

# SWIFT COUNTY BOARD MINUTES

August 20, 2013

Chairman Fox called the meeting to order at 11:00 AM with all members present as well as County Administrator Mike Pogge-Weaver, County Auditor Kim Saterbak, Payroll Officer/General Assistant Amanda Ness and several guests.

Chairman Fox asked if there were any additions to the Agenda. Administrator Pogge-Weaver added a request from the City of Appleton regarding a resolution for their nursing home.

**08-20-13-01** Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the agenda with the addition of the request from the City of Appleton under Citizens Comments. Motion carried unanimously.

**08-20-13-02** Commissioner Peterson moved and Commissioner Klemm seconded to approve the Consent Agenda which consisted of the Board Meeting Minutes of August 6, 2013 and the Executive Session Minutes of August 6, 2013. Motion carried unanimously.

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

**08-20-13-03** Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the Commissioner warrants as follows: Revenue: \$276,811.86; Solid Waste: \$45,913.69; Road and Bridge: \$166,931.06; and Ditches: \$63,742.55 which includes the following bills over \$2,000: Appleton Press, \$2,726.72; Benson Food Shop, \$2,766.80; Bosch Excavating, \$4,068.00; CMF Tree Service, \$11,302.03; CPUI, \$4,967.61; Dooley Petroleum, Inc., \$4,004.51; Engineering Design Initiative, \$2,691.02; Force America Inc, \$3,741.12; Geo Comm Inc, \$5,787.82; Geyer Recycling, \$5,202.25; Hewlett-Packard Company, \$2,087.37; Holiday Fleet, \$2,037.45; John Deere Financial, \$2,141.88; K&K Tiling Inc, \$29,054.10; Locators & Supplies Inc, \$3,209.03; Many International of Alexandria, \$4,134.11; Marsden Bldg Maintenance LLC, \$4,140.34; Newman Traffic Signs, \$3,053.74; Northside Automotive Supply, \$2,897.57; Northstar Truck Sales, \$34,320.00; Overholser Properties LLC, \$3,250.00; Peart & Associates, Inc, \$4,182.81; Pflipsen Trucking LLC, \$17,762.01; Prairie Five Rides, \$3,349.00; Ringquist, Ron, \$3,092.95; Road Machinery & Supplies Co, \$3,165.92; SW-WC Services Cooperatives, \$139,482.00, Swift County Fair Association, \$17,100.00; Swift County Historical Society, \$16,410.00; Swift County Monitor News, \$4,837.38; Traffic Marking Service, Inc., \$34,044.58; Truck Utilities, \$4,645.19; Van Heuveln General Contracting Inc, \$46,762.00; Villard Implement, \$3,127.23; Waste Management of Northern Minnesota, \$18,934.67; Widseth Smith Nolting & Assoc Inc, \$12,658.50; Yellow Medicine County Jail, \$13,118.76; Ziegler Inc., \$9,401.71; and the Auditor warrants as presented. Motion carried unanimously.

Board and Committee Reports were given as follows: Chairman Fox reported on the Policy Committee, Pomme de Terre River Association, Chippewa River Watershed, and Woodland Centers executive and regular board meetings. Commissioner Klemm reported on the Safety Committee. Commissioner Peterson reported on Policy Committee and Countryside Public Health. Commissioner Rudningen had no meetings to report on but offered a thank you to all who volunteered for the Swift County Fair. Commissioner Hendrickx reported on the Conditional Use meeting.

Administrator Pogge-Weaver reported on the Policy Committee which included the purchasing policy which will be coming to the board in September as well as continuing discussion on the credit card and travel policies. He also reported on the Southwest West Central Cooperative annual meeting pointing out that the County will be getting a zero percent increase in the 2014 insurance rates but the actual usage showed we would have had a 17.6% decline in 2014. Within the pool, we have had high cases in the past where the ceiling has helped us. Administrator Pogge-Weaver offered, as long as there was no objection, to have the County throw their hat in with Lincoln, Lyon, Murray, and the Southwest Health and Human Services for an RFP to see what else is available to us, price wise, for health insurance. A meeting is set with the Coop and Blue Cross Blue Shield on

Thursday at 9 AM to discuss our concerns with them. MCIT rates have come back and property rates are going up 16.7% and workman's compensation is going up 3.6% for 2014. Also, commissioner warrants will be brought to the board twice per month in the future due to a discussion with the auditors.

