

BE IT RESOLVED, that the proposed levy after the deduction of County Program Aid (CPA), in the amount of \$12,875,727 be made on all taxable property in the County of Houston for taxes payable in 2022 in the following amounts by County Fund:

County Revenue	\$ 8,214,620
Road & Bridge	2,161,868
Human Services	2,184,370
Bond Fund – 2017A Jail Bonds	744,817
Bond Fund – 2020A Jail Bonds	628,163

Total	\$13,933,838
Less CPA	(1,058,111)

Total Levy	<u><u>\$12,875,727</u></u>

RESOLUTION NO. 21-48

RESOLUTION ADOPTING 2022 OPERATING BUDGET

	Revenue	Expenditures	Revenues Over (Under) Expenditures
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County Revenue	\$12,067,436	\$12,269,106	\$ (201,670)
Road & Bridge	9,294,134	9,347,208	(53,074)
Human Services	6,887,781	6,941,408	(53,627)
Debt Service	1,372,980	1,372,980	
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Grand Total	<u><u>\$29,622,331</u></u>	<u><u>\$29,930,702</u></u>	<u><u>\$ (308,371)</u></u>

File No. 17 – Commissioner Walter moved, Commissioner Johnson seconded, motion unanimously carried to set the TNT Meeting for December 14, 2021 at 6:00 p.m. in the Commissioner’s Room 222 in the Historic Courthouse.

File No. 18 – Commissioner Johnson moved, Commissioner Severson seconded, motion carried 3-2 with Commissioner Burns and Commissioner Myhre voting no to hire Tara Kowalke, Children’s Services Lead Social Worker, C42 Step 8, effective November 1, 2021 conditioned upon successful background check.

Both the Commissioners and Union AFSCME Representative Max Forrester said they were not questioning the qualifications of the individual. Commissioner Johnson stated that the County wanted to hire the individual.

Human Resources Director Theresa Arrick-Kruger and Public Health and Human Services Director John Pogleasa said they were recommending the hire of the individual for, Children's Services Lead Social Worker, C42 Step 8, effective November 1, 2021 conditioned upon successful background check. Kruger stated that the employee would be an exempt salaried employee. She said there was a difference between wage scale and salary scale employees. She said the Commissioners had the managerial authority to hire a salary scale employee at the recommended Step. She said there was no exempt salary restriction.

Union AFSCME Representative Max Forrester stated that no one should come in above Step 4. The Union was contesting the hiring of anyone beyond Step 4. He said the Union would be willing to file a grievance regarding the matter.

DISCUSSION ITEMS

Chairperson Bruns said he had voted no to File No. 18 because he felt there should have been better communication with the Union instead of the conflict coming before the board at a meeting. He said he had nothing against the individual.

Commissioner Severson said he had attended a La Crescent City Council meeting. Some new parcels had been annexed into the City of La Crescent. The City of La Crescent had set their preliminarily levy at an increase of 5.5%.

Commissioners briefly discussed recent meetings they had attended including a watershed meeting and budget meetings.

Closing Public Comment: None.

There being no further business at 10:56 a.m., a motion was made by Commissioner Myhre, seconded by Commissioner Severson, motion unanimously carried to adjourn the meeting. The next meeting would be a regular meeting on October 5, 2021.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Robert Burns, Chairperson

Attest: _____
Donna Trehus, Auditor/Treasurer

**HOUSTON COUNTY
AGENDA REQUEST FORM
October 5, 2021**

Date Submitted: 09.30.2021

By: Tess Kruger, HRD/Facilities Mgr.

ACTION REQUEST

None

APPOINTMENT REQUEST

None

HR CONSENT AGENDA REQUEST

Public Health & Human Services

- **Assign Kelly Rohland, Child Protective Services Social Worker, C41, to Adult Services Social Worker, C41, (lateral transfer) effective October 18, 2021**

Sheriff's Office

- **Approve the attached PSAP/Emergency Management Coordinator Position, C43 Exempt**
- **Assign Mark Olson, Lead Jailer C32, to PSAP/Emergency Management Coordinator C43 Step 7 on the Non-Represented pay grid, effective October 6, 2021**
- **Approve a competitive internal search for a Program Coordinator/Lead Jailer C32**

Reviewed by:

☒ **HR Director**

☒ **Finance Director**

☐ **IS Director**

☐ **County Attorney**

☐ **Environmental Svcs**

☒ **Sheriff**

☐ **Engineer**

☒ **PHHS
(indicate
other dept)**

Recommendation:

Decision:

**SHERIFF'S OFFICE
PUBLIC SAFETY ANSWERING POINT/EMERGENCY MANAGEMENT
COORDINATOR**

JOB DESCRIPTION

Position Purpose

This dual role position also includes performing the duties of the PSAP Coordinator and oversees the day-to-day operations of the Houston County 911 Center in providing county-wide 911 duties for all county law enforcement, fire, and emergency medical dispatching. These duties include, staff evaluation and setting training.

Reporting directly to the Sheriff/(Chief Deputy Sheriff), the Public Safety Answering Point/Emergency Management Coordinator (PSAP/EMC). The EMC exercises the statutory powers and performs the duties set forth in Minn. Stat. §12.25, and applicable U.S. Code of Federal Regulations. The EMC performs emergency preparedness planning in coordination with public safety officials across the state including the Minnesota Homeland Security and Emergency Management division, other government agencies, nonprofit organizations, and elected officials. The EMC interfaces with all county division heads in developing, reviewing, and updating county emergency response plans and for coordinating the county response to natural and man-made disasters and emergencies which require the coordination of resources through an Emergency Operations Center, Command Post, or Incident Command system.

Distinguishing Characteristics

This position requires the ability to be on-call, working flexible hours, including evenings and weekends.

Essential Duties

Estimated % Time

1. PSAP Coordinator <ul style="list-style-type: none">• Manage the operations of the county's 24-hour PSAP center in compliance with applicable regulations<ul style="list-style-type: none">○ Develop and post the PSAP center staffing schedule○ Perform dispatch duties as required• Provide leadership and direction to the PSAP center staff<ul style="list-style-type: none">○ Develop/deliver/ arrange for trainings for PSAP center staff○ Oversee daily employee performance, providing coaching and training as needed. Bring discipline matters to the attention of the Sheriff and recommend corrective action plans to the Sheriff/Chief Deputy Sheriff○ Participate in the hiring process working closely with the HR Director and the Chief Deputy Sheriff• Oversee the PSAP budget and bring concerns/recommendations to the attention of the Sheriff; assist Sheriff with the annual PSAP budget; and process vendor invoices for payment	50%
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<ul style="list-style-type: none"> • Maintain PSAP Center Policy and Procedure manual <ul style="list-style-type: none"> ○ Recommend amendment or updates to the policy/procedure manual to the Sheriff/Chief Deputy Sheriff ○ Ensure all PSAP staff receive current policy/procedure manuals and are advised on changes 	
<p>2. Assistant Terminal Agency Coordinator (TAC)</p> <ul style="list-style-type: none"> • Serve as a Security Access Awareness Administrator with the BCA as a contact for data submitted per state and federal requirements • Administer the State Recertification Tests • Update procedures for visitors and vendors for occasional access to secured areas that contain private and confidential data • Ensure agency compliance with BCA/CJIS/NCIC policies and procedures • Assist with the biennial BCA/CJIS/NCIC compliance audits 	2%
<p>3. CAD System Administrator</p> <ul style="list-style-type: none"> • Ensure timely CAD training for Sheriff's Office and County Attorney users • Serve as Statusboard System Administrator responsible for the training and oversee MNIT Status board for Regional and Statewide Talk group reservations • Serve as Next Generation 911 Administrator; work with Houston County Surveyor/GIS to resolve E911 addressing issues • Serves as an administrator for smartphone-based IamResponding for County first responders; maintain MSAG data (master street address guide) 	2%
<p>4. County ARMER 800 MHz subsystem</p> <ul style="list-style-type: none"> • Provider radio programming assistance as an ARMER system administrator • Oversee system and portable and mobile radio maintenance and upgrades • Provide training for multiple county wide for multiple agencies 	1%
<p>5. Lead Jailer</p> <ul style="list-style-type: none"> • Respond to emergencies in the jail • Assist Jail Administrator Jail Programmer as needed, cover programmer duties when programmer is not scheduled <ul style="list-style-type: none"> ○ Collect jail pay for stay fees and/or submit debt to revenue recapture program. Assist with inmate court hearings (in-person & Zoom) ○ Assist inmates with scheduling and attending appointments (CD assessments, mental health evals, Rule 20 evals, online school). Review inmate requests/grievances submitted via kiosks, respond to requests (jail admin, programmer, and me have access) ○ Serve inmates court paperwork, e-file certificates of service with court. Communicate with court admin, attorneys, probation, treatment facilities, etc. 	10%

