

Notice & Agenda

Swift County Board of Commissioners

Tuesday, September 17, 2013

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.

<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 September 3, 2013
	4-8	(2) Consider approval with a contract with e Recording Partners Network LLC (ePN) as a e-recording submitter
	9-10	(3) Consider approving the purchase of a skid loader for Environmental Services
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.		Environmental Services Director Scott Collins
	11	Public Hearing on the Water Plan 10 year update (Continued from September 3, 2013)
	12-15	Consider approval of Conditional Use Permit #4362 for Gerald Tofte for the construction of a total confinement hog finishing barn 208'x 101'8" with concrete pit beneath.
11:35 a.m.		Sheriff John Holtz
	16-17	Consider accepting the resignation of Deputy Josh Owen
		Other Business
	18-19	Health Insurance Discussion: 1) Consider possible approval of a letter of termination with South West/West Central Service Cooperative for health insurance coverage. 2) Consider possible approval of to expend up to \$5,088.00 for professional services related to the bidding of health care insurance and in the development of a JPA for the joint purchasing of health insurance.
	20-22	Receive and review proposed 2014 ditch assessments
11:45 a.m.		Adjournment

(Note: At the conclusion of the board's regular meeting, the board will hold training on the use of iPads. No business will occur during this training.)

SWIFT COUNTY BOARD MINUTES

September 3, 2013

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, Payroll Officer/General Assistant Amanda Ness and several guests.

Chairman Fox asked if there were any additions to the Agenda. There were none.

08-20-13-01 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the agenda. 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 20, 2013 and setting the 2013 tax forfeiture sale for October 2, 2013 at 9:00 AM. Motion carried unanimously.

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

08-20-13-03 Commissioner Rudningen moved and Commissioner Klemm seconded to approve the Commissioner warrants as follows: Revenue: \$43,320.92; and Solid Waste: \$2,115.39 which includes the following bills over \$2,000: Marsden Bldg Maintenance LLC, \$4,877.78; Pioneerland Library System, \$28,312.50; and Michel Pogge-Weaver, \$3,283.09. Motion carried unanimously.

Board and Committee Reports were given as follows: Chairman Fox reported on the Hospital Finance Committee, Hospital Board, and Southern Prairie Community Care (SPCC). Commissioner Klemm reported on Prairie Lakes Youth and the meeting with Blue Cross Blue Shield (BCBS) and our service cooperative. Commissioner Peterson reported on the Joint Engineer Review Committee meeting with Yellow Medicine County, 6W Corrections, and Prairie Five Community Action Council. Commissioner Rudningen also reported on the Joint Engineer Review Committee meeting with Yellow Medicine County. Commissioner Hendrickx reported on SPCC and the Minnesota Association of County Health Plans.

Administrator Pogge-Weaver reported on the FEMA kickoff meeting regarding the spring wind storm that hit Swift County. He further discussed the meeting between BCBS and our service cooperative and suggested the commissioners be represented at a meeting on Thursday, September 5th at 9:00 AM with Lincoln, Lyon, and Murray Counties to discuss joining them in an RFP to look at alternative health care providers. He also reported on the Joint Engineer Review Committee meeting with Yellow Medicine County and is working with the Administrator of that county on the topics discussed.

A public hearing was declared by Chairman Fox to discuss the County's ten year water plan. Environmental Services Director Scott Collins along with Matt Johnson of Midwest Community Planning, LLC presented the plan to the board, discussed the reason for the plan, and asked for comments. Tony Hughes of 655 Montana Avenue in Benson wanted to know who the stakeholders are in the plan. Mr. Johnson stated that the key stakeholders are the SWCD, the Chippewa River Watershed Project, and the Pomme de Terre Watershed District. Other stakeholders include the farming community and lake associations. Mr. Hughes also questioned the part in the summary regarding the 80 acre buffer strips. Director Collins explained that the task force was told specific sizes needed to be included in the plan in order to not have the plan thrown out when requesting funding. Bernie Zinda of 311 King Street in Holloway commented that he sat through the TMDL study process and it didn't prove that anything specifically was the problem and doesn't want to see the farmers hurt by a water plan.

08-20-13-04 Commissioner Hendrickx moved and Commissioner Rudningen seconded to continue the public hearing to the September 17, 2013 meeting at 11:00 AM. Motion carried unanimously.

