

# Notice & Agenda

## Swift County Board of Commissioners

Tuesday, November 20, 2012

11:00 AM

Swift County Board Room – 301 14<sup>th</sup> St N, Benson, MN

If you need any type of accommodation to participate in this meeting, please contact the County Auditor at 320-843-4069 at least 48 hours prior to the meeting.

<u>Time</u>	<u>Reference</u>	<u>Item</u>
11:00 a.m.		<b>Call to Order and Roll Call</b>
11:01 a.m.		<b>Approve Agenda</b>
11:03 a.m.		<b>Consent Agenda</b>
	1-2	(1) Minutes November 6, 2012
11:05 a.m.		<b>Comm Warrants Approved and Auditor Warrants reviewed</b>
11:08 a.m.		<b>Commissioner and Board reports</b>
11:25 a.m.		<b>Citizens Comments</b>
11:30 a.m.	3-5	(1) Scott Collins
11:40 a.m.		(2) Jennifer Frost
11:45 a.m.	6	(3) Mary Amundson

### **Other Business**

11:59 a.m.      **Adjournment**

**SWIFT COUNTY BOARD MINUTES**  
**November 6, 2012**

Chairman Hendrickx called the meeting to order with all members present.

**11-06-12-01** Commissioner Klemm moved and Commissioner Peterson seconded to approve the agenda as updated. Motion carried.

**11-06-12-02** Commissioner Anderson moved and Commissioner Fox seconded to approve the Consent Agenda which consisted of the October 16, 2012, Board Meeting Minutes. Motion carried.

Auditor Warrants were reviewed.

Commissioner and Board Reports were given as follows: Commissioner Hendrickx reported on 6W Corrections, District 6 AMC Conference, RLF, and RDC. Commissioner Klemm reported on Prairie Lakes Youth, District 6 AMC Conference, Extension, and Safety Committees. Commissioner Peterson reported on Prairie V Community Action Council, Extension, and HRA. Commissioner Anderson reported on DAC, RLF, 6W Corrections, Chippewa River Watershed Board, and Emergency Services Board. Commissioner Fox reported on District 6 AMC Conference, SCBH Meetings and Pioneerland Library.

Sheriff John Holtz met with the County Board requesting approval for a grant to update 911 Services with the Department of Public Safety. The amount of the grant is \$10,000.

**11-06-12-03** Commissioner Klemm moved and Commissioner Anderson seconded to approve the application for the 911 Services Grant with the Department of Public Safety. Motion carried.

Deanna Steckman, Human Services Director, met with the County Board. She requested the approval for an Adoption and Foster Care Recruitment Grant.

**11-06-12-04** Commissioner Fox moved and Commissioner Klemm seconded to approve the acceptance of the Grant for Adoption and Foster Care Recruitment. Motion carried.

Environmental Services Director, Scott Collins, along with Brett Edlund, met with the County Board.

**11-06-12-05** Commissioner Peterson moved and Commissioner Anderson seconded to approve the spreading of contaminated soils on Section 29, Township 121, Range 37 (Hayes Township) from Glacial Plains Cooperative in Murdock. Motion carried.

**11-06-12-06** Commissioner Fox moved and Commissioner Klemm seconded to approve the extension of the contract with Upper Mn Valley Regional Development Commission for the Solid Waste Plan. Motion carried.

**11-01-12-07** Commissioner Anderson moved and Commissioner Fox seconded to appoint Wayne Knutson as Swift County Assessor effective November 21, 2012. Motion carried.

**11-06-12-08** Commissioner Fox moved and Commissioner Anderson seconded to appoint Commissioners Hendrickx and Klemm as delegates to MCIT. Motion carried.

Discussion was held on use of county buildings and break times at the Highway Department. Engineer Sander will be contacted.

**11-06-12-09** Commissioner Peterson moved and Commissioner Klemm seconded to schedule a Special Meeting for November 19, 2012, at 8:30 a.m. to discuss with Springsted Inc. the administrator applicants. Motion carried.