<ul style="list-style-type: none"> ○ Provide requested video recordings to attorneys and law enforcement agencies 	
<p>6. Emergency Preparedness</p> <ul style="list-style-type: none"> ● In coordination with county departments, county leadership, and other local government entities, including schools and local law enforcement and emergency response entities maintain a current emergency operation plan for Houston County <ul style="list-style-type: none"> ○ Conduct regular countywide hazard analysis to identify impacts of potential disasters to Houston County ○ Benchmark for best practices, develop, and maintain a hazard mitigation plan in compliance with Minnesota statute and HSEM directives. (Plan to include department and specialized plans, SOPs/guidelines, a resource manual, mutual aid documents developed in coordination with the County Attorney's Office.) ○ Coordinate emergency mitigation, preparation, response, and recovery planning and training within Houston County ensuring compliance with HSEM directives including carrying out exercises, evaluations, and reporting as well as identifying other opportunities to enhance emergency preparedness planning and preparation for Houston County <ul style="list-style-type: none"> ▪ Work with county units and agencies, develop and deliver disaster training and EOP exercises ▪ Maintain a 5-year EOP exercise plan and provide regular program assessment ▪ Prepare and submit the NIMS compliance report in NIMSCAST ● Maintain Houston County Emergency Operation Center ensuring the EOC is properly equipped to support an Incident Command ● Serve as County liaison to other governmental agencies county municipalities as it relates to emergency/disaster situations (HSEM, FEMA, Red Cross, etc.) ● Monitor the National Weather Service and oversee severe weather and spotter activities local emergency response throughout the county ● Prepare state and federal grant applications, ensure grant compliance and the timely filing of reports ● Maintain CODE RED and IPAWS Emergency Notification programs and ensure dispatch staff is adequately trained on deployment and standards of deployment ● Attend trainings that advance Director's ability to enhance Houston County's Emergency Management Program; attend 4 regional HSEM meeting; and the annual Governor's conference ● Maintain all continuing education requirements for applicable licenses and certifications 	30%
<p>7. Response to Emergencies and Disasters</p> <ul style="list-style-type: none"> ● Provide coordination of response to activation of the Emergency Operations Center and Emergency Operations Plan 	10%

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| <ul style="list-style-type: none"> • Coordinate incident management for large scale emergencies and disasters that involve multiple agencies or multiple public safety disciplines. Serve in a lead role for communications between the State Emergency Operations Center (SEOC) and the local jurisdictions • Work with the Sheriff, County Board Chair, City Mayors, Township Officials, Minnesota HSEM, and the Office of the Governor in the event of a declaration of an emergency • Work with Incident Command to ensure proper coordination of resources to ensure proper resources are available by working with regional, state and federal agencies to provide a coordinated and comprehensive county-wide emergency response • Coordinate with county agencies and municipalities and assist them in carrying out health protocols and response • In coordination with county and state agencies effectuate quarantines and evacuations both at the planning and execution stages • Complete damage assessments for state and federal emergency declarations and other large-scale incidents • Maintain records for the Emergency Preparedness Program and generate reports in compliance with FEMA (Federal Emergency Management Agency) rules, regulations, and guidelines • Work with local, state, and federal government entities to apply for, document, and disperse reimbursement of dollars appropriately • The Houston County Emergency Management Director may also be called upon to provide assistance to neighboring jurisdictions during a large-scale event • Provide post response assessment and make recommendations for improvements if needed • Assist the Sheriff in preparing the Emergency Management Budget | |
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This description describes the general list of responsibilities is not intended to be construed as an exhaustive list of all responsibilities, duties, and skills required of this position and classification and are intended only as an illustration of the various types of work performed. The position description is subject to change as the needs of the employer and requirements of the position change.

Employment Standards

Education and Experience

- AA degree with a focus in emergency management, criminal justice, or a related field from an accredited college
- Current State of Minnesota Homeland Security Emergency Management Director certificate and FEMA Emergency Manager Certification
- Certification with State of Minnesota BCA for CJIS and NCIC
- 4 years of related experience inclusive of 2 or more years of work experience in an E911 dispatch center
- Valid driver's license and have a clean driving record

OR

- A combination of related education and experience
- The ability to become certified within one year from the date of hire
- Valid driver's license and have a clean driving record

Required Essential Skills and Abilities

- Thorough knowledge of enhanced E-911 procedures, computer aided dispatch (CAD) systems, personal computer systems, law enforcement procedures, dispatching language and use of radios and transmitters; geography of the area including knowledge of all area highways/roads, cities and subdivisions and related map information
- Working knowledge of The Minnesota DOC rules and regulations, applicable State, County and Departmental policies and procedures, and the criminal justice system sufficient to protect the facility's environment and inmate rights and ensure public safety
- Thorough knowledge of the Houston County Jail systems and equipment within the jail/dispatch including all computer security systems, cameras, recording equipment, monitors, fire and smoke alarm systems, intercoms, radios, telephones and all door operating systems
- Ability to understand and prepare financial reports
- Knowledge of training techniques sufficient to conduct a needs assessment and develop and deliver effective training
- Strong working knowledge of the regulations, policies, and procedures governing ruling Minnesota Homeland Security Emergency Management
- Strong working knowledge of the regulations, policies, and procedures governing Federal Emergency Management Agency programs
- Knowledge of availability and functions of the community, regional, and state resources

In addition to strong technical expertise, the person in this position must possess the following knowledge, skills and abilities:

- Ability to listen, comprehend, and effectively communicate information both written and orally to all individuals
- Ability to make critical observations under stressful circumstances
- Ability and willingness to maintain strict confidentiality and appropriate data practices
- The ability to work independently and effectively with law enforcement personnel, other agencies, staff and the public; be detail orientated, possess good listening skills and be able to efficiently and accurately perform dispatcher/jailer duties during emergencies

Physical Requirements

The PSAP/EM Coordinator may perform work inside, outside, on slippery surfaces, alone or with others and has contact with the public.

Persons with Disabilities

The above is a general listing of job duties. Essential and non-essential functions may vary by individual position. Reasonable accommodations may be available for both essential and non-essential job duties.

In compliance w/ the Americans with Disabilities Act the following represents the Physical/Environmental Demands and Work Environment

FUNCTION	N/A	<25%	25% - 49%	50% - 74%	>74%
Office Environment				X	
Sitting				X	
Standing, Walking				X	
Simultaneous/Repetitive Hand Movements			X		
Typing/Data Entry				X	
Close Vision (Near Acuity)			X		
Distance Vision (Far Acuity)				X	
Color Vision (ability to identify and distinguish colors)			X		
Accommodation (ability to adjust the eye to bring an object into sharp focus)			X		
Hearing/Speech					X
Sedentary (Exert up to 10 pounds of force)			X		
Light (Exert up to 20 pounds of force)			X		
Lifting, carrying or pushing of objects up to twenty-five (25) pounds			X		
Lifting, carrying or pushing of objects up to fifty (50) pounds	X				
Lifting or pushing of objects over fifty (50) pounds	X				
Adverse movements such as overhead, bending, reaching			X		

NOTICE

A County employee in this position may encounter non-public data as defined by Minnesota or federal law in the course of their position. Any access to not public data should be strictly limited to accessing the data that is necessary to fulfill the defined job duties. While data is being accessed, the employee shall take reasonable measures to ensure the not public data is not accessed by unauthorized individuals. Once the work purpose to access the data is reasonably finished, the employee must properly store and secure the not public data in accordance with applicable County policies as well as Minnesota and federal law. All employees are expected to become familiar with and comply with the requirements of the County's Data Practices and Data Security Policies. A breach of these policies may lead to disciplinary action against the employee.

Status:	Exempt, Administrative
Job Category:	Administrative -Technical
Banding:	C43
Labor Group:	LELS #60
Reviewed/Amended:	3.2017, 9.2021

Houston County

Agenda Request Form

This form is not intended for the general public. It is intended for use by county department heads, representatives of other governmental units or vendors/agencies who contract with Houston County. Members of the public may address the Board during the Public Comment Period. (See Policy for Public Comment Period).

Date Submitted: 27-Sep-21

Person requesting appointment with County Board: Amelia Meiners

Issue:

CUP Approval/Denial: 1) Kerry Ruffridge - Change the use of an existing building into dwelling on less than 40 acres in Spring Grove Township. 2) Josh Ross - Build an accessory building in a residential district.

Justification:

Final Approval by the County Board. (Agenda, Hearing Notice Findings and Staff Report is attached.)