Sheriff John Holtz brought the second reading of the Social Host Ordinance to the board along with a Frequently

Asked Questions handout. Commissioner Klemm pointed out that, even with the County passing it, the ordinance would need to be passed by the City in order for it to be enforced within city limits. He also stated that he received no positive feedback regarding passing the ordinance and said that his constituents already feel “too policed” and didn’t want to add any further rules. Commissioner Peterson said that he received both positive and negative feedback but that most of the negative feedback was due to misinformation regarding access to a person’s home. Commissioner Klemm also pointed out worries from his constituents about being held criminally responsible when they aren’t even home during the party. Sheriff Holtz pointed out that the person being charged would be the person who planned the party and that person might not necessarily be the property owner. James Payne of 380 90th Street SW, Benson asked Sheriff Holtz who is liable if the child has a party while the parent is away and someone gets hurt. County Attorney Finke stated that the ordinance doesn’t change the civil liability which means the property owner is still liable. He also pointed out that this ordinance is to stop a person from offering a minor the means to have a party with underage drinking. The criminal intent has to be there though. This is either by the intent to host a party for underage drinkers or by finding out about an underage party and doing nothing to stop it. The only exception to this is a parent allowing their own child to consume alcohol in their own home. Attorney Finke also reiterated that the Sheriff would decide whether or not to charge the individual, the Attorney would decide whether or not to prosecute, the Judge would decide whether or not to throw out the case, and the jury would decide whether the person was guilty or not so it is not giving one individual any more control than already exists. Rita Wersinger stated that she sometimes get calls from minors that have been drinking asking for her assistance and wanted to know how this ordinance would affect that. Attorney Finke pointed out that assisting the minor after they have been drinking would not fall under this ordinance as long as she had no knowledge of the drinking before or during the consumption of the alcohol. Restorative Justice Coordinator Jacquie Larson expressed that she is in favor of the ordinance as it would force parents to not allow the drinking and also not look the other way when they know about it. Bernie Zinda also said the ordinance would be a good thing as we are more educated today about the consequences of underage drinking and need to take more precautions that help educate the younger generations as well.

08-20-13-05 Commissioner Peterson moved and Commissioner Hendrickx seconded to approve the final reading of the Social Host Ordinance. Motion carried 4-1 with Commissioner Klemm opposing.

County Engineer Andy Sander asked the board to consider approving a resolution requesting transfer of state aid construction funds.

08-20-13-06 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve a resolution requesting transfer of state aid construction funds from 2014 to 2013 related to CSAH 17. Motion carried unanimously.

RDA Director Jen Frost presented the board with a \$30,000 revolving loan fund request for Headwaters Media, LLC to purchase the Benson radio station. It would be a ten year loan with monthly payments at 3.5% interest with a shared second behind the bank on business assets.

08-20-13-07 Commissioner Peterson moved and Commissioner Klemm seconded to approve the \$30,000 loan to Headwaters Media, LLC. Motion carried unanimously.

Administrator Pogge-Weaver gave an overview of the preliminary 2014 budgets and levies for the County, HRA, and RDA. He also went over options related to the preliminary budgets.

08-20-13-08 Commissioner Hendrickx moved and Commissioner Klemm seconded to approve increasing the Solid Waste Assessment from \$35 to \$50. Motion carried unanimously.

08-20-13-09 Commissioner Hendrickx moved and Commissioner Peterson seconded to approve Administrator Pogge-Weaver’s second option for reducing the preliminary budget which includes reducing Environmental Services reserves by \$104,355. Motion carried unanimously.

08-20-13-10 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the resolution for the 2014 preliminary budget and levies. Motion carried unanimously.

08-20-13-11 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve increasing the HRA levy from \$35,000 to \$45,000. Motion carried unanimously.

08-20-13-12 Commissioner Klemm moved and Commissioner Peterson seconded to approve increasing the RDA levy from \$77,000 to \$87,000. Motion carried unanimously.

08-20-13-13 Commissioner Rudningen moved and Commissioner Peterson seconded to approve setting the Truth-in-Taxation Hearing for December 3, 2013 at 6:00 PM. Motion carried unanimously.

08-20-13-14 Commissioner Peterson moved and Commissioner Rudningen seconded to approve setting the regular board meeting for December 3, 2013 at 4:00 PM. Motion carried unanimously.

Administrator Pogge-Weaver also brought up the 800MHz tower's ongoing maintenance cost and the future of the 911 dispatching center. Sheriff Holtz will gather more information for the board to review before making a decision.

Administrator Pogge-Weaver discussed capital expenses in smaller departments such as the purchase of the GPS and a truck for Parks and Drainage. After discussing the current way of taking the funds from reserves and then paying the funds back and Administrator Pogge-Weaver's suggestion of budgeting for the capital assets prior to their purchase the general consensus of the board was to set the funds aside and make the purchase when the funds are available for it.

Administrator Pogge-Weaver presented the board with a policy for the purchase and reimbursement of tablet computers for the Commissioners. The reimbursement could also cover a case, keyboard, and software needed. Training and setup would also be available.

