

# Notice & Agenda

## Swift County Board of Commissioners

Tuesday, August 15, 2017

9:00 AM

**Benson City Council Chambers – 1410 Kansas Ave, 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.		<b>Call to Order and Roll Call</b>
9:01 a.m.		<b>Approve Agenda</b>
9:03 a.m.		<b>Consent Agenda</b>
	1-2	(1) Minutes from the August 1, 2017 Meeting
	3-4	(2) Minutes from the Human Services July 18, 2017 Meeting
	5-6	(3) Minutes from the Human Services July 18, 2017 Annual Meeting
	7	(4) Appointment of Extension Committee Member for Earl Molden
	8	(5) Considering reimbursing a resident of Kerkhoven Township \$2,500 for the demolition of his house.
	9-13	(6) Considering approving an application for Property Tax Abatement
	14-20	(7) Considering adopting the County General Records Retention Schedule – Human Resources Records
	21	(8) Considering approving the following daycare loans: Discovery Kids, \$12,500.00 and Kathy Rein, \$1,409.09
9:04 a.m.		<b>Consider Approval of Commissioner warrants and review Auditor warrants reviewed</b>
9:05 a.m.		<b>Commissioner and Board reports</b>
9:25 a.m.		<b>County Administrator report</b>
9:30 a.m.		<b>Citizens Comments</b>
9:45 a.m.		<b>Dawn Hegland, Prairie Waters Tourism</b>
10:00 a.m.		<b>Sherri Gades, Soil and Water Conservation District</b>
10:15 a.m.		<b>Will Warnock, Restorative Practices</b> Summer Feeding Program Update
10:30 a.m.		<b>Catie Lee, Human Services Director</b> Review second Quarterly Summary Report
	22-55	
11:00 a.m.		<b>Other Business</b>
	56-61	Kyle Clark Property Discussion
	62-71	Buffer Discussion
11:45 a.m.		<b>Adjournment</b>

# SWIFT COUNTY BOARD MINUTES

## August 1, 2017

Chairman Rudningen called the meeting to order at 9:03 AM with all members present. Also present: County Administrator Kelsey Baker, County Auditor Kim Saterbak and Amanda Ness.

Chairman Rudningen asked if there were any changes or additions to the agenda. There were none.

**08-01-17-01** Commissioner Hendrickx moved and Commissioner E. Pederson seconded to approve the agenda as presented. Motion carried unanimously.

**08-01-17-02** Commissioner Fox moved and Commissioner P. Peterson seconded to approve the Consent Agenda items: (1) Approval of Minutes from the July 18, 2017 Regular Meeting and (2) Approval of the FY18 Veterans Service Office Operational Improvement Grant. Motion carried unanimously.

**08-01-17-03** Commissioner Hendrickx moved and Commissioner E. Pederson seconded to approve the Commissioner warrants as follows: Revenue: \$203,822.63; Solid Waste: \$24,057.49; Road and Bridge: \$619,523.95; Debt Service: \$14,000.00; County Ditches: \$529.50; County Health Insurance: \$126.56; Human Services, \$106.26 which includes the following bills over \$2,000: Albany Recycling Center, \$2,274.09; Anoka County Treasury Office, \$2,375.00; Ascheman Oil, \$2,069.84; Department of Human Services, \$3,274.00; Geyer Recycling, \$5,862.50; Goff Public, \$20,000.00; Hardrives Inc., \$12,928.62; Huston and Sons Truck Repair, \$6,975.42; Institute for Environmental Assessment, \$4,462.08; Knife River Midwest LLC, \$37,110.00; Ramsey County, \$4,200.00; S&P Global Ratings, \$14,000.00; Safe Avenues, \$3,250.00; Sussner Construction, Inc., \$28,989.25; City of Appleton Treasurer, 78,885.00; Truck Bodies & Equipment Int'l (TBEI), \$88,658.00; VIC Environmental Inc., \$2,000.00; Waste Management Of Northern Minnesota, \$8,201.78; Yellow Medicine County Jail, \$3,936.26; and Ziegler, Inc., \$2,216.07. Motion carried unanimously.

Board and Committee Reports were given as follows: Commissioner Fox reported on Woodland Centers, Ditch #18, Hospital Finance Committee, SCBHS, Private Industry Council, and SPCC. Commissioner E. Pederson reported on Ditch #18, Extension, Historical Society, and Water Planning. Commissioner P. Peterson reported on HRA, Building Committee, and SCEMO. Commissioner Gary Hendrickx reported on Woodland Centers, NACO, Prairie Waters Tourism Board, RDC, AMC Executive Committee. Chairman Rudningen reported on Emergency Services Radio Board, and RDC.

Administrator Baker reported on the Countryside Public Health project, Courthouse abatement project, Courthouse construction project, Historical Society, MACA/MCHRMA Technical Day, annual reviews, staffing, Hospital Meeting, department head budget meetings, employee photos reminder, picnic reminder, and fair booth updates.

Chairman Rudningen asked for citizens comments. There were none.

Auditor Saterbak presented the 2<sup>nd</sup> Quarter 2017 Executive Departmental Budget Report and answered questions.

County Attorney Danielle Olson requested a discussion of the drug court program. 6W Community Corrections Director Midge Christianson and County Sheriff John Holtz also participated in the discussion.

**08-01-17-04** Commissioner Hendrickx moved and Commissioner P. Peterson seconded to withdraw Swift County from the 8<sup>th</sup> Judicial District Drug Court. Motion carried unanimously.

Safe Avenues Executive Director Jen Johnson and Advocate Chrissy Thompson presented updates on the Safe Avenues program.

Administrator Baker requested approval of a step increase for the Deputy Auditor for adding payroll processing duties.

**08-01-17-05** Commissioner P. Peterson moved and Commissioner Hendrickx seconded to approve a step increase to the Deputy Auditor for adding payroll processing duties. Motion carried 4-1 with Commissioner Hendrickx opposing.

RDA Executive Director Jennifer Frost presented updates on RDA including the Minnesota Investment Fund One-Time Exception Law.

Country Treasurer Ron Vadnais presented the 2<sup>nd</sup> Quarter 2017 Treasurer Report and answered questions.

Administrator Baker presented the 2018 Budget items for discussion and answered questions.

Administrator Baker further began the Farm Rental Agreement discussion.

**08-01-17-06** Commissioner P. Peterson moved and Commissioner Hendrickx seconded to approve continuing the farm rental agreement as is for 2018. Motion carried unanimously.

6W Director Christianson began a discussion on the 6W Community Corrections work space and gave a tour of the existing space and the temporary space.

**08-01-17-07** Commissioner Hendrickx moved and Commissioner P. Peterson seconded to request a two-year lease of the Trudel Building and direct the Building Committee to begin discussions on Phase II of the CIP. Motion carried 4-1 with Commissioner E. Pederson opposing.

**08-01-17-08** Commissioner P. Peterson moved and Commissioner Hendrickx seconded to adjourn. Motion carried unanimously.

Meeting adjourned at 12:09 PM.

WITNESSED:

\_\_\_\_\_  
Eric Rudningen, Chair

ATTEST:

\_\_\_\_\_  
Kelsey Baker, County Administrator



## Swift County Social Services Board

410 21<sup>st</sup> Street South, Benson MN 56215

### Regular Meeting Minutes

7/18/2017

#### Call to Order

Chair Hendrickx called the meeting to order at 9:00 a.m. at the Human Services office.

**Members Present:** Gary Hendrickx, Edward Pederson, Eric Rudningen, Joe Fox, and Pete Peterson.

#### Members Absent:

**County Staff Present:** Lorri Pederson, Linda Erhardt, Gary Jensen, Julie Jahn, Kelsey Baker, Danielle Olson, Dave Mennis, John Holz, Catie Lee and guest Joann Tauber.

#### 100 Agenda Additions and Approval of Agenda

Agenda was reviewed and no additions or changes were requested. MOTION by Commissioner Joe Fox to approve the agenda second by Commissioner Edward Pederson. Motion carried.

#### 200 Discussion Items

Dave Mennis talked to the board about some potential changes in the assessment/screening of individuals for drug court. Discussion focused around need and referral process and potential changes in the communication and approval protocol. Judge Mennis requested that the board hold off on a decision regarding drug court until we can see how the changes will effect drug court and the number of referrals that enter into it.

**Presentation:** Joann Tauber presented on Fraud. Joann is the agency's contracted Fraud Investigator.

Regular minutes from 6/20/2017 were reviewed. Administrative bills for the amount of \$64,056.22 and Social Service Payment System bills for the amount of \$135,129.34 were presented. The Summary of Financial Accounts report for the past month was reviewed. The end of June's operating balance was reported at \$2,165,332.56. MOTION by Commissioner Eric Rudningen second by Commissioner Pete Peterson to approve the consent agenda. Motion carried.

#### 500 Information Items

- 501 Director Overview** – Updated on Woodland Centers transition and the benefits of moving into a school linked mental health program in Benson, it was noted that Ashley was able to hire for the positions needed for this program. Director Lee will be attending MACSSA meeting next week.
- 502 Supervisors Overview** – Gary discussed that quarterly reports were due and being worked on and the Clifton Allen Larson Audit was completed and we were expecting their report. Linda informed the board that Jenny Huntly, our MNChoices assessor had left and that Whitney Tofte

was given her position and Sam Shelstad had been offered and accepted Whitney’s job. Blue Cross Blue Shield had completed their MSHO audit and had only minor findings, so her unit did well and were called out on how well they had documented person centered planning. She also noted an increase in adult protection intakes. Lorri talked about Sam remaining in her position until a hire could be completed. She also informed the board that the increase in out of home placements were almost entirely due to drugs. With this increase there have also been increased visits causing the fleet of vehicles to being committed to transporting children so staff have to take their own vehicles, so a rise in mileage is happening. Lorri also noted that there would be comp time due to being called our more often. Julie noted that SCHS had received snap bonus money that is to be used for increased efficiencies, METs migration was going to be done in August with a clean rub in September. She also noted that child support was seeing an increase in their caseloads.

**503 Out of Home Placement** – Semi-Annual report was presented and reviewed.

**505 Southern Prairie Community Care** – Joe Fox presented that they were not awarded the DHS RFP to be an HIE for the state, and this was a let down for them.

**Adjournment**

MOTION by Commissioner Edward Pederson to adjourn the meeting, seconded by Pete Peterson. Meeting adjourned at 3:58 p.m.

Approved By:

\_\_\_\_\_  
Gary Hendrickx, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Eric Rudningen, Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Catherine (Catie) Lee, Director

\_\_\_\_\_  
Date



## Swift County Social Services Board

410 21<sup>st</sup> Street South, Benson MN 56215

### Annual Meeting Minutes

**7/18/2017**

**Members Present:** Edward Pederson, Eric Rudningen, Gary Hendrickx, Joe Fox, and Pete Peterson.

**Members Absent:**

**County Staff Present:** Gary Jensen, Julie Jahn, Linda Erhardt, Danielle Olson, Kelsey Baker, and Catie Lee

**Guests Present:**

#### **100 Agenda Additions – From Board Members**

Chair Hendrickx called the meeting to order at 10:12 a.m.

#### **200 Routine Actions**

**201 Agenda Approval** - There was no change to the agenda.

**MOTION** by Commissioner Rudningen second by Ed Pederson to approve the agenda as written. Motion carried.

#### **300 Decision/Discussion**

**301 Future of CSS Board Meeting:** Discussion was held regarding the future of separate meetings for CSS Board –vs- being on the agenda as a standing item. Pros and cons were discussed. Discussion stated that should the board in the future wanted to have it separate again this would only involve a board resolution to make it happen. In the place of the separate board meeting a Human Services Committee would be established with 2 commissioners serving on this committee. Commissioner Rudningen made the motion to move this meeting to the regular board meeting and to establish a Human Services Committee with 2 commissioners to be named at a later date second by Commissioner Fox. Motion Carried

#### **400 Election of 2017-18 Officers**

**The Election of Officers was not held due to the Motion above**

#### **Adjournment**

**MOTION** by Commissioner Peterson, second by Commissioner Rudningen to adjourn the annual meeting. Motion carried. Meeting adjourned at 10:30 a.m.

Approved By:

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Eric Rudningen, Chair

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Date

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Eric Rudningen, Secretary

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Date

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Catie Lee, Director

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Date



# Request for Board Action

BOARD MEETING DATE:  
August 17, 2017

## Commissioner's Report

### Department Information

ORIGINATING DEPARTMENT: Extension	REQUESTOR: Stephanie Smith	REQUESTOR PHONE: 320-843-3796
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### Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Appointment of Extension Committee Members. Earl Molden, 3 year term starting August 2017. Recommendation made by the Swift County Extension Committee at their meeting on April 26, 2017.	
AGENDA YOU ARE REQUESTING TIME ON: Consent	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? <a href="#">Click here to enter text.</a>	EXPLANATION OF MANDATE:
BACKGROUND/JUSTIFICATION: A county must have an Extension Committee. The committee must have nine members, with the option to also appoint two youth members for a total committee of 11. Two members must be county commissioners appointed by the county board. The county auditor or the auditor's designee must be a member. Six adult members must be appointed at large by the county board.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? n/a	

### Budget Information

FUNDING: Per Diems/Mileage for Committee Meetings, Trainings, etc.
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### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Kelsey Baker
RECOMMENDATIONS: Not submitted for review	RECOMMENDATIONS: Not submitted for review
COMMENTS: n/a	COMMENTS: n/a



# Request for Board Action

BOARD MEETING DATE:  
August 10, 2017

## Commissioner's Report

### Department Information

ORIGINATING DEPARTMENT: Swift County HRA	REQUESTOR: Vicki Syverson	REQUESTOR PHONE: 320-843-4676
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### Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider reimbursing a resident of Kerkhoven Township \$2,500 for the demolition of his house.	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? no	EXPLANATION OF MANDATE: NA
BACKGROUND/JUSTIFICATION: The owner has complied by all the requirements of the Swift County Demolition program. Kerkhoven Township has denied their portion of the reimbursement. I recommend reimbursing the owner the maximum \$2,500.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? no	

### Budget Information

FUNDING:
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### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Kelsey Baker
RECOMMENDATIONS: Was not submitted for review	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: n/a

# Application for Property Tax Abatement

For Taxes Levied in Tax Year(s): 2017

And Taxes Payable in Year(s): 2018

Applicant and Property Information

### Applicant Information

Last Name <u>Beyer</u>		First Name <u>Dean</u>	Middle Initial <u>M</u>
Property Address <u>1840 50th Street NW</u>		Social Security Number	
City <u>Holloway</u>	State <u>MN</u>	Zip code <u>56249</u>	County <u>Swift</u>
Parcel ID or legal description of property (from tax statement or valuation notice) <u>08-8087-000 NE 1/4 Sec 19</u>			School District Number <u>2853</u>

### Applicant's Statement of Facts

If the assessed value is being contested, list approximate market value.

