

Notice & Agenda

Swift County Board of Commissioners

Tuesday, April 21, 2015

11:00 AM

Swift County Board 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 the April 7, 2015 Regular Meeting
	4	(2) Consider approving the purchase of a garden tractor with attachments
	5-6	(3) Consider approving the purchase of copiers for the Attorney, Highway, and Sheriff departments.
	7-8	(4) Consider approving authorization to initiate an eviction due to nonpayment
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.	9-19	Public hearing to consider the adoption of an Ordinance relating to and regulating the use and operation of all-terrain vehicles, mini trucks, utility task vehicles, or motorized golf carts on Swift County highways and roadways under its jurisdiction.
11:40 a.m.		Environmental Services Director Scott Collins
	20-22	Consider approving the purchase of a Front End Loader for Environmental Services
11:45 a.m.		Highway Engineer Andy Sander
	None	State Highway 12 construction detour Update
		Other Business
	23	Discussion on the Marlene Giese Etal property
	24-30	GIS Section Corner Project
	None	Strategic Plan Update
12:00 Noon		Adjournment

SWIFT COUNTY BOARD MINUTES

April 7, 2015

Chairman Peter Peterson called the meeting to order at 9:00 AM with all present. Also in attendance were County Administrator Mike Pogge-Weaver, County Auditor Kim Saterbak, County Attorney Danielle Olson, Amanda Ness, and two guests.

Chairman Peter Peterson asked if there were any changes to the agenda. Administrator Pogge-Weaver noted that Conditional Use Permit #4779 would be removed due to the Planning and Zoning Commission tabling it during their meeting.

04-07-15-01 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the agenda with the noted change. Motion carried unanimously.

Commissioner Fox requested that the consideration for purchase of a garden tractor with attachments be removed from the consent agenda and moved to the agenda for the April 21, 2015 meeting so bids could be requested from other Swift County businesses.

04-07-15-02 Commissioner Fox moved and Commissioner Rudningen seconded to approve the Consent Agenda which consisted of: (1) Minutes from the March 17, 2015 Meeting (2) Approval of the revised Swift County Technology Committee Operating Guidelines and (3) Approval of improvements to the County Attorney building. Motion carried unanimously.

04-07-15-03 Commissioner Rudningen moved and Commissioner Fox seconded to approve the Commissioner warrants as follows: Revenue: \$68,100.17; Solid Waste: \$27,603.66; Road and Bridge: \$11,697.01; County Ditches: \$2,080.41; Welfare & Family Services, \$2,805.53 which includes the following bills over \$2,000: Albany Recycling Center, \$2,710.40; American Communications Inc, \$5,522.23; American Door Works, \$2,055.54; Chippewa County Auditor-Treasurer, \$2,080.41; Chippewa County Jail, \$2,280.00; City of St Cloud Minnesota, \$4,101.73; Computer Professionals Unlimited Inc, \$5,069.24; Geyer Recycling, \$5,525.00; Hewlett-Packard Company, \$2,248.89; Johnson Controls, \$7,357.50; Johnson Feed Inc, \$2,285.65; MN Dept of Transportation, \$5,993.09; Pflipsen Trucking LLC, \$8,238.36; Swift County Treasurer, \$12,683.20; Upper MN Valley RDC, \$3,396.00; Waste Management Of Northern Minnesota, \$6,684.53; and Yellow Medicine County Jail, \$3,331.78. Motion carried unanimously.

Board and Committee Reports were given as follows: Commissioner Rudningen reported on Prairie Lakes Youth, CEEVI Drug Taskforce, Central MN Emergency Services Radio Board, Technology Committee, and Planning and Zoning. Commissioner Hendrickx reported on the Housing Meeting, RDC, SPCC, Ditch #18, and NACO. Chairman Peter Peterson reported on the Safety Meeting, a letter from the Dept of Ag regarding GMO seed usage in the County, HRA, 6W Corrections, and Prairie Five. Commissioner Fox reported on Chippewa River Watershed, SPCC, SCBH, Ditch #18, Safety Meeting, and the Housing Meeting. Commissioner Edward Pederson reported on DAC, Historical Society, and Ditch #18.

Administrator Pogge-Weaver updated the board on the AMC CPA Taskforce and the March health insurance balance.

Chairman Peter Peterson opened the floor up for Citizen's Comments and Byron Giese presented the board with 36.4 acres of property owned by Orville and Mary Tatge's heirs that they would like to first make available for purchase by the County.

County Engineer Andy Sander asked the board to consider awarding the 2015 gravel crushing contract to

Commerford Gravel for \$117,600.

04-07-15-04 Commissioner Hendrickx moved and Commissioner Rudningen seconded to award the 2015 Gravel Crushing Contract to Commerford Gravel. Motion carried unanimously.

Engineer Sander further requested approval of the bid for the mill and bituminous overlay project, SAP 076-620-022, on CSAH 20 between Benson and TH 59 by Central Specialties for \$1,308,572.69.

04-07-15-05 Commissioner Fox moved and Commissioner Edward Pederson seconded to approve the bid. Motion carried unanimously.

A discussion was also had on township road damage in West Bank and Swenoda Townships related to the CSAH 17 construction project. No action was taken by the board.

Countryside Public Health SHIP Coordinator and American Lung Association Program Manager Erin Simmons presented the board with information regarding the e-cigarettes.

Swift County Benson Hospital's new CEO Kurt Waldbillig was introduced to the board.

Environmental Services Director Scott Collins requested approval of Conditional Use Permit Amendment #4778 requested by T-Mobile/SMJ International for tower upgrades on property owned by Gerald Ostebauer located 400 feet west of 50th Ave SE on the north side of 10th St SE.

04-07-15-06 Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve CUP Amendment #4778. Motion carried unanimously.

Director Collins further requested approval of Conditional Use Permit #4881 requested by Edit Storage, LLC for a self-storage building and possible expansion of more store buildings in the future located 500 feet north of W Logan Ave (US 59/State 7) on the west side of State Highway 119.

04-07-15-07 Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve CUP #4881. Motion carried unanimously.