08-20-13-15 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve the County Board Tablet Computer Reimbursement Policy 108. Motion carried unanimously.

Courthouse office changes were also discussed including moving the Administrator and Payroll Officer positions into the Auditor's office in order to keep them in the loop. The board also further discussed moving to a one-stop-shop and discussed rearranging staff and offices in order to make that happen. The board's general consensus was to make this happen as soon as possible and to leave it up to Administrator Pogge-Weaver to work out the details with each department affected.

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

Meeting adjourned at 11:24 AM

WITNESSED:

Joe Fox, Chair

ATTEST:

Michel Pogge-Weaver, County Administrator



Request for Board Action

BOARD MEETING DATE:
September 17, 2013

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Land Records	REQUESTOR: Mary Amundson	REQUESTOR PHONE: 320-843-3377
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Approval of the Board on a contract with(ePN) e RECORDING PARTNERS NETWORK LLC	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? Yes
IS THIS MANDATED? No	EXPLANATION OF MANDATE: NA
BACKGROUND/JUSTIFICATION: ePN is an e-recording company (trusted submitter) who would like to do business with Swift County. They are already integrated with Tyler Technologies (Document Pro), our recording software system. To date, we have only dealt with Simplifile as a trusted submitter. There are now 5 companies in Minnesota who are "trusted submitters". I would recommend that we associate with them as a submitter. There is no cost to Swift County.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

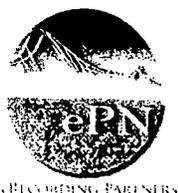
FUNDING: N/A

Review/Recommendation

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

Board Action

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



888-325-3365
E-MAIL: support@erecordingpartners.net
WEBSITE: www.erecordingpartners.net

400 Second Ave S
Minneapolis, MN 55401

ELECTRONIC RECORDING MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING, dated 08-16-2013, is between eRecording Partners Network, LLC (ePN) and Swift County Land Records, (PO Box 246) ("County") located in Swift County, Benson, Minnesota, 56215.

ePN offers a national electronic recording service to function as a trusted third party for Title Insurance Companies, Attorneys, Mortgage Bankers, Full Service Banks and other trusted entities to submit electronic documents to government entities for recording.

County desires to offer recording of real property documents by electronic transmission in substitution for conventional paper based documents and to assure that transactions are not legally invalid or unenforceable as a result of the use of available electronic technologies for the mutual benefit of the parties of the transactions.

For purposes of this Memorandum of Understanding, *Electronic Recording* is defined based on the level of automation and structure of the transaction. The three levels of automation are as follows:

- Level 1 Submitting organizations transmit scanned image copies of ink signed documents to the county. The County completes the recording process in the same way as paper using the imaged copy as the source document. An electronic recording endorsement is returned to the organization in the form of a label or printing process in order for the submitting organization to append that information to the original paper document.
- Level 2 Submitting organizations transmit scanned images of ink signed documents along with electronic indexing information to the county. The County performs an electronic examination of the imaged documents and indexing data, and then completes the recording process using the imaged copy and electronic indexing information. The electronic version of the recorded document is returned electronically to the submitting organization along with the electronic recording data.
- Level 3 Submitting organizations transmit "Smart" documents which are a single object containing the electronic version of the document in such a way that enables the electronic extraction of data from the object. Smart documents are required to be signed and notarized electronically. The Smart document is endorsed electronically by the county and returned in Smart document format to the submitting organization.



RECORDING PARTNERS

888-325-3365
E-MAIL: support@erecordingpartners.net
WEBSITE: www.erecordingpartners.net

400 Second Ave S
Minneapolis, MN 55401

Program Eligibility

Title Insurance Companies, Attorneys, Mortgage Bankers, Full Service Banks and other trusted entities may directly or through a trusted third party provider submit real property records for electronic recording. Electronic Recording mandates a close working relationship as well as mutual trust between the County and the submitting entity. All parties of the Electronic Recording transaction desire to operate and maintain a secure recording system that safeguards parties to recordation from deceit, fraud and forgery. This Memorandum of Understanding outlines the procedures and rules for the trusted relationship between ePN and the County to facilitate a safe and secure Electronic Recording relationship.

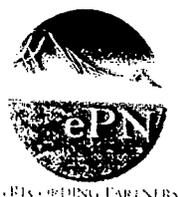
Participation in the Electronic Recording program is voluntary and the decision to do so is a business judgment.

There will be no added fees or costs of any kind charged by the County for Electronic Recording.

County Requirements

The Electronic Recording Program of the County is defined by the requirements attached to this Memorandum of Understanding.

