

Notice & Agenda

Swift County Board of Commissioners

Tuesday, October 4, 2016

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. Times are only estimates and items may be taken out of order.

<u>Time</u>	<u>Reference</u>	<u>Item</u>
9:00 a.m.		Call to Order and Roll Call
9:01 a.m.		Approve Agenda
9:03 a.m.		Consent Agenda
	1	(1) Minutes from the September 27, 2016 Special Meeting
	2-4	(2) Consider approving a premises permit application for gambling for Benson Hockey Association for the Swift Falls Bar located at 203 Danelz Ave, Benson (Swift Falls), MN 56215
	5-6	(3) Consider approving the purchase of a Pickup Truck for the Highway Department
9:04 a.m.		Consider Approval of Commissioner warrants and review Auditor warrants reviewed
9:05 a.m.		Tim Miller, Candidate for House District 17A
9:20 a.m.		Walt Gessler, MN DNR Lac qui Parle Wildlife Area Supervisor
	7-16	Consider certifying for acquisition of property by the Minnesota DNR as part of the Marsh Lake Restoration project
9:25 a.m.		Commissioner and Board reports
9:40 a.m.		County Administrator Report
9:45 a.m.		Citizens Comments
9:45 a.m.		Mike Johnson, Park, Drainage, and Wetlands Supervisor
	17-19	Consider approving the proposed 2017 ditch assessments
9:50 a.m.		Danielle Olson, County Attorney
	20-44	Consider approving county policies related to data practices
10:00 a.m.		Mike Pogge-Weaver, County Administrator
	45-48	Consider approve proceeding with Wold Architects and Engineers for full architectural and engineering consulting services related to the building project at the Historic Courthouse, Countryside Public Health, and Human Services
		Other Business
	49-51	Consider approving a PERA Phased Retirement Option application for Harry Hohman
	None	Closed session to consider strategy for labor negotiations
		Consider approving a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. (§13D.03)
		Closed session to consider strategy for labor negotiations
		Adjourn close session and return to open session
11:00 a.m.		Adjournment

SWIFT COUNTY SPECIAL BOARD MINUTES
September 27, 2016

Chairman Peter Peterson called the special meeting to order at 10:00 AM with all present. Also in attendance were County Administrator Mike Pogge-Weaver, County Attorney Danielle Olson, County Auditor Kim Saterbak, County Treasurer Ron Vadnais, Environmental Services Director Scott Collins, Jan Fransen, and Amanda Ness.

09-27-16-01 Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve the agenda. Motion carried unanimously.

09-27-16-02 Commissioner Fox moved and Commissioner E. Pederson seconded to approve the Consent Agenda which consisted of: (1) Minutes from the September 20, 2016 Regular Meeting. Motion carried unanimously.

09-27-16-03 Commissioner Hendrickx moved and Commissioner Rudningen seconded to approve accepting the resignation of County Administrator Michel Pogge-Weaver effective October 21, 2016. Motion carried unanimously.

09-27-16-04 Commissioner Fox moved and Commissioner Hendrickx seconded to approve a contract to hire Jan Fransen as Interim County Administrator. Motion carried unanimously.

09-27-16-05 Commissioner Hendrickx moved and Commissioner E. Pederson seconded to approve appointing Amanda Ness as Clerk of the Board. Motion carried unanimously.

Administrator Pogge-Weaver excused himself from the remainder of the meeting at 10:10 AM.

Treasurer Vadnais requested and Ms. Fransen agreed to have continuity of the Interim County Administrator's schedule.

A lengthy discussion was held with Sharon Klumpp, of Waters and Company, concerning the recruitment of a new County Administrator.

09-27-16-06 Commissioner Rudningen moved and Commissioner E. Pederson seconded to adjourn. Motion carried unanimously.

The meeting adjourned at 11:26 AM.

WITNESSED:

Peter Peterson, Chair

ATTEST:

Amanda Ness, Clerk of the Board



Request for Board Action

BOARD MEETING DATE:
October 4, 2016

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving a premises permit application for gambling for Benson Hockey Association for the Swift Falls Bar located at 203 Danelz Ave, Benson (Swift Falls), MN 56215	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Benson Hockey Association is request board signoff on an application for a premises permit application for gambling to conduct lawful gambling at the Swift Falls Bar located at 203 Danelz Ave, Benson (Swift Falls), MN 56215.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: None

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Was not submitted for review prior to the meeting	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None

LG214 Premises Permit Application

Annual Fee \$150 (NON-REFUNDABLE)

REQUIRED ATTACHMENTS TO LG214

1. If the premises is leased, attach a copy of your lease. Use **LG215 Lease for Lawful Gambling Activity**.
2. \$150 annual premises permit fee, for each permit (non-refundable). Make check payable to **"State of Minnesota."**

Mail the application and required attachments to:
 Minnesota Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Questions? Call 651-539-1900 and ask for Licensing.

ORGANIZATION INFORMATION

Organization Name: Benson Hockey Association License Number: 01823

Chief Executive Officer (CEO) Jeff DeHaan Daytime Phone: 320-808-7883

Gambling Manager: Colleen Johnson Daytime Phone: 320-808-6173

GAMBLING PREMISES INFORMATION

Current name of site where gambling will be conducted: Brinks Beer Joint & Grill

List any previous names for this location:

Swift Falls Bar Swift Mercantile

Street address where premises is located: 203 Danelz Ave
(Do not use a P.O. box number or mailing address.)

City:	OR Township:	County:	Zip Code:
Benson (Swift Falls)	Camp Lake	Swift	56215

Does your organization own the building where the gambling will be conducted?
 Yes No **If no, attach LG215 Lease for Lawful Gambling Activity.**

A lease is not required if only a raffle will be conducted.

Is any other organization conducting gambling at this site? Yes No Don't know

Note: Bar bingo can only be conducted at a site where another form of lawful gambling is being conducted by the applying organization or another permitted organization. Electronic games can only be conducted at a site where paper pull-tabs are played.

Has your organization previously conducted gambling at this site? Yes No Don't know

GAMBLING BANK ACCOUNT INFORMATION; MUST BE IN MINNESOTA

Bank Name: [REDACTED] Bank Account Number: [REDACTED]

Bank Street Address: [REDACTED] City: [REDACTED] State: **MN** Zip Code: [REDACTED]

ALL TEMPORARY AND PERMANENT OFF-SITE STORAGE SPACES

Address (Do not use a P.O. box number):	City:	State:	Zip Code:
<u>[REDACTED]</u>	<u>[REDACTED]</u>	MN	<u>[REDACTED]</u>
		MN	
		MN	

ACKNOWLEDGMENT BY LOCAL UNIT OF GOVERNMENT: APPROVAL BY RESOLUTION

**CITY APPROVAL
for a gambling premises
located within city limits**

City Name: _____

Date Approved by City Council: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of City Personnel: _____

Title: _____ Date Signed: _____

**Local unit of government
must sign.**

**COUNTY APPROVAL
for a gambling premises
located in a township**

County Name: _____

Date Approved by County Board: _____

Resolution Number: _____
(If none, attach meeting minutes.)

Signature of County Personnel: _____

Title: _____ Date Signed: _____

TOWNSHIP NAME: _____

Complete below only if required by the county.
On behalf of the township, I acknowledge that the organization is applying to conduct gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.213, Subd. 2.)

Print Township Name: _____

Signature of Township Officer: _____

Title: _____ Date Signed: _____

ACKNOWLEDGMENT AND OATH

- | | |
|---|--|
| <p>1. I hereby consent that local law enforcement officers, the Board or its agents, and the commissioners of revenue or public safety and their agents may enter and inspect the premises.</p> <p>2. The Board and its agents, and the commissioners of revenue and public safety and their agents, are authorized to inspect the bank records of the gambling account whenever necessary to fulfill requirements of current gambling rules and law.</p> <p>3. I have read this application and all information submitted to the Board is true, accurate, and complete.</p> <p>4. All required information has been fully disclosed.</p> <p>5. I am the chief executive officer of the organization.</p> | <p>6. I assume full responsibility for the fair and lawful operation of all activities to be conducted.</p> <p>7. I will familiarize myself with the laws of Minnesota governing lawful gambling and rules of the Board and agree, if licensed, to abide by those laws and rules, including amendments to them.</p> <p>8. Any changes in application information will be submitted to the Board no later than ten days after the change has taken effect.</p> <p>9. I understand that failure to provide required information or providing false or misleading information may result in the denial or revocation of the license.</p> <p>10. I understand the fee is non-refundable regardless of license approval/denial.</p> |
|---|--|

Leif Dehan

Signature of Chief Executive Officer (designee may not sign) _____ Date _____

<p>Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process your organization's application. Your organization's name and address will be public</p>	<p>information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information;</p>	<p>Minnesota's Department of Public Safety, Attorney General, Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.</p>
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This form will be made available in alternative format, i.e. large print, braille, upon request.



