

# Notice & Agenda

## Swift County Board of Commissioners

Tuesday, April 7, 2015

9:00 AM

Swift County Board Room – 301 14<sup>th</sup> 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>
9:00 a.m.		<b>Call to Order and Roll Call</b>
9:01 a.m.		<b>Approve Agenda</b>
9:03 a.m.		<b>Consent Agenda</b>
	1-2	(1) Minutes from the March 17, 2015 Meeting
	3-6	(2) Consider approving revised Swift County Technology Committee Operating Guidelines
	7	(3) Consider approving improvements to the County Attorney Building
	8	(4) Consider approving the purchase of a garden tractor with attachments
9:04 a.m.		<b>Consider Approval of Commissioner warrants and review Auditor warrants reviewed</b>
9:05 a.m.		<b>Commissioner and Board reports</b>
9:20 a.m.		<b>County Administrator report</b>
9:25 a.m.		<b>Citizens Comments</b>
9:25 a.m.		<b>County Engineer Andy Sander</b>
	9-10	Consider awarding the contract to Commerford Gravel, Inc. for the 2015 gravel crushing contract
	11-12	Consider approval of mill and bituminous overlay project (SAP 076-620-022) on CSAH 20 between Benson and TH 59
	None	Discussion on township road damage in West Bank and Swenoda Townships related to the CSAH 17 construction project
9:40 a.m.		<b>Presentation from Liz Auch, Countryside Public Health and Erin Simmons of the American Lung Association</b>
10:30 a.m.		<b>Introduction of Kurk Waldbillig, SCBH CEO</b>
10:35 a.m.		<b>Environmental Services Director Scott Collins</b>
	13-16	Consider 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.
	17-23	Consider approval of Conditional Use Permit #4779 requested by Benson Sportsman's Club for a shooting range for rifle shotgun, handgun and archery located on property owned by City of Benson property located 1500 feet east of County Road 37 on State Highway 9.

**Swift County Board of Commissioners**  
**April 7, 2015 Meeting Agenda**  
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<u>Time</u>	<u>Reference</u>	<u>Item</u>
	24-27	Consider approval of Conditional Use Permit #4881 requested by Edit Storage, LLC for self-storage building and possible expansion of more storage buildings in the future located 500 feet north of W Logan Ave (US 59/State 7) on the west side of State Highway 119.
10:50 a.m.		<b>County Auditor Kim Saterbak</b>
	28-35	Consider approving solid waste abatements for parcels 03-0208-000 and 08-0162-000
		<b>Other Business</b>
	36-44	Discussion on 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
	45-47	Consider approving a Swift Planning Grant for the City of Appleton in the amount of \$10,000 for comprehensive planning work
	48	Employment Updates
	None	Strategic Plan Update
12:00 p.m.		<b>Adjournment</b>

# **SWIFT COUNTY BOARD MINUTES**

## **March 17, 2015**

Chairman Peter Peterson called the meeting to order at 11:00 AM with all members present as well as County Administrator Mike Pogge-Weaver, County Attorney Danielle Olson, County Auditor Kim Saterbak, Amanda Ness, and several guests.

Chairman Peter Peterson asked if there were any additions to the agenda. Administrator Pogge-Weaver requested the addition of the Appleton Township Bonding Request during the CIP public hearing.

**03-17-15-01** Commissioner Fox moved and Commissioner Hendrickx seconded to approve the agenda with the noted addition. Motion carried unanimously.

**03-17-15-02** Commissioner Edward Pederson moved and Commissioner Rudningen seconded to approve the Consent Agenda which consisted of: (1) Minutes from the March 3, 2015 Regular Meeting. Motion carried unanimously.

**03-17-15-03** Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve the Commissioner warrants as follows: Revenue: \$9,872.00; Solid Waste: \$11,365.69; Road and Bridge: \$122,320.39; County Ditches: \$2,602.08; which includes the following bills over \$2,000: The Appleton Project, \$7,112.40; Benson Bowler, \$4,085.05; Center Point Energy Minnegasco, \$3,654.81; Commissioner of Transportation, \$19,500.00; Computer Professionals Unlimited Inc, \$15,238.24; Johnson Feed Inc, \$2,288.63; Kandiyohi County Auditor Treasurer, \$2,602.08; Kris Engineering, \$3,903.54; Midstate Supplies, \$15,881.79; Newman Traffic Signs, \$2,246.57; Nuss Truck Group Inc, \$63,337.07; Pioneerland Library System, \$30,118.25; Pro Action Safety Sales, \$6,826.58; Soil Conservation Office, \$5,000.00; Streichers, \$3,779; Waste Management Of Northern Minnesota, \$5,646.88; and West Central Steel Inc, \$2,109.33. Motion carried unanimously.

Board and Committee Reports were given as follows: Chairman Pete Peterson reported on Countryside Public Health. Commissioner Fox reported on the Township Association Annual Meeting, Well-Being Committee, Restorative Practices, Pomme de Terre, Woodland Centers, and Private Industry Council. Commissioner Edward Pederson reported on the Township Association Annual Meeting, and Soil and Water Conservation District. Commissioner Rudningen reported on the Township Association Annual Meeting, Well-Being Committee, Enhancing the Organization Strategic Plan Committee, Housing Study luncheon, and Planning Commission. Commissioner Hendrickx reported on AMC Legislative Conference, Dilapidated Housing Meeting, Woodland Centers, and Revolving Loan Fund Advisory Board Meeting.

Administrator Pogge-Weaver updated the board on the AMC Legislative Conference including roads, CPA, and the Appleton prison.

Chairman Peter Peterson asked if there were any citizen's comments. Curt Gabrielson and Gerald Aarhus of West Bank Township and Wayne Golden of Swenoda Township asked the board to look into the condition their townships' roads were left in after the project done by Duinick Inc. and whether they upheld the conditions of the CUP.

