

Notice & Agenda

Swift County Board of Commissioners

Tuesday, July 15, 2014

11:00 AM

LEC Conference Room – 301 14th St N, Benson, MN

If you need any type of accommodation to participate in this meeting, please contact the County Administrator at 320-314-8399 at least 48 hours prior to the meeting. Times are only estimates and items may be taken out of order.

<u>Time</u>	<u>Reference</u>	<u>Item</u>
11:00 a.m.		Call to Order and Roll Call
11:01 a.m.		Approve Agenda
11:03 a.m.		Consent Agenda
	1-3	(1) Minutes from July 1, 2014
	4-5	(2) Consider setting a special meeting on July 29, 2014 at 10:00 AM for a board workshop
11:04 a.m.		Consider Approval of Commissioner warrants and review Auditor warrants reviewed
11:05 a.m.		Commissioner and Board reports
11:20 a.m.		County Administrator report
11:25 a.m.		Citizens Comments
11:25 a.m.		Countywide Pool Ordinance
	6-17	Introduce pool ordinance and consider setting a public hearing for August 5 th at 9:00 AM
11:30 a.m.		Andy Sander, County Engineer
	18-19	Consider final approval of SAP 076-625-013 Paving on CSAH 25 from TH 9 to CSAH 26
	20-21	Consider final approval of SAP 076-622-037 and SAP 076-626-006 Sealcoat from CSAH 13 to the North County Line
	22-23	Consider approving the purchase of a new Mower Tractor
11:35 a.m.		Scott Collins, Environmental Services Director
	24	Discussion on requested D.A.C. workers wage increase
11:40 a.m.		Other Business
	25-27	Consider awarding a contract for a three stall garage at 212 15th Street N
	28-35	Discussion on 2015 Budget
12:00 p.m.		Adjournment

SWIFT COUNTY BOARD MINUTES
July 1, 2014

Chairman Fox called the meeting to order at 9:00 AM with all members present as well as County Administrator Mike Pogge-Weaver, County Attorney Robin Finke, County Auditor Kim Saterbak and Amanda Ness. Several citizens were in the audience.

Chairman Fox asked for any changes or additions to the agenda. None were reported.

07-01-14-01 Commissioner Klemm moved and Commissioner Rudningen seconded to approve the agenda as printed. Motion carried unanimously.

Commissioner Hendrickx indicated that the motion to accept the property values as submitted was omitted from the Board of Equalization minutes.

07-01-14-02 Commissioner Peterson moved and Commissioner Hendrickx seconded to approve the Consent Agenda which consisted of: (1) Minutes from the June 17, 2014 Meeting (2) Minutes from the June 17, 2014 Board of Equalization (3) Approval of increased credit card purchasing limits for certain employees (4) Approval of a lease for tower space with Pioneer Public Television for 800 MHz radio equipment (5) Approval for the Sheriff Department to purchase a snowmobile (6) Approval of a resolution expressing intent to make a general obligation pledge to Swift County-Benson Hospital refunding bonds

Commissioner Peterson introduced the following resolution and moved its adoption:

**RESOLUTION EXPRESSING INTENT TO MAKE
GENERAL OBLIGATION PLEDGE TO SWIFT COUNTY – BENSON
HOSPITAL REFUNDING BONDS**

BE IT RESOLVED by the Board of Commissioners of Swift County, Minnesota (the “Board”), as follows:

1. Swift County – Benson Hospital (the “Hospital District”), a hospital district organized under Minnesota Laws of 1992, Ch. 534 Sections 6 to 20 (the “Act”), proposes to issue bonds pursuant to the Act to refund the outstanding Hospital Revenue Bonds (Swift County General Obligation), Series 2007 (the “2007 Bonds”) of the Hospital District.

2. The County pledged its general obligation to the 2007 Bonds to be refunded. This Board hereby approves the pledge of the general obligation of the County to up to \$6,250,000 of bonds (the “Refunding Bonds”) to be issued by the Hospital District to refund the 2007 Bonds in order to achieve debt service savings. In connection with the issuance of the Refunding Bonds, the Chair and County Auditor shall execute a Continuing Disclosure Certificate in substantially the form on file. The Secretary of the Hospital District is authorized to publish a notice of intent to issue bonds pursuant to the Act with a pledge of the full faith and credit of the County in substantially the form attached as Exhibit A.

Adopted by the Board of Commissioners on this 1st day of July 2014.

The motion for the adoption of the foregoing resolution was made by Commissioner Peterson, seconded by Commissioner Hendrickx, and upon vote being duly taken thereon, the following voted in favor thereof:

Fox, Hendrickx, Klemm, Peterson, and Rudningen

and the following voted against the same:

None

and the following were absent:

None

(7) Approval of a joint powers agreement for the workforce service area #6 and (8) Approval of the 8th Judicial District Drug Court Memorandum of Understanding.

Motion carried unanimously.

