



MACPZA

Minnesota Association of County
Planning & Zoning Administrators

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MACPZA STAFF

Annalee Garletz

AMC Environmental &
Natural Resources
Policy Analyst

651-789-4322

garletz@mncounties.org

Maria Werner

Administrative Assistant

651-789-4320

werner@mncounties.org

PRESIDENT'S COLUMN

By Jane Starz, Morrison County Zoning Administrator, MACPZA President

It is finally beginning to feel a bit more like summer. In my travels from Central Minnesota to Southern Minnesota on a recent weekend I observed that it would be hard to imagine the corn knee high by July 4th. My hometown newspaper sponsors a contest to find the tallest stalk of corn on the 4th. Needless to say they are not predicting a record setting year!

I hope that everyone who attend the June 12 & 13th Legislative Update and Training was able to take some useful information back their county. I heard a lot of good remarks about the Best Practices for Civic Engagement training session. The Education/Curriculum Committees are always looking for ideas on the types of training that would be of interest to the membership. Be on the lookout for interesting ideas and/or

speakers and let us know. It sounds like the Fall Conference will cover a lot of interesting topics. Mark your calendars for Oct. 1 -3, 2008 in Red Wing.

From the various conversations I heard during the Legislative Update, it sounds like the "economic downturn" is also affecting P & Z offices. In Morrison County we are seeing more land use permits for remodeling projects and "creative" ways to make use of small lots. For those offices that are dependent on fees for a substantial part of their budget, it does make the 2009 budgeting process interesting!

Take time to enjoy the Minnesota summer and be safe.

Jane E Starz

MESSAGE BOARD HOW-TO

Q: How do I receive notification when a new message is posted on the message board?

A: Signing up to receive e-mail notification of new messages can save you the time of having to check the message board for new postings. It can also be a helpful reminder, alerting you to new, pertinent messages. Here's how to sign up:

1. On the MACPZA website, www.mncounties3.org/macpza/, log on to the message board.
2. On the left-hand side, scroll down to the bottom of the page and click on "To be notified when a new message is posted click here"

3. Enter your password, e-mail address, and an optional username; click submit

4. Click the box next to each message thread that you would like to receive notification for (default is all threads); click submit

Once you are signed up, you will receive only one e-mail each day that a new message is posted (if there are multiple messages, you will receive only one e-mail listing all of the new messages for the day).

At any time you can follow the above steps to change your preferences for which threads you would like to receive notification for.

SAVE THE DATE:

The 2008 MACPZA Annual Conference will be held at
Treasure Island Resort and Casino in Redwing, Minnesota,
October 1st, 2nd, and 3rd. More information to follow.

COUNTY NEWS

Blue Earth County

The sight and smell of the apple and cherry blossoms, the raucous concerts made by the chirping of the robins at dawn, and the loud exhaust sounds of the powerboats on the lakes are all sure signs that summer is upon us. The start of the summer season has been busy for all of the staff at the Blue Earth County Environmental Services Office. Last year the County Board authorized the hiring of a Land Use Specialist/Enforcement person to assist with the daily operations of the land Use Division. We were lucky enough to hire Mandy Landkamer away from Nicollet County. Unfortunately, Mandy left us after ten months and returned to Nicollet County to assume new duties as the Director of Environmental Services. Mandy's contributions to the County during her short tenure here were invaluable and greatly appreciated.

Sara Eisebrand was hired to replace Mandy and will begin employment with Blue Earth County on May 28. Sara has a degree in Urban Studies and has worked for the Cities of Pemberton and Eagle Lake, both in Blue Earth County. Blue Earth County is currently in the process of re-writing our Zoning Ordinance and Feedlot Ordinance. Those ordinances should begin the public hearing/adoption process within the next couple of months.

Julie Conrad, our water planner, has been working with several County and State agencies to assemble a Greenprint for the County. She has been working with several citizens groups to gather input for the plan. Items targeted by the Greenprint plan will be identification and restoration of sensitive areas, wildlife corridors, reclamation options for gravel mining operations along the 700+ miles of rivers in Blue Earth County, and protection of surface waters. Scott Salisbury, our GIS Coordinator, has been essential in put-

ting together the database and mapping for this project.

