

Notice & Agenda

Swift County Board of Commissioners

Tuesday, September 3, 2013

9:00 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.

<u>Time</u>	<u>Reference</u>	<u>Item</u>
9:00 a.m.		Call to Order and Roll Call
9:01 a.m.		Approve Agenda
9:03 a.m.		Consent Agenda
	1-4	(1) Minutes from the August 20, 2013 Meeting
	5-6	(2) Consider setting the 2013 tax forfeiture sale for October 2 nd at 9:00 AM.
9:04 a.m.		Consider Approval of Commissioner warrants
9:05 a.m.		Commissioner and Board reports
9:20 a.m.		County Administrator report
9:25 a.m.		Citizens Comments
9:25 a.m.		Environmental Services Director Scott Collins
	7	Public Hearing on the Water Plan 10 year update
9:40 a.m.		Sheriff John Holtz
	8-14	Consider possible second reading and final adoption of a social host ordinance.
10:10 a.m.		County Engineer Andy Sander
	15-16	Consider approving a resolution requesting transfer of state aid construction funds from 2014 to 2013 related to CSAH 17
10:15 a.m.		RDA Executive Director Jennifer Frost
	17-18	Consider approving a Swift County RLF Loan Application for Headwaters Media, LLC.
		Other Business
	19-28	2014 Budget Discussion
		- Consider approving a resolution on the 2014 Budget and Levy for the County
		- Consider approving a resolution on the 2014 Budget and Levy for the HRA
		- Consider approving a resolution on the 2014 Budget and Levy for the RDA
		- Consider approving a resolution setting the 2013 Truth in Taxation meeting for Dec 3, 2013 at 6:00 PM
	29-30	Consider possible approval of County Policy 108 for County Board Tablet Computer Reimbursement
	None	Discussion on Courthouse Office Changes
12:00 Noon		Adjournment

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 6th 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 7th 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 120th 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 30th 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 110th 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 3rd 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 10th but action needs to be taken by September 15th. 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:

Joe Fox, Chair

ATTEST:

Michel Pogge-Weaver, County Administrator

Notice State of Minnesota County of Swift

NOTICE IS HEREBY GIVEN, That I shall sell to the highest bidder (but not less than the appraised value) at my office in the Courthouse in the City of Benson, in the County of Swift, the following described parcels of land forfeited to the State for non-payment of taxes which have been classified and appraised by law: Said sale will be governed as to forms, by the resolution of the County Board authorizing the same, and shall commence at 9:00 a.m. on the 2nd day of October 2013.

DESCRIPTION

Subdivision	Parcel No.	Description	Blk/Twp	Appraised Value	Special Assessments
City of Appleton					
Robinson's 2nd Addition	22-0078-000	North 25 feet of South 53 feet of Lots 13 and 14 and West 20 feet of North 25 feet of South 53 feet of Lot 15, Block 12, Robinson's 2nd Addition, City of Appleton	12	\$ 1,000.00	\$ 400.00
Robinson's 2nd Addition	22-0083-000	Lot 18, Block 12 Robinson's 2nd Addition, City of Appleton	12	\$ 1,000.00	\$ 52.00
Robinson's 3rd Addition	22-0132-000	Lot 16, Block 11, Robinson's 3rd Addition, City of Appleton	11	\$ 1,000.00	\$ 383.00
Robinson's 4th Addition	22-0159-000	Lots 21 and 22, Block 11, Robinson's 4th Addition City of Appleton	11	\$ 1,000.00	\$ 70.00
H & D Addition	22-0280-000	Lot 12 and West 40 feet of Lot 9, Block2, H & D Addition City of Appleton	2	\$ 1,000.00	\$ 8,111.95
H & D Addition	22-0284-000	North 50 feet of Lts 2,3, & 6 Blk 2: H & D Addition, City of Appleton	2	\$ 1,000.00	\$ 1,415.84
H & D Addition	22-0291-000	North 118 feet of the West 30 feet of Lot 11, Block 3 and E ½ of vacated street, 40 feet x 118 ft, H & D Addition City of Appleton	11	\$ 1,000.00	\$ 2,700.00
H & D Addition	22-0297-100	North 118 feet of Lot 2 and 3, Block 4, South & East of RR, H & D Addition, City of Appleton	4	\$ 1,000.00	\$ -
H & D Addition	22-0298-000	South 65.5 feet of Lots 1 & 4, Block 5; H & D Addition, City of Appleton	5	\$ 1,000.00	\$ 5,335.52
H & D Addition	22-0361-000	East 100 Feet of Lot 8, Blk 13; Lots 9 & 10, Block 13, H & D Addition, City of Appleton	13	\$ 1,000.00	\$ 2,585.54
Robinson's 2nd Addition	22-0831-000	Beginning at a point 70 feet East of the NE corner of Lot 17, Blk 11, Robinson's 2nd Add, then South 100 feet, then East 175 feet, then South 60 feet, then West 175 feet, then North 60 feet to pt of beginning. Being part of E ½ of SW ¼ Acre Lots Section 14- Township 120-Range 43 City of Appleton	11	\$ 1,000.00	\$ 2,657.26
Robinson's 4th Addition	22-0842-000	Beginning at a point 87 feet North of a point 70 feet East of the SE corner of Blk 16, Robinson's 4th Add. Then East 143 feet, then North 34 feet, then East 32 feet, then North 41 feet, then West 175 feet, then South 75 feet	16	\$ 1,000.00	\$ 2,904.85
City of Benson					
Original Town	23-0041-000	Lots 19,20, & 21, Block 7; and South 11 feet of Lot 22, block 7 Original Town, City of Benson	7	\$ 1,000.00	\$ 15,496.04
McKinney's 1st Addition	23-0450-000	Mc Kinney's 1st Addition, Lot 1 Blk 7, City of Benson	7	\$ 40,000.00	\$ 5,548.09
	23-1447-075	Pt NE 1/4 -NE 1/4 com at E Qtr cor of Sec 8, then N 01 Deg 29 Min 35 Sec W 1318.22 ft to S line of NE 1/4 - NE 1/4, Then N 89 Deg 52 Min 54 Sec W 700 FT to point A, then S, 218.30 FT, then N 01 Deg 02 Min 24 Sec W 335 ft, then N 45 Deg 31 M 49 Sec	121	\$ 500.00	\$ 300.96