Land <u>832,900</u> <u>757,100</u>	Structures <u>→</u>	Total <u>832,900 (Before)</u> <u>757,100 (After)</u>
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If taxes, penalties, interest, or costs which are now a lien against the real estate are being contested, list below.

Year	Type (taxes, penalty, interest, or cost)	Amount Contested	Amount Paid
<u>2</u>			

Explain why the above amount has not been paid

Year	Type (taxes, penalty, interest, or cost)	Amount Contested	Amount Paid

Explain why the above amount has not been paid

Year	Type (taxes, penalty, interest, or cost)	Amount Contested	Amount Paid

Explain why the above amount has not been paid

Total Amount Contested	Portion of total amount contested you are willing to pay
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Explain why you think this settlement is fair and reasonable  
Change 20 acres from tillable crop land to non-tillable acre value. FSA records have been changed to remove from cropland. As discussed at 2017 Fairfield LBAE.

### Signature of Applicant

Applicant requests that the portion of the contested amount in excess of said sum offered should be abated, canceled and refunded. This statement is a true and full statement of all facts known to the applicant relative to this matter.

Signature of Applicant <u>Dean Beyer</u>	Date <u>8-9-17</u>
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Note: Minnesota Statutes, Section 609.41, "Whoever, in making any statement, oral or written, which is required or authorized by law to be made as a basis of imposing, reducing, or abating any tax or assessment, intentionally makes any statement as to any material matter which the maker of the statement knows is false may be sentenced, unless otherwise provided by law, to imprisonment for not more than one year or to payment of a fine of not more than \$3,000.00, or both."

### Use of Information

In order to be considered for abatement, you must file this form. The information on this form will be used to properly identify you and determine if you qualify for abatement of property taxes under M.S. 270C.86 or 270C.34. Your Social Security number is required. If you do not provide the required information, your application may be delayed or denied. Your County Assessor may also ask for additional verification of qualifications. Your Social Security number is considered private data.

Applicant's Statement of Facts/Settlement

Sign Here

# For Office Use Only

I, the undersigned county auditor, hereby certify the following amounts are the values and taxes currently on our records.

Amounts on Record

Year	Market Value			Taxes	Penalties	Interest	Costs	Total
	Land	Improvements	Total					

## Certifications of Approval

For this abatement to be granted by the Commissioner of Revenue, it must have been carefully investigated and receive the favorable recommendation of (i) either the assessor or the county treasurer; (ii) the county auditor; and (iii) the county board.

Approval Certifications

### Recommendation of Assessor or Treasurer

Approved  Denied

Signature: Wayne Knutson Title: County Assessor Date: 8-9-2017

### Recommendation of County Auditor

Approved  Denied

Signature: Kimbalh Salator Date: 8-10-17

### County Board of Commissioner's Action (to be completed by County Auditor)

Approved  Denied

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Certifications of Final Approval

(complete only for approved abatements; to be completed by County Auditor)

Final Approval

I certify that the approval of this abatement will result in the following changes:

Total Tax, Penalty, and Interest \$ \_\_\_\_\_ Proposed Penalty Reduction \$ \_\_\_\_\_  
 Proposed Tax Reduction \$ \_\_\_\_\_ Total Proposed Reduction \$ \_\_\_\_\_  
 Proposed Interest Reduction \$ \_\_\_\_\_ Total Amount Payable \$ \_\_\_\_\_

Upon payment of \$ \_\_\_\_\_ by the applicant, all taxes, penalties, interest, and costs above in excess of the payment amount are abated and cancelled, and the payment will be accepted as a full settlement.

This approval was granted by the county board as an official action of that body or by the county auditor under a delegation from the board and has been entered upon the records of the county as a public record showing the names of the taxpayers, other concerned persons, and the amounts.

Signature of County Auditor: \_\_\_\_\_ Date: \_\_\_\_\_

DEPARTMENT OF REVENUE

The Commissioner of Revenue may grant these reductions or abatements of inequitable or unjust taxes, penalties, interest or special assessments not yet paid, and order the refund of taxes, penalties, interest or special assessments that have been erroneously or unjustly paid. (M.S. 270C.86, Subd. 1) Upon the favorable recommendation of the local officials, as certified above, the Commissioner of Revenue approves the abatement of the following amounts:

Proposed Penalty and Interest Reduction \$ \_\_\_\_\_  
 Proposed Tax Reduction \$ \_\_\_\_\_  
 Total Proposed Reduction \$ \_\_\_\_\_

Signature of Commissioner or Delegate: \_\_\_\_\_ Date: \_\_\_\_\_  
 Signature of Commissioner or Delegate: \_\_\_\_\_ Date: \_\_\_\_\_

LC020 Land Calculation Parcel Maintenance 8/09/17  
 DEAN M & SHARLYN BEYER 2017 Acres 160.00  
 Prcl/Rec# 08-0087-000/1 of 01 Sect 19 Twp 122 Rng 42  
 Asmt Code 101 Zone 8 FAIRFIELD

Rec /C	F/I Land*/State Class	Units (2)	Prf * GA	Per Unit Value(2)	Adj	Adj Per Unit Value	Value
1	TILL 2a	15400	U	538756		5387.56	829,700
1	PASTMD 2a	200	D	160000		1600.00	3,200
1	ROADS 2a	400	D				

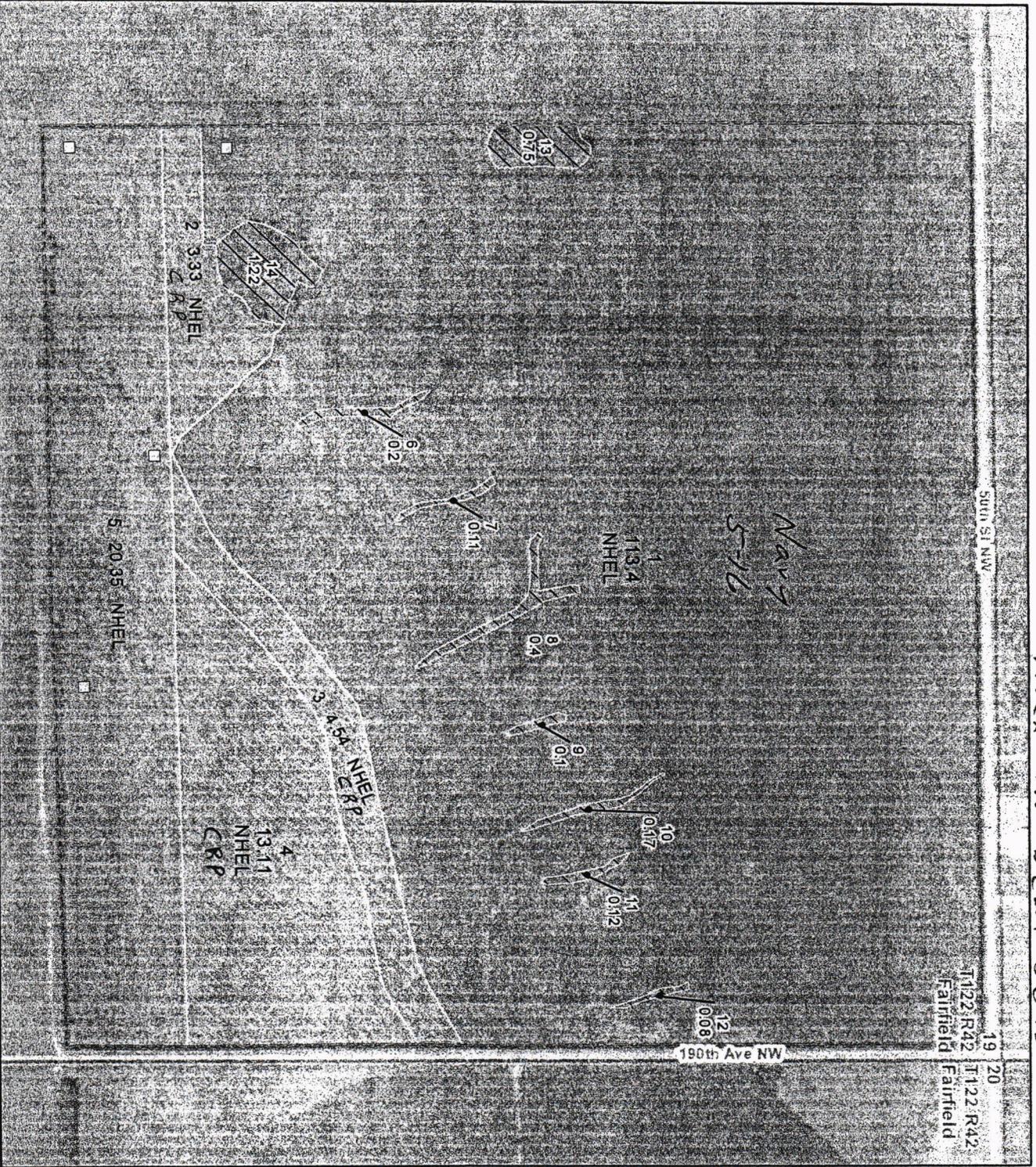
Bottom

Prod Val/Acr 832,900 160.00 Non-Prod Val/Acr  
 Parcel Totals: Acres 160.00 GA Value 832,900 Value 832,900  
 F10=ASINQ F14=Notes  
 F3=Exit F6=Nxt Prcl F7=Toggle F8=Set F11=Prev Yr F12=Previous F18=Prv Prcl



Alexson, Dean

88-8087-000



Farm 2951

Tract 153

13



2016 Program Year

Map Created April 21, 2016



Unless otherwise noted: crops are non-irrigated

- Corn = yellow for grain
- Soybeans = common soybeans for grain
- Wheat = HRS for grain or HRW for grain
- Oats and Barley = Spring for grain
- Rye = for grain
- Peas = process

- Alfalfa, Mixed Forage AGM, GMA, GS = for for
- Beans = Dry Edible
- MAG = for GZ
- Canola = Spring for seed
- Sunflower = oil or non-oil for grain

**Common Land Unit**

- Non-Cropland
- Cropland
- CRP
- Tract Boundary
- PLSS

**Wetland Determination Identifiers**

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

Tract Cropland Total: 154.73 acres

USDA FSA maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or the 2015 NAI imagery. The producer accepts the data as is and assumes all risks associated with its use. The USDA Farm Service Agency assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact NRCS.



# Request for Board Action

BOARD MEETING DATE:  
August 15, 2017

## Commissioner's Report

### Department Information

ORIGINATING DEPARTMENT: Swift County Administration	REQUESTOR: Amanda Ness	REQUESTOR PHONE: 320-314-8321
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### Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider adopting the County General Records Retention Schedule-Human Resources Records.	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? no	EXPLANATION OF MANDATE: NA
BACKGROUND/JUSTIFICATION: The attached records retention schedule for Human Resources records is a version that the Minnesota Counties Human Resources Management Association updated to include current HR records and the county would have to adopt it and file the request with the Minnesota Historical Society before any of these new records can be destroyed.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	no

### Budget Information

FUNDING: n/a
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### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Kelsey Baker
RECOMMENDATIONS: Was not submitted for review	RECOMMENDATIONS: Approve
COMMENTS: n/a	COMMENTS: none

## Human Resources Records Retention Schedule

Code	Title	Description	Retention Period	Classification	Statute
HRS 00100	Applicant Data - General	Applications, resumes, letters of recommendation, affirmative action forms, certification of test/Examination Results, list of qualified applicants, ranking, interview notes, reference checks, records that relate to posting, recruitment, selection and appointment to each position. If hired, application etc becomes part of employee personnel file.	3 years or length of eligibility if longer	Public/Private	MS 13.03, MS 13.43
HRS 00200	Applicant Data - Background Checks	Background checks conducted by third party (Info subject to FCRA)	5 years after employee's termination or 6 years after date of background check whichever is longer	Private/Confidential	
HRS 00300	Affirmative Action Reports	Copies of reports sent to Human Rights Commission	5 years	Public/Private	MS 13.39, MS 13.43
HRS 00400	Benefits Enrollment Forms	Employees' medical, dental, deferred compensation, etc. election forms	5 years after employee's termination	Private	MS 13.43
HRS 00500	Benefits Plan	Includes insurance, health care, deferred compensation, etc.	Until superseded or 6 year after coverage lapses	Public	
HRS 00600	Classification Studies	Studies which describe job duties and may rank individual County positions. See also: pay equity	Until Superseded	Public	MS 13.03
HRS 00700	Compensation Plan	Salary tables/ranges, plan documents, pay increase criteria	10 years	Public	MS 13.03