- **Attachment A** contains the document and indexing specifications for the Electronic Recording program. For each document, the County specific document code is provided along with the required indexing information. Any County specific editing rules will also be described in this attachment. ePN acknowledges that County will reject and return any transactions that do not meet the document and indexing specifications.
- **Attachment B** contains the processing schedules and hours of operation for the Electronic Recording Program. Neither party shall be liable for any failure to perform processing of the transactions and documents where such failure results from any act of God or other cause beyond the party's reasonable control (including, without limitation, any mechanical, electronic or communications failure which prevents the parties from transmitting or receiving the electronic recording transactions. If the County system causes delays or power failures that interfere with the normal course of business, the County will notify ePN with a choice of using a courier service or waiting until the problem has been remedied.
- **Attachment C** provides the payment instructions for the Electronic Recording program. This form provides the account information for ePN to deposit payments via ACH into the County bank account.



888-325-3365
E-MAIL: support@erecordingpartners.net
WEBSITE: www.erecordingpartners.net

400 Second Ave S
Minneapolis, MN 55401

ePN Responsibilities

ePN acknowledges that Electronic Recording permits them to prepare, sign and/or transmit in electronic formats documents and business records and the document or records shall be considered as the "original" record of the transaction in substitution for, and with the same intended effect as, paper documents and, in the case that such documents bear a digital or electronic signature, paper documents bearing handwritten signatures.

By use of electronic or digital certificates to sign documents, ePN intends to be bound to those documents for all purposes as fully as if paper versions of the documents had been manually signed.

By use of electronic or digital certificates to sign documents, ePN intends to be bound by those electronic signatures affixed to any documents and such electronic signature shall have the same legal effect as if that signature was manually affixed to a paper version of the document.

General Terms

The County will not incur any liability for the information electronically transmitted by ePN. Should a dispute or legal action arise concerning an electronic transaction, the County will be held harmless and not liable for any damages.

The County will not incur any liability for any breach of security, fraud or deceit as a result of Electronic Recording. Neither ePN nor the County shall be liable to the other for any special, incidental, exemplary or consequential damages arising from or as a result of any delay, omission or error in the Electronic Recording transmission or receipt.

ePN and the County will attempt in good faith to resolve any controversy or claim arising out of or relating to Electronic Recording through either negotiation or mediation prior to initiating litigation.

ePN Contact Information:

Pamela Trombo
eRecording Manager
888-325-3365 ext 11240
ptrombo@erecordingpartners.net

ePN Support
888-325-3365 ext 1
support@erecordingpartners.net



888-325-3365
E-MAIL: support@erecordingpartners.net
WEBSITE: www.erecordingpartners.net

400 Second Ave S
Minneapolis, MN 55401

Either party may terminate this Memorandum of Understanding for any reason by providing 30 days written notice of termination.

Agreed and Accepted:

eRecording Partners Network, LLC

County Swift County

Pamela Trombo

Swift County Board of Commissioners

Name: Pamela Trombo

Name: _____

Title: eRecording Manager

Joe Fox, Chairman

Title: Chairman of the Board

Date: 8/20/2013

Date: _____



Request for Board Action

BOARD MEETING DATE:
September 17, 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: Consent Agenda - Purchase of a New Skid Loader	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: Upgrade Equipment/Tax Exempt
BACKGROUND/JUSTIFICATION: Previous Budget Approval/Capital Outlay	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

Budget Information

FUNDING: Capital Expenditure - \$30,512.50
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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

SEQ # 727-512
 Tractors, Skid Steers Attachments
 T-631(5)

STATE OF MINNESOTA
PRICING PAGE

May 2012
 1 of 1

Spec #	Description	Qty	Price	Sub-total
1.0	Price for base unit:	1	\$ 29,885.00	\$ 29,885.00
2.0	Skid Steer Options:			
2.2	Pressurized Cab, Heater/Defroster, Air Conditioning & Door	1	\$ 2,945.00	\$ 2,945.00
2.3	Air Suspension Seat	1	\$ 231.00	\$ 231.00
2.5	Two Speed Control	1	\$ 1,350.00	\$ 1,350.00
2.6	Hydraulic Quick Coupler	1	\$ 655.00	\$ 655.00
2.7	Beacon Light	1	\$ 145.00	\$ 145.00
2.18	Self-Leveling	1	\$ -	\$ -
2.30	TIRES - 72" RIMS (SET OF 4 ADD TO STANDARD TIRES/RIMS)	1	\$ -	\$ -
2.35	12X 16.5 10 PR CAT	1	\$ -	\$ -