07-01-14-03 Commissioner Rudningen moved and Commissioner Peterson seconded to approve the

Commissioner warrants as follows: Revenue: \$193,537.10; Road and Bridge: \$286,179.01; Solid Waste: \$9,782.21; Welfare & Family Services: \$83.58; County Health Insurance Fund: \$1,060.00; and County Ditches Fund: \$3,300.00 which includes the following bills over \$2,000: 6W Department of Community Corrections, \$90,401.73; City of Benson, \$10,000.00; Commerford Construction Inc., \$3,300.00; Countryside Public Health, \$44,381.00; Craig's Inc., \$2,980.69; Duinink Inc., \$265,664.75; E&M Electric LLP, \$3,790.36; Hildi Inc., \$3,260.00; Maney International of Alexandria, \$2,393.51; Reedsburg Hardware Company, \$3,582.37; City of Benson Treasurer, \$6,435.89; US Postal Service, \$8,000.00; Waste Management of Northern Minnesota, \$9,183.48; Yellow Medicine County Jail, \$5,380.13; and Ziegler Inc., \$8,494.16. Motion carried unanimously.

Board and Committee Reports were given as follows: Chairman Fox reported on SPCC, Chippewa River Watershed, Hospital Finance, and the Road Tour. Commissioner Klemm reported on DAC, Extension's Regional Advisory Meeting on Invasive Species, and RDA. Commissioner Peterson reported on HRA and Prairie Five Community Action Council. Commissioner Rudningen reported on CEEVI Drug Task Force, Pioneerland Library Board, Prairie Lakes Youth, Insurance Committee, Extension's Regional Advisory Meeting on Invasive Species, and Technology Committee. Commissioner Hendrickx reported on SPCC, RDC, Insurance Committee, and a meeting with the DNR Commissioner of Parks and Trails.

Administrator Pogge-Weaver updated the board that the EPA's rules on Waters of the U.S. have an extended commenting period, the August 12th primary election absentee ballots are available and the mail-in ballots will be sent out soon, he is working with Parks and Drainage Supervisor Mike Johnson and Sheriff Holtz on the Invasive Species Policy, and the Health Insurance Fund Balance is ahead of track compared to what was expected.

Chairman Fox opened the floor for citizen's comments.

Katie Reardon of 100 NW Sligo St, Clontarf spoke on behalf of Youth Programs as a public school teacher and community member and preferred to see money spent on prevention rather than rehabilitation or delinquency.

Susan Knutson of 115 50th Ave SE, Benson rose as a supporter of Youth Programs as an OKK camp participant and future counselor.

Shelly Vergin of 1075 20th Ave SW, Benson spoke as a supporter of Youth Programs as a parent of OKK camp participants and Advisory Board member and asked the board to consider options other than cutting the program.

Jacquie Larson, Swift County Restorative Justice Coordinator, spoke on behalf of Youth Programs and asked the board to reconsider cutting the program and to look at evidence based programming as an alternative to the research based programming.

Peggy Knutson of 115 50th Ave SE, Benson spoke as a supporter of Youth Programs as a parent of OKK camp participants and asked the board to consider a sliding pay scale or scholarships to continue the Youth Programs camps.

Regional Extension Educator Brian McNeill, Interim 4-H Program Coordinator Karissa Zimmerman, Office Supervisor Casey Olson, and Southwest Regional Director Kathy Schwantes updated the board on the many University of Minnesota Extension Service offerings including 4-H.

Land Records Director Mary Amundson discussed the termination by the Secretary of State's Office of the UCC Satellite Agreement as of December 1, 2014 and actions being done to maintain the relationship so counties can continue to offer our customers that service locally.

County Engineer Andy Sander updated the board on maintenance work on County Road 31 which is being used by MnDOT as a detour and County Road 6. Purchases on these projects will exceed Mr. Sander's purchasing limits.

Chairman Fox asked the board to consider setting a policy for baling road ditches. After some discussion it was decided that the mowing would continue as is with the tentative mowing start date published on the County's website. No action was taken by the board.

07-01-14-04 Commissioner Hendrickx moved and Commissioner Peterson seconded to authorize work on Highways 31 and 6.

Administrator Pogge-Weaver presented the board with five alternatives on how to proceed with Swift County Youth Programs, recommending the first alternative which is to discontinue the Youth Programs Department as of August 22, 2014.

07-01-14-05 Commissioner Rudningen moved and Commissioner Klemm seconded to allow the Youth Programs Advisory Board to find ways to reduce funding reliance, emphasizing cooperation with other organizations and reporting back to the Board of Commissioners at the August 19th meeting with five options for them to consider. Motion was defeated 2-3 with Commissioner Rudningen and Commissioner Klemm voting for the motion.

07-01-14-06 Commissioner Hendrickx moved and Commissioner Peterson seconded to approve moving Youth Programs under the Human Services umbrella. Motion carried 4-1 with Commissioner Rudningen voting against the motion.

07-01-14-07 Commissioner Hendrickx moved and Commissioner Klemm seconded to approve funding Youth Programs at \$30,000. Motion carried unanimously.

Administrator Pogge-Weaver updated the board on the Classification and Compensation Study with final job descriptions scheduled to go out next week with tentative pay scales. Employees will have two weeks to review, respond, and appeal.