**11-06-12-10** Commissioner Peterson moved and Commissioner Klemm seconded to adjourn. Motion carried.

WITNESS:

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Gary Hendrickx, Chair

ATTEST:

\_\_\_\_\_  
Byron L. Giese, Swift County Auditor

2



## Swift County Board of Commissioner's Meeting Agenda Tuesday, November 20, 2012

### 1. Conditional Use Permit:

**IN THE MATTER OF:** SDH Land & Cattle, LLC, % Paul J. Hanson, 1269 2<sup>nd</sup> St. N., #100, Sauk Rapids, MN 56379 (Owner) and MN Waterfowl Association, Inc., 907 1<sup>st</sup> St. N., Hopkins, MN 55343 (Purchaser)

**REQUEST:** Conditional Use Permit application for the purchase of 134.79 acres by the MN Waterfowl Association, who will then donate the land to the MN Department of Natural Resources to be added to an existing Wildlife Management Area to improve wildlife habitat and increase public recreational opportunities.

**LOCATION:** That part of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and that part of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 16 and that part of the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  and that part of the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of Section 21, Township 121 N, Range 40 W (Six Mile Grove Township), Swift County, MN described as follows:

Commencing at the SW corner of said Section 16; thence N 90° 00 min 00 sec. E, assumed bearing along the S line of said Section, a distance of 1325.39 ft. to the SE corner of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section, that point being the point of beginning of the tract to be described; thence N 00° 13 min. 10 sec. E, along the W line of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , a distance of 51.37 ft. to the centerline of a road; thence N 66° 24 min. 46 sec. E, along said road centerline, a distance of 1073.80 ft.; thence S 15° 47 min. 50 sec. E a distance of 811.00 ft.; thence N 82° 18 min. 50 sec E a distance of 437.00 ft.; thence N 49° 17 min. 09 sec. E a distance of 762.52 ft.; thence N 17° 08 min. 27 sec. W a distance of 703.13 ft. to a point on said road centerline; thence N 66° 24 min. 46 sec E, along said centerline, a distance of 700.11 ft. to a point on the E line of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section; thence S 00° 00 min. 48 sec. E, along said E line, a distance of 1208.54 ft. to the NE corner of the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of said Section 21; thence S 00° 59 min. 22 sec. W, along the E line of said W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ , a distance of 686.12 ft.; thence S 89° 36 min. 00 sec. W a distance of 1550.00 ft.; thence S 48° 36 min. 40 sec. W a distance of 281.00 ft.; thence S 06° 52 min. 50 sec. W a distance of 835.00 ft.; thence N 89° 36 min. 00 sec. E a distance of 492.00 ft.; thence S 12° 44 min. 31 sec. E a distance of 625.78 ft.; thence N 89° 36 min. 00 sec. E a distance of 415.00 ft.; thence N 09° 32 min. 50 sec. E a distance of 1060.00 ft.; thence N 89° 36 min. 00 sec. E a distance of 630.00 ft. to a point on said E line of the W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ; thence S 00° 59 min. 22 sec. W a distance of 1368.00 ft. to the SE corner of said W  $\frac{1}{2}$  of the NE  $\frac{1}{4}$ ; thence S 89° 58 min. 01 sec. W, along the S line of the S  $\frac{1}{2}$  of said Section 21, a distance of 2644.80 ft. to the SW corner of the E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of said Section 21; thence N 00° 51 min. 32 sec. E, along the W line of said E  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  a distance of 2635.55 ft. to the point of beginning. Said tract contains 134.79 acres more or less.