County Auditor Kim Saterbak requested approval of a solid waste abatement for parcel 08-0162-000, they are currently paying for three and request the abatement of one.

04-07-15-08 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve abatement of one solid waste fee on parcel 08-0162-000. Motion carried unanimously.

The board recessed at 10:57 AM and reconvened at 11:07 AM.

Auditor Saterbak further requested approval of a solid waste abatement for parcel 03-0208-000 as the building was claimed to be uninhabitable.

04-07-15-09 Commissioner Hendrickx moved and Commissioner Fox seconded to deny the abatement on parcel 03-0208-000 until the uninhabitable building is removed from the property. Motion carried unanimously.

Administrator Pogge-Weaver updated the board on the use and operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on designated Swift County highways and roadways under its jurisdiction. A public hearing will be held on April 21, 2015 at which time the ordinance could be approved.

Administrator Pogge-Weaver requested the approval of a Swift Planning Grant for the City of Appleton in the amount of \$10,000 for comprehensive planning work.

04-07-15-10 Commissioner Hendrickx moved and Commissioner Fox seconded to approve the \$10,000 Planning Grant. Motion carried unanimously.

Administrator Pogge-Weaver further updated the board on the hiring of Chelsey Swenson in Human Services and Matthew Novak in the County Attorney's Office.

Administrator Pogge-Weaver further updated the board on the Strategic Plan groups' progress including the Diversity Group's work with the University of Minnesota Morris, the Communications Group's Public Information Team, the Enhancing the Organization Group's Redesign and Succession Planning Team, and the Launching Group's schedule for meeting with city councils and school districts.

04-07-15-11 Commissioner Rudningen moved and Commissioner Edward Pederson seconded to adjourn. Motion carried unanimously.

Meeting adjourned at 11:33 AM.

WITNESSED:

Peter Peterson, Chair

ATTEST:

Michel Pogge-Weaver, Clerk of the Board



Request for Board Action

BOARD MEETING DATE:
April 21, 2015

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 approving the purchase of a garden tractor with attachments										
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: With the hiring of a custodian for the courthouse, we are at the point that we would like to complete the mowing and snow removal internally. This will allow us especially during snow events to remove the snow more frequently and provide a better level of safety for the public and our employees. In addition to the garden tracker, the pricing include a mower, snow blower, and rotary broom attachments. As requested, staff secured an additional quote for the tracker and attachments. The County received the following quotes: <table border="0" style="width: 100%;"> <tr> <td>Eric's Motor Sports</td> <td style="text-align: right;">\$20,080.00</td> <td>(Simplicity Legacy XL 952cc)</td> </tr> <tr> <td>Amundson Peterson</td> <td style="text-align: right;">\$16,560.74</td> <td>(John Deere x758)</td> </tr> <tr> <td>Appleton Power Equipment</td> <td style="text-align: right;">\$18,672.00</td> <td>(Simplicity Legacy XL 952cc)</td> </tr> </table> Since this is an unbudgeted request, we are seeking approval of the board to make the purchase.		Eric's Motor Sports	\$20,080.00	(Simplicity Legacy XL 952cc)	Amundson Peterson	\$16,560.74	(John Deere x758)	Appleton Power Equipment	\$18,672.00	(Simplicity Legacy XL 952cc)
Eric's Motor Sports	\$20,080.00	(Simplicity Legacy XL 952cc)								
Amundson Peterson	\$16,560.74	(John Deere x758)								
Appleton Power Equipment	\$18,672.00	(Simplicity Legacy XL 952cc)								
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None										

Budget Information

FUNDING: Reserves

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Was not submitted for review	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None



Request for Board Action

BOARD MEETING DATE:
April 21, 2015

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 approving the purchase of copiers for the Attorney, Highway, and Sheriff departments.	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? Yes – Staff requests that the board approve allowing the approval of the final contract by the County Administrator (after review to form by the County Attorney). If this would have been a budgeted item (the County Attorney's copier was not specifically budgeted) this could have been approved by the County Administrator following the County's normal purchasing policy. It should be noted that there are funds available in the \$25,000 capital improvements fund that the board set aside to outfit the new County Attorney but staff elected to send this to the board for their review and approval.
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: The County solicited bids for copiers for the Attorney, Highway, and Sheriff departments. The county received 4 bids and the attached sheet shows these bids. Overall, Marco's proposal is what staff would like to go with; however, we have concerns with the proposed Samsung copiers that they are proposing. Marco has agreed to allow the county to demo copiers, at no cost, for two weeks. If that copier meets our needs then we would proposed to proceed with the purchase from Marco. The Marco proposal also has the additional benefit that they will service and provide the toner/ink for the exiting desk printers in the Attorney and Sheriff departments. Staff estimates that this will save the Sheriff's Department \$4,000 over 5 years. If the Samsung printers from Marco do not meet our needs, then we would like to proceed with the proposal from Willmar Business Solutions.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: Sheriff and Highway - 2015 equipment purchases budget. Attorney - reserves.
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Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Will approve the final contract prior to execution	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None

2015 Copier Purchases

Vendor	Willmar Business Solutions	Marco	Bennett	Viking
Equipment Purchase	\$ 16,574.00	\$ 18,463.00	\$ 20,807.00	\$ 25,117.00
5 Years of Maintenance	\$ 7,538.40	\$ 6,148.80	\$ 7,725.60	\$ 6,696.00
Total	\$ 24,112.40	\$ 24,611.80	\$ 28,532.60	\$ 31,813.00
Copier Brand	Toshiba	Samsung	Kyocera	Konica Minolta
Printer Replacement at the Sheriff's Office				
5 year cost of printers from Marco in the Sheriff's Department		\$ 5,857.20		
Current 5 year estimated cost for toner		\$ 10,000.00		
5 year Savings on Printers		\$ 4,142.80		



