

TODD COUNTY BOARD OF COMMISSIONERS

Regular Board Meeting Agenda

Date: June 29, 2010

Time: 7:30 PM

Meeting to be held in the County Board Room, Main Street Government Center, 347 Central Avenue,
Long Prairie, Minnesota.

Item #		Approx. Time
1	Call to Order and Roll Call	7:30
2	Pledge of Allegiance	7:31
3	Amendments to the Agenda	7:32
4	Potential Consent Items	7:35
4.1	Gambling Permit Big Lake Sportsman - Double Eagle	
5	Todd County Public Health	7:40
5.1	Enact the Todd Co Unified Environmental Health Ordinance	
6	Todd County Ditch & Ag Inspector	7:45
6.1	Repair Hearing	
7	Administrator	8:30
7.1	Grade Adjustment	
8	Standing Reports	8:35
8.1	Administrator's Report	
8.2	Commissioners' Report	
	Adjourn	

Todd County, MN Board Action Form



Action Requested	
<input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201006290005	

Title (for publication with the Agenda):	
Date of Meeting: June 29, 2010	Total time requested: 1 minute
Department Requesting Action: Auditor-Treasurer's	
Presenting Board Action/Discussion at Meeting: Nate	
Background <input type="checkbox"/> Supporting Documentation enclosed	
1-day gambling permit for Big Lake Sportsman's Club for a raffle at Double Eagle Golf Course on July 10, 2010	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
to approve a 1-d gambling permit for Big Lake Sportsman's Club for a raffle at Double Eagle Golf Course on July 10, 2010	
Financial Implications:	Comments
\$	
Funding Source:	
Budgeted: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

Signatures
County Board Chairman:
_____ David Kircher
Clerk to the Board:
_____ Nathan Burkett, County Administrator

TODD COUNTY BOARD OF COMMISSIONERS

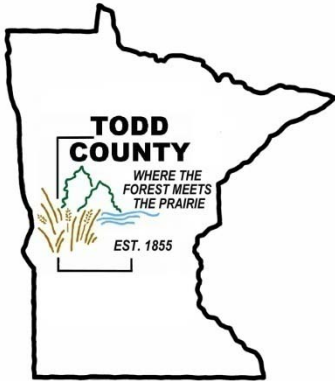
Resolution for Gambling Permit for the Big Lake Sportsman's Club at Double Eagle Golf & Grille

WHEREAS, the Todd County Board of Commissioners are in agreement to approve a Gambling Permit for the Big Lake Sportsman's Club through this resolution.

NOW, THEREFORE BE IT RESOLVED, to approve a Gambling Permit for the Big Lake Sportsman's Club, for a raffle on July 10, 2010, at the Double Eagle Bar & Grill located at 31886 Co. Rd 3, Eagle Bend, MN.

Adopted this 29th day of June, 2010.

Todd County, MN Board Action Form



Action Requested	
<input type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input checked="" type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other Enact an Ordinance
Board Action Tracking Number (Admin use): 201006290003	

Title (for publication with the Agenda: Request to Enact the Todd County Unified Environmental Health Ordinance	
Date of Meeting: June 29, 2010	Total time requested: 20 minutes
Department Requesting Action: Todd County Public Health	
Presenting Board Action/Discussion at Meeting: Cheryl Schneider	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Financial Implications: \$	Comments
Funding Source:	
Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

Signatures	
County Board Chairman:	
David Kircher	
Clerk to the Board:	
Nathan Burkett, County Administrator	

TODD COUNTY BOARD OF COMMISSIONERS

Resolution to Enact the Todd County Unified Environmental Health Ordinance

WHEREAS, The Todd County Board of Commissioners had by Resolution dated March 16, 2010, directed the Public Health office to prepare work needed to meet requirements of the new delegated agreements with the MN Department of Health for the county's Licensed Establishment Program, and Non-Community Public Water Program, and;

WHEREAS, There has been a 30 day public comment period, and appropriate public notice posted regarding the proposed ordinance revisions, and there has been no comments made by the public, and;

WHEREAS, The Public Health Director and contracted Sanitarians have reviewed the existing Todd County Unified Environmental Health Ordinance and have identified necessary amendments to meet the new delegation agreement requirements, and the County Attorney has reviewed the proposed ordinance, and;

WHEREAS, The Todd County Board of Commissioners had by Resolution dated June 15, 2010 approved the first reading of the Todd County Unified Environmental Health Ordinance.

NOW, THEREFORE BE IT RESOLVED, the Todd County Board of Commissioners enact the Todd County Unified Environmental Health Ordinance, June 29, 2010.

**TODD COUNTY UNIFIED
ENVIRONMENTAL HEALTH ORDINANCE**

BY AND THROUGH

**TODD COUNTY
DEPARTMENT OF PUBLIC HEALTH**

EFFECTIVE June 29, 2010

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BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TODD COUNTY , MINNESOTA

SECTION 1. PURPOSE

- 1.1 The purpose of this ordinance is to establish standards for establishments licensed as required by this Ordinance and to protect the health, safety and general welfare of the citizens and visitors of Todd County. The general objectives include the following:
- 1.2 Correct and prevent conditions that may adversely affect persons utilizing the establishments licensed by Todd County.
- 1.3 Provide minimum standards for the design, construction, operation and maintenance of the establishments licensed by Todd County.
- 1.4 Establish inspection requirements and associated procedures involved with administering and enforcing this Ordinance.
- 1.5 Comply with the delegation agreement that Todd County has entered into with the Minnesota Department of Health.

SECTION 2. LEGAL AUTHORITY

- 2.1 **AUTHORITY** This Ordinance is enacted pursuant to Minnesota Statute Chapters 157, 144 and 327 which establishes the authority for the State to license food and beverage establishments, lodging establishments, manufactured home parks, recreational camping areas, youth camps and swimming pools and spas; Minnesota Statute Section 145A.07, which authorizes the Commissioner of Health to enter into an agreement with a local board of health to perform all or part of its licensing, inspection and enforcement duties; and Minnesota Statute Section 145.A.05 which authorizes Todd County to enact this Ordinance necessary to administer and enforce delegated powers.

SECTION 3. JURISDICTION

- 3.1 **JURISDICTION** This Ordinance shall be applicable to all establishments licensed by this Ordinance within the legal boundaries of Todd County except as exempted by Minnesota Statute Section 157.22 and except those establishments under the jurisdiction of the Department of Agriculture. Private school food services located in any building constructed and primarily used for religious worship and youth camps as defined in Minnesota Statute Section 144.71 shall be subject to these regulations.

SECTION 4. DEFINITIONS

4.1 The definitions contained in Minnesota Rules 4625, 4626, 4630, 4717; and Minnesota Statutes, Chapters 157, 144, and 327 now in effect or as hereafter amended or modified, are hereby adopted, except as modified in Section 4.2 of this Ordinance.

4.2 The following definitions shall apply to the interpretation and enforcement of this Ordinance and adopted Standards.

4.2.1 **Board** means the Todd County Board of Commissioners.

4.2.2 **Establishment** means any entity which is required to hold a license to operate in accordance with this Ordinance, which includes food and beverage establishments, lodging establishments, manufactured home parks, recreational camping areas, youth camps, and swimming pools and spas.

4.2.3 **Health Department** means the Todd County Public Health Department staff and any related or contracted staff acting under the Board's authority.

SECTION 5. VARIANCES AND WAIVERS

5.1 **Procedures to Request a Variance or Waiver:** A licensee may request that the Health Department grant a variance or waiver from the provisions contained in Minnesota Rules, Part 4626.1690 for food and beverage establishments, Minnesota Rules , Part 4625.2355 for lodging establishments, Minnesota Rules, Part 4630.1801 for manufactured home parks and recreational camping areas, and Minnesota Rules, Part 4630.4750 for youth camps as adopted in Section 12 of this Ordinance. All requests for a variance or waiver must be submitted to the Health Department in writing. Each request shall contain:

- a) The specific language in the rule, as adopted in Section 12 of this Ordinance, from which the variance or waiver is requested;
- b) The reasons for the request;
- c) The alternative measures that will be taken if a variance or waiver is granted;
- d) The length of time for-which the variance or waiver is requested, and;

- e) Other relevant information necessary to properly evaluate the request for the variance or waiver.

5.2 **Criteria for Decision:** The decision to grant or deny a variance or waiver shall be based on the Health Department's evaluation that:

- a) The variance or waiver will not adversely affect the environment;
- b) The alternative measures to be taken, if any, are equivalent or are superior to those prescribed in this Ordinance, and;
- c) Compliance with this Ordinance would impose an undue burden on the applicant.

5.3 **Notification of Variance:** The Health Department shall notify the applicant in writing of the decision to grant or deny a variance or waiver. If a variance or waiver is granted, the notification shall specify the period of time for which the variance or waiver will be effective and the alternative measures or conditions, if any, the applicant must meet.