Pomme de Terre River Association Project Coordinator Jared House and Swift County Soil and Water Conservation District Technician Tom Orr updated the board on the proposed buffer strips.

**03-17-15-04** Commissioner Fox moved and Commissioner Rudningen seconded to approve applying for a grant regarding the buffer strips to be reconsidered if the grant is approved. Motion carried unanimously.

Environmental Services Director Scott Collins requested approval of Conditional Use Permit Amendment #4651 by East Dublin Dairy, LLP for East Dublin Dairy to modify manure storage basins.

**03-17-15-05** Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve the CUP Amendment #4651. Motion carried unanimously.

Director Collins further requested approval of Conditional Use Permit Amendment #4652 by East Dublin Dairy, LLP for Dublin Dairy to develop a new manure storage basin and increase the permitted animal units from 2,954 to 3,952.9.

**03-17-15-06** Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve the CUP Amendment #4652. Motion carried unanimously.

County Engineer Andy Sander and Assistant Engineer Paul Petrick presented the board with the 5 year Highway Department CIP.

**03-17-15-07** Commissioner Fox moved and Commissioner Rudningen seconded to approve the 5 year Highway Department CIP. Motion carried unanimously.

West-Con Financial Manager and Appleton Mayor Chad Syltie requested a resolution showing the board's support of the Appleton Township Bonding Request.

**03-17-15-08** Commissioner Hendrickx moved and Commissioner Fox seconded to approve the resolution. Motion carried unanimously.

**03-17-15-09** Commissioner Hendrickx moved and Commissioner Rudningen seconded to close the public hearing. Motion carried unanimously.

**03-17-15-09** Commissioner Rudningen moved and Commissioner Fox seconded to set the County Road Tour for April 13, 2015 at 8:00 AM. Motion carried unanimously.

**03-17-15-09** Commissioner Rudningen moved and Commissioner Hendrickx seconded to adjourn. Motion carried unanimously.

Meeting adjourned at 12:44 PM.

WITNESSED:

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Peter Peterson, Chair

ATTEST:

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Michel Pogge-Weaver, Clerk of the Board



# Request for Board Action

BOARD MEETING DATE:  
March 27, 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 revised Swift County Technology Committee Operating Guidelines	
AGENDA YOU ARE REQUESTING TIME ON: Consent Business	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: The Technology Committee has revised their Operating Guidelines and is seeking board approval on the changes.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

### Budget Information

FUNDING: Reserves
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### Review/Recommendation

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

## Operating Guidelines

(Revised: 03-27-2015)

### A. Name

The name of this group is the Swift County Technology Committee.

### B. Authority

The Technology Committee is established under the auspices and authority of the Swift County Board of Commissioners on 5-2-00 and as amended on 11-5-02.

### C. Purposes

The Technology Committee exists to ensure smooth administration of information technology services through interdepartmental communication, cooperation, coordination, and collaboration. Specific purposes of the group are:

- **Communication** – to share information of an intradepartmental nature that may be of interest or value to other group members related to information technology.
- **Cooperation** – to ensure interdepartmental and inter-governmental cooperation occurs on matters related to technology.
- **Coordination** - to coordinate the discussion, development and implementation of processes, procedures, projects related to technology.
- **Collaboration** – to work jointly by sharing in resources, expertise, and knowledge to solve problems or cope with issues that are of vital interest to the County in the area of information technology services.

### D. Membership

The membership of the Technology Committee is comprised of persons from within Swift County. Elected officials, non-elected employees, and related offices are represented on the group.

- **Elected County Officials (4)** – County Attorney (1) County Sheriff (1); County Treasurer (1); and County Commissioner (1)
- **Non-Elected County Employees (8)** – County Administrator (1); Assessor (1); Environmental Services (1); Extension (1); Highway Department (1); Human Services (1); IT Director (1); Tech Support Specialist (1).

### E. Length of Term

Membership terms are indeterminate.

## **F. Officers**

There are two officers of the Committee: Chairman and Secretary. Officers serve a one year period of time. Consecutive terms of office are at the discretion of the committee.

## **G. Duties of Officers**

The duties of the Chairman are:

- To prepare agendas and related material for meetings and insure they are e-mailed to all members.
- To act as facilitator during meetings.
- To make verbal reports to the County Board on an as needed basis.

The duties of the Secretary are:

- To maintain official minutes of the committee.
- To perform other duties as required.

## **H. Elections**

Election of the officers may be held at such time that the Committee determines. At a minimum, review of the need for an election shall occur in April.

## **I. Meetings**

Meetings of the Committee will normally be held the 4<sup>th</sup> Friday at 9:00 AM. Meetings will be held in a location determined by the Chairman. Agenda material should be e-mailed to all members at least three work days before regular meetings.

## **J. Voting**

A consensual model of decision making is the preferred method of decision making. In the event that votes are taken, each member shall have one vote. Unless otherwise indicated, a simple majority of those present will decide a vote.

## **K. Work Plan and Annual Report**

The committee will develop an **Annual Work Plan** for the coming year by the January meeting. An **Annual Report** of Committee activities will be prepared for the County Board and interested others.

## **L. Conflict of Interest**

Members should declare that a conflict of interest exists with any particular issue at such time that a members believe than an actual or apparent conflict exists. Members are expected to maintain high ethical standards which include the avoidance of even the appearance of impropriety.

**M. Alternative Dispute Resolution**

In the event of an unresolved dispute within the Committee, use of alternative dispute resolution will be considered.

**N. Relationship to County Board**

The Technology Committee has both formal and informal linkage to the Swift County Board of Commissioners. Formalized contact with the County Board will take place at mutually agreeable times for purposes of strategic planning and communication.

**O. Amendments and Guidelines Review**

The **Guidelines** will be reviewed by the Committee at least on an annual basis. Any changes in the **Guidelines** must be approved by the Committee at a regularly scheduled meeting for which advanced notice of such revision has been given.