RESOLUTION

IT IS HEREBY RESOLVED, That all the above and within described non-conservation lands may be sold as follows: At not less than the appraised value thereof, payable as follows, to wit: for cash.

Dated September 3, 2013

The County Board of Swift County, Minnesota, by Joe Fox, Chairman

ATTEST:

Kimberly Saterbak
Swift County Auditor

Given under my hand and seal this 3rd day of September, 2013.

Kimberly Saterbak
County Auditor
Swift County, Minnesota



Request for Board Action

BOARD MEETING DATE:
September 3, 2013

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 for water plan 10 year update.	
AGENDA YOU ARE REQUESTING TIME ON: 9:25 a.m.	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: Required 10 year update
BACKGROUND/JUSTIFICATION: This plan will deal with surface water, ground water and land protection.	
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: Minnesota Board of Water and Soil Resources (BWSR) has raised concerned on the noticing for this hearing; therefore, staff requests that the board opens the public hearing, take comments from the public, and a continue it to September 17 in order to meet the noticing requirements.
COMMENTS: n/a	COMMENTS: None

Board Action

Motions ___ J. Fox ___ G. Hendrickx ___ G. Klemm ___ P. Peterson ___ E. Rudningen	
Action	Vote



Request for Board Action

BOARD MEETING DATE:
September 3, 2013

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Sheriff	REQUESTOR: John Holtz	REQUESTOR PHONE: 320-314-8350
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider possible 2nd reading of a social host ordinance.	
AGENDA YOU ARE REQUESTING TIME ON: 9:40 a.m.	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
<p>BACKGROUND/JUSTIFICATION:</p> <p>The purpose of this ordinance is to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol.</p> <p>As an ordinance the Board is required to hold a public hearing, notice was published in the Swift County Monitor News on August 13, 2013. Additionally, the board would need to approve two readings of the proposed ordinance at two separate meetings.</p> <p>The public hearing and first reading was held on August 20, 2013. The public and commission asked a number of questions related to the ordinance. The attached frequently asked questions seek to address these questions and concerns. Also attached is a finalized version of the ordinance for the Commission's consideration.</p>	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: None

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Under review	RECOMMENDATIONS: Approval
COMMENTS: n/a	COMMENTS: None

Board Action

Motions ___ J Fox ___ G Hendrickx ___ G Klemm ___ P Peterson ___ E Rudningen	
Action	Vote

Swift County Social Host Ordinance Frequently Asked Questions

1. What is the problem that the proposed Swift County Social Host Ordinance is trying to address?

Answer: Every year the Swift County Sheriff's Department encounters a small number of events (3 to 6) where alcohol is freely distributed to underage individuals. Under current law, even if the property owner had knowledge and allowed the event to occur on their property, unless they supplied the alcohol there is no violation of the law. If this Social Host Ordinance is enacted it is expected that it will impact only a small number of individuals that are the most egregious.