5.4 **Effect of Alternative Measures or Conditions:** All alternative measures or conditions attached to a variance or waiver have the force and effect of this Ordinance and are subject to the issuance of correction orders and penalties as provided by law.

5.5 **Renewal:** A request for the renewal of a variance or waiver must be submitted in writing before its expiration date. Renewal requests shall contain the information in Section 5.1. The Health Department shall renew a variance or waiver if the applicant continues to satisfy the criteria in Section, 5.2 and demonstrates compliance with the alternative measures or conditions imposed when the original variance or waiver was granted.

5.6 **Denial, Revocation, or Refusal to Renew:** The Health Department shall deny, revoke, or refuse to renew a variance or waiver if the Health Department determines that the criteria in Section 5.1 and 5.2 are not met. The Health Department shall notify the applicant in writing of the decision to deny, revoke; or refuse to renew the variance or waiver. The notice must describe the reasons for the denial, revocation, or refusal to renew, and inform the applicant of the right to appeal the decision .

5.7 **Appeal Procedure:** An applicant may contest the denial, revocation, or refusal to renew a variance or waiver by requesting a hearing before the Appeals Board. The procedure outlined in Section 11 of this Ordinance shall apply in the event that a variance or waiver is denied, revoked or a refusal to renew a variance or waiver. At the hearing, the applicant bears the burden of proving that the applicant has satisfied the criteria specified in Section 5.2.

SECTION 6. PLAN REVIEW PROVISIONS

- 6.1 General:** When an establishment is constructed, extensively remodeled, adding equipment or when an existing structure is converted for use as a licensed establishment under the provisions of this Ordinance, properly prepared plans and specifications for the construction, remodeling, additions, or conversion must be submitted to the Health Department for review and approval before construction, remodeling, additions, or conversion is begun. The plans and specifications must indicate the proposed layout, arrangement, construction materials of work areas, and the type and model number of proposed equipment and facilities. The plans and specifications, submitted and drawn to scale, must be legible and complete in all details. The plans and the fee specified by the Board shall be submitted at least 30 days before beginning construction, extensive remodeling, addition of equipment, or conversion of an establishment.
- 6.2 Plumbing Plans:** Plumbing plans and specifications shall be submitted directly to the Minnesota Department of Labor and Industry for approval.
- 6.3 Construction:** The Health Department shall inspect all establishments prior to the start of operation, to determine compliance with the approved plans and specifications.

SECTION 7 LICENSING PROVISIONS

- 7.1 License Required:** Unless otherwise provided by ordinance, no person shall, within Todd County, operate any facility, engage in any activity, or permit property under the person’s control to be used for any activity, which is regulated by the Todd County Unified Environmental Health Ordinance, without the appropriate license issued by the County permitting such activity. All licenses expire as of December 31 each year, with the exception of licenses for seasonal establishments, which expire according to the date stated on the license.
- 7.2 Application for License:** Each application for a license, together with appropriate license fees as determined by the Board, shall be submitted to the Health Department not later than December 10 (tenth) each year. In the case of a new establishment, new owner, or seasonal establishment, license application and fees must be submitted 20 days prior to the opening date, or the change of ownership, of such an establishment. Application for a license or license renewal shall be on forms furnished by the Health Department. The applicant shall provide such information as may be required by this Ordinance under which the license is issued and any further information as the Health Department may require for the administration and enforcement of said license. Any person who operates an establishment without a license shall be deemed to have violated this

Ordinance and shall be subject to prosecution as provided for in this Ordinance.

- 7.3 License Fees:** All establishments licensed under the provisions of this ordinance shall be subject to an annual fee at a rate specified by the Board. This annual license fee may be adjusted as the Board deems appropriate. A penalty fee at a rate specified by the Board shall be added to the amount of the license fee and paid by the establishment license holder if the annual license fee has not reached the Todd County Public Health Department by the date specified in Section 7.2 of this Ordinance.
- 7.4 Taxes, Fines and Fees:** All taxes on the property which is the subject of the license, shall be paid in full to the amount then due and owing prior to the issuance of a license. All unpaid fines and fees owed to the Health Department by the applicant must be paid in full prior to the issuance of a new license or the renewal of an existing license.
- 7.5 Grounds for Denial:** Omission of any information, submission of false information, or an existing violation of State Law, Federal Law or County Ordinance may constitute grounds for the denial of the license applied for, or the suspension or revocation of an issued license. The licensee is entitled to an appeal as outlined in Section 11 of this Ordinance.
- 7.6 License Nontransferable:**
- 7.6.1 A license obtained pursuant to this Ordinance shall not be transferable between owners or locations.
 - 7.6.2 All licensees shall submit written notice to the Health Department of any change of name or address.
- 7.7 Licensee Responsibility:** The licensee shall:
- 7.7.1 Be responsible for compliance with all applicable provisions of this Ordinance under which the license is issued and all State and Federal Laws.
 - 7.7.2 Allow the Health Department, Board or their authorized representatives, access to the site or facility subject to the license for inspection at any time during the conduct of business.
 - 7.7.3 Allow the Health Department or their authorized representative access to records concerning the licensed operation.

- 7.8 Posting Requirements:** Every licensed establishment must have the license posted in a conspicuous place at the establishment.
- 7.9 New Business/New Owners – Pro-rated Fees:** New business/new owners opening during the year will pay a pro-rated fee according to the following schedule: January-March= 100%; April-June= 75%; July-September= 50%; and October –December = 25%.

Change in Owners During the 1st Quarter of Year: In the event of an ownership change for establishments that have already been licensed for the current year, the licensed operator would be refunded ½ of the license fee paid if the change in ownership occurs within the first quarter of the year (on or before March 31).

SECTION 8 INSPECTION PROVISIONS

- 8.1** The Health Department shall inspect establishments according to Minnesota Statute Chapters 157, 144 and 327 and rules adopted under Minnesota Statute Chapters 157, 144 and 327. The person operating an establishment shall, upon request of the Health Department, permit access to all parts of the establishment at any time during the conduct of business for the purpose of inspection and shall exhibit and allow copying of any records, the taking of photographs, the collection of samples, or any other procedures necessary to ascertain compliance with the provision of this Ordinance.
- 8.2** The Health Department may conduct a re-inspection of establishments pursuant to Todd County Environmental Health Policy. This re-inspection may be subject to the re-inspection fee as set by the Todd County Board of Commissioners.
- 8.3** Prior to issuing a license to a new establishment, the Health Department shall cause an inspection to verify compliance with all aspects of this Ordinance.
- 8.4** In the event a licensed establishment discontinues operation and is not licensed for a period of 90 days or longer, said establishment will require an inspection prior to a new license being issued. The Health Department shall determine what changes will need to be made prior to licensure. All changes must be completed prior to issuing the license.
- 8.5** A request for an inspection of a licensed establishment, for the purpose of consultation may be subject to an inspection fee as set by the Todd County Board of Commissioners.

SECTION 9 COMPLIANCE

- 9.1** Whenever an inspection or review of an establishment is made, the

findings shall be recorded on an inspection form. Compliance orders shall be recorded on the inspection form furnished to the person in charge of the establishment at the time of the inspection or by certified mail to the license holder for the establishment. The completed inspection report form is a public document and shall be available for public disclosure to any person who requests it, except when report forms are part of on-going investigations or pending litigation. The inspection form shall state a specific, appropriate, and reasonable period of time for correction of the violations pursuant to Todd County Environmental Health policy. Correction of the violations shall be accomplished within the period specified. Failure to make corrections within the time period specified shall result in the enforcement options being initiated as outlined in Section 10 and Section 14 of this Ordinance.

SECTION 10 ADMINISTRATIVE PROVISIONS

10.1 Enforcement by Administrative Action: When an establishment has failed to comply with any notice requiring corrective action, issued under the provisions of this Ordinance, administrative procedures may be utilized to bring the establishment into compliance. Administrative actions that may be utilized are:

10.1.1 **Administrative Penalties:** Monetary penalties may be assessed to the establishment operator or owner for continual non-compliance, over a period of three consecutive inspections, for the same violation or violations. Fines will be assessed for each separate violation that is noted in non-compliance. The Administrative Penalties fee schedule shall be set by and through the Todd County Board of Commissioners.

10.1.2 **Administrative Meeting:** A formal meeting which may include, but would not be limited to, the owner of the establishment, County Field Inspection Staff and Public Health Department Head, County Administrator, County Attorney, and additional legal counsel to formally discuss any issues related to the failure to comply with any corrective actions issued under the provisions of this Ordinance.