Appleton City Clerk/Treasurer Roman Fidler presented the board with a request to pass a resolution to convert our powers to operate a nursing home under state statutes to the City of Appleton.

**08-20-13-04** Commissioner Hendrickx moved and Commissioner Peterson seconded to pass the resolution to convert the County's powers to operate a nursing home to the City of Appleton. Motion carried unanimously.

At the August 6<sup>th</sup> meeting a sub-committee was appointed to meet with County Treasurer Ron Vadnais and Administrator Pogge-Weaver to consider placing the treasurer position on the November 5, 2013 ballot to move it from an elected to an appointed position. The sub-committee met on August 7<sup>th</sup> and recommended not placing it on the 2013 ballot but to meet again in the spring of 2014 to discuss the topic further and possibly add it to the November 2014 ballot. Commissioner Rudningen pointed out Treasurer Vadnais' willingness to work together with the Administrator, the Auditor and anyone else to change the courthouse structure. Commissioner Hendrickx referred to the options supplied by Jim Mulder before the Auditor and Recorder were moved to appointed positions, one of which was a total redesign of administration to allow for more board control, efficiency, and flexibility. He also referenced the overall election results and his own district's results when the Auditor and Recorder positions were on the ballot to be moved to an appointed position and stated that there was an overall approval rating for the redesign of the administration. Commissioner Klemm agreed with the sub-committee's recommendation. Commissioner Peterson agreed with Commissioner Hendrickx but also said he has a lot of respect for the sub-committee's recommendation. Commissioner Hendrickx said he understood that putting it on the 2013 ballot would require additional dollars for a special election but would like to move forward with the redesign in 2014. Commissioner Rudningen also pointed out that he didn't see any significant downfall by waiting until the 2014 ballot.

**08-20-13-05** Commissioner Rudningen moved and Commissioner Klemm seconded to approve the sub-committee's recommendation of not placing the County Treasurer position moving from elected to appointed on a special election ballot on November 5, 2013 but rather to discuss the topic again in the spring of 2014 and possibly putting it on the November 2014 general election ballot. Motion carried 4-1 with Commissioner Hendrickx opposing.

**08-20-13-06** Commissioner Rudningen moved and Commissioner Peterson seconded to open the public hearing on the First Reading of the Social Host Ordinance at 11:26 AM. Motion carried unanimously.

Chairman Fox opened up the floor to public comments. Richard Jenny of 500 120<sup>th</sup> St SE, DeGraff believes the ordinance will criminalize and penalize normal family activities at your house such as wedding receptions and family reunions and pointed out that there are already laws on the books that cover providing alcohol to minors. Rita Wersinger of 590 30<sup>th</sup> St SW, Danvers voiced her concerns about helping an underage drinker by picking them up when they call because they have been drinking and bringing them to her house and then getting into trouble for it because of this ordinance. Todd Widseth of 270 Hwy 9 NE, Benson stated that he is concerned that we are creating new laws when we already have laws on the books that cover this. Commissioner Hendrickx said a person approached him wondering if he was out of town and his kids have a party would he still be held responsible. Sheriff John Holtz pointed out that the Sheriff's Department's main use for this ordinance is to go after people who are knowingly allowing minors to drink and supplying them with alcohol. He also stated that the Sheriff's Department would use discretion with the ordinance. The Sheriff's Department uses information available to determine if the host has knowledge of the underage consumption. Commissioner Rudningen asked for clarifications on the part of the ordinance saying the host fails to take reasonable precautions, what does the Sheriff's Department consider reasonable precautions. He also wanted to know how we, as citizens of Swift County, protect ourselves. Sheriff Holtz suggested checking ID's and somehow marking the underage attendees. Rita Wersinger suggested that an ordinance like this could push the minors to drinking and driving. Administrator Pogge-Weaver pointed out that the aim of this ordinance is the habitual offenders not the occasional backyard barbeque. Todd Widseth also asked what happens when the next Sheriff comes in and decides to use this ordinance to go after everyone and do as he or she pleases. Commissioner Hendrickx

commented that the board would take action against any Sheriff that is abusing his or her position or not prioritizing offenses in the community. Commissioner Klemm expressed concerns about the vagueness of the out of town host portion of the ordinance. Commissioner Peterson acknowledged that the ordinance would need to have flexibility in order to be able to go after the individuals that are allowing underage drinking. Commissioner Fox reiterated that the Sheriff's Department's perception of the ordinance is that it is aimed at the few in the county that are doing this and not the majority of the residents. Curtis Gabrielson of 970 110<sup>th</sup> Ave SW, Appleton brought up his concerns about parties held on his farmland without his knowledge. Sheriff Holtz pointed out again that this ordinance is directed at the individuals who knowingly host these parties and that if you know of minors drinking on your property you should be turning them in.

