

Notice & Agenda

Swift County Board of Commissioners

Tuesday, May 20, 2014

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 May 6, 2014
	4-5	(2) Consider appointing Dr. Richard R. Horecka to the SCBH Board of Directors
	6-8	(3) Consider approving a resolution setting a wheelage tax in 2015 for transportation improvements in Swift County
	9-10	(4) Consider appointing Andy Sander to a 4 year term as County Engineer running until May 31, 2018
	11-15	(5) Consider approving solid waste abatements for Parcel #23-0388-100, Parcel #23-0388-200, Parcel #17-0045-000, Parcel #26-0095-050, Parcel #02-0033-100
	11 & 16	(6) Consider approving solid waste abatement for one year for Parcel #28-0072-000
	17	(7) Consider approving an appropriation of up to \$1,000 to the well-being committee
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.		Introduction of Tim Miller candidate for Minnesota House 17A
11:40 a.m.		County Treasurer Ron Vadnais
	18-19	Treasurer's Office Annual Report
	20-22	Review first quarter 2014 financials
11:40 a.m.		Vicki Syverson, Executive Director of the Swift County HRA
	23-25	Consider approving the Swift County HRA establishing an emergency housing revolving loan fund
12:00 p.m.		Lunch Break
1:00 p.m.		Scott Collins Environmental Services Director
	26-38	Public Hearing and consider adoption of a revised Subsurface Sewage Treatment Management Ordinance
	39-42	Consider approving amended Conditional Use Permit #4457 for Johnson Dairy, Inc. (Owner)
		Other Business
	43-46	Consider approving an amendment to the County's Credit Card Policy
2:00 p.m.		Adjournment

SWIFT COUNTY BOARD MINUTES
May 6, 2014

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

Commissioner Rudningen requested to have items (5) Consider approval to purchase a truck for Parks and Wetlands and (6) Consider approval to purchase a truck for Highway removed from the consent agenda and moved to the regular agenda for full board discussion.

Chairman Fox asked if there were any other changes or additions to the agenda. None were requested.

05-06-14-01 Commissioner Klemm moved and Commissioner Hendrickx seconded to approve the agenda with the noted changes. Motion carried unanimously.

05-06-14-02 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the Consent Agenda which consisted of: (1) Minutes from the April 15, 2014 Meeting (2) Appointment of trustees for the County's 457(b) deferred compensation plans (3) Approval of a contract with Nationwide Title Clearing Inc. and CSC e-Recording Solutions related to e-recordings (4) Approval to donate a 2008 Dodge Durango to SCBH for Mental Health Transports (7) Approval of a resolution to close out projects SAP 076-599-049 and 076-599-051 (8) Approval of a combination liquor license, on and off sale including Sunday liquor, for Honebrink LLC dba Brink's Beer Joint Bar and Grill and (9) Approval of an agreement with Lutheran Social Services (Willmar/Alexandria sites) for Family Based Interventions. Motion carried unanimously.

Parks and Drainage Supervisor Mike Johnson and County Engineer Andy Sander requested approval to purchase vehicles for their departments.

05-06-14-03 Commissioner Rudningen moved and Commissioner Peterson seconded to approve the purchase of the Parks and Drainage vehicle and the Road and Bridge vehicle from Nolan Baker Ford. Motion was defeated 1-4 with Commissioner Rudningen voting for the motion.

05-06-14-04 Commissioner Hendrickx moved and Commissioner Peterson seconded to approve the purchase of the Dodge Tradesman from Valu Ford for Parks and Drainage and the ¾ ton Ford from Nolan Baker for Highway. Motion carried 4-1 with Commissioner Rudningen opposing.

05-06-14-05 Commissioner Rudningen moved and Commissioner Fox seconded to have the Policy Committee look at drafting a Bid Process and Local Patronization Policy. Motion carried unanimously.

05-06-14-06 Commissioner Rudningen moved and Commissioner Peterson seconded to approve the Commissioner warrants as follows: Revenue: \$170,255.33; Road and Bridge: \$129,262.04; Solid Waste: \$8,180.10; Welfare & Family Services: \$83.58; and County Ditches Fund: \$599.60 which includes the following bills over \$2,000: 6W Department of Community Corrections, \$90,401.73; City of Appleton, \$10,000.00; Co-op Credit Union, \$3,214.60; L.G. Everist, Inc, \$11,115.51; Lyle Signs Inc, \$3,582.98; Midstate Supplies, \$16,177.92; Morris Sand and Gravel Inc, \$2,475.00; Pomme de Terre River Association, \$6,412.00; Pro Action Safety & Sales, \$9,089.06; Royal Tire Inc, \$5,215.31; Soil Conservation Office, \$12,500.00; Southside Body Shop & Glass, \$2,537.62; Tostenson Septic LLC, \$3,570.00; Towmaster Inc, \$79,910.21; Tyler Technologies, Inc, \$11,809.71; Waste Management of Northern Minnesota, \$8,035.86; and Yellow Medicine County Jail, \$23,790.95. Motion carried unanimously.

Board and Committee Reports were given as follows: Chairman Fox reported on the Hospital Finance Board, the Hospital Board, and Chippewa River Watershed. Commissioner Klemm reported on Prairie Lakes Youth, DAC, Extension Committee, MN Public Sector Collaborative meeting, and announced that he would not be seeking reelection this year. Commissioner Peterson reported on Prairie Five Community Action, 6W Corrections and

HRA. Commissioner Rudningen reported on the Extension Committee, Technology Committee, and the Insurance Committee. Commissioner Hendrickx reported on the Insurance Committee, 6W Corrections, Southern Prairie, Prairie Waters Tourism and RDC.

Administrator Pogge-Weaver informed the board that due to a staff shortage and the work load they would need to move the Treasurer's Annual Report and review of first quarter financials to the next meeting.

Mr. Pogge-Weaver and Auditor Saterbak reviewed and answered board questions regarding the first quarter 2014 Executive Departmental Budget Report.

County Assessor Wayne Knutson and Ms. Saterbak presented the board with property tax abatements for parcel 28-0358-000 (Finstrom Property) as the City of Kerkhoven recently requested it be moved to the Ag Tax District and parcel 04-0056-000 (Suter Property) as Chippewa County incorrectly reported the cross-county ag homestead carryover.

05-06-14-07 Commissioner Rudningen moved and Commissioner Klemm seconded to approve the property tax abatements for parcel 28-00358-000 and 04-0056-000. Motion carried unanimously.

Environmental Services Director Scott Collins presented the board with Conditional Use Permit #4455 to So. MN Beet Sugar Coop (Purchaser)/Walking C Farms LLC, c/o Nancy Johnson (Owner) for a sugar beet receiving and storage site.

05-06-14-08 Commissioner Rudningen moved and Commissioner Peterson seconded to approve Conditional Use Permit #4455. Motion carried unanimously.

Director Collins presented the board with Conditional Use Permit #4450 to Federated Telephone Co. (Owner)/AT&T (Lessee) as an amendment for the Conditional Use Permit recorded on April 12, 2011 to replace an existing antenna array with advanced technology antennas and relative items necessary to improve wireless performance.

05-06-14-09 Commissioner Hendrickx moved and Commissioner Peterson seconded to approve Conditional Use Permit #4450. Motion carried unanimously.

Chippewa River Watershed Project Executive Director Kylene Olson requested support from Swift County Environmental Services for submitting an application to the Board of Water and Soil Resources for the pilot, One Watershed One Plan. Mr. Collins recommended supporting the pilot application.

05-06-14-10 Commissioner Hendrickx moved and Commissioner Klemm seconded to approve sending a letter of support for being a pilot watershed in One Watershed One Plan. Motion carried 4-1 with Commissioner Peterson opposing.

The board took a short recess and reconvened at 10:30 AM.

Mr. Pogge-Weaver asked the board to consider approving an agreement between Swift County and Yellow Medicine County for Highway Engineer Services.

05-06-14-11 Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve the Shared Highway Engineer Services Agreement. Motion carried unanimously.

05-06-14-12 Commissioner Hendrickx moved and Commissioner Rudningen seconded to reschedule the Road Tour to June 30th from 8:00 AM to 12:00 PM. Motion carried unanimously.

05-06-14-13 Commissioner Hendrickx moved and Commissioner Fox seconded to approve continuing the

Wheelage Tax indefinitely. Commissioner Rudningen moved and Commissioner Peterson seconded to amend the motion to continue to 2015 and to review and vote again next year. The amendment carried 3-2 with Commissioner Hendrickx and Commissioner Fox opposing. The amended motion carried unanimously.

Mr. Pogge-Weaver reported to the board that the advertised Deputy Assessor position was offered to Darla Schwendemann as an Appraiser position instead and she will start on May 19th. The Insurance Committee met on April 29th. The MN Public Sector Collaborative met on May 5th, all groups are meeting expectations and will be making a recommendation for next year's premiums around August. There was a training held in the LEC on background checks on new hires that Mr. Pogge-Weaver attended with Sheriff Holtz. Counseling Associates has temporarily moved out of the Countryside Public Health building into a space at ACMC and they are now looking at making that permanent. The board will be kept up to date on any changes involving that building. The Technology Committee is working on the GIS Mapping and currently has it on the County's intranet.

Mr. Pogge-Weaver started the discussion on the 2015 Initial Budget and updated the board on the expected changes to the budget. In June the staff will start working on their portions of the budget.

Mr. Pogge-Weaver also requested the board consider approving a Swift Planning Grant for the City of Appleton in the amount of \$10,000 for comprehensive planning work.

05-06-14-14 Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve the grant. Motion carried unanimously.

Chairman Fox adjourned the meeting at 11:13 AM.