Chairman Fox adjourned the meeting at 11:51 AM.

WITNESSED:

Joe Fox, Chair

ATTEST:

Michel Pogge-Weaver, Clerk of the Board



Request for Board Action

BOARD MEETING DATE:
July 15, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Administration	REQUESTOR: Mike Pogge-Weaver	REQUESTOR PHONE: 320-314-8399
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider setting a special meeting on July 29, 2014 at 10:00 AM for a board workshop	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Richard and Irina Fursma of Brimeyer Fursman Group will be meeting with the board to discuss a possible organization study for the County. Specifically, they would like to visit with the Board and discuss a various approaches for the project in order for them to present a proposal to the County. The meeting will be held in the Human Services conference room and should be completed by Noon.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: Click here to enter text.

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Did not review.	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

RESOLUTION

SETTING A SPECIAL MEETING

Motion by Commissioner _____ Seconded by Commissioner _____

BE IT RESOLVED, that the Swift County Board of Commissioner will hold a special meeting on July 29, 2014 at 10:00 am in the Human Service Large Conference Room located at 410 21st St S in Benson.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 15th day of July 2014.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

Michel J. Pogge-Weaver
County Administrator and Clerk of the Board



Request for Board Action

BOARD MEETING DATE:
July 15, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Administration	REQUESTOR: Mike Pogge-Weaver	REQUESTOR PHONE: 320-314-8399
-------------------------------------------	---------------------------------	----------------------------------

Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Introduce pool ordinance and consider setting a public hearing for August 5th at 9:00 AM	
AGENDA YOU ARE REQUESTING TIME ON: 9:25 AM	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Countryside Public Health, Environmental Health, has regulated and inspected Public Pools within their five member Counties for many years and they have applied the State Public Pool statutes and rules to those pools. During a recent review, it was discovered that the correct ordinance delegating the inspection authority to Countryside Public Health was not adopted by their member Counties. Adoption of these rules by ordinance is required to continue to have these pools inspected locally. The propose ordinance adopts the State of Minnesota Statutes and Rules regarding Public Pools, along with adopting enforcement tools that are consistent with other Countryside Ordinances. This ordinance is consistent with the way Countryside has been inspecting pools and should not result in any change. It is requested that the board set a public hearing on the proposed ordinance for August 5, 2014 at 9:00 AM.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: Click here to enter text.

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Currently review the proposed ordinance	RECOMMENDATIONS: Discuss and set the requested public hearing
COMMENTS: n/a	COMMENTS: None

**COUNTY OF SWIFT
STATE OF MINNESOTA**

**AN ORDINANCE PROVIDING FOR THE REGULATION OF
PUBLIC POOLS WITHIN SWIFT COUNTY IN
CONSORTIUM WITH BIG STONE, CHIPPEWA, LAC QUI
PARLE AND YELLOW MEDICINE COUNTIES**

AS

COUNTRYSIDE PUBLIC HEALTH SERVICE

EFFECTIVE:_____

INDEX

Section I	General Provisions
Section II	Definitions
Section III	Public Pool Standards
Section IV	Embargo, Condemnation and Tagging
Section V	Plan Review of Future Construction
Section VI	Licenses
Section VII	Repeal of Previous Ordinance
Section VIII	Effective Date

THE COUNTY BOARD OF COMMISSIONERS OF SWIFT COUNTY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I – GENERAL PROVISIONS

- 1.1 Purpose. To protect and provide for the public health, safety, and general welfare of the County of Swift by licensing and inspecting public pools, regulating their operation and maintenance; and providing for the enforcement of the regulations herein throughout the County.
- 1.2 Legal Authority. Countryside Public Health is a joint powers board of health organized under Minnesota Statute Chapter 145A.03 and Minnesota Statute Chapter 471.59 by Big Stone, Chippewa, Lac Qui Parle, Swift and Yellow Medicine Counties. This ordinance is enacted pursuant to Minnesota Statute Chapter 145A.05 and Minnesota Statute Chapter 371.59 under which county boards may adopt ordinances to regulate actual or potential threats to the public health and is related to a delegation of authority by the Minnesota Commissioner of Health to Countryside Public Health under Minnesota Statute Chapter 145A.07, Subd. 1, for the licensing, inspection, reporting, and enforcement duties authorized under Minnesota Laws, Chapter 144 relating to rules and standards for public pools. Countryside Community Health Board is authorized to enforce this ordinance.
- 1.3 Jurisdiction. This ordinance shall be applicable in Swift County to all public pools as defined in Minnesota Statute 144.1222, and all amendments or additions thereto.
- 1.4 Compatibility. Where the conditions imposed by any provision of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance, or any other applicable law, ordinance, rule or regulation, the provision which establishes the higher standards for the promotion of the public health, safety, and general welfare shall prevail.
- 1.5 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 thereby.

SECTION II – DEFINITIONS

The following definitions shall apply in the interpretation and the enforcement of this ordinance:

- 2.1 Board means Countryside Public Health (CPH) Community Health Board acting as the Board of Health under the provisions of Minn. Stat. 145A.10, and all amendments or additions thereto.