Action Requested:

For County Use Only

Reviewed by:

_____ County Auditor	_____ County Attorney	_____ Zoning Administrator
_____ Finance Director	_____ County Engineer	_____ Environmental Services
_____ IS Director	_____ Other (indicate dept)	

Recommendation:

Decision:

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and determine if the request will be heard at a County Board meeting.

**HOUSTON COUNTY
PLANNING COMMISSION AND
BOARD OF ADJUSTMENT AGENDA
Thursday, September 23, 2021**

(Hearings are in the Houston County Commissioner's Room)

PLANNING COMMISSION

Approve Minutes for August 26, 2021

CONDITIONAL USE HEARINGS:

- 5:00 p.m. ***Kerry Ruffridge – Spring Grove Township***
Conditional Use Permit to change the use of an existing building into dwelling on less than 40 acres in an Agricultural Protection District (14.3 Subdivision 1 (10)).
- 5:20 pm ***Josh Ross – Union Township***
Conditional Use Permit to build an accessory building in a Residential District (Section 29 -29.14 Accessory Buildings and Structures in Residential Districts, Subdivision 1).

BOARD OF ADJUSTMENT

Approve Minutes for August 26, 2021

VARIANCE HEARINGS:

- 6:20 p.m. ***Kyle Caley & Julia Vandenberg – Mound Prairie Township***
Variance to reduce the township road setback to build a deck (15.6 subd. 3).
- 6:40 p.m. ***Jacob Schulte – Sheldon Township***
Variance to reduce the minimum rear yard setback for an existing building (14.9 subd. 1).
- 7:00 pm ***Christine Custer – Brownville Township***
Variance to allow an accessory to be placed on a bluff (Section 29.17, Subd. 1 & 2).



HOUSTON COUNTY ENVIRONMENTAL SERVICES

Solid Waste • Recycling • Zoning
304 South Marshall Street – Room 209, Caledonia, MN 55921
Phone: (507) 725-5800 • Fax: (507) 725-5590



STAFF REPORT 9/9/2021

Application Date:
Hearing Date: 9/23/2021
Petitioner: Kerry Ruffridge
Reviewer: Amelia Meiners
Zoning: Ag Protection
Address: 19063 County 8
Township: Spring Grove
Parcel Number: 130060000
Submitted Materials: CUP Application

OVERVIEW

REQUEST

The applicant is seeking a Conditional Use Permit to build a dwelling on less than 40 acres in the agricultural protection district.

SUMMARY OF NOTEWORTHY TOPICS

At one point, the applicant owned over 40 contiguous acres in Spring Grove Township, consisting of a cabin structure, a farmstead and a separate Ag building. The cabin and a majority of the acreage has been sold off, leaving 37 acres consisting of a farmstead and the separate pole shed. The farmstead has been parceled off as well. The pole building was permitted in 2020 (Permit #4939) for the storage of a tractor, trailers, etc. Now the applicant is looking to change the use of this structure into a shop with a studio apartment. A building permit will be required to do so.

This structure will be the only dwelling within the NW SE quarter-quarter and meets all the necessary building standards required of a dwelling.

The Houston County Zoning Ordinance (HCZO) 14.3 subd.1 (10) requires the following;

(10) Dwellings. Single-family non-farm dwellings subject to the following:

- (a) No more than one (1) dwelling per quarter-quarter section.*
- (b) Non-farm dwellings built after the adoption of this Ordinance shall be setback at least one-fourth, (1/4), mile from all feedlots, except as otherwise provided in this Ordinance.*
- (c) Non-farm dwelling units shall not be permitted on land which is of soil classifications of Class I-III soils rated in the Soil Survey - Houston County by the U. S. D. A. Natural Resource Conservation Service, except in cases where the land has not been used for the production of field crops or*

enrolled in a government program whereby compensation is received in exchange for the removal of an area from production, for a period of ten years or more.

(d) Non-farm dwelling units shall only be permitted on sites considered Buildable Lots as defined by this Ordinance, and shall not be permitted in areas classified wetlands, flood plain, peat and muck areas and other areas of poor drainage. Non-farm dwelling units shall not be permitted on land which has a slope of twenty-four (24) percent or greater. All non-farm dwellings must have an erosion control plan as required by Section 24.

(e) Non-farm dwelling units shall be required to be located on lots having ownership of at least thirty-three (33) feet of road frontage on a public roadway or a legally recorded perpetual access at least thirty-three (33) feet wide from an existing public roadway and a minimum lot area of one (1) acre.

29.15 DWELLING UNITS PROHIBITED

A garage, tent, trailer, basement, cabin, or accessory building shall not be used as a permanent residence at any time. The basement portion of a finished home or apartment may be used for normal eating and sleeping purposes provided it is properly damp proofed, has suitable fire protection and exits, and is otherwise approved by the Zoning Administrator.



Figure 1. Proposed parcel for the future dwelling.

TOWNSHIP AND NEIGHBORHOOD COMMENTS

Spring Grove Township and the ten nearest property owners were notified. One comment was received.

SITE CHARACTERISTICS

The remaining property consists of timber acreage. This dwelling is proposed on what may become an 8-acre parcel in the NW SE quarter-quarter of Section 6 in Spring Grove Township near Riceford.

Slopes at the building site are 10-15%, but there will be no additional structure added. The site will need to accommodate a septic system. The soils are class VI.

There is an intermittent stream approximately 500 feet in the southwest direction and one 2,000 feet to the northwest. There are no wetland, shoreland or floodplain concerns with this proposal. There are no feedlots within a quarter mile and no mines within 1,000 feet.

EVALUATION

Section 11.05 of the Houston County Zoning Ordinance requires the following:

Subdivision 1. Findings. The Planning Commission shall not recommend a conditional use permit unless they find the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: This proposal meets the density limitations required for the agricultural protection district in the Land Use Plan and Houston County Zoning Ordinance.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: A CUP is required to construct a single-family dwelling in the agricultural district.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: The applicant plans to have a septic professional install a holding tank.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: The exterior of the structure will not change so the quantity of water runoff will be no different from the current use.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: Soils meet the non-farm dwelling standards and are adequate to accommodate a septic system.

6. That potential pollution hazards been addressed and that standards have been met.

Staff Analysis: The applicant will hire a licensed septic professional to complete his septic design and install.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: This is an existing site with utilities and an access road. Any new utility cost will be the responsibility of the applicant.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: An eight-acre parcel will result which should provide adequate off-street parking and loading space for a residential property.

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: N/A

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: Surrounding properties are residential or tillable acreage. An additional dwelling unit will not influence the surrounding agricultural uses or other residential properties.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: The surrounding properties are rural residential as most other surrounding quarter-quarters have been developed. Any surrounding vacant ground is recreational or agricultural and an additional dwelling unit will have no impact.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: N/A

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: This request meets the density limitation requirement for the agricultural protection district.

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: N/A

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: A non-farm dwelling should not negatively affect the public's health, safety, morals and general welfare.

RECOMMENDATION

The Planning Commission must consider the criteria above. Should the permit be granted, staff recommend requiring the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations;
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Amelia Meiners

From: Amelia Meiners on behalf of Aaron Lacher
Sent: Tuesday, August 31, 2021 2:10 PM
To: Amelia Meiners
Subject: FW: Parcel 130060000 Conditional Use Application Received

Amelia Meiners
 Houston County Environmental Services
 304 S. Marshall St., Room 209
 Caledonia, MN 55921
 (507) 725-5800

From: kerry ruffridge <riceford19001@gmail.com>
Sent: Tuesday, August 31, 2021 12:05 PM
To: Aaron Lacher <Aaron.Lacher@co.houston.mn.us>
Subject: Re: Parcel 130060000 Conditional Use Application Received

*** HOUSTON COUNTY SECURITY NOTICE ***

This email originated from an external sender. Exercise caution before clicking on any links or attachments and consider whether you know the sender. For more information please contact HelpDesk.

To whom it may concern,
 I am applying for a Conditional Use Request Permit so I can build out a Studio apartment in my AG building located at 19063 County 8
 Mabel MN. 55954

On Aug 18, 2021, at 12:15 PM, aaron.lacher@co.houston.mn.us wrote:

The information provided in your Conditional Use application has been received by the County. An application fee of \$700.00 payable to the Houston County Treasurer and a recording fee of \$46.00 payable to the Houston County Recorder are necessary to complete your application and are required before the application will be reviewed. Please send a separate check for each.

Houston County Planning and Zoning
 304 S. Marshall Street, Room 209
 Caledonia, MN 55921

Once payment is received your application will be reviewed and you will be contacted by staff.

Please call 507-725-5800 or [email aaron.lacher@co.houston.mn.us](mailto:aaron.lacher@co.houston.mn.us) with any questions or concerns.