WITNESSED:

Joe Fox, Chair

ATTEST:

Michel Pogge-Weaver, Clerk of the Board



Request for Board Action

BOARD MEETING DATE:
March 20, 2014

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider appointing Dr. Richard R. Horecka to the SCBH Board of Directors	
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 recent resignation of Dr. Matt Dammeyer, there is a vacancy on the SCBH Board of Directors. Traditionally, the medical staff has selected one of their members to serve on the SCBH Board of Directors in one of the County Board seats. The medical staff has selected Dr. Richard R. Horecka and respectfully requests that the Board approve his appointment to the SCBH Board of Directors effective immediately.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: n/a

Review/Recommendation

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

RESOLUTION

**MAKING AN APPOINTMENT TO THE
SWIFT COUNTY BENSON HOSPITAL**

Motion by Commissioner _____ Seconded by Commissioner _____

WHEREAS, with the recent resignation of Dr. Matt Dammeyer, there is a vacancy on the Swift County Benson Hospital Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, that the following individual is appointed the Swift County Benson Hospital Board of Directors for terms as listed below:

<u>Individual</u>	<u>Term Expiration</u>
Dr. Richard R. Horecka	12/31/2016

Adopted on a _____ vote by the Swift County Board of County Commissioners the 20th day of May 2014.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

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



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving a resolution setting a wheelage tax in 2015 for transportation improvements in Swift County	
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: At the May 6 th meeting, the Board discussed and voted to extend the \$10.00 wheelage tax for an additional year for 2015. Attached is the formal resolution that the Board needs to approve formalizing that action.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? Discussed at the May 6th meeting	

Budget Information

FUNDING: The wheelage tax is used to support transportation infrastructure in Swift County.

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Approved to form	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None

**BOARD OF COMMISSIONERS
SWIFT COUNTY, MINNESOTA**

RESOLUTION AUTHORIZING A WHEELAGE TAX

Motion by Commissioner _____ Seconded by Commissioner _____

WHEREAS, Swift County's transportation infrastructure forms the backbone of the county's economy and has a direct impact on future economic development; and

WHEREAS, funding for highway and bridge systems in Minnesota has remained stagnant and is failing to keep pace with growing population and growing demands including increased freight shipments; and

WHEREAS, local governments throughout the state are challenged with maintaining local transportation systems while state funding has not kept up with the needs on the State Aid system; and

WHEREAS, the Minnesota State Legislature's 2013 Transportation Appropriation Bill (Chapter 117, Article 3, Section 4) included expansion of authority for all 87 Minnesota counties to impose a wheelage tax at a \$10.00 per vehicle rate to provide additional revenue for highways and bridges; and

WHEREAS, Minn. Stat. 163.051 further provides that the board may provide by resolution for collection of the wheelage tax by county officials or it may request that the tax be collected by the state registrar of motor vehicles, and the state registrar of motor vehicles shall collect such tax on behalf of the county if requested; and

WHEREAS, Minn. Stat. 163.051, Subd. 2, provides, in part, that the wheelage tax levied by any county, if made collectible by the state registrar of motor vehicles, shall be certified by the county auditor to the registrar not later than August 1 in the year before the calendar year or years for which the tax is levied, and the registrar shall collect such tax with the motor vehicle taxes on the affected vehicles for such year or years; and

WHEREAS, Minn. Stat. 163.051, Subd. 4, provides that the treasurer of each county receiving proceeds from the wheelage tax is to deposit such proceeds in the county road and bridge fund, which moneys shall be used for purposes authorized by law which are highway purposes within the meaning of the Minnesota Constitution, Article 14; and

WHEREAS, The Swift County Board desires to implement such a wheelage tax and have the state registrar of motor vehicles collect the tax to help improve the quality of the county road system, prolong the useful life of county roads and provide a smoother driving surface and a safer highway system.

NOW, THEREFORE, BE IT RESOLVED, that the Swift County Board of Commissioners authorize and impose a wheelage tax as provided for in Minn. Stat. 163.051(2013 Regular Session Law, Chapter 117, Article 3, Section 4) of \$10.00 for the year 2015, subject to levy limits and other factors, on each motor vehicle which is kept in Swift County when not in operation and which is subject to taxation and registration under Chapter 168.

BE IT FURTHER RESOLVED that the county requests the state registrar of motor vehicles to collect the wheelage tax on behalf of the county.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 20th day of May, 2014.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

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

I, Michel J. Pogge-Weaver, Clerk of the County Board in and for the County of Swift, Minnesota, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of County Commissioners on the 20th day of May, 2014.

Michel J. Pogge-Weaver
Clerk of the County Board

I, Kim Saterbak, Swift County Auditor in and for the County of Swift, Minnesota, do hereby certify that the above is a true and correct copy of a resolution adopted by the Board of County Commissioners on the 20th day of May, 2014.

Kim Saterbak
Swift County Auditor



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider appointing Andy Sander to a 4 year term as County Engineer running until May 31, 2018	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: MN Statue 163.07 requires the appointment of a county engineer to a 4 year term in May when a term is set to expire
BACKGROUND/JUSTIFICATION: County Engineer Andy Sander has been serving as the Swift County engineer since 2005. With his current term ending, the joint engineering committee (Swift and Yellow Medicine Counties) met to review the arrangement and has recommended approving Mr. Sander to an additional 4 year term.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? At their May 13th meeting, Yellow Medicine County approved a 4 year agreement for Swift County to provide them engineering services.	

Budget Information

FUNDING: n/a

Review/Recommendation

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

RESOLUTION

APPOINTING A COUNTY ENGINEER TO A 4 YEAR TERM

Motion by Commissioner _____ Seconded by Commissioner _____

WHEREAS, Minnesota Statute 163.07 requires counties to appoint a County Engineer every 4 years, and

WHEREAS, Swift County Engineer Andrew Sander's current term is set to expire on May 31, 2014, and

WHEREAS, the Swift County Board of Commissioners wishes to extend his term for an additional 4 years.

NOW, THEREFORE, BE IT RESOLVED, that Andrew Sander is appointed to serve an additional 4 year term as the Swift County Engineer through May 31, 2018.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 20th day of May 2014.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

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



Request for Board Action

BOARD MEETING DATE:
May 9, 2014

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: 1. Consider approving solid waste abatements for Parcel # 23-0388-100, Parcel #23-0388-200, Parcel #17-0045-000, Parcel #26-0095-050, Parcel #02-0033-100 2. Consider approving solid waste abatement for one year for Parcel #28-0072-000	
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: Parcels # 23-0388-100 and Parcels #23-0388-200 are the location of the Benson Cemetery. Parcel #17-0045-000 all buildings were removed from that site in June 2013. One item to consider regarding this abatement, the special assessments are calculated from the 2013 value, payable in 2014. In 2013 (for part of the year), they did fall into the solid waste parameters because they did have assessed buildings with values over \$5,000. These buildings were said to be vacant during the 2013 year. For 2014, payable in 2015, they should not generate any solid waste assessments because all the value for the buildings will be gone. Parcel #26-0095-050 contains a building that has no water or electricity and is used only for storage. Parcel #02-0033-100 is one farm site located in section 6 and section 7-preventing us from combining it as one parcel. Parcel #28-0072-000 is a business location that is no longer in operation. I would recommend that this not be an open-ended abatement.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

Budget Information

FUNDING: n/a

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Did not review	RECOMMENDATIONS: Approve as recommended by staff
COMMENTS: None	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 #: 23 0388 100 &
23-0388-200

REASON FOR ABATEMENT:

*The Benson cemetery is tax exempt
and does not generate solid waste
to justify a special assessment - Tony You*

Rob Wolfringer
Signature

5/9/2014
Date

APPROVED

DENIED

Swift County Board Chairman

Date

ATTEST:

Clerk of the Board

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 #: 17 - 0045 - 000

REASON FOR ABATEMENT:

Buildings removed from site (6/13)

Pat J. Jay
Signature

5/9/14
Date

APPROVED

DENIED

Swift County Board Chairman

Date

ATTEST:

Clerk of the Board

SOLID WASTE ABATEMENT REQUEST

TO: Swift County Board of Commissioners

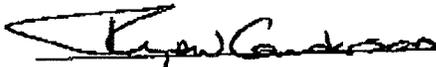
RE: Solid Waste Abatement

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

PARCEL #: 26-0095-050

REASON FOR ABATEMENT:

No living structure, no electricity to building,
No water to building. Storage only


Signature

5-10-14
Date

APPROVED

DENIED

Swift County Board Chairman

Date

ATTEST:

Clerk of the Board



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 #: 02-0033-100

REASON FOR ABATEMENT:

Our Farm is divided by Section line of Sections 6 & 7
our house is in Section 6, well and barns are in
Section 7 - therefore we are assessed two
Solid waste, one for each Section with one Farm std.
≡

Tina Loen
Signature

5/12/14
Date

APPROVED

DENIED

Swift County Board Chairman

Date

ATTEST:

Clerk of the Board



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 #: 28 - 0072 - 006

REASON FOR ABATEMENT:

My husband, Brad W. Viss, passed away unexpectedly, on Nov. 9, 2012. Although I've still been living in our home (about the Butcher Shop) there has been no custom processing/butchering carried on at this location since his death.