- 2.2 Environmental Health Department means the Countryside Public Health (CPH) Community Health Board and its Environmental Health staff.
- 2.3 Environmental Health Director means the Countryside Public Health (CPH) Community Health Board's Environmental Health Director and any related staff acting under the Board's authority.
- 2.4 Notice means a written instrument delivered personally, mailed to the last known address of the responsible party entitled to notice, or posting the notice at the entry to the establishment.
- 2.5 Mail means a mailing by United States First Class Mail with return receipt requested directed to the recipient's last known address. A return of such mailing for any purpose shall not void the notice.

SECTION III – PUBLIC POOL STANDARDS

- 3.1 All public pools within Swift County shall comply with the standards for public pools as set forth in Minnesota Statute 144.1222 and in Minnesota Rules 4717.0150 through 4717.3970 and all amendments or additions thereto. Specifically, Minnesota Statutes 144.1222 and Minnesota Rules 4717.0150 through 4717.3970, inclusive, and amendments or additions, are hereby incorporated herein by reference and made a part of this ordinance. Any reference to the Commissioner shall mean the Countryside Public Health (CPH) Community Health Board and its designated agents, as may be delegated.

SECTION IV – EMBARGO, CONDEMNATION, AND TAGGING

- 4.1 General. The Environmental Health Director may condemn and cause to be removed, embargo, and/or tag any item deemed to be in violation of this ordinance.

SECTION V – PLAN REVIEW OF FUTURE CONSTRUCTION

- 5.1 General. The Commissioner of the Minnesota Department of Health has jurisdiction over pool construction. When a public pool in Swift County, licensed or to be licensed under the provisions of this ordinance, is hereafter constructed or remodeled, the entity shall submit to the Commissioner of the Minnesota Department of Health all required specifications and materials.

SECTION VI – LICENSES

- 6.1 Licenses Needed. It shall be unlawful for any person to operate a public pool within Swift County without a valid license issued by the Environmental Health Department.

Issuance and retention of a license is dependent upon compliance with the requirements of this ordinance. Licenses are specific to each public pool. The license must be posted at the pool. The regular license shall run on a calendar year from January 1st to December 31st of that year. For seasonal public pools a license shall run from May 1st to the next April 30th. The school license year shall run from July 1st to the next June 30th. Licenses expire at 11:59 p.m. on the last day the license is in effect.

6.2 Application for License.

- A. Any person desiring to operate a public pool shall make a written application on forms provided by the Environmental Health Department.
- B. Such application shall include: The applicant's full name and address and whether such applicant is an individual, firm, partnership or corporation; the location and description of the public pool, as well as a signature of the applicant or applicants. The Environmental Health Department may require such additional information as it may find necessary.
- C. Application for a new public pool and the appropriate license fee shall be submitted to the Environmental Health Department at least ten (10) days prior to the desired date of operation.
- D. Renewal applications and the license fee shall be submitted to the Environmental Health Department on or before December 1 prior to the expiration of the current year's license. Penalties shall not accrue until after expiration of the current year's license.
- E. Applications for renewal of schools and affiliated establishments shall apply for license no later than June 1 each year. Penalties shall not accrue until after expiration of the current year's license.
- F. Applicants for the renewal of seasonal licensed establishments shall apply no later than April 1 each year. Penalties shall not accrue until after expiration of the current year's license.
- G. Countryside Community Health Board is authorized to collect annual license fees and all other related fees. The amount of the annual license fee, any penalties or other fees required shall be specified by resolution of the Countryside Community Health Board and may be adjusted from time to time as the Board deems appropriate. Fees paid shall be retained by the Community Health Board regardless of whether there is approval or denial of the license.
- H. If an application is made for the calendar year whereby the license begins on or after October 1st of that year, the license fee for new applicants or new operators shall be one-half of the appropriate annual license fees, plus any penalty which may be required. The provision for one-half of the license fee shall apply to any new

applicant or licensee applying on or after February 1st for seasonal licenses or on or after April 1st for school year licenses.

6.3 Inspection and Correction.

- A. The Environmental Health Department shall inspect public pools to assure compliance with the requirements of this ordinance.
- B. The person or entity operating a public pool shall, upon request of the Environmental Health Department, and after proper identification, permit access to all areas of the public pool for inspection. Further, the operator shall provide such documents and records required to ensure compliance with the provisions of this ordinance.
- C. Further, operators shall furnish or permit sampling, free of charge, samples which may be needed by the Environmental Health Department for laboratory analysis.
- D. Whenever an inspection of a public pool is made, the findings shall be recorded on an inspection report form. One copy shall be provided to the operator of the public pool. The inspection report is a public document and shall be available to the public unless the report is a part of a pending litigation, or unless there are scheduled follow up inspections.
- E. The inspection report form shall specify a specific and reasonable period of time for correction of the violation, EXCEPT certain violations may require immediate action or suspension of operations of the public pool as public safety may require.