Request for Board Action

BOARD MEETING DATE:
October 4, 2016

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: Approval to purchase new pickup to replace unit 304 a 2002 Ford Excursion.	
AGENDA YOU ARE REQUESTING TIME ON: Consent agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? yes
IS THIS MANDATED? no	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: This unit was scheduled in the CIP for replacement and budgeted for 2016.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? See above	

Budget Information

FUNDING: County

Review/Recommendation

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

Swift County Highway Department

BID TABULATIONS: Pickup and Accessories

September 28, 2016

Pickup with accessories:

DEALER	VEHICAL	BID	TRADE	TOTAL
Valu Ford and Chrysler	RAM 3500 (gas)	\$34,804.27	\$6,000.00	\$28,804.27
Valu Ford and Chrysler	F-350 Crew (gas)	\$35,407.06	\$6,000.00	\$29,407.06
Nolan Baker	F-350 Crew (gas)	\$34,617.00	\$3,000.00	\$31,617.00
Valu Ford and Chrysler	RAM 3500 MEGA CREW (gas)	\$41,013.22	\$6,000.00	\$35,013.22
Nolan Baker	F-350 Crew (diesel)	\$42,432.00	\$3,000.00	\$39,432.00

Total **\$28,804.27**

Budget **\$35,000.00**



Request for Board Action

BOARD MEETING DATE:
October 4, 2016

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 certifying for acquisition of property by the Minnesota DNR as part of the Marsh Lake Restoration project	
AGENDA YOU ARE REQUESTING TIME ON: 9:20 AM	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: This is a request from the Mn DNR for the Swift County board to certify the acquisition of property needed for the Marsh Lake Restoration project. The attached outlines the request. Courtesy notices on this request have been mailed to adjacent property owners by Swift County.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

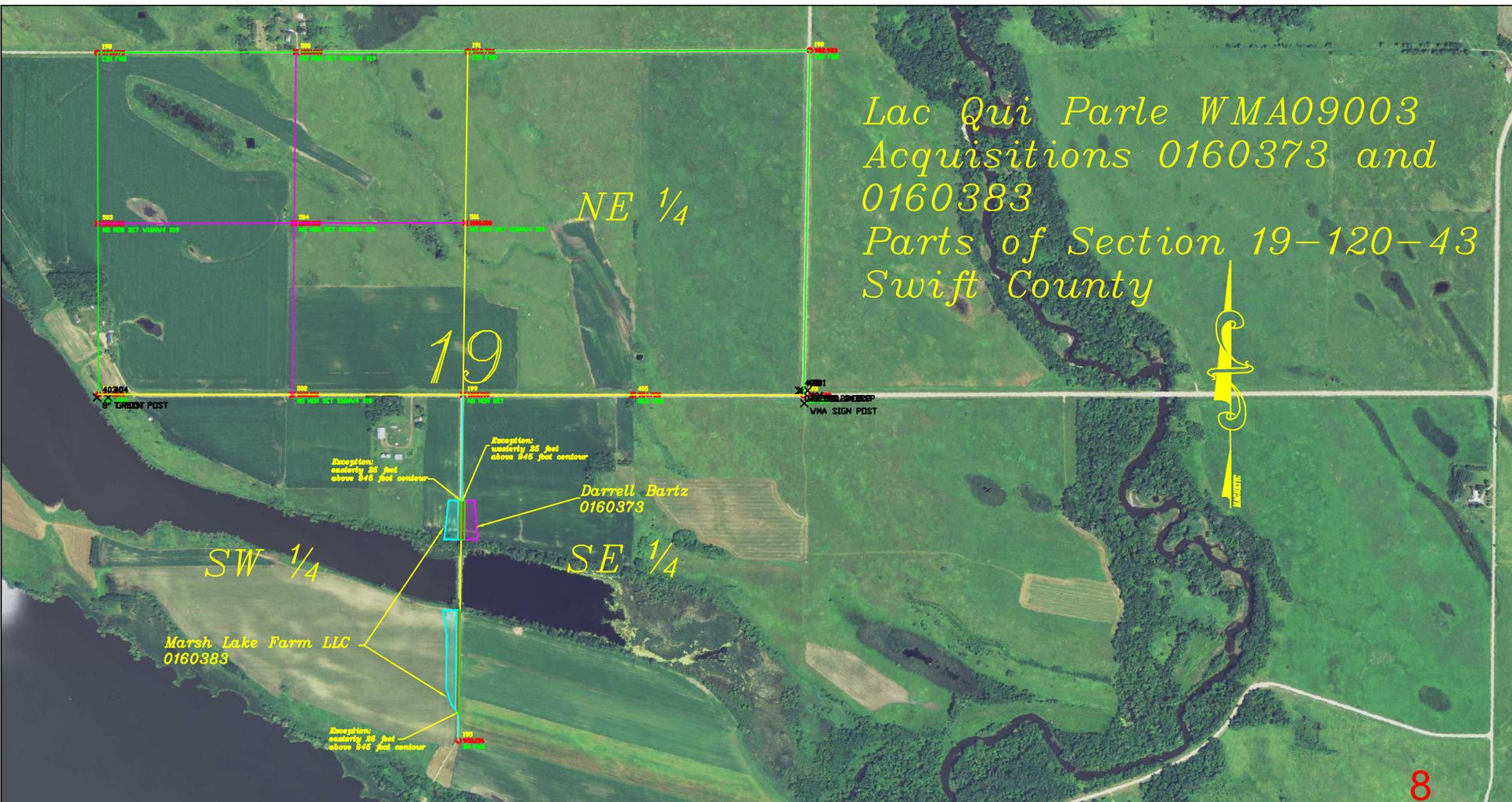
Budget Information

FUNDING: None

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Was not submitted for review prior to the meeting	RECOMMENDATIONS: Approve
COMMENTS: None	COMMENTS: None

*Lac Qui Parle WMA09003
Acquisitions 0160373 and
0160383
Parts of Section 19-120-43
Swift County*





MINNESOTA DEPARTMENT OF NATURAL RESOURCES
Lac qui Parle Wildlife Management Area
14040 20th Street NW
Watson, MN 56295
320-734-4451

Date: September 12, 2016

Swift County Commissioners
Mike Pogge-Weaver - County Administrator
Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215

RE: Land Acquisition

Dear Swift County Commissioners,

This letter is to request the Swift County Board of Commissioners pass a resolution approving a land purchase by the MN DNR. This property is owned by Darrel Bartz and Denise Pedersen.

The MN Department of Natural Resources has come to an agreement with the landowners to purchase this parcel adjacent to the Lac qui Parle State Wildlife Management Area (WMA) in Swift County. The property can be described as:

That part of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$, SE $\frac{1}{4}$) of Section 19, Township 120 North, Range 43 West, Swift County, Minnesota, described as follows:

Commencing at the Northeast corner of said Northwest Quarter of the Southeast Quarter; thence on an assumed bearing of North 89 degrees West, along the North line of said Northwest Quarter of the Southeast Quarter, a distance of 1310 feet, more or less, to the Northwest corner of said Northwest Quarter of the Southeast Quarter; thence South 00 degrees West, along the West line of said Northwest Quarter of the Southeast Quarter, a distance of 814 feet to the point of beginning of the tract to be herein described; thence South 89 degrees East, a distance of 100 feet; thence South 05 degrees East, a distance of 300 feet; thence North 89 degrees West, a distance of 130 feet, more or less, to said West line; thence North 00 degrees East, along said West line, a distance of 300 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM, the westerly 25 feet of said tract lying above the 945 foot contour; containing 0.6 acres, more or less.