This ordinance is aimed at events that cater primarily to underage individuals. This is not aimed at wedding celebrations, family reunions or other such events; however, if such events would freely permit underage individuals to consume alcohol and take no steps to prevent this type of consumption then they too could be subject to penalty under this ordinance.

Since no ordinance can address every situation or contingency, deputies have complete discretionary on who is cited, the County Attorney has discretion on who is ultimately prosecuted, and the courts have the final judicial authority.

2. Doesn't Minnesota already have a Social Host Law?

Answer: Minnesota Statute 340A.503 subdivision 2 makes it unlawful for any person to provide alcohol to a person under age 21.

Minnesota Statute 340A.801, subdivision 6, allows only civil actions against a social host over the age of 21 who knowingly provides alcohol to someone under age 21. The courts have ruled that allowing a party at a home where the owners/parents knew minors would consume alcohol, or by not taking the alcoholic beverages away from the minors, or by failing to stop the party, does not fall within the meaning of providing or furnishing alcohol to minors. These failed actions, or loopholes, are the basis of the need for Social Host Ordinances.

3. If an event occurs at a residence and the property owners/parents are not present and had no knowledge of the event where alcohol was consumed by underage drinkers, would the owners/parents be criminally charged?

Answer: While the proposed Social Host Ordinance can hold property owners/parents who were unaware of illegal alcohol consumption on their property while they were away from the residence, a single isolated event will not likely result in a citation. However, on-going and repeated issues would likely result in a citation. Additionally, a family member of the property owner/parent who is at the event could be considered a host, regardless of their age.

4. Can a parent be criminally charged if the parent allows their child to consume alcohol in the privacy of their own home?

Answer: A parent cannot be charged under a Social Host Ordinance if, in their presence, they allow their underage child to consume alcohol in their residence. Allowing someone else's child to do so would be illegal. The parent is responsible for the safety and actions of their underage child.

5. Are there exceptions for graduation parties or other celebrations? Why not exempt such celebrations from this ordinance?

Answer: No. While this ordinance is not targeting wedding celebrations, family reunions or other such events, creating an exemption for such events creates an unworkable loophole.

6. Does a city or county have authority under state law to adopt a Social Host Ordinance?

Answer: Cities and counties are not granted general police powers, but have statutory authority to adopt and enforce this type of ordinance per Minnesota Statute 340A.509. This section preserves the power of local government to impose further restrictions and regulations regarding the sale and possession of alcoholic beverages within its limits. Additionally, Minnesota Statute 145A.05, subdivision 1 vests a city or county board with authority to adopt ordinances to regulate actual or potential threats to public health unless such ordinances are preempted by, in conflict with, or less restrictive than standards in state law or rule.

7. If a county adopts a Social Host Ordinance is it enforceable within incorporated areas (cities)?

Answer: The authority to permit and regulate the sale & consumption of liquor within a city commonly rests with the city council, since they are the licensing authorities. It is enforceable within incorporated areas only if the individual cities adopt a similar ordinance.

8. Does this ordinance give law enforcement expanded ability to enter my home?

Answer: Nothing in the proposed ordinance expands police powers to enter a home, in fact that would be unconstitutional.

9. Does this ordinance create expanded civil liability for a property owner?

Answer: Nothing in the proposed ordinance expands private liability. Property owners should be aware that they can be held civically liable if their actions of providing alcohol or a location for the consumption of alcohol results in injury or death. The County is not part of these types of private civil actions and this ordinance does nothing cause the County to become part of this private civil actions.

Commissioner_____offered the following resolution and moved its adoption:

**RESOLUTION
APPROVING AN SWIFT COUNTY SOCIAL HOST ORDINANCE**

SWIFT COUNTY

THIS ORDINANCE PROHIBITS, AND ESTABLISHES PENALTIES FOR, ANY PERSON HOSTING AN EVENT OR GATHERING WHERE ALCOHOL IS PRESENT AND BEING POSSESSED OR CONSUMED BY PERSONS UNDER TWENTY-ONE (21) YEARS OF AGE.

BE IT ENACTED BY THE SWIFT COUNTY BOARD OF COMMISSIONERS, AS FOLLOWS:

Subdivision 1. Purpose and Findings. It is the intent and desire of the Swift County Board of Commissioners to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol.

The Swift County Board of Commissioners finds that:

- A. Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty-one are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.
- B. Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.
- C. Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.
- D. Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and, condone the activity, and in some circumstances provide the alcohol.