Number: [2021-CUP-82192](#)
Project: Conditional Use Request
Description: RUFFRIDGE,KERRY D | 130060000 |
Created On: 8/18/2021

[View this application](#)

Submitted by Applicant

7

Number 2021- CUP- 82192	RUFFRIDGE, KERRY D 130060000 Conditional Use Request Submitted by kerryruffridge on 8/18/2021	
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CONDITIONAL USE INTRO [\[Edit\]](#) Last updated: 8/18/2021 12:44:41 PM and saved by: kerryruffridge

A Conditional Use is a land use or development that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that specific criteria are met, as outlined in Section 6.5 of the ordinance.

When submitting an application, the information requested in this form is required. You may be asked to provide additional information as deemed necessary by the Zoning Office, the Planning Commission, or the County Board.

A non-refundable application fee and recording fee are required before an application is considered complete.

Prior to completing this form, a pre-application meeting with County Zoning is strongly recommended.

Conditional Use Application Fee **\$700.00**

Recording Fee **\$46.00**

Application Type:
Conditional Use

APPLICANT INFORMATION [\[Edit\]](#) Last updated: 8/18/2021 12:50:45 PM and saved by: kerryruffridge

Applicant Name **RUFFRIDGE, KERRY D**

Telephone Number **507 475-4808**

Address **19063 COUNTY 8**

City **SPRING GROVE**

Zip **55974**

Parcel Tax ID **130060000**

Legal Description **PT NW1/4 SE1/4 SUBJECT TO ELECTRIC LINE EASEMENT**

Section-Township-Range **06/101/007**

Do you own additional adjacent parcels **Yes**

Township of: **Spring Grove**

Applicants are required to inform township boards of their application.

Please reference the table below and contact the official for your township.

I understand I am required to inform my township of my application. **Yes**

Township Contacts

CONDITIONAL USE REQUEST [Edit] Last updated: 8/18/2021 12:59:34 PM and saved by: kerryruffridge

[Click here to view the Houston County Zoning Ordinance](#)

Describe in detail your request. **I would like to install a septic system for my shop so I can have a bathroom.**

Citation of Ordinance
Section from which the
Conditional Use is
requested:

14.3 Subdivision 1 [10] Submitted by Applicant

9

Requested Dimension:

There are no attached documents.

**Please upload any
supporting documents:**

CONDITIONAL USE FINDING OF FACTS [Edit] Last updated: 8/18/2021 1:10:44 PM and
saved by: kerryruffridge

[Click here to view the
Houston County Zoning
Ordinance](#)

Findings Required:

**1. That the proposed
use conforms to the
County Land Use Plan.**

Yes

Comments:

**Permitted and building built according to County Land use
plan**

**2. That the applicant
demonstrates a need for
the proposed use.**

Yes

Comments:

Bathroom is important .

**3. That the proposed
use will not degrade the
water quality of the
County.**

Yes

Comments:

**Septic built according to accepted Licensed Contractors
design**

**4. That the proposed
use will not adversely
increase the quantity of
water runoff.**

Yes

Comments:

No chance for runoff

5. That soil conditions are adequate to accommodate the proposed use.

Yes

Comments: **Soils are adequate**

6. That potential pollution hazards have been addressed and standards have been met.

Yes

Comments: **Absolutely**

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Yes

Comments:

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Yes

Comments: **N/A**

9. That adequate facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Yes

Comments: **N/A**

10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Yes

Comments: **No**

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Yes

Comments: **Nope**

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Yes

Comments: **N/A**

13. That the density of any proposed residential development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district

Yes

Comments: **Built on it's own 40**

14. That the density of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.

Yes

Comments: N/A

Yes

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Comments: All requirements will be met

SITE PLAN INFORMATION [Edit] Last updated: 8/18/2021 1:13:07 PM and saved by: kerryruffridge

A site plan MUST accompany all Applications. You may either upload a drawing or use the interactive map below.

There are no attached documents.

Upload Site Plan

Use Interactive Map to Create Site Plan



Use the space below to include site plan comments, if necessary

APPLICATION SUBMITTAL [Edit] Last updated: 8/18/2021 1:15:22 PM and saved by: kerryruffridge

By checking this box, I grant Houston County access to my property for the purpose of evaluating this application. **Yes**

By checking this box, I certified that I have notified my town board of my application. **Yes**

By checking this box, I certify that the information provided in this application is true and accurate to the best of my knowledge. **Yes**

Signature

Kerry Ruffridge

Date Signed:
08/18/2021

Check this box if Staff Signature on behalf of Applicant. **No**

Regarding the application for a conditional use permit made by Kerry Ruffridge

As landowners of the agricultural land in proximity to Mr. Ruffridge's land (in fact adjacent to), we feel the permit should be denied. Allowing this would set a precedence for future parcels to be changed to non-agricultural.

Building/changing

a building on less than 40 acres in an agricultural district should not be allowed. This area has good farm land and as such should be used for agricultural use.

There are

also environmental issues surrounding this building which can affect our and neighbors agricultural endeavors. One of these concerns is sewage and water runoff. Where

does it go? There is a vulnerable creek near this location.

There are also questions if there was a permit or variance granted to build this building so close to property.^{line} We never received any notification about one. Also some adjacent landowners were not contacted about this public hearing. Why?

Dennis & Monica Dotseth



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STAFF REPORT

9/9/2021

Application Date:
Hearing Date: 9/23/2021
Petitioner: Josh Ross
Reviewer: Amelia Meiners
Zoning: Residential
Address: 6752 State 44
Township: Union
Parcel Number: 140069004
Submitted Materials: CUP Application, Site Plan

OVERVIEW

REQUEST

The petitioners are seeking a Conditional Use Permit (CUP) to build a 2,592 square foot accessory building in the residential district. The use of which will be accessory to the primary dwelling.

SUMMARY OF NOTEWORTHY TOPICS

This is a 1.82-acre parcel located in Union Township off State 44. In 2012, the applicant was granted a zoning amendment to change the zoning district from agricultural protection to residential in order to change the use of the existing structure on this parcel into a dwelling. There is already a dwelling in the NW SW quarter-quarter. In 2014, Permit #4263 approved the construction of a garage and the change of use from a church to a dwelling. That existing garage is 1440 square feet. There is no limit on the number of accessory structures allowed.

Section 29, General Provisions, of the Houston County Zoning Ordinance (HCZO) includes language regulating accessory structures in various districts, which contains the CUP requirement.

29.14 ACCESSORY BUILDINGS AND STRUCTURES

Subdivision 1. Accessory Buildings and Structures in Residential Districts.

- (1) No accessory buildings may be located within five (5) feet of the side lot line or within eight (8) feet of the rear lot line.*
- (2) No accessory building shall be located nearer the front lot line than the principal building on the lot.*
- (3) No accessory building shall exceed the height of the principal building.*
- (4) Accessory buildings, 200 square feet in area or less that are portable and not attached to any foundation, and which meet all other requirements of this ordinance, are permitted uses and do not require a building*

permit. All other accessory structures in the Residential District, except as provided in paragraph 5 below shall require a conditional use permit.

(5) No private garage used or intended for the storage of passenger automobiles shall exceed fifteen hundred square feet of gross area nor shall any access door or other opening exceed the height of ten (10) feet. Setback standards shall meet the requirements as set forth in section 15 of this ordinance.

(6) When a private garage is oriented so as to face onto a public street it shall not be less than twenty (20) feet from the right-of-way line.

Subdivision 3. Accessory Buildings and Structures in All Districts.

(1) No accessory building or use shall be constructed or developed on a lot prior to construction of the principal building.

(2) Accessory buildings 200 sq. ft. in area or less that are portable and not attached to any foundation, and which meet all other requirements of the ordinance, are permitted uses and do not require a Zoning Permit.

(3) An accessory building shall be considered as an integral part of the principal building if it is located less than six (6) feet from the principal building.

(4) Accessory structures located on lake or stream frontage lots may be located between the public road and the principal structure provided it is clearly demonstrated that physical conditions require such a location. In no event, however, shall the structure be located closer than twenty (20) feet to the public road right-of-way.

(5) An accessory building may be located within the rear yard setback provided that the lot is not a through lot and said accessory building does not occupy more than twenty-five (25) percent of a required rear yard.

The language is less-than-perfect and requires interpretation, thus a written policy has been drafted, which provides for placement of accessory buildings in the Residential District as follows:

=<200 sf	No permit required
201-1499 sf	Zoning permit required
=>1500 sf	CUP required

Yard, Rear. The portion of the yard on the same lot with the principal building located between the rear line of the building and the rear lot line and extending for the full width of the lot.

The rear yard is approximately 25,500 square feet so a 2,592 square foot building is allowable (9.8%) under Section 29.14 subd. 3 (5).