This is county parcel number 01-0155

The property acquisition is critical to the Marsh Lake Restoration project. This parcel needs to be acquired for placement of a new access road and dam realignment. The State of Minnesota PILT payment, (payment in lieu of taxes) for this proposed acquisition along with the accompanying Marsh Lake Farms LLC acquisition is estimated at \$346.88. The PILT payment will be made to the county following the purchase by the DNR. Current taxes paid under private ownership are \$14.61 for the 0.6 acre parcel we would like to acquire.

mndnr.gov



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AN EQUAL OPPORTUNITY EMPLOYER.



MINNESOTA DEPARTMENT OF NATURAL RESOURCES
Lac qui Parle Wildlife Management Area
14040 20th Street NW
Watson, MN 56295
320-734-4451

I will attend your county board meeting at 9:00am on October 4, 2016 to discuss this purchase by the MN DNR.

Sincerely,

Walt Gessler
Lac qui Parle Wildlife Area Supervisor
320-734-4451 ext. 227

c: Dave Trauba, Regional Wildlife Supervisor

Attachment: Project map, Sample County Board Resolution



**Swift County
Board of County Commissioners
Review of Proposed State Land Acquisition**

In accordance with Minnesota Statutes 97A.145, Subd. 2, the Commissioner of the Department of Natural Resources on October 4, 2017

Provided the county board with a description of lands to be acquired by the State of Minnesota for water, forestry, wildlife, and natural plant community conservation purposes.

Lands to be acquired are described as follows:

That part of the Northwest Quarter of the Southeast Quarter (NW ¼ , SE ¼) of Section 19, Township 120 North, Range 43 West, Swift County, Minnesota, described as follows:

Commencing at the Northeast corner of said Northwest Quarter of the Southeast Quarter; thence on an assumed bearing of North 89 degrees West, along the North line of said Northwest Quarter of the Southeast Quarter, a distance of 1310 feet, more or less, to the Northwest corner of said Northwest Quarter of the Southeast Quarter; thence South 00 degrees West, along the West line of said Northwest Quarter of the Southeast Quarter, a distance of 814 feet to the point of beginning of the tract to be herein described; thence South 89 degrees East, a distance of 100 feet; thence South 05 degrees East, a distance of 300 feet; thence North 89 degrees West, a distance of 130 feet, more or less, to said West line; thence North 00 degrees East, along said West line, a distance of 300 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM, the westerly 25 feet of said tract lying above the 945 foot contour; containing 0.6 acres, more or less.

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Swift

County on October 4 that the State's proposed acquisition of the attached described property be (approved) (disapproved).

If applicable, reasons for disapproval:

This resolution was presented by Commissioner _____, seconded by
Commissioner _____ and upon vote was duly adopted.

I, Amanda Ness, Clerk of the Board of the County of Swift,

State of Minnesota, certify that the foregoing resolution is a true and correct excerpt of the
minutes of the Board of County Commissioners, County of Swift, State of Minnesota held at
Benson, Minnesota, on the 4th day of October 2016.

Amanda Ness, Clerk of the Board

County of Swift

State of Minnesota



Date: September 12, 2016

Swift County Commissioners
Mike Pogge-Weaver - County Administrator
Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215

RE: Land Acquisition

Dear Swift County Commissioners,

This letter is to request the Swift County Board of Commissioners pass a resolution approving a land purchase by the MN DNR. This property is owned by Marsh Lake Farms LLC.

The MN Department of Natural Resources has come to an agreement with the landowners to purchase this parcel adjacent to the Lac qui Parle State Wildlife Management Area (WMA) in Swift County. The property can be described as:

That part of the East Half of the Southwest Quarter (E ½ , SW ¼) of Section 19, Township 120 North, Range 43 West, Swift County, Minnesota, described as follows:

Commencing at the Northwest corner of said East Half of the Southwest Quarter; thence on an assumed bearing of South 89 degrees East, along the North line of said East Half, a distance of 1312.7 feet, more or less, to the Northeast corner of said East Half; thence South 00 degrees West, along the East line of said East Half, a distance of 814 feet to the point of beginning of the tract to be herein described; thence North 89 degrees West, a distance of 100 feet; thence South 06 degrees West, a distance of 300 feet; thence South 89 degrees East, a distance of 130 feet, more or less, to said East line; thence North 00 degrees East, along said East line, a distance of 300 feet, more or less, to the point of beginning. EXCEPTING THEREFROM, the easterly 25 feet of said tract lying above the 945 foot contour; containing 0.6 acres, more or less.

AND ALSO,

That part of the East Half of the Southwest Quarter (E ½ , SW ¼) of Section 19, Township 120 North, Range 43 West, Swift County, Minnesota, described as follows:

Commencing at the Southeast corner of said East Half of the Southwest Quarter; thence North 00 degrees East, along the East line of said East Half, a distance of 200 feet to the point of beginning of the tract to be herein described; thence North 36 degrees West, a distance of 100 feet; thence North 17 degrees West, a distance of 127 feet; thence North 00 degrees East, a distance of 200 feet; thence North 07 degrees West, a distance of 200 feet; thence North 90 degrees East, a distance of 130 feet, more or less, to said East line; thence South 00 degrees West, a distance of 800 feet, more or less, to the point of beginning. EXCEPTING THEREFROM, the easterly 25 feet of said tract lying above the 945 foot contour; containing 1.3 acres, more or less.

mndnr.gov





MINNESOTA DEPARTMENT OF NATURAL RESOURCES
Lac qui Parle Wildlife Management Area
14040 20th Street NW
Watson, MN 56295
320-734-4451

This is county parcel number 01-0154

The property acquisition is critical to the Marsh Lake Restoration project. This parcel needs to be acquired for placement of a new access road and dam realignment. The State of Minnesota PILT payment, (payment in lieu of taxes) for this proposed acquisition along with the accompanying Bartz acquisition is estimated at \$346.88. The PILT payment will be made to the county following the purchase by the DNR. Current taxes paid under private ownership are \$32.53 for the 1.9 acre parcel we would like to acquire.

I will attend your county board meeting at 9:00am on October 4, 2016 to discuss this purchase by the MN DNR.

Sincerely,

Walt Gessler
Lac qui Parle Wildlife Area Supervisor
320-734-4451 ext. 227

c: Dave Trauba, Regional Wildlife Supervisor

Attachment: Project map, Sample County Board Resolution



Swift County
Board of County Commissioners
Review of Proposed State Land Acquisition

In accordance with Minnesota Statutes 97A.145, Subd. 2, the Commissioner of the Department of Natural Resources on October 4, 2016

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Lands to be acquired are described as follows:

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Commencing at the Northwest corner of said East Half of the Southwest Quarter; thence on an assumed bearing of South 89 degrees East, along the North line of said East Half, a distance of 1312.7 feet, more or less, to the Northeast corner of said East Half; thence South 00 degrees West, along the East line of said East Half, a distance of 814 feet to the point of beginning of the tract to be herein described; thence North 89 degrees West, a distance of 100 feet; thence South 06 degrees West, a distance of 300 feet; thence South 89 degrees East, a distance of 130 feet, more or less, to said East line; thence North 00 degrees East, along said East line, a distance of 300 feet, more or less, to the point of beginning. EXCEPTING THEREFROM, the easterly 25 feet of said tract lying above the 945 foot contour; containing 0.6 acres, more or less.

AND ALSO,

That part of the East Half of the Southwest Quarter (E ½ , SW ¼) of Section 19, Township 120 North, Range 43 West, Swift County, Minnesota, described as follows:
Commencing at the Southeast corner of said East Half of the Southwest Quarter; thence North 00 degrees East, along the East line of said East Half, a distance of 200 feet to the point of beginning of the tract to be herein described; thence North 36 degrees West, a distance of 100 feet; thence North 17 degrees West, a distance of 127 feet; thence North 00 degrees East, a distance of 200 feet; thence North 07 degrees West, a distance of 200 feet; thence North 90 degrees East, a distance of 130 feet, more or less, to said East line; thence South 00 degrees West, a distance of 800 feet, more or less, to the point of beginning. EXCEPTING THEREFROM, the easterly 25 feet of said tract lying above the 945 foot contour; containing 1.3 acres, more or less.