\_\_\_\_\_  
Date of Approval

\_\_\_\_\_  
Committee Chairman

\_\_\_\_\_  
Committee Secretary



# Request for Board Action

BOARD MEETING DATE:  
March 27, 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 improvements to the County Attorney Building	
AGENDA YOU ARE REQUESTING TIME ON: Consent Business	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: While overall the County Attorney Building is sound, there are a few updates that need to be made to the building. First, the kitchenette has an old sink with a leaky faucet with no shut-off valves. The cost to replace the sink and faucet is \$707.00.  The three bathrooms, has plumbing issue with some of the fixtures likely in place since the building was built in the 1950's. Additionally, the bathrooms are carpeted and should be replaced with vinyl flooring. The cost to replace the fixtures is \$747 per bathroom for a total of \$2,241. The flooring is an additional \$1,835.60.  Finally, while in the next 2 to 3 year, the carpet in the building should be replaced, at this time we would like to proceed with replacing the carpet in the restorative justice office due to environmental concerns. The cost to replace that carpet is \$1,143.61.  The total cost of the three projects is \$5,927.21. Since this is an unbudgeted request, we are seeking approval of the board to make the purchase.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

### Budget Information

FUNDING: Reserves
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### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Approve	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None



# Request for Board Action

BOARD MEETING DATE:  
March 27, 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 Business	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.  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</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> </table> <p>Since this is an unbudgeted request, we are seeking approval of the board to make the purchase.</p>		Eric's Motor Sports	\$20,080	(Simplicity Legacy XL 952cc)	Amundson Peterson	\$16,560.74	(John Deere x758)
Eric's Motor Sports	\$20,080	(Simplicity Legacy XL 952cc)					
Amundson Peterson	\$16,560.74	(John Deere x758)					
PREVIOUS ACTION ON REQUEST / None							
OTHER PARTIES INVOLVED?							

### Budget Information

FUNDING: Reserves
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### 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 7, 2015

## 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 awarding the contract to Commerford Gravel, Inc. for the 2015 gravel crushing contract.	
AGENDA YOU ARE REQUESTING TIME ON: 10:25 a.m.	ARE YOU SEEKING APPROVAL OF A CONTRACT? yes
IS THIS MANDATED? no	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Swift County opened the 2015 gravel crushing bids on 3-30-2015. The Engineer recommends awarding the contract to Commerford Gravel, Inc. for the 2015 gravel crushing contract.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? none	

### Budget Information

FUNDING: County
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### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Will review contracts prior to execution	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: n/a

# Swift County Highway Department

## BID TABULATIONS: Gravel Processing 2015

March 30, 2015

### Gravel Processing

CONTRACTOR	BID
<b>Commerford Gravel</b>	<b>\$117,000.00</b>
<b>Central Specialties</b>	<b>\$134,000.00</b>
<b>Hard Rock Screening</b>	<b>\$150,000.00</b>



# Request for Board Action

BOARD MEETING DATE:  
April 7, 2015

## 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 approval of mill and bituminous overlay project (SAP 076-620-022) on CSAH 20 between Benson and TH 59.	
AGENDA YOU ARE REQUESTING TIME ON: 10:25 a.m.	ARE YOU SEEKING APPROVAL OF A CONTRACT? yes
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: This is the next section of CSAH 20 as approved in the 5 year highway construction plan. This is a mill and bituminous overlay project. Bids were opened on the 3-30-15 and the engineer recommends awarding the contract to central specialties.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?    None	

### Budget Information

FUNDING:    County
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### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Will review contracts prior to execution	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: n/a

# Swift County Highway Department

**BID TABULATIONS: S.A.P. 076-620-022**

March 30, 2015

Mill and Overlay project on CSAH 20 from CSAH 3 to TH 59.

CONTRACTOR	BID
<b>Central Specialties</b>	<b>\$1,308,572.69</b>
<b>Duininck Inc.</b>	<b>\$1,320,517.01</b>
<b>Anderson Brothers Const.</b>	<b>\$1,470,647.88</b>
<b>Knife River</b>	<b>\$1,497,708.66</b>
<b>Riley Brothers Const.</b>	<b>\$1,805,420.06</b>

**ENGINEER'S ESTIMATE**

**\$1,590,696.90**



# Request for Board Action

BOARD MEETING DATE:  
April 7, 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 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.	
AGENDA YOU ARE REQUESTING TIME ON: 10:10 am	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: This is a request to completed modification on an existing communication tower. Conditional Use Permit Amendment Required Conditional Use Permit per subsection 5.3 Code of Ordinances, Urban Development. Allowable use with Conditional Use Permit.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

### Budget Information

FUNDING: n/a
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### Review/Recommendation

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

**Special Conditions**  
**T-Mobile/SMJ International**  
**#4778**

1. The permit holder shall comply with all applicable governmental laws, rules and regulations as they may apply to the project.
2. All complaints, problems or concerns regarding public health, safety and welfare must be addressed by applicant's personnel within 72 hours of presentation of the complaint. Copies of all complaints and responses addressed to them shall be submitted to Swift County Environmental Services.
3. Granting of the conditional use permit amendment shall be for the plans submitted with the initial plan only.
4. All plans regarding approaches, access roads, as well as traffic control must be submitted to the township chairman and the Swift County Highway Engineer. Road setbacks and maintenance plans must also be submitted to the Swift County Highway Engineer.
5. Roads that are damaged due to the activities of the proposed project will be repaired by the lessee of this conditional use permit.
6. This Conditional Use Permit Amendment #4778 shall expire one year from the date of issuance if the permit is not utilized.
7. Violation of any of the above-stated conditions may result in revocation of the conditional use permit.

T-Mobile is proposing to remove three panel antennas, install three new panel antennas to the existing structure; any new equipment will go inside the existing lease area.

T-Mobile's installation is a collocation upgrade and will not extend the height of the structure. T-Mobile will not be expanding the existing fenced compound. T-Mobile will not be adding any lighting to the tower. This installation will not change the existing use of the wireless communication tower.