6.4 Suspension of License.

- A. Licenses may be suspended temporarily by the Environmental Health Director, or staff, at any time for:
 - 1. Failure by the holder to comply with the requirements of the ordinance.
 - 2. Failure to timely comply with any notice requiring corrective action.
 - 3. Failure to comply with Minnesota Statute 144.1222 and Minnesota Rules 4717.0150 through 4717.3970, and as amended, and any additions thereto.
- B. A license holder or operator shall be provided notice that the license has been suspended and that an opportunity for a hearing before the Appeals Board will be provided if a written request for an appeal is filed timely with the Environmental Health Director.
- C. Notwithstanding the other provisions of this ordinance, whenever the Environmental Health Director or other qualified specialist, employee or agent of Countryside Public Health find conditions in the operation of the public pool which in their judgment may constitute a substantial hazard to the public health, a written notice to the license

holder/operator may be issued citing such condition(s) specifying corrective action to be taken, specify a time period which such action must be taken, specify the corrective action to be taken, and specify the time period within which such action must be completed. If deemed necessary, such order shall state that the license is immediately suspended and may require that public pool operations be immediately discontinued and persons affected by such action may obtain review of this action by filing a written petition for appeal with the Environmental Health Director.

- D. Any person whose license has been suspended may at any time make an application for reinspection for the purpose of reinstatement of the license. The application for reinspection shall be in writing and include a summary of the applicant's remedial action and that the condition(s) causing suspension of license have been corrected within ten (10) days of the application. The premises shall be reinspected, and if the applicant is in compliance with the requirements of the ordinance, the license shall be reinstated.

6.5 Revocation of License. For serious or repeated violations of any of the requirements of this ordinance, the license may be permanently revoked. Prior to such action, the Environmental Health Director shall notify the license holder in writing, advising that the license shall be permanently revoked five (5) days after the issuance of said notice. The license holder shall be advised at the same time that a hearing before the Appeals Board will be provided if a written request for appeal is filed with the Environmental Health Director.

6.6 Appeals.

- A. An appeal may be brought under the provisions of this section to address any objection to the enforcement of this ordinance.
- B. Any affected person may pursue an appeal where the enforcement of a provision of this ordinance causes undue hardship or is believed to be unreasonable, impractical or not feasible.
- C. Appeals shall be presided over by an Appeals Board.
- D. The membership of the Appeals Board shall consist of the Chairperson of the Countryside Public Health Board, a County Commissioner, the Executive Director of Countryside Public Health, and the Environmental Health Director for Countryside Public Health. Any of these members may designate an alternate to serve on the Appeals Board.
- E. The Appeals Board shall be chaired by the Chairperson of the Countryside Public Health Board.

- F. The Appeals Board shall have the power to affirm, reverse or modify the enforcement action of Countryside Public Health Service, its departments and its agents.
- G. An Appeal shall be commenced by a request to the Appeals Board for a hearing. Such requests shall be filed with the Countryside Public Health Office in Benson, Minnesota. The request shall be in the form of a written petition and shall set forth a statement of the issues. Said petition shall be filed within thirty (30) days after the enforcement issue arises.
- H. A hearing shall be held within ten (10) days after the date on which the appeal was filed. The Chairperson of the Appeals Board may postpone the date of the hearing for a reasonable time if, in the chairperson's judgment, a good and sufficient reason exists for such postponement.
- I. Countryside Public Health shall provide five (5) days written notice of the hearing to the appellant.
- J. At the hearing, Countryside Public Health Service shall present a detailed, written statement of findings supporting the decision of Countryside Public Health Service. The appellant, his/her agent, or attorney shall then be given an opportunity to show cause why the enforcement action taken by Countryside Public Health Service should be reversed or modified. The hearing may be continued if, in the chairperson's judgment, due process requires or other good and sufficient reason exists for such continuance.
- K. The Appeals Board shall render its decision in the form of findings and conclusions set forth in writing within three (3) days after the close of the hearing. A copy of the decision of the Appeals Board shall be served by mail or in person on the appellant/designee. Any person aggrieved by the decision of the Appeals Board may seek relief therefrom in any court of competent jurisdiction as provided by the laws of this State.
- L. A recording may be made of any hearing before the Appeals Board and if so, it shall be retained in the office of Countryside Public Health Service for a period of not less than one (1) year after the close of the hearing. All written records relating to an appeal shall likewise be retained in the office of Countryside Public Health Service for a period of not less than one (1) year after the close of the hearing.
- M. The terms of any notice served pursuant to the provisions of this ordinance shall become final if a written petition for a hearing is not filed with the Environmental Health Director within ten (10) days after the date of mailing.

6.7 Enforcement.

- A. Nothing herein shall limit the option of seeking civil relief in an action to enjoin violations of this ordinance.