No components that generate wastewater are proposed.

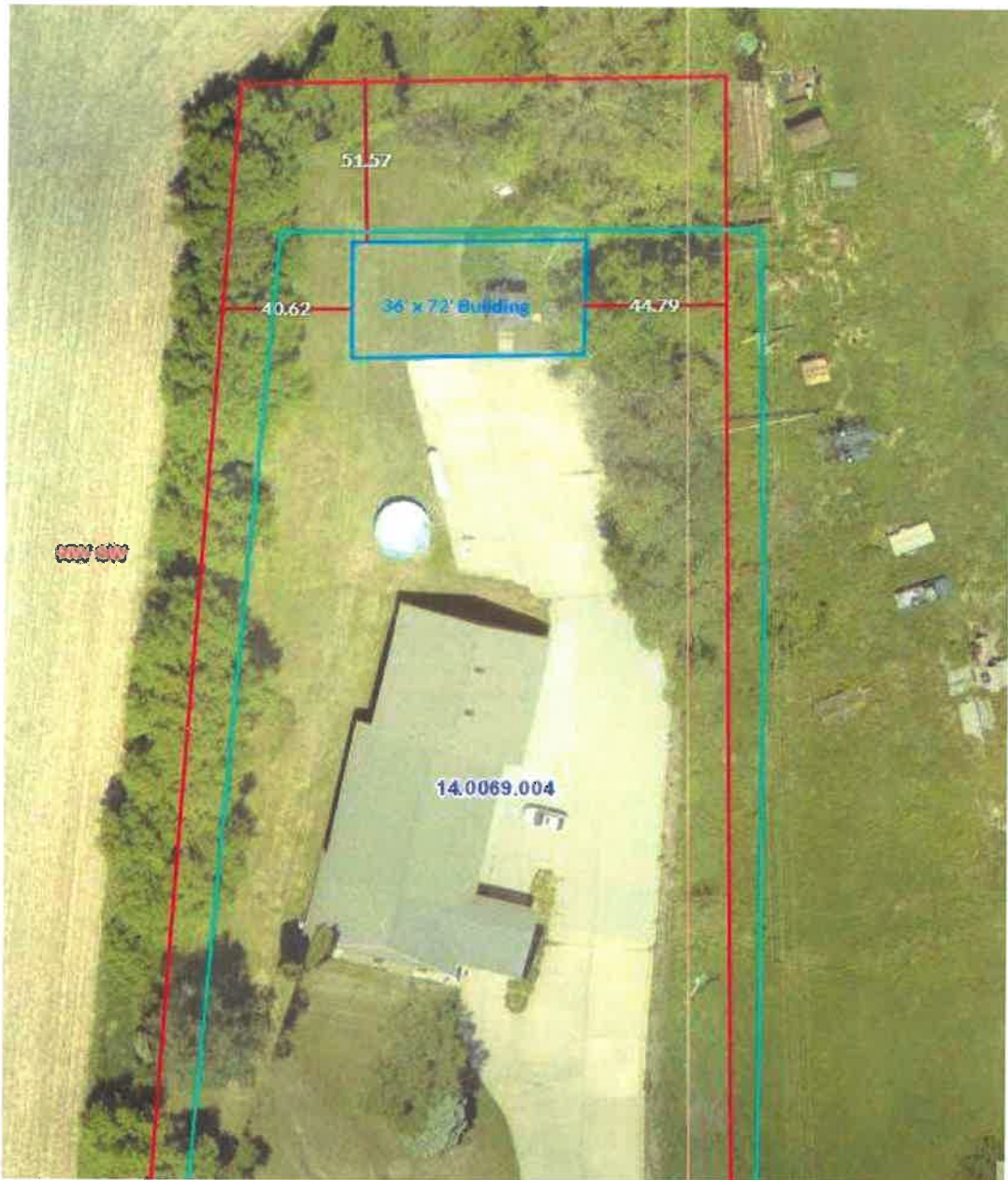


Figure 1. Site plan with a scale drawing of the building. Red lines are property lines based upon staff interpretation of the plat. In the residential district, 15-foot side yard setbacks and, at a minimum, an 8' rear yard setback are required.

TOWNSHIP AND NEIGHBORHOOD COMMENTS

Union Township and the ten closest property owners were notified. No comments were received.

SITE CHARACTERISTICS

This site is located north of State 44 at the County 20 intersection in Union Township. The parcel is approximately 1.8 acres with variable slope. Slopes are higher west of the proposed garage, but the grade at the proposed garage location meets standards.

There is an intermittent stream approximately 1,000 feet to the south, which flows to Thompson Creek. Thompson Creek is about 1,500 feet south of the proposed structure.

There is no bluff, wetland, shoreland or floodplain concern. Feedlot and mine setbacks are not relevant to accessory structures.



Figure 2. Aerial view of the site.

EVALUATION

Section 11.05 of the Houston County Zoning Ordinance requires the following:

Subdivision 1. Findings. The Planning Commission shall not recommend a conditional use permit unless they find the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: The Land Use Plan generally encourages building in areas that are already developed. The applicant has taken a structure that was formerly a church to use as a dwelling and would now like to continue to improve the property by adding an additional accessory structure.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: The applicant identifies he has a need to store larger equipment such as a boat and tractor. He will meet the garage door size requirements found in the HCZO.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: This proposal does not identify any pollution potential that could degrade water quality.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: It is presumed that this property takes on a majority of the water from the surrounding hillsides and that the parking lot was designed to direct that flow. This proposal should not increase runoff and be located so it does not impede natural flow patterns.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: Soils are a silt loam with slopes being the main limitation. However, slopes at this site are under 18%. Structures should be designed to conform to the natural slope of the land.

6. That potential pollution hazards been addressed and that standards have been met.

Staff Analysis: There will be no wastewater generated with this proposal.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: This is an existing site; all utilities, roads, etc. are present. Any new facility need will be the responsibility of the applicant.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: NA

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: NA

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: The surrounding property is bluff land, residential or tillable acreage. An additional accessory structure will not be injurious to those uses.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: Accessory structures are allowable in the residential district and since this property is surrounded by the agricultural protection district, a larger accessory structure will not be out of place with other properties in the vicinity.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: NA

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: The surrounding area is within the agricultural protection district, this proposal will be consistent with uses and structures found within that district, but will meet residential district standards.

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: NA

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: This proposal has no impacts to the public's health, safety, morals and general welfare.

RECOMMENDATION

The Planning Commission must consider the criteria above. Should the permit be granted, staff recommend requiring the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations;
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.



HOUSTON COUNTY

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Policy Regarding Accessory Structures in Residential Districts

The HCZO contains the following language regarding accessory structures in residential districts:

15.4 ACCESSORY USES

Subdivision 1. Incidental to Principal Use. Structures and uses customarily incidental to any of the permitted, interim, or conditional uses listed above and when located on the same property.

29.14 ACCESSORY BUILDINGS AND STRUCTURES

Subdivision 1. Accessory Buildings and Structures in Residential Districts.

- (1) No accessory buildings may be located within five (5) feet of the side lot line or within eight (8) feet of the rear lot line.
- (2) No accessory building shall be located nearer the front lot line than the principal building on the lot.
- (3) No accessory building shall exceed the height of the principal building.
- (4) Accessory buildings, 200 square feet in area or less that are portable and not attached to any foundation, and which meet all other requirements of this ordinance, are permitted uses and do not require a building permit. All other accessory structures in the Residential District, except as provided in paragraph 5 below shall require a conditional use permit.
- (5) No private garage used or intended for the storage of passenger automobiles shall exceed fifteen hundred square feet of gross area nor shall any access door or other opening exceed the height of ten (10) feet. Setback standards shall meet the requirements as set forth in section 14 of this ordinance.
- (6) When a private garage is oriented so as to face onto a public street it shall not be less than twenty (20) feet from the right-of-way line.

Subdivision 3. Accessory Buildings and Structures in All Districts.


- (1) No accessory building or use shall be constructed or developed on a lot prior to construction of the principal building.
- (2) Accessory buildings 200 sq. ft. in area or less that are portable and not attached to any foundation, and which meet all other requirements of the ordinance, are permitted uses and do not require a Zoning Permit.
- (3) An accessory building shall be considered as an integral part of the principal building if it is located less than six (6) feet from the principal building.
- (4) Accessory structures located on lake or stream frontage lots may be located between the public road and the principal structure provided it is clearly demonstrated that physical conditions require such a location. In no event, however, shall the structure be located closer than twenty (20) feet to the public road right-of-way.
- (5) An accessory building may be located within the rear yard setback provided that the lot is not a through lot and said accessory building does not occupy more than twenty-five (25) percent of a required rear yard.