An update to the County's Comprehensive Plan will begin this Winter after the Greenprint and updated County Water Plan are adopted. The Comprehensive Plan was last updated in 1998 and contained goals and policies in several categories including; protection of agricultural land, protection of natural resources, urban development, transportation, and housing. The plan set forth goals for updates to the County's various ordinances and the promulgation of new ordinances. The original timetable permitted for the updates was five years. Now, ten years later, we have implemented most of the suggested changes.

For the last ten year staff has been meeting with various cities in the County and the townships that surround them, attempting to forge annexation agreements with them that will provide for joint planning for the future development of the County. The County, cities, and townships have agreed on joint planning areas (Urban Fringe Overlay Districts or UFDs) surrounding three of the cities. The purpose of the UFDs is to protect the environment by prohibiting non-farm development without annexation and connection to municipal infrastructure. In addition the townships realize that the only way to protect agriculture and control the inevitable farm/non-farm conflicts that occur in the rural area is by limiting animal agriculture within the UFDs in order to protect the areas more distant from the cities. The UFDs prohibit the establishment of new feedlots within a minimum distance of one mile from the corporate limits of the cities. This provides a more aesthetically pleasing area for the cities to expand into. UFDs have been implemented around the cities of Mankato, Madison Lake, and Eagle Lake within portions of the seven townships that surround them.

The Madison Lake area UFD includes Duck Lake, Lake Ballantyne, and Lake Madison. There are many acres of wetlands included within the UFD. This is one of the most vulnerable areas in the county. As you are aware, one of the largest problems with residential development on lakes is the propensity of septic systems to fail due to the age of the system, or the substandard rules under which they were originally in-

stalled. Construction of a new sanitary sewer line between the City of Mankato and Madison Lake will begin this Summer. This line will convey Madison Lake's wastewater to Mankato for treatment. An offer to over-size the sewer line was made to the residents on the three lakes to permit them to connect to municipal sewer and abandon their aging septic systems. Petitions have been circulated on the three lakes and the overwhelming majority of the residents have agreed to help offset the over-sizing costs associated with the new pipe. The lake associations are in the process of establishing a sewer district to enable them to levy for engineering and construction costs to facilitate extension of the pipe from the City to the three lakes.

Our long-time Sanitarian, Herb Wenkel, has decided to retire. He will be leaving at the end of June. Good luck Herb. Enjoy your retirement. We will be advertising for a replacement position soon. Stay tuned!

Have a good and enjoyable Summer.

Veryl Morrell, Blue Earth County Land Use Administrator

Chisago County

Chisago County adopts Adult Use Amendment to its Zoning Ordinance

The Chisago County Board approved an adult use amendment to the zoning ordinance at their May 21, 2008 meeting. The language became a new section of the zoning ordinance, Section 7.29. The County Board adopted the amendment prior to the July 11, 2008 expiration of the moratorium on adult uses in Chisago County. The ordinance amendment was largely based on Morrison County's existing Adult Use Ordinance, but customized to fit Chisago County's needs. (Special thanks to Morrison County for all of your assistance.) The County did not adopt this amendment in response to any specific proposal for an adult use, but rather as a proactive measure in advance of any future proposal. You can view the language of the ordinance amendment at the Chisago County website. Just look for the minutes of the May 21 2008 County Board meeting. For more information, call Chisago County Planner Patrick C. Hollister at 651-213-8382.

Send in your county news
for our next newsletter!

E-mail submissions to
werner@mncounties.org

COUNTY NEWS CONTINUED...

ANNOUNCEMENTS

Fillmore County

Greetings fellow MACPZA Members: It finally turned summer and are we glad. The Zoning Office is running as usual. Not much slow down even though the economy seems to be slowing down. This year we have permitted many new dwellings; most of them smaller than a 4 season home. Most of our permitting so far this year is for sewers.

I would like to see about 180 sewers installed in this summer. That's going to require a little cooperation from the weather man and a lot of hard work from our installers. So far we have only done about 10.

The new 7080 Rules are still being studied. We are still trying to figure out how to interpret them in the field and enforce them. This is a big change for all the sewer professionals as well as the staff. We had hoped to start work on our SSTS ordinance but that's a ways off. We need to get some experience with the rules before we write the ordinance.