- E. Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.
- F. A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs.

Subdivision 2. Authority. This ordinance is enacted pursuant to Minn. Stat. §145A.05 subdivision 1.

Subdivision 3. Definitions. For purposes of this ordinance, the following terms have the following meanings:

- A. Alcohol. “Alcohol” means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.
- B. Alcoholic beverage. “Alcoholic beverage” means alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, liquor, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- C. Event or gathering. “Event or gathering” means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- D. Host. “Host” means to aid, conduct, allow, entertain, organize, supervise, control, or permit a gathering or event.
- E. Parent. “Parent” means any person having legal custody of a juvenile:
 - (1) As natural, adoptive parent, or step-parent;
 - (2) As a legal guardian; or
 - (3) As a person to whom legal custody has been given by order of the court.
- F. Person. “Person” means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.
- G. Residence or Premises. “Residence” or “premises” means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.
- H. Underage Person. “Underage person” is any individual under twenty-one (21) years of age.

Subdivision 4. Prohibited Acts.

- A. It is unlawful for any person(s) to:
- (1) host, or allow an event or gathering;
 - (2) at any residence, premises, or on any other private or public property;
 - (3) where alcohol or alcoholic beverages are present;
 - (4) when the person knows or reasonably should know that an underage person will or does;
 - i. consume any alcohol or alcoholic beverage; or
 - ii. possess any alcohol or alcoholic beverage with the intent to consume it; and
 - (5) the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).
- B. A person is criminally responsible for violating Subdivision 4(a) above if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.
- C. A person who hosts an event or gathering does not have to be present at the event or gathering to be criminally responsible.

Subdivision 5. Exceptions.

- A. This ordinance does not apply to conduct solely between an underage person and his or her parents while present in the parent's household.
- B. This ordinance does not apply to legally protected religious observances.
- C. This ordinance does not apply to retail intoxicating liquor or 3.2 percent malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minn. Stat. §340A.503 Subd. 1 (a) (1).
- D. This ordinance does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

Subdivision 6. Enforcement. This ordinance can be enforced by any licensed peace officer in the state of Minnesota.

Subdivision 7. Severability. If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

Subdivision 8. Penalty. Violation of Subdivision 4 is a misdemeanor.

Subdivision 9. Publication. The County Administrator is directed to certify the passage of the Ordinance

and cause this Ordinance to be published in the designated newspaper by the County Board of Commissioners, circulated in the County of Swift, State of Minnesota.

Subdivision 10. Effective Date. This ordinance shall take effect thirty (30) days following its final passage and adoption.

Commissioner _____ seconded the resolution and upon a vote taken thereon, the

Following voted: **INFAVOR THEREOF:** _____

OPPOSED: _____

Whereupon the resolution was declared duly **passed and adopted.** _____
Date

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

Michel Pogge-Weaver, County Administrator

STATE OF MINNESOTA)
)ss.
COUNTY OF SWIFT)

I, Michel J. Pogge-Weaver, County Administrator and Clerk of the Board, for the County of Swift, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Swift County, Minnesota at their session held on the 3rd day of September, 2013, now on file in the Swift County Administrator’s Office, and have found the same to be a true and correct copy thereof. Additionally, I certify that a public hearing and first reading of the ordinance occurred on August 20, 2013 and the second reading and final passage of the ordinance occurred on _____.

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



Request for Board Action

BOARD MEETING DATE:
September 3, 2013

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Highway	REQUESTOR: Andrew Sander	REQUESTOR PHONE: (320) 842-5251
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Resolution requesting transfer of state aid construction funds from 2014 to 2013	
AGENDA YOU ARE REQUESTING TIME ON: 10:10 AM	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? No	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: CSAH 17 Construction SP 076-617-011 and SP 076-617-012.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? See above	

Budget Information

FUNDING: County

Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Not yet reviewed	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

Board Action

Motions ___ J Fox ___ G Hendrickx ___ G Klemm ___ P Peterson ___ E Rudningen	
Action	Vote



WHEREAS, the County of SWIFT is planning to implement County State Aid Street Project(s) in 2012 which will require State Aid funds in excess of those available in its State Aid Regular/Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular/Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date <u>8-22-13</u>		\$ <u>584,402.20</u>
Less estimated disbursements:		
Project Final # <u>SAP 076-625-013</u>	\$ <u>49,540.07</u>	
Project # <u>SP 076-617-011</u>	\$ <u>465,694.75</u>	State-Aid Portion
Project # <u>SP 076-617-012</u>	\$ <u>930,630.41</u>	State-Aid Portion
Total Estimated Disbursements		\$ <u>1,445,865.23</u>
Advance Amount (amount in excess of acct balance)		\$ <u>861,463.03</u>

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of SWIFT in an amount up to \$ 861,463.03 in accordance with Minnesota Rules 8820.1500, Subp. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County from future year allocations until fully repaid.