Brenda Viss

Signature

5-1-14

Date

APPROVED

DENIED

Swift County Board Chairman

Date

ATTEST:

Clerk of the Board



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving an appropriation of up to \$1,000 to the well-being committee	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: At their May 12 th meeting, the well-being committee made a motion to request funds from the County Board their activities in 2014. Specifically they are going to use part of the funds for incentives to county employees for an upcoming well-being survey that will be distributed within the next month. I am requesting that the board allocate up to \$1,000 from the Board Discretionary Funds to be used by the well-being committee in 2014.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? n/a	

Budget Information

FUNDING: \$1,000 from the Board Discretionary Fund
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Review/Recommendation

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

2013 TAX COLLECTIONS

TAX DISTRICT	CHANGED LEVY	TOTAL COLLECTED	TOTAL UNCOLLECTED	% UNCOLLECTED
APPLETON	\$395,032.84	\$394,174.84	\$858.00	0.22%
BENSON	\$381,214.12	\$375,291.31	\$5,922.81	1.55%
CAMP LAKE	\$317,640.00	\$314,154.00	\$3,486.00	1.10%
CASHEL	\$672,915.08	\$672,915.08	\$0.00	0.00%
CLONTARF	\$887,412.55	\$885,772.06	\$1,640.49	0.18%
DUBLIN	\$953,059.52	\$945,945.80	\$7,113.72	0.75%
EDISON	\$374,429.00	\$368,987.00	\$5,442.00	1.45%
FAIRFIELD	\$433,627.50	\$429,030.50	\$4,597.00	1.06%
HAYES	\$543,550.32	\$543,538.80	\$11.52	0.00%
HEGBERT	\$351,441.00	\$348,012.00	\$3,429.00	0.98%
KERKHOVEN	\$364,930.92	\$364,528.92	\$402.00	0.11%
KILDARE	\$579,009.50	\$575,908.50	\$3,101.00	0.54%
MARYSLAND	\$529,855.14	\$528,331.14	\$1,524.00	0.29%
MOYER	\$385,255.62	\$383,485.62	\$1,770.00	0.46%
PILLSBURY	\$726,001.84	\$723,676.39	\$2,325.45	0.32%
SHIBLE	\$399,902.18	\$399,592.18	\$310.00	0.08%
6 MILE GROVE	\$638,577.84	\$631,481.84	\$7,096.00	1.11%
SWENODA	\$587,855.90	\$587,829.36	\$26.54	0.00%
TARA	\$633,650.54	\$632,994.04	\$656.50	0.10%
TORNING	\$1,080,684.68	\$1,065,885.18	\$14,799.50	1.37%
WEST BANK	\$503,400.72	\$498,246.72	\$5,154.00	1.02%
APPLETON CITY	\$1,975,254.80	\$1,921,933.93	\$53,320.87	2.70%
BENSON CITY	\$3,094,681.54	\$3,061,609.94	\$33,071.60	1.07%
CLONTARF CITY	\$153,192.70	\$150,097.20	\$3,095.50	2.02%
DANVERS	\$123,406.98	\$119,089.98	\$4,317.00	3.50%
DEGRAFF	\$58,596.06	\$54,824.06	\$3,772.00	6.44%
HOLLOWAY	\$500,114.00	\$498,862.00	\$1,252.00	0.25%
KERKHOVEN CITY	\$548,402.58	\$534,665.58	\$13,737.00	2.50%
MURDOCK	\$358,250.00	\$356,106.98	\$2,143.02	0.60%
TOTALS	\$18,551,345.47	\$18,366,970.95	\$184,374.52	0.99%

Swift County Vital Statistics Report (2013)

Thru December 31, 2013

2012 DATA

Birth Certs Issued	Death Certs Issued	Marriage Licenses	Passports Issued	Notaries Filed
312	647	11-regular		
		37-reduced fee		22 @ \$20.00
County Fees Collected				
\$2,705.00	\$2,386.00	\$1,200.00		\$440.00

Miscellaneous Fees: Marriage Certificates = \$729.00 Data Reports = \$100.00
 Total County Fees collected **\$7,560.00**

2013 DATA

Birth Certs Issued	Death Certs Issued	Marriage Licenses	Passports Issued	Notaries Filed
		13-regular		
289	539	20-reduced fee		12 @ \$20.00
County Fees Collected				
\$2,559.00	\$2,149.00	\$825.00		\$240.00

Miscellaneous fees: Marriage certificates=\$567.00
 Data Reports = \$99.00

TOTAL COUNTY FEES COLLECTED = **\$6,439.00**



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Treasurer	REQUESTOR: Ron Vadnais	REQUESTOR PHONE: 320-843-3544
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Review 1st Quarter 2014 Cash & Investments	
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: N/A	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

Budget Information

FUNDING: N/A

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: N/A	RECOMMENDATIONS: N/A
COMMENTS: N/A	COMMENTS: N/A

Swift County Cash & Investments

(Includes unrealized gains)

As of 3/31/14

Acct	3/31/14 Balance
ASSETS	
Cash and Bank Accounts	
Citizens Alliance Bank-Murdock	2,500.00
Financial SecurityBk-Kerkhoven	2,500.00
HS MMKT#1006436-1st Security	225,054.82
HS-MMIS# 14534(Credit Union)	205,761.42
PSB-Appleton	2,500.00
R&B 14-1	249,000.00
R&B 14-2	249,000.00
R&B MMKT#29306-ComDevBank	754,046.08
R&B-MMIS#1006493-1st Security	1,900,912.37
Rev-MMKT#1007665-1st Security	600,524.46
Revenue 14-2	0.00
Revenue12-4	100,000.00
Revenue12-5	100,000.00
Revenue12-6	100,000.00
Revenue13-9	100,000.00
Revenue14-3	100,000.00
StBkDanvers	353,123.42
WELLS FARGO	181,710.70
TOTAL Cash and Bank Accounts	5,226,633.27
Other Assets	
EMP BENEFITS--CD@ Riverwood Bk	200,000.00
TOTAL Other Assets	200,000.00
Investments	
REV-HEALTH CARE	524,981.42
TOTAL Investments	524,981.42
TOTAL ASSETS	5,951,614.69
LIABILITIES	0.00
OVERALL TOTAL	5,951,614.69

Swift County Cash
Investments-2014

<u>FUND #</u>	<u>FUND NAME</u>	<u>BANK #</u>	<u>INSTITUTION</u>	<u>ID#</u>	<u>TOTAL INVEST.</u>	<u>INTEREST RATE</u>	<u>MONTH ENDED</u>	<u>ACCRUED INTEREST</u>	<u>INTEREST MTD</u>
1097	Revenue	15	AllyBK	02005QS38	\$0.00		31-Mar-14	\$0.00	\$42.74
1001	Tax Accts-Consolidated		Various		\$7,500.00		31-Mar-14		
1001	Revenue/checkir	2	St Bk of Danvers	267151	\$353,123.42	0.10%	31-Mar-14		\$25.87
1001	Revenue	1	1st Security Benson	MMIS#1007665	\$600,524.46	0.20%	31-Mar-14		\$241.27
1001	Revenue	1	WELLS FARGO	1AB21819	\$181,710.70	0.01%	31-Mar-14		\$7.78
1092	Rev/Health Care	15	Franklin Fund-MF	45789	\$524,981.42	1.22%	31-Mar-14	\$1,336.82	\$1,371.64
1101	Human Services	1	1st Security Benson	MMIS#1006436	\$225,054.82	0.20%	31-Mar-14		\$33.21
1101	Human Services	17	Co-op Credit-Benson	Savings#14534	\$205,761.42	0.30%	31-Mar-14	\$152.21	
3001	R&B	13	Comm Dev Bk	29306	\$754,046.08	0.20%	31-Mar-14	\$371.86	
3001	R&B	1	1st Security Benson	MMIS#1006493	\$1,900,912.37	0.20%	31-Mar-14		\$294.03
1097	Revenue	15	Goldman Sachs	38143AQG3	\$100,000.00	0.75%	31-Mar-14	\$336.99	
1097	Revenue	15	Compass Bank	20449E6F8	\$100,000.00	0.80%	31-Mar-14	\$245.48	
3001	R&B	15	Mizuho Bk	60688MFF6	\$249,000.00	0.30%	31-Mar-14	\$96.19	
3001	R&B	15	Bk of Baroda	06062AGL7	\$249,000.00	0.30%	31-Mar-14	\$92.10	
1097	Revenue	15	Bk of India	06278CER2	\$100,000.00	0.55%	31-Mar-14	\$292.33	
1097	Revenue	15	DiscoverBk-DE	254671BH2	\$100,000.00	1.05%	31-Mar-14	\$362.47	
1097	Revenue	15	Synovus Bk-Georgia	87164DEA4	\$100,000.00	0.35%	31-Mar-14	\$24.93	
1097	Rev/R&B/HS Er	4	Riverwood Bk	811001421	\$200,000.00	1.05%	31-Mar-14	\$120.82	\$3,028.11
	TOTALS				\$5,951,614.69	0.47%			
1001	Revenue	18	SCBH-LOAN		\$1,897,039.10	2.00%	31-Mar-14	\$3,118.42	\$3,173.31
1001	Revenue	18	CNH LOAN#1		\$914,331.41	1.75%	31-Mar-14	\$3,550.86	
1001	Revenue	18	CNH LOAN#2		\$330,687.77	1.75%	31-Mar-14	\$1,284.25	



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Swift County HRA	REQUESTOR: Vicki Syverson	REQUESTOR PHONE: 320-843-4676
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving the Swift County HRA establishing an emergency housing revolving loan fund	
AGENDA YOU ARE REQUESTING TIME ON: 11:40	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? no	EXPLANATION OF MANDATE: NA
BACKGROUND/JUSTIFICATION: Swift County HRA and Swift County RDA would like to initiate a revolving fund loan program to assist lower income home owners pay for permanent repairs on existing houses in Swift County. This would be accomplished by placing a lien against the house and the homeowner would make semi-annual payments on the date real estate taxes are due. Currently we have homeowners that are not able to participate in the Small City Development Grant programs in Benson, Murdock, and Kerkhoven because they are not able to procure funding for their 25% portion to maximize the grant – currently the required amount is \$6,250.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? no	

Budget Information

FUNDING: Swift County HRA and Swift County RDA have designated \$30,000 to establish this revolving loan fund.
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Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Approved to form	RECOMMENDATIONS: Review and discuss
COMMENTS: None	COMMENTS: None