- B. Injunctive actions shall be conducted by the county attorney or other designee.
- C. No person shall make a false statement in a document required to be submitted under the provisions hereof.
- D. Each day that a violation exists shall constitute a separate offense.
- E. Administrative Enforcement.
 - 1. The use of administrative citations and the imposition of civil penalties is a legitimate and necessary alternative method of enforcement. This method of enforcement is in addition to any other legal remedy that may be pursued for ordinance violations.
 - 2. A violation of a provision of this ordinance may be subject to an administrative citation and civil penalties.
 - 3. The Countryside Public Health Community Health Board may adopt by resolution a schedule of fines for offenses initiated by administrative citation. Said schedule shall be modified by said Board as it deems appropriate.
 - 4. The Environmental Health Director may issue a written administrative citation upon belief that a violation of this ordinance has occurred. The citation must be delivered in person or by mail to the person responsible for the violation. The citation must state the nature of the offense, the name of the issuing officer, the amount of the fine, and the manner of paying the fine.
 - 5. The person responsible for the violation shall pay the fine within thirty (30) days after issuance of the citation. Payment of the fine constitutes admission of the violation. A late payment of ten percent (10%) of the fine amount may be imposed.
 - 6. Administrative enforcement shall be conducted by the Environmental Health Department or its designee.
 - 7. Appeal from a citation shall be made in accordance with the appeal provisions provided hereinabove.
 - 8. Upon a failure to pay an administrative fine noted above within the above said 30 days, the citation may be dismissed and Countryside Public Health may refer the violation to prosecuting attorney for criminal prosecution.

F. Criminal Enforcement.

1. Criminal prosecution shall be conducted by the county attorney.
2. Whoever fails to comply with any of the provisions hereof shall be guilty of a misdemeanor.
3. Upon conviction of any violation of this ordinance, a person shall be subject to the statutory penalties for misdemeanors.

SECTION VII – REPEAL OF PREVIOUS ORDINANCE

- 7.1 This ordinance repeals and replaces in its entirety all prior public pool ordinances adopted by this county.

SECTION VIII – EFFECTIVE DATE

- 8.1 This ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the Board of Commissioners of Swift County, Minnesota the _____ day of _____, 2014

SWIFT COUNTY BOARD OF COMMISSIONERS

By: _____

Its: _____

Attest:

County Administrator



Request for Board Action

BOARD MEETING DATE:
July 15, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Highway	REQUESTOR: Andrew Sander	REQUESTOR PHONE: (320) 842-5251
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider final approval of SAP 076-625-013 Paving on CSAH 25 from TH 9 to CSAH 26	
AGENDA YOU ARE REQUESTING TIME ON: 11:30 am	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? yes	EXPLANATION OF MANDATE: Board approval required by the State before final payment.
BACKGROUND/JUSTIFICATION: Swift County Road 25 has been completed and needs final approval from the Board so that final payment can be made to Shafer Contracting Inc.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? none	

Budget Information

FUNDING:	State and local
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Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Did not review prior to meeting	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

RESOLUTION

WHEREAS, State Aid Project 076-625-013 has in all things been completed and the County Board being fully advised in the premise.

NOW THEREFORE BE IT RESOLVED, that the County of Swift hereby accepts said completed project for and in behalf of the County of Swift and authorizes final payment to Shafer Contracting Co. Inc. in the amount of \$176,205.22 for the final contract amount totaling \$2,688,399.44

Dated at Benson, Minnesota this 15th day of July, 2014.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

I, Michel Pogge-Weaver, Administrator in and for the County of Swift, Minnesota, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of County Commissioners on the 15th day of July, 2014.

Michel Pogge-Weaver, Swift County Administrator



Request for Board Action

BOARD MEETING DATE:
July 15, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Highway	REQUESTOR: Andrew Sander	REQUESTOR PHONE: (320) 842-5251
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider final approval of SAP 076-622-037 and SAP 076-626-006 Sealcoat from CSAH 13 to the North County Line	
AGENDA YOU ARE REQUESTING TIME ON: 11:30 am	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? yes	EXPLANATION OF MANDATE: Board approval required by the State before final payment.
BACKGROUND/JUSTIFICATION: Swift County Road 22 and 26 Sealcoat project has been completed and needs final approval from the Board so that final payment can be made to Morris Sealcoat & Trucking.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? none	

Budget Information

FUNDING: State

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Did not review prior to meeting	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

Board Action

Motions ___ J Fox ___ G Hendrickx ___ G Klemm ___ P Peterson ___ E Rudningen	
Action	Vote

RESOLUTION

WHEREAS, State Aid Projects 076-622-037 (R&M) and 076-626-006 have in all things been completed and the County Board being fully advised in the premise.

NOW THEREFORE BE IT RESOLVED, that the County of Swift hereby accepts said completed projects for and in behalf of the County of Swift and authorizes final payment to Morris Sealcoat & Trucking, Inc. in the amount of \$15,357.99 for the final contract amount totaling \$307,159.96.

Dated at Benson, Minnesota this 15th day of July, 2014.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

I, Michel Pogge-Weaver, Administrator in and for the County of Swift, Minnesota, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of County Commissioners on the 15th day of July, 2014.