10.1.3 **Suspension of License:** Whenever an establishment has failed to comply with any notice requiring corrective action issued under the provisions of this Ordinance, and the ongoing violation or violations constitute a hazard to the health of the public, the licensee will be notified, in writing, that the license will be suspended within 10 days unless the licensee either:

- a) Submits a written request for a hearing before the Appeals Board, pursuant to Section 11 of this Ordinance, or;

- b) Submits a written request for a re-inspection including a statement by the licensee that the condition(s) causing the suspension of the license have been corrected. The Health Department upon receipt of the request shall make a re- inspection within 10 days. The re-inspection shall be subject to a re-inspection fee as set forth in the Todd County Public Health Environmental Health Fee Schedule.

10.1.4 **Immediate Suspension of License:** Notwithstanding other provisions of this Ordinance, when the Health Department finds conditions in the operation of a licensed establishment which constitute an imminent health hazard to the public, the Health Department may, without notice or hearing, issue a written notice to the licensee, or the designated person in charge, citing such conditions and specifying the corrective action to be taken. The order shall state that the license is immediately suspended and operations must be immediately discontinued. Any person to whom such an order is issued shall comply immediately therewith. The establishment shall remain closed until the specified conditions have been corrected, and that the corrections have been verified by an agent of the Health Department.

10.1.5 **Revocation of License:** For serious or repeated violations of any of the requirements of this Ordinance, a license may be permanently revoked. Prior to such action, the Health Department shall notify the license holder in writing, advising that the license shall be permanently revoked at the end of a ten (10) day period, and that the licensee is entitled to a hearing before the Appeals Board, upon written application, pursuant to Section 11 of this Ordinance.

SECTION 11 APPEALS PROVISIONS

11.1 **Appeal From – Denial, Suspension or Revocation of License.** Any establishment whose license to operate has been denied, suspended or revoked, or has received notice from the Health Department that its license is to be denied, suspended or revoked, may request and shall be granted a hearing on the matter before the Appeals Board by the procedure provided below.

11.2 **Appeals Board.** The Appeals Board shall be appointed by the County Board and members will consist of five members; two County Commissioners, one member of the County Public Health Advisory Committee, and two independent Registered Sanitarians or board certified medical professionals. The Appeals Board shall elect its own chair. The Appeals Board may act if three of its members are present and participate

in the decision.

- 11.3 Request for Hearing.** Any person affected by a notice of denial, suspension or revocation shall be granted a hearing on the matter before the Appeals Board upon submitting to the Health Department a written request for such hearing which sets forth a brief statement explaining the licensee's defense to the action. Said request shall be filed within ten days after the notice of denial, suspension or revocation was served, or postmarked if notice sent certified mail.
- 11.4 Date of Hearing.** A hearing shall be held within 30 days after the date on which the request was filed. The Chair of the Appeals Board may postpone the date of the hearing for a reasonable time beyond such 30 day period if, in his/her judgment, a good and sufficient reason exists for such postponement.
- 11.5 Notice of Hearing.** The Health Department shall cause ten days written notice of the hearing to be given to the licensee by personal service, or service by certified mail, to the licensee's last known address, or the address of the establishment.
- 11.6 Proceedings.** At such hearing, the licensee, his agent, or attorney shall be given an opportunity to be heard, and to show why the denial, suspension or revocation issued by the Health Department should be modified or withdrawn. The Health Department shall present a detailed written statement, and testimony subject to cross-examination, regarding its findings and decision to the Appeals Board at the time of the hearing.
- 11.7 Decisions of the Appeals to Board.** After such hearing, the Appeals Board shall sustain, modify, or withdraw the notice of denial, suspension or revocation, depending upon its findings as to whether the licensed establishment is being operated in compliance with the provisions of this Ordinance. A copy of the decision of the Appeals Board shall be served by certified mail on the licensee. Any person aggrieved by the decision of the Appeals Board may seek relief from a court of competent jurisdiction as provided by the laws of the state.
- 11.8 Record of Proceedings.** The proceedings of each hearing held before the Appeals Board pursuant to petition, shall be recorded by a Court Reporter or an audio visual recording. The findings and decisions of the Appeals Board shall be entered as a public record in the office of the Health Department. Such record shall include a copy of every notice, order, or writing issued in connection with the matter.
- 11.9 Notices not Appealed.** Any notice of denial, suspension or revocation shall automatically become final if a written request for a hearing is not filed with the Health Department within ten days after the notice is served.

SECTION 12

ADOPTION AND AMMENDMENT OF STANDARDS

12.1 Food and Beverage Establishment Standards

- 12.1.1 The standards for Food & Beverage Establishments outlined in Minnesota Rules Parts 4626.0010 to 4626.1870 and Minnesota Statute Chapter 157, and any subsequent amendments are incorporated herein and made part of this Ordinance.
- 12.1.2 Standards for Certified Food Manager requirements outlined in Minnesota Rules Parts, 4626.2000 to 4626.2025 and any subsequent amendments thereto are hereby incorporated in and made part of this Ordinance.
- 12.1.3 Wherein Minnesota Rules Chapter 4626 refers to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.

12.2 Lodging Establishment Standards

- 12.2.1 The standards for Lodging Establishments outlined in Minnesota Rules Parts 4625.0100 to 4625.2355, and Minnesota Statute 157 and Minnesota Statute Chapter 327 and any subsequent amendments are incorporated herein and made part of this Ordinance.
- 12.2.2 Wherein Minnesota Rules 4625 and Minnesota Statute 157 refer to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.
- 12.2.3 Section 7 of this Ordinance shall replace Minnesota Rules, Part 4625.2300.

12.3 Manufacture Home Parks and Recreational Camping Area Standards

- 12.3.1 The standards for Manufactured Home Parks and Recreational Camping Areas outlined in Minnesota Rules parts 4630.0200 to 4630.1801 and Minnesota State Statute Chapter 327 and any subsequent amendments are incorporated herein and made part of this Ordinance.
- 12.3.2 Wherein Minnesota Rules 4630 and Minnesota Statute 327 refer to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.

12.4 Youth Camp Standards

12.4.1 The standards for Youth Camp Establishments outlined in Minnesota Rules, Parts 4630.2300 to 4630.4750 Minnesota Statute, Sections 144.71 to 144.74 and any subsequent amendments are incorporated herein and made part of this Ordinance.

12.4.2 Minnesota Rules, Parts.4630.2700 through 4630.3000 referring to food service operations within youth camps, are amended to read:

“All food service facilities shall be constructed, equipped and operated in accordance with Section 12.1 of this Ordinance.”

12.4.3 Wherein Minnesota Rules 4630 refers to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.

12.5 Swimming Pool and Spa Standards

12.5.1 The standards for Swimming Pool and Spa establishments outlined in Minnesota Rules, Parts 4717.0150 to 4717.3975 and any subsequent amendments are incorporated herein and made part of this Ordinance.

12.5.2 Wherein Minnesota Rules 4717 refers to the Commissioner, Commissioner shall mean the Todd County Board or its designated agents.

SECTION 13 SEVERABILITY

13.1 Severability: The provisions of this Ordinance shall be severable. Should any section, paragraph, sentence, clause, phrase or portion of this Ordinance be declared invalid for any reason, the remainder of said Ordinance shall not be affected.

SECTION 14 CRIMINAL PENALTIES

14.1 Penalties: Any person, firm or corporation who violates any of the provisions hereof or who fails to comply with any of the provisions hereof or who makes any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment not to exceed ninety (90) days or both. Each day that a violation continues shall constitute a separate offense. Such persons may be enjoined from continuing such violations.

SECTION 15 REPEAL OF PREVIOUS ORDINANCES

15.1 This Ordinance, adopted June 29, 2010 hereby repeals and replaces in its entirety the following list of Todd County ordinances;

1. Todd County Unified Environmental Health Ordinance dated June 19, 2007.

SECTION 16 EFFECTIVE DATE

16.1 Effective Date: This Ordinance shall be in full force and effect upon passage and shall apply to all establishments licensed as required by this Ordinance, existing at the time of passage and all establishments started thereafter.

Motion: _____

Second: _____

Ayes: _____ Nays: _____

Adopted this 29th day of June, 2010

Chairman of Board
County of Todd
State of Minnesota

ATTEST:

County Administrator
County of Todd
State of Minnesota

Proposed Amendments to the Todd County Unified Environmental Health Ordinance

Content Changes:

Section 4 Definitions

~~4.2.4 **Hotel Motel** means a building, structure or enclosure or any part thereof, used, maintained as, advertised as, or held out to the public to be an enclosure whose primary purpose is to provide sleeping accommodations to the public, generally for periods of less than one week.~~

~~4.2.5 **Lodging Establishment** means a building, structure or enclosure or any part thereof, used, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public as regular roomers, generally for periods of one week or longer.~~

~~4.2.6 **New Establishment** means any establishment, that has never occupied a given address before, or an establishment that resumes operations after ceasing to operate for more than thirty(30) consecutive days, unless it is a seasonal establishment or if the interruption of the operation of the establishment was due to major remodeling, reconstruction or in the event of a serious illness or injury to the owner or operator.~~

~~4.2.7 **Manufactured Home** shall also mean, a structure of any size built on a permanent chassis and designed to be used as a dwelling, some times referred to as a “Park Model” that is designed to be permanently sited by virtue of it being equipped with a tongue that can be detached when sited, and being mounted on a foundation of concrete, blocks, or other materials, and permanently connected to sewer and water utilities.~~

~~4.2.8 **Resort** means a private recreational development which may include a single structure or several structures, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public, on a temporary basis, for the primary purpose of relaxation or recreational purposes.~~

~~4.2.9 **Seasonal Establishment** means any establishment, which operates for a continuous period of six (6) months or less during a calendar year.~~

5.1 Procedures to Request a Variance or Waiver: A licensee may request that the Health Department grant a variance or waiver from the provisions contained in

Minnesota Rules, Part 4626.1690 for food and beverage establishments, Minnesota Rules, Part 4625.2355 for lodging establishments, Minnesota Rules, Part 4630.1801 for manufactured home parks and recreational camping areas, [and](#) Minnesota Rules, Part 4630.4750 for youth camps ~~and Minnesota Rules, Part 4717.3975 for swimming pools and spas~~, as adopted in Section 12 of this Ordinance.