I'm looking forward to our annual conference at Treasure Island north of Red Wind. That's October 1-3. It should be a good experience.

Norm Craig, Fillmore County Zoning Administrator

Meeker County

Meeker County has a new assistant feedlot officer. Dana Leibfried replaced Adam Barka. Dana began her employment in Meeker County on May 19. You may contact Dana at 320-693-7287, ext. 112.

Morrison County

On June 10, 2008, Morrison County adopted a completely revised Land Use Control Ordinance. This project started after the adoption of the county compre-

hensive plan in October of 2005. A rewrite committee consisting of County Commissioners, Planning Commission and Board of Adjustment members, interested community members and county staff reviewed every section of the 1995 ordinance over a two year period. The County contracted with Pettipiece Associates from Mankato to facilitate this process. Major discussion issues included the addition of an urban fringe zoning district, some changes in the feedlot portion of the ordinance, kennels, adding better wind tower language and changes to the subdivision process.

Mower County

As of May 30, 2008, Angie Knish (previously with Waseca County) is now the Mower County Environmental Services Director. Angie's new e-mail address is angiek@co.mower.mn.us. She replaces Daryl Franklin, who retired after 37.5 years.

Nicollet County

Mandy Landkamer has accepted the Director of Environmental Services position in Nicollet County. Mandy's e-mail address is mlandkamer@co.nicollet.mn.us.

Traverse County

Traverse County has a new Shoreland Administrator, Sara Gronfeld. Her e-mail is sara.gronfeld@nacdn.net.

Waseca County

Laura Rohde is the Interim Planning and Zoning Administrator of Waseca County. Laura's e-mail address is laura.rohde@co.waseca.mn.us.

Floodplain Conference

The MnAFPM 2008 Annual Conference is scheduled for November 19th - 20th at the Ramada MOA in Bloomington, MN.

On Wednesday, November 19th, several training opportunities will be available. The conference will commence on Thursday, November 20th and this year's theme is "Policies and Practicalities." An opportunity to take the CFM exam will be available on Friday, November 21st as well.

MnAFPM is now accepting abstracts for the 2008 Annual Conference. Our Call for Abstracts flyer is attached. Please consider contributing your floodplain management expertise to our conference. Please pass this information on to anyone that may be interested in our conference.

Thank you for your participation and we look forward to seeing you at this year's conference!

Krysta Reuter, CFM
MnAFPM 2008 Conference Chair
www.mnafpm.org/annualconf.htm

MACPZA Training & Legislative Update Report

The MACPZA Training & Legislative Update was held June 12 & 13 at the Holiday Inn in St. Cloud.

Both days were well attended, with 40 members attending the training on June 12, and 60 members attending the legislative update on June 13.

A first look at the evaluations from both days show that those who attended found the sessions both useful and informative.

If you have ideas for topics for future training events and/or updates, please send your suggestions to werner@mncounties.org.

Changes in Positions, Titles, & Contact Information

If your position, title, or contact information have changed, please be sure to notify us of the change.

This is especially important if your e-mail address has changed. We want to make sure that not only are our records accurate, but that you are receiving MACPZA communications as well. Please send all changes to werner@mncounties.org

ANNOUNCEMENTS

MACPZA Website Resources

The "spring cleaning" is nearly complete on the MACPZA website! Be sure to remember this valuable resource when you have questions, announcements, or job openings to share with other MACPZA members.

Here are just a couple of the resources available to you on the MACPZA website:

ORDINANCE LINKS

We have recently updated our county ordinance links page. Visit this page to view other counties' planning & zoning ordinances. If you have new or updated ordinances, or additional ordinances you would like to include on this website, please e-mail the link or PDF file to werner@mncounties.org.

MESSAGE BOARD

The message board is a great resource to share your announcements, events, job postings, general and issue/area-specific questions, experience, and much more with other MACPZA members.

Time-sensitive material will be posted until the date has passed, but all of your questions and responses are archived for future reference.

You may post your own questions or share your experience with others on the message board or forward items for posting to werner@mncounties.org.