Michel Pogge-Weaver, Swift County Administrator



Request for Board Action

BOARD MEETING DATE:
July 15, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Highway	REQUESTOR: Andrew Sander	REQUESTOR PHONE: (320) 842-5251
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving the purchase of a new Mower Tractor	
AGENDA YOU ARE REQUESTING TIME ON: 11:30 am	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? no	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: The request is to purchase one new mower tractor off of the State Contract. The mower tractor that is in this year's budget.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? See above	

Budget Information

FUNDING: County

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Did not review prior to meeting	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

Board Action

Motions ___ J Fox ___ G Hendrickx ___ G Klemm ___ P Peterson ___ E Rudningen	
Action	Vote

Mower Tractor

COMPANY	EQUIPMENT	PRICE	TRADE	COST
Amundson Peterson	John Deere 6140R Tractor & Loader	111,342.00	33,342.00	\$78,000.00
Midwest Machinery Co.	John Deere 6140R Tractor & Loader	110,924.55	31,000.00	\$79,924.55

Budgeted amount \$85,000.

**Swift County Developmental Achievement Center
2105 Minnesota Avenue
Benson, Minnesota 56215
320-843-4201**

June 25, 2014

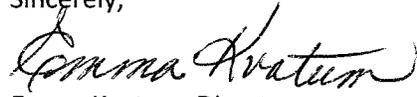
Scott Collins
Swift County Environmental Services
1000 Industry Drive
Benson, MN 56215

Dear Scott,

The upcoming increase in minimum wage requires an increase in the wage rates that our workers at the recycling center are paid. According to our contract, the S.C.E.S. currently pays the D.A.C. \$16.00 per hour for the D.A.C. workers and \$11.00 per hour for the supervisor. The new rate will need to be \$17.66 for the workers and \$12.15 for the supervisor.

If you have any questions please feel free to contact me. Thank you.

Sincerely,



Emma Kvatum, Director
Swift County DAC

Cc Joe Fox, Michel Pogge-Weaver



Request for Board Action

BOARD MEETING DATE:
July 15, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Administration	REQUESTOR: Mike Pogge-Weaver	REQUESTOR PHONE: 320-314-8399
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider awarding a contract for a three stall garage at 212 15th Street N	
AGENDA YOU ARE REQUESTING TIME ON: Other Business	ARE YOU SEEKING APPROVAL OF A CONTRACT? Yes
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: During the June 2013 wind storm, a county owned garage across from the courthouse was destroyed. The Board authorized staff to solicit bids for a garage large enough for the County and for storage for Countryside Public Health. Staff solicited and received 7 bid for the project. The low bid was Ron Schade Construction at \$32,346.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING:	The garage was not covered by our insurance through MCIT. Due to this, FEMA allocated up to \$19,189.71 to demolish and replace the garage. The County spent \$2,775.00 demolishing the existing garage leaving \$16,414.71 for garage replacement.
	After spending the available FEMA funds, the County will be left with a cost of \$15,931.29. This cost can be covered and split between veteran's services department budget and the fund budgeted for repairs in Countryside Public Health.

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Currently review the proposed contract	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

Swift County 3 Stall Garage Bids at 212 15th Street N Closed July 9th, 2014 3:00PM

Company	Final Bid
Ron Schade Construction	\$32,346.00
CJ Thorson Construction	\$32,989.00
ADP Construction	\$37,622.00
Rich Cook Construction	\$39,706.78
Kranz Construction	\$40,850.00
NED Construction	\$43,730.82
Michael Evenson Construction	\$43,985.00

STATE OF MINNESOTA

COUNTY OF SWIFT

CONTRACT

This agreement, made this 15th day of July 2014, between the County of Swift in the State of Minnesota, party of the first part, hereinafter called the County, and Ron Schade Const. LLC of 1480 20th St SE, Benson, MN 56215 party of the second part, hereinafter called the contractor. Witnesseth, that the contractor, for and in consideration of the payment or payments herein specified and by the County to be made, hereby covenants and agrees to furnish all materials (except such as is specified to be furnished by the County), all necessary tools and equipment and to do and perform all the work and labor in the construction of a three stall garage located at 212 15th Street N, Benson, MN 56215 for the price and compensation of \$32,346.00 as set forth and specified in the proposal signed by the Contractor and hereto attached and hereby made a part of this agreement, said work to be done and performed in accordance with the Specifications therefore on file in the office of the County Administrator of said County, which Specifications are hereby made a part of this agreement.

Payments will be made by the County according to the following payment schedule:

- County will pay 1/2 of the contract amount or \$16,173.00 on or before August 22, 2014.
- County will pay the final 1/2 of the contract amount or \$16,173.00 within 10 days after the project is completed, appropriate lien waivers are received by the County, and the project is accepted by the Swift County Board.

The contractor further covenants and agrees that he will commence work on or before August 15, 2014, and will have same completed in every respect to the satisfaction and approval of the County, on or before November 15, 2014.

IN WITNESS WHEREOF, the said County has caused these present to be executed and the contractor(s) has(have) hereunto subscribed his(their) name(s).

Dated at Benson, Minnesota, this 15th day of July, 2014.