7.4 Taxes, Fines and Fees: All unpaid fines and fees owed to the ~~County~~ [Health Department](#) by the applicant must be paid in full prior to the issuance of a new license or the renewal of an existing license.

7.9 New Business/New Owners – Pro-rated Fees: New business/new owners opening during the year will pay a pro-rated fee according to the following schedule: January-March= 100%; April-June= 75%; July-September= 50%; and October –December = 25%.

Change in Owners During the 1st Quarter of Year: In the event of an ownership change for establishments that have already been licensed for the current year, the licensed operator would be refunded ½ of the license fee paid if the change in ownership occurs within the first quarter of the year (on or before March 31).

8.3 Prior to [issuing](#) a license ~~being issued~~ to a new establishment, the Health Department shall cause an inspection to verify compliance with all aspects of this Ordinance. ~~All new establishments must meet or exceed the standards of this Ordinance. In the event of non-compliance, new establishments will not be allowed to begin operation until all substandard issues are brought into compliance.~~

8.4 In the event a licensed establishment discontinues operation and is not licensed for a period of 90 days or longer, said establishment will require an inspection prior to a new license being issued. The Health Department shall determine what changes will need to be made prior to licensure. All changes must be completed prior to issuing the license.

~~8.4.5~~ 5 A request for an inspection of a licensed establishment, ~~prior to a change of ownership~~ [for the purpose of consultation](#) may be subject to an inspection fee as set by the Todd County Board of Commissioners.

11.2 Appeals Board. The Appeals Board shall be appointed by the County Board and members will consist of five members; two County Commissioners, one member of the County Public Health Advisory Committee, and two ~~owners or operators of establishments licensed or permitted by the Health Department~~ [independent Registered Sanitarians or board certified medical professionals](#). The Appeals Board shall elect its

own chair. The Appeals Board may act if three of its members are present and participate in the decision.

11.4 Date of Hearing. A hearing shall be held within ~~14~~ 30 days after the date on which the request was filed. The Chair of the Appeals Board may postpone the date of the hearing for a reasonable time beyond such ~~14~~ 30 day period if, in his/her judgment, a good and sufficient reason exists for such postponement.

11.5 Notice of Hearing. The Health Department shall cause ~~five~~ ten days written notice of the hearing to be given to the licensee by personal service, or service by certified mail ~~of the notice~~, to the licensee's last known address, or the address of the establishment

11.6 Proceedings. At such hearing, the licensee, his agent, or attorney shall be given an opportunity to be heard, and to show ~~cause~~ why the denial,

~~12.2.2 Definitions in Section 4.2.4, 4.2.5 and 4.2.7 of this Ordinance replace those defined in Minnesota Statute Sections 157.17 subd. 7, 8 and 11.~~

~~12.2.3.2~~ 2 Wherein Minnesota Rules 4625 and Minnesota Statute 157 refer to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.

~~12.2.4.3~~ 3 Section 7 of this Ordinance shall replace Minnesota Rules, Part 4625.2300 ~~is delegated in its entirety.~~

~~12.3.2 Minnesota Statute, Section 327.20, which has been adopted as part of this Ordinance, is amended with the addition of the following statement:~~

~~“In the event that a manufactured home park or recreational camping area falls outside of the jurisdiction of a municipal building official, the evacuation and shelter plans shall be submitted directly to the Health Department for approval.”~~

12.3.3.2 Wherein Minnesota Rules 4630 and Minnesota Statute 327 refer

~~12.4.3 Minnesota Rules Part 4630.3500 is amended to read:~~

~~“All sewage wastes shall be disposed of in an approved public sewage treatment system or in an Individual sewage treatment system that is designed, constructed and operated in accordance with Minnesota Rule Parts, 7080.0010 to 7080.0950 and the Todd County Planning and Zoning Ordinance.~~

~~Where water flush toilets are used, a sewage disposal system, which is acceptable to the regulatory authority shall be provided. Where water flush toilets are not provided, privies of the pit or vault type must be designed and constructed in accordance with Minnesota Rules, Part 7080.0172 subd 2, and approved by the regulatory authority shall be acceptable to the Health Department. Such privies shall be placed separate and apart from the sleeping, living, and kitchen quarters. Toilets of the privy or pit/vault type hereinafter constructed shall be located at least 100 feet from the kitchen and dining quarters.”~~

12.4.4.3 Wherein Minnesota Rules 4630 refers to the Commissioner,

15.1 This Ordinance, adopted ~~June 19, 2007~~ June 29, 2010 hereby repeals and replaces in its entirety the following list of Todd County ordinances;

- ~~1. Todd County Food and Beverage Ordinance dated November 28, 2000.~~
 - ~~2. Ordinance Regulating Lodging Establishments in Todd County dated January 1, 1993.~~
 - ~~3. Ordinance Providing for the Regulation of Manufactured Home Parks and Recreational Camping Area dated January 1, 1993.~~
 - ~~4. Ordinance Providing for the Regulation of Youth Camps in Todd County dated January 1, 1993.~~
 - ~~5. Ordinance Providing for the Regulation of Public Swimming Pools in Todd County dated January 1, 1993.~~
1. Todd County Unified Environmental Health Ordinance dated June 19, 2007.

Grammar and Format Changes:

Page numbering will be completed after the strike out and underline is removed.
Table of contents page numbering will be completed.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TODD COUNTY, MINNESOTA

SECTION 6. PLAN REVIEW PROVISIONS

6.1 General: When~~ever~~ an establishment is constructed, extensively remodeled, adding equipment or when~~ever~~ an existing structure is

Section ~~7.5~~ **6 License Nontransferable:**

~~7.5.6.1~~ A license obtained pursuant to this Ordinance shall not be transferable between owners or locations.

~~7.5.6.2~~ All licensees shall submit written notice to the Health Department of any change of name or address.

~~7.6.7~~ **Licensee Responsibility:** The licensee shall:

~~7.6.7.1~~ Be responsible for compliance with all applicable provisions of this Ordinance under which the license is issued and all State and Federal Laws.

~~7.6.7.2~~ Allow the Health Department, Board or their authorized representatives, access to the site or facility subject to the license for inspection at any time during the conduct of business.

~~7.6.7.3~~ Allow the Health Department or their authorized representative access to records concerning the licensed operation.

~~7.7.8~~ **Posting Requirements:** Every licensed establishment must have

10.1 Enforcement by Administrative Action: When~~ever~~ an establishment has failed to comply with any notice requiring corrective action, issued under

PROPOSED DRAFT

**TODD COUNTY UNIFIED
ENVIRONMENTAL HEALTH ORDINANCE**

BY AND THROUGH

**TODD COUNTY
DEPARTMENT OF PUBLIC HEALTH**

EFFECTIVE June 29, 2010

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BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TODD COUNTY , MINNESOTA --

SECTION 1. PURPOSE

- 1.1 The purpose of this ordinance is to establish standards for establishments licensed as required by this Ordinance and to protect the health, safety and general welfare of the citizens and visitors of Todd County. The general objectives include the following:
- 1.2 Correct and prevent conditions that may adversely affect persons utilizing the establishments licensed by Todd County.
- 1.3 Provide minimum standards for the design, construction, operation and maintenance of the establishments licensed by Todd County.
- 1.4 Establish inspection requirements and associated procedures involved with administering and enforcing this Ordinance.
- 1.5 Comply with the delegation agreement that Todd County has entered into with the Minnesota Department of Health.

SECTION 2. LEGAL AUTHORITY

- 2.1 **AUTHORITY** This Ordinance is enacted pursuant to Minnesota Statute Chapters 157, 144 and 327 which establishes the authority for the State to license food and beverage establishments, lodging establishments, manufactured home parks, recreational camping areas, youth camps and swimming pools and spas; Minnesota Statute Section 145A.07, which authorizes the Commissioner of Health to enter into an agreement with a local board of health to perform all or part of its licensing, inspection and enforcement duties; and Minnesota Statute Section 145.A.05 which authorizes Todd County to enact this Ordinance necessary to administer and enforce delegated powers.