## Human Resources Records Retention Schedule

Code	Title	Description	Retention Period	Classification	Statute
HRS 00800	Employment Eligibility Verification/I-9 Form	Verifies status of citizenship or naturalization	3 years after date of hire, or 1 year after employment is terminated, whichever is later. Should not be retained in employees personnel file	Private	MS 13.43
HRS 00900	Employee Suggestion Form		2 years	Public/Private	MS 13.43
HRS 01000	Drug and Alcohol Testing Results	Includes commercial drivers license (cdl's), controlled substance test results, drivers evaluations, etc.	1 year for records of negative and canceled drug tests, records of alcohol tests with a result below .02 BAC (49CFRss382.401) 5 years after employee's termination for alcohol test results greater than .02 BAC, verified positive controlled substance test results, documentation of refusal to test, calibration documentation, driver evaluations and referrals	Public/Private	MS 13.43, 49 CFR 382.401
HRS 01100	Equal Employment Opportunity Reports/Summary Data (EEO Reports)	Reports sent to Federal Government	3 years	Public	29 CFR, 1602.30

## Human Resources Records Retention Schedule

Code	Title	Description	Retention Period	Classification	Statute
HRS 01200	Grievance Files	Formal written employee grievance and/or complaint filed under personnel rules, and received by county. Should not be retained in employee personnel file.	5 years after employee's termination	Public/Private	MS13.43
HRS 01300	Job/Position Descriptions	Personnel department retains a position description history on the various positions within the county.	Until Superseded	Public	
HRS 01400	Labor Unions - Arbitration Decisions		Permanent	Public	MS 13.03
HRS 01500	Labor Unions - Contracts/Agreements	Contracts between County management & various labor unions including correspondence, salary schedule & personnel policies	10 years	Public	
HRS 01600	Labor Unions-Disputes/Grievances	Between union and County government agency	Permanent	Public/Private	
HRS 01700	Labor Unions-Negotiating Data		Permanent	Public/Private	
HRS 01800	Medical Records/FMLA	Any information concerning the health status of an employee which is made or maintained by a physician, nurse or other health care personnel, or technician, including medical & employment questionnaires or histories, medical exams, medical opinions, descriptions of treatments and prescriptions, and employee medical complaints. Should not be kept in employee's personnel file.	5 years after employee's termination	Public/Private	MS 13.43

## Human Resources Records Retention Schedule

Code	Title	Description	Retention Period	Classification	Statute
HRS 01900	Pay Equity Implementation Report	State mandated report filed with Department of Employee Relations consisting of pay and job class information	Until Superseded	Public	
HRS 02000	Personnel Files	Records on each employee such as applications, references, performance evaluation, job performance appeals, job descriptions, reprimands, resignation letters, exit interviews, training records, etc. Certain records should NOT be retained in employees personnel files: medical records, health insurance information, I-9 forms, child support obligation records, investigations, or any other record which, in its presence, may raise an inference of discrimination. All originals are to be maintained by personnel department or responsible department.	5 after employee's termination. Destruction approval is contingent upon retention of master copy of Payroll register or record.	Public/Private	MS 13.43
HRS 02100	Policies & Procedures/Rules & Regulations	For human resource function, includes annual leave program, hiring procedures file, etc.	Until superseded	Public	
HRS 02200	OSHA - Infectious Disease & Occupations exposure files	Files on each employee dealing with safety & training on diseases such as hepatitis & AIDS. Should not be kept in employee personnel file.	30 years after termination	Public/Private	MS 13.43
HRS 02300	OSHA Citations of Penalty	Notifications of Violations by the County	5 years after citation	Public	

## Human Resources Records Retention Schedule

Code	Title	Description	Retention Period	Classification	Statute
HRS 02400	OSHA Reports	Incident reports and annual summary	5 years following end of calendar year of record	Public/Private	CFR 29 1904.33 (a)
HRS 02500	OSHA Employee Exposure records & Worker's Compensation	Any information concerning employee exposure to toxic substances or harmful physical agents and other workers compensation documents including first reports of injury	30 years after employee's termination or retirement	Public/Private	MS 13.43 CFR 29 1910.20
HRS 02600	Safety Committee Agenda & Minutes		10 years	Public	
HRS 02700	Safety Manual		Until superseded	Public	
HRS 02800	Training Sign Up Sheets	List of employees participating in each training program	5 years from the date of completed training or 5 years after termination, whichever is applicable to the County's recordkeeping practices	Public	
HRS 02900	Training Materials	Reference and class material including articles, presentations, manuals, handouts used in each training session	5 years after training program becomes obsolete	Public	
HRS 03000	Training Records	Individual acknowledgment form or other form that employee signs and is kept in the personnel file. Includes Right to Know, Harassment, and other trainings	5 years after employee's termination	Public	
HRS 03100	Unemployment Claims		8 years	Public/Private	

Minnesota Historical Society  
 State Archives Department  
 Minnesota History Center  
 345 Kellogg Blvd., West  
 St. Paul, MN 55102-1906  
 (651) 259-3260 Fax: (651) 296-9961

**NOTIFICATION OF ADOPTION  
 OF  
 COUNTY GENERAL  
 RECORDS RETENTION SCHEDULE-HUMAN RESOURCES  
 RECORDS**

1. Complete this form and send the original and one (1) copy to the State Archives Department at the above address.
2. Destruction of records according to the general schedule is **NOT** permitted until this form is signed by the Minnesota Historical Society.

County	Email address	Telephone (Include Area Code)
Street Address	City, Zip Code	

This is to notify the Minnesota Historical Society that the county human resources department/unit named above has officially adopted the County General Records Retention Schedule-Human Resources Records.

Name/Title (print)	Signature	Date
--------------------	-----------	------

The Minnesota Historical Society acknowledges your Notification of Adoption of the County General Records Retention Schedule-Human Resources Records. You are authorized to retain and dispose of records as indicated on the Schedule.

Director or Designee, Minnesota Historical Society
Date



# Request for Board Action

BOARD MEETING DATE:  
August 15, 2017

## Commissioner's Report

### Department Information

ORIGINATING DEPARTMENT: Human Services	REQUESTOR: Catie Lee	REQUESTOR PHONE: 320-843-6301
---	-------------------------	----------------------------------

### Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Approve 2 daycare loans					
AGENDA YOU ARE REQUESTING TIME ON: Regular board				ARE YOU SEEKING APPROVAL OF A CONTRACT? No	
IS THIS MANDATED? No			EXPLANATION OF MANDATE: County Board action needs to be taken to review and approve the loan requests		
BACKGROUND/JUSTIFICATION:					
Name	Address	#children in Daycare	Amount requested	Purpose	Committee Approval Date
Discovery Kids	1400 Montana Ave. Benson	44 slots	\$12,500	Fence and Playground system	8/10/2017
Kathy Rein	202 Kenner Ave. Murdock	13	\$1409.09	Replacement refrigerator and Rock Polisher	8/10/2017
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? <a href="#">Click here to enter text.</a>					

### Budget Information

FUNDING: Budget approval for these loans has been granted by the board.
---

### Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Kelsey Baker
RECOMMENDATIONS: Not submitted for review	RECOMMENDATIONS: Not submitted for review
COMMENTS: n/a	COMMENTS: n/a

**Swift County Human Services  
410- 21st Street South  
Benson, Minnesota 56215**

**Quarterly  
Summary  
Report**

**2nd Quarter  
4/1/2017-6/30/2017**

**Prepared By: Departmental Staff  
Swift County Human Services  
410-21st Street South  
Benson, Minnesota 56215**

**August 2017**

**#1702**

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This **Quarterly Report** is a compilation of both narrative and statistical program information. The report is a product of concerted effort of most of the Department's staff. The document is composed of the four main units of the Department: Administration, Financial Services, Support and Recovery, and Social Services. Thanks are due to the individual staff members who contributed to the document.

**ADMINISTRATIVE**

**UNIT**

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** Administration

**Reporter:** Gary Jensen

### **A. Major Highlights**

All quarterly reports were completed by deadlines.

Reserve balance is showing steady improvement.

Able to attend the summer AMSSA conference. Conference is always very beneficial for hearing information presented by DHS and for comparing processes and procedures with other counties.

### **B. Challenges/Concerns**

Having some issues with BluePlus in billing for services. Pam is working diligently to get the issue resolved and collect the additional dollars owed to the agency. This is an issue that multiple counties are having and we believe it to be a programming error on the BluePlus end.

### **C. Looking Ahead**

Staff will be providing training support on the SSIS software for our new Social Worker when hired. Takes extra time, but it provides a good foundation for new workers in understanding how things tie together between the Social Services and Fiscal departments.

### **D. Trends**

Out of home placement costs are climbing a bit, but fortunately we have not had any of the high dollar Rule 5 placements that can raise havoc with our budget.

Improving cash reserves are allowing us to ladder our investments to provide the agency with a healthy cash flow. Healthy cash reserve is beginning to generate additional interest income that can be used to provide additional services to our clients.

## ADMINISTRATIVE STATISTICS

AREA	01/01/17 to 03/31/17	04/01/17 to 06/30/17	07/01/17 to 09/30/17	10/01/17 to 12/31/17	Year to Date Data	2017 Approved Budget	
<b>I. BUDGET DATA</b>							
<b>A. Summary of Financial Accts</b>							
1. Beginning Balance	\$1,888,413	\$1,278,985					
2. Receipts	\$807,406	\$701,987					
3. Taxes	\$29,648	\$1,519,238					
4. Investments	\$700,000	\$350,000					
5. Interest on Investments	\$2,944	\$2,662					
6. Loans from Revenue	\$0	\$0					
7. Disbursements	\$2,149,426	\$1,687,539					
8. Payback Loan	\$0	\$0					
9. Interest on loan	\$0	\$0					
10. Ending Balance	\$1,278,985	\$2,165,333	\$0	\$0			
<b>B. Summary of Cash Balance</b>							
1. Checking	\$56,985	\$1,293,333					
2. Savings	\$0	\$0					
3. Investments	\$1,222,000	\$872,000					
4. Loan from Revenue	\$0	\$0					
5. Funded Depreciation	\$0	\$0					
6. Total	\$1,278,985	\$2,165,333	\$0	\$0			
<b>C. Expenditures - Income Maint.</b>							
1. Public Aid	\$27,148	\$33,138			\$60,286	\$173,000	34.85%
2. Personal Services	\$219,476	\$196,916			\$416,392	\$899,425	46.30%
3. Services & Charges	\$30,181	\$31,145			\$61,326	\$198,965	30.82%
4. Direct Materials	\$2,964	\$2,894			\$5,858	\$14,300	40.97%
5. Capital Outlay	\$11,777	\$81,129			\$92,906	\$41,650	223.06%
6. Other Expense	\$0	\$0			\$0	\$725	0.00%
7. Funded Depreciation	\$0	\$0			\$0	\$0	0.00%
8. Total	\$291,546	\$345,222	\$0	\$0	\$636,768	\$1,328,065	47.95%
<b>D. Expenditures - Social Services</b>							
1. Public Aid	\$281,537	\$384,447			\$665,984	\$1,709,850	38.95%
2. Personal Services	\$528,332	\$449,495			\$977,827	\$1,933,550	50.57%
3. Services & Charges	\$45,765	\$49,356			\$95,121	\$265,135	35.88%
4. Direct Materials	\$6,091	\$7,456			\$13,547	\$28,500	47.53%
5. Capital Outlay	\$24,723	\$19,511			\$44,234	\$65,400	67.64%
6. Other Expense	\$0	\$0			\$0	\$1,275	0.00%
7. Funded Depreciation	\$0	\$0			\$0	\$0	0.00%
8. Total	\$886,448	\$910,265	\$0	\$0	\$1,796,713	\$4,003,710	44.88%
<b>E. Expenditures - C &amp; D</b>							
1. Public Aid	\$308,685	\$417,585	\$0	\$0	\$726,270	\$1,882,850	38.57%
2. Personal Services	\$747,808	\$646,411	\$0	\$0	\$1,394,219	\$2,832,975	49.21%
3. Services & Charges	\$75,946	\$80,501	\$0	\$0	\$156,447	\$464,100	33.71%
4. Direct Materials	\$9,055	\$10,350	\$0	\$0	\$19,405	\$42,800	45.34%
5. Capital Outlay	\$36,500	\$100,640	\$0	\$0	\$137,140	\$107,050	128.11%
6. Other Expense	\$0	\$0	\$0	\$0	\$0	\$2,000	0.00%

7. Funded Depreciation	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
8. Total	\$1,177,994	\$1,255,487	\$0	\$0	\$2,433,481	\$5,331,775		45.64%

AREA	01/01/17 to 03/31/17	04/01/17 to 06/30/17	07/01/17 to 09/30/17	10/01/17 to 12/31/17	Year to Date Data	2017 Approved Budget	% of Budget
<b>F. Revenues - Income Main.</b>							
1. State Sources	\$19,921	\$17,241			\$37,162	\$102,500	36.26%
2. Federal Sources	\$131,106	\$138,103			\$269,209	\$623,800	43.16%
3. Other Sources	\$6,965	\$33,917			\$40,882	\$45,500	89.85%
4. County Sources	\$5,858	\$300,353			\$306,211	\$556,265	55.05%
5. County Reserves	\$0	\$0			\$0	\$0	0.00%
6. Total Revenue	\$163,850	\$489,614	\$0	\$0	\$653,464	\$1,328,065	49.20%
<b>G. Revenues - Social Services</b>							
1. State Sources	\$127,170	\$138,844			\$266,014	\$698,600	38.08%
2. Federal Sources	\$162,545	\$218,684			\$381,229	\$727,500	52.40%
3. Other Sources	\$76,573	\$87,175			\$163,748	\$319,500	51.25%
4. County Sources	\$23,789	\$1,218,885			\$1,242,674	\$2,258,110	55.03%
5. County Reserves	\$0	\$0			\$0	\$0	0.00%
6. Total Revenue	\$390,077	\$1,663,588	\$0	\$0	\$2,053,665	\$4,003,710	51.29%
<b>H. Revenues - F &amp; G</b>							
1. State Sources	\$147,091	\$156,085	\$0	\$0	\$303,176	\$801,100	37.84%
2. Federal Sources	\$293,651	\$356,787	\$0	\$0	\$650,438	\$1,351,300	48.13%
3. Other Sources	\$83,538	\$121,092	\$0	\$0	\$204,630	\$365,000	56.06%
4. County Sources	\$29,647	\$1,519,238	\$0	\$0	\$1,548,885	\$2,814,375	55.03%
5. County Reserves	\$0	\$0	\$0	\$0	\$0	\$0	0.00%
6. Total Revenue	\$553,927	\$2,153,202	\$0	\$0	\$2,707,129	\$5,331,775	50.77%

**FINANCIAL**

**ASSISTANCE**

**UNIT**

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** Financial Assistance

**Reporter:** Julie Jahn

### **A. Major Highlights**

This quarter we implemented the Work Flow system within Income Maintenance Unit and Child Support Unit. Mail received each day is being scanning into the work flow system and we are working this information electronically. We are working towards more efficiencies in handling the paperwork in our agency. This will save steps in our process of scanning everything into the document-imaging program after we have completed the work with the paper provided by clients. We also are using the form fill system to auto fill the multitude of forms that we send out to our clients every day. This fills the form with standard information on the client and worker and when the worker prints the form, it auto saves it into the document management system without having to make another copy and give it to the front desk to scan into the system.