I, _____, duly appointed and qualified Auditor in and for the County of _____, do hereby certify that the above is a true and full copy of a resolution duly adopted by the County Board of _____ County, State of Minnesota, assembled in regular/special session on the _____ day of _____, 20_____.

County of _____

 County Auditor



Request for Board Action

BOARD MEETING DATE:
September 3, 2013

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: RDA	REQUESTOR: Jennifer Frost	REQUESTOR PHONE: 320-842-4769
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Presentation of Swift County RLF Loan Application – John Jennings of Headwaters Media, LLC. For purchase of Benson radio station.	
AGENDA YOU ARE REQUESTING TIME ON: 10:15 AM	ARE YOU SEEKING APPROVAL OF A CONTRACT? Yes – approval of loan application
IS THIS MANDATED? No	EXPLANATION OF MANDATE: NA
BACKGROUND/JUSTIFICATION: Loan Committee (Randy Simmonds, Pete Peterson) met on 8/27/13 and recommended Approval of a \$30,000 loan with the following terms: 3.5% interest for 10 years/monthly payments, shared 2nd position behind bank on assets of business. Loss Payee & personal guarantee/life insurance.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? Loan committee meets 9/3/2013; primarily lender is First Security Bank in Benson	

Budget Information

FUNDING: Swift County Revolving Loan Fund request in amount of \$30,000 (Available to Lend SCRLF equals ~\$270,000. Approval would leave ~\$240,000 in available funds)*
*only include Swift County RLF – does not include RDA fund, ELF or CNH MIF funds repaid to date.

Review/Recommendation

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

Board Action

Motions ___ J Fox ___ G Hendrickx ___ G Klemm ___ P Peterson ___ E Rudningen
Action Vote

Public Loan Application Information



Date: 8/26/13

Applicant Name: John Jennings & Justin Klinghagen
Medias, LLC

Business Name: Headwater

Business Address: 1605 S 1st St. (Headwaters Media, LLC) **City:** Willmar **State:** MN **Zip Code:** 56201
Benson Radio Station 105 13th St S, Benson MN 56215

Home Address: 304 Sunrise Dr **City:** Litchfield **State:** MN **Zip Code:** 55355

Phone #: 320-235-1194

Email: john@kklm.com **Business Description:** Radio Station

1. How much money is needed?

\$30,000

2. How will the loan be used?

As part of a \$274,500 package to buy the assets of the Benson radio station and upgrade equipment.

3. What will the loan do for the business?

All the deal to be finalized and help leverage local bank financing.

4. How much business equity is available?

\$27,500 (10%)

5. List other sources of money available to you.

First Security Bank of Benson and Benson EDA RLF

6. Could you obtain this loan from a bank? ____ Yes No

Bank recommend use of local gap lenders

7. Which vendors will supply the purchased materials?

Equipment is radio specific – hard to find locally.

8. How will the loan be repaid?

Through revenues earned by the business.

9. Who will provide collateral and what will the collateral be?

Headwaters Media, LLC will provide a shared 2nd on assets, behind the bank, and shared with Benson EDA

10. When is the loan needed?

September 2013 (Close will be coordinated bank and Benson EDA RLF)

11. When can repayment begin?

60 days following disbursement to allow for shop to be completed.

12. How many loan payments will be made? 120 monthly payments



Request for Board Action

BOARD MEETING DATE:
September 3, 2013

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: Review the 2014 Budgets and Levies for the County, HRA, and RDA and consider the following actions: <ol style="list-style-type: none"> 1. Consider approving a resolution on the 2014 Budget and Levy for the County 2. Consider approving a resolution on the 2014 Budget and Levy for the HRA 3. Consider approving a resolution on the 2014 Budget and Levy for the RDA 4. Consider approving a resolution setting the 2013 Truth in Taxation meeting for Dec 3, 2013 at 6:00 PM 	
AGENDA YOU ARE REQUESTING TIME ON: Other Business	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: The County Board is required to approve preliminary levies and budgets prior to September 15. They are also required to set the TNT meeting by September 15.
BACKGROUND/JUSTIFICATION: See attached budget memo.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: These actions set the 2014 preliminary budget and levies for the County, HRA, and RDA.
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Review/Recommendation

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

Board Action

Motions ___ J Fox ___ G Hendrickx ___ G Klemm ___ P Peterson ___ E Rudningen	
Action	Vote



SWIFT COUNTY ADMINISTRATION

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

Memo

To: Board of Commissioners
From: Mike Pogge-Weaver, County Administrator *MPW*
Date: August 29, 2013
Re: 2014 Preliminary Budget and Levy

Attached to this memo are resolutions setting the 2014 budgets and levies for the County, HRA, and RDA.