SECTION 3. JURISDICTION

- 3.1 **JURISDICTION** This Ordinance shall be applicable to all establishments licensed by this Ordinance within the legal boundaries of Todd County except as exempted by Minnesota Statute Section 157.22 and except those establishments under the jurisdiction of the Department of Agriculture. Private school food services located in any building constructed and primarily used for religious worship and youth camps as defined in Minnesota Statute Section 144.71 shall be subject to these regulations.

SECTION 4. DEFINITIONS

4.1 The definitions contained in Minnesota Rules 4625, 4626, 4630, 4717; and Minnesota Statutes, Chapters 157, 144, and 327 now in effect or as hereafter amended or modified, are hereby adopted, except as modified in Section 4.2 of this Ordinance.

4.2 The following definitions shall apply to the interpretation and enforcement of this Ordinance and adopted Standards.

4.2.1 **Board** means the Todd County Board of Commissioners.

4.2.2 **Establishment** means any entity which is required to hold a license to operate in accordance with this Ordinance, which includes food and beverage establishments, lodging establishments, manufactured home parks, recreational camping areas, youth camps, and swimming pools and spas.

4.2.3 **Health Department** means the Todd County Public Health Department staff and any related or contracted staff acting under the Board's authority.

~~**4.2.4** **Hotel-Motel** means a building, structure or enclosure or any part thereof, used, maintained as, advertised as, or held out to the public to be an enclosure whose primary purpose is to provide sleeping accommodations to the public, generally for periods of less than one week.~~

~~**4.2.5** **Lodging Establishment** means a building, structure or enclosure or any part thereof, used, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public as regular roomers, generally for periods of one week or longer.~~

~~**4.2.6** **New Establishment** means any establishment, that has never occupied a given address before, or an establishment that resumes operations after ceasing to operate for more than thirty(30) consecutive days, unless it is a seasonal establishment or if the interruption of the operation of the establishment was due to major remodeling, reconstruction or in the event of a serious illness or injury to the owner or operator.~~

~~4.2.7 **Manufactured Home** shall also mean, a structure of any size built on a permanent chassis and designed to be used as a dwelling, some times referred to as a “Park Model” that is designed to be permanently sited by virtue of it being equipped with a tongue that can be detached when sited, and being mounted on a foundation of concrete, blocks, or other materials, and permanently connected to sewer and water utilities.~~

~~4.2.8 **Resort** means a private recreational development which may include a single structure or several structures, maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public, on a temporary basis, for the primary purpose of relaxation or recreational purposes.~~

~~4.2.9 **Seasonal Establishment** means any establishment, which operates for a continuous period of six (6) months or less during a calendar year.~~

SECTION 5. VARIANCES AND WAIVERS

5.1 Procedures to Request a Variance or Waiver: A licensee may request that the Health Department grant a variance or waiver from the provisions contained in Minnesota Rules, Part 4626.1690 for food and beverage establishments, Minnesota Rules , Part 4625.2355 for lodging establishments, Minnesota Rules, Part 4630.1801 for manufactured home parks and recreational camping areas, and Minnesota Rules, Part 4630.4750 for youth camps ~~and Minnesota Rules, Part 4717.3975 for swimming pools and spas~~, as adopted in Section 12 of this Ordinance. All requests for a variance or waiver must be submitted to the Health Department in writing. Each request shall contain:

- a) The specific language in the rule, as adopted in Section 12 of this Ordinance, from which the variance or waiver is requested;
- b) The reasons for the request;
- c) The alternative measures that will be taken if a variance or waiver is granted;
- d) The length of time for-which the variance or waiver is requested, and;
- e) Other relevant information necessary to properly evaluate the request for the variance or waiver.

- 5.2 Criteria for Decision:** The decision to grant or deny a variance or waiver shall be based on the Health Department's evaluation that:
- a) The variance or waiver will not adversely affect the environment;
 - b) The alternative measures to be taken, if any, are equivalent or are superior to those prescribed in this Ordinance, and;
 - c) Compliance with this Ordinance would impose an undue burden on the applicant.
- 5.3 Notification of Variance:** The Health Department shall notify the applicant in writing of the decision to grant or deny a variance or waiver. If a variance or waiver is granted, the notification shall specify the period of time for which the variance or waiver will be effective and the alternative measures or conditions, if any, the applicant must meet.
- 5.4 Effect of Alternative Measures or Conditions:** All alternative measures or conditions attached to a variance or waiver have the force and effect of this Ordinance and are subject to the issuance of correction orders and penalties as provided by law.
- 5.5 Renewal:** A request for the renewal of a variance or waiver must be submitted in writing before its expiration date. Renewal requests shall contain the information in Section 5.1. The Health Department shall renew a variance or waiver if the applicant continues to satisfy the criteria in Section, 5.2 and demonstrates compliance with the alternative measures or conditions imposed when the original variance or waiver was granted.
- 5.6 Denial, Revocation, or Refusal to Renew:** The Health Department shall deny, revoke, or refuse to renew a variance or waiver if the Health Department determines that the criteria in Section 5.1 and 5.2 are not met. The Health Department shall notify the applicant in writing of the decision to deny, revoke; or refuse to renew the variance or waiver. The notice must describe the reasons for the denial, revocation, or refusal to renew, and inform the applicant of the right to appeal the decision .
- 5.7 Appeal Procedure:** An applicant may contest the denial, revocation, or refusal to renew a variance or waiver by requesting a hearing before the Appeals Board. The procedure outlined in Section 11 of this Ordinance shall apply in the event that a variance or waiver is denied, revoked or a refusal to renew a variance or waiver. At the hearing, the applicant bears the burden of proving that the applicant has satisfied the criteria specified in Section 5.2.

SECTION 6. PLAN REVIEW PROVISIONS

- 6.1 General:** When~~ever~~ an establishment is constructed, extensively remodeled, adding equipment or when~~ever~~ an existing structure is converted for use as a licensed establishment under the provisions of this Ordinance, properly prepared plans and specifications for the construction, remodeling, additions, or conversion must be submitted to the Health Department for review and approval before construction, remodeling, additions, or conversion is begun. The plans and specifications must indicate the proposed layout, arrangement, construction materials of work areas, and the type and model number of proposed equipment and facilities. The plans and specifications, submitted and drawn to scale, must be legible and complete in all details. The plans and the fee specified by the Board shall be submitted at least 30 days before beginning construction, extensive remodeling, addition of equipment, or conversion of an establishment.
- 6.2 Plumbing Plans:** Plumbing plans and specifications shall be submitted directly to the Minnesota Department of Labor and Industry for approval.
- 6.3 Construction:** The Health Department shall inspect all establishments prior to the start of operation, to determine compliance with the approved plans and specifications.

SECTION 7 LICENSING PROVISIONS

- 7.1 License Required:** Unless otherwise provided by ordinance, no person shall, within Todd County, operate any facility, engage in any activity, or permit property under the person’s control to be used for any activity, which is regulated by the Todd County Unified Environmental Health Ordinance, without the appropriate license issued by the County permitting such activity. All licenses expire as of December 31 each year, with the exception of licenses for seasonal establishments, which expire according to the date stated on the license.
- 7.2 Application for License:** Each application for a license, together with appropriate license fees as determined by the Board, shall be submitted to the Health Department not later than December 10 (tenth) each year. In the case of a new establishment, new owner, or seasonal establishment, license application and fees must be submitted 20 days prior to the opening date, or the change of ownership, of such an establishment. Application for a license or license renewal shall be on forms furnished by the Health Department. The applicant shall provide such information as may be required by this Ordinance under which the license is issued and any further information as the Health Department may require for the administration and enforcement of said license. Any person who operates an establishment without a license shall be deemed to have violated this

Ordinance and shall be subject to prosecution as provided for in this Ordinance.

7.3 License Fees: All establishments licensed under the provisions of this ordinance shall be subject to an annual fee at a rate specified by the Board. This annual license fee may be adjusted as the Board deems appropriate. A penalty fee at a rate specified by the Board shall be added to the amount of the license fee and paid by the establishment license holder if the annual license fee has not reached the Todd County Public Health Department by the date specified in Section 7.2 of this Ordinance.

7.4 Taxes, Fines and Fees: All taxes on the property which is the subject of the license, shall be paid in full to the amount then due and owing prior to the issuance of a license. All unpaid fines and fees owed to the ~~County~~ [Health Department](#) by the applicant must be paid in full prior to the issuance of a new license or the renewal of an existing license.

7.5 Grounds for Denial: Omission of any information, submission of false information, or an existing violation of State Law, Federal Law or County Ordinance may constitute grounds for the denial of the license applied for, or the suspension or revocation of an issued license. The licensee is entitled to an appeal as outlined in Section 11 of this Ordinance.