IT IS HEREBY RESOLVED, by the Board of County Commissioners of Swift County on October 4 that the State's proposed acquisition of the attached described property be (approved) (disapproved).

If applicable, reasons for disapproval:

This resolution was presented by Commissioner _____, seconded by
Commissioner _____ and upon vote was duly adopted.

I, Amanda Ness, Clerk of the Board of the County of Swift,

State of Minnesota, certify that the foregoing resolution is a true and correct excerpt of the
minutes of the Board of County Commissioners, County of Swift, State of Minnesota held at
Benson, Minnesota, on the 4th day of October 2016.

Amanda Ness, Clerk of the Board

County of Swift

State of Minnesota



Request for Board Action

BOARD MEETING DATE:
October 4, 2016

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Mike Johnson	REQUESTOR: Parks, Drainage, and Wetlands	REQUESTOR PHONE: 320-314-8367
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving the proposed 2017 ditch assessments	
AGENDA YOU ARE REQUESTING TIME ON: 9:45 AM	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: Attached are the proposed 2017 ditch assessments which were reviewed at the September 20th meeting. There have been no changes made to the 2017 proposed ditch assessment amounts.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: n/a

Review/Recommendation

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

RESOLUTION

PAYABLE 2017 DITCH ASSESSMENTS

Motion by Commissioner _____ Seconded by Commissioner _____

BE IT RESOLVED, pursuant to Minnesota statute 103E.725, costs incurred for the repair of a drainage system must be assessed against the property and entities benefited, the Board of Commissioners approves the ditch assessments for Property Tax year Payable 2017.

See attached list

Adopted on a _____ vote by the Swift County Board of County Commissioners the 4th day of October 2016.

Swift County Board of Commissioners

Peter Peterson, Chairman

ATTEST:

Amanda Ness
Clerk of the Board

Fox ___
P. Peterson ___

Hendrickx ___
Rudningen ___

E. Pederson ___

2017 Proposed Ditch Assessments

REPAIR LAT "A" JUD DITCH #19	5,000
REP JT CO DITCH #2 S & S	7,000
REP JT COUNTY DITCH #19 S & k	30,000
REPAIR LAT "A" JUD DITCH #8	5,000
REPAIR JUDICIAL DITCH #5	25,000
REPAIR JUDICIAL DITCH #8	50,000
REPAIR COUNTY DITCH #61	5,000
REPAIR COUNTY DITCH #55	30,000
REPAIR COUNTY DITCH #58	30,000
REPAIR COUNTY DITCH #14	10,000
REPAIR COUNTY DITCH #83	5,000
Proposed 2017 assessments	202,000

Swift County Attorney

211-11th Street North, Telephone: (320) 843-2134
Benson MN 56215 Fax: (320) 843-2348

Danielle H. Olson, County Attorney
danielle.olson@co.swift.mn.us

Harry D. Hohman, Assistant County Attorney
harry.hohman@co.swift.mn.us

Allison T. Whalen, Assistant County Attorney
allison.whelen@co.swift.mn.us



MEMORANDUM

TO: County Administrator and Board of Commissioners

FROM: Danielle H. Olson

DATE: 9/30/2016

SUBJECT: Government Entity Obligation- Public Data Access Policy

Pursuant to Minnesota Statute §13.025, Swift County shall have a written public data access policy as well as a written policy of the rights of the data subjects under Minnesota Statute §13.04. This shall include the specific procedures used by the government entity for access by the data subject to public or private data on individuals. These policies shall be available to the public and made easily accessible to the public or by posting it on the government entity's web site. Said data policies shall be updated annually to reflect any changes in personnel, procedures, or circumstances that impact the public's ability to access data.

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE

CODE

Data Subjects Rights and Access Policy

604

REFERENCE

Government Data Practices Act, Minnesota Statutes, Chapter 13

PERSONNEL RESPONSIBLE

County Attorney

EFFECTIVE DATE

10-04-2016

POLICY

See attached **Data Subjects Rights and Access Policy** document.

AUTHORED BY: County Attorney
DATE: 09-30-16

APPROVED BY: County Board
DATE: XX-XX-XX

**SWIFT COUNTY
DATA PRACTICES POLICY
MEMBERS OF THE PUBLIC**

Right to Access Public Data

The Government Data Practices Act (Minnesota Statutes, Chapter 13) presumes that all government data are public unless a state or federal law says the data are not public. Government data is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

The Government Data Practices Act also provides Swift County must keep all government data in a way that makes it easy for you, as a member of the public, to access public data. You have the right to look at (inspect), free of charge, all public data that we keep. You also have the right to get copies of public data. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

How to Make a Data Request

To look at data or request copies of data that Swift County keeps, make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts on pages 3 - 5. You may make your request for data by mail, fax, or email, using the data request form on page 7.

If you choose not to use the data request form, your request should include:

- That you, as a member of the public, are making a request for data under the Government Data Practices Act, Minnesota Statutes, Chapter 13;
- Whether you would like to look at the data, get copies of the data, or both; and
- A clear description of the data you would like to inspect or have copied.

Swift County cannot require you, as a member of the public, to identify yourself or explain the reason for your data request. However, depending on how you want us to process your request (if, for example, you want us to mail you copies of data), we may need some information about you. If you choose not to give us any identifying information, we will provide you with contact information so you may check on the status of your request. In addition, please keep in mind that if we do not understand your request and have no way to contact you, we will not be able to begin processing your request.

How We Respond to a Data Request

Upon receiving your request, we will work to process it.

- If we do not have the data, we will notify you, in writing, as soon as reasonably possible.
- If we have the data, but the data are not public, we will notify you as soon as reasonably possible and state which specific law says the data are not public.
- If we have the data, and the data are public, we will respond to your request appropriately and promptly, within a reasonable amount of time by doing one of the following:
 - *arrange a date, time, and place to inspect data, for free, if your request is to look at the data, or
 - *provide you with copies of the data as soon as reasonably possible. You may choose to pick up your copies, or we will mail or fax them to you. If you want us to

send you the copies, you will need to provide us with an address or fax number. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

Information about copy charges is on page 6. We also will arrange for you to pre-pay for the copies.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request). If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, the Government Data Practices Act does not require us to answer questions that are not requests for data.

Requests for Summary Data

Summary data are statistical records or reports that are prepared by removing all identifiers from private or confidential data on individuals. The preparation of summary data is not a means to gain access to private or confidential data. We will prepare summary data if you make your request in writing and pre-pay/pay for the cost of creating the data. Upon receiving your written request — you may use the data request form on page 7 - we will respond within ten business days with the data or details of when the data will be ready and how much we will charge.

SWIFT COUNTY DATA PRACTICES CONTACTS:

Department Specific Responsible Authority

John Holtz, Sheriff's Office

Law Enforcement Center
Suite 4
301 14th Street N., Benson, MN 56215; Telephone: 320-843-2134; Fax:
320-843-2299

Ron Vadnais, Treasurer's Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-843-3544; Fax: 320- 843-2775

Danielle Olson, County Attorney's Office

211-11th St. N
Benson, MN 56215; Telephone: 320-843-2134; Fax: 320-843-2348

**Peter Peterson, Board Chair, County Commissioners
Attn: Mike Pogge-Weaver, County Administrator**

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-314-8399; Fax: 320-843-2275

**Gary Hendrickx, CSSB Board Chair
Attn: Catie Lee, Director, Swift County Family Services**

410 21st St. S
P.O. Box 208
Benson, MN 56215; Telephone; 320-843-3160; Fax 320-843-4582

Responsible Authority for other County Departments

Danielle Olson, County Attorney
211-11th St. N
Benson, MN 56215; Telephone: 320-843-2134; Fax: 320-843-2348

Named Responsible Authority Designee by Department

Mary Amundson, Land Record's Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-843-3377; Fax: 320-843-6105

Kim Saterbak, Auditor's Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone; 320-843-4069; Fax 320-843-2275