County Budget and Levy Request

The 2014 Preliminary budget was distributed and reviewed with the board on August 20th. There are a few reductions that still need to occur in the budget.

Attached is a worksheet, entitled *Options related to the 2014 Preliminary Budget*, that provides three options of reducing expenses and increasing revenues to achieve a more balanced budget. Historically the county has budgeted for a deficit of \$275,000 to \$300,000. I recommend that we move to a balanced budget within three years. Options 1 and 2 outline ways that the budget can be reduced and leaves the county with a planned deficit of \$182,726, which is two-thirds of the planned deficit that was budgeted for in 2013. Option 3 keeps the county at a planned deficit of \$274,090, which is what was budgeted for in 2013.

All three options assume that the County increases the levy by the maximum permitted in 2013 which increased the overall gross levy by 3%. Additionally, the 2014 levy limit permits the county to special levy economic development tax abatements. In 2014 the Case New Holland economic development tax abatement will come on the rolls. I recommend that we add this as a special levy which amounts to \$39,600 over and beyond the 3% levy limit.

Representatives from the following departments will be at the meeting on September 3rd to review various parts of their budgets with the commission:

- Sheriff
- Attorney
- Environmental Services
- Highway
- Parks and Drainage

If the Commission would like to review other department budgets, please let me know so I can make sure staff from those departments are at the meeting on September 3.

Mike Pogge-Weaver, County Administrator • mike.poggeweaver@co.swift.mn.us
Phone: (320) 314-8399 • Fax: (320) 843-2275

HRA Budget and Levy Request

The HRA is requesting an increase in their levy of \$10,000 from what was levied in 2013 going to \$45,000 in 2014. The main increases in expenses are related to salary increases and staff changes to support the small cities grants that the HRA is administering. Enclosed in the main packet is the levy request from the HRA.

RDA Budget and Levy Request

The RDA is requesting an increase in their levy of \$10,000 from what was levied in 2013 going to \$87,000 in 2014. The main increases in expenses are related to salary increases, changes related to mandatory PERA contributions and the spend down of the GROW funds. Enclosed in the main packet is the levy request from the RDA.

Options related to the 2014 Preliminary Budget

	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>
Potential Reductions/Revenue			
County Attorney	\$ 3,600	\$ 3,600	\$ 3,600
Keep Assistant Attorney at 0.7 FTE (requested to move to a 0.75 FE)			
County Treasurer			
Increase Vital Records Revenue	\$ 5,000	\$ 5,000	\$ 5,000
Stationary and Forms	\$ 250	\$ 250	\$ 250
Environmental Services			
Reduce Reserves	\$ 79,355	\$ 104,355	\$ 41,159
Utility Service	\$ 5,000	\$ 5,000	\$ 5,000
Miscellaneous Charges For Services	\$ 500	\$ 500	\$ 500
Schooling And Training	\$ 200	\$ 200	\$ 200
Other Repair And Maintenance	\$ 2,000	\$ 2,000	\$ 2,000
Increase solid waste assessment from \$40 to \$45	\$ 28,168	\$ 28,168	\$ 28,168
Increase solid waste assessment from \$45 to \$50	\$ 28,168	\$ 28,168	\$ -
Grants & Appropriations			
Board Discretionary (Community Planning Grants)	\$ 25,000	\$ -	\$ -
Sheriff			
800 MHz Grant	\$ 6,000	\$ 6,000	\$ 6,000
Additions to Aug 20th Draft Preliminary Budget			
6W Corrections	\$ (15,180)	\$ (15,180)	\$ (15,180)
Sheriff - 800 MHz	\$ (56,000)	\$ (56,000)	\$ (56,000)
Total Possible Reductions/Additional Revenue	\$ 112,061	\$ 112,061	\$ 20,697
Reductions needed	\$ 112,061	\$ 112,061	\$ 20,697
Surplus (Remaining Reductions Needed)	\$ -	\$ -	\$ -

**RESOLUTION
ADOPTING PRELIMINARY SWIFT COUNTY
2014 BUDGET & LEVY**

Motion by Commissioner _____

Seconded by Commissioner _____

WHEREAS, pursuant to statute and rule of the Minnesota Department of Revenue, the County's 2014 Preliminary Budget and Levy must be adopted by September 15, 2013; and

WHEREAS, the county Board recognizes that its levy may be adjusted to a lower sum at the time of final adoption in December, 2013.