7.5.6 License Nontransferable:

7.5.6.1 A license obtained pursuant to this Ordinance shall not be transferable between owners or locations.

7.5.6.2 All licensees shall submit written notice to the Health Department of any change of name or address.

7.6.7 Licensee Responsibility: The licensee shall:

7.6.7.1 Be responsible for compliance with all applicable provisions of this Ordinance under which the license is issued and all State and Federal Laws.

7.6.7.2 Allow the Health Department, Board or their authorized representatives, access to the site or facility subject to the license for inspection at any time during the conduct of business.

7.6.7.3 Allow the Health Department or their authorized representative access to records concerning the licensed operation.

- 7.7.8 Posting Requirements:** Every licensed establishment must have the license posted in a conspicuous place at the establishment.
- 7.9 New Business/New Owners – Pro-rated Fees:** New business/new owners opening during the year will pay a pro-rated fee according to the following schedule: January-March= 100%; April-June= 75%; July-September= 50%; and October –December = 25%.

Change in Owners During the 1st Quarter of Year: In the event of an ownership change for establishments that have already been licensed for the current year, the licensed operator would be refunded ½ of the license fee paid if the change in ownership occurs within the first quarter of the year (on or before March 31).

SECTION 8 INSPECTION PROVISIONS

- 8.1** The Health Department shall inspect establishments according to Minnesota Statute Chapters 157, 144 and 327 and rules adopted under Minnesota Statute Chapters 157, 144 and 327. The person operating an establishment shall, upon request of the Health Department, permit access to all parts of the establishment at any time during the conduct of business for the purpose of inspection and shall exhibit and allow copying of any records, the taking of photographs, the collection of samples, or any other procedures necessary to ascertain compliance with the provision of this Ordinance.
- 8.2** The Health Department may conduct a re-inspection of establishments pursuant to Todd County Environmental Health Policy. This re-inspection may be subject to the re-inspection fee as set by the Todd County Board of Commissioners.
- 8.3** Prior to issuing a license ~~being issued~~ to a new establishment, the Health Department shall cause an inspection to verify compliance with all aspects of this Ordinance. ~~All new establishments must meet or exceed the standards of this Ordinance. In the event of non-compliance, new establishments will not be allowed to begin operation until all substandard issues are brought into compliance.~~
- 8.4** In the event a licensed establishment discontinues operation and is not licensed for a period of 90 days or longer, said establishment will require an inspection prior to a new license being issued. The Health Department shall determine what changes will need to be made prior to licensure. All changes must be completed prior to issuing the license.
- 8.4.5** A request for an inspection of a licensed establishment, ~~prior to a change of ownership~~ for the purpose of consultation may be subject to an inspection fee as set by the Todd County Board of Commissioners.

SECTION 9 **COMPLIANCE**

9.1 Whenever an inspection or review of an establishment is made, the findings shall be recorded on an inspection form. Compliance orders shall be recorded on the inspection form furnished to the person in charge of the establishment at the time of the inspection or by certified mail to the license holder for the establishment. The completed inspection report form is a public document and shall be available for public disclosure to any person who requests it, except when report forms are part of on-going investigations or pending litigation. The inspection form shall state a specific, appropriate, and reasonable period of time for correction of the violations pursuant to Todd County Environmental Health policy. Correction of the violations shall be accomplished within the period specified. Failure to make corrections within the time period specified shall result in the enforcement options being initiated as outlined in Section 10 and Section 14 of this Ordinance.

SECTION 10 **ADMINISTRATIVE PROVISIONS**

10.1 **Enforcement by Administrative Action:** ~~Whenever~~ an establishment has failed to comply with any notice requiring corrective action, issued under the provisions of this Ordinance, administrative procedures may be utilized to bring the establishment into compliance. Administrative actions that may be utilized are:

10.1.1 **Administrative Penalties:** Monetary penalties may be assessed to the establishment operator or owner for continual non-compliance, over a period of three consecutive inspections, for the same violation or violations. Fines will be assessed for each separate violation that is noted in non-compliance. The Administrative Penalties fee schedule shall be set by and through the Todd County Board of Commissioners.

10.1.2 **Administrative Meeting:** A formal meeting which may include, but would not be limited to, the owner of the establishment, County Field Inspection Staff and Public Health Department Head, County Administrator, County Attorney, and additional legal counsel to formally discuss any issues related to the failure to comply with any corrective actions issued under the provisions of this Ordinance.

- 10.1.3 **Suspension of License:** Whenever an establishment has failed to comply with any notice requiring corrective action issued under the provisions of this Ordinance, and the ongoing violation or violations constitute a hazard to the health of the public, the licensee will be notified, in writing, that the license will be suspended within 10 days unless the licensee either:
- a) Submits a written request for a hearing before the Appeals Board, pursuant to Section 11 of this Ordinance, or;
 - b) Submits a written request for a re-inspection including a statement by the licensee that the condition(s) causing the suspension of the license have been corrected. The Health Department upon receipt of the request shall make a re- inspection within 10 days. The re-inspection shall be subject to a re-inspection fee as set forth in the Todd County Public Health Environmental Health Fee Schedule.
- 10.1.4 **Immediate Suspension of License:** Notwithstanding other provisions of this Ordinance, when the Health Department finds conditions in the operation of a licensed establishment which constitute an imminent health hazard to the public, the Health Department may, without notice or hearing, issue a written notice to the licensee, or the designated person in charge, citing such conditions and specifying the corrective action to be taken. The order shall state that the license is immediately suspended and operations must be immediately discontinued. Any person to whom such an order is issued shall comply immediately therewith. The establishment shall remain closed until the specified conditions have been corrected, and that the corrections have been verified by an agent of the Health Department.
- 10.1.5 **Revocation of License:** For serious or repeated violations of any of the requirements of this Ordinance, a license may be permanently revoked. Prior to such action, the Health Department shall notify the license holder in writing, advising that the license shall be permanently revoked at the end of a ten (10) day period, and that the licensee is entitled to a hearing before the Appeals Board, upon written application, pursuant to Section 11 of this Ordinance.

SECTION 11 APPEALS PROVISIONS

- 11.1 Appeal From – Denial, Suspension or Revocation of License.** Any establishment whose license to operate has been denied, suspended or revoked, or has received notice from the Health Department that its license is to be denied, suspended or revoked, may request and shall be granted a

hearing on the matter before the Appeals Board by the procedure provided below.

- 11.2 Appeals Board.** The Appeals Board shall be appointed by the County Board and members will consist of five members; two County Commissioners, one member of the County Public Health Advisory Committee, and two ~~owners or operators of establishments licensed or permitted by the Health Department~~ independent Registered Sanitarians or board certified medical professionals. The Appeals Board shall elect its own chair. The Appeals Board may act if three of its members are present and participate in the decision.
- 11.3 Request for Hearing.** Any person affected by a notice of denial, suspension or revocation shall be granted a hearing on the matter before the Appeals Board upon submitting to the Health Department a written request for such hearing which sets forth a brief statement explaining the licensee's defense to the action. Said request shall be filed within ten days after the notice of denial, suspension or revocation was served, or postmarked if notice sent certified mail.
- 11.4 Date of Hearing.** A hearing shall be held within ~~14~~ 30 days after the date on which the request was filed. The Chair of the Appeals Board may postpone the date of the hearing for a reasonable time beyond such ~~14~~ 30 day period if, in his/her judgment, a good and sufficient reason exists for such postponement.
- 11.5 Notice of Hearing.** The Health Department shall cause ~~five~~ ten days written notice of the hearing to be given to the licensee by personal service, or service by certified mail ~~of the notice~~, to the licensee's last known address, or the address of the establishment.
- 11.6 Proceedings.** At such hearing, the licensee, his agent, or attorney shall be given an opportunity to be heard, and to show ~~cause~~ why the denial, suspension or revocation issued by the Health Department should be modified or withdrawn. The Health Department shall present a detailed written statement, and testimony subject to cross-examination, regarding its findings and decision to the Appeals Board at the time of the hearing.
- 11.7 Decisions of the Appeals to Board.** After such hearing, the Appeals Board shall sustain, modify, or withdraw the notice of denial, suspension or revocation, depending upon its findings as to whether the licensed establishment is being operated in compliance with the provisions of this Ordinance. A copy of the decision of the Appeals Board shall be served by certified mail on the licensee. Any person aggrieved by the decision of the Appeals Board may seek relief from a court of competent jurisdiction as provided by the laws of the state.

11.8 Record of Proceedings. The proceedings of each hearing held before the Appeals Board pursuant to petition, shall be recorded by a Court Reporter or an audio visual recording. The findings and decisions of the Appeals Board shall be entered as a public record in the office of the Health Department. Such record shall include a copy of every notice, order, or writing issued in connection with the matter.