Swift County _____/Emergency Loan Program

Loan Application Procedure

- 1. Applicant (s)– Homeowner must be a resident of Swift County.
- 2. All repairs must be permanent to the house; siding, roofs, windows, furnace, sewer, masonry.
- 3. Applicant (s) must be current on their mortgage, property taxes, and provide proof of homeowner’s insurance.
- 4. Applicant (s) must be at, or below, 80% of Minnesota Statewide Income Limits

<u>Family Size</u>	<u>Income Limit (2014)</u>
1	34,550
2	39,500
3	44,450
4	49,350
5	53,300
6	57,250
7	61,200
8	65,150

- 5. If applicant is over income the repair must be considered an emergency.
- 6. Applicant must have a letter from their bank denying them for this loan.
- 7. Applicant must submit a written bid, on Contractor letterhead, dated and signed by contractor.
- 8. Applicant must pay all applicable fees – permit fees, recording fees, Minnesota Mortgage Tax, etc.
- 9. Swift County HRA will escrow the loan proceeds and pay the contractor directly when the work is done to the home-owners approval.
- 10. Applicant will make payments to the Auditor’s Office semi-annually along with their respective property taxes. The Auditor’s Office will submit loan payment to the Swift County HRA semi-annually.
- 11. Swift County HRA will review and approve all applications. Funds are limited.
- 12. Interest rates for the term of the loan is 1.0% APR. The maximum loan is \$6,250. The loan may be paid in full within thirty (30) days without accruing interest. Interest will accrue after the thirty day grace period. Loan terms are for a maximum of seven (7) years.

NOTE AND LIEN NOTICE

DATE : _____

AMOUNT OF LIEN \$ _____

GRANTOR(S) : _____
(& Marital Status, eg "husband and wife" or "a single person")

Grantor(s), above named, In consideration of the action of the HRA, at the owner's request, to grant a loan for the renovation/improvement of the real property located at _____, grant and convey to the Swift County Housing and Redevelopment Agency (HRA), a lien on the following described real property located in Swift County:

The above Amount of Lien shall become a Lien on the above real property listed above, and shall be assessed against the property as part of Real Property Taxes on said parcel over a ___ year period, if not prepaid.

You have the right to prepay this entire assessment. To avoid interest, you must pay the entire amount within 30 days of the date of this document. Payment must be submitted to the Swift County Auditor at 301 – 14th Street North, Benson, Minnesota 56215. If not paid in full during this period, interest will accrue thereafter. This lien shall continue until the above sum is paid in full or ___ years from the date hereof.

I promise to pay the Swift County HRA the AMOUNT OF LIEN shown above in the upper right hand corner of this document, plus interest on the unpaid balance of my loan at the rate of ___% per year. Payments shall be due and payable on the date real estate taxes are due. The amount of my payments will appear on my tax statement and will include principal and interest. If a payment is greater than ___ days past due, the interest rate will increase to ___% until paid.

In the event of a default, Swift County HRA has the option to declare the entire unpaid interest and principal immediately due and payable. Grantors agree to pay Swift County HRA any attorney fees and costs incurred in collection.

Grantor Grantor

STATE OF MINNESOTA)
) **SS**
COUNTY OF SWIFT)

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ and _____, Grantor(s).

This document was drafted by:
Robin Finke, Swift County Attorney
211 11th Street North
Benson MN 56215
Notarial Stamp or Seal

Signature of Person Taking Acknowledgment



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

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: Public Hearing and consider adoption of a revised Subsurface Sewage Treatment Management Ordinance	
AGENDA YOU ARE REQUESTING TIME ON: 1:00 PM	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: This sewer ordinance update is mandated by the State and the technical standards for designing/installing sewers with less than 2500 gal/day has not changed recently. The State is allowing counties to adopt some alternative local standards from the 2006 version of MN Rules Chapter 7080 because they are less restrictive than the current code. The County will administer this program in –all jurisdictions of Swift County that don't have their own ordinance for subsurface sewage treatment systems.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

Budget Information

FUNDING:

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Reviewed to form	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None

SUBSURFACE SEWAGE TREATMENT SYSTEMS MANAGEMENT ORDINANCE, 2014

Repealing the Swift County Sewage Treatment Ordinance, 1997.

1. GENERAL PROVISION

1.1 PURPOSE AND AUTHORITY

The purpose of the Subsurface Sewage Treatment System (SSTS) Ordinance is to provide minimum standards for and regulation of Individual Sewage Treatment Systems (ISTS) and Midsized Sewage Treatment Systems (MSTS) including the proper location, design and construction; their necessary modification and reconstruction; their operation, maintenance and repair to protect surface water and groundwater from contamination by human sewage and waterborne household and commercial wastes; to protect the public's health and safety, and eliminate or prevent the development of public nuisances pursuant to the authority granted under Minnesota Statutes sections 115.55, 145A.05, 375.51, 394.21-394.37, and 471.82, the County Comprehensive Plan and the County Land Use Ordinance.

1.2 INTENT

It is intended by the County that this Ordinance will promote the following:

- A.** The protection of lakes, rivers and streams, wetlands, and groundwater in Swift County essential to the promotion of public health, safety, welfare, socioeconomic growth and development of the County.
- B.** The regulation of proper SSTS construction, reconstruction, repair and maintenance to prevent the entry and migration of contaminants, thereby protecting the degradation of surface water and groundwater quality.
- C.** The establishment of minimum standards for SSTS placement, design, construction, reconstruction, repair and maintenance to prevent contamination and, if contamination is discovered, the identification and control of its consequences and the abatement of its source and migration.
- D.** The appropriate utilization of privy vaults.

1.3 JURISDICTION

The jurisdiction of this Ordinance shall include all lands of the County except for incorporated areas or townships that administer a Subsurface Sewage Treatment System (SSTS) program by Ordinance within their jurisdiction, which is at least as strict as this Ordinance.

1.4 EFFECTIVE DATE

The provisions set forth in this Ordinance shall become effective after its passage, approval, publication and recording in the office of the County Recorder.

1.5 SCOPE

This Ordinance regulates the siting, design, installation, alterations, operation, maintenance, monitoring, and management of all SSTS within the County's applicable jurisdiction including, but not necessarily limited to individual SSTS and cluster or community SSTS, and privy vaults. All sewage generated in unsewered areas of the County shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated, and maintained in accordance with the provisions of this Ordinance or by a system that has been permitted by the MPCA.

2. ADMINISTRATION

2.1 COUNTY ADMINISTRATION

- A. The Swift County Environmental Services Office shall administer the SSTS program and all provisions of this ordinance.
- B. The County's duties and responsibilities include, but are not be limited to, the following:
 - 1. Review all applications for SSTS
 - 2. Issue all permits required in this Ordinance
 - 3. Inspect all work regulated in this Ordinance
 - 4. Investigate all written complaints regarding SSTS
 - 5. Issue certificates of compliance or notices of noncompliance where applicable
 - 6. Enact enforcement provisions of this Ordinance as necessary
 - 7. Refer unresolved violations of this Ordinance to the County Attorney
 - 8. Maintain current records for each permitted SSTS including all site evaluation documents, design documents, inspection documents, and other applicable documents.
 - 9. The County shall employ or retain qualified and appropriately licensed professionals to administer and operate the SSTS program.
 - 10. Submit annual reports to MPCA as required.

2.2 STATE ADMINISTRATION

When a single SSTS or group of SSTS under single ownership within one-half mile of each other, have a design flow greater than 10,000 gallons per day or has a measured daily flow for a consecutive seven-day period which equals or exceeds 10,000 gallons per day, the owner shall make application for and obtain a State Disposal System permit from the MPCA.

2.3 CITIES AND TOWNSHIPS ADMINISTRATION

Any jurisdiction within the County that regulates SSTS must comply with the standards and requirements of this Ordinance. The standards and ordinance of the jurisdiction may be administratively and technically more restrictive than this Ordinance.

2.4 LIABILITY

The County's involvement in administration of this Ordinance does not create a special duty to any person and, further liability or responsibility shall not be imposed upon the County or any of its officials, employees, or other contract agents, for damage resulting from the defective construction, operation, or abandonment of any onsite or cluster SSTS regulated under this Ordinance or by reason of any standards, requirements, or inspections authorized by this Ordinance hereunder.

3. **DEFINITIONS**

Terms used in this Section shall have the same meaning as provided in the standards adopted by reference. For purposes of this Section, the words “must” and “shall” are mandatory and the words “may” and “should” are permissive.

As-built. Drawings and documentation specifying the final in-place location, elevation, size and type of all system components.

Certificate of Compliance. A document, written after a compliance inspection, certifying that a system is in compliance with applicable requirements at the time of the inspection.

Certified Statement. A statement signed by a certified individual, apprentice, or qualified employee under Minnesota Rules Chapter 7083 certifying that the licensed business or qualified employee completed work in accordance with applicable requirements.

Class V Injection Well. A shallow well used to place a variety of fluids directly below the land surface. This includes SSTS that are designed to receive sewage or non-sewage from a two-family dwelling or greater or receive sewage or non-sewage from another establishment that serves more than 20 persons per day. The US Environmental Protection Agency (EPA) and delegated state groundwater programs permit these wells to inject wastes below the ground surface provided they meet certain requirements and do not endanger underground sources of drinking water. Class V motor vehicle waste disposal wells and large capacity cesspools are specifically prohibited (see 40 CFR Parts 144 & 146).

Cluster SSTS. A Subsurface sewage treatment system under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on an acceptable site near the dwellings or buildings.

Compliance Inspection. An evaluation, investigation, inspection, or other such process for the purpose of issuing a certificate of compliance or notice of noncompliance.

Department. The Swift County Environmental Services Office.

Design Flow. The daily volume of wastewater for which an SSTS is designed to treat and discharge.