THEREFORE BE IT RESOLVED that the Swift County Board of Commissioners hereby adopts its 2014 preliminary budget, dated September 3, 2013 and attached hereto as Appendix A.

BE IT FURTHER RESOLVED that the preliminary levy payable in 2014 be set as follows:

Gross Levy	\$	9,060,234
CPA	\$	200,850
<hr/>		
Operating Levy	\$	8,859,384
Special Levies	\$	39,600
<hr/>		
Total Final Net Levy	\$	8,898,984

Adopted on a _____ vote by the Swift County Board of County Commissioners the 3rd day of September 2013.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

Michel Pogge-Weaver, County Administrator

Fox —
Peterson —

Hendrickx —
Rudningen —

Klemm —

STATE OF MINNESOTA)
)ss.
COUNTY OF SWIFT)

I, Michel J. Pogge-Weaver, County Administrator and Clerk of the Board, for the County of Swift, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Swift County, Minnesota at their session held on the 3rd day of September, 2013, now on file in the Swift County Administrator's Office, and have found the same to be a true and correct copy thereof.

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

RESOLUTION
APPROVING THE AUTHORIZATION OF THE SPECIAL BENEFIT TAX
PURSUANT TO MINNESOTA STATUTES 469.033, SUBD.6 FOR
THE HOUSING AND REDEVELOPMENT AUTHORITY OF SWIFT COUNTY, MN

Motion by Commissioner _____ Seconded by Commissioner _____

WHEREAS, the Housing and Redevelopment Authority of Swift County, Minnesota (the HRA) was created by the Swift County Board of Commissioners pursuant to Minnesota Statutes, Section 469.004; and

WHEREAS, pursuant to such action, the HRA was granted all powers and duties of a Housing and Redevelopment Authority under the provisions of the Municipal Housing and Redevelopment Act, Minnesota Statutes, Section 469.001 to 469.047 (formally 462.411-462.711) (“The Act”) and

WHEREAS, the HRA desires to levy such a special benefit tax in the amount of \$45,000 which is less than 0.0185% of taxable market value upon all taxable property, both real and personal, within the HRA’s area of operation; and

WHEREAS, the levy of such a special benefit tax is subject to the consent of the Board of Commissioners of Swift County, Minnesota; and

WHEREAS, the HRA is also required pursuant to Section 469.033, Subd. 6, of the Act to, in connection with the levy of such a special benefit tax, formulate and file a budget in accordance with the budget procedure of the County in the same manner as required of the executive departments of the County, and the amount of the tax levy for the following year shall be based on that budget and approved by the Board Commissioners of Swift County;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Swift County, Minnesota hereby accepts the 2014 budget and consents to the levy of a special benefit tax for taxes payable in 2014 within the Authority’s taxing jurisdiction in the amount of \$45,000 for purposes outlined and authorized by Minnesota Statutes 469.001 to 469.047, but in no case shall the dollar levy for the HRA exceed the limitations prescribed by Minnesota Statutes, Section 469.027 to 469.033.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 3rd day of September 2013.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

Michel Pogge-Weaver, County Administrator

Fox —
Peterson —

Hendrickx —
Rudningen —

Klemm —

STATE OF MINNESOTA)
)ss.
COUNTY OF SWIFT)

I, Michel J. Pogge-Weaver, County Administrator and Clerk of the Board, for the County of Swift, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Swift County, Minnesota at their session held on the 3rd day of September, 2013, now on file in the Swift County Administrator's Office, and have found the same to be a true and correct copy thereof.

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

**RESOLUTION
CONSENTING TO THE SPECIAL BENEFIT TAX FOR
THE SWIFT COUNTY RURAL DEVELOPMENT AUTHORITY**

Motion by Commissioner _____ Seconded by Commissioner _____

WHEREAS, the Swift County Rural Development Authority (RDA) desires to levy such a special benefit tax in the amount of \$87,000, within the RDA's area of operation; and

WHEREAS, the levy of such a special benefit tax is subject to the consent of the Board of Commissioners of Swift County, Minnesota; and