The requirements of 29.14 parts 4-6 are unclear and require interpretation. Zoning will implement this language as follows:

1. Structures 200 sf or less do not require a permit, but must meet all applicable performance standards.
2. Structures 200-1,500 sf require a zoning permit and must meet all applicable performance standards, including the 10' door height limit.
3. Structures larger than 1,500 sf require a CUP regardless of the proposed use.

29.14 Subd. 1 (1) and Subd. 3 (5) are interpreted together as allowing the rear yard setback to be administratively reduced to 8' if the conditions specified are met. This only applies to the Residential District.

Drafted 2/21/19
Updated 3/30/20

Number 2021- CUP- 83301	ROSS, JOSHUA J 140069004 Conditional Use Request Submitted by Joshua Ross on 9/9/2021	
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CONDITIONAL USE INTRO [Edit] Last updated: 9/9/2021 3:10:29 PM and saved by: Joshua Ross

A Conditional Use is a land use or development that would not be appropriate generally but may be allowed with appropriate restrictions as provided by official controls upon a finding that specific criteria are met, as outlined in Section 6.5 of the ordinance.

When submitting an application, the information requested in this form is required. You may be asked to provide additional information as deemed necessary by the Zoning Office, the Planning Commission, or the County Board.

A non-refundable application fee and recording fee are required before an application is considered complete.

Prior to completing this form, a pre-application meeting with County Zoning is strongly recommended.

Conditional Use Application Fee **\$700.00**

Recording Fee **\$46.00**

Application Type:
Conditional Use

APPLICANT INFORMATION [Edit] Last updated: 9/9/2021 3:11:39 PM and saved by: Joshua Ross

Applicant Name **ROSS,JOSHUA J**

Telephone Number **6087975883**

Address **6752 State 44**

City **Caledonia**

Zip **55921**

Parcel Tax ID **140069004**

Legal Description **LOT 1 BLOCK 1 ROSS SUBD; DOC 270590; DOC 270817**

Section-Township-Range **12/103/005**

Do you own additional adjacent parcels **No**

Township of: **Union**

Applicants are required to inform township boards of their application.

Please reference the table below and contact the official for your township.

I understand I am required to inform my township of my application. **Yes**

Township Contacts

CONDITIONAL USE REQUEST [Edit] Last updated: 9/9/2021 3:14:40 PM and saved by: Joshua Ross

[Click here to view the Houston County Zoning Ordinance](#)

Describe in detail your request. **To build a 36"x72' garage behind my house for boat and tractor storage**

Citation of Ordinance
Section from which the
Conditional Use is
requested:

29.14, subdivision 1 Submitted by Applicant

12

Requested Dimension: **10' off line**

Please upload any
supporting documents:

[House Image with Garage Options.pdf \(download\)](#)

CONDITIONAL USE FINDING OF FACTS [Edit] Last updated: 9/9/2021 3:55:55 PM and
saved by: Joshua Ross

[Click here to view the
Houston County Zoning
Ordinance](#)

Findings Required:

**1. That the proposed
use conforms to the
County Land Use Plan.**

Yes

Comments:

NA

**2. That the applicant
demonstrates a need for
the proposed use.**

Yes

Comments:

over 1500 sq ft

**3. That the proposed
use will not degrade the
water quality of the
County.**

No

Comments:

NA

**4. That the proposed
use will not adversely
increase the quantity of
water runoff.**

No

Comments:

NA

Yes

5. That soil conditions are adequate to accommodate the proposed use.

Comments: **On grade**

6. That potential pollution hazards have been addressed and standards have been met.

Yes

Comments:

NA

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Yes

Comments:

No issues

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

N/A

Comments:

None needed

9. That adequate facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

N/A

Comments:

Doesn't apply

10. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

No

Comments:

NA

Submitted by Applicant

14

No

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Comments:

NA

No

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Comments:

NA

No

13. That the density of any proposed residential development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district

Comments:

NA

No

14. That the density of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable zoning district.

Comments: NA

No

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Comments: NA

SITE PLAN INFORMATION [\[Edit\]](#) Last updated: 9/9/2021 3:57:28 PM and saved by: Joshua Ross

A site plan MUST accompany all Applications. You may either upload a drawing or use the interactive map below.

Upload Site Plan

[House Image with Garage Options.pdf \(download\)](#)

Use Interactive Map to Create Site Plan



The map displays an aerial view of a property with several labeled parcels: 14.0069.001, 14.0069.002, and 14.0069.004. A red rectangle highlights a specific area on the property. The map also shows a road, a stream, and other features. A layer list on the right side of the map allows users to toggle various layers on and off.

Layer List:

- ☒ NG911 Address Points
- ☒ Wells_MWI_Jan_2018
- ☐ Contours
- ☒ Septic Permit
 - ☒ Septic Permits
- ☒ Corporate Limits
- ☒ Political Townships
- ☐ Subdivisions
- ☐ Blocks
- ☐ Lot Boundaries
- ☒ Parcels
- ☒ Roads
- ☐ Streams
- ☐ Floodplain (Effective 12/7/2018)
- ☒ 2020 Imagery

Submitted by Applicant
would like to place this starting at the edge of the concrete

16

Use the space below to
include site plan
comments, if necessary

APPLICATION SUBMITTAL [Edit] Last updated: 9/9/2021 3:57:54 PM and saved by: Joshua Ross

By checking this box, I
grant Houston County
access to my property for
the purpose of evaluating
this application. **Yes**

By checking this box, I
certified that I have notified
my town board of my
application. **Yes**

By checking this box, I
certify that the information
provided in this application
is true and accurate to the
best of my knowledge. **Yes**

Signature



Date Signed:
09/09/2021

Check this box if Staff
Signature on behalf of
Applicant. **No**



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Kerry Ruffridge, 19001 County 8, Spring Grove, MN 55974 for a Conditional Use Permit to change the use of an existing building into a non-farm dwelling on less than 40 acres in an agricultural district (Section 14 – 14.3 Conditional Uses, Subdivision 1, Subsection 10) in Spring Grove Township on the following premises, to-wit:

Part NW¼ SE¼, Section 6, Township 101, Range 7, Houston County, Minnesota. (Parcel #13.0060.000)

Said applicant standing and making application is fee owner of said described lands.

A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:00 p.m. on Thursday, September 23, 2021.

All persons having an interest in the matter will be given the opportunity to submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street, Caledonia, MN 55921, or emailed to amelia.meiners@co.houston.mn.us, and must be received by Tuesday, September 14, 2021.

Comments in regard to the petition received by this date will be part of the public record and will be made available for review by the Planning Commission prior to the meeting.

HOUSTON COUNTY PLANNING COMMISSION

By Amelia Meiners
Zoning Administration

ADV: September 8, 2021

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE:

That an application has been made by Josh Ross, 6752 State 44, Caledonia, MN 55921, for a Conditional Use Permit for an accessory building in a Residential District (Section 29 – 29.14 Accessory Buildings and Structures in Residential Districts, Subdivision 1), in Union Township on following premises, to-wit:

ROSS SUBDIVISION Lot-001 Block-001, Section 12, Township 103, Range 5, Houston County, Minnesota. (Parcel #14.0069.004)

Said applicant standing and making application is as fee owner of said described lands.

A hearing on this application will be held at the Houston County Commissioner's Room, City of Caledonia, Minnesota at 5:20 p.m. on Thursday, September 23, 2021.

All persons having an interest in the matter will be given the opportunity to submit comments relative to the granting or denying of said application. Comments should be mailed to the Environmental Services Dept., 304 South Marshall Street, Caledonia, MN 55921, or emailed to amelia.meiners@co.houston.mn.us, and must be received by Tuesday, September 14, 2021. Comments in regard to the petition received by this date will be part of the public record and will be made available for review by the Planning Commission prior to the meeting.

HOUSTON COUNTY PLANNING COMMISSION

By Amelia Meiners
Zoning Administration

ADV: September 8, 2021

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: **Kerry Ruffridge** DATE: **September 23, 2021**

C.U.P. REQUESTED: **To build a dwelling on less than 40 acres in an Ag District.**

The Planning Commission shall not recommend a conditional use permit unless they find the following:

FINDINGS OF FACT

Section 11.05 of the Houston County Zoning Ordinance requires the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: This proposal meets the density limitations required for the agricultural protection district in the Land Use Plan and Houston County Zoning Ordinance.

Board agreed to the finding by a unanimous vote.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: A CUP is required to construct a single-family dwelling in the agricultural district.

Board agreed to the finding by a unanimous vote.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: The applicant plans to have a septic professional install a septic system.

Board agreed to the finding by a unanimous vote.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: The exterior of the structure will not change so the quantity of water runoff will be no different from the current use.