Wayne Knutson, Assessor's Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone; 320-843-5891; Fax 320-843-2275

David Barrett, Veterans Service Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-842-5271; Fax: 320-843-4850

Scott Collins, Environmental Office

1000 Industry Drive, Benson, MN 56215
Benson, MN 56215: Telephone: 320-843-2356; Fax: 320-843-9172

Mike Pogge-Weaver, County Administrator's Office (including HR)

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-314-8399; Fax: 320-843-2275

Andy Sander, Highway Department

1635 Hoban Avenue
Benson, MN 56215; Telephone: 320-842-5251; Fax: 320-843-3543

Rob Lee, IT Director

Courthouse
301 14th St N

P.O. Box 207
Benson, MN 56215; Telephone: 320-843-6109; Fax: 320-843-2275

Casey Olson, U of M Extension Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-843-3796; Fax: 320-843-4850

Mike Johnson, Parks, Drainage, and Wetlands Office

1635 Hoban Avenue
Benson, MN 56215; Telephone: 320-314-8348; Fax: 320-843-3543

Will Warnock, Restorative Practices Office

211-11th St. N
Benson, MN 56215; Telephone: 320-843-2493; Fax: 320-843-2348

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Copy Costs — Members of the Public

Swift County charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

You must pay for the copies before we will give them to you.

For 100 or Fewer Paper Copies — 25 cents per page

100 or fewer pages of black and white, letter or legal size paper copies cost \$.25 for a one-sided copy, or \$.50 for a two-sided copy.

Most Other Types of Copies — Actual Cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD, DVD, etc.), and mailing costs (if any). If your request is for the copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to search the data, retrieve data, and make copies is based on the hourly rate of the employee.

If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

**SWIFT COUNTY
DATA REQUEST FORM
MEMBERS OF THE PUBLIC**

Date of request: _____

I am requesting access to data in the following way:

_____ Inspection _____ Copies _____ Both inspection and copies

Note: Inspection is free, but Swift County will charge for copies as indicated on page 5.

These are the data I am requesting:

Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information:

Name: _____

Address: _____

Phone number _____ Email address _____

You do not have to provide any of the above contact information. However, if you want us to mail/email you copies of data, we will need some type of contact information. In addition, if we do not understand your request and need to get clarification from you, without contact information we will not be able to begin processing your request until you contact us.

We will respond to your request as soon as reasonably possible.

All data requests must be made to the Responsible Authority (RA) or designee. Regardless of which staff person actually manages a data request, the RA ultimately is responsible.

Setting Parameters for Data Requests

As stated in the Data Practices Policy for Members of Public and Data Practices Policy for Data Subject, individuals must make data requests in writing.

When an individual requests data about him/herself, you must verify that the requestor is the data subject or the data subject's parent or guardian; document how you made the verification.

Responding to Data Requests:

Time Frames:

Swift County must respond to data subjects seeking access to data about them within ten business days (section 13.04).

Swift County must either provide the data to the data subject or inform the data subject there are no data available within ten business days. This does not mean that an entity cannot arrange for a longer period of time to respond, as long as the data subject agrees.

Swift County must respond to all data requests in writing.

Charging for copies of data:

Swift County charges members of the public for copies of government data. These charges are authorized under Minnesota Statutes, section 13.03, subdivision 3(c).

You must pay for the copies before we will give them to you.

For 100 or Fewer Copies — 25 cents per page

100 or fewer pages of black and white, letter or legal size paper copies cost \$.25 for a one-sided copy, or \$.50 for a two-sided copy.

Most Other Types of Copies — Actual Cost

The charge for most other types of copies, when a charge is not set by statute or rule, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data (e.g. sending the data by email).

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD DVD, etc.), and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to search for data, retrieve data, and make copies is based on the hourly rate of the employee. If, because of the subject matter of your request, we find it necessary for a

higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

If you charge members of the public for copies, document the calculation.

Data subjects

When a data subject asks for copies, Swift County may charge the actual cost for an employee to make paper copies or to print copies of electronically stored data. When calculating employee time for making the copies, you should use the hourly wage of the lowest-paid employee who is able to make the copies.

Note: Government entities may not charge for search and retrieval time if a data subject requests copies. **Creating New Data**

Swift County is not required to create data that is not already collected or maintained upon a request for creation of new data. If the County chooses to create data, they may work with the requestor on a case-by-case basis.

Summary Data

The Responsible Authority (RA) is required to prepare summary data if the request is made in writing and the cost of preparing the summary data is paid for by the requestor. The RA is allowed to delegate the preparation of summary data.

Methods of preparing summary data include, but are not limited to the following:

- Removing from a set of data, a file, or a record keeping system all unique personal identifiers so that the data that remains fulfills the definition of summary data as defined by Minnesota Statutes, section 13.02, subdivision 19; and
- Removing from the entity's report of any incident, or from any collection of data similar to an incident report, all unique personal identifiers so that the resulting report fulfills the definition of summary data in Minnesota Statutes, section 13.02, subdivision 19.

For the purpose of this part, "removing all unique personal identifiers" includes, but is not limited to, blacking out personal identifiers on paper records, tearing off or cutting out the portions of paper records that contain personal identifiers, and programming computers in such a way that printed, terminal, or other forms of output do not contain personal identifiers.

Swift County will respond to summary data requests within ten days.

Nondisclosure agreement

A nondisclosure agreement, as required by Minnesota Statutes, section 13.05, subdivision 7, shall contain at least the following:

- A general description of the private or confidential data which is being used to prepare summary data;

- The purpose for which the summary data is being prepared; and
- A statement that the preparer understands he/she may be subject to the civil or criminal penalty provisions of the act in the event that the private or confidential data is disclosed.

Parent Access to Private Data about Minor Children (Policy for Data Subjects)

Parents and guardians are entitled to the same Chapter 13 rights as per minor children. However, a minor has the right to ask that his/her private data not be released to his/her parent or guardian. The rules provide guidance to government entities about responding to a minor's request to limit access to data about him/her.

Note: Government entities may not deny parents/guardians access to educational data that are maintained by an educational agency or institution.

Document when you notify minors that they have a right to request that you not release their private data to their parent or guardian. Also, for each situation where you receive a request from a minor, document how/why you made the determination to withhold or release.

Tennessee Warning Notices (Policy for Data Subjects)

Swift County must provide a Tennessee warning to an individual when collecting private and/or confidential data about that individual from that individual.

With limited exceptions, you may not collect, store, use or disseminate private or confidential data for any purpose other than those you specified in the Tennessee warning notice. Because the consequences of not giving a proper notice are so severe, you must tailor your notices to your entity's specific programs. Seek legal advice when developing your notices. More information about Tennessee warning notices located on IPAD's website at www.ipad.state.mn.us/docs/tw.html

Informed Consent
(Policy for Data Subjects)

Request (to release) from Individual

If an individual asks Swift County to release his/her private data to an outside entity or person. Because the entity does not have statutory authority to release the data, it must get the individual's written informed consent.

Explanation of Your Rights

If you have a question about anything on this form, or would like more explanation, please talk to the Responsible Authority before you sign it.

_____, give my permission for Swift County to release data about me to _____ as described on this form.

1. The specific data I want Swift County to release is: _____
2. I understand that I have asked Swift County to release the data.
3. I understand that although the data are classified as private at Swift County, the classification/treatment of the data at _____ depends on laws or policies that apply to _____

This authorization to release expires _____

Individual data subject's signature: _____ Date: _____

Parent/guardian's signature (if needed): _____ Date: _____

Keeping Data Secure
(Policy for Data Subjects)

Swift County will take the appropriate security safeguards for all records containing data on individuals. Private data are accessible to individuals within Swift County whose work assignments reasonably require access. Confidential data are accessible to individuals within Swift County whose work assignments reasonably require access. Only appropriate individuals will get access to private and confidential data.

Swift County will notify data subjects when a security breach has occurred and an unauthorized person has gained access to data.

Creating, Updating and Posting Policies

Review and updates of the policies will be done annually. Members of the public and data subjects documents are available on Swift County's website of www.swiftcounty.com.