Request for Board Action

BOARD MEETING DATE:
April 21, 2015

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 approving authorization to initiate an eviction due to nonpayment	
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: The County has not received this year's form lease payment for property the county owns in the NW corner of State Highway 9 and County Road 29. The resolution authorizes the County Attorney to begin the process to terminate the lease. If the lessee does not make the farm lease payment (which they can do any time until the final court action is taken) the process will take a minimum of 14 days to complete or longer depending on when a court date can be set. This resolution is needed to begin the process.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: n/a

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Resolution approved to form	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None

RESOLUTION

**AUTHORIZATION TO INITIATE
AN EVICTION DUE TO NONPAYMENT**

Motion by Commissioner _____ Seconded by Commissioner _____

WHEREAS, Swift County, as lessor, has a farm lease with Joe and Susana DeVaan, a/k/a: Joseph DeVaan and Susana Camacho, as lessee dated October 2, 2012 for certain property in Kildare Township more particularly described as follows:

The E ½ of SE ¼ in Section 36, Township 122, Range 39, containing approximately 56 acres; and,

WHEREAS, as of April 21, 2015 Swift County has not received the 2015 farm lease payment that was due on April 1, 2015.

BE IT RESOLVED, by the Swift County Board of County Commissioners, that the process to terminate said farm lease with Joseph DeVaan and Susana Camacho shall be initiated by the Swift County Attorney.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 21st day of April 2015.

Swift County Board of Commissioners

Peter Peterson, Chairman

ATTEST:

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

Fox — Hendrickx — Pederson —
Peterson — Rudningen —



Request for Board Action

BOARD MEETING DATE:
April 21, 2015

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: Public hearing on a ordinance related to the permitting the use and operation of all-terrain vehicles, mini trucks, utility task vehicles, or motorized golf carts on designated Swift County highways and roadways under its jurisdiction	
AGENDA YOU ARE REQUESTING TIME ON: Other Business	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: The board had directed staff to draft an ordinance related to the use of all-terrain vehicles, mini trucks, utility task vehicles, or motorized golf carts on designated Swift County highways. Based on discussions at your April 7 th meeting, the attached ordinance has been revised and changes are noted in legislative mark up. The public hearing was advertised in the County's official paper in the Kerkhoven Banner on April 8, 2015. If the ordinance is approved at the board's April 21 st board meeting then a summary of the ordinance will be published in the Kerkhoven Banner on May 13, 2015 and will be effective that date, unless the board elects a later date.	
PREVIOUS ACTION ON REQUEST / None	
OTHER PARTIES INVOLVED?	

Budget Information

FUNDING: n/a

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Approved to form	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

**COUNTY OF SWIFT
STATE OF MINNESOTA**

**AN ORDINANCE RELATING TO AND REGULATING THE USE AND
OPERATION OF ALL-TERRAIN VEHICLES, MINI-TRUCKS, UTILITY
TASK VEHICLES, OR MOTORIZED GOLF CARTS ON **DESIGNATED**
SWIFT COUNTY HIGHWAYS AND ROADWAYS UNDER ITS
JURISDICTION.**

EFFECTIVE: _____

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

SECTION 1. PURPOSE, INTENT, AND AUTHORITY

This Ordinance is adopted pursuant to authorization and policies contained in Minnesota Statutes, Section 169.045, as amended, to allow special vehicle use on ~~designated~~ roadways under the jurisdiction of Swift County. This Ordinance is adopted for the purposes of:

1. Authorizing the operation of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts on ~~designated~~ County roadways within Swift County, Minnesota.
2. Providing an economic benefit to Swift County citizens by allowing operation of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts on ~~designated~~ County roadways to access our cities, businesses, golf courses, parks, and trails.
3. Restricting all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts from operating in ditch bottoms and along right-of-way slopes to ensure the integrity of the roadway system from excessive erosion and to allow the mowing and baling of grass along County roadways.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance, certain words and phrases are defined as follows:

All-Terrain Vehicle (ATV) – An all-terrain vehicle has the meaning given in Minnesota Statutes, Section 84.92.

Board – The Swift County Board of County Commissioners.

City – The cities of Swift County, Minnesota.

County – Swift County, Minnesota.

~~**Designated County Roadway Map** – The official County map, approved by the Swift County Board of County Commissioners as part of this Ordinance, indicating all County highways and roads or portions thereof designated for the operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts.~~

~~**Designated County Roadways** – All highways and roads or portions thereof, under the jurisdiction of the Swift County Board of County Commissioners, authorized by Ordinance for the operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts. This definition does not include the designation and operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on federal or state highways, township roads, or city streets.~~

Mini-Truck – A mini-truck has the meaning given in Minnesota Statutes, Section 169.011, Subd. 40a.

Motorized Golf Cart – A self-propelled motor vehicle designed and manufactured for sporting and recreational purposes that typically is not capable of exceeding speeds of 20 miles per hour.

Public Road Right-of-Way – The entire right-of-way of a public road, including the traveled portions, banks, ditches, shoulders, and medians of a roadway, which is not privately owned.

Swift County Special Vehicle Use Permit – A permit issued by Swift County allowing the use of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts on ~~designated~~ County roadways in Swift County.

Roadway – That portion of a County road or highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder.

Utility Task Vehicle (UTV) – A utility task vehicle means a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less, and has a total dry weight of 1,800 but less than 2,600 pounds.

SECTION 3. COUNTY PERMIT REQUIRED

1. Unless otherwise legally permitted, no person shall operate all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on ~~designated~~ County roadways, or portions thereof, without a valid, current, unrevoked Swift County Special Vehicle Use Permit.
2. Permit Application. Application for a Swift County Special Vehicle Use Permit must be made on a form supplied by the County and must contain the following information for each all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart permitted:
 - A. Date of application.
 - B. The name, address, phone number, and email address of the registered vehicle owner.
 - C. Year, make, model, and DNR registration, vehicle identification, or serial number of the vehicle to be permitted.
 - D. Proof of vehicle insurance.
 - E. Such other information as the Board may require.
3. Permit Fees. The Board may establish an annual fee for a permit.