Mon Mar 2 2015 02:23:16 PM.



# Request for Board Action

BOARD MEETING DATE:  
April 7, 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 approval of Conditional Use Permit #4779 requested by Benson Sportsman's Club for a shooting range for rifle shotgun, handgun and archery located on property owned by City of Benson property located 1500 feet east of County Road 37 on State Highway 9	
AGENDA YOU ARE REQUESTING TIME ON: 10:10 a.m.	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: This site is proposed to be developed as a multiuse firearms and archery range. Required Conditional Use Permit per subsection 5.3 Code of Ordinances, Urban Development. Allowable use with Conditional Use Permit.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

### Budget Information

FUNDING: n/a
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### Review/Recommendation

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

**Proposed Special Conditions**  
**Benson Sportsman's Club**  
**Conditional Use Permit #4779**

1. The permit holder shall comply with all applicable governmental laws, rules and regulations as they may apply to the project.
2. The permit holder shall comply with all applicable environmental rules and regulations as they may apply to the project.
3. All complaints, problems or concerns regarding public health, safety and welfare must be addressed by applicant's personnel within 72 hours of presentation of the complaint. Copies of all complaints and responses addressed to them shall be submitted to Swift County Environmental Services.
4. Granting of the conditional use permit shall be for the plans submitted with this initial plan only.
5. All plans regarding approaches, access roads, as well as traffic control must be submitted to MN Department of Transportation Road setbacks and maintenance plans must also be submitted to the MN Department of Transportation.
6. This Conditional Use Permit #4779 shall expire one year from the date of issuance if the permit is not utilized.
7. Violation of any of the above-stated conditions may result in revocation of the conditional use permit.

# ***BENSON SPORTSMAN'S CLUB***



03/27/2015

The Benson Sportsman's Club proposes to utilize the property located on highway 9 approximately .75 miles from the city of Benson, referred to as the City of Benson laydown site for the following purposes. The site would be developed as a multiuse firearms and archery range.

This would include the development of the following, a 300 yard firearms range located on the west side of the property. This range would incorporate a series of bullet catches at the following ranges. 25, 50, 100, 150, 200, 250, and 300 yds. These bullet catches would be approximately 6-8 feet tall. Target stands would be placed in front of the bullet catches and each bullet catch would have its own firing platform clearly marked and designated for that shooting distance. The firing lanes will lay south to north with the firing direction being north. A large berm 20-25 ft. in height will be constructed at the north end of the range to stop overflight and insure safety. A shot house will be built covering the firing line to help mitigate noise and allow firing during inclement weather.

A portion of the site would also be developed as a shotgun trap range. This site would include a shooting line as well as a throw house. The trap range is set up in a manner that all shot stays within the boundaries of the property. Shot size will be limited to no shot larger than 7.5 shot to insure that the shot does not have the capability of leaving the site. The firing lanes will lay south to north with the firing direction being north.

A portion of the site will be utilized to develop an archery range. This range will consist of arrow stops that will be positioned at distance intervals of 10, 20, 30, 40, 50, 60, 70, 80, and 100 yds. from the firing line. The firing lanes will lay south to north with the firing direction being north.

A portion of the site will be utilized to develop a 1000 yd. long distance rifle range located on the east side of the property. This range would have bullet catches at the following ranges 400, 500, 600, 700, 800, 900, and 1000 yds. Target stands would be placed in front of

the bullet catches. There will be three firing positions located on an elevated earth platform at the firing line. The firing lanes will lay south to north with the firing direction being north. A large berm 20-25 ft. in height will be constructed at the north end of the range to stop overflight and insure safety. A shot house will be built covering the firing line to help mitigate noise and allow firing during inclement weather.