Visit our website at:
<http://www.mncounties3.org/macpza/>

MDA Seeking Township Zoning Ordinances

The Minnesota Department of Agriculture (MDA) is seeking township zoning ordinances that relate to feedlots. Currently, the MDA is aware of approximately 115 townships that have either a stand alone feedlot zoning ordinance or feedlot provisions in a general land use and zoning ordinance. Eventually, township feedlot zoning information will be included with county feedlot zoning information within the following interactive website: <http://www.mda.state.mn.us/animals/aodisclaimer.htm>

Please submit ordinances via PDF or fax to:

Robert Sip - MDA
rob.sip@state.mn.us
320-255-2428 (Phone)
320-233-2429 (Fax)

On the Lighter Side...

Texas Department of Water representative stopped at a ranch and talked with an old rancher.

He told the rancher, "I need to inspect your ranch for your water allocation."

The old rancher said, "Okay, but don't go in that field over there."

The Water representative said, "Mister, I have the authority of the Federal Government with me. See this card? This card means I am allowed to go WHEREVER I WISH on any agricultural land. No questions asked or answered. Have I made myself clear? Do you understand?"

The old rancher nodded politely and went about his chores.

Later, the old rancher heard loud screams and saw the Water Rep running for the fence and close behind was the rancher's bull. The bull was gaining on the Water Rep with every step.

The Rep was clearly terrified, so the old rancher immediately threw down his tools, ran to the fence and shouted out..... Your card! Show him your card!"

DNR Shoreland Rules Update Project

June is a busy month for the project. **Open Houses** (12) are being held throughout the state to acquaint Minnesotans with background information on the shoreland rules and solicit their input on possible issues to address in the rules update. However, it is also an opportunity to acquaint people with many of the important components that make for healthy, sustainable lakes and rivers; it's not just about shoreland rules and local ordinances. There are information tables for various participating groups like local governments, SWCDs, Minnesota Extension, PCA. In addition, there are DNR representatives from various disciplines (Ecological Services, Fisheries, etc.) whose work also contributes to healthy lakes and rivers. At the time of this writing, we have only just begun, having completed the first two open houses. These are not formal presentations, but the opportunity for folks to interact in small groups or one-to-one. I encourage you to pass the word on to any who might have an interest in attending--staff, board members, interest groups, etc.

Secondly, the **LGU Shoreland Survey** is now complete and we have begun analysis that will be shared with the LGU Advisory Committee on June 20. You can look

for the results on our web site in July: <http://mndnr.gov/waters/shoreland.html>. Please stop by our web site from time to time to follow developments on the project or sign up on a listserve there. Better yet, come to one of the open houses yourself to see for yourself. Hope to see you there!

Open houses will be from 6:30 p.m. to 9 p.m. on the following dates and locations:

Wilmar	Tuesday, June 10
Detroit Lakes	Wednesday, June 11
Alexandria	Thursday, June 12
Duluth	Monday, June 16
Brainerd	Tuesday, June 17
Hibbing	Monday, June 23
Bemidji	Tuesday, June 24
International Falls	Wednesday, June 25

For additional information about the location and content of the open houses or information on the shoreland rules update project in general go to <http://mndnr.gov/waters/shoreland.html>

Peder Otterson, Shoreland Rules Update Project Manager

MPCA Roundup

SSTS Ordinance Amendment Underway

The February 4, 2008, effective date of the revised SSTS rules (MR 7080-7083) has set off an avalanche of SSTS ordinance amendments around the state. Well, maybe “avalanche” is an overstatement, but significant progress has begun. The deadline for adopting an amended ordinance is two years after the effective date – February 4, 2010.

The final meeting on the SSTS Model Ordinance was held on May 16 where the results of the legal review were incorporated into the final document. This will be a useful tool for counties as they move through the amendment process. Thanks go to the MACPZA volunteers who provided advice on the Model Ordinance and to Annalee for her work shepherding the project, to Craig Gilbertson and Dick Otis for their work in drafting the ordinance, and to Jay Squires for his work in the very valuable legal review.