24.0	DELIVERY STARTING POINT - City, State, Zip (No flat rate allowed.) Price Per Loaded Mile:		Fergus Falls, MN 2.50	
		75	\$	187.50
27.0	PRICE FOR PARTS MANUAL	1	\$ 56.00	\$ 56.00
28.0	PRICE FOR OPERATIONS MANUAL	1	\$ 56.00	\$ 56.00

Total Machine Price with AC and 2 speed	\$	35,510.50
TRADE - 2001 CAT 246 S/N 5S22665 7500 hours & without bucket	\$	(5,000.00)
NET PRICE after trade	\$	30,510.50
MN Sales Tax - 6.875%		N/A
GRAND TOTAL - 246C	\$	30,510.50

TIRE OPTIONS			
2.31	12 X 16.5 14PR CAT, XD	\$	728.00
2.32	33 X 6 X 11 CAT, FLXPRT	\$	2,391.00



Request for Board Action

BOARD MEETING DATE:
September 17, 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: Continued public hearing for water plan 10 year update.	
AGENDA YOU ARE REQUESTING TIME ON: 11:25	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: 10 year update
BACKGROUND/JUSTIFICATION: This plan will deal with surface water, ground water and land protection. The public hearing was continued from the September 3, 2013 meeting	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? Click here to enter text.	

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

Board Action

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



Request for Board Action

BOARD MEETING DATE:
September 17, 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: Approval of Conditional Use Permit for Gerald Tofte for the construction of a total confinement hog finishing barn 208'x 101'8" with concrete pit beneath. Currently there are 790 Animal Units, expanding to 1,510 Animal Units.	
AGENDA YOU ARE REQUESTING TIME ON: 11:25	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: 10 year update
BACKGROUND/JUSTIFICATION: Required Conditional Use Permit per subsection 3.3 Code of Ordinance, Agricultural District I. Allowable use with Conditional Use Permit.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? Click here to enter text.	

Budget Information

FUNDING: N/A

Review/Recommendation

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

Board Action

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

Proposed Special Conditions
#4362
Gerald Tofte

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 shall be for the plans submitted with the initial plan only.
4. All plans regarding approaches, access roads, as well as traffic control must be submitted to the Swift County engineer.
5. Dead animals shall be disposed of in a manner consistent with the Minnesota Board of Animal Health and the Minnesota Pollution Control Agency requirements.
6. The permit holder shall allow the Zoning Administrator 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. An animal manure plan must be completed.
8. 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.
9. The permit holder shall be responsible for fly control.
10. Reasonable measures will be taken to minimize offensive odor, fumes, dust and noise so that none of these will constitute a public nuisance.
11. This Conditional Use Permit #4362 shall expire one year from the date of issuance if the permit is not utilized.
12. Violation of any of the above-stated conditions may result in revocation of the conditional use permit.

August 29, 2013

RE: Gerald Tofte
Livestock Expansion Plans

Overview:

Jerry Tofte is expanding his livestock operation to create an opportunity for additional family members to stay in the area and hopefully start a farming career. Currently the operation consists of 2,400 swine between 55-300 lbs, and a nursery barn of 1,400 swine under 55 lbs.

After construction the capacity will increase to 4,800 swine between 55-300 lbs.

Jerry also raises corn and soybeans; manure from the livestock operation will enhance the crop production yield goals.