Prepared by:  
Ian D. Hodge  
BSC President



STATE OF MINNESOTA 02-0232-100

MEYER/THOMAS J & KIMBERLY D 02-0239-000

02-0236-000  
MEYER/THOMAS J & KIMBERLY D

BENSON CITY OF 02-0236-100

*Benson Twp*

GOFF/PHILIP & MICHAEL 02-0237-000

WIDSETH/LESLIE K & TODD  
02-0238-000

JACOBSON/ALAN C & KATHLEEN

20-0029-000

20-0026-000

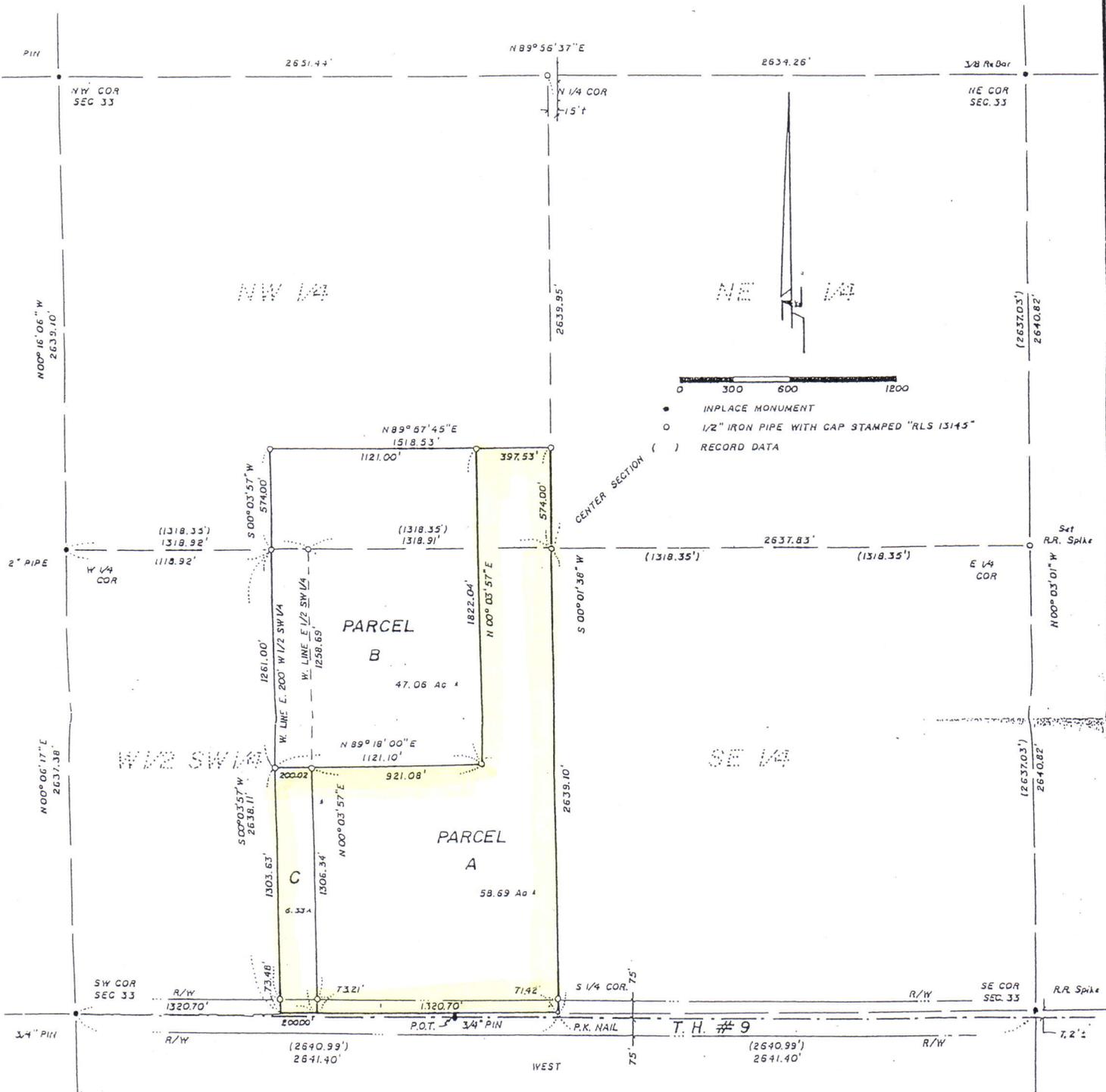
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20-0024-100

20-0024-000

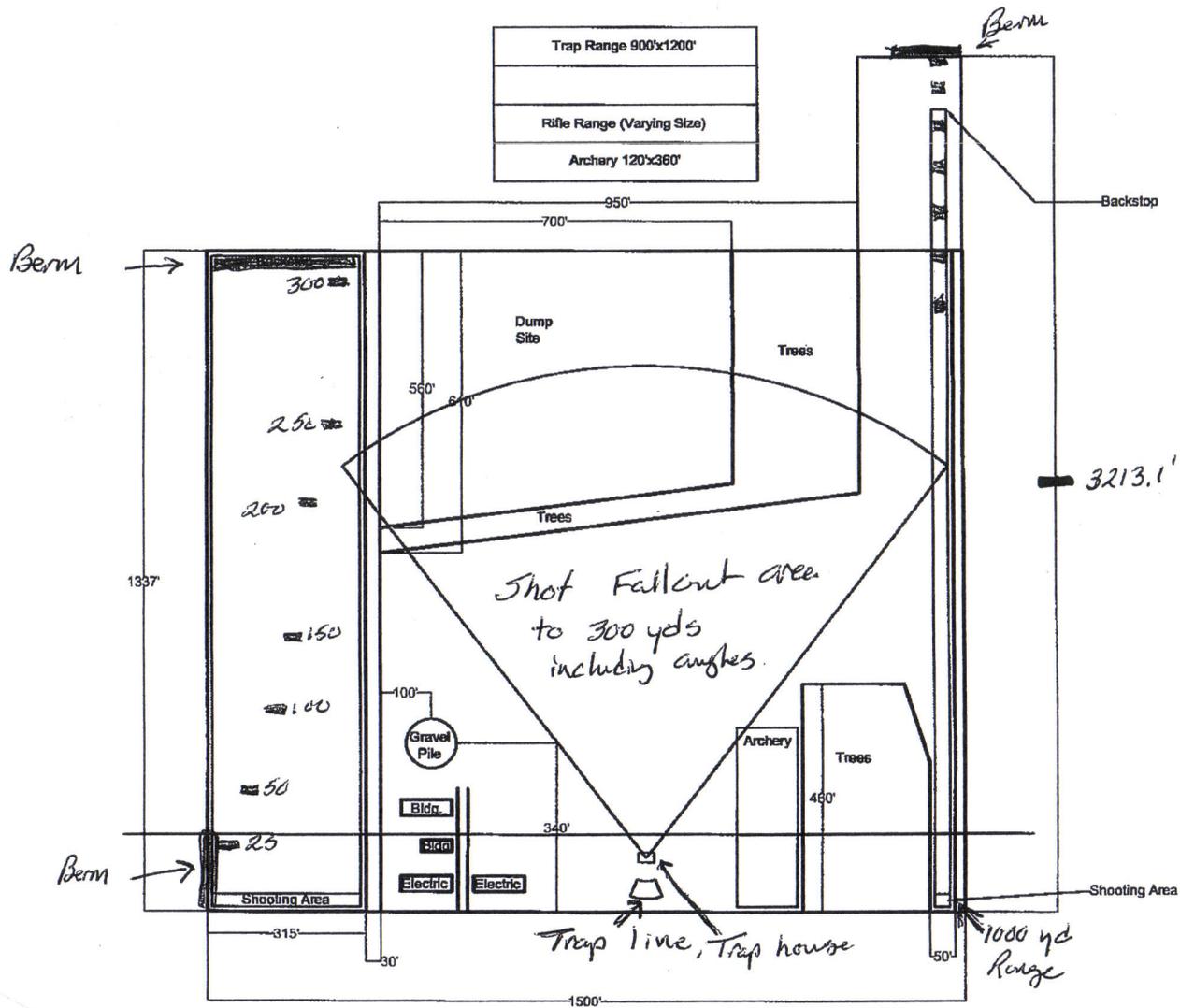
POWERED BY  
**esri**  
COOK/ROBERT J & DELORIS G

Tue Mar 10 2015 02:12:29 PM.