11.9 Notices not Appealed. Any notice of denial, suspension or revocation shall automatically become final if a written request for a hearing is not filed with the Health Department within ten days after the notice is served.

SECTION 12 ADOPTION AND AMMENDMENT OF STANDARDS

12.1 Food and Beverage Establishment Standards

12.1.1 The standards for Food & Beverage Establishments outlined in Minnesota Rules Parts 4626.0010 to 4626.1870 and Minnesota Statute Chapter 157, and any subsequent amendments are incorporated herein and made part of this Ordinance.

12.1.2 Standards for Certified Food Manager requirements outlined in Minnesota Rules Parts, 4626.2000 to 4626.2025 and any subsequent amendments thereto are hereby incorporated in and made part of this Ordinance.

12.1.3 Wherein Minnesota Rules Chapter 4626 refers to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.

12.2 Lodging Establishment Standards

12.2.1 The standards for Lodging Establishments outlined in Minnesota Rules Parts 4625.0100 to 4625.2355, and Minnesota Statute 157 and Minnesota Statute Chapter 327 and any subsequent amendments are incorporated herein and made part of this Ordinance.

~~12.2.2 Definitions in Section 4.2.4, 4.2.5 and 4.2.7 of this Ordinance replace those defined in Minnesota Statute Sections 157.17 subd. 7, 8 and 11.~~

12.2.3.2 Wherein Minnesota Rules 4625 and Minnesota Statute 157 refer to the Commissioner, Commissioner shall mean the Todd County

Board or designated agents.

12.2.4.3 Section 7 of this Ordinance shall replace Minnesota Rules, Part 4625.2300 ~~is delegated in its entirety.~~

12.3 Manufacture Home Parks and Recreational Camping Area Standards

12.3.1 The standards for Manufactured Home Parks and Recreational Camping Areas outlined in Minnesota Rules parts 4630.0200 to 4630.1801 and Minnesota State Statute Chapter 327 and any subsequent amendments are incorporated herein and made part of this Ordinance.

~~12.3.2 Minnesota Statute, Section 327.20, which has been adopted as part of this Ordinance, is amended with the addition of the following statement:~~

~~“In the event that a manufactured home park or recreational camping area falls outside of the jurisdiction of a municipal building official, the evacuation and shelter plans shall be submitted directly to the Health Department for approval.”~~

12.3.3.2 Wherein Minnesota Rules 4630 and Minnesota Statute 327 refer to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.

12.4 Youth Camp Standards

12.4.1 The standards for Youth Camp Establishments outlined in Minnesota Rules, Parts 4630.2300 to 4630.4750 Minnesota Statute, Sections 144.71 to 144.74 and any subsequent amendments are incorporated herein and made part of this Ordinance.

12.4.2 Minnesota Rules, Parts.4630.2700 through 4630.3000 referring to food service operations within youth camps, are amended to read:

“All food service facilities shall be constructed, equipped and operated in accordance with Section 12.1 of this Ordinance.”

~~12.4.3 Minnesota Rules Part 4630.3500 is amended to read:~~

~~“All sewage wastes shall be disposed of in an approved public sewage treatment system or in an Individual sewage treatment system that is designed, constructed and operated in accordance with Minnesota Rule Parts, 7080.0010 to 7080.0950 and the Todd County Planning and Zoning Ordinance.~~

~~Where water flush toilets are used, a sewage disposal system, which is acceptable to the regulatory authority shall be provided. Where water flush toilets are not provided, privies of the pit or vault type must be designed and constructed in accordance with Minnesota Rules, Part 7080.0172 subd 2, and approved by the regulatory authority shall be acceptable to the Health Department. Such privies shall be placed separate and apart from the sleeping, living, and kitchen quarters. Toilets of the privy or pit/vault type hereinafter constructed shall be located at least 100 feet from the kitchen and dining quarters."~~

12.4.4.3 Wherein Minnesota Rules 4630 refers to the Commissioner, Commissioner shall mean the Todd County Board or designated agents.

12.5 Swimming Pool and Spa Standards

12.5.1 The standards for Swimming Pool and Spa establishments outlined in Minnesota Rules, Parts 4717.0150 to 4717.3975 and any subsequent amendments are incorporated herein and made part of this Ordinance.

12.5.2 Wherein Minnesota Rules 4717 refers to the Commissioner, Commissioner shall mean the Todd County Board or its designated agents.

SECTION 13 SEVERABILITY

13.1 **Severability:** The provisions of this Ordinance shall be severable. Should any section, paragraph, sentence, clause, phrase or portion of this Ordinance be declared invalid for any reason, the remainder of said Ordinance shall not be affected.

SECTION 14 CRIMINAL PENALTIES

14.1 **Penalties:** Any person, firm or corporation who violates any of the provisions hereof or who fails to comply with any of the provisions hereof or who makes any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment not to exceed ninety (90) days or both. Each day that a violation continues shall constitute a separate offense. Such persons may be enjoined from continuing such violations.

SECTION 15 REPEAL OF PREVIOUS ORDINANCES

15.1 This Ordinance, adopted ~~June 19, 2007~~ June 29, 2010 hereby repeals and replaces in its entirety the following list of Todd County ordinances;

- ~~1. Todd County Food and Beverage Ordinance dated November 28, 2000.~~
 - ~~2. Ordinance Regulating Lodging Establishments in Todd County dated January 1, 1993.~~
 - ~~3. Ordinance Providing for the Regulation of Manufactured Home Parks and Recreational Camping Area dated January 1, 1993.~~
 - ~~4. Ordinance Providing for the Regulation of Youth Camps in Todd County dated January 1, 1993.~~
 - ~~5. Ordinance Providing for the Regulation of Public Swimming Pools in Todd County dated January 1, 1993.~~
1. Todd County Unifed Environmental Health Ordinance dated June 19, 2007.

SECTION 16 EFFECTIVE DATE

16.1 **Effective Date:** This Ordinance shall be in full force and effect upon passage and shall apply to all establishments licensed as required by this Ordinance, existing at the time of passage and all establishments started thereafter.

Motion: _____

Second: _____

Ayes: _____ Nays: _____

Adopted this 29th day of June, 2010

Chairman of Board
County of Todd
State of Minnesota

ATTEST:

Todd County Public Health Standardized Compliance Time Frames For Environmental Health Corrective Orders Issued Policy

Purpose: To provide consistency in setting of compliance dates for corrective orders issued.

Policy: Standardized time frames will be used for compliance with corrective orders issued.

Time Frames:

Compliance time frame: Comply on Site

Critical Imminent Health Hazard violation orders

For critical violations, constituting an imminent health hazard to public. Firms must comply before the environmental health specialist leaves the establishment, action must be taken or initiated to mitigate the imminent health hazard to the public.

Some examples of this violation type are:

Serious cross-contamination issues; temperature violations-holding or cooling/reheating; unsanitary food contact surfaces; potentially hazardous food held beyond 7 days; employee practices; lack of hand washing; failure to properly sanitize equipment/utensils/dishes; ill employees; unapproved food source; no access to hand sink; no sanitizer in firm; sewage system failing; e. coli in water supply/providing an alternate source of potable water; animals in firm; pool with no chlorine; pool without life saving equipment; pool drain cover missing or drain not visible; firm has food service and does not have minimum facilities to engage in such.

Compliance time frame: 1- 4 days

Critical Health Hazard violation orders that are not imminent

For critical violations that are not imminent health hazards but are a hazard to the health of the public, firms are given one to four days to comply.

Some examples of this violation type are:

Potential for cross-contamination; no date marking; no hot water; improper storage of chemicals or personal items; improper sanitizing procedure; no Certified Food Manager or person in charge available; equipment malfunction; temperature of hot water too high;

Compliance time frame: 5 to 14 days

Non-critical violation orders

For non-critical violations firms are given 5 to 14 days to comply.

Some examples of this violation type are:

Sanitation issues covering non-food contact surfaces in prep or ware washing areas; insects/rodents in non-food areas; major garbage or storage issues; minor plumbing issues (leaks); minor chemical storage issues; dishwasher gauges not working or inaccurate; labeling issues with bottles or bulk ingredient containers; access to building by insects or rodents; repair of inoperative vent hood in kitchen; CO2 tanks not properly secured; general sanitation of non-food areas is substandard; lack of thermometers in refrigerators; inoperative vent fans in restrooms; lack of sanitizer test strips; lack of an approved food thermometer; lack of required backflow prevention/air gaps; toilet seats not of a sanitary design; non-shielded lights; missing or damaged ceiling tile replacement; water heater discharge pipe absent or incorrectly installed; well issues-casing needs to be extended or drainage around well head is substandard; minor structural or finish repairs needed; deteriorated mattresses, bedding , draperies.

Compliance time frame: Up to 30 Days

Non-critical facility or equipment violation orders

For non-critical violations that require a major expenditure of time and/or money to bring into compliance, firms given up to 30 days to comply or to have a plan of action in place.