Dwelling. Any building or place used or intended to be used by human occupants as a single-family or multi-family residence with no more than nine bedrooms and producing sewage. Dwelling does not include a single-family or multifamily residence that serves as both a domicile and a place of business if the business increases the volume of sewage above what is normal for a dwelling or if liquid waste generated no longer qualifies as sewage.

Existing Systems. Systems that have been previously inspected and approved by the local unit of government during installation. In addition, all operating systems installed before the adoption of a local permitting and inspection program are considered existing systems.

Failure to Protect Groundwater. At a minimum, a SSTS that does not protect groundwater is considered to be a seepage pit, cesspool, drywell, leaching pit, or other pit; a SSTS with less than the required vertical separation distance, described in MR Chapter 7080.1500 Subpart 4 D and E; and a system not abandoned in accordance with part 7080.2500.

Groundwater. Water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near-surface unconsolidated sediment or regolith, or in rock formations deeper underground.

Holding Tank. A tank for storage of sewage until it can be transported to a point of treatment and dispersal. Holding tanks are considered a septic system tank under Minnesota Statutes, Section 115.55.

Imminent Threat to Public Health and Safety (ITPH). At a minimum, a SSTS with a discharge of sewage or sewage effluent to the ground surface, drainage systems, ditches, or storm water drains or directly to surface water; SSTS that cause a reoccurring sewage backup into a dwelling or other establishment; SSTS with electrical hazards; or sewage tanks with unsecured, damaged, or weak maintenance access covers.

ISTS. Individual subsurface sewage treatment system that receives a sewage design flow of 5,000 gallons per day or less. ISTS also include holding tanks with a design flow of 10,000 gallons per day or less as well as privies.

Malfunction. The partial or complete loss of function of a SSTS component, which requires a corrective action to restore its intended function.

Management Plan. A plan that describes necessary and recommended routine operational and maintenance requirements, periodic examination, adjustment, and testing, and the frequency of each to ensure system performance meets the treatment expectations, including a planned course of action to prevent an illegal discharge.

Minor Repair. The repair or replacement of an existing damaged or faulty component/part of an SSTS that will return the SSTS to its operable condition. The repair shall not alter the original area, dimensions, design, specifications or concept of the SSTS.

MPCA. The Minnesota Pollution Control Agency.

MSTS. A mid-sized subsurface sewage treatment system under single ownership that receives sewage from dwellings or other establishments having a design flow of greater than 5,000 gallons per day to 10,000 gallons per day.

New Construction. Placement of a new structure or replacement structure that is served by pressurized water.

Non-pressurized SSTS. An SSTS that distributes sewage by gravity flow and does not utilize pumps for gravity distribution or pressure distribution.

Notice of Noncompliance. A written document issued by the Department notifying a system owner that the owner's onsite/cluster treatment system has been observed to be noncompliant with the requirements of this Section.

Privy Vault. An aboveground structure with an underground cavity meeting the requirements of part 7080.2280 that is used for the storage or treatment and dispersal of toilet wastes, excluding water for flushing and greywater. A privy also means a non-dwelling structure containing a toilet waste treatment device.

Pump Tank. A tank or separate compartment following the sewage tank that serves as a reservoir for a pump. A separate tank used as a pump tank is considered a septic system tank under Minnesota Statutes, Section 115.55, Subdivision 1, Paragraph (o).

Qualified Employee. An employee of the state or a local unit of government, who performs site evaluations or designs, installs, maintains, pumps, or inspects SSTS as part of the individual's

employment duties and is certified and listed on the MPCA SSTS database verifying specialty area endorsements applicable to the work being conducted.

Seasonal Saturation. The highest elevation in the soil that is in a reduced chemical state due to soil pores filled or nearly filled with water causing anaerobic conditions. Periodically saturated soil is determined by the presence of redoximorphic features in conjunction with other established indicators as specified in part 7080.1720, subpart 5, items E and F, or determined by other scientifically established technical methods or empirical field measurements acceptable to the permitting authority in consultation with the commissioner.

Septage. Solids and liquids removed from an SSTS, and include solids and liquids from cesspools, seepage pits, other pits, or similar systems or devices that receive sewage. Septage also includes solids and liquids that are removed from portable, incinerating, composting, holding, or other toilets.

Septic/Sewage Tank. Any watertight, covered receptacle that is designed and constructed to receive the discharge of sewage from a building sewer or preceding tank, stores liquids for a detention period that provides separation of solids from liquid and digestion of organic matter, and allows the effluent to discharge to a succeeding tank, treatment device, or soil dispersal system.

Sewage/Wastewater. Waste from toilets, bathing, laundry, or culinary activities or operations or floor drains associated with these sources, including household cleaners and other constituents in amounts normally used for domestic purposes.

SSTS. Subsurface sewage treatment system including an ISTS, MSTS.

Structure. Anything constructed or erected, the use of which requires location on the ground.

SWF. Shoreland areas, wellhead protection areas or systems serving food, beverage or lodging establishments.

Type I System. An ISTS that follows a standard trench, bed, at-grade, mound, or greywater system design in accordance with MPCA rules, Minnesota Rules, Chapter 7080.2200 through 7080.2240.

Type II System. An ISTS with acceptable modifications or sewage containment system that may be permitted for use on a site not meeting the conditions acceptable for a standard Type I system. These include systems on lots in floodplains and privies or holding tanks.

Type III System. A subsurface sewage treatment system designed according to Minnesota Rules Chapter 7080.2300.

Type IV System. A subsurface sewage treatment system designed according to Minnesota Rules Chapter 7080.2350.

Type V System. An ISTS, which is a custom engineered design to accommodate the site taking into account pretreatment effluent quality, loading rates, loading methods, groundwater mounding, and other soil and other relevant soil, site, and wastewater characteristics such that groundwater contamination by viable fecal coli-form is prevented.

Vertical Separation. The vertical measurement of unsaturated soil or sand between the bottom of the distribution medium and the periodically saturated soil level or bedrock.

Winter Agreement. A binding agreement between a grantor and grantee when property is transferred between the months of November and April when frozen conditions prevent a field evaluation, compliance inspection or installation to the SSTS

4. SSTS REQUIREMENTS

4.1 ALL SSTS

Except as explicitly set forth in Section 4.3, all provisions of this Ordinance shall apply to any SSTS regardless of the date it was originally permitted.

4.2 EXISTING PERMITS

Unexpired permits which were issued prior to the effective date of this Ordinance shall remain valid under the terms and conditions of the original permit until the original expiration date or until a change in system design, whichever is earlier.

4.3 SSTS ON LOTS CREATED BEFORE JANUARY 23, 1996

All lots created after January 23, 1996, must have a minimum of two soil treatment and dispersal areas that can support Type 1 systems as defined by Minnesota Rule 7080.2200.

4.4 UPGRADE, REPAIR, REPLACEMENT AND ABANDONMENT

A. SSTS Capacity Expansions

Expansion of an existing SSTS must include any system upgrades that are necessary to bring the entire system into compliance with the prevailing provisions of this Ordinance at the time of the expansion.

B. Bedroom Addition

Any addition to a structure that includes bedroom(s) that require a land use permit from the County shall require that the SSTS meet the required design flow according to Minnesota Rule 7080.1860. Any required upgrades shall be completed within five years.

C. Failure to Protect Groundwater

An SSTS that is determined not to be protective of groundwater in accordance with Minnesota Rule 7080.1500, Subp.4(B) shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Ordinance within 12 months upon receipt of a Notice of Noncompliance and must meet sizing requirements according to Minnesota Rule 7080.1860.

D. Imminent Threat to Public Health or Safety

An SSTS posing an imminent threat to public health or safety shall be upgraded, repaired, replaced or abandoned by the owner in accordance with the provisions of this Ordinance within 10 months upon receipt of a Notice of Noncompliance and must meet sizing requirements according to Minnesota Rule 7080.1860

E. Abandonment

Any SSTS, or any component thereof, which is no longer intended to be used, must be abandoned in accordance with Minnesota Rule 7080.2500.

4.5 SSTS IN FLOODPLAINS

SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain should be avoided. If no option exists to locate a SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Minnesota Rule 7080.2270 and all relevant local requirements are met.

4.6 CLASS V INJECTION WELLS

All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, Title 40, Part 144, are required by the Federal Government to submit SSTS inventory information to the Environmental Protection Agency as described in 40 CFR Part 144. Further, owners are required to identify all Class V injection wells in property transfer disclosures.

4.7 SSTS PRACTITIONER LICENSING

- A.** No person shall engage in site evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance, or pumping of SSTS without an appropriate and valid license issued by MPCA in accordance with Minnesota Rules Chapter 7083 except as exempted in Rule 7083.0700.
- B.** An MPCA license is not required of an individual who is constructing a non-pressurized SSTS on land that is owned by the individual and functions solely as a dwelling or seasonal dwelling for that individual pursuant to Minnesota Rule 7083.0700. Installation of the system shall be based upon a design by a licensed designer. The system shall be inspected before it is covered and a 24-hour notification to the Department for inspection is required.

4.8 PROHIBITIONS

A. Occupancy or Use of a Building without a Compliant SSTS

It is unlawful for any person to maintain, occupy, or use any building intended for habitation that is not provided with a wastewater treatment system that disposes of wastewater in a manner that does not comply with the provisions of this Ordinance.

B. Sewage Discharge to Ground Surface or Surface Water

It is unlawful for any person to construct, maintain, or use any SSTS system regulated under this Ordinance that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollutant Discharge Elimination System program by the MPCA.