# Diagram A

Not to Scale





# Request for Board Action

BOARD MEETING DATE:  
April 7, 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 approval of Conditional Use Permit #4881 requested by Edit Storage, LLC for self-storage building and possible expansion of more storage buildings in the future located 500 feet north of W Logan Ave (US 59/State 7) on the west side of State Highway 119.	
AGENDA YOU ARE REQUESTING TIME ON: 10:10 a.m	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: This site is approximately five acres. The main plan for the site will be to have a 4,000 sq. ft. self-storage building erected on it, containing 22 individual mini storage units. Depending on demand for the units, possible expansion could take place. Due to the size of the lot and the minimal square footage that will be utilized right away, planting of the tillable acreage will be kept for the time being. Required Conditional Use Permit per subsection 5.3 Code of Ordinances, Urban Development. Allowable use with Conditional Use Permit.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

### Budget Information

FUNDING: n/a
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### Review/Recommendation

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

**Proposed Special Conditions**  
**Edit Storage, LLC**  
**Conditional Use Permit #4881**

1. The permit holder shall comply with all applicable governmental laws, rules and regulations as they may apply to the project.
2. The permit holder shall comply with all applicable environmental rules and regulations as they may apply to the project.
3. Permit holder shall agree to store all items inside of proposed commercial storage building.
4. Drainage in the area cannot be negatively affected.
5. All complaints, problems or concerns regarding public health, safety and welfare must be addressed by applicant's personnel within 72 hours of presentation of the complaint. Copies of all complaints and responses addressed to them shall be submitted to Swift County Environmental Services.
6. Granting of the conditional use permit shall be for the plans submitted with this initial plan only.
7. All plans regarding approaches, access roads, as well as traffic control must be submitted to MN Department of Transportation Road setbacks and maintenance plans must also be submitted to the MN Department of Transportation.
8. This Conditional Use Permit #4881 shall expire one year from the date of issuance if the permit is not utilized.
9. Violation of any of the above-stated conditions may result in revocation of the conditional use permit.

## **Edit Storage, LLC**

### **Summary**

This site is approximately 5 acres. My main plan for the site will be to have a 4000 sq. ft. self-storage building erected on it. The building will contain 22 individual mini storage units. Due to the size of the lot and pending demand for the units to be built I would potentially expand by building another building. Down the road I would like to add portable storage units that can be hauled to job sites and residential houses for temporary or permanent storage.

Due to the size of the lot and the minimal square footage I will be utilizing right away I would also like to keep the tillable acreage to be planted.



SCHRECK/KALAN W & RENAEEL  
01-0083-000

TOSEL/JULIE 01-0084-000

TOSEL/JULIE 01-0085-000

VANDERVELDE/NATHAN & SUSAN  
01-0087-000

TOSEL/DRU N/AND  
01-0088-000

POWERED BY  
**esri**

01-0061-000

01-0076-000  
RHEINGANS/LOIS V

RHEINGANS/LOIS V  
01-0070-000

01-0074-000  
JHNNKE/MICHAEL J

01-0071-000  
CARL/CHRISTOPHER

01-0075-000  
ARNOLD/ROBERT & LOIS

01-0083-100

01-0048-000  
MINNESOTA FARMS CO

*Appleton*  
Twp

01-0055-100  
INTERNATIONAL WID FELLOWSHIP

01-0055-000  
MUNS TERMAN/MELVIN ET AL

01-0049-100  
MUNS TERMAN/MELVIN

CLARK FAMILY FARMS LP/ETHEL 01-0049-000

300' (3)

27



# Request for Board Action

BOARD MEETING DATE:  
March 27, 2015

## Commissioner's Report

### Department Information

ORIGINATING DEPARTMENT: Auditor	REQUESTOR: Kim Saterbak	REQUESTOR PHONE: 320-843-6108
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### Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving solid waste abatements for parcels 03-0208-000 and 08-0162-000	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? yes	EXPLANATION OF MANDATE: Board review and approval for abatement
BACKGROUND/JUSTIFICATION: Parcel #03-0208-000. The building site is abandoned with the tree set to be removed soon. Attached is the request and a map of the property.  Parcel #08-0162-000. On the subject property (08-0162-000) there is two parcel records, one with a home and one with a garage over \$5,000 in value, which triggered two separate assessments (the difference has nothing to do with relative homestead as indicated in Mr. Beyer's letter). Attached is a copy of a map and tax record data for the property. Staff recommends only abating 1 year or \$50.00 and not the \$150.00 that was requested by the applicant.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

### Budget Information

FUNDING: n/a
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### Review/Recommendation

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



# SOLID WASTE ABATEMENT REQUEST

TO: Swift County Board of Commissioners

RE: Solid Waste Abatement

I, hereby, request that the Solid Waste Assessment on the following parcel be abated for the following reason(s).