Some examples of this violation type are:

Replacing domestic equipment with NSF; cold plate replacement; installation of required vent hoods; installation of a mop sink when there is none on premises; septic issues-adding capacity or a new system; installation of a new well; installing new floor coverings; major repairs/upgrades to the facility.

****NOTE:** These compliance time frames are subject to modification as public health needs change and new issues arise.

Todd County Public Health
119 Third Street South
Long Prairie, MN 56347
Telephone: 320-732-4440
Fax: 320-732-4445

Todd County Public Health Enforcement of Outstanding Environmental Health Violations Protocol

Policy: Todd County Public Health will utilize the administrative provisions outlined in Section 10 of the Todd County Unified Environmental Health Ordinance.

Purpose: To ensure outstanding violations of state and local regulations are corrected.

Procedure:

1. Violation noted during routine inspection or complaint investigation and corrective order issued with reasonable and consistent time frames given for compliance.

2. During a follow up inspection, or the next routine inspection, the corrective order is noted in non-compliance. A Letter of Non-compliance is sent to operator via certified mail. Letter restates violation, date order was issued, and the name of person who issued the order.
 - a. For critical violations, the letter will **set a date for compliance**. It will also state that **a follow up inspection will be conducted after that date to determine compliance**.

 - b. For non-critical violations, the letter will include a compliance schedule in which the establishment must set dates as to when compliance has been or will be achieved. A follow up inspection subsequent to the receipt of establishment's response may be optional, and compliance could be verified during the next routine inspection.

3. During a follow up inspection, or the next routine inspection, the corrective order is noted in non-compliance for a third time. Tools available to bring firm into compliance, either alone or in combination with one another, include:
 - a. Assessment of a monetary administrative penalty. A bill will be generated by the Todd County Public Health department and mailed to the firm. This penalty may be repeated and increased for continued instances of non-compliance.

 - b. Hold an administrative meeting with the operator of the establishment in question to determine a final resolution to the violation in non-compliance and establish whether firm should have its license suspended or revoked.

 - c. Suspension or revocation of license for continued non-compliance with corrective orders and/or serious threats to the public health.

 - d. Criminal prosecution for the most grievous threats to the public health.

Todd County, MN Board Action Form



Action Requested	
<input type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Other Repair Hearing
Board Action Tracking Number (Admin use): 201006290001 & 201006290002	

Title (for publication with the Agenda): Repair Hearing - County Ditch 4	
Date of Meeting: June 29, 2009	Total time requested: 1 hour
Department Requesting Action: Ditch Inspector	
Presenting Board Action/Discussion at Meeting: Nancy Uhlenkamp	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Attachment #1 - Board Action Form Attachment #2 - Resolution Denying Attachment #3 - Resolution Approving	
Options <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Presentation will be given at meeting	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Financial Implications: \$0	Comments
Funding Source:	
Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

Signatures	
STATE OF MINNESOTA COUNTY OF TODD I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

TODD COUNTY DITCH AUTHORITY

Approve Petition for Spot Maintenance – County Ditch 4

WHEREAS, the Ditch Authority of Todd County has received a petition for spot maintenance of County Ditch 4. This petition includes approximately 6,000 ft of the east branch lateral, approximately 3,200 feet of the main ditch that is south of County Road 14 and approximately 2,900 feet of the main ditch that is south of 290th Street. A public informational meeting was held May 12, 2010; and

WHEREAS, a public hearing on the proposed repair was held on June 29, 2010 in the Todd County Board Room at 347 Central Avenue, Long Prairie, MN; and

WHEREAS, notice of the public hearing was legally given by at least two weeks published notice in a legal newspaper; and

WHEREAS, landowners and members of the public in attendance had a fair opportunity to comment on the proposed repair of said ditch.

NOW, THEREFORE BE IT RESOLVED, after hearing and considering all of the comments at the public hearing, the County Ditch Authority finds sufficient evidence to justify the costs for spot maintenance of County Ditch 4. This includes approximately 6,000 ft of the east branch lateral, approximately 3,200 feet of the main ditch that is south of County Road 14 and approximately 2,900 feet of the main ditch that is south of 290th Street.

TODD COUNTY DITCH AUTHORITY

Deny Petition for Spot Maintenance – County Ditch 4

WHEREAS, the Ditch Authority of Todd County has received a petition for spot maintenance of County Ditch 4. This petition includes approximately 6,000 ft of the east branch lateral, approximately 3,200 feet of the main ditch that is south of County Road 14 and approximately 2,900 feet of the main ditch that is south of 290th Street. A public informational meeting was held May 12, 2010; and

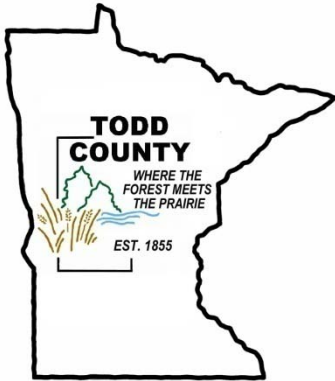
WHEREAS, a public hearing on the proposed repair was held on June 29, 2010 in the Todd County Board Room at 347 Central Avenue, Long Prairie, MN; and

WHEREAS, notice of the public hearing was legally given by at least two weeks published notice in a legal newspaper; and

WHEREAS, landowners and members of the public in attendance had a fair opportunity to comment on the proposed repair of said ditch.

NOW, THEREFORE BE IT RESOLVED, after hearing and considering all of the comments at the public hearing, the County Ditch Authority finds insufficient evidence to justify the costs for spot maintenance of County Ditch 4 and find that it is in the best interest of the affected land owners to deny the petition for spot maintenance of this ditch system.

Todd County, MN Board Action Form



Action Requested	
<input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201006290004	

Title (for publication with the Agenda): Permanent Grade Adjustment	
Date of Meeting: June 29, 2010	Total time requested: 1 minute
Department Requesting Action: Admin	
Presenting Board Action/Discussion at Meeting: Admin	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
<p>The Transfer Station Supervisor position was temporarily adjusted to Grade 19 due to additional supervisory responsibility assigned to the position to allow time to establish a new management arrangement for Solid Waste. This temporary adjustment is set to expire July 1, 2010.</p>	
Options <input type="checkbox"/> Supporting Documentation enclosed	
<p>1. Approve Grade 19 2 Do not approve Grade 19</p>	
Recommendation <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Approve a permanent adjustment of the Transfer Station Supervisor position due to the additional responsibilities assigned for the position held by incumbent Lenny Doroff.	
Financial Implications: \$1,200	Comments
Funding Source: Solid Waste	
Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

Signatures	
County Board Chairman:	

David Kircher	
Clerk to the Board:	

Nathan Burkett, County Administrator	Seal

Todd County, MN Personnel Action Form



Action Requested		
Type 1	Type II	Type III
<input type="checkbox"/> Internal Post	<input type="checkbox"/> PT Status	<input type="checkbox"/> Discipline
<input type="checkbox"/> External Post	<input type="checkbox"/> FT Status	<input type="checkbox"/> Uncharacterized
<input type="checkbox"/> Hire	<input type="checkbox"/> Unpaid Leave	<input type="checkbox"/> Honorable
<input checked="" type="checkbox"/> Promote w/in Dept	<input type="checkbox"/> Paid Leave	<input type="checkbox"/> Job Desc Change
<input type="checkbox"/> Transfer Dept	<input type="checkbox"/> Medical Leave	<input type="checkbox"/> Extend Probation
<input type="checkbox"/> Create New Position	<input type="checkbox"/> Resignation	<input type="checkbox"/> End Probation
<input type="checkbox"/> Pay Change Request	<input type="checkbox"/> Termination	<input type="checkbox"/> Exit Interview
<input type="checkbox"/> Demote	<input type="checkbox"/> Retirement	<input type="checkbox"/> Other

Employee Information *(name not required for posting of positions)*

Name: Richard L. Doroff

Job Title: Transfer Station Supervisor

(The following is required for Type I and II action)

Fund: 51	Dept: 390	Program:	Service:
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Comments

Additional supervisory duties have been permanently assigned the the Transfer Station Supervisor position due to the management restructure of the Solid Waste Department. These duties warrant an increase from Grade 18 to Grade 19 of the Todd County Salary Schedule with Mr. Doroff working out of class and paid at this grade since December 22, 2009.

Supporting Documentation enclosed

Authorization		Signature	Date
Supervisor:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied		
Department Head:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied		
County Administrator: Nathan Burkett	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		
Board Chairperson: David Kircher	<input type="checkbox"/> Approved <input type="checkbox"/> Denied		
Filed: <input type="checkbox"/> Supervisory <input type="checkbox"/> Personnel			

For HR use only

Date Received:

Action taken:

Date Returned to Supervisor:	HR Signature:
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Payroll Notified: Yes Not Applicable