The State Legislature funded METS at the same level as this year. It was good news that it was funded at this level so the State will be able to continue improving the system.

Our Long Term Care workers did a great job collecting from accounts, etc. when people pass away. We collected \$93,206.93 this quarter. Some of this was from estate recovery at probate but some was the workers collecting from checking accounts, life insurances and other fund sources 30 days after the death of a recipient.

### **B. Challenges/Concerns**

We are working through many questions raised with the Work Flow System. Workers need to figure how to do their work now electronically versus having that paper in their hands. How do they track, jot notes about what needs to be done on a case and do we share information on cases that workers have in common are some of the challenges we are facing. We will be working through all these questions as we move forward with the electronic system.

### **C. Looking Ahead**

We will be at the end of the migration process for MAXIS to METS cases. There will be a cleanup in September to catch all the cases that were missed throughout the year.

We will be looking at major policy changes in the Child Care Assistance Program to start in September and continue through the end of the year.

### **D. Trends**

Our numbers for programs have remained relatively the same; there is a small increase in a few areas and decrease in others. It has been very helpful to add Stephanie to our area. It gives us flexibility to manage the every changing workload in our area.

<b>Area</b>	<b>Program</b>	10/1/16 to 12/31/16	<b>1/1/17 to 3/31/17</b>	4/1/17 to 6/30/17	7/1/17 to 9/30/17	10/1/17 to 12/31/17
<b>Active Cases</b>						
	MFIP (Cash & SNAP)	42	43	43		
	DWP	7	3	3		
	General Assistance	34	38	31		
	MSA	42	40	46		
	GRH	45	40	43		
	SNAP	381	381	391		
	MA in MAXIS	667	606	544		
	METS Cases	625	752	803		
<b># of Persons</b>						
	MFIP Adults	28	31	30		
	MFIP Children	84	78	79		
	DWP Adults	8	3	4		
	DWP Children	14	5	4		
	General Assistance	34	38	31		
	MSA	44	42	48		
	GRH	45	40	43		
	SNAP Adults	443	439	435		
	SNAP Children	302	296	290		
	MA - Adults (MAXIS)	612	539	480		
	MA - Children (MAXIS)	449	337	196		
	METS Recipients	1234	1546	1662		
<b>Child Care Assist</b>						
	BSF Cases	14	11	13		
	BSF - Children	23	16	20		
	MFIP CC Cases	8	6	5		
	MFIP CC Children	16	10	8		
	BSF Waiting List	0	0	0		
	BSF Waiting List Kids	0	0	0		
<b>Total Cases *</b>		1306	1358	1360		
<b>Average Cases Per Worker</b>		218	194	195		
<b>Emergency Assistance</b>						
	County Crisis	\$ 826.99	\$ 2,143.85	366.14		
	Emergency GA	\$ 499.31	\$ 1,322.00	1025.97		

\*When counting cases, I am using the assumption that households that are on cash, food, and GRH all have a medical case also. I added the BSF CC because those cases may not have a MA case.

BSF = Basic Sliding Fee

MFIP = MN Family Investment Program

GA - General Assistance

DWP = Diversionary Work Program

METS = Minnesota Eligibility Technology System  
 GRH = Group Residential Housing  
 MSA = Minnesota Supplemental Aid

SNAP = Supplemental Nutrition Assistance Program  
 MA = Medical Assistance  
 CC = Child Care

<b>Area - MAXIS</b>	10/1/16 to 12/31/16	<b>1/1/17 to 3/31/17</b>	4/1/17 to 6/30/17	7/1/17 to 9/30/17	10/1/17 to 12/31/17
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**New Programs Opened**

Numbers of Cases	14	31	20
# of New Programs	16	37	22

**Reapplications Opened**

Number of Cases	60	61	71
Number of Programs	71	72	82

**Programs Added to Open**

<b>Cases</b> Number of Cases	39	52	39
# of Programs Added	43	55	43

**Expedited SNAP**

Number of Cases	21	38	27
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**Closed Cases**

Number of Cases	87	112	114
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**Sanctions**

Reasons for Sanctions			
Financial Orientation	0	0	0
Child Support	0	0	2
Employment Services	1	0	2
Drug Felon	0	0	0

<b>Total</b> MFIP Sanctions	1	0	4
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<b>Area</b>	10/1/16 to 12/31/16	<b>1/1/17 to 3/31/17</b>	4/1/17 to 6/30/17	7/1/17 to 9/30/17	10/1/17 to 12/31/17
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**Recoveries & Recoupments**

AFDC, MFIP & DWP	\$ 395.00	\$ 2,375.60	\$159.00
MFIP & DWP Fraud	\$ 186.66	\$ 349.00	\$400.00

	\$	\$	
GA	36.00	30.00	\$12.00
		\$	
GA - Fraud	\$ -	-	\$0.00
		\$	
MSA	\$ -	-	\$0.00
		\$	
MSA - Fraud	\$ -	-	\$0.00
		\$	
SNAP	76.00	598.24	\$137.00
		\$	
SNAP - Fraud	1,000.00	55.00	\$110.00
		\$	
CCAP	\$ -	165.36	\$0.00
		\$	
CCAP - Fraud	\$ -	-	\$0.00
		\$	
MA - Overpayments	55.00	165.00	\$10,210.18
		\$	
MA - Fraud	\$ -	-	\$0.00
		\$	
MA - Estates	22,538.95	2,208.71	\$93,206.93
		\$	
<b>Total Recoveries</b>	\$ 24,287.61	5,946.91	\$104,235.11
<b>Claims</b>			
# of Agency Error Claims	10	12	12
# of Household Error Claims			
Claims	34	34	32
# of Fraud Claims	6	6	6
<b>Total # of Claims</b>	50	52	50
<b>Amount of Claims</b>			
	\$	\$	
Agency Error Claims	4,130.86	3,702.86	\$3,584.86
		\$	
Household Error Claims	19,036.10	16,254.26	\$15,934.26
		\$	
Fraud Claims	18,532.60	17,237.60	\$17,668.60
		\$	
<b>Total Claims</b>	\$ 41,699.56	37,194.72	\$37,187.72
		\$	
<b>Average of Claim</b>	\$ 833.99	715.28	743.75

**SUPPORT**

**&**

**RECOVERY**

**UNIT**

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17  
**Reporter:** Kelly Hagen

**Area:** Child Support

### A. Major Highlights

- COLA's were completed with amounts effective May 1, 2017.
- Staff began working with the Work Flow
- Staff attended some web training on intergovernmental forms and upcoming changes

### B. Challenges/Concerns

- Staff, including the County Attorney's Office, will be traveling to Kandiyohi County in the near future to shadow how they handle their contempt actions in hopes that we can mirror their process in our county.

### C. Looking Ahead

- August is Child Support Awareness Month

### D. Trends – Statistical changes from 5 years ago and 12 years ago:

	<b>From 5 years ago</b>	<b>From 12 years ago</b>
Caseload	+16 or 3%	+50 or 10%
Collections	-\$2,911 or 39%	-\$5,623 or 75%
PA Collections	+\$10,603 or 51%	+\$2,849 or 14%
Current Support Due	+\$23,141 or 7%	+\$44,439 or 14%
Current Support Paid	+\$20,701 or 8%	+\$66,173 or 27%
Distribution % (current 75%)	+1% (74%)	+12% (63%)
Distribution Arrears	+\$4,518 (5%)	+\$12,166 (14%)
Accounts Receivable	\$2,789 (.0009%)	+\$543,811 (18%)

<b>AREA</b>	<b>10/1/2016 to 12/31/2016</b>	<b>1/1/2017 to 3/31/2017</b>	<b>4/1/2017 to 6/30/2017</b>	<b>7/1/2017 to 9/30/2017</b>	<b>10/1/2017 to 12/31/2017</b>	<b>Year To Date Data</b>
<b>100 Caseload By Type</b>						
a. AFDC	4	3	2			5
b. Child Care	4	3	6			9
c. Foster Care	12	12	18			30
d. Medical Support Only	182	170	158			328
e. MFIP	57	59	56			115
f. Minnesota Care	0	0	0			0
g. Non-Public Assistance	222	232	245			477
h. Transitional Child Care	0	0	0			0
i. Non IV-D	2	2	2			4
j. DWP	2	1	4			5
k. Total	485	482	491			973
<b>200 Collections Report</b>						
a. Fees	\$188	\$140	\$550			\$690
b. Medical	\$8,981	\$8,710	\$5,978			\$14,688
c. Foster Care	\$94	\$153	\$937			\$1,090
d. Total	\$9,263	\$9,003	\$7,465			\$16,468
<b>300 PA Collections</b>						
a. Current	\$6,535	\$6,718	\$7,021			\$13,739
b. Arrears	\$5,196	\$10,925	\$13,708			\$24,633
c. Total	\$11,731	\$17,643	\$20,729			\$38,372
<b>400 Current Support Due/Pd</b>	\$340,575	\$339,043	\$327,331			\$666,374
<b>500 Amount Distributed</b>	\$258,771	\$260,109	\$244,445			\$504,554
<b>600 % Distribution</b>						
<b>700 Distribution - Arrears</b>	\$53,883	\$70,382	\$87,990			\$158,372
<b>800 Accounts Receivable</b>						
a. NPA	\$2,201,094	\$2,162,821	\$2,156,745			
b. PA	\$810,042	\$806,118	\$798,665			
c. Fees	\$11,541	\$11,335	\$11,247			
d. Total	\$3,022,677	\$2,980,274	\$2,966,657			

**SOCIAL**

**SERVICE**

**UNIT**

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** 100 Children's Services

**Reporter:** Chelsey Swenson

### A. Major Highlights

In April, The Kids Unit attended Child Welfare-Targeted Case Management training.

In May, the Case Aide started working at SCHS. She has been a big asset to our agency.

In June, Danielle, Chelsey, Mikaela, Sam, and Kim attended a training by Deena McMahon about talking with kids about the hard stuff. Chelsey, Sam, and Mikaela attended a training focused on testifying at court hearings. The Kids Unit hosted Doctor Heather Peters to talk about grief and burn-out. The Kids Unit and the transporters completed car seat training.

In June, Staff received agency cell phones to better communicate with consumers and providers.

### B. Individual Successes

In January there was a Termination of Parental Rights (TPR) Petition filed for a sibling set of a 1-year-old and 4-year-old. These children were removed from the home due to a spiral fracture when the child was 2 months old. The TPR trial was held in April. In May, the judge ruled a Termination of Parental Right on the biological mother and father. The children are in their forever home, waiting for the adoption court hearing.

In May our 1-year-old client was adopted into her forever family. This client has done very well in this home, and continues to be very successful.

In June, one of our families started a Trial Home Visit with their mother and father. The Trial Home Visit has been going very well, and both the mother and father are continuing to succeed in the goals of their case plan.

### C. Challenges

In the past months, Out of Home Placement has increased, which means visitation for parents has increased.

Transporters use county vehicles to transport the children to these visits. There is frequently a shortage of cars due to this, which requires staff to use their own vehicles. Also due to the number of children in out of home placement, there is a shortage of Foster Homes and Respite Care Providers.

Due to the announcement of Counseling Associates closing, there is a shortage of mental health providers in the area.

### D. Looking Ahead

In August, some of the Kids Unit will be attending a training regarding domestic violence.

In August, some of the Kid's Unit staff will attend a training on illegal street drugs and prescription medication abuse.

### E. Trends

Drug use, specifically methamphetamine, continues to be on the rise. Currently there are multiple parents in treatment, and a few have completed treatment. This also means that the Kids Unit worker have needed to complete more drug testing throughout cases to monitor use.

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** 200 Substance Use Disorder

**Reporter:** Jen Roberts

### A. Major Highlights

There were 31 Rule 25 Chemical Use Assessment referrals made this quarter, compared to 37 the first quarter. On May 3, 2017, the Substance Use Disorder Unit met with both Financial Services and Fiscal Unit to discuss IMD notifications and CPA process. This meeting was to help make the process more efficient by broadening the communication between the units when working with complex cases.

Substance Use Disorder reform was passed during the 2017 legislative session. Highlights of the reform package include establishing a process for direct access to treatment via comprehensive assessment; and a direction to seek federal approval to include comprehensive assessment, care coordination, peer support, and withdrawal management on the state's Medicaid benefit set, and permit direct reimbursement for SUD services provider by appropriately credentialed professionals. Substance Use Disorder Unit is waiting on more direction and information from the Department of Human Services Alcohol and Drug Abuse Division, regarding implementation guidelines and how this will affect the services provided by the county social services agencies.

### B. Challenges/Concerns

Assessors completed 18 Rule 25 Chemical Use Assessments this quarter, compared to 32 in the previous quarter. Assessors believe that this change is from the high amount of no shows from clients for their scheduled appointments. Assessors and Supervisor are looking at changing Swift County Substance Use Disorders policy and protocol on no shows, depending on if the referral came from self/other, Corrections, or Internally (CP or AMH). This is due to the significant amount of time assessors need to set aside for appointments, who cancel last minute or whom do not show up, as well as the extra time that is spent trying to reach the client to reschedule.