WHEREAS, the RDA is also required to, in connection with the levy of such a special benefit tax, formulate and file a budget in accordance with the budget procedure of the County in the same manner as required of the executive departments of the County, and the amount of the tax levy for the following year shall be based on that budget and approved by the Board Commissioners of Swift County;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Swift County, Minnesota hereby accepts the 2014 budget and consents to the levy of a special benefit tax for taxes payable in 2014 within the Authority's taxing jurisdiction in the amount of \$87,000.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 3rd day of September 2013.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

Michel Pogge-Weaver, County Administrator

Fox	___	Hendrickx	___	Klemm	___
Peterson	___	Rudningen	___		

STATE OF MINNESOTA)
)ss.
COUNTY OF SWIFT)

I, Michel J. Pogge-Weaver, County Administrator and Clerk of the Board, for the County of Swift, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Swift County, Minnesota at their session held on the 3rd day of September, 2013, now on file in the Swift County Administrator's Office, and have found the same to be a true and correct copy thereof.

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

RESOLUTION
SETTING PAYABLE 2014 TRUTH-IN-TAXATION HEARING

Motion by Commissioner _____

Seconded by Commissioner _____

WHEREAS, pursuant to statute and rule of the Minnesota Department of Revenue, the County is required to set and hold a Truth-in-Taxation public hearing.

THEREFORE BE IT RESOLVED that the Swift County Board of Commissioners hereby moves the December 3, 2013 regular 9:00 AM Swift County Board of Commissioner meeting to 6:00 PM; and

BE IT FURTHER RESOLVED that the Swift County, Minnesota, Payable 2014 Truth-in-Taxation hearing shall be at 6:00 PM on Tuesday, December 3, 2013.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 3rd day of September 2013.

Swift County Board of Commissioners

Joe Fox, Chairman

ATTEST:

Michel Pogge-Weaver, County Administrator

Fox ___ Hendrickx ___ Klemm ___
Peterson ___ Rudningen ___

STATE OF MINNESOTA)
)ss.
COUNTY OF SWIFT)

I, Michel J. Pogge-Weaver, County Administrator and Clerk of the Board, for the County of Swift, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Swift County, Minnesota at their session held on the 3rd day of September, 2013, now on file in the Swift County Administrator’s Office, and have found the same to be a true and correct copy thereof.

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



Request for Board Action

BOARD MEETING DATE:
September 3, 2013

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 possible approval of County Policy 108 for County Board Tablet Computer Reimbursement	
AGENDA YOU ARE REQUESTING TIME ON: Other Business	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: The County Board has discussed moving to electronic packets delivered to a tablet device (an iPad or similar device) for several months. Now with the post office moving the deadline for when mail is needed to be received at the local post office in order to get out in that day's mail there is added urgency in moving to electronic packets due to these new constraints. Attached is a policy providing for reimbursement of tablet computers purchased by county commissioners.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: A number of line items are currently under budget in the 2013 Commissioner's budget. Therefore, reimbursement for up to five tablet computers can be funded out of the 2013 Commissioner's budget. Two tablet devices will also be purchased out of the Administration budget for staff use during the meeting.
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Review/Recommendation

COUNTY ATTORNEY: Robin Finke	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Under review	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None

Board Action

Motions ___ J Fox ___ G Hendrickx ___ G Klemm ___ P Peterson ___ E Rudningen
Action Vote

Policy Statement

TITLE	CODE
County Board Tablet Computer Reimbursement	108

REFERENCE

None.

PERSONNEL RESPONSIBLE

County Board

EFFECTIVE DATE

Commissioners shall acquire and maintain a tablet computer device for the purpose of receiving and reviewing materials such as agenda packets, memorandums, general correspondence, emails and calendaring. Commissioners will be provided a reimbursement by the County for a tablet computer and related equipment and software purchased for use in their official capacity as Swift County Commissioners in an amount up to \$800 per term of office with receipt for proof of purchase of said computer and accessories. If the commissioner should vacate their seat for any reason before the end of their four year term, a prorated amount will need to be returned to the County based on the number of completed term years (i.e. a Commissioner who resigns before the end of their third year would be required to pay back 50% of their reimbursement).

The tablet computers purchased under this policy are the personal property of individual Commissioners. Individual Commissioners may elect to not be reimbursed for technology. Computer maintenance and availability is the responsibility of each individual Commissioner. If the tablet device is damaged or lost, it is the responsibility of the individual Commissioner to repair or replace the tablet at his or her own expense. Commissioners seeking technology reimbursements shall provide receipts to the Auditor, who will complete the reimbursement request which will include a copy of the receipt.

AUTHORED BY: County Administrator
DATE: 8/29/2013

APPROVED BY: County Board
DATE: XXXXX