4.9 ALTERNATIVE LOCAL STANDARDS ADOPTED BY REFERENCE

A. Adoption of Rule by Reference

- 1. The County hereby adopts by reference the provisions of Minnesota Rules Chapters 7080 -7081 in their entirety except as referenced under Section 4.9(B), except as otherwise expressly modified by this Ordinance.
- 2. When “2006 version of Minnesota Rules Chapter 7080” is utilized, the reference is to the rules effective April 3, 2006, otherwise the County is referencing the current rules in effect.

B. Alternative Local Standards for New and Existing SSTS

- 1. The County hereby adopts the 2006 version of Minnesota Rules Chapter 7080 for all new and existing residential Type I, Type II and Type III SSTS and SSTS that serve any Food, Beverage and Lodging Establishment under 2,500 gallons per day provided the effluent discharge does not exceed the standards in Minnesota Rule 7080.2150, Subp. 3(K).

4.10 DIFFERENCES IN STANDARDS

A. List of Different Adopted Standards

- 1. In the shoreland district, obtaining a permit of any kind shall trigger septic compliance within 10 months of permit approval unless there is a current Certificate of Compliance on file that has not expired according to Section 6.2 (F) and 6.3 (D) of this ordinance.
- 2. At least one cleanout at or above finished grade shall be installed between the structure and the septic tank with additional clean outs at intervals not more than 100 feet.
- 3. Class I sizing is required on all new construction.
- 4. The system’s absorption area and mound absorption ratio must be sized according to either Table IX or IXa in the 2011 version of MN Rules, Chapter 7080.2150.
- 5. Minimum septic tank sizing shall be a 1,500 gallon compartmentalized tank, multiple tanks in series or the use of an effluent filter for the last baffle. The filter must be of such a design that when the filter is removed from the filter housing, the flow of water leaving the tank is not allowed. The first tank or compartment shall be no less than 1,000 gallons in size and applies to new and replacement SSTS. All other tank sizing shall follow Minnesota Rule 7080.1930.
- 6. Pump tank sizing shall follow Minnesota Rule 7080.2100.

7. A Certificate of Compliance will not be issued until the soils are verified by a licensed inspection business or qualified employee certified as an inspector.
8. All dwellings shall meet the required setbacks to the septic tank and soil absorption area. Accessory structures, including but not limited to, decks, screen decks, porches, sheds, garages and pole buildings shall not be required to meet said setbacks provided that the tank(s) can be maintained properly and that the structure does not negatively impact the function of the system.
9. Septic tanks for new and existing dwellings can be buried as deep as the tank manufacturer's maximum designed depth for the tank.

4.11 COMPLIANCE CRITERIA FOR EXISTING SSTS

For an SSTS built before April 1, 1996, and outside of areas designated as “SWF” – Systems in shoreland areas, wellhead protection areas, or systems serving food, beverage, or lodging establishments – there must be at least two feet of vertical separation between the bottom of the dispersal system and seasonal saturation or bedrock.

4.12 HOLDING TANKS

Holding tanks may be allowed for the following applications: as replacements for existing failing SSTS and SSTS that pose an imminent threat to public health or safety, on lots with limitations that will not allow for the installation of a Type 1 SSTS or for uses that are seasonal or intermittent in nature and will not use more than 150 gallons of water per day.

4.13 VARIANCE REQUESTS

A property owner may request a variance from the standards as specified in this ordinance pursuant to Section 2, Subsection 2.8 of the Swift County Zoning & Land Regulation Ordinance.

A. State Agency Variance Requests

Variances that pertain to the standards and requirements of the State of Minnesota must be approved by the affected State Agency pursuant to the requirements of the State Agency. No permits will be issued by the County until all required State Agency variances have been approved.

5. PERMIT REQUIREMENTS

5.1 SSTS PERMITS

A. Activities Not Requiring a SSTS Permit

A SSTS permit is not required for minor repairs or replacements of system components that do not alter the original function of the system; change the treatment capacity of the system; change the location of the system; or otherwise change the original system design, layout, or function. Examples are, but not limited to, pumps, baffles, and effluent screens or filters.

B. Activities Requiring a SSTS Permit

A SSTS permit shall be obtained by the property owner or an agent of the property owner from the County prior to the installation, construction, replacement, modification, alteration, or capacity expansion of a SSTS. It is unlawful for any person to construct, install, modify or replace a SSTS without the appropriate permit from the Department including repair or replacement of components that will alter the original function of the system, change the treatment capacity of the system, change the location of the system, or otherwise change the original system's design, layout, or function. The issuing of any permit, variance, or conditional use under the provisions of this ordinance shall not absolve the applicant of responsibility to obtain any other required permit.

C. SSTS Permit Requirements

SSTS Permit applications shall be made on forms provided by the Department and signed by the applicant or applicant's agent, and must include the following information and documentation:

1. Applicant name, mailing address, telephone number, and email address.
2. Property Identification Number, property address and legal description of property location.
3. Site Evaluation and Design Report shall be made on University of MN forms accepted by the Department.
4. Design Report, as defined by 37.18, and shall be made on form provided by Department.
5. A management plan, as defined by Minnesota Rule 7082.0600, Subp. 1B.

D. Application Review and Response

The Department shall review a permit application and supporting documents according to Section 5.1.B of this Ordinance.

E. Appeal

Appeals of decisions of the Environmental Services Director shall be heard by the Swift County Board of Commissioners provided that the person making the appeal files an application for a hearing within forty-five (45) days after the decision to be appealed was delivered to the applicant by the Environmental Services Director. The following procedure shall be followed:

1. Application. The person making the appeal shall apply for a hearing before the Board of Commissioners on forms provided by the Environmental Services Director.
2. Notice of Hearing. The Board of Commissioners shall, with thirty (30) days after receipt of the completed application, schedule a hearing on the appeal.
 - a. At least ten (10) days prior to the hearing a notice shall be published in the official county newspaper;
 - b. The Board of Commissioners shall make their decision within fourteen (14) days of the public hearing, and shall base their decision on the provisions of this ordinance section.

F. Permit Expiration

A Permit for a new SSTS is valid for a period of one year and may be extended for an additional year with Department approval

G. Transferability

A SSTS Permit may be transferred to a new owner provided there are no proposed changes to the SSTS design.

5.2 SSTS ASSESSMENT REQUIREMENTS

For those SSTS without a management plan or operating permit according to the provisions of this Ordinance, the following provisions apply:

- A. The owner of an ISTS or the owner's agent shall regularly, but in no case less frequently than every three years, assess whether sewage tanks leak below the designed operating depth and whether sewage tank tops, riser joints, and riser connections leak through visual evidence of major defects and measure or remove the accumulations of scum, grease, and other floating materials at the top of each septic tank and compartment, along with the sludge, which consists of the solids denser than water.
- B. All solids and liquids must be removed by pumping from all tanks or compartments in which the top of the sludge layer is less than 12 inches from the bottom of the outlet baffle or transfer hole or whenever the bottom of the scum layer is less than three inches above the bottom of the outlet baffle or transfer hole. Total sludge and scum volume must not be greater than 25 percent of the tank's liquid capacity. Removal of accumulated sludge, scum, and liquids from septic tanks and pump tanks must be through the maintenance hole, if one exists. The removal of solids from any location other than the maintenance hole is not a compliant method of solids removal from a sewage tank, and this method does not fulfill the solids

removal requirement of this part or a management plan. Liquid and solids removal from clean-out pipes is allowed for holding tanks.

5.3 OPERATING PERMIT

- A.** An Operating Permit shall be required for the following SSTS:
 - 1.** SSTS with high strength waste effluent standards that exceed Minnesota Rule 7080.2150, Subp. 3(K);
 - 2.** SSTS serving three or more connections;
 - 3.** Type 4 and Type 5 SSTS;
 - 4.** SSTS that exceed a daily flow of 2,500 gallons per day; or,
 - 5.** MSTS designed under Minnesota Rules Chapter 7081.
- B.** Operating Permits shall be a signed agreement between the Department and the property owner and shall include monitoring, performance, mitigation, and reporting requirements.
- C.** A valid Operating Permit shall be considered a Certificate of Compliance if that system is in compliance with the requirements of the Operating Permit.
- D.** Operating Permits shall be valid for the specific term stated on the permit as determined by the Department.
- E.** An Operating Permit must be renewed prior to its expiration. If not renewed, the Department may require the system to be removed from service or operated as a holding tank until the permit is renewed. If not renewed within 90 calendar days of the expiration date, the Department may require that the system be abandoned in accordance with Section 4.4(E).
- F.** Operating Permits do not transfer to new property owners. New owners shall apply for an Operating Permit in accordance with Section 5.3. The Department shall not terminate the current permit until 90 calendar days after the date of sale unless an imminent threat to public health and safety exists. To consider the new owner's application, the Department may require a performance inspection of the treatment system certified by a licensed inspector or qualified employee.
- G.** A report shall be prepared and certified by the licensed inspection business or licensed service provider. The report shall be submitted to the Department on a form accepted by the Department on or before the compliance reporting date stipulated in the operating permit as required. The report shall contain a description of all maintenance and servicing activities performed since the last compliance monitoring report as described in the operating permit.
- H.** The Department may suspend or revoke any Operating Permit issued under this section for any false statements or misrepresentations of facts on which the Operating Permit was issued.
- I.** If suspended or revoked, the Department may require that the treatment system be removed from service, operated as a holding tank, or abandoned.
- J.** At the Department's sole discretion, the operating permit may be reinstated or renewed upon the owner taking appropriate corrective actions.

6. COMPLIANCE INSPECTION PROGRAM

6.1 DEPARTMENT RESPONSIBILITY

It is the responsibility of the Department, or its agent, to perform installation inspections of new SSTS or upgrades of SSTS to assure that the requirements of this Ordinance are met.

- A.** All compliance inspections must be performed and signed by licensed inspection businesses or qualified employees certified as inspectors.