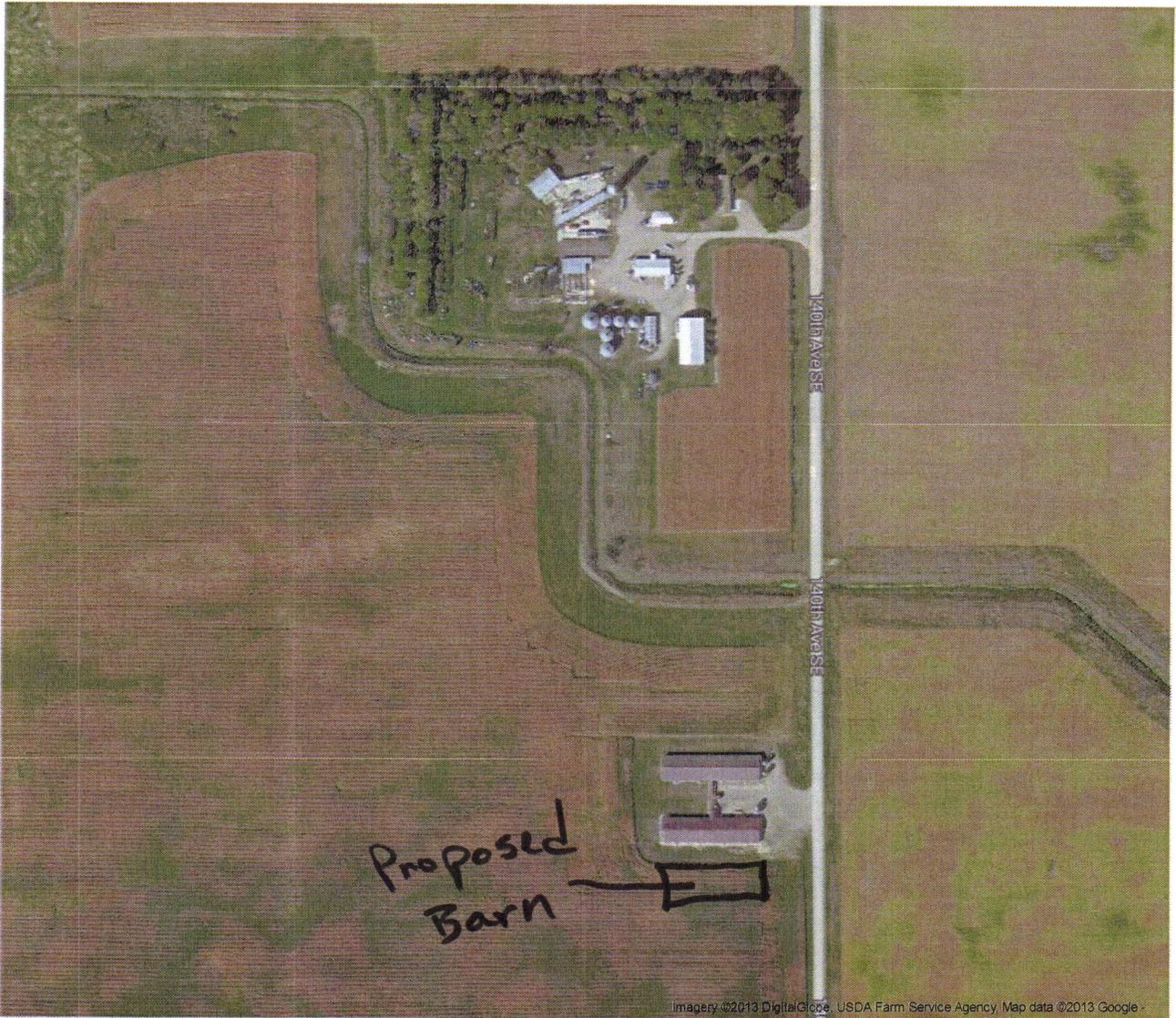
Project Summary

- Construct one total confinement barn to house 2,400 swine between 55-300 lbs.
- Construction will begin in the fall of 2013 with completion around early January 2014.
- Dimensions of the proposed barn: 101'8" x 208' with an 8' concrete pit beneath the barn with one year manure storage capacity. Manure will be incorporated at the time of application.
- The livestock enterprise will now operate under an NPDES permit that is repermited every five years.

Respectfully submitted
Gerald Tofte
Kerkhoven, MN



To see all the details that are visible on the screen, use the "Print" link next to the map.





Request for Board Action

BOARD MEETING DATE:
September 17, 2013

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Sheriff's Office	REQUESTOR: Sheriff John Holtz	REQUESTOR PHONE: 320-843-3133
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Acceptance of letter of resignation from Part-Time Deputy Josh Owen	
AGENDA YOU ARE REQUESTING TIME ON: 11:35 A.M.	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Part-time Deputy Josh Owens has tenured his resignation effective immediately. The board is requested to accept his resignation.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: Sheriff's Department

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

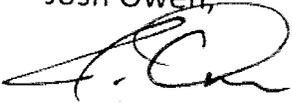
COPY

9/6/2013

Sheriff Holtz,

I am writing you this letter to inform you of my resignation from the Swift Co. Sheriff's Office as a part-time employee, effective immediately.

Josh Owen

A handwritten signature in black ink, appearing to read "J. Owen", written over the printed name "Josh Owen".