4. Term of Permit. Permits are valid for two calendar year(s) beginning January 1 and ending December 31 of the last year the permit is valid. Vehicle owners are responsible for renewal of the Swift County Special Vehicle Use Permit every two years.
5. Proof of Permit. Permit decals shall be located on a plate that is clearly visible on the back of the all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart.
6. Exemptions. The provisions of this Ordinance shall not apply to the use of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts used by governmental agencies in the pursuit of their duties or during emergency use and during an organized and approved parade.
7. Coordinator and Authorized Permit Agents. The Swift County Sheriff's Office shall coordinate the issuance and itself may issue Swift County Special Vehicle Use Permits. The Swift County Sheriff's Office may set up a network of authorized issuers of Swift County Special Vehicle Use Permits as it sees fit.

SECTION 4. OPERATING CONDITIONS

1. Operation on ~~Designated~~ County Roadways. All-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts may ~~only~~ be operated on ~~designated-all~~ County roadways, ~~as noted on the Designated County Roadway Map~~, with an approved Swift County Special Vehicle Use Permit. Operation on federal and state highways and roads and streets under the jurisdiction of a city or township is not permitted by this Ordinance.
2. Regulations for Operation. All-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts must be operated on the extreme right-hand side of a ~~designated~~ County roadway, making left turns across the roadway only if it is safe to do so under prevailing conditions. All-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts shall not be operated on the inside slope, ditch bottom, or outside slope of the right-of-way, unless such operation is otherwise permitted by appropriate signage.
3. Times of Operation. All-terrain vehicles, utility task vehicles, and motorized golf carts may only be operated on ~~designated~~ County roadways from sunrise to sunset unless equipped with original equipment headlamps, tail lamps, and rear-facing brake lamps. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet. Mini-trucks are not restricted from operation at night or in inclement weather.
4. Required Equipment on Mini-Trucks. A mini-truck may be operated on ~~designated~~ County roadways if it is equipped with the following:
 - A. At least two headlamps.

- B. At least two tail lamps.
 - C. Front and rear turn-signal lamps.
 - D. An exterior mirror mounted on the driver's side of the vehicle and either:
 - i. An exterior mirror mounted on the passenger's side of the vehicle, or
 - ii. An interior mirror.
 - E. A windshield.
 - F. A seatbelt for the driver and front passenger.
 - G. A parking brake.
5. Required Equipment on Motorized Golf Carts. Motorized golf carts shall display the slow-moving vehicle emblem provided for in Minnesota Statutes, Chapter 169.522, and shall be equipped with a rear-view mirror when operated on ~~designated~~ County roadways.
 6. Required Equipment on All-Terrain and Utility Task Vehicles. All-terrain and utility task vehicles shall be equipped with a rear-view mirror when operated on ~~designated~~ County roadways.
 7. Crossing Intersecting Highways. The operator of an all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart, who has attained a Swift County Special Vehicle Use Permit, may cross any street or highway intersecting a ~~designated~~ County roadway.
 8. Application of Traffic Laws. Every person operating an all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart, who has attained a Swift County Special Vehicle Use Permit to operate on ~~designated~~ County roadways, has all the rights and duties applicable to the driver of any other vehicle under Minnesota Statutes, except when those provisions cannot reasonably be applied to all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts and except as otherwise specifically provided in Minnesota Statutes, Section 169.045, Subd. 7.
 9. Application of Other Laws. Every person operating an all-terrain vehicle, mini-truck, utility task vehicle, and motorized golf cart who has attained a Swift County Special Vehicle Use Permit to operate on ~~designated~~ County roadways shall abide by the provisions of all Minnesota statutes and rules governing the vehicle's use and operation requirements including but not limited to Minnesota Statutes, Chapter 169 (Traffic Regulations), and Minnesota Statutes, Chapter 84.92 – 84.929 (All-Terrain Vehicles), as amended.

10. Non-Application of Certain Laws. The provisions of Minnesota Statutes, Chapter 171, are applicable to persons operating mini trucks but are not applicable to persons operating all-terrain vehicles, utility task vehicles, or motorized golf carts, who have attained a Swift County Special Vehicle Use Permit to operate on ~~designated~~ County roadways, pursuant to this Ordinance. Except for the requirements of Minnesota Statutes, Section 169.70, the provisions of this chapter relating to equipment on vehicles are not applicable to all-terrain vehicles, utility task vehicles, or motorized golf carts operating, under permit, on ~~designated~~ County roadways.
11. Speed Limit. No person shall drive or operate an all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart on a ~~designated~~ County roadway at a speed in excess of 40 miles per hour or at a speed greater than is reasonable and prudent under the conditions.
12. Insurance. Owners and operators of all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts shall be able to furnish evidence of insurance coverage pursuant to Minnesota Statutes, Section 65B.48, as amended.
13. Age and License Requirements. Every person operating a utility task vehicle or motorized golf cart on a ~~designated~~ County roadway must be at least 16 years of age and have successfully completed a state-approved drivers' education course or a certified all-terrain vehicle safety training course. A driver's license is required to operate an all-terrain vehicle or mini-truck on a ~~designated~~ County roadway.

SECTION 5. PERMIT SUSPENSION

Swift County Special Vehicle Use Permits may be temporarily suspended by the Board, County Sheriff, or County Engineer if it is determined that use of ~~designated~~ County roadways by all-terrain vehicles, mini-trucks, utility task vehicles, and motorized golf carts is a threat to public safety.

SECTION 6. PERMIT REVOCATION

A Swift County Special Vehicle Use Permit may be revoked for any of the following reasons:

1. Violation of any requirements of this Ordinance.
2. There is evidence that the permittee cannot safely operate the all-terrain vehicle, mini-truck, utility task vehicle, or motorized golf cart on a ~~designated~~ County roadway.
3. Violation of any Minnesota laws or rules governing vehicle use and operation requirements including but not limited to provisions of Minnesota Statutes, Chapter 171, Chapter 169, or Chapter 84.92 – 84.929, as amended.