Board agreed to the finding by a unanimous vote.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: Soils meet the non-farm dwelling standards and are adequate to accommodate a septic system.

Board agreed to the finding by a unanimous vote.

6. That potential pollution hazards been addressed and that standards have been met.

Staff Analysis: The applicant will hire a licensed septic professional to complete his septic design and install.

Board agreed to the finding by a unanimous vote.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: This is an existing site with utilities and an access road. Any new utility cost will be the responsibility of the applicant.

Board agreed to the finding by a unanimous vote.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: An eight-acre parcel will result which should provide adequate off-street parking and loading space for a residential property.

Board agreed to the finding by a unanimous vote.

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: N/A

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: Surrounding properties are residential or tillable acreage. An additional dwelling unit will not influence the surrounding agricultural uses or other residential properties.

Board agreed to the finding by a unanimous vote.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: The surrounding properties are rural residential as most other surrounding quarters have been developed. Any surrounding vacant ground is recreational or agricultural and an additional dwelling unit will have no impact.

Board agreed to the finding by a unanimous vote.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: N/A

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: This request meets the density limitation requirement for the agricultural protection district.

Board agreed to the finding by a unanimous vote.

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: N/A

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: A non-farm dwelling should not negatively affect the public's health, safety, morals and general welfare.

Board agreed to the finding by a unanimous vote.

Wayne Feldmeier made the motion to recommend the Houston County Board approve the Conditional Use application to change the use of an existing building into a non-farm dwelling on less than 40 acres in an agricultural protection district with the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations;
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Rich Schild seconded. Roll call vote was taken. All were in favor. Motion carried.

CRITERIA FOR GRANTING CONDITIONAL USE PERMITS

NAME OF APPLICANT: Josh Ross DATE: September 23, 2021

C.U.P. REQUESTED: To build an accessory building in a Residential District.

The Planning Commission shall not recommend a conditional use permit unless they find the following:

FINDINGS OF FACT

Section 11.05 of the Houston County Zoning Ordinance requires the following:

1. That the proposed use conforms to the County Land Use Plan.

Staff Analysis: The Land Use Plan generally encourages building in areas that are already developed. The applicant has taken a structure that was formerly a church to use as a dwelling and would now like to continue to improve the property by adding an additional accessory structure.

Board agreed to the finding by a unanimous vote.

2. That the applicant demonstrates a need for the proposed use.

Staff Analysis: The applicant identifies he has a need to store larger equipment such as a boat and tractor. He will meet the garage door size requirements found in the HCZO.

Board agreed to the finding by a unanimous vote.

3. That the proposed use will not degrade the water quality of the County.

Staff Analysis: This proposal does not identify any pollution potential that could degrade water quality.

Board agreed to the finding by a unanimous vote.

4. That the proposed use will not adversely increase the quantity of water runoff.

Staff Analysis: It is presumed that this property takes on a majority of the water from the surrounding hillsides and that the parking lot was designed to direct that flow. This proposal should not increase runoff and be located so it does not impede natural flow patterns.

Board agreed to the finding by a unanimous vote.

5. That soil conditions are adequate to accommodate the proposed use.

Staff Analysis: Soils are a silt loam with slopes being the main limitation. However, slopes at this site are under 18%. Structures should be designed to conform to the natural slope of the land.

Board agreed to the finding by a unanimous vote.

6. That potential pollution hazards been addressed and that standards have been met.

Staff Analysis: There will be no wastewater generated with this proposal.

Board agreed to the finding by a unanimous vote.

7. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

Staff Analysis: This is an existing site; all utilities, roads, etc. are present. Any new facility need will be the responsibility of the applicant.

Board agreed to the finding by a unanimous vote.

8. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

Staff Analysis: NA

9. That facilities are provided to eliminate any traffic congestion or traffic hazard which may result from the proposed use.

Staff Analysis: NA

10. That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.

Staff Analysis: The surrounding property is bluff land, residential or tillable acreage. An additional accessory structure will not be injurious to those uses.

Board agreed to the finding by a unanimous vote.

11. That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for predominant uses in the area.

Staff Analysis: Accessory structures are allowable in the residential district and since this property is surrounded by the agricultural protection district, a larger accessory structure will not be out of place with other properties in the vicinity.

Board agreed to the finding by a unanimous vote.

12. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

Staff Analysis: NA

13. That the density of any proposed residential development is not greater than the density of the surrounding neighborhood or not greater than the density indicated by the applicable Zoning District.

Staff Analysis: The surrounding area is within the agricultural protection district, this proposal will be consistent with uses and structures found within that district, but will meet residential district standards.

Board agreed to the finding by a unanimous vote.

14. That the intensity of any proposed commercial or industrial development is not greater than the intensity of the surrounding uses or not greater than the intensity characteristic of the applicable Zoning District.

Staff Analysis: NA

15. That site specific conditions and such other conditions are established as required for the protection of the public's health, safety, morals, and general welfare.

Staff Analysis: This proposal has no impacts to the public's health, safety, morals and general welfare.

Board agreed to the finding by a unanimous vote.

Bob Conway made a motion to accept the findings as presented. Wayne Feldmeier seconded. Roll call vote was taken. All were in favor. Motion carried.

Greg Myhre made the motion to recommend the Houston County Board approve the Conditional Use application to build an accessory building in the residential district with the following conditions:

1. The Permittee shall comply with all federal, state, and local laws and regulations;
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.

Bob Conway seconded. Roll call vote was taken. All were in favor. Motion carried.

Houston County Agenda Request Form

This form is not intended for the general public. It is intended for use by county department heads, representatives of other governmental units or vendors/agencies who contract with Houston County. Members of the public may address the Board during the Public Comment Period. (See Policy for Public Comment Period).

Date Submitted: 9/30/2020

Person requesting appointment with County Board: John Pogleasa, Director Public Health & Human Services

Will you be doing a power point or video presentation: Yes X NO

Issue:

Multi County SNAP Employment & Training agreement. Wabasha County hosts a four county program with Workforce Development Inc (WDI) to provide employment and training services for eligible SNAP program participants.

Attachments/Documentation for the Board's Review:

Two copies of contract for signature

Justification:

Action Requested:

Review and approve contract as presented.

For County Use Only

<u>Reviewed by:</u>	<u> </u> County Auditor	<u> </u> County Attorney	<u> </u> Zoning/Environmental Service
	<u> </u> Finance Director	<u> </u> County Engineer	<u> </u> HR/Personnel
	<u> </u> IS Director	<u> </u> Other (indicate dept)	

Recommendation:

Decision:

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and schedule appointments as appropriate.

AGREEMENT FOR PROVISION OF
SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM (SNAP)

The Wabasha County Board of Commissioners through its designated agency, the Wabasha County Department of Human Services, 625 Jefferson Avenue, Wabasha, MN 55981-1589 (651) 565-3351, acting as Fiscal Agent for the counties of Goodhue, Houston, Mower and Wabasha or any successor organization developed with at least one of the participating counties hereinafter referred to as the "Counties" and the Workforce Development, Inc., 2070 College View Road E., Rochester, MN 55901 (507) 292-5166, hereinafter referred to as the "Contractor" enter into this agreement for the period of October 1, 2021 through September 30, 2022.

WITNESSETH

WHEREAS, M.S. 256D.051 requires counties to provide a SNAP Program to eligible persons and allows counties to subcontract for duties under subd.2 of M.S. 256D.051, and

WHEREAS, the Job Training Program, under WIA, administered by the Workforce Development, Inc. is knowledgeable regarding M.S. 256S.051 and of the methods and techniques involved in providing the services in M.S. 256D.051;

NOW, THEREFORE, in consideration of the mutual understandings and agreements set forth, the Counties and Contractor agree as follows;

Available Funds \$8,950.50 10-01-2021 through 09-30-2022 designated for **direct program expenses**; \$789.75 (7.5% **admin**) and \$1137 designated for **support services** for the four counties.

I. Services to be Provided

- A. SNAP Orientation
- B. Employability assessment and development plan
- C. Job search classes
- D. Referrals to available employment assistance programs/agencies

II. Delivery

The Contractor agrees to the following:

- A. The SNAP Program services will be made available at the Workforce Development, Inc. office locations in each county.
- B. The services available for regular WIOA participants may be available for SNAP participants, depending on the funding.
- C. WDI is a registered SNAP Employment and Training provider for SE MN with funding for SNAP 100% and SNAP 50/50. Referrals for SNAP

Employment and Training may be eligible for additional program services depending on their needs and available funding. Through the career planning process, WDI staff will determine the best program fit and encourage co-enrollment to provide additional services to benefit the customer.