PARCEL #: 03 - 0208 - 000

REASON FOR ABATEMENT:

Building site is abandoned trees are going to be removed

Michael Thompson

Signature

3-25-15

Date

APPROVED

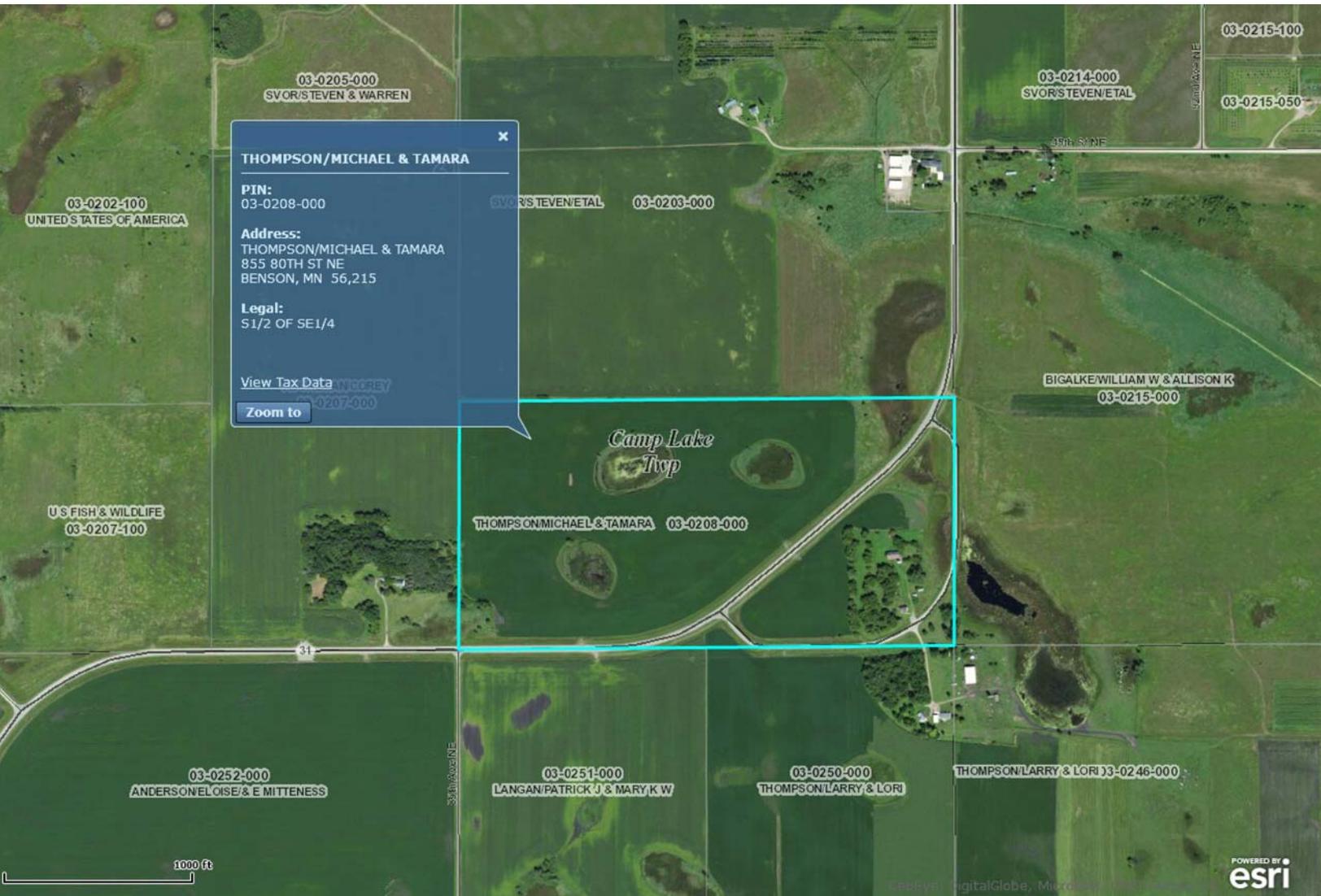
DENIED

\_\_\_\_\_  
Swift County Board Chairman

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board



Thu Mar 26 2015 09:02:37 AM.

# SOLID WASTE ABATEMENT REQUEST

TO: Swift County Board of Commissioners

RE: Solid Waste Abatement

I, hereby, request that the Solid Waste Assessment on the following parcel be abated for the following reason(s).

PARCEL #: 08 - 0162 - 000  
~~08-0000000000~~

REASON FOR ABATEMENT:

\_\_\_\_\_  
\_\_\_\_\_  
*See attachment*  
\_\_\_\_\_  
\_\_\_\_\_

Dean Beyr  
Signature

3-26-15  
Date

APPROVED

DENIED

\_\_\_\_\_  
Swift County Board Chairman

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

Dean M. Beyer  
1840 50th St NW  
Holloway, MN 56249

In reviewing my tax statements I noticed that I am being charged twice for solid waste on one farmstead compared to another. I was told that the reason for this is because of what they refer to as two records. One for the resident ( my son) the other for homestead relative. I feel that is contrary to making the solid waste assessment fair. Which would be one household one \$50.00 assessment. The way it is being calculated I feel I am being punished for taking advantage of the homestead relative credit. Since I feel that I have been unfairly assessed for a number of years I am asking for an abatement of \$150.00 which is my total solid waste assessment for 2015. If you can't see your way of doing that please at least give me an abatement of \$50.00 and change the way this is calculated in the future.

Thank You  
Dean Beyer



Fri Mar 27 2015 11:12:42 AM.

3/27/15

\*-PARCEL INQUIRY-\*  
REAL ESTATE

INQ010 11/24/09  
2014 PAY 2015

PCL # 08-0162-000/01 DEAN M & SHARLYN BEYER

\*-----MARKET/TAXABLE VALUES-----\*

LAND	983,600	983,600
BUILD	49,700	49,700
MACHINE		
EXEMPT		
EXCLUSION		
TOT MKT	1,033,300	1,033,300
GA LAND		
BLDG SITE		
HOUSE/GAR		
OTHER BLDG	49,700	
TILL LAND	961,300	
NC HOUSE		
NC OTHER		
NEW IMPRV		

\*--TAX CAPACITY--\*

NET TC	5,733
MKT REF	
Q.T.A.	
HS HG/1A	
NH HG/1A	
.50 %	4,600
1.00 %	1,133

VALUE RECORD 01 OF 02  
\*---MISCELLANEOUS---\*

MP#	08-0079-000
ASMT	101 AGRICULTURE
HST	1 CHOICE 1
FULL HOMESTEAD	REL
LIMITS %	
DEEDED AC	160.00
TILLABLE AC	145.00
CER	
HSTD NOTICE	0
SW FLAG	1
YEAR APPRAISED	00
MSC1	
MSC2	
MSC3	
MSC4	
MSC5	