DRAFT

**Swift County Board of Commissioners
Policy Manual**

Policy Statement

TITLE	CODE
Data Subjects Rights and Access Policy	604

REFERENCE

Government Data Practices Act, Minnesota Statutes, Chapter 13

PERSONNEL RESPONSIBLE

County Attorney

EFFECTIVE DATE

10-04-2016

POLICY

See attached **Data Subjects Rights and Access Policy** document.

AUTHORED BY: County Attorney
DATE: 09-30-16

APPROVED BY: County Board
DATE: XX-XX-XX

SWIFT COUNTY DATA PRACTICES POLICY FOR DATA SUBJECTS

Data About You

The Government Data Practices Act (Minnesota Statutes, Chapter 13) says that data subjects have certain rights related to a government entity collecting, creating, and keeping government data about them. You are the subject of data when you can be identified from the data. Government data is a term that means all recorded information a government entity has, including paper, email, DVDs, photographs, etc.

Classification of Data About You

The Government Data Practices Act presumes that all government data are public unless a state or federal law says that the data are not public. Data about you are classified by state law as public, private, or confidential. See below for some examples.

- 1. Public Data:** We must give public data to anyone who asks; it does not matter who is asking for the data or why.

The following is an example of public data about you: Names of Minnesota government employees.

- 2. Private Data:** We cannot give private data to the general public, but you have access when the data are about you. We can share your private data with you, with someone who has your permission, with our Swift County staff who need the data to do their work, and as permitted by law or court order.

The following is an example of private data about you: Social Security numbers.

- 3. Confidential Data:** Confidential data have the most protection. Neither the public nor you can get access even when the confidential data are about you. We can share confidential data about you with our Swift County staff who need the data to do their work and to others as permitted by law or court order. We cannot give you access to confidential data.

The following is an example of confidential data about you: The identity of the subject of an active criminal investigation.

Your Rights Under the Government Data Practices Act

Swift County must keep all government data in a way that makes it easy for you to access data about you. Also, we can collect and keep only those data about you that we need for administering and managing programs that are permitted by law. As a data subject, you have the following rights:

- **Access to Your Data**
You have the right to look at (inspect), free of charge, public and private data that we keep about you. You also have the right to get copies of public and private data about you. The Government Data Practices Act allows us to charge for copies. You have the right to look at data, free of charge, before deciding to request copies.

Also, if you ask, we will tell you whether we keep data about you and whether the data are public, private, or confidential.

As a parent, you have the right to look at and get copies of public and private data about your minor children (under the age of 18). As a legally appointed guardian, you have the right to look at and get copies of public and private data about an individual for whom you are appointed guardian.

Minors have the right to ask Swift County staff not to give data about them to their parent or guardian. If you are a minor, we will tell you that you have this right. We may ask you to put your request in writing and to include the reasons that we should deny your parents access to the data. We will make the final decision about your request based on your best interests. **Note:** Minors do not have this right if the data in question are educational data maintained by an educational agency or institution.

- **When we Collect Data from You**

When we ask you to provide data about yourself that are not public, we must give you a notice. The notice is sometimes called a Tennessee warning. The notice controls what we do with the data that we collect from you. Usually, we can use and release the data only in the ways described in the notice.

We will ask for your written permission if we need to use or release private data about you in a different way, or if you ask us to release the data to another person. This permission is called informed consent. If you want us to release to another person, you must use the consent form we provide.

- **Protecting your Data**

The Government Data Practices Act requires us to protect your data. We have established appropriate safeguards to ensure that your data are safe.

- **When your Data are Inaccurate and/or Incomplete**

You have the right to challenge the accuracy and/or completeness of public and private data about you. You also have the right to appeal our decision. If you are a minor, your parent or guardian has the right to challenge data about you.

How to Make a Request for Your Data

To look at data, or request copies of data that Swift County keeps about you, your minor children, or an individual for whom you have been appointed legal guardian, make a written request. Make your request for data to the appropriate individual listed in the Data Practices Contacts on pages 5-7. You may make your request by mail, fax, or email, using the data request form on page 9.

If you choose not use to use the data request form, your request should include:

- that you are making a request, under the Government Data Practices Act (Minnesota Statutes, Chapter 13), as a data subject, for data about you;
- whether you would like to inspect the data, have copies of the data, or both;

- a clear description of the data you would like to inspect or have copied; and
- identifying information that proves you are the data subject, or data subject's parent/guardian.

Swift County requires proof of your identity before we can respond to your request for data. If you are requesting data about your minor child, you must show proof that you are the minor's parent. If you are a guardian, you must show legal documentation of your guardianship. Please see the Standards for Verifying Identity located on Page 10.

How We Respond to a Data Request

Once you make your request, we will work to process your request. If it is not clear what data you are requesting, we will ask you for clarification.

- If we do not have the data, we will notify you, in writing, within 10 business days.
- If we have the data, but the data are confidential or private data that are not about you, we will notify you within 10 business days and state which specific law says you cannot access the data.
- If we have the data, and the data are public or private data about you, we will respond to your request within 10 business days, by doing one of the following:
 - arrange a date, time, and place to inspect the data, for free, if your request is to look at the data,
 - or provide you with copies of the data within 10 business days. You may choose to pick up your copies, or we will mail or fax them to you. We will provide electronic copies (such as email or CD-ROM) upon request if we keep the data in electronic format.

Information about copy charges is on page 8. We will also arrange for you to prepay for the copies. After we have provided you with access to data about you, we do not have to show you the data again for 6 months unless there is a dispute or we collect or create new data about you.

If you do not understand some of the data (technical terminology, abbreviations, or acronyms), please let us know. We will give you an explanation if you ask.

The Government Data Practices Act does not require us to create or collect new data in response to a data request if we do not already have the data, or to provide data in a specific form or arrangement if we do not keep the data in that form or arrangement. (For example, if the data you request are on paper only, we are not required to create electronic documents to respond to your request). If we agree to create data in response to your request, we will work with you on the details of your request, including cost and response time.

In addition, we are not required under the Government Data Practices Act to respond to questions that are not specific requests for data.

How We Keep Data Secure

Private data are accessible to individuals within Swift County whose work assignments reasonably require access. Confidential data are accessible to individuals within Swift County whose work assignments reasonably require access. Only appropriate individuals will get access to private and confidential data.

Swift County will notify data subjects when a security breach has occurred and an unauthorized person has gained access to data.

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SWIFT COUNTY DATA PRACTICES CONTACTS:

Department Specific Responsible Authority

John Holtz, Sheriff's Office

Law Enforcement Center
Suite 4
301 14th Street N., Benson, MN 56215; Telephone: 320-843-2134; Fax: 320-843-2299

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Benson, MN 56215; Telephone: 320-843-3544; Fax: 320- 843-2775

Danielle Olson, County Attorney's Office

211-11th St. N
Benson, MN 56215; Telephone: 320-843-2134; Fax: 320-843-2348

**Peter Peterson, Board Chair, County Commissioners
Attn: Mike Pogge-Weaver, County Administrator**

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301 14th St N
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**Gary Hendrickx, CSSB Board Chair
Attn: Catie Lee, Director, Swift County Family Services**

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Named Responsible Authority Designee by Department

Mary Amundson, Land Record's Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-843-3377; Fax: 320-843-6105

Kim Saterbak, Auditor's Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone; 320-843-4069; Fax 320-843-2275

Wayne Knutson, Assessor's Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone; 320-843-5891; Fax 320-843-2275

David Barrett, Veterans Service Office

Courthouse
301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-842-5271; Fax: 320-843-4850

Scott Collins, Environmental Office

1000 Industry Drive, Benson, MN 56215
Benson, MN 56215: Telephone: 320-843-2356; Fax: 320-843-9172

Mike Pogge-Weaver, County Administrator's Office (including HR)

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Benson, MN 56215; Telephone: 320-314-8399; Fax: 320-843-2275

Andy Sander, Highway Department

1635 Hoban Avenue
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Rob Lee, IT Director

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Casey Olson, U of M Extension Office

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301 14th St N
P.O. Box 207
Benson, MN 56215; Telephone: 320-843-3796; Fax: 320-843-4850

Mike Johnson, Parks, Drainage, and Wetlands Office

1635 Hoban Avenue
Benson, MN 56215; Telephone: 320-314-8348; Fax: 320-843-3543

Will Warnock, Restorative Practices Office

211-11th St. N
Benson, MN 56215; Telephone: 320-843-2493; Fax: 320-843-2348

DRAFT

COPY COSTS — DATA SUBJECTS

Swift County charges data subjects for copies of government data. These charges are authorized under Minnesota Statutes, Section 13.04, subdivision 3.