- D. The program will be a minimum of 20 hours per week and a maximum of 32 hours per week for period of eligibility.
- E. Upon referral of a SNAP registrant, the Contractor will provide an orientation to the SNAP Program and notify the Counties of attendance.
- F. An employment plan with all the required SNAP activities and individual responsibilities will be prepared by the Contractor and submitted to the participant each month. This employment plan will prescribe the necessary activities to be undertaken during the month by the participant in order to continue receiving monthly SNAP benefits. A copy will be sent to the Counties.
- G. The Contractor agrees that to protect itself, as well as the Counties, under the indemnity agreement, it will at all times have and keep in force a professional liability insurance policy with limits of \$1,000,000.00.
- H. To facilitate interagency cooperation, the Counties and Contractor shall be considered adjunct agencies for the purpose of meeting the training requirements of the SNAP Program. Participant referral information and related contracts to provide training services and participation information shall be communicated between program related personnel involved with this program. Program participants will be apprised of the service agreement between the Counties and Contractor.

III. County's Responsibilities

- A. Refer all persons eligible for the SNAP program to the Workforce Development, Inc. by completing a WF1 referral. The program is in a voluntary status. Referrals will be made noting the participants opportunity for employment services at no cost to the participant.
- B. The Counties will reimburse the Contractor for invoiced costs for SNAP enrollments for staff services, including orientation, assessment, preparation of an Employment Plan, individualized counseling, Job Search instruction, and vocational assessment, referrals to other agencies, job referrals and direct marketing contracts with employers. Actual costs for services will be billed each month up to \$8950.50 direct program, \$789.75 administration, and \$1,137 support funds for this program year. This

includes the time spent sending notices to the participants and the Counties, in addition to tracking the participants' compliance.

- C. Complete any state mandated Information System forms or reports for SNAP registrants at time of registration.
- D. Inform Contractor prior to referring any participant who is unable to communicate in the English language. The Contractor will then arrange for an interpreter.

IV. Contractor Responsibility

- A. The Contractor agrees that during the existence of this agreement that it will indemnify and hold harmless the Counties from any and all liability which may be claimed against the Contractor (1) by reason of any reimbursable cost resulting from an eligible client suffering injury, death, or property loss while participating in services from the Contractor or while being transported to/from said premises in any vehicle owned, operated, chartered, or otherwise contracted for by the Contractor or (2) by reason of any said client causing injury/damage to another person or property during any time when the Contractor has undertaken or is furnishing the service called for under this agreement.
- B. The Contractor agrees to comply with the Civil Rights Act of 1964 (Titles VI and VII); Rehabilitation Act of 1973 (Section 504); and Minnesota Human Rights Act (Chapter 363).

V. Financial Arrangements and Reporting Procedures

- A. The Contractor agrees to furnish the following reports to the Counties:
 - 1. Verification that the participant kept their initial appointment as scheduled.
 - 2. A copy of the employment plan.
 - 3. Monthly communication with the Counties verifying each participant's program participation.
 - 4. Any Management Information Systems forms or subsequent reports for SNAP required by the Counties.

VI. Other Conditions of the Contract

A. The Contractor shall allow personnel of the Counties, Minnesota Department of Human Services, and the Minnesota Department of Employment and Economic Development, access to the Contractor's records at reasonable hours in order to exercise their responsibility to monitor the services and audit the financial records.

B. Audit and Records Disclosure:

The Contractor agrees to maintain records at 2070 College View Road E., Rochester, MN 55901 for a period of six years to allow persons from the Minnesota Department of Human Services and the Minnesota Department of Employment and Economic Development, or their designees, access to records at reasonable times for audit purposes.

C. The use or disclosure, by a party, of information concerning a client in violation of the Data Privacy Act or for any purpose not directly connected with the administration of the County's or Contractor's responsibility with respect to the Purchased Services hereunder is prohibited except on written consent of such eligible client his/her responsible parent or guardian.

D. This contract may be cancelled by either party, upon 30 days notice, in writing, delivered by mail, or in person.

E. Alteration to or waivers of provisions of this contract shall be valid only if they are in writing and duly signed by both parties.

F. In the event there is a revision of state regulations which might affect this agreement, all parties will review the contract and renegotiate those provisions necessary to bring it into compliance with the new regulations.

G. Subcontractors are subject to all requirements outlined in this agreement.

H. The Counties agrees to provide for a Fair Hearing and Grievance Procedure in conformance with Minnesota Statutes, Sections 256.045, and in conjunction with the Fair Hearing and Grievance Procedures established by administrative rules of the State Department of Human Services.

VII. Non-Discrimination Statement: The CONTRACTOR will comply with:

A. Title VI of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, which generally prohibits

discrimination on the grounds of race, color, or national origin, and applies to any program or activity receiving federal financial aid.

- B. Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, which generally prohibits discrimination because of race, color, religion, sex, or national origin and applies to all employers, including State and local governments, public and private employment agencies and labor organizations. Any employment and training program sponsor or contractor, which falls within one of these definitions, would, of course, be covered by Title VII.
- C. The Rehabilitation Act of 1973, as amended, which generally prohibits discrimination on the basis of handicap in all federally funded programs.
- D. The Age Discrimination in Employment Act of 1967, as amended which generally prohibits discrimination on the basis of age against persons 40 years of age and over.
- E. The Equal Pay Act of 1963 amended the Fair Labor Standards Act and which generally provides that an employer may not discriminate on the basis of sex by paying employees of different sexes differently for doing the same work.
- F. Title IX of the Education Amendments of 1972, as amended, generally provides that no person shall, on the basis of sex, be excluded from participation, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics offered and no recipient shall provide any such athletics separately on such basis.
- G. The Age Discrimination Act of 1975, as amended, prohibits unreasonable discrimination on the basis of age in programs or activities receiving federal financial assistance.
- H. The Americans with Disabilities Act of 1990 (P.L.101-336), as amended, which prohibits discrimination based on disabilities in the areas of employment, public services, transportation, public accommodations and telecommunications.

IX Affirmative Action: The Contractor certifies that it has received a Certificate of Compliance from the Commissioner of Human Rights pursuant to Minnesota Statutes, Section 363.073.

- A. The Contractor agrees to comply with the requirements the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (Public Law 91-646), which provides for fair and equitable treatment of persons displaced as a result of federal or federally assisted programs.

- B. The Contractor agrees that program participants shall not be employed in the construction, operation or maintenance of that part of any facility, which is used for religious instructions or worship.
- C. The Contractor agrees to comply with the provisions of Chapter 15, Title 5 of the United States Code with regard to political activity.
- D. The Contractor further understands and agrees that it shall be bound by the Minnesota Government Data Practices Act (Minnesota Statutes 13.03-13.04) with respect to "data on individuals", (as defined in 13.02, subd. 5 of that statute) which it collects, receives, stores, uses, creates or disseminates pursuant to this agreement. The Contractor provides assurances to the Counties that it will comply with Health Information Portability and Accountability Act (HIPPA) requirements necessary to protect individual identifying health information (IIHI). Use and disclosure will require that all IIHI be: appropriately safeguarded; any misuse of IIHI will be reported to the Counties; secure satisfactory assurances from any subcontractor; grant individuals access and ability to amend their IIHI; make available an accounting of disclosures; release applicable records to the Department of Human Services if requested; and upon termination, return or destroy all IIHI in accordance with conventional record destruction practices.
- E. The Contractor agrees to comply with all applicable standards, orders, or requirements issued under section 306 of the Clear Air Act (42 U.S.C. 1857 (h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15).

It is understood and agreed that the entire agreement of the parties is contained herein and that this agreement supersedes all oral agreements and negotiations between the parties related to the subject matter hereof, as well as any previous agreements presently in effect between the Counties and the Contractor.

IN WITNESS WHEREOF, The Counties and Contractor have executed this contract as of the day and year first above mentioned:

FOR
WABASHA CO.
BOARD OF COMMISSIONERS

By _____
Board Chair

By _____
Director

Date _____

By _____
County Attorney

Date _____

FOR THE CONTRACTOR
Workforce Development, Inc.

Director

Date _____

FOR
MOWER CO. BOARD OF COMMISSIONERS

By _____
Board Chair

By _____
Director

Date _____

By _____
County Attorney

Date _____

FOR THE CONTRACTOR
Workforce Development, Inc.


Director

Date _____

FOR
HOUSTON CO. BOARD OF COMMISSIONERS

By _____
Board Chair

By _____
Director

Date _____

By _____
County Attorney

Date _____

FOR THE CONTRACTOR
Workforce Development, Inc.


Director

Date _____

FOR
GOODHUE CO. BOARD OF COMMISSIONERS

FOR THE CONTRACTOR
Workforce Development, Inc.

By _____
Board Chair

Director

By _____
Director

Date _____

Date _____

By _____
County Attorney

Date _____