We at MPCA are excited about the opportunity to work with counties as they amend and adopt new SSTS ordinances. To get a handle on the timing of this work, we conducted a survey of all counties. Following are the responses to two questions:

My county plans to amend our SSTS ordinance:

- 4 counties - *In the next six months (by fall, 2008)*
- 28 counties - *Between the 2008 and 2009 construction seasons*
- 15 counties - *Sometime in 2009*
- 24 counties - *Between the 2009 and 2010 construction seasons*
- 6 counties - *Sometime in 2010*

We plan to adopt the following type of SSTS ordinance:

- 55 counties - *Conventional*
- 12 counties - *Performance*
- 14 counties - *Alternative Local Standards*

We have been working with several counties recently on SSTS ordinance amendments. Wadena County is nearing completion of their amended ordinance, and we've reviewed drafts for Koochiching County and Kanabec County. Fillmore County is working on alternative local standards for very low flow systems and is preparing their supporting documentation for this request. Crow Wing County will have a performance code in parts of the county where sanitary districts have been formed to manage the SSTS. It has been very interesting working with the diverse issues and we both welcome and benefit from the feedback we get along the way.

SSTS Licensing Legislation

The Minnesota Onsite Wastewater Association sought legislation this session to clarify which areas of SSTS work are covered by SSTS licenses (authorized under Minnesota Statute 115.56) and by licensed Professional Engineers and Geoscientists (authorized under Minnesota Statute 326). This bill finally passed as part of Chapter 357 in Senate File 3056 (<https://www.revisor.leg.state.mn.us/bin/bldbill.php?bill=S3056.3.html&session=ls85>).

In section 31, this bill adds a provision to the statute governing SSTS licensure (Minn. Stat. § 115.56) that states: “Licenses issued under this section allow work on individual sewage treatment systems with a flow of 10,000 gallons of water per day

or less using prescriptive designs and design guidances provided by the agency.” It also removes the December 31, 2010, sunset date on the provision that makes licenses under Minn. Stat. § 115.56 the sole license required for working on systems up to 10,000 gallons per day using prescriptive designs and design guidances provided by the agency. With this language, the SSTS license is now limited to those areas that are prescriptive in nature. MPCA is committed to development of specific elements of design guidance between now and the end of 2010.

At this time, we at MPCA are considering offering a Restricted Advanced Designer certification that would be available in the winter of 2008-09. This would cover Type IV designs up to 5000 gpd and Types I-IV between 2500 and 5000 gpd. (Type I-III system with flow less than 2500 will be designed by Basic Designers.) The full Advanced Designer will be offered at a later time when the additional design guidances are available. We believe that this Restricted Advanced Designer category will help to alleviate county concerns that the Advanced Designer category may be unduly difficult and too broad for most SSTS work. We will be discussing this with the SSTS Advisory Committee at their June 12 meeting.

Related to this bill, MPCA's report on work with the Licensing Stakeholder Taskforce is now available at:

www.pca.state.mn.us/publications/reports/lrwq-wwists-1sy08.pdf .

Building Sewer-Related Legislation

The 2008 Minnesota Legislature passed legislation that has significant impact on the plumbing industry in Minnesota, and also on the onsite wastewater industry. A recently-passed bill (House File 3574) establishes the State Building Code (SBC) as the standard across the state for all new construction and remodeling of all buildings regulated by the SBC in all municipalities, no matter what population. The Minnesota Plumbing Code is part of the State Building Code. For SSTS practitioners, this means that the standards of the Minnesota Plumbing Code for the building sewer are now in effect throughout Minnesota. Counties do not have to enforce these standards, but if they are looking for the standard that applies, this is what they must use. These standards are found in Minnesota Rules chapter 4715.0530; <https://www.revisor.leg.state.mn.us/rules/?id=4715.0530>

Laws already in place require that everyone who works on the building sewer hold either a plumber license or a certified pipe layer card and have a \$25,000 plumbing code compliance bond filed with the Department of Labor and Industry. Another bill has passed that reopens the window for obtaining a restricted plumbers license, and changes some of the requirements. Note that this window will close again on September 30, 2008. If you know someone who may be interested in obtaining the restricted plumber's license, please let them know about this limited opportunity. Visit www.doli.state.mn.us/pdf/pe_restricted_plumbing_licenses.pdf for more information.

Gretchen Sabel, MPCA

The June 2008 Edition of WaterFront is now available on the MPCA Web site at the following link

<http://www.pca.state.mn.us/water/tmdl/waterfront/index.html>