You must pay for the copies before we will give them to you.

Actual Cost of Making the Copies

In determining the actual cost of making copies, we factor in employee time, the cost of the materials onto which we are copying the data (paper, CD DVD, etc.) and mailing costs (if any). If your request is for copies of data that we cannot reproduce ourselves, such as photographs, we will charge you the actual cost we must pay an outside vendor for the copies.

The cost of employee time to make copies is based on the hourly rate of the employee. If, because of the subject matter of your request, we find it necessary for a higher-paid employee to search for and retrieve the data, we will calculate the search and retrieval portion of the copy charge at the higher salary/wage.

For black and white, letter or legal size paper copies, the cost is \$.25 for a one-sided copy, or \$.50 for a two-sided copy.

**SWIFT COUNTY
DATA REQUEST FORM
DATA SUBJECTS**

Date of request: _____

To request data as a data subject, you must show a valid state ID, such as a driver's license, military ID, or passport as proof of identity.

I am requesting access to data in the following way:

Inspection _____ Copies _____ Both inspection and copies

Note: Inspection is free, but Swift County will charge for copies as indicated on page 7.

These are the data I am requesting:

Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form.

Contact Information:

Data subject name: _____

Parent/Guardian name (if applicable) _____

Address _____

Phone number _____ Email address _____

Staff verification:

Identification provided _____

We will respond to your request within 10 business days.

Standards for Verifying Identity

The following constitute proof of identity.

- An **adult individual** must provide a valid photo **ID**, such as
 - *a state driver's license
 - *a military **ID**
 - *a passport
 - *a Minnesota **ID**
 - *a Minnesota tribal **ID**
- A **minor individual** must provide a valid photo **ID**, such as
 - *a state driver's license
 - *a military **ID**
 - *a passport
 - *a Minnesota **ID**
 - *a Minnesota Tribal **ID**
 - *a Minnesota school **ID**
- The **parent or guardian of a minor** must provide a valid photo **ID** and either
 - *a certified copy of the minor's birth certificate or
 - *a certified copy of documents that establish the parent or guardian's relationship to the child such as:
 - *a court order relating to divorce, separation, custody, foster care
 - *a foster care contract
 - *an affidavit of parentage\
- The **legal guardian for an individual** must provide a valid photo **ID** and a certified copy of appropriate documentation of formal or informal appointment as guardian, such as:
 - *Court order(s)
 - *valid power of attorney

Note: Individuals who do not exercise their data practices rights in person must provide either notarized or certified copies of the documents that are required or an affidavit of **ID**.



Request for Board Action

BOARD MEETING DATE:
October 4, 2016

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 approve proceeding with Wold Architects and Engineers for full architectural and engineering consulting services related to the building project at the Historic Courthouse, Countryside Public Health, and Human Services.	
AGENDA YOU ARE REQUESTING TIME ON: 10:00 AM	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: When the County requested proposals from architectural firms to complete a space needs and projected building program analysis for the County, it also requested fees for full architectural and engineering consulting services related to project that would be identified in the space need study. The County received 5 proposals at that time and Wold submitted the lowest overall proposal of the 5 firms submitting proposals for the second phase and was recommended by the subcommittee. A representative from Wold will be on hand at the meeting to discuss their proposal.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: The projected cost to complete the architectural work is \$404,720. Payments will need to be made by the County as the work progresses; however, it can be incorporated into the final bond issuance.
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Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Final contract needs to be submitted for approval	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: None



June 17, 2016

Michael Pogge-Weaver, County Administrator
Swift County Courthouse
301 14th Street North
PO Box 207
Benson, Minnesota 56215

Re: Swift County
Space Needs Analysis
Commission No. 9999

Dear Michael:

We are pleased to provide our proposal to perform full architectural and engineering consulting services for the proposed projects as recommended in the Space Needs and Projected Building Program Analysis for the first phases of the Swift County Masterplan we recently collaborated upon. As a culmination of many months of thoughtful study regarding the condition of your county facilities, the space needs of each of the departments housed in those facilities, and the most effective organization of those departments Wold is excited by the prospect of participating in the realization of turning these concepts into actuality.

Based upon our efforts during the Space Needs and Projected Building Program Analysis, discussions with you and actions taken by the County Board, we understand that Swift County is interested in initiating the projects recommended as part of Phase I to include:

- Remodeling, maintenance and improvements to the Countryside Public Health building.
- Remodeling, maintenance and improvements to the Historic Courthouse.
- Additions, remodeling and maintenance to the Human Services building.

Our extensive experience in the public sector has been developed over the 45+ years Wold Architects and Engineers has been in business. In designing countless Minnesota county projects, we have completed numerous complex, phased renovation projects - including over 100 county court facility projects in Minnesota and the Midwest. Each of these projects began with a focus on functionality, security and minimizing disruption and resulted in a resoundingly successful facility experience for these clients. We know what efforts are needed to ensure a successful outcome for Swift County's projects.

We have put together a committed team of architects, engineers, and consultants who are experts in projects like yours to develop and implement your facility solutions. We commit that our team will collaborate with Swift County to provide innovation, reliability and usefulness in the projects.

Wold Architects and Engineers
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101
woldae.com | 651 227 7773

**PLANNERS
ARCHITECTS
ENGINEERS**



We propose to provide full service architectural and engineering services, including mechanical, electrical, structural and civil engineering for all project phases from Schematic Design, Design Development, Construction Documents, Bidding, Construction Observation and Post Occupancy Close-out as outlined in our Master Contract. This letter is to serve as an amendment to that contract per Article 11.1.B

Wold proposes establishing a fixed fee at the onset of every project. We provide a comprehensive package of professional design and management services as part of that fixed fee. All engineering and consultant services are provided in our fee. We believe that by establishing a fixed fee for each project, based on an agreed project cost, this eliminates the potentially negative dialog that often happens regarding extra services. Our basic services contract with you goes well beyond what some other architectural firms would provide. Our commitment to you is to agree on a fixed fee and not request additional fees unless the scope of the project changes significantly.

Reimbursable Expenses are in addition to compensation for Basic and Supplemental Basic Services and include expenses incurred by the Architect's consultants directly related to the Project, as follows:

- Transportation in connection with travel to and from Benson.
- Long distance services, dedicated data and communication services, teleconferences, Project Web Sites, and extranets.
- Fees paid for securing approval of authorities having jurisdiction over the Project.
- Printing, reproductions (except sets of each phase for Owner review), plots, standard form documents.
- Postage, handling and delivery.
- Expense of overtime work requiring higher than regular rates, if authorized in advance by the Owner.
- Renderings, models, professional photography, and presentation materials requested by the Owner.
- Architect's Consultant's expense of professional liability insurance dedicated exclusively to this Project, or the expense of additional insurance coverage or limits if the Owner requests such insurance in excess of that normally carried by the Architect's consultants and, if authorized in advance by the Owner.
- All taxes levied on professional services and on reimbursable expenses.
- Other similar Project-related expenditures, if authorized in advance by the Owner.



The following calculates the fixed fee for our services related to each of the three projects in Phase I. Additionally, we believe in long-term client relationships and do not charge additional fees for following up with any warranty or project completion items after the project is complete and we will not send you a bill for additional work in getting the building done right.