ENTER PARCEL#/YEAR 8 - / 2015

F7-PRV YR INFO

F1-RETURN F2-INQ F3-EOJ F6-NEXT PRCL F8-NEW YR F12-PRV SCRN F18-PRV PRCL

majority MADE OF:

Machine Shed (2005) 34,700

Steel Bldg (1980) 9,000

3/27/15

\*-PARCEL INQUIRY-\*  
REAL ESTATE

INQ010 11/24/09  
2014 PAY 2015

PCL # 08-0162-000/02 DEAN M & SHARLYN BEYER

*-----MARKET/TAXABLE VALUES-----*	*--TAX CAPACITY--*	*---MISCELLANEOUS---*
LAND 11,000 11,000	NET TC 410	MP# 08-0079-000
BUILD 57,300 57,300		ASMT 201 RESIDENTIAL\S
MACHINE	MKT REF 68,300	HST 1 CHOICE 100
EXEMPT		FULL HOMESTEAD REL R
EXCLUSION 27,300- Q.T.A.		LIMITS %
TOT MKT 68,300 41,000	HS HG/1A	DEEDED AC
	NH HG/1A	TILLABLE AC
GA LAND 1.00 %	410	CER
BLDG SITE		HSTD NOTICE 0
HOUSE/GAR		SW FLAG 1
OTHER BLDG		YEAR APPRAISED 00
		MSC1
		MSC2
		MSC3
		MSC4
		MSC5

HSTMK EX

ENTER PARCEL#/YEAR 8 - / 2015 F7-PRV YR INFO  
 F1-RETURN F2-INQ F3-EOJ F6-NEXT PRCL F8-NEW YR F12-PRV SCR N F18-PRV PRCL



# Request for Board Action

BOARD MEETING DATE:  
March 27, 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: Discussion on 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. Attached is that ordinance. Staff is presenting this for an initial review and discussion by the board at this time. This will allow for the board to review the proposal and staff to make any revisions prior to a public hearing.  A public hearing has been set for the April 21 <sup>st</sup> board meeting with notice set to published in the County's official newspaper the Kerkhoven Banner on April 8 <sup>th</sup> .	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

### Budget Information

FUNDING: n/a
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### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Will review prior to the public hearing	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 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.



# Request for Board Action

BOARD MEETING DATE:  
April 7, 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 a Swift Planning Grant for the City of Appleton in the amount of \$10,000 for comprehensive planning work	
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 City of Appleton has made application for a Swift Planning Grant in the amount of \$10,000 to continue work on updating their comprehensive plan. The City of Appleton has entered into a contract with the RDC in Appleton to complete a comprehensive plan in the amount of \$30,000.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

### Budget Information

FUNDING: \$25,000 was set aside for the Swift Planning Grants in board discretionary funds.
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### Review/Recommendation

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



## Swift Planning Grants

Swift County wants to help cities and townships in our County to complete local planning activities. Your success is our success. We know that communities have lots of needs but may have a hard time paying for them. We listened to you and created a new fund to help subsidize the cost of our services to assist you with your requests.

### Eligibility

- Eligible entities for the Swift Planning Grant include all cities and townships in Swift County. \$25,000 has been earmarked for 2015 for the Swift Planning Grants.
  - An individual city of township can request up to \$10,000.
- Funds are available to complete comprehensive planning and strategic planning.
- Up to 50% of a project cost can be funded with a Swift Planning Grant.
  - Applicants can use and are encouraged to seek Hedgehog grants from the Upper Minnesota Valley Regional Development Commission to help fund the local match.
- One grant per project.
- One grant per eligible entity per year.
- Swift Planning Grants are reviewed and subject to approved by the Swift County Board of Commissioners.
- The Swift County reserves to right to update the eligibility guidelines at any time.

### Nature of Project

What type of project are you interested in?

Comprehensive Planning     Strategic Planning

### Contact Information

Community Name	City of Appleton
Contact Person	Roman A. Fidler
Mailing Address	323 West Schlieman Ave
City/ State/ZIP	Appleton, MN 56208
Work Phone	320-289-1363
Alt. Phone	
E-Mail Address	roman_56255@hotmail.com

**Project Details**

Please provide a brief description of the project you would like assistance with: Continue with comprehensive planning, review city code & rezoning

**Estimated Project Cost**

Total Estimated Project Cost \$ 30,000

**Requested Amount from Swift Panning Grant** \$ 10,000

*(Maximum request: eligible entities may apply for 50% of the total project cost up to \$10,000.)*

Are the remaining project costs committed from the City or other entity?  Yes  No

*(If Applicable)* Please list any other partners in the project and their financial commitment:

<b>Organization &amp; Contact</b>	<b>Committed Amount</b>
<u>Hedgehog Grant</u>	<u>\$5,000</u>
<u>City of Appleton/EDA</u>	<u>\$15,000</u>

**Authorized Signature**



\_\_\_\_\_  
Authorized Signature

3/24/15  
\_\_\_\_\_  
Date

Clerk/Treasurer  
\_\_\_\_\_  
Authorized Signature Title



## SWIFT COUNTY ADMINISTRATION

Historic Courthouse  
301 14th Street N  
P.O. Box 288  
Benson, MN 56215

### Memo

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To: Board of Commissioners  
From: Mike Pogge-Weaver, County Administrator *MSPW*  
Date: April 3, 2015  
Re: Employment Updates

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The following individuals were appointed since March 1, 2015:

- Chelsey Swenson, Social Worker, March 16, 2015
- Matthew Novak, Assistant County Attorney, March 18, 2015

The following positions were approved to begin advertising since March 1, 2015:

- None

The following individuals tendered their resignation since March 1, 2015:

- None