There has been new discussions about Drug Court in Swift County. The concerns have been regarding the referral process and question about the future of the program. We have received assurances that the referral process will have changes; however, no decisions have been made yet on the continuation of Drug Court in Swift County.

### C. Looking Ahead

Both assessors will be attending the First Annual Minnesota Alliance of Rural Addiction Treatment Programs on August 23 and 24<sup>th</sup>, 2017 in Willmar. One assessor will be attending The American Institute for the Advancement of Forensic Studies, presenting a one-day training on Illegal Street Drugs and Prescription Medication Abuse in Bloomington on August 25, 2017.

Substance Use Disorder Unit will start tracking the number of Rule 25 Chemical Use Assessment updates completed each month. Updates are required if an individual fails to enter a treatment program within 45 days of the services being authorized. Updates are also needed if a client is unsuccessfully discharged from treatment services or if they have violated their probation terms. Client's noncooperation and unavailability of treatment beds have resulted in a significant increase of the number of updates assessors are completing with clients. This process can be very time consuming.

### D. Trends

New resource for assessors while searching for availability at treatment centers has launched; Fast-Tracker.org. This is Minnesota's first searchable online tool for statewide Substance Use Disorder services. Staff from Fast Tracker will be contacting every licensed SUD treatment and detox program in Minnesota to gather information to help build the site.

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** 300 Adult Mental Health

**Reporter:** Leanna Larson

### A. Major Highlights:

Our unit was very excited to receive our new work cell phones. We work with many people who isolate as a symptom of their depression. We have found that we are able to text many of our clients with a better response rate than calling. We are able to easily send reminder messages to clients, or just check in on them. We are also able to call clients when we are out in the community without having to give out our personal phone numbers. We are very grateful for this addition!

Leanna worked with a client who has had a lot of success in the past 2 years. This woman was in jail and had an open Child Protection case when services started. She transferred parental rights of her youngest 2 children to their older brother. She entered MN Adult & Teen Challenge in Minneapolis and completed their program. She then lived at Metro Hope- Healing House for a year. During this time, she maintained her sobriety and participated in intensive individual therapy and Chemical Dependency programming. After graduating from Healing House, she faced challenges in finding affordable housing in the metro. She lived in a homeless shelter for 3 months before moving in with a friend. She is now considered a Hennepin County resident, and her case has been transferred. She is planning to enter transitional housing where she will have continued support for her sobriety and mental health needs. In August, she has a court hearing to establish visitation with her 2 youngest children again. This has been a difficult case due to being unfamiliar with resources in the metro, but being able to maintain consistency with providers has been beneficial to her recovery.

As reported last quarter, Leanna's client who was under commitment was admitted Alexandria Community Behavioral Health Hospital. After her medications were stabilized there, she was admitted to Northern Lights Intensive Residential Treatment facility in Thief River Falls, MN. It was very difficult for her to be placed there as it was 4 hours away from any family, so she felt very isolated. She participated in programming there for 2 months. She was then discharged to the community due a family medical emergency. She is now living in the community again.

Jennifer and Leanna attended the Mental Health Symposium at Ridegewater College. Jennifer attended Grant Writing through the Busch Foundation in May. The unit completed SSTS Random Moment Training and renewed our annual Data Practices training.

### B. Challenges and Concerns:

Counseling Associates will be closing, so we have been busy helping our clients make decisions about therapy. Some clients have chosen to follow their therapist, so we are working with them on arranging transportation. Other clients have chosen to find a new therapist, so we are helping them find a good fit through Woodland Centers or Crossroads Counseling. This will be a difficult period for many clients, as change can be hard. Some clients have also opted to end therapy altogether because they do not wish to travel and they are not interested in starting over with a new therapist.

### C. Looking Ahead:

Medica has ended health care coverage in our county. However, we are now able to serve individuals who have UCare. We will no longer have to refer those clients outside the agency.

The Mental Health Council has been busy. The group is planning to have a booth at the Swift County fair to increase awareness of mental health resources in our communities. The theme is 'Improving Self-Esteem'. The group is planning a field trip to go to Morris in August. We are visiting the Steven's County Drop-in Center. The Mental Health Council is hoping to develop a similar program in Swift County. Drop-in Centers are a safe space

for people to socialize and get support from others who have mental health needs. There are activities and events planned. It is typically run by consumers. We look forward to developing another resource for our clients.

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** 400 Child Mental Health

**Reporter:** Kim Guse

### A. Major Highlights:

- Elisa Lytle was hired May 1<sup>st</sup>, as a case aid for the children's unit and has become an extremely important asset allowing social workers more time with clients and major job duties. Elisa has taken on the enormous job of scheduling supervised visits, preparing files to be scanned and checks to be sure that all the documents are in the computer. She retrieves scanned documents when requested, accompanies social workers on transports when needed, helps with efilng court reports, checks for new and closed CMH Caseloads and update the lists with the current information, makes copies and mails out the current CMH Individual Family Support Plans to the parents and team members.
- The formal 24-hour On Call Response system has been successful with no major issues.
- Social Workers were given individual work cell phones which makes it much easier to stay in contact with clients as we can text them, which is becoming a preferred mode of communication with a high percentage of consumers, and call them from the field and leave a call back number they can call while we are out of the office.
- Regional CMH social workers' meetings have reconvened, they are being held bi-monthly at Kandiyohi County Human Services Building. Swift County has had representation at both meetings (held in April and June).
- Respite Care Grant has sent several kids to camp this summer and paid for swimming passes for most children in CMH case management as well as many other things which all help the child learn appropriate social skills, engage children with their parents/caregivers, helps the children with their self-esteem, helps to keep the kids appropriately engaged and busy while limiting their TV and video game time.
- Truancy circle has two kids participating and they took a break for the summer. It went well, both kids required to attend had great attendance.

### B. Training:

- "CW-TCM" Training in Madison, all CMH staff attended
- Kim attended the "DHS CORE" training for CMH in the Cities for 2 days at a time in three different weeks.
- "Safe Talk" suicide training in Willmar by NAMI, all CMH staff attended
- Kim and Lorri attended the "Computer training on Word, Outlook and Excel", in Benson - sponsored by Swift County
- Dr. Heather Peters spoke with staff about "grief guilt" and additional coping skills to use daily in our professional lives
- Patricia and Kim attended the "Psychological First Aid" Training held in Appleton
- Patricia attended training "Growing Your Own – Reclaiming Youth at Risk" in Granite Falls
- Kim and Mikaela attended a training "Conversations with Kids, Talking about the Hard Stuff" in Marshall
- All CMH staff attended the "Car Seat training" held at SCHS

### C. Positives:

- The following CMH workers serve on committees and attend meetings above and beyond their case load responsibilities: **Patricia**~ GLADS, Mental Health Advisory Board, WCI lunches- (monthly) for families of CMH/DD kids of children with a disability, Child Protection Team Meetings. **Mikaela**~ MSA representative, Regional CMH social workers' meetings, Child Protection Team Meetings. **Kim**~ Safety and Facility, Regional CMH social workers' meetings, Mental Health Advisory Board, WCI lunches- (monthly) for families of CMH/DD kids of children with a disability, Child Protection Team Meetings. **Becky**~ Liaison to the daycare providers.
- Kim is working with a family who divorced several years ago and the kids were struggling with the different "rules" at each parents home. The parents finally agreed to attend "Co-Parenting Therapy" and are working towards a more consistent parenting style at both homes. The children and parents have come up with a list of rules and consequences that will be followed at each house.
- Patricia had a teen successfully complete the 30 day-courted ordered stay at Greater MN Shelter care for truancy. This teen enjoyed the time there and was very cooperative.

### D. Challenges/Concerns that we continue to face challenges in Children's Mental Health:

- There is still a lack of foster homes in West Central Minnesota which makes finding respite week-end placements a challenge. It's also a challenge to get the children to a respite weekend if the parents do not have transportation.
- Shortage of Therapists, Child Psychologists and Skills Workers makes it hard for families to get the help they need in a timely and cost effective manner. The recent closing of Counseling Associates and Dr Huntimer leaving Woodland Centers has only made these concerns worse for workers as well as the families we work with.
- The closing of Counseling Associates also means the closing of CRDP (Chippewa River Day Treatment Program) at the Benson School. Woodland Centers has agreed with the Benson school to provide School Linked Mental Health Services. We are hoping the transition for the children involved is as smooth as possible as all the schools affected and Woodland Centers figures out the best plan for each child that was being served by CRDP.
- Kim has a teen that is struggling with the rules put in place by the teens mother and now has a domestic Violence charge as this teen physically fought with parents. This teen is not used to having rules to follow at home and is used to getting their way.
- Patricia had two Teens that were unsuccessfully discharged from Greater MN Shelter care on separate occasions. Teen #1 stated they were suicidal which resulted in going to Rice in Willmar. The teen refused to go back to Greater while at Rice. Because the teen was, court ordered to be in Greater's placement; probation had to request the court order be changed to Prairie Lakes Secure. At PLYP the teen kept the same medication manager but switched to the therapist that Prairie Lakes uses. The teen is doing better at PLYP because it is more black and white with fewer freedoms for the teen to mess up. The teen has a release date.
- Teen #2 also went to Rice for suicide as that teen had been cutting. Since this was the second trip to the emergency room for suicide, Greater MN would no longer take this teen back (this teen had signed a contract with them that they would not cut while there). This is a voluntary placement but mom felt her child was not ready to come home and also did not want her child to be rewarded with coming home when

she felt the cutting was a way to manipulate the situation. After going to further hospitalization and then to crisis the teen ended up at a PLYP home. They are willing to do a 60-90 day stay so the teen can stay on track with the treatment plan of getting home before school starts. Both the social worker and mom were thankful the teen did not have to enter a program and complete their entire 6-9 month program as this child had already been in placement for 6 months.

**E. Looking Ahead & Trends:**

- Drug usage by kids as well as parents is still a major issue.
- It is a challenge working with families when they quit taking their prescribed medications and/or allow their children to quit taking their medications.
- Kids are learning to stand their ground and disobey their parents to the point where parents no longer know what to do or how to handle their kids. The kids know their parents cannot physically harm them, so there is an imbalance of power and the kids seem to be winning this battle with a lot of our parents.

## Quarterly Summary Report

**Report Quarter:** 01-04-17 through 06-30-17

**Area:** 500 Developmental Disabilities

**Reporter:** Sara Schuerman

### A. Major Highlights:

Representatives from Southwestern Center for Independent Living (and other contracted agencies) have begun meeting with clients in order to start the process of compliance with the Workforce Innovation and Opportunity Act (WIOA). Reps begin each site visit by offering and informational sessions to help guardians and case managers learn more about WIOA and how to comply with new regulations. Staff then meets with the client and their guardians to have a conversation designed to help them learn about employment options and make an informed choice on whether to pursue competitive, integrated employment. Clients are able to respond in three ways: yes, no, or refusing to participate in the process, however, if a client chooses not to participate they are no longer eligible to continue earning subminimum wage. If a client chooses to look for community employment, their team will collaborate with vocational rehab to help achieve this goal.

### B. Challenges/Concerns:

There has been a shortage of semi-independent living skills staff in Swift County and the surrounding areas. This has caused a delay in service delivery for clients who are eligible, and would like a SILS worker. SILS workers assist clients who are developmentally disabled live successfully in the community by supporting people in ways that enable them to achieve personally desired outcomes. Some examples of desired outcomes include; providing assistance to help clients engage in community activities, maintaining personal hygiene, managing money, making meals, and administering medications. Due to the shortage of SILS workers, some clients are being placed on waiting lists and are not receiving the services they require to help them achieve desired independence.

### C. Looking Ahead:

MnChoices assessors are required to complete community support plans that outline a person's goals and personal care needs while emphasizing their personal preferences while receiving services. DHS is implementing changes to the community support plan within the MnChoices assessment intended to streamline the overall assessment process and reduce time spent writing support plans. The MnChoices Support Plan expected launch date is scheduled for August 12<sup>th</sup>. This is currently being tested in pilot counties and is receiving positive reviews in those counties.

### D. Trends:

None noted during the reporting period.

## Quarterly Summary Report

**Report Quarter:** 04/01/2017 to 06/30/2018

**Area:** 600 Aging Services

**Reporter:** Colette Dragt

### A. Major Highlights:

Provider Staffing meetings continue with Swift County Benson Hospital Home Health. Meetings occurred on 04/05/2017 and 06/07/2017. The purpose of the meetings is to consult on challenging cases and review changes effecting clients.

On 05/09/2017, we met with Prairie Five staff to discuss their Age Friendly Communities Grant Project.

On 05/25/2017, the audit for Blue Cross Blue Shield was completed. We received positive comments about the high quality of care coordination services and the connections established with clients, families, and providers. The auditor commented that we provide good person centered planning, address clients' needs, and use person centered planning to create client goals that are meaningful to them. Corrective Action Plans will be completed to ensure Long Term Care Consultation screenings are completed within 365 days and discussion of Secure Blue MSHO benefits is occurring. The auditor acknowledged that there are circumstances beyond the care coordinator's control that would be a barrier to completing the Long Term Care Consultation on time such as clients being ill or hospitalized, clients being out of town/state, bad weather, and clients being uncooperative. Discussion of Secure Blue MSHO benefits is happening, but documentation of the discussion was not always happening or was difficult to find in the case file. Checklists were updated to ensure documentation of the discussion occurs and is easy to locate in the file.

Centers for Medicare and Medicaid Services are requiring all MSHO & MSC+ members receive an annual Health Risk Assessment. For members living in the community, the Long Term Care Consultation screening is the preferred tool as it is the only way to access home care services or Elderly Waiver Services. There is a large percentage of Community Well members in our county and across the state who are refusing to complete the Long Term Care Consultation screening. Blue Cross Blue Shield has created an option for a telephonic Health Risk Assessment for use where a member refuses to allow a Care Coordinator to complete the face-to-face assessment and are not receiving home care services. The telephonic Health Risk Assessment is a condensed screening and care plan.