SECTION 7. RIGHT TO APPEAL

A permit applicant or permittee may appeal, in writing within five business days, the denial or revocation of a Swift County Special Vehicle Use Permit to the Board. The Board shall conduct a hearing within 30 days after the written appeal has been filed. The appealing party shall receive notice of the time and place of the meeting at least 10 days prior to the public hearing. The Board shall determine whether there is sufficient cause to support the denial or revocation of the Swift County Special Vehicle Use Permit. The Board shall make written findings in support of its decision immediately following the hearing, which shall be final.

SECTION 8. VIOLATION / PENALTY

Violations of any requirements of this Ordinance are petty misdemeanors, except that violations committed under circumstances that endanger or are likely to endanger persons or property are a misdemeanor.

SECTION 9. SEVERABILITY

The provisions of this Ordinance shall be severable. Should any section, paragraph; sentence, clauses, phrase or portion of this regulation be declared invalid for any reason, the remainder of said regulation shall not be affected and the remainder of the provision shall remain in full force and effect.

SECTION 10. REPEAL

This Ordinance repeals and replaces in its entirety the Mini-Truck Ordinance passed on March 15, 2011.

SECTION 11. EFFECTIVE DATE

The regulations contained in this Ordinance shall become effective from and after their publication according to law.

Passed by the Board of Commissioner of Swift County, Minnesota the _____ day of _____, 2015

SWIFT COUNTY BOARD OF COMMISSIONERS

Peter Peterson
Its: Chairperson of the County Board

Attest:

Michel J. Pogge-Weaver
Its: Clerk of the Board

Public hearing of this ordinance was held on: _____

Commissioner _____ moved to adopt the above Ordinance

Commissioner _____ seconded the motion

Record of Vote:	<u>AYE:</u>	<u>NAY:</u>
Commissioner Fox	_____	_____
Commissioner Hendrickx	_____	_____
Commissioner E. Pederson	_____	_____
Commissioner P. Peterson	_____	_____
Commissioner Rudningen	_____	_____

The Motion was consider on and duly passed on _____, 2015.

SUMMARY OF AN ORDINANCE RELATING TO AND REGULATING THE USE AND OPERATION OF ALL-TERRAIN VEHICLES, MINI-TRUCKS, UTILITY TASK VEHICLES, OR MOTORIZED GOLF CARTS ON SWIFT COUNTY HIGHWAYS AND ROADWAYS UNDER ITS JURISDICTION.

The ordinance, referred to as the Swift County ordinance relating to and regulating the use and operation of all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on Swift County highways and roadways under its jurisdiction and is adopted to protect and provide for public health, safety and general welfare of the County and its residents by licensing and regulating all-terrain vehicles, mini-trucks, utility task vehicles, or motorized golf carts on Swift County highways and roadways under its jurisdiction

A PRINTED COPY OF THE ENTIRE ORDINANCE IS AVAILABLE AT THE OFFICE OF SWIFT COUNTY ADMINISTRATOR, SWIFT COUNTY COURTHOUSE, 301 14th STREET, BENSON, MINNESOTA OR BY STANDARD OR ELECTRONIC MAIL. NORMAL OFFICE HOURS ARE MONDAY THROUGH FRIDAY 8:00 AM TO 4:30 PM.

This Ordinance was passed by the Board of Commissioner of Swift County, Minnesota the ____ day of _____, 2015 and will be effective ____ day of _____, 2015.

NOTICE OF INTENT TO ADOPT AN ORDINANCE RELATING TO AND REGULATING THE USE AND OPERATION OF ALL TERRAIN VEHICLES, MINI TRUCKS, UTILITY TASK VEHICLES, OR MOTORIZED GOLF CARTS ON DESIGNATED SWIFT COUNTY HIGHWAYS AND ROADWAYS UNDER ITS JURISDICTION.

PLEASE TAKE NOTICE that a public hearing will be held by the Swift County Board of Commissioners on the 21st day of April, 2015, at 11 o'clock a.m. in the Board Room of the Swift County Courthouse, 301 14th Street, Benson, MN, to consider the adoption of an Ordinance relating to and regulating the use and operation of all terrain vehicles, mini trucks, utility task vehicles, or motorized golf carts on designated swift county highways and roadways under its jurisdiction.

All interested persons may attend the public hearing.

A copy of the proposed Ordinance is available at the office of County Administrator at the Swift County Courthouse, 301 14th Street, Benson, MN 56215.

Dated: April 3, 2015

/s/ Michel J. Pogge-Weaver
Michel J. Pogge-Weaver
Clerk of the Board

Published: April 8, 2015



Request for Board Action

BOARD MEETING DATE:
April 21, 2015

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Environmental Services	REQUESTOR: Scott Collins	REQUESTOR PHONE: 320-843-2356
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving the purchase of a Front End Loader for Environmental Services	
AGENDA YOU ARE REQUESTING TIME ON: 11:40 am	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Swift County Environmental Services received the following three bids: CAT - \$129,225 Titan – CASE - \$113,260 John Deere 524K front end loader - \$103,490 After Randy Brandt, Plant Manager, reviewed the quotes, visited CAT & Titan dealerships, and test drove the loaders, his recommendation was to go with the John Deere front end loader.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: 2015 Capital Improvement

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Was not submitted for review	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None



Investment Proposal (Quote)

RDO Equipment Co.
 1710 East College Drive
 Marshall MN, 56258
 Phone: (507) 532-0994 - Fax: (507) 532-0993

Proposal for:
 SWIFT COUNTY RECYCLING CENTER
 1000 INDUSTRY ROAD
 BENSON, MN, 56215
 SWIFT(151)
 (320) 843-2356

Investment Proposal Date: 4/13/2015
 Pricing Valid Until: 5/13/2015
 Deal Number: 766978
 Customer Account#: 2356040
 Sales Professional: John Bot
 Phone: (507) 532-0994
 Fax: (507) 532-0993
 Email: JBot@rdoequipment.com

3 year/3000 preventative maintenance agreement is included in the price of the machine.