**08-20-13-07** Commissioner Hendrickx moved and Commissioner Peterson seconded to close the public hearing at 11:55 AM. Motion carried unanimously.

**08-20-13-08** Commissioner Hendrickx moved and Commissioner Peterson seconded to approve the first reading of the Social Host Ordinance, to get clarification on Subdivisions 4(a), (b), (c) and 5 before the final reading at the September 3, 2013 9:00 AM meeting. Motion carried unanimously.

Dave Olson, Jason Versteeg of Duinick's, and West Bank Township officials were at the meeting to discuss Conditional Use Permit #4345. Administrator Pogge-Weaver pointed out that the Planning and Zoning Committee reviewed #1-11 on the original permit but the permit brought to the board today has #1-12 with condition #10 being an addition that the pit operator will be responsible for dust control.

**08-20-13-09** Commissioner Hendrickx moved and Commissioner Klemm seconded to approve Conditional Use Permit #4345 with the added condition regarding dust control. Motion carried unanimously.

County Engineer Andy Sander requested the approval of the countywide signage bids. Newman Signs bid was thrown out because it was incomplete. He recommended Lyle Signs for the high intensity prismatic address signs, 3D Specialties for the sign posts, and Jaak LLC for the installation of the signs. Administrator Pogge-Weaver suggested holding off on the ordering as a letter was sent out to all townships requesting them to contact the County as to whether or not they would like their township signs ordered with the county signs.

**08-20-13-10** Commissioner Hendrickx moved and Commissioner Peterson seconded to approve the countywide signage bids plus taxes of \$59,134.82 by Lyle Signs, \$48,820.36 by 3D Specialties, and \$44,442.00 by Jaak LLC with the ability to pull for townships not wanting signs ordered, if necessary. Motion carried unanimously.

**08-20-13-11** Commissioner Rudningen moved and Commissioner Klemm seconded to recess for a ten minute break at 12:25 PM. Motion carried.

The board reconvened at 12:35 PM.

Administrator Pogge-Weaver gave a presentation on the preliminary 2014 budget highlights. If the board has any specific budgets they have questions on the department head can be invited to the September 3<sup>rd</sup> meeting to discuss further. Action can be taken at that meeting to set the preliminary levy at our Truth in Taxation hearing or a special meeting can be held on September 10<sup>th</sup> but action needs to be taken by September 15<sup>th</sup>. He started off by thanking the department heads and pointing out the strong position of the county with no outstanding bonds. Some tracking issues were discussed. The challenges Administrator Pogge-Weaver pointed out included the \$84,000 deficit in 2012, the 2014 levy limit freeze, PERA rate increases, MCIT rate increases, upcoming labor negotiations, possible required staff increases at the jail, changes needed due to the Affordable Care Act, 2019 certification needs for Assessors, and the Restorative Justice being a .3 FTE position for a full year. Positives of the 2014 budget include health insurance premiums staying the same for 2014, the sales tax change, and the good public employees of Swift County. Some assumptions that were taken into consideration were a 1% COLA, step increases, wage increases to get to a next step which were up to 2.5%, the County portion of the health insurance, and the County portion of life and disability insurance being down by half. Historically the state has not followed through which could have a serious impact on our budget. The certified county program aid is up almost \$40,000. The certified net levy limit is \$8.85 million which is a 2.6% increase in the

levy but it is offset by the county program aid so the new dollars is actually 3% which is the lowest tax levy increase in the past ten years. Administrator Pogge-Weaver also commented on the highlights of each department and pointed out that he met with the department heads regarding any major changes. He also proposed a balanced budget over the next three budget cycles and outlined three options he recommended for doing this. Other discussion items included the 800 MHz tower, dispatch center renovations, Parks and Drainage purchasing GPS and replacing a 1994 truck, planning for capital purchases with a CIP plan, and making a decision on an Environmental Services special assessment.

**08-20-13-12** Commissioner Peterson moved and Commissioner Rudningen seconded to adjourn. Motion carried.

Meeting adjourned at 1:55 PM

WITNESSED:

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Joe Fox, Chair

ATTEST:

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Michel Pogge-Weaver, County Administrator