Training webinars this quarter include Individual Community Living Supports, My Moving Plan Summary Implementation, Onboarding Support Plan Users, Vision Loss in the Senior Population, and Health Care Decision Making for People Aging Alone.

Progress is being made on accessing nursing home records, but more work needs to be done. The Appleton Nursing Home has already set up access to their files, but at times access does not work well. Meadow Lane is working on setting up remote access to their computer files, but technical problems have arisen. Staff at both nursing homes have been cooperative in helping the care coordinators when they need assistance.

### B. Challenges/Concerns

Blue Cross Blue Shield stated that they would like at least 50% of the Community Well Health Risk Assessments completed for next year's audit. This will be a challenge even with the telephonic Health Risk Assessment option as the clients have a right to refuse the screening. Care coordinators are expecting to have an increase in the number of Long Term Care Consultation screenings/ Health Risk Assessments. This will result in an increased workload.

We will have a gap in mental health services for elderly in Swift County with Counseling Associates closing. Counseling Associates were able to provide mental health services to elderly clients in their home under Medicare. Woodland Centers does not offer this service.

Temporary reduction in staff with MnCHOICES Assessor resigning will be felt across several units: DD, CADI, and Aging. New MnCHOICES assessment requests will be spread out over the units.

### **C. Looking Ahead**

Jenny Huntley resigned her position as MnCHOICES Assessor in June. Whitney Tofte will be moving into the MnCHOICES Assessors position eventually, but for now will continue with her current caseload. She has not been able to make the transition until there is a new hire. We are looking forward to welcoming and training in a new care coordinator.

MnCHOICES Support Plan training in July and August with implementation in August.  
Establishing Provider staffing meetings with Central MN Senior Care.

MnCHOICES/ PCA cross training scheduled 08/28/2017.

Due to busy schedules this past Spring, the Jamboree will be rescheduled sometime this fall.

### **D. Trends**

Caseload sizes are remaining relatively stable. New cases equal the number being closed.

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17  
**Reporter:** JoNell Schmidt

**Area:** 700 CCBI  
(CAC, CADI, BI)

### A. Major Highlights:

Overall, this quarter the CADI caseload has not had many new referrals or activity. There have been a few smaller crises, but this quarter was more average than usual (since often there is significant change, crisis for medical and mental health with this caseload). There are a few of clients still in the nursing home working on rehabilitation hoping to return to the community when they are stronger and able to do more for themselves. The Waiver Management System, end of FY 2017 Swift Count was project to have 10% left in the CADI budget. The Waiver Alliance was projected to have 17% in the CADI budget. Which overall, is a really healthy end of year budget. DHS notified the Alliance on 6/30/17 that \$547,229 would be transferred from the budget to other counties who had successfully utilized their budgets over FY2017, but were still at risk of being over budget. This transfer of funds from this fiscal year is not supposed to affect the CCBI budget for FY 2018.

A major success for this quarter, CADI funds were able to assist a client, who has been in St. Peter and Anoka, addressing mental health issues, for about 18 months was able to transfer to an adult foster home in the Willmar area. It has taken many months and lots of planning to develop this foster home for the individual. The individual is in a single person foster home development with 2:1 staffing. There have been many learning curves and the staff has been diligent in keeping the individual safe so far in the home. The provider is working with area services to develop an emergency plan to best meet the needs when issues arise. This continues to be a work in progress.

Swift County did receive a transfer case from a metro county. The transfer of all services occurred on 4/1/17 but after many attempts to meet and set up services, the case will be closed because of non-compliance. Currently, no individuals requesting services, but there are a couple of potentials for later in the summer.

### B. Challenges/Concerns:

As I have mentioned over several of the past quarterlys, finding services, providers, placements that meet client needs continues to be a struggle. Many providers are short staffed so are not able to take on more clients or provide extra hours of services to clients when recovering from health or mental health issues. Often providers are looking for new staff to fill vacancies.

Concerns have been raised that our local nursing home has admitted individuals from other counties on a rather frequent basis. There are concerns about the appropriateness of these clients from other counties, as far as if they are appropriate in comparison to the population and services available in the area to meet those individual's needs.

There is a shortage of providers who are willing to handle high needs clients, especially those with behaviors, and mental illness. Options for crisis placements, nursing homes for high needs and behaviors are almost non-existent. I am also having difficulty finding a high medical foster home placement for a client.

A continued issue is communication that is extremely frustrating the lack of communication, updates, and follow-up from providers. This makes it very difficult to stay on top of issues when writer is not aware of issues. This is truly an issue for case management, because it is hard to provide for my client's needs when you are unaware of what is going on and find out days or weeks later. Having clients located out of county and not hearing what is going on with them is very frustrating. Having a very behavioral client located a significant

distance away, getting those updates, having regular communication, is essential and depended on, it helps to provide for their care and needs.

With the recent resignation of the MNChoice Assessor, CADI workers will be asked to complete new MNChoices in the interim and with the high caseload numbers, this can be very challenging, especially when trying to make time in already busy work schedules.

### **C. Looking Ahead:**

The Waiver budget for the Alliance for the FY 2018 is \$13,956,101. The Alliance was also awarded 15 new CADI slots for the next year. This is significantly more than what we are usually awarded. However, we have been advised by DHS over the last couple of years that there should not be a waiting list, so we need to do our best to get waiver eligible individuals on as soon as possible, so the 15 new slots will be helpful.

Will need to complete training for recertification process as a MNChoice Assessor.

Jennifer Roberts will be taking on more CADI cases.

Many concerns about the launch an implementation of the MNChoices Support Plan, how it will affect the ability to authorize services for CADI clients in a timely manner.

### **D. Trends:**

CADI caseload is usually a very busy caseload and it tends to stay at steady numbers.

The RRS (regional resource specialist) still has not been found for our area.

Transportation issues for those specialized services, hours of transportation availability is a growing concern.

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** 800 Licensing

**Reporter:** Becky Brown

### **A. Major Highlights**

The licensing unit has received request for both Child Foster Care and Daycare licensing. The unit is in the process of completing one child foster care home and at the beginning stages of another. One new daycare home was up and running in May. Two others have returned their paperwork. One is nearly completed and the other is in the beginning stages.

During this quarter, this unit has been licensing relatives for relative foster care. Five families reside in the county. One relative supersedes another relative due to the relationship. This worker no longer needs to pursue this relative. Three families lived in other counties where this worker had to start the process and pass it to the county of residence. A request for child foster care licensing has come in from Interstate Compact for the Placement of Children (ICPC). Florida has requested that a family in Swift County be licensed for relative care.

Licensing unit has also been working on three adoptions. During this quarter, the required documents have been sent to the State for approval. One was approved and this worker has started on the next step.

### **B. Challenges/Concerns**

One challenge is working with the State on adoptions. It is expected the DHS return documents within 15 days. For one of the adoptions, it took over a month for the documents to be returned. There will be the exact same statement in the following quarterly report.

One daycare was temporarily suspended due to significant violations. She complied and completed what had been requested of her. She is now on a conditional license through a Settlement Agreement.

### **C. Looking Ahead**

The Department of Human Services is starting to use an electronic tool to complete parts of the licensing process. There is discussion regarding DHS posting all licensing actions on a public website.

### **D. Trends**

Relative foster care is on the rise. I have also been receiving more calls from people who are interested in being licensed for foster care and daycare.

## Quarterly Summary Report

**Report Quarter:** 04-01-17 through 06-30-17

**Area:** 900 Vulnerable Adult

**Reporter:** Linda Erhardt

### A. Major Highlights

Statewide during the second quarter, MAARC received 13,957 reports of Adult Maltreatment. Swift County received 13 reports including three requests for emergency protective services. Of the 13 reports, three were accepted for investigation, with two reports being determined false and one report still under investigation.

DHS Adult Protection Unit continues to work on changes with EPS (Emergency Protective Services) requests and determinations within SSIS and the MAARC report. Revised EPS questions have been included in the reporting process when making a phone report to MAARC. The Unit is still working on getting those additional clarifying questions added to the online report. Additional SDM (Structured Decision Making) tools have been added to SSIS. There are more tools that need to be added.

The Estimated Dollar Amount field is a new tab on the AMR (Adult Maltreatment Report) within SSIS. Completion of the Estimated Amount field is required at case closure for substantiated allegations of financial exploitation. The dollar amount entered into this field is the worker's best estimate of the financial loss to the Vulnerable Adult based on case noted information or attached documents gathered during the investigation. This field will be used for data collection to estimate annual cost of financial exploitation to vulnerable adults in the state. The information is important for the public education, policy, planning and resource allocation.

### B. Challenges/Concerns

A continued challenge is notification of MAARC reports by SSIS. Notification of MAARC reports and EPS requests are sent electronically within SSIS. There is no "alert" system in place to notify the county when an electronic report has been sent. This results in the Adult Protection staff, supervisor, and intake worker needing to go into SSIS several times throughout the day to check for new reports. With busy schedules and frequent interruptions, it is easy to not be aware immediately of a new report. DHS has no plans to improve their notification system. In April, the Supervisor of the DHS Adult Protection Unit resigned. A new supervisor has been hired.

### C. Looking Ahead

On 7-01-17, MAARC will be acknowledging the 2<sup>nd</sup> anniversary of the opening of the statewide call center. MAARC is continuing with their public awareness campaign by doing radio ads and newspaper ads.

With the resignation of our MnChoices assessor, there have been some staff changes within the AP unit. Samantha Shelstad will be joining our unit once her replacement in Children's Services has been hired. We are so happy that she has made the decision to join the Aging/AP unit and have begun to set up training for her. Whitney Tofte will be assuming the role of MnChoices Assessor and Mentor, but will also remain in the rotation for AP investigation. We are encouraged that soon, in addition to accessing the regional investigator, we will have four staff also trained in investigations and AP case management.

**D. Trends** none noted

Social Service Statistics						
AREA	10/1/2016	1/1/17	4/1/17	7/1/17	10/1/2017	Year To
	to	to	to	to	to	Date
	12/31/2016	3/31/17	6/30/17	9/30/17	12/31/2017	Data
<b>100 Children's Services</b>						
<b>1. Family Based Services (point in time)</b>						
a. FBS therapy Families served	4	7	4			11
b. FBS therapy Families waiting	0	0	0			0
c. FBS therapy Children served	11	16	10			26
d. Incredible Years (enrolled families)	7	1	0			1
e. Parent Coach families	4	7	9			16
f. Woodland Parenting Skills	4	4	4			8
<b>2. Child Protective Services</b>						
a. Traditional Assessment (TR)	3	12	14			26
b. Family Assessment (FA)	6	9	11			20
c. Parent Support Outreach Program	3	2	3			5
<b>d. Type of maltreatment</b>						
1. physical abuse	3	5	8			13
2. sexual abuse	1	1	1			2
3. neglect	5	15	16			31
4. emotional abuse	0	0	0			0
e. Ongoing CPS cases	22	27	23			50
f. Ongoing child welfare cases	1	1	1			2
g. Ongoing PSOP cases	0	2	1			3
<b>3. Children's Intake</b>						
a. Service offer	20	16	12			28
b. Referred to legal services	7	6	3			9
c. Referred to law enforcement	6	4	6			10
d. Referred to other county	11	6	6			12
e. Screened out	20	43	37			80
f. Case services being provided	8	14	11			25
g. TR/FA assessment	9	21	25			46
h. Referred to MDE/DHS/MDH/DOC	0	0	0			0
i. Truancy prevention	13	18	1			19
j. TOTAL	113	143	114			257
<b>4. Out-Of-Home Placement</b>						
a. Emergency/Crisis	0	0	0			0
b. Regular foster care (Rule 1)	9	8	19			27
c. Therapeutic foster care	4	8	9			17
d. Other foster care	0	0	0			0
e. Group home (Rule 8)	1	2	2			4
f. Residential treatment (Rule 5)	0	0	0			0
g. Chemical treatment (Rule 25)	0	0	0			0
h. Corrections facility	1	3	0			3
i. Extended (18-21)	1	1	1			2
j. Trial Home Visit	0	3	0			3
k. Non-custodial parents	1	1	3			4
l. Total (corrections not included)	15	23	34			57
m. % change from last quarter	-6%	+53%	+48%			0.53

5. Adoption/Custody						
a. Adoption cases (state wards)	2	4	7			11
b. Custody study cases	0	0	0			0
<b>AREA</b>	<b>10/1/2016</b>	<b>1/1/17</b>	<b>4/1/17</b>	<b>7/1/17</b>	<b>10/1/2017</b>	<b>Year To</b>
	<b>to</b>	<b>to</b>	<b>to</b>	<b>to</b>	<b>to</b>	<b>Date</b>
	<b>12/31/2016</b>	<b>3/31/17</b>	<b>6/30/16</b>	<b>9/30/17</b>	<b>12/31/2017</b>	<b>Data</b>
<b>200 Chemical Dependency</b>						
1. Total # Rule 25 referrals	31	37	31			
a. Corrections Referrals	n/a	27	6			
b. Interagency Referrals	n/a	6	10			
c. self/other referrals	n/a	4	15			
2. Rule 25 Assessments	22	32	18			
a, Non -residential tx recs	n/a	8	4			
b. Residential tx recs	n/a	11	6			
3. Assessments under age 16	2	0	1			
<b>4. Detox admissions</b>	3	4	3			
SUD commitments	0	1	1			
<b>300 Mental Health - Adults</b>						
Number of AMH intakes	28	20	23			43
Persons Served in Residential						
1. CBHH	0	1	1			2
2. In-patient	4	2	2			4
3. IRT	0	1	1			2
4. Adult Foster Care	2	1	2			3
5. Woodland Center Crisis	2	2	3			5
6. Placements						
In Swift County	0	0	0			0
Out of Swift County	6	6	7			13
1. ARMHS (1:1)/ CSP (1:1)	35	36	32			68
2. Day Treatment/Group	7	6	5			11
3. Supported Employment	1	0	0			0
4. Partial Hospitalization	0	0	0			0
Case Management						
1. Rule 79	79	78	65			143
2. General case mgmt	16	7	6			13
Commitment Activities						
1. Pre-petition screenings	3	0	2			2
2. Judicial hearings	2	0	1 (CD)			0
3. Commitments	2	0	1 (CD)			0
Other						
1. Cases w/legal involvement	17	13	15			28
2. Rep Payee / Money Management	4	3	3			6
<b>400 Mental Health - Children</b>						
1. Children with Case Manage.	43	40	39			79
2. Children in day treatment	6	7	8			15
3. Children in placement						0
a. In Swift County	1	2	2			4
b. outside of Swift County	2	7	7			14
4. CMH intakes	6	13	10			23
5. Court involvement	11	12	10			22
6. Individual Therapy	26	32	29			61