- B. The Department shall be given access to enter a property at any reasonable time to inspect and/or monitor the SSTS system. As used in this paragraph, “property” does not include a residence or private building.
- C. No person shall hinder or otherwise interfere with the Department’s employees in the performance of their duties and responsibilities pursuant to this Ordinance. Refusal to allow reasonable access to the property by the Department shall be deemed a separate and distinct offense.
- D. A signed winter agreement may be accepted in lieu of a compliance inspection for property transfers, permit applications and designs to the Department between November 1 and April 30, at the Department’s sole discretion, provided the required information is submitted to the Department by June 1 of the subsequent year. Failure to fulfill all of the obligations of the winter agreement shall be a violation of this Ordinance.

6.2 NEW CONSTRUCTION OR REPLACEMENT

- A. New installation inspections must be performed on new construction or replacement SSTS to determine compliance with Minnesota Rules, Chapters 7080 or 7081, respectively, according to Section 6.1. SSTS found to be noncompliant with other applicable requirements must be repaired or replaced according to the Department’s requirements.
- B. It is the responsibility of the SSTS owner or the owner’s agent to notify the Department 24 hours prior to the installation inspection.
- C. If the installer provides proper notice and the department does not provide an inspection within one hour after an inspection time was set, the installer may complete the construction per the following: The installer shall submit photographs of the entire uncovered system and an as-built drawing within ten working days of the installation.
- D. A Certificate of Compliance for new SSTS construction or replacement shall be issued by the Department within 15 days of inspection if the Department has reasonable assurance that the system was built in accordance with the applicable requirements as specified in the construction permit.
- E. The Certificate of Compliance must include a certified statement by the certified inspector or qualified employee who conducted the inspection that the SSTS is in compliance with the ordinance requirements. If the SSTS is determined not to be in compliance with the applicable requirements, a notice of noncompliance must be issued to the owner which includes a statement specifying those ordinance provisions with which the SSTS does not comply.
- F. Certificates of Compliance for new construction or replacement shall remain valid for (5) five years from the date of issue unless the Department finds evidence of noncompliance.

6.3 EXISTING SYSTEMS

- A. Compliance inspections shall be required when any of the following conditions occur if there is not a current Certificate of Compliance on file:
 1. When applying for a permit of any other kind in the shoreland district.
 2. Within 10 months of conveyance of any real property within the county.
 3. Any time there is a change in use of the property being served by an existing SSTS which may impact the performance of the system.
 4. At any time as required by this Ordinance or the Department deems appropriate such as upon receipt of a written complaint or other notice of a system malfunction.

- B. Compliance inspections of existing SSTS shall be reported on the inspection report forms provided by MPCA.
- C. The Certificate of Compliance or notice of noncompliance must be submitted to the Department no later than 15 calendar days after the date the inspection was performed.
- D. Certificates of Compliance for existing SSTS shall remain valid for three years from the date of issue unless the Department finds evidence of noncompliance.

6.4 TRANSFER OF PROPERTY

- A. Property on which a dwelling is located, or a tract of land on which a structure is required to have an SSTS shall not be transferred or sold unless the parties to the transaction have complied with one of the following:
 1. A current Certificate of Compliance, as provided by Section 6.2 (F) or 6.3(D)
 2. A winter agreement, as provided by Section 6.1 (D).
 3. An inspection provided by the seller to the buyer at or before the closing.
 4. The parties to the transaction shall specify in the purchase agreement whom shall be responsible for septic compliance and provide a copy of the agreement to the Department.
- B. Exempt Transactions-The inspection need not be completed if the sale or transfer involves the following circumstances:
 1. The tract of land is without buildings or contains no dwellings or other buildings with plumbing fixtures.
 2. No Certificate of Real Estate Value need be filed with the County Auditor, as per Minnesota Statutes, Chapter 272.115.
 3. The sale or transfer completes a contract for deed entered into prior to September 16, 1997. This subsection applies only to the original vendor and vendee on such a contract.
 4. The property has dwellings or other buildings with running water that are connected to a municipal wastewater treatment system.

6.5 VERTICAL SEPARATION REDUCTION

Minnesota Rule 7080.1500, Subp. 4(D) is hereby adopted allowing a 15 percent reduction in vertical separation distance for settling of sand or soil, normal variation of measurements and interpretations of the limiting layer for existing SSTS.

7. ENFORCEMENT

Enforcement of this Ordinance shall follow the standards Section 2, Subsection 2.14 of the Swift County Code of Ordinances, 2011.

8. STATE NOTIFICATION OF VIOLATION

The Department may notify the MPCA of any inspection, installation, design, construction, alteration or repair of an SSTS by a licensed/certified person or any septage removal by a licensed pumper that is performed in violation of the provisions of this Ordinance.

9. FEES

From time to time, the County Board shall establish fees for activities undertaken by the Department pursuant to this Ordinance. Fees shall be due and payable at a time and in a manner to be determined by the Department.

10. DISPUTE RESOLUTION

Resolution of disputes between SSTS Certified Individuals regarding conflicting compliance inspections, determination of seasonally saturation of soils and other technical issues shall follow Minnesota Rule 7082.0700, Subp. 5.



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

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 amended Conditional Use Permit #4457 for Johnson Dairy, Inc. (Owner)	
AGENDA YOU ARE REQUESTING TIME ON: 1:00 PM	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Amendment to modify a feedlot with a capacity of 500 animal units or more. The proposed facilities modification consist of a new 34'x112' breezeway walk alley, a 160'x120' heifer barn housing 300 dairy heifers and a 157'x152' compost barn housing 150 mature dairy cows for a total of 420 animal units. The total animal unit capacity will remain at 1,990.2 animal units. Required Conditional Use Permit per subsection 3.3 Code of Ordinances, Agricultural District I. Allowable use with Conditional Use Permit.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? Amendment to a Conditional Use Permit recorded on 9/09/11, Swift Co. Land Records, as Document #233729.	

Budget Information

FUNDING: n/a

Review/Recommendation

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

Johnson Dairy, Inc.

Project Summary

Overview

Johnson Dairy, Inc. is a family owned and operated dairy and crop farm located in the Kerkhoven area. The farm currently employs and supports 12 full time manager and laborer employees and their families.

The proposed facilities will improve the efficiency of the dairy operation and also help with cow comfort. We are eliminating a previously permitted free stall barn from our plans and replacing it with a compost barn for mature dairy cows and a heifer barn for dairy heifers. We will also build a breezeway walkway to connect the compost barn to the parlor area. We will not require a change in the number of animal units approved for our operation, which currently stand at 1,990.2 animal units.

Existing Facilities

- 111' x 300' - 360 stall free stall barn with concrete pit
- 208' x 280' - 432 stall free stall barn
- 50' x 50' - separator room
- 60' x 120' - heifer barn
- 45' x 60' - heifer barn
- 208' x 34' - calf barn
- 256' x 272' - feed pad
- 507' x 310' - liquid manure storage - earthen basin

Previously Approved Facilities (not yet or partially built)

- 60' x 120' - extension of existing heifer barn
- 210' x 50' - commodity shed & pad (partially built)

Proposed Facilities

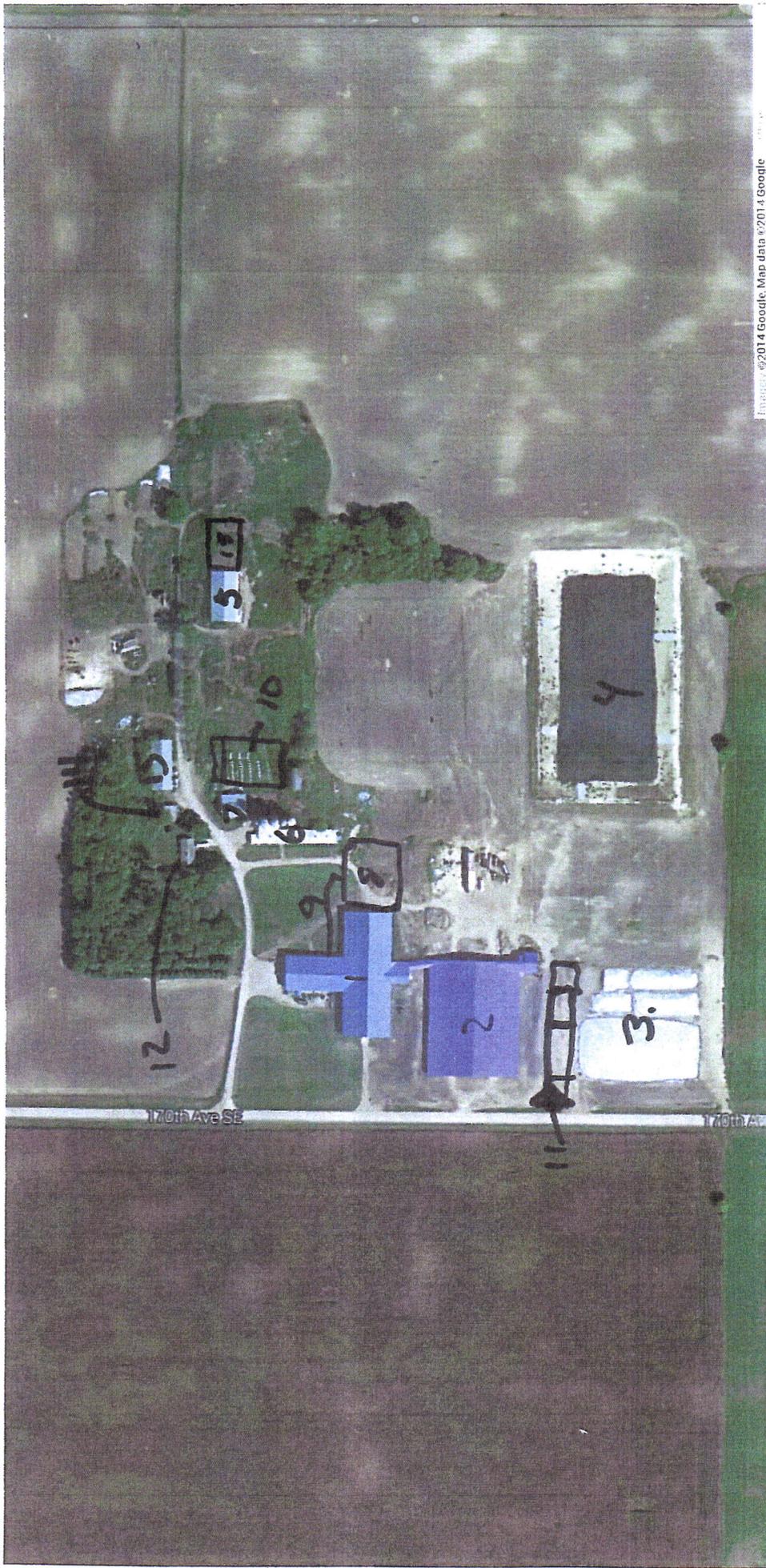
- 34' x 112' - breezeway walkway
- 157' x 152' - compost barn housing 150 mature dairy cows
- 160' x 120' - heifer barn housing 300 dairy heifers

Eliminated Facilities

- A 208' x 280' free stall barn (432 stalls) previously permitted but not yet constructed will be eliminated.