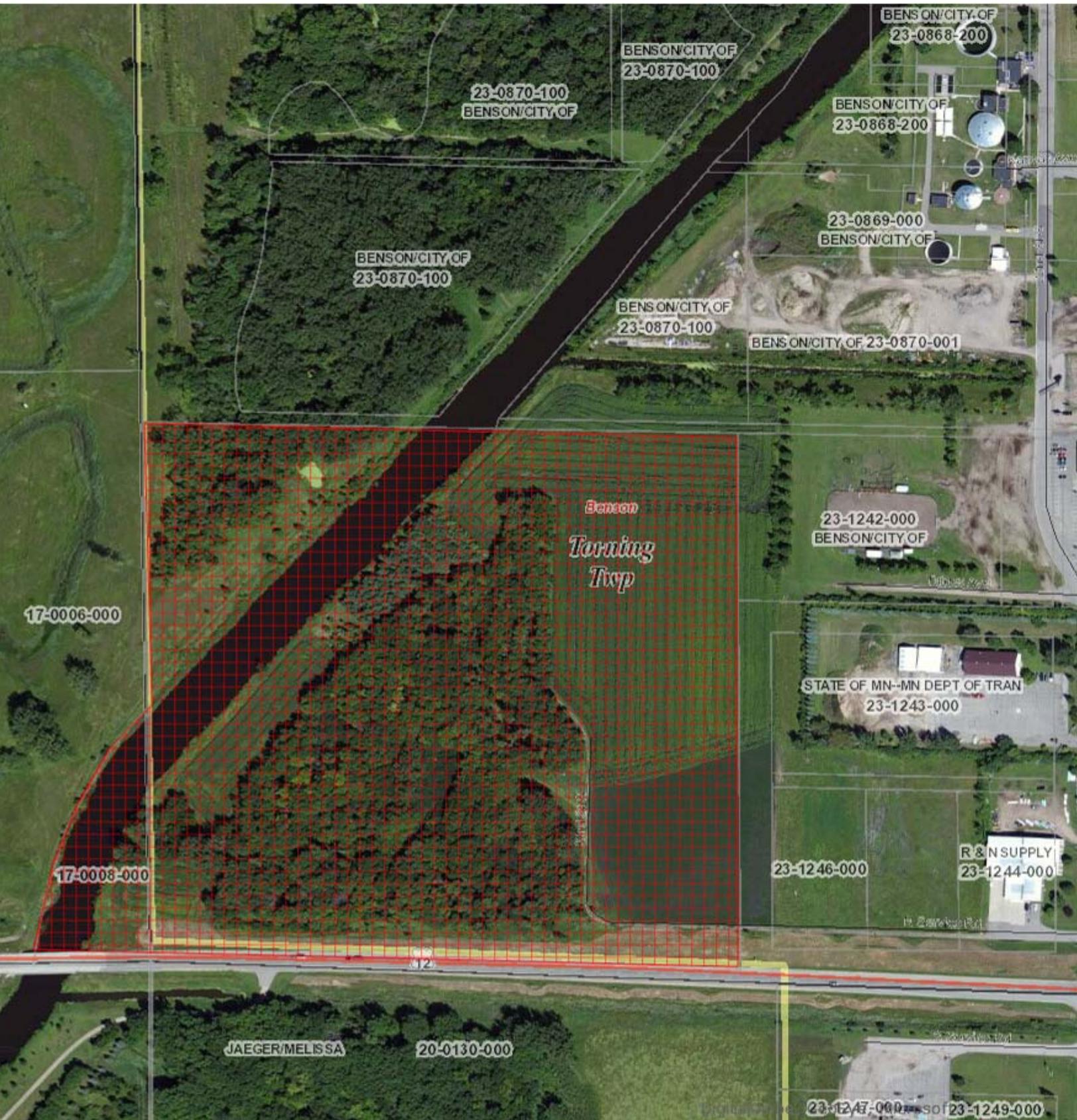
Quantity	Serial Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD	0	New 2015 JOHN DEERE 524K Freight Out delivery Warranty -John Deere Power Train & Hyd.-36 Months, 3000 Hours.Deductible: 0, Exp Date: 8/1/2018	\$137,400.00 \$300.00 \$1,190.00
1	TBD	0	Attachment - New 2015 TRM (BAIRD INC) 524k 3 yard 94" wide	\$4,600.00
Equipment Subtotal:				\$143,490.00

Serial Number	Year / Make / Model	Payoff Information	Trade In Value
DDA01187	2004 CAT 924G	\$0.00	(\$40,000.00)

Balance: \$103,490.00
 Total Taxable Amount: \$0.00
 Sales Tax Total: \$0.00
 Sub Total: \$103,490.00
 Cash with Order: \$0.00
 Balance Due: \$103,490.00

D766978

Quantity	Serial Number	Year / Make / Model	Description
1	TBD	2015 JOHN DEERE 624K	7550T - 624K 4WD LOADER 0610 - STANDARD GATHERING GROUP 0924 - FT4 ENGINE 1010 - STD 624K LOADER 1110 - TRANSMISSION WO AX DISC 1211 - 100 AMP ALT FT4 1310 - MUFFLER WITH BLACK EXHAUST 1430 - AIR INTAKE W PRECLEANER 1520 - REVERSE FAN DRIVE 1610 - FUEL TANK W STD FILTER 1700 - JD LINK ULTIMATE NA 3YR 1915 - STEERING CYLINDERS NG 2010 - ZBAR LINKAGE (ZB) 2120 - CONVENTIONAL STEERING 2220 - SEAT, CLOTH W AIR SUSPENSION 2422 - 2 FN VLVE-JOYSTICK W FNR 2510 - RIDE CONTROL SYSTEM 2605 - ENGLISH DECALS 2706 - 8 AMP CONVERTER 2890 - NO PAYLOAD SCALE 3046 - AXLE,STD REAR & HYD FRONT 3120 - AXLE MANUAL DIFF LOCK 4413 - 20.5R25 L2 1 STAR TT-3PC RIM 5630 - STD FRT FNDRS/R PLATFORM 5610 - LEFT SIDE STEPS 7110 - STD MARKER/TURN LIGHTS 8220 - CAST HITCH 8310 - OUTSIDE MIRRORS 8422 - CAB WITH AIR 8460 - AC CHARGE 8550 - BUCKET PINS 9066 - AXLE COOLER 9106 - STD RADIO AM/FM/WB 9125 - SINGLE BEACON BRACKET
1	TBD	2015 TRM (BAIRD INC) 624k 3 yard 94" wide	300GEN94"WIDE - 3 YARD COUPLER BUCKET DEERE QC