7. Individual & Family Skills	13	19	12			31
<b>AREA</b>	<b>10/1/2016</b>	<b>1/1/17</b>	<b>4/1/17</b>	<b>7/1/17</b>	<b>10/1/2017</b>	<b>Year To</b>
	<b>to</b>	<b>to</b>	<b>to</b>	<b>to</b>	<b>to</b>	<b>Date</b>
	<b>12/31/2016</b>	<b>3/31/17</b>	<b>6/30/17</b>	<b>9/30/17</b>	<b>12/31/2017</b>	<b>Data</b>
8. Group skills	7	12	12			24
9. School Link						
a. Lac qui Parle Valley	1	3	3			6
b. KMS	0	2	3			5
10. Family Based Therapy	2	4	2			6
11. Parent Coach	2	0	0			0
12. Personal Care Attendant	7	7	8			15
13. Medication Management	29	30	26			56
14. OT/PT/Speech	12	12	11			23
15. Individual Education Plan	30	27	28			55
16. Youth Partial Hospitalization	0	0	0			0
<b>500 Adult Protection</b>						
1. MAARC reports received	10	9	13			
a. # of reports accepted	6	5	3			
b. # of reports screened out	3	4	10			
c. # of reports to other LIA	1	0	0			
2. # of EPS requests	5	1	3			
3. AP case mgnt cases	2	1	1			
<b>600 Long Term Supports &amp; Services</b>						
1. MnChoices Assessments	13	24	24			
2. Legacy doc Assessments	7	10	9			
3. MnChoices Reassessments	23	23	22			
4. Alternative Care Cases	8	8	10			
5. Elderly waiver Cases	61	61	62			
6. Essential Comm Support cases	1	2	2			
7. Community Well cases	40	43	44			
8. NH Care Coord cases	42	42	38			
9. Brain Injury Cases	1	1	1			
10. Comm Alt Care cases	1	1	1			
11. CADI cases	n/a	45	31			
12. Under 65 in the NH cases	6	6	7			
13. Senior Companion	3	1	1			
14. RS tools completed	6	15	8			
15. DD Rule 185 CM adults	n/a	82	82			
16. DD Rule 185 CM children	n/a	16	15			
17. DD waiver receiptants	62	65	66			
18. clients receiving SILS	12	11	11			
19. Clients receiving FSG	12	10	11			
20. Clients cty pd DT&H	3	2	2			
21. Clients in ICF/DD	5	5	5			
22. State Wards	7	7	7			
24. Court visitor Referrals	1	0	1			
24. LTSS clients w/ diff COL	n/a	49	49			
25. LTSS Clients in Swift w/diff CFR	n/a	11	11			



<b>TOTALS</b>	\$ 1,336,980.00	\$390,077	<b>\$1,663,588</b>			\$ 2,053,665.00
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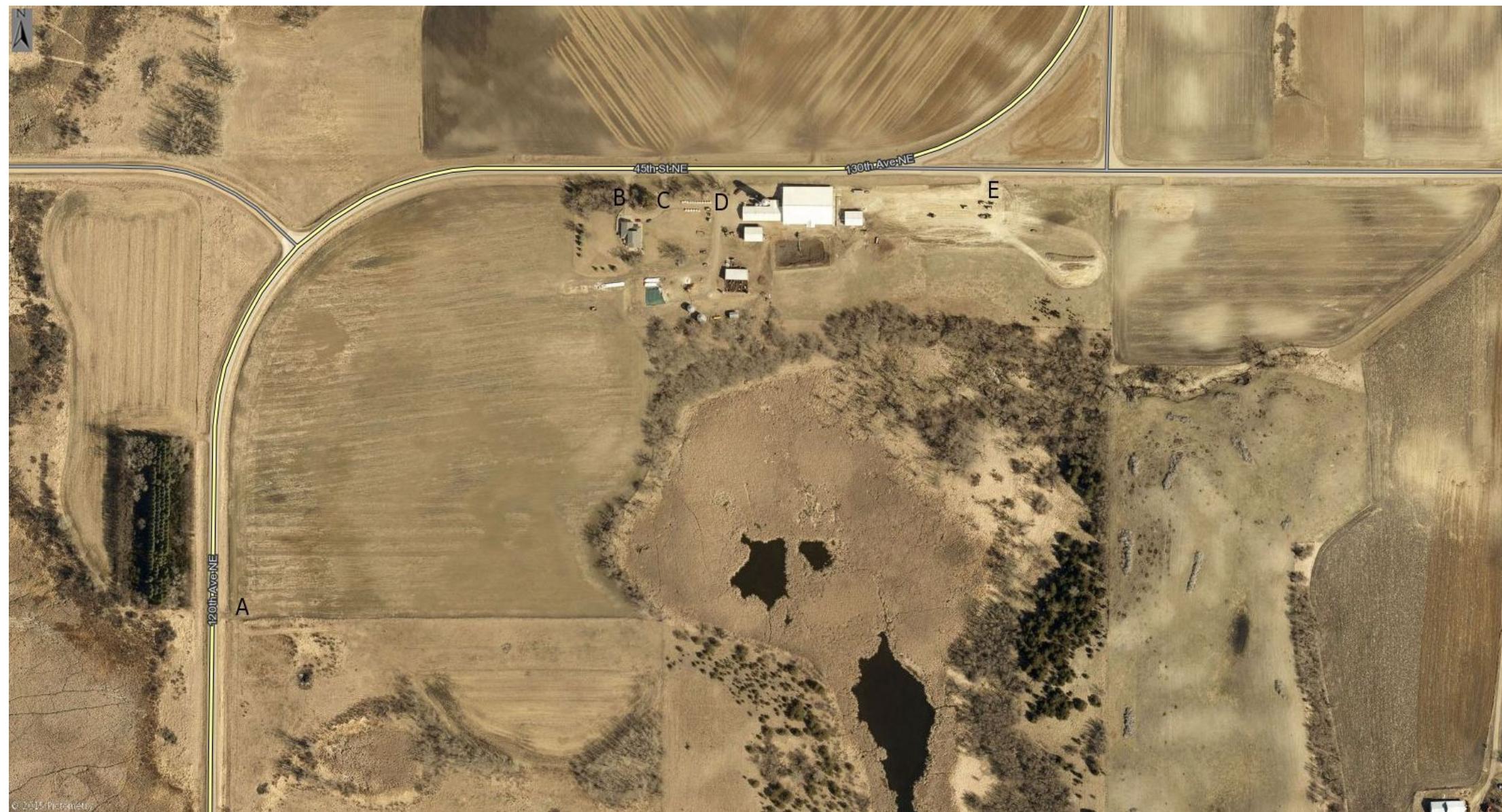
# Access A : West View



# Access E : North View



# Accesses A, B, C, D, & E : Top View



# Accesses B, C, & D : North View



# Accesses B, C, & D : Top View



# Accesses A, B, C, D, & E : Top View





# Model County Buffer Ordinance

## Buffer Law Implementation

Final Draft for use, June 27, 2017

Users of this document are encouraged to obtain the legal advice of an attorney regarding their specific application of Minn. Stat. §103F.48 and their own legal authorities.

### 1.0 STATUTORY AUTHORIZATION AND POLICY

- 1.1 **Statutory authorization.** This buffer ordinance is adopted pursuant to the authorization and policies contained in Minn. Stat. §103F.48, the Buffer Law, and the County planning and zoning enabling legislation in Minn. Stat. chapter 394.
- 1.2 **Purpose and intent.** It is the purpose and intent of the County to:
  - (a) Provide for riparian vegetated buffers and water quality practices to achieve the following purposes:
    - (1) Protect state water resources from erosion and runoff pollution;
    - (2) Stabilize soils, shores and banks; and
    - (3) Protect or provide riparian corridors.
  - (b) Coordinate the implementation and enforcement of the water resources riparian protection requirements of Minn. Stat. §103F.48 with the shoreland management rules and ordinances adopted under the authority of Minn. Stat. §103F.201 to 103F.227 and the management of public drainage systems established under Minn. Stat. chapter 103E where applicable; and
  - (c) Provide efficient and effective direction to landowners and protection of surface water quality and related land resources.

### 2.0 DEFINITIONS AND GENERAL PROVISIONS

- 2.1 **Definitions.** Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the same meaning they have in common usage and to give this ordinance its most reasonable application. For the purpose of this ordinance, the words "must" and "shall" are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.
  - 2.1.1 **"APO"** means the administrative penalty order issued pursuant to Minn. Stat. §103F.48, subd. 7 and Minn. Stat. §103B.101, subd. 12a.
  - 2.1.2 **"Buffer"** has the meaning provided in Minn. Stat. §103F.48, subd. 1(c).
  - 2.1.3 **"Buffer protection map"** has the meaning provided in Minn. Stat. §103F.48, subd. 1(d) and which are available on the Department of Natural Resources website.
  - 2.1.4 **"BWSR"** means the Board of Water and Soil Resources.

- 2.1.5 **“Cultivation farming”** means farming practices that disturb root or soil structure or that impair the viability of perennial vegetation due to cutting or harvesting near the soil surface.
- 2.1.6 **“Drainage authority”** has the meaning provided in Minn. Stat. §103E.005, subd. 9.
- 2.1.7 **“Landowner”** means the holder of the fee title, the holder’s agents or assigns, any lessee, licensee, or operator of the real property and includes all land occupiers as defined by Minn. Stat. §103F.401, subd. 7 or any other party conducting farming activities on or exercising control over the real property.
- 2.1.8 **“Parcel”** means a unit of real property that has been given a tax identification number maintained by the County.
- 2.1.9 **“Public drainage system”** has the meaning given to “drainage system” in Minn. Stat. §103E.005, subd. 12.
- 2.1.10 **“Local water management authority”** has the meaning provided in Minn. Stat. §103F.48, Subd. 1(g).
- 2.1.11 **“Normal water level”** means the level evidenced by the long-term presence of surface water as indicated directly by hydrophytic plants or hydric soils or indirectly determined via hydrological models or analysis.
- 2.1.112 **“SWCD”** means Soil and Water Conservation District.
- 2.2 **Severability.** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.
- 2.3 **Data sharing/management.**
- 2.3.1 The County may enter into arrangements with an SWCD, a watershed district if applicable, BWSR and other parties with respect to the creation and maintenance of, and access to, data concerning buffers and alternative practices under this ordinance.
- 2.3.2 The County will manage all such data in accordance with the Minnesota Data Practices Act and any other applicable laws.

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## 3.0 Jurisdiction and 4.0 Buffer Requirements

**NOTE:** Counties can elect enforcement jurisdiction over public waters and public ditches, which relate to the existing County responsibility for implementing the shoreland management rules and acting as the public drainage authority. Counties should discuss enforcement options and plans with the watershed district (if any) and SWCD prior to making a jurisdiction decision.

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### OPTION 1 – 50-Foot Average 30-Foot Minimum and 16.5-Foot Waters, *excluding* public drainage systems where the County is not the drainage authority

## 3.0 JURISDICTION

- 3.1 **Jurisdiction.** The provisions of this ordinance apply to all waters, shown on the buffer protection map, excluding public drainage systems for which the County is not the drainage authority under Minn. Stat. chapter 103E.

## 4.0 BUFFER REQUIREMENTS

4.1 **Buffer width.** Except as provided in subsection 4.4 and 4.5, a landowner owning property adjacent to a water body identified on the buffer protection map must establish and maintain a buffer area as follows:

(a) For waters shown on the buffer protection map requiring a fifty (50) foot width buffer, the buffer width will be fifty (50) foot average and thirty (30) foot minimum width as provided in Minn. Stat. §103F.48, subd. 3 and *(if County's shoreland ordinance requires a more restrictive buffer and the County chooses to retain that width, then include the more restrictive standards here)* as measured according to subsection 4.2; and

(b) For waters shown on the buffer protection map requiring a sixteen and a half (16.5) foot minimum width buffer, the buffer width will be sixteen and a half (16.5) feet as provided in Minn. Stat. §103F.48, subd. 3 and as measured according to subsection 4.2. This subsection applies only if the County is the drainage authority *(or a more restrictive width as determined locally)*.

### OPTION 2 – 50-Foot Average 30-Foot Minimum and 16.5-Foot Waters, *including* public drainage systems where the County is not the drainage authority

## 3.0 JURISDICTION

3.1 **Jurisdiction.** The provisions of this ordinance apply to all waters, including public drainage systems for which the County is not the drainage authority under Minn. Stat. chapter 103E, shown on the buffer protection map.

## 4.0 BUFFER REQUIREMENTS

4.1 **Buffer width.** Except as provided in subsection 4.4 and 4.5, a landowner owning property adjacent to a water body identified on the buffer protection map must establish and maintain a buffer area as follows:

(a) For waters shown on the buffer protection map requiring a fifty (50) foot width buffer, the buffer width will be fifty (50) foot average and thirty (30) foot minimum width as provided in Minn. Stat. §103F.48, subd. 3 and *(if County's shoreland ordinance requires a more restrictive buffer and the County chooses to retain that width, then include the more restrictive standards here)* as measured according to subsection 4.2; and

(b) For waters shown on the buffer protection map requiring a sixteen and a half (16.5) foot minimum width buffer, the buffer width will be sixteen and a half (16.5) feet as provided in Minn. Stat. §103F.48, subd. 3 and as measured according to subsection 4.2 *(or a more restrictive width as determined locally)*.