Project Timeline

The project will begin construction upon approval by Swift County. Construction is tentatively scheduled to be completed in late summer, 2014.



- 1. Existing Freestall
- 2. Existing Freestall
- 3. Feed Pad
- 4. LMSA
- 5. Heifer Barn
- 6. Calf Barn
- 7. Heifer Barn

- 8. Proposed Compost barn 152' x 152'
- 9. Proposed Breeze way 34' x 112'
- 10. Proposed Heifer Barn 160' x 120'
- 11. Commodity Pad & shed (partially built) 210' x 50'
- 12. House
- 13. machine shed
- 14. shop

Proposed Special Conditions
Johnson Dairy, Inc.
Conditional Use Permit Amendment #4457

1. The permit holder shall comply with all applicable governmental laws, rules and regulations as they may apply to the project.
2. Applicant's personnel must address all complaints, problems or concerns regarding public health, safety and welfare 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 application only.
4. All plans regarding approaches and access roads, as well as traffic control must be submitted to the township chairman.
5. Dead animals shall be disposed of in a manner consistent with the Minnesota Board of Animal Health and the Minnesota Pollution Control Agency (MPCA) requirements.
6. The permit holder shall allow the Zoning Administrator or MPCA staff to inspect the site whenever necessary. However, the Zoning Administrator shall provide a 24-hour notice in advance of any inspection that involves accessing the buildings in which the animals are confined.
7. A NPDES permit issued from the Minnesota Pollution Control Agency (MPCA) must be obtained.
8. An animal manure plan must be completed.
9. Drainage in the area cannot be negatively affected.
10. That a Good Neighbor Policy be in effect. Prior to spreading, the residents of dwellings within $\frac{3}{4}$ mile of agitation and spreading sited would be contacted to determine if they have any special events planned which may be affected by the spreading. If possible, another location or time would be chosen. Neighbors are encouraged to contact the applicant with any scheduled events in advance so as to help them plan manure application.
11. Reasonable measures will be taken to minimize offensive odor, fumes, dust and noise so that none of these will constitute a public nuisance.
12. This Conditional Use Permit Amendment #4457 shall expire one year from the date of issuance if the permit is not utilized.
13. Violation of any of the above stated conditions may result in revocation of the conditional use permit.



Request for Board Action

BOARD MEETING DATE:
May 20, 2014

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving a revision to County Policy 510, Credit Card Policy	
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: Staff has expressed concern related to the inability to place non-employee meals on County issued credit cards. When these cases occur, employees are required to pay for these meals out of their own pockets and seek reimbursement from the County. Staff checked with other counties and found that meals for non-employee are typically permitted to be placed on County issues credit cards. Employee meals will continue to be prohibited on County credit cards, which is also typical of most Counties. The Policy Committee reviewed the attached revision at their May 7 th meeting and is recommending the change to the Board.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: n/a

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Reviewed as a member of the policy committee	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE: **CODE**
Credit Card Policy **510**

REFERENCE

M.S. 375.171 and M.S. 471.38

PERSONNEL RESPONSIBLE

All County Employees and Elected Officials

EFFECTIVE

4-1-02 (Updated 11-5-13 and XX-XX-XX)

POLICY:

510.100 – General – Use of County credit cards if permitted. Each Employee will maintain control of this credit card. County credit cards issued to employees and elected officials must be used for legitimate County purchases only. Issuance of a check is the preferred payment method. A credit card should be used only when payment by check is not feasible.

510.200 – Typical Uses –County credit cards should be used for securing and paying for travel expenses, acquiring supplies/services from occasional vendors with whom the County does not maintain an open account, and for telephone/Internet purchases. It is preferred that fuel purchases be made with one of the fuel/gas credit cards, when practical.

510.300 – Controls - The County Administrator has authority to approve or deny each County issued credit card request.

- County issued credit card account limits shall be as follows:

<u>Cardholder</u>	<u>Account Limit</u>
Board of Commissioners/Department Head/Administration	\$2,000.00
Employee	\$500.00

- Any deviation from the established accounts limits shall be submitted in writing by the Department Head outlining a specific reason(s) why the established limit is insufficient. Deviations must be approved by the County Board of Commissioners.

- All receipts must be obtained by the persons using the card and presented with their reconciliation of the bill to their Department head.
- It shall be the responsibility of the Department Head to notify the County Auditor's and County Administrator's office a lost card **Immediately**. The County Auditor's office will cancel the lost credit cards.
- The County Auditor shall maintain an inventory of County issued credit cards which shall be physically audited annually.
- The original credit card user agreement shall be kept in the County Auditor's office. The credit card vendor shall not be given access to personal credit records.
- Department heads must annually submit to the County Auditor a list of authorized cardholders in their department including for what type of use each cardholder is authorized.
- A background credit check on the applicant's personal credit history may be processed, as needed.
- County issued credit card shall have the County's name, employee/elected official's name and the expiration date. Upon issuance of the County provided credit card, the approved user shall personally sign a Credit Card Use Agreement upon receipt for their County issued credit card.

510.400 – Restrictions – The use of credits cards is restricted for purchases on behalf of the County. Unauthorized purchases would include:

- Items for personal use
- Any single transaction exceeding authorized limit
- Entertainment
- Cash Advances
- Medical and daycare expenses
- Alcoholic beverages
- Employee Mmeals and gratuities
 - o Meals for individuals receiving County services may be placed on a County credit card subject to the meal reimbursement rates set out in County Policy 201.110.
- Fuel for personal vehicle

Failure to comply with the above guideline for authorized purchases under the Swift County Credit Card Policy may result in disciplinary action, cancellation of your card privileges and possible termination of employment.

510.500 – Protocol

- The request for a County issued credit card will be made by the Department Head for use within his/her department (Exhibit A). Request will be then forwarded to Administrator's office, or if necessary the County Board of Commissioner, to receive approval. Once approved, the Department head shall be notified. The original request shall be maintained on file in the County Auditor's office.
- Employee will read and sign the Credit Card Use Agreement. (Exhibit B)
- Use the card in the customary manner.

- Forward all itemized paper receipts to the proper person upon return to the office. Insure that all itemized paper receipts contain sufficient detail to indicate each purchase. (Exhibit C)
- If it is determined that the credit card is not in the best interest of Swift County, the Board of Commissioners may discontinue credit card privileges.

510.600 – Monthly Reconciliation – The County Auditor shall be sent a monthly billing statement identifying purchases listed for each card holder.

- It is the personal responsibility of each card holder to submit the proper receipts along with the billing from the credit card company to the Auditor’s office in a timely manner (within 5 working days of Auditor’s request) for the purpose of paying the bill and to avoid service charges.
- Each Department Head shall review and sign for all charges listed from their department (Exhibit C –Monthly Credit Card Reconciliation Form). All original receipts for those charges must be attached. Receipts handed in must contain: date, name of establishment, itemized detail of items purchased. Cardholders are responsible to obtain a duplicate receipt from the vendor for any lost receipt.
- Charges with lost receipts or where no duplicate receipt is available will be immediately reimbursed to the County by the cardholder.
- It is the responsibility of the cardholder to resolve any disputes with a vendor.
- No fees or interest charged by a card company because of late payments due to untimely submission of record to the Auditor’s office shall be paid from county funds. The Department Head shall be personally responsible for those fees if they appear on the billing for their department.
- Any over-limit fee shall be the responsibility of the cardholder.

510.700 – Lost or Stolen Cards - Should any cardholder lose or have their County issued credit card stolen, it is their responsibility to immediately notify, within 24 hours, the credit card issuer and the County Auditor’s Office. Contact information of the credit card issuer will be provided to the cardholder upon request.

510.800 – Cancellation - The County Administrator reserves the right to cancel any individual cardholder at any time. The County Auditor (or as delegated to Deputy Auditors) is authorized to cancel individual cardholders due to resignation or termination of employment from Swift County.

510.900 – Terminated Cardholders - A credit card held by a terminating employee must be turned into the County Auditor’s Office prior to termination. If the card is not retrievable, the responsible department must notify the Auditor’s Office immediately.

510.1000 – Violations of Policy - Violations of this policy may result in the revocation of the authority to use a county issued credit card and/or discipline, up to and including, termination.

AUTHORED BY: Policy Committee
DATE: 2-22-02
UPDATED: 11-05-2013
05-07-2014

APPROVED BY: County Board
DATE: 3-4-02
UPDATED: 12-03-2013
XX-XX-XX