COUNTRYSIDE PROJECT

Project Cost	\$ 489,750
Fee Basis (80% of Project Cost per Contract)	\$ 391,800
<u>Remodeling/Addition Fee Rate</u>	<u>(x) 7.5%</u>
Proposed Countryside Fixed Fee	\$ 29,385
<u>Maximum estimated reimbursable expenses</u>	<u>\$ 1,695</u>
PROPOSED TOTAL CONTRACT	\$ 31,080

HISTORIC COURTHOUSE PROJECT

Project Cost	\$4,461,725
Fee Basis (80% of Project Cost per Contract)	\$3,569,380
<u>Remodeling/Addition Fee Rate</u>	<u>(x) 7.5%</u>
Proposed Courthouse Fixed Fee	\$ 267,700
<u>Maximum estimated reimbursable expenses</u>	<u>\$ 15,444</u>
PROPOSED TOTAL CONTRACT	\$ 283,144

HUMAN SERVICES PROJECT

Project Cost	\$1,427,350
Fee Basis (80% of Project Cost per Contract)	\$1,141,880
<u>Remodeling/Addition Fee Rate</u>	<u>(x) 7.5%</u>
Proposed Human Services Fixed Fee	\$ 85,641
<u>Maximum estimated reimbursable expenses</u>	<u>\$ 4,855</u>
PROPOSED TOTAL CONTRACT	\$ 90,496

We look forward to commencing work on these important projects for Swift County. Please let me know if I can provide additional information.

Sincerely,

Wold Architects and Engineers

Joel L. Dunning | AIA, LEED-AP
Partner

cc: Jonathan Loose, Wold
Matt Mooney, Wold

LW/9999/COU_Swift/crsp/june16



Request for Board Action

BOARD MEETING DATE:
October 4, 2016

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approving a PERA Phased Retirement Option application for Harry Hohman	
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: Assistant County Attorney Harry Hohman has indicated he is going to retire from County services in the first half of 2017. Mr. Hohman is willing to move to half time status using the Minnesota PERA Phased Retirement Option to allow a transition and help train an individual into the position. MN PERA Pro allows Coordinated and Basic members age 62 and over the option to begin receiving a PERA pension without formally resigning. However, the decision to make Phased Retirement available to members is strictly up to the employer, and participants must agree to substantially reduce the hours they work. To qualify, a member must: <ul style="list-style-type: none"> • Meet all other requirements for a pension from PERA; • Be at least 62 years of age; • Have worked a minimum of 1,044 hours (half time) in each of the five years immediately prior to beginning Phased Retirement; and • Not be eligible for the State Employee Postretirement Option program (for PERA members who are state employees). <p>The approved 2017 preliminary budget includes funds for Mr. Hohman to move to PERA Pro statuses on 1/1/2017 through 6/30/2017 and hire a new 0.9 FTE Assistant County Attorney on 1/1/2017. To allow a good transition in the County Attorney's office I support this request.</p>	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: Part of the 2017 budget.

Review/Recommendation

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

Phased Retirement Agreement

Public Employees Retirement Association (PERA)
 60 Empire Drive, Suite #200, Saint Paul, MN 55103-2088
 Member Information Services: 651-296-7460 or 1-800-652-9026
 PERA Fax Number: 651-297-2547



Instructions: Type or print in black ink. Original is to be mailed to PERA prior to the start of employment under the phased retirement option (PRO) program and should accompany a completed *Application for PERA Retirement Benefits*. As applicable, a signed copy of any subsequent *Phased Retirement Agreement* must also be provided to PERA prior to its effective date. Both Parts A and B must be completed in their entirety.

Please read the reverse side for details about the requirements relating to phased retirement.

Part A - Identification

Name of Individual to be employed under the PRO Agreement: Harry Hohman	PERA Member ID No.:
Address: 1331 Lincoln Avenue, St Paul, MN 55105	Last 4 digits of Social Security No.:
Name of Employer offering PRO employment: Swift County	PERA Employer Number (6-digits):

Part B – For completion by the employer that will employ the individual under a PRO

Dates of the Phased Retirement Employment (must be limited to a one-year period)	Begin Date 01/01/2017	End Date 06/30/2017
Identify if this is the first agreement covering phased retirement for this employee or renewal of a prior agreement. <input checked="" type="checkbox"/> Initial Agreement <input type="checkbox"/> 1 st Renewal <input type="checkbox"/> 2 nd Renewal <input type="checkbox"/> 3 rd Renewal <input type="checkbox"/> 4 th Renewal <i>Note: Phased retirement employment may be for periods of up to one year, not to exceed a total duration of five years.</i>		
I understand that wages earned by the named individual during this period of employment must be reported to PERA and that the amounts will not be subject to PERA withholding. I further certify that this individual will be employed in accordance with the phased retirement employment conditions described in this agreement and in M.S. §353.371, and I agree to ensure that this governmental unit complies with all related requirements.		
Signature of Employer Representative	Date of Signature 10/04/2016	

Part C – For completion by PERA member **Harry Hohman**

I have accepted phased retirement employment with (check the one that applies): <input checked="" type="checkbox"/> The same governmental unit for which I am currently employed. <input type="checkbox"/> A different governmental unit than my current employer. <i>Please indicate the name of your current employer: _____ and your anticipated date of termination with this unit of government (month/day/year): ____/____/____</i>	
I have read the requirements that must be met to qualify for the phased retirement program on the back of this form and confirm that I will meet all of the criteria. I understand that my PERA retirement benefit will be effective on the first day of the month following the begin date of my initial PRO agreement; however, if my agreement begins on the first day of a calendar month, my benefit will be effective on that day. I further realize that while employed in a phased retirement position, I will not accrue service credits in PERA and my retirement benefit will not be subject to reduction under the provisions regarding reemployed annuitants (M.S. §353.37). I understand and accept the conditions of phased retirement employment described in this agreement and in M.S. §353.371.	
Signature of PERA Member	Date of Signature 10/04/2016

Information about the Phased Retirement Option Program Public Employees Retirement Association (PERA)

Eligibility of Coordinated or Basic Plan Member

To draw a retirement benefit while working as an employee for a PERA-covered employer, the member must:

1. be employed for at least 1,044 hours per year for the five years immediately preceding participation in the phased retirement program;
2. be age 62 or older,
3. reduce the hours of work in public service, when compared to his or her previous work schedule, by at least 25 percent and limit the hours of work per year to 1,044 or fewer;
4. be eligible for a monthly retirement benefit from PERA (vested), and
5. provide a completed *Phased Retirement Agreement* form to PERA, along with an *Application for PERA Retirement Benefits*, prior to the start of employment under the phased retirement program.

Additionally, if the PERA member is accepting a phased retirement position in an agency of the State of Minnesota, he or she cannot be eligible for the State Employee Post-Retirement Option program.

Other Important Items

An individual's PERA retirement benefit will be effective on the first day of the month following the begin date of the initial employment under a *Phased Retirement Agreement*; however, if the employment begins on the first day of a calendar month, the benefit will be effective on that day.

Participation in the PRO program stops at the conclusion of the initial or renewed agreement. Additionally, to qualify for continued monthly benefits after the phased retirement period ends, the employee must fulfill the usual retirement requirements. This includes terminating public service, having a minimum 30-day break in service and not having any agreement to return to work in a non-elected position for the same employer until after the 30-day separation period has passed. Failure to abide by these requirements will result in the cancellation of the PERA benefits.

Responsibilities of the Employer

An employer is under no obligation to offer the phased retirement option to a PERA Coordinated or Basic Plan member. If participation is offered, the employer must reduce the employee's hours of work, when compared to the individual's previous work schedule, by at least 25 percent and limit the hours per year to 1,044 or fewer.

The initial offer of employment under the PRO program is limited to one year. An employer may extend the individual's employment for periods of up to one year, for a maximum of five years, if the employee is under his or her Full Retirement Age (FRA) on the date of renewal. The earnings paid to an employee participating in a PRO program must be reported to PERA after each pay period. The employer will report the employee's salary under the Exempt Plan, after having enrolled the individual in that PERA plan. No employee deductions or employer contributions are payable to the retirement plan on the earnings of the phased retirement position.

Participation in PERA's phased retirement program stops at the conclusion of the employee's initial or renewed agreement, whichever is later. Also, if an employee reaches FRA before the ending date of the agreement then in effect, his or her PRO participation must end when that employment period concludes and no renewal is allowed. When an employee's participation in the phased retirement program ends, the employer must promptly inform PERA. Similarly, employers must notify PERA if an employee covered by a PRO agreement terminates public service.