

SWIFT COUNTY BOARD MINUTES

September 3, 2013

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, Payroll Officer/General Assistant Amanda Ness and several guests.

Chairman Fox asked if there were any additions to the Agenda. There were none.

09-03-13-01 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the agenda. Motion carried unanimously.

09-03-13-02 Commissioner Peterson moved and Commissioner Klemm seconded to approve the Consent Agenda which consisted of the Board Meeting Minutes of August 20, 2013 and setting the 2013 tax forfeiture sale for October 2, 2013 at 9:00 AM. Motion carried unanimously.

The board reviewed the Commissioner warrants and no questions or comments were made.

09-03-13-03 Commissioner Rudningen moved and Commissioner Klemm seconded to approve the Commissioner warrants as follows: Revenue: \$43,320.92; and Solid Waste: \$2,115.39 which includes the following bills over \$2,000: Marsden Bldg Maintenance LLC, \$4,877.78; Pioneerland Library System, \$28,312.50; and Michel Pogge-Weaver, \$3,283.09. Motion carried unanimously.

Board and Committee Reports were given as follows: Chairman Fox reported on the Hospital Finance Committee, Hospital Board, and Southern Prairie Community Care (SPCC). Commissioner Klemm reported on Prairie Lakes Youth and the meeting with Blue Cross Blue Shield (BCBS) and our service cooperative. Commissioner Peterson reported on the Joint Engineer Review Committee meeting with Yellow Medicine County, 6W Corrections, and Prairie Five Community Action Council. Commissioner Rudningen also reported on the Joint Engineer Review Committee meeting with Yellow Medicine County. Commissioner Hendrickx reported on SPCC and the Minnesota Association of County Health Plans.

Administrator Pogge-Weaver reported on the FEMA kickoff meeting regarding the spring wind storm that hit Swift County. He further discussed the meeting between BCBS and our service cooperative and suggested the commissioners be represented at a meeting on Thursday, September 5th at 9:00 AM with Lincoln, Lyon, and Murray Counties to discuss joining them in an RFP to look at alternative health care providers. He also reported on the Joint Engineer Review Committee meeting with Yellow Medicine County and is working with the Administrator of that county on the topics discussed.

A public hearing was declared by Chairman Fox to discuss the County's ten year water plan. Environmental Services Director Scott Collins along with Matt Johnson of Midwest Community Planning, LLC presented the plan to the board, discussed the reason for the plan, and asked for comments. Tony Hughes of 655 Montana Avenue in Benson wanted to know who the stakeholders are in the plan. Mr. Johnson stated that the key stakeholders are the SWCD, the Chippewa River Watershed Project, and the Pomme de Terre Watershed District. Other stakeholders include the farming community and lake associations. Mr. Hughes also questioned the part in the summary regarding the 80 acre buffer strips. Director Collins explained that the task force was told specific sizes needed to be included in the plan in order to not have the plan thrown out when requesting funding. Bernie Zinda of 311 King Street in Holloway commented that he sat through the TMDL study process and it didn't prove that anything specifically was the problem and doesn't want to see the farmers hurt by a water plan.

09-03-13-04 Commissioner Hendrickx moved and Commissioner Rudningen seconded to continue the public hearing to the September 17, 2013 meeting at 11:00 AM. Motion carried unanimously.

Sheriff John Holtz brought the second reading of the Social Host Ordinance to the board along with a Frequently

Asked Questions handout. Commissioner Klemm pointed out that, even with the County passing it, the ordinance would need to be passed by the City in order for it to be enforced within city limits. He also stated that he received no positive feedback regarding passing the ordinance and said that his constituents already feel “too policed” and didn’t want to add any further rules. Commissioner Peterson said that he received both positive and negative feedback but that most of the negative feedback was due to misinformation regarding access to a person’s home. Commissioner Klemm also pointed out worries from his constituents about being held criminally responsible when they aren’t even home during the party. Sheriff Holtz pointed out that the person being charged would be the person who planned the party and that person might not necessarily be the property owner. James Payne of 380 90th Street SW, Benson asked Sheriff Holtz who is liable if the child has a party while the parent is away and someone gets hurt. County Attorney Finke stated that the ordinance doesn’t change the civil liability which means the property owner is still liable. He also pointed out that this ordinance is to stop a person from offering a minor the means to have a party with underage drinking. The criminal intent has to be there though. This is either by the intent to host a party for underage drinkers or by finding out about an underage party and doing nothing to stop it. The only exception to this is a parent allowing their own child to consume alcohol in their own home. Attorney Finke also reiterated that the Sheriff would decide whether or not to charge the individual, the Attorney would decide whether or not to prosecute, the Judge would decide whether or not to throw out the case, and the jury would decide whether the person was guilty or not so it is not giving one individual any more control than already exists. Rita Wersinger stated that she sometimes get calls from minors that have been drinking asking for her assistance and wanted to know how this ordinance would affect that. Attorney Finke pointed out that assisting the minor after they have been drinking would not fall under this ordinance as long as she had no knowledge of the drinking before or during the consumption of the alcohol. Restorative Justice Coordinator Jacquie Larson expressed that she is in favor of the ordinance as it would force parents to not allow the drinking and also not look the other way when they know about it. Bernie Zinda also said the ordinance would be a good thing as we are more educated today about the consequences of underage drinking and need to take more precautions that help educate the younger generations as well.