Request for Board Action

BOARD MEETING DATE:
April 21, 2015

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: Discuss and consider approving the GIS Section Corner Project	
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: The County solicited proposals to survey various section corners in the County in preparation of completing a GIS base layer for the County. This work is necessary to ensure that the overall accuracy of the parcel base map that will be completed as part of the project. Attached for the board's information is a listing of the proposals and bid amounts received for the project. Due to the wide spread in the project proposals, staff is completing a formal review of the proposal and will present a recommendation to the board at the meeting. Attached is also a map that shows the corners that will be surveyed as part of the base project and the add-alternative project.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: Reserves

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Under review	RECOMMENDATIONS: Still evaluating the proposals and contacting references
COMMENTS: n/a	COMMENTS: None

Swift County

BID TABULATIONS: GIS Section Corner Project

April 15, 2015

CONTRACTOR	Base Project	Cost Per Corner	Add-Alternate	Cost Per Corner	Base and Add-Alternate	Cost Per Corner
O'Malley & Kron Land Surveyors, Inc	\$ 34,960.00	\$ 230.00	\$ 14,030.00	\$ 230.00	\$ 48,990.00	\$ 230.00
Nyberg Surveying	\$ 74,500.00	\$ 490.13	\$ 45,700.00	\$ 749.18	\$ 120,200.00	\$ 564.32
Bonnema Surveys	\$ 90,440.00	\$ 595.00	\$ 38,125.00	\$ 625.00	\$ 128,565.00	\$ 603.59

April 10, 2015

Swift County
Attn: Mike Pogge-Weaver
301 14th Street North
Benson, MN 56215

Re: Estimate for Surveying Section Corners for GIS project.

Dear Mike:

Here is our proposal for obtaining G.P.S. Coordinates and filing Certificates of Government Location for the corners listed in the R.F.P. We will follow the requirements of the RFP (specifically the addendum issued on April 7, 2015), unless otherwise noted in this proposal, as detailed below:

-Base Project (152 corners):

This will include the following services:

- G.P.S coordinate in Swift County Coordinate System NAD 83, 1996 Adjustment. Coordinates will be supplied via spread sheet and listed on the Certificate of Government Location.
- File a Certificate of Government Location on corners that do not have one on record.
- File an updated Certificate of Government Location on corners that have a certificate but are missing current ties.

-Lump Sum = \$34,960.00 (Cost per corner = \$230.00)

-Add-Alternate Project (61 corners):

This will include the following services:

- G.P.S coordinate in Swift County Coordinate System NAD 83, 1996 Adjustment. Coordinates will be supplied via spread sheet and listed on the Certificate of Government Location.
- File a Certificate of Government Location on corners that do not have one on record.
- File an updated Certificate of Government Location on corners that have a certificate but are missing current ties.

-Lump Sum = \$14,030.00 (Cost per corner = \$230.00)

Project Notes:

- 1.) If awarded this project O'Malley & Kron Land Surveyors will be provided with a digital copy of all existing Certificates of Government Location by Swift County in a timely manner so that we may begin the project on April 21, 2015.
- 2.) O'Malley & Kron Land Surveyors will hand dig for corners that are locatable with a metal detector. Some corners may not be able to be located in this manner and may require the use of an excavator to dig for the corners. This service may be provided by Swift County or O'Malley & Kron Land Surveyors can subcontract this service. The cost for excavation if provided by us will be at a rate of \$120.00 per hour. The cost for road repair due to excavation will be the responsibility of the road authority. The exact cost of excavation will not be known until the project is substantially completed and the number of corners that need to be excavated is known. At this time we will provide Swift County with an over all estimate of excavation fees.

Payment Terms:

Swift County will pay 70% of the contract amount within 30 days of submittal of the G.P.S. location data to the County. The County reserves the right to verify the work and if errors are found the County may withhold the first payment until concerns are address by the contractor.

Swift County will pay the remaining contract amount within 30 days upon the filing of the Certificates of Government Location with the Swift County Land Records office.

Project time schedule:

It is O'Malley & Kron Land Surveyors understanding that Swift County requires that all G.P.S. Locations are to be obtained and submitted to Swift County by July 1, 2015 and that all Certificates of Government Location need to be filed with the Swift County Records Office by March 1, 2016. By signing this proposal I hereby certify that these dead lines will be met with the exception of any delays due to significant acts of weather.

Sincerely,

Ben O'Malley, PLS

Accepted By: _____ Date _____

Print Name: _____

[Company Profile](#)

[Services](#)

[Contact Us](#)

[Examples](#)



Company Profile

Subdivision

Platting & Design

[click here](#)

Wetland

Delineation

[click here](#)

Construction

Survey

[click here](#)

Boundary

Survey

[click here](#)

High Definition

3D Laser Scan

[click here](#)

O'Malley & Kron Land Surveyors, Inc. is a mid sized Land Surveying firm that provides Professional Land Surveying Services throughout Minnesota and North Dakota. We have 2 offices located in Willmar and Cold Spring, Minnesota. Our firm Consist of 3 licensed Land Surveyors and several qualified field and office staff to assist you with all of your Land Surveying needs.