### 4.2 Measurement.

(a) The width of any required buffer on land adjacent to a water requiring a fifty (50) foot average width and a thirty (30) foot minimum width buffer shall be measured from the top or crown of the bank. Where there is no defined bank, measurement must be from the edge of the normal water level as provided in Minn. Stat. §103F.48, subd. 3(c).

(b) The width of any required buffer on land adjacent to a water requiring a sixteen and a half (16.5) foot minimum width buffer shall be measured in the same manner as for measuring the vegetated grass strip under Minn. Stat. §103E.021, subd. 6 as provided in Minn. Stat. §103F.48, subd. 3(c).

4.3 **Use of buffer area.** Except as provided in sections 4.4 and 4.5 a buffer as defined in this ordinance may not be put to any use, included but not limited to cultivation farming, which would remove or prevent the permanent growth of perennial vegetation.

4.4 **Exemptions.** The requirement of section 4.1 does not apply to land that is exempted from the water resources riparian protection requirements under Minn. Stat. §103F.48, subd. 5.

4.5. **Alternative practices.** As provided in Minn. Stat. §103F.48, subd. 3(b) an owner of land that is used for cultivation farming may demonstrate compliance with subsection 4.1 by establishing and maintaining an alternative riparian water quality practice(s), or combination of structural, vegetative, and management practice(s) which provide water quality protection comparable to the water quality protection provided by a required buffer as defined in sections 4.1 to 4.3. The adequacy of any alternative practice allowed under this section shall be based on:

(a) the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG);

(b) common alternative practices adopted and published by BWSR;

(c) practices based on local conditions approved by the SWCD that are consistent with the Natural Resources Conservation Service (NRCS) Field Office Technical Guide (FOTG); or

(d) other practices adopted by BWSR.

## 5.0 COMPLIANCE DETERMINATIONS

5.1 **Compliance determinations.** Compliance with the buffer requirements set forth in section 4 will be determined by the SWCD on a parcel by parcel basis. The compliance status of each bank, or edge of a waterbody on an individual parcel will be determined independently.

5.2 **Investigation and notification of noncompliance.** When the County identifies a potential noncompliance with the buffer requirements or receives a third party complaint from a private individual or entity, or from another public agency, it will consult with the SWCD to determine the appropriate course of action to document compliance status. This may include communication with the landowner, inspection or other appropriate steps necessary to verify the compliance status of the parcel. On the basis of the evidence gathered in this process, the SWCD may issue a Notification of Noncompliance to the County. If the SWCD does not issue such a Notification, the County will not pursue a compliance or enforcement action under Minnesota Statutes §103F.48 and subsection 6.2.

At any time during process set forth in 5.2 and 5.3, the landowner may provide documentation of compliance to the SWCD.

5.2.1 **Compliance determination.** The SWCD will evaluate the available documentation, and/or evaluate and/or inspect the buffer and/or alternative practices to determine if the parcel is in compliance. Upon completion of the evaluation and/or inspection the SWCD shall issue a written compliance determination to the landowner, the County and BWSR. The SWCD may also issue a Validation of

Compliance if applicable and requested by the landowner.

**5.3 Corrective Action Notice.** On receipt of an SWCD Notification of Noncompliance, the County will issue the landowner a Corrective Action Notice that will:

- (a) include a list of corrective actions needed to come into compliance with the requirements of Minn. Stat. §103F.48;
- (b) provide a timeline for complying with the corrective action notice;
- (c) provide a compliance standard against which the County will judge the corrective action; and
- (d) include a statement that failure to respond to this Notice may result in the assessment of criminal, civil or administrative penalties. *(Language will depend on the enforcement option selected by the County.)*

The County may send the landowner a combined Corrective Action Notice and APO as provided in section 6.2 so long as the combined Notice/APO includes all the required elements of both.

The County shall transmit the corrective action notice by either personal service to the landowner or by depositing the same in the U.S. Mail. If service is made by U.S. mail, the document is deemed received three business days after the notice was placed in the U.S. mail. Failure of actual receipt of a corrective action notice that has either been personally served or served by depositing the same in the U.S. Mail shall not be deemed a defense in an enforcement proceeding under section 6.0. The County shall also send a copy of the Notice to the SWCD and BWSR.

Counties may modify the corrective actions and timeline for compliance, in accordance with section 5.2, to extend the compliance timeline for a modification that imposes a substantial new action or significantly accelerates the completion date for an action.

- 5.3.1 At any time after receipt of a corrective action notice, the landowner may provide documentation of compliance to the County. In addition, the landowner may supply information to the County or the SWCD in support of a request to modify a corrective action or the timeline for compliance. On the basis of any such submittal or at its own discretion, the County may make a written modification to the Corrective Action Notice or timeline for compliance. The County should also make a written determination documenting whether the noncompliance has been fully corrected. Any such modification of a compliance determination will be served on the landowner in the manner provided for in section 5.3. The County shall provide the SWCD and BWSR a written copy of any modification made pursuant to this provision.
- 5.3.2 The SWCD may, after an evaluation of the evidence documenting compliance submitted by the landowner, issue a written Validation of Compliance if requested by the landowner. Upon receipt by the County of a written compliance determination issued by the SWCD, the Corrective Action Notice will be deemed withdrawn for the purpose of section 6.0, and the subject property will not be subject to enforcement under that section.

**OPTION:** A Notice of Noncompliance is not considered a final decision subject to appeal to BWSR. (Minn. Stat. §103F.48, subd. 9). Counties may establish a local process to appeal a Corrective Action Notice. The time period for compliance and the initiation of a penalty should be put on hold while any appeal is pending

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## 6.0 ENFORCEMENT

***NOTE:** The model ordinance provides three options for enforcement of the Buffer Law, which are provided below. The County will need to evaluate the enforcement mechanism it intends to use when enforcing the requirements of the buffer law.*

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### ENFORCEMENT OPTION 1 – Criminal Prosecution Only

6.1 Failure to comply with a Corrective Action Notice issued under section 5 constitutes a misdemeanor and shall be punishable as defined by law.

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### ENFORCEMENT OPTION 2 – Administrative Penalty Orders Only

6.1 The County may issue an APO as provided for in Minn. Stat. §§103F.48, subd. 7(b) and (c) and 103B.101, subdivision 12a to a landowner who has failed to take the corrective action as set forth in the corrective action notice. For the APO to be effective it must be served on the landowner together with a copy of the corrective action notice or alternatively the County may serve the landowner with a combined Corrective Action Notice and APO so long as the combined Notice/APO includes all the elements of both. Service is effective either by personal service or by depositing the documents set forth herein in the U.S. Mail. Any penalty assessed in the APO shall continue to accrue until the violation is corrected as provided in the Corrective Action Notice and APO.

***NOTE:** This option also includes all provisions after and including 6.2.*

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### ENFORCEMENT OPTION 3 – Both Criminal Prosecution and Administrative Penalty Orders

**6.1 Failure to comply with a corrective action notice issued under section 5.**

The County may, at its own discretion, elect to pursue the failure to comply with a corrective action notice either criminally or through an administrative penalty order as set forth herein.

(a) Failure to comply with a corrective action notice issued under section 5 constitutes a misdemeanor and shall be punishable as defined by law.

(b) The County may issue an APO as provided for in Minn. Stat. §§103F.48, subd. 7(b) and (c) and 103B.101, subdivision 12a to a landowner who has failed to take the corrective action set forth in the corrective action notice. For the APO to be effective it must be served on the landowner together with a copy of the corrective action notice or alternatively the County may serve the landowner with a combined Corrective Action Notice and APO so long as the combined Notice/APO includes all the elements of both. Service is effective either by personal service or by depositing the documents set forth herein in the U.S. Mail. Any penalty assessed in the APO shall continue to accrue until the violation is corrected as provided in the Corrective Action Notice and APO.

***NOTE:** This option also includes all provisions after and including 6.2.*

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**OPTION:** Counties will need to include sections 6.2 and 6.3 when using APO as the enforcement mechanism.

**6.2 Administrative Penalty Order (APO).**

(a) Initial violation. The penalty for a landowner on a single parcel that has not previously been the subject of an APO issued by the County shall be:

- i. \$0 for 11 months after issuance of the Corrective Action Notice;
- ii. \$50 - \$200 per parcel per month for the first six (6) months (180 days) following the time period in i; and
- iii. \$200 - \$500 per parcel per month after six (6) months (180 days) following the time period in ii.

**OPTION:** It is recommended that Counties choose a specific penalty amount within the range shown in ii and iii to ensure consistency with the BWSR APO Plan.

(b) Repeat violation. The penalty for a landowner on a single parcel that has previously been the subject of an APO issued by the County or shall be:

- i. \$50 - \$200 per parcel per day for 180 days after issuance of the Corrective Action Notice; and
- ii. \$200 - \$500 per parcel per day for after 180 days following the time period in i.

(c) Ongoing penalty assessment. Any penalty assessed under this section shall continue until the corrective action notice has been satisfied.

**OPTION:** Counties are recommended to choose a specific penalty amount within the range shown in I and ii to ensure consistency with the BWSR APO Plan.

6.2.1 APO. To be valid the APO shall include, at a minimum:

- i. The facts constituting the violation of the riparian protection and water quality practices requirements set forth in this section 4.0 of this ordinance or Minn. Stat. §103F.48 ;
- ii. The specific statute and/or ordinance section(s) that has/have been violated;
- iii. A written description of prior efforts to work with the landowner to resolve the violation;
- iv. The amount of the penalty to be imposed;
- v. The date the penalty will begin to accrue;
- vi. The date that payment of the penalty is due;
- vii. The date by which all or part of the penalty may be forgiven if the landowner has/have complied with the Corrective Action Notice; and
- viii. A statement of the landowner’s right to appeal the APO.

6.2.2 All or part of the penalty may be forgiven based on the correction of the noncompliance by the date specified in the APO by the landowner as provided in Minn. Stat. §103F.48, subd. 7(d).

**NOTE:** *If part or all of the penalty is forgiven, it is recommended that the County document the reasons and the amount of the penalty that has been forgiven.*

6.2.3 A copy of the APO must be sent to the SWCD and BWSR.

6.2.4 An APO issued under this section may be appealed to the BWSR within 30 days of receipt by the landowner in accordance with the requirements set for the in Minn. Stat. §103F.48, subd. 9. Any APO that is not appealed within the 30 day period shall be deemed final.

### 6.3 Administrative Penalty Order Procedures

6.3.1 Statute of limitations. Any criminal enforcement action undertaken pursuant to section 6.1 of this ordinance must be undertaken within two years after the alleged violation was discovered or reasonably should have been discovered by the County. Any administrative enforcement proceeding including the issuance of an APO should be undertaken within three years after the alleged violations was discovered or reasonably should have been discovered by the County. According to Minn. Stat. §541.07, the County has two years in which to commence an APO action after the date the violation is discovered. The goal is to complete the action as soon as reasonably practical, recognizing that situations for which data must be gathered, field investigations must be completed and/or modeling must be performed will require adequate time to complete the work and communicate with the landowner involved.

6.3.2 Compliance verification. Once a landowner has submitted written evidence of correction of the violation set forth in the notice of compliance, compliance must be verified. The County will:

- i. Review and evaluate all information related to the APO to determine if the violation has been corrected;
- ii. Verify compliance by site visit, re-inspection, examination of documentation, or other means as may be reasonable under the facts of the case; and
- iii. Document compliance verification.

The County may consult with the SWCD when conducting a compliance verification.

6.3.3 Right to appeal. Within 30 days after receipt of the APO, a landowner may appeal the terms and conditions of an APO issued by a County to BWSR as provided in Minn. Stat. §103F.48, subd. 9. The appeal must be in writing and must include a copy of the APO that is being appealed, the basis for the appeal and any supporting evidence. The appeal may be submitted personally, by U.S. mail, or electronically, to the Executive Director of BWSR.

6.3.4 Penalty due. Unless the landowner appeals the APO as provided in section 6.3.3 the penalty specified in the APO becomes immediately due and payable to the County as set forth in the APO. If, however, the landowner submits written documentation that the violations has been corrected prior to the time the penalty becomes due and payable the County shall verify compliance and adjust the penalty to an amount the landowner would have owed had the penalty been paid on the date the landowner submitted written documentation of compliance. Written documentation of compliance may include a written validation of compliance issued by the SWCD.

However, if the County determines the violation was not fully corrected, the County shall notify the landowner by issuing a written letter of determination and depositing it in the U.S. Mail. Any determination sent by U.S. Mail shall be deemed received three business days after the letter of determination has been deposited in the U.S. Mail. The landowner shall have an additional 20 days after receipt of the letter of determination to pay the penalty or the time period specified in the APO as issued, whichever is later. The penalty will continue to accrue until the violation is corrected as

provided in the Corrective Action Notice and APO.

6.3.5 Referral for collection of penalty. All penalties and interest assessed under an APO must be paid by the landowner within the time specified in this section. All payments shall be made payable to the County. Any penalty or interest not received in the specified time may be collected by the County using any lawful means.

6.3.6 Reporting and documentation. The County shall maintain the following records for any potential violation of the riparian protection and water quality practices requirements. Said records shall include but are not limited to the following:

- iv. The cause of the violation;
- v. The magnitude and duration of the violation;
- vi. Documentation showing whether the violation presents an actual or imminent risk to public health and safety;
- vii. Documentation showing whether the violation has the potential to harm to the natural resources of the state;
- viii. A record of past violations;
- ix. Efforts by the SWCD, County, Watershed District or BWSR to assist the responsible party or parties to become compliant, including written and oral communications with the responsible party or parties ; and
- x. Past and present corrective action efforts by the responsible party or parties.