Request for Board Action

BOARD MEETING DATE:
September 17, 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 a letter of termination with South West/West Central Service Cooperative for health insurance coverage. Consider possible approval of to expend up to \$5,088.00 for professional services related to the bidding of health care insurance and in the development of a JPA for the joint purchasing of health insurance.	
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: Swift County has been exploring joining a joint purchasing group with Lyon, Murray, and Redwood Counties to purchase health insurance. These discussions are developing rapidly; however, if the county is going to make a change in 2014 we need to notify the Service Cooperative by October 1 st that we may be leaving the cooperative. In discussion with the Service Cooperative and Blue Cross Blue Shield, they have both assured the group that we can withdraw our termination notice up to December 1, 2013. The request at this point is to send the attached termination notice now so that we can preserve our ability to make a change in 2014. Additionally, Swift Count would be expected to pay for their portion of the cost of development a JPA for the group and the cost of bidding of the health care insurance with various carriers. The costs are being split proportionally based on the number of policies each group carries. The total cost of the work is \$36,000 with the maximum cost to Swift County is \$5,088.00.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: The \$5,088 would be paid out of the Commissioner's Discretionary Account
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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

**Swift County
Board of Commissions**



301 14th St N
P.O. Box 288
Benson, MN 56215

Phone (320) 314-8399
Fax (320) 843-2275

***Gary Hendrickx, District 1
Gary Klemm, District 2
Pete Peterson, District 3
Joe Fox, Chair, District 4
Eric Rudingen, District 5***

September 17, 2013

SW/WC Service Cooperative
Doug Deragisch
1420 East College Drive
Marshall, MN 56258

Blue Cross Blue Shield
Gene Thul
PO Box 515
Alexandria, MN 56308

Chevalier Insurance Agency LLC
Cathy Lien
1209 Pacific Ave
Benson, MN 56215

Re: Request for Policy Termination - Policy # CP134 (Swift County)

To Whom it May Concern:

In order to meet the 90 day term requirement by the South West/West Central Service Cooperative, please accept this letter as notice of our intent to term. Due to the timing of the 90 day requirement and Swift County looking at options outside of the Service Cooperative, we were advised by our contacts at Blue Cross Blue Shield to submit our letter of termination with the right to revoke our term should we choose to stay with the Service Cooperative after our market analysis. This serves as notice that our term date will be 1/1/2014.

If this doesn't meet the 90 day term requirement per our contract or we do not have the ability to rescind this term notification, please let us know as soon as possible.

Thank you for your service. If you have any questions, please call Mike Pogge-Weaver at 320-314-8399.

Sincerely,

Joe Fox, Chair
Swift County Board of Commissioners



Request for Board Action

BOARD MEETING DATE:
September 17, 2013

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Park, Drainages, and Wetlands	REQUESTOR: Mike Johnson	REQUESTOR PHONE: 320-843-8348
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Receive and review proposed 2014 ditch assessments	
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: Attached are the proposed 2014 ditch assessments. They will be reviewed with the board at your September 17 th meeting. Formal action of the proposed assessments will occur on October 1, 2013	
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: Review
COMMENTS: n/a	COMMENTS: None

2014 PROPOSED DITCH ASSESSMENTS

9753	Repair Joint County Ditch No. 3, C & S	10,000.00
9761	Repair Joint County Ditch No. 4, S & P	25,000.00
9768	Repair Joint County Ditch No. 18, S,C & K	50,000.00
9823	Repair Joint County Ditch No. 8, C & S	10,000.00
9824	Repair Lateral B of Joint County Ditch No. 19	20,000.00
9851	Repair Judicial Ditch No. 5	25,000.00
9877	Repair Judicial Ditch No. 8	100,000.00
9882	Repair Judicial Ditch No. 21	5,000.00
9932	Repair Lateral A of Joint County Ditch No. 7	5,000.00
9933	Repair County Ditch No. 1	5,000.00
9944	Repair County Ditch No. 10	20,000.00
9947	Repair County Ditch No. 52	2,500.00
9958	Repair County Ditch No. 58	10,000.00
9959	Repair County Ditch No. 60	15,000.00
9960	Repair County Ditch No. 62	15,000.00
9962	Repair County Ditch No. 7	5,000.00
9965	Repair County Ditch No. 14	10,000.00
9978	Repair County Ditch No. 8	5,000.00