County of Swift

By _____
Chairman, County Board

County Administrator

Contractor

Approved as to form and execution this _____ day of _____, 20____.

County Attorney

2015 Preliminary Budget Board Discussion

July 15, 2014

Michel Pogge-Weaver
Swift County Administrator

Where are we in the 2015 budget process

- Departments are currently working on their 2015 budget requests which are due to the Administrator on July 31st.
 - Hence, this discussion will not address all of the additional requests or reductions that individual department may have for their 2015 budgets.
- One-on-one meeting will be held between August 18th through the 29th between departments and the Administrator.

Where are we in the 2015 budget process

- Board will have their first formal budget discussion on September 2.
- Preliminary Levy will be set likely be set on September 16th.
 - By statute the preliminary levy is required to be set by September 30th.

Purpose of Today's Discussion

- To get a general direction from the board on a target for the 2015 levy.

Required Additions Personnel Increases

- General COLA increases and step increases
 - COLA plus steps = \$150,000
 - FICA, Medicare, and PERA = \$22,725
 - TOTAL COLA and Benefits = **\$172,725**
- PERA Rate Increase of 0.5% starting Jan 1, 2015 = **\$29,000**
- Health Insurance – Increase 5% = **\$64,486**

NOTE: The above are required increases included in the approved contracts. This does not include cost to implement the classification and compensation study that is currently underway.

Optional Addition Personnel Increases

- Implement Classification and Compensation Study = **\$81,600**
 - Notes:
 - \$81,600 include wages, FICA, Medicare, and PERA costs.
 - The County is under no obligation to implement the Classification and Compensation Study.

Required Additions External Agency Costs

- 6W Community Corrections – Increase 16% or **\$29,601**
- Number of groups are asking a 3% to 5% increases include Pioneerland Library System, Countryside PH, and Swift Co Historical Society. = **Approx. \$10,000**

Optional Additions Staffing and GIS

- New Staff
 - Deputy Assessor – Add \$66,000
 - GIS/Database Administrator – Add \$76,000
 - Total New Staff = **\$142,000**
- Countywide GIS parcel mapping and Pictometry aerial flight = **\$210,000**

Optional Additions Deficit

- 2014 contained a planned deficit = **\$108,371**

Optional Additions Reserve Set Asides

- Reserve for Courthouse Heating and cooling Plant Replacement = \$200,000
- Reserve for ambulance purchase in 2016 \$40,000
- **Total Possible Reserve Set asides for Future Purchases = \$240,000**

Planned Reductions between 2014 and 2015

- Sheriff Department 800 MHz tower that was built in 2014 = **\$177,109**
- Youth Programs = **\$73,860**
- **Total Reductions = \$250,969**

Budget Recap

Item	Amount
Required Additions Personnel Increases	\$266,211
Optional Addition Personnel Increases	\$81,600
Required Additions External Agency Costs	\$39,601
Deputy Assessor	\$66,000
GIS Coordinator	\$76,000
Countywide GIS parcel mapping and Pictometry aerial flight	\$210,000
Deficit	\$108,371
Reserve Set Asides	\$240,000
TOTAL	\$1,087,783
Planned Reductions	\$250,969
FINAL TOTAL	\$836,814

Possible Levy Increases

- 2014 Levy = \$9,060,234

Percentage Levy Increase	Amount of new levy dollars	New Levy Total
3%	\$271,807	\$9,332,041
4%	\$362,409	\$9,422,643
5%	\$453,012	\$9,513,246
6%	\$543,614	\$9,603,848
7%	\$634,216	\$9,694,450
8%	\$724,819	\$9,785,053
9%	\$815,421	\$9,875,655

Possible Levy Increase Impacts VERY Preliminary

- Assumptions:
 - Residential Home \$85,000
 - 2014 value is \$85,000
 - 2015 value is \$87,550 (3% value increase)
 - Residential Home \$200,000
 - 2014 value is \$200,000
 - 2015 value is \$220,000 (10% value increase)
 - Commercial Property
 - 2014 value is \$200,000
 - 2015 value is \$206,000 (3% value increase)
 - 40 Acres of Ag Land
 - 2014 value is \$240,000
 - 2015 value is \$264,000 (15% value increase)

Possible Levy Increase Impacts VERY Preliminary

- Estimated **County portion** Property Tax Change between 2014 and 2015

Percentage Levy Increase	Residential \$85,000	Residential \$200,000	Commercial Property	40 Acres of Ag Land
0%	-\$13.55	-\$0.01	-\$103.05	\$41.90
3%	-\$7.43	\$21.30	-\$67.91	\$71.47
4%	-\$5.40	\$28.40	-\$56.19	\$81.33
5%	-\$3.36	\$35.50	-\$44.47	\$91.19
6%	-\$1.32	\$42.60	-\$32.76	\$101.05
7%	\$0.72	\$49.71	-\$21.04	\$110.91
8%	\$2.76	\$56.81	-\$9.33	\$120.77
9%	\$4.80	\$63.91	\$2.39	\$130.62