Our Professional Land Surveyors:

Benjamin O'Malley, PLS

- Registered in Minnesota
- Principal Surveyor, Willmar Office
- 17 years of Land Surveying Experience in Central Minnesota
- Member of Minnesota Society of Professional Land Surveyors

Education

- AAS Degree in Civil Engineering Technology from St. Cloud Technical College
- BS Degree in Land Surveying and mapping from St. Cloud State University

Daniel Kron, PLS

- Registered in Minnesota and North Dakota
- Principal Surveyor, Cold Spring Office
- 17 years of Land Surveying Experience in Central Minnesota
- Member of Minnesota Society of Professional Land Surveyors

Education

- AAS Degree in Civil Engineering Technology from St. Cloud Technical College
- BS Degree in Land Surveying and mapping from St. Cloud State University

Adam Christenson, PLS

- Registered in Minnesota
- Associate Surveyor, Willmar Office
- 11 years of Land Surveying Experience in Central Minnesota
- Member of Minnesota Society of Professional Land Surveyors

Education

- AAS Degree in Civil Engineering Technology from St. Cloud Technical College
- BS Degree in Land Surveying and mapping from St. Cloud State University

We pride ourselves on providing our clients accurate, timely surveys to keep their projects

on time and on budget. Please contact us today for help with any Land Surveying needs you may have.

Willmar, MN Location

1004 2nd Street SE
Willmar, MN 53201
Ph.320-235-4012

Email: ben@omalley-kron.com

Cold Spring, MN Location

370 Chapel Hill Road
Suite 105
Cold Spring, MN 56320
Ph.320-685-5905

Email: dan@omalley-kron.com

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April 16, 2015

Swift County
Attn: Mike Pogge-Weaver
301 14th Street N.
Benson, MN 56215

Re: Surveying References.

Dear Mike:

Below is a list of reference as requested for the Government Corner project. Please let me know if this is sufficient.

-Stearns County Surveyor:

Scott Marlin, Deputy Surveyor
(320) 656-3696

-City of Cold Spring:

Paul Hoeschen, Public Works Director
(320) 685-7891

-City of Willmar:

Kevin Halliday, City Clerk
(320) 235-4913

-Schultz Engineering & Design:

Brian Schultz, P.E.
(320) 339-0669

-Mahler Architecture:

Graeme Mahler, AIA
(320) 257-2724

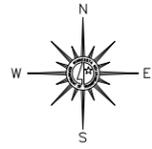
Sincerely,

Ben O'Malley, PLS

GENERAL HIGHWAY MAP SWIFT COUNTY

MINNESOTA

EXHIBIT "A"



S T E V E N S C O.

P O P P E C O.

R 43 W

R 42 W

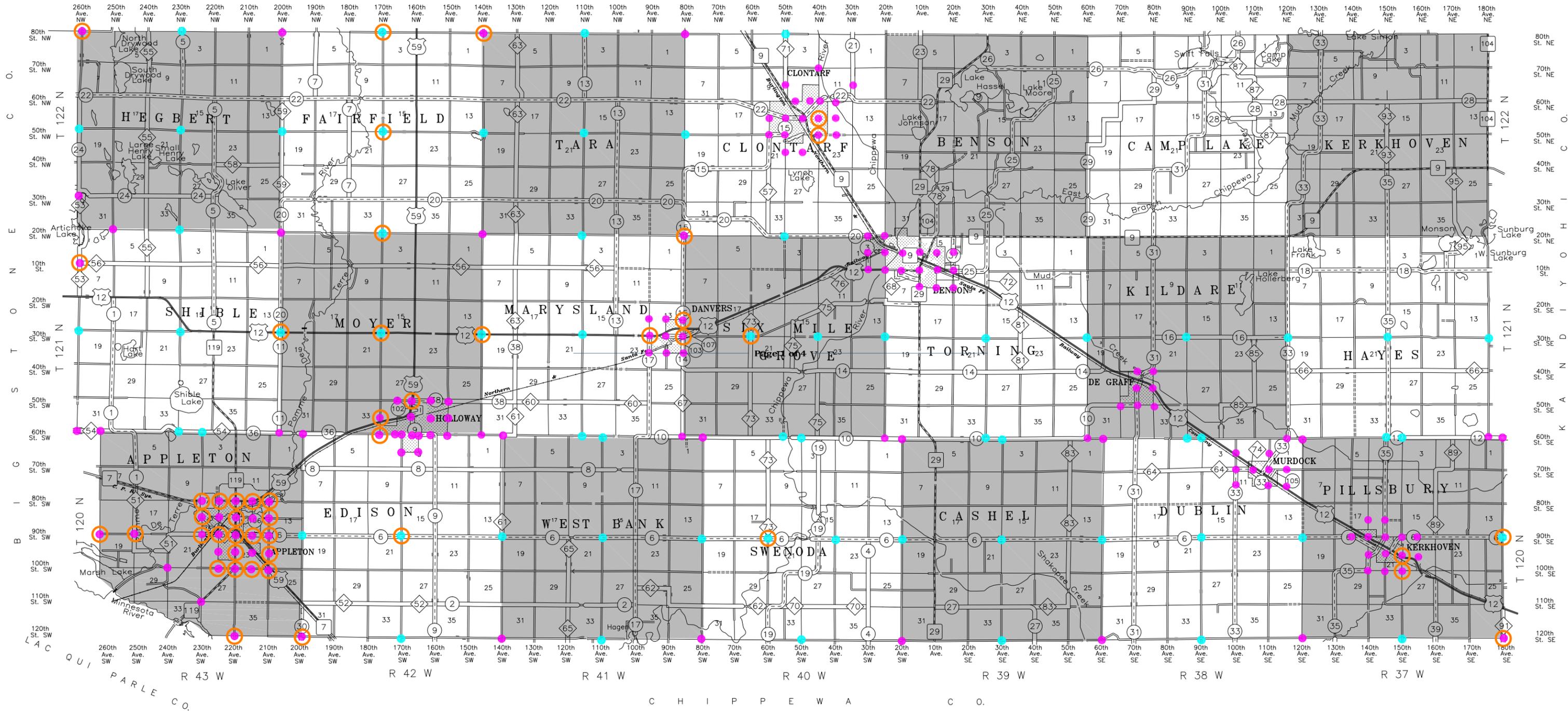
R 41 W

R 40 W

R 39 W

R 38 W

R 37 W



- Section Corner - Base Project (114)
- Section Corner - Base Project (38)

- Section Corner - Add-Alternate (51)
- Section Corner - Add-Alternate (10)

○ CERTIFICATE OF CORNER ON RECORD