		12/31/2012	Assessment	Expenses	Estimated
		Balance	2013	Paid & Estimated	2014 Special
REP JT CO DITCH #2 S & S	97550	381.93	-	280.57	-
REP IMP "C" JT COUNTY DITCH #3 C & S	97530/9789	(21,875.65)	15,000.30	4,629.47	10,000.00
REP JT COUNTY DITCH #4 S & P	97611	7,750.16	25,001.66	34,756.17	25,000.00
REP JT COUNTY DITCH #6 C & S	9825	641.41	1,000.22	393.51	-
REP JT COUNTY DITCH #8 C & S	98231	(445.74)	2,000.48	16,027.10	10,000.00
REP JT COUNTY DITCH #9 SS & P	9771/9781	(24,404.41)	10,002.54	1,409.85	-
REP JT COUNTY DITCH #18 SCK	97680	(193,492.19)	50,008.48	30,365.88	50,000.00
REP JT COUNTY DITCH #19	97702	(13,520.02)	50,013.36	14,924.79	
JT COUNTY DITCH #22 S & C	97370	33,909.46		1,253.05	
REPAIR COUNTY DITCH #1	99331	5,529.77	5,000.16	7,080.22	5,000.00
REPAIR COUNTY DITCH #3	9976	(747.90)		259.53	
REPAIR COUNTY DITCH #7	9962	332.53	8,000.82	1,599.24	5,000.00
REPAIR LATERAL "A" DITCH #7	99321	(723.69)	5,000.90	589.19	5,000.00
REPAIR COUNTY DITCH #8	9978	(2,613.09)	5,000.24	2,787.73	5,000.00
REPAIR COUNTY DITCH #9	9964	(621.99)	2,000.14	-	-
REPAIR COUNTY DITCH #10	9944/9989	(19,187.55)	15,004.80	14,053.59	20,000.00
REPAIR COUNTY DITCH #13	9950	2,488.41	10,000.72	855.73	-
REPAIR COUNTY DITCH #14	9965	748.16	10,001.40	10,419.90	10,000.00
REPAIR COUNTY DITCH #15	9966	24.10		-	-
REPAIR COUNTY DITCH #16	9967	953.53		-	-
REPAIR COUNTY DITCH #17	9979	891.70		-	-
REPAIR COUNTY DITCH #18	9980	67.56	500.08	-	-
REPAIR COUNTY DITCH #19	9981	617.34		-	-
REPAIR COUNTY DITCH #23	9936/9949	23,614.52		792.60	-
REPAIR COUNTY DITCH #24	9977	1,482.58	500.20	-	-
REPAIR IMP EXT COUNTY DITCH #52	9947/9985	(756.13)	2,500.44	1,727.87	2,500.00
REPAIR COUNTY DITCH #55	9957	9,392.41	5,000.90	399.81	-
REPAIR COUNTY DITCH #58	9946/9958	(35,616.76)	30,001.20	1,683.41	10,000.00
LATERAL "A" CO DITCH #58	9987	64,132.86		28.06	-
IMPROVE COUNTY DITCH #58	99582	1,139.40		-	-
REPAIR COUNTY DITCH #59	na	1,370.49		-	-
REPAIR COUNTY DITCH #60	9959	(8,527.19)	15,000.84	1,690.42	15,000.00
REPAIR COUNTY DITCH #61	99451	(19,189.46)	20,001.84	519.05	-
REPAIR COUNTY DITCH #62	9960	(15,075.04)	15,001.00	2,104.26	15,000.00
LATERAL "A" CO DITCH #62	9930	(1,554.52)	4,999.94	252.51	-
REPAIR COUNTY DITCH #63	9943	354.17	5,000.14	505.02	-
REPAIR COUNTY DITCH #66	9988	166.84	2,000.12	105.21	-
REPAIR COUNTY DITCH #81	98731	83,170.36		3,864.73	-
REPAIR COUNTY DITCH #83	99821	38,338.28	10,007.98	1,753.55	-
REPAIR JUDICIAL DITCH #2	9834	2,570.70	5,000.18	883.79	-
REPAIR JUDICIAL DITCH #5	9851	9,317.40	74,999.60	6,403.96	25,000.00
REPAIR JUDICIAL DITCH #7	98171	(8,118.13)	15,000.12	827.68	-
REPAIR JUDICIAL DITCH #8	9877	(156,363.21)	100,010.96	45,676.51	100,000.00
REPAIR LAT "A" JUD DITCH #8	98421	53,679.02	13,001.28	39,150.06	-
IMPROVE JUD DITCH #8	99100	22,323.18		722.46	-
REPAIR JUDICIAL DITCH #15	98751			-	-
REPAIR LAT "A" JUD DITCH #18	9848	(106.06)	500.08	42.09	-
REPAIR LAT "B" JUD DITCH #18	9852/98261	65,574.83		259.08	-
REPAIR LAT "D" JUD DITCH #18	98291	(232.36)	1,000.78	231.58	-
REPAIR LAT "A" JUD DITCH #19	Lat A #19	7,050.24		49.10	
REPAIR LAT "B" JUD DITCH #19	98241	(1,522.28)		2,006.06	20,000.00
REP LAT "B-1" TO LAT B JD #19	n/a	6,167.81		56.11	
REPAIR LAT "C" JUD DITCH #19	98271	7,958.30		175.36	
REPAIR LAT "D" JUD DITCH #19	98391	167,368.89		2,419.29	
LATERAL "E" JUD DITCH #19	9874	22,307.54		21.04	
REPAIR JUDICIAL DITCH #21	98821	4,143.77		392.93	5,000.00
					337,500.00