09-03-13-05 Commissioner Peterson moved and Commissioner Hendrickx seconded to approve the final reading of the Social Host Ordinance. Motion carried 4-1 with Commissioner Klemm opposing.

County Engineer Andy Sander asked the board to consider approving a resolution requesting transfer of state aid construction funds.

09-03-13-06 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve a resolution requesting transfer of state aid construction funds from 2014 to 2013 related to CSAH 17. Motion carried unanimously.

RDA Director Jen Frost presented the board with a \$30,000 revolving loan fund request for Headwaters Media, LLC to purchase the Benson radio station. It would be a ten year loan with monthly payments at 3.5% interest with a shared second behind the bank on business assets.

09-03-13-07 Commissioner Peterson moved and Commissioner Klemm seconded to approve the \$30,000 loan to Headwaters Media, LLC. Motion carried unanimously.

Administrator Pogge-Weaver gave an overview of the preliminary 2014 budgets and levies for the County, HRA, and RDA. He also went over options related to the preliminary budgets.

09-03-13-08 Commissioner Hendrickx moved and Commissioner Klemm seconded to approve increasing the Solid Waste Assessment from \$35 to \$50. Motion carried unanimously.

09-03-13-09 Commissioner Hendrickx moved and Commissioner Peterson seconded to approve Administrator Pogge-Weaver’s second option for reducing the preliminary budget which includes reducing Environmental Services reserves by \$104,355. Motion carried unanimously.

09-03-13-10 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the resolution for the 2014 preliminary budget and levies. Motion carried unanimously.

09-03-13-11 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve increasing the HRA levy from \$35,000 to \$45,000. Motion carried unanimously.

09-03-13-12 Commissioner Klemm moved and Commissioner Peterson seconded to approve increasing the RDA levy from \$77,000 to \$87,000. Motion carried unanimously.

09-03-13-13 Commissioner Rudningen moved and Commissioner Peterson seconded to approve setting the Truth-in-Taxation Hearing for December 3, 2013 at 6:00 PM. Motion carried unanimously.

09-03-13-14 Commissioner Peterson moved and Commissioner Rudningen seconded to approve setting the regular board meeting for December 3, 2013 at 4:00 PM. Motion carried unanimously.

Administrator Pogge-Weaver also brought up the 800MHz tower's ongoing maintenance cost and the future of the 911 dispatching center. Sheriff Holtz will gather more information for the board to review before making a decision.

Administrator Pogge-Weaver discussed capital expenses in smaller departments such as the purchase of the GPS and a truck for Parks and Drainage. After discussing the current way of taking the funds from reserves and then paying the funds back and Administrator Pogge-Weaver's suggestion of budgeting for the capital assets prior to their purchase the general consensus of the board was to set the funds aside and make the purchase when the funds are available for it.

Administrator Pogge-Weaver presented the board with a policy for the purchase and reimbursement of tablet computers for the Commissioners. The reimbursement could also cover a case, keyboard, and software needed. Training and setup would also be available.

09-03-13-15 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the County Board Tablet Computer Reimbursement Policy 108. Motion carried unanimously.

Courthouse office changes were also discussed including moving the Administrator and Payroll Officer positions into the Auditor's office in order to keep them in the loop. The board also further discussed moving to a one-stop-shop and discussed rearranging staff and offices in order to make that happen. The board's general consensus was to make this happen as soon as possible and to leave it up to Administrator Pogge-Weaver to work out the details with each department affected.

09-03-13-16 Commissioner Peterson moved and Commissioner Rudningen seconded to adjourn. Motion carried.

Meeting adjourned at 11:24 AM

WITNESSED:

Joe Fox, Chair

ATTEST:

Michel Pogge-Weaver, County Administrator