### 2. Market Price Resolution

**Proposed Special Conditions**  
**MN Waterfowl Assn.**  
**#4228**

1. The permit holder shall comply with all applicable governmental laws, rules and regulations as they may apply to the project.
2. All complaints, problems or concerns regarding public health, safety and welfare must be addressed by applicant within 30 days of presentations of the complaint.
3. Granting of the conditional use permit shall be for the plans submitted with the initial application only.
4. State of Minnesota – Department of Natural Resources shall allow for the right-of-way for the purpose of maintenance and/or utilities.
5. MN Department of Natural Resources and/or property owner will permit groundwork within its purchase area needed to mitigate potential adverse impacts arising from an increase in the water level and will not negatively impact neighboring landowners. If negative impacts are encountered, MN Department of Natural Resources agrees to pay for all remedial action in a manner approved by the Swift County Board of Commissioners.
6. Weed control is the responsibility of the landowner and must be controlled in a manner that meets the approval of the Swift County Agriculture Inspector. If approval is not met, the Swift County Agriculture Inspector will control the weeds at the landowner's expense.
7. This Conditional Use Permit #4228 shall expire one year from the date of issuance if the permit is not utilized.
8. Violation of any of the above-stated conditions may result in revocation of the conditional use permit.

Swift County  
Board of Commissioners

**Resolution**  
**Market Price for the Solid Waste Management Tax**

**Whereas**, the solid waste management tax requires political subdivisions to identify by resolution a market price if the political subdivision:

- A. Subsidizes the cost of service at a facility

**Whereas**, the political subdivision will be liable for any solid waste management tax based only on the market price amount identified through the resolution.

**Whereas**, the market price is identified in the state statute as the "lowest price available in the area".

**Whereas**, Swift County has performed research to identify the lowest price available in the area.

**Therefore**, Swift County declares a market price of \$53.10 per ton, based on the lowest price available for collection, transportation, disposal and processing.

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Chairman, Swift County

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Swift County Auditor

Dated: November 20, 2012

5



**ELECTRONIC RECORDING  
APPROVED PROCEDURES**

**THIS ELECTRONIC RECORDING APPROVED PROCEDURES AGREEMENT** (this "Agreement") is made effective                      20     between **SIMPLIFILE LC**, a Utah limited liability company located at 4844 North 300 West, Suite 202, Provo, Utah, 84604 ("**Simplifile**"), and Swift County (Swift County Recorder) a governmental entity located at 301 14th Street North, Benson, MN 56215 ("**Receiver**").

**RECITALS:**

- A. Receiver is legally authorized to receive qualifying documents for filing/recording in Receiver's official records.
- B. Simplifile facilitates (through its proprietary technology or otherwise) the electronic filing/recording by its customers of documents with governmental entities that, like Receiver, are legally authorized to receive qualifying documents for filing/recording in official records.
- C. This Agreement outlines the requirements of electronically recording documents to assure that recording transactions submitted to Receiver by or through Simplifile are legally valid and enforceable.

**AGREEMENT:**

**NOW THEREFORE**, in consideration of the mutual terms, conditions and covenants contained in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

Section 1. **Electronic Recording.** In this Agreement, "*electronic recording*" means the electronically-based submittal of documents by or through Simplifile to Receiver and electronically-based receipt of confirmation of recording from Receiver to Simplifile or its customer. Such transactions are categorized by four different levels of automation, described as follows:

- (a) Level 1. The submitting organization ("**Submitter**") transmits scanned image copies of ink-signed documents to Receiver. Receiver completes the recording process in the same manner as paper submittals, using the imaged copy as the source document. An electronic recording endorsement is returned to Submitter in the form of a label or printing process in order for Submitter to append that information to the original paper document, or alternatively may be appended to the scanned image in place of the paper document, consistent with the provisions of UETA.
- (b) Level 2. Submitter transmits scanned images of ink-signed documents along with electronic indexing information to Receiver. Indexing data is provided as an accommodation to Receiver but should not be cause for rejecting a document submitted for electronic recording. Proper indexing of received documents remains the responsibility of the Receiver. Receiver performs an electronic examination of the imaged documents and indexing data, and then completes the recording process. The electronic version of the recorded document is returned electronically to Submitter along with the electronic recording data.
- (c) Level 3. Submitter transmits documents, which have been created, signed and notarized electronically along with the electronic indexing information. Indexing data is provided as an accommodation to Receiver but should not be cause for rejecting a document submitted for electronic