

Notice & Agenda

Swift County Board of Commissioners

Tuesday, July 7, 2015

9:00 AM

Swift County Board Room – 301 14th St N, Benson, MN

If you need any type of accommodation to participate in this meeting, please contact the County Administrator at 320-314-8399 at least 48 hours prior to the meeting. Times are only estimates and items may be taken out of order.

<u>Time</u>	<u>Reference</u>	<u>Item</u>
9:00 a.m.		Call to Order and Roll Call
9:01 a.m.		Approve Agenda
9:03 a.m.		Consent Agenda
	1-3	(1) Minutes from the June 16, 2015 Meeting
	4	(2) Minutes from the June 16, 2015 Board of Assessment and Equalization Meeting
	5	(3) Consider approval of tobacco licenses for the following businesses: Kerkhoven Handi-Stop
	6	(4) Consider appointing the appointment of a Social Worker
9:04 a.m.		Consider Approval of Commissioner warrants and review Auditor warrants reviewed
9:05 a.m.		Commissioner and Board reports
9:20 a.m.		County Administrator report
9:25 a.m.		Citizens Comments
9:25 a.m.	7	A request by Ronald Anderson requesting the support for the replacement of Bridge # 5380 on Minnesota Trunk Highway 40
9:30 a.m.		Environmental Services Director Scott Collins
	8-11	Consider approval of a Conditional Use Permit #4998 requested by Leonard Wulf & Sons, Inc (Owner)/ Spring Valley Farms LLP (Purchaser) for establishing a new feedlot that consists of a 102' x 168' total confinement barn to house 2,100 head swine between 55 and 300 pounds located in the NW corner of 170th Ave NE and 70th St NW in Fairfield Township.
9:45 a.m.		County Engineer Andy Sander
	12-13	Consider approval of Resolution for Bridge Bonding Funds for the SAP 076-598-011 project on CR 54 in Shible Township Section 31.
9:50 a.m.		County Auditor Kim Saterbak
	14-17	Consider appointing two Swift County members to sit on the Chippewa County Ditch #13 – Joint Ditch Board.
		Other Business
	None	Strategic Plan Update
		Closed session to consider strategy for labor negotiations
		Consider approving a closed meeting to consider strategy for labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. (§13D.03)
		Closed session to consider strategy for labor negotiations
		Adjourn close session and return to open session
10:15 a.m.		Adjournment

SWIFT COUNTY BOARD MINUTES

June 16, 2015

Chairman Peter Peterson called the meeting to order at 5:30 PM with all present. Also in attendance were County Administrator Mike Pogge-Weaver, County Attorney Danielle Olson, County Auditor Kim Saterbak, and Kathy Schwantes from the University of Minnesota Extension.

Chairman Peter Peterson asked if there were any changes to the agenda. Commissioner Fox requested that an item on ditch mowing be added under the County Engineer part of the agenda and Administrator Pogge-Weaver requested to add approval of the 2014 Swift County Agricultural Inspector's report as item 5 under consent agenda.

06-16-15-01 Commissioner Rudningen moved and Commissioner Fox seconded to approve the agenda with the noted changes. Motion carried unanimously.

06-16-15-02 Commissioner Fox moved and Commissioner Rudningen seconded to approve the Consent Agenda which consisted of: (1) June 2, 2015 Minutes, (2) a resolution supporting a regional park designation for the Appleton OHV Park, (3) a request increased credit card purchasing limits for certain employees, (4) a lease Department of Public Safety in the LEC for a Driver's License Examiner Station, and (5) the 2014 Swift County Agricultural Inspector's. Motion carried unanimously.

Just after approval of the consent agenda, Administrator Pogge-Weaver noted that a revised lease was on the Commissioner's table and asked that the board take note of that.

06-16-15-03 Commissioner Fox moved and Commissioner Rudningen seconded to approve the revised lease with the Department of Public Safety in the LEC for a Driver's License Examiner Station that was approved in the previous consent agenda. Motion carried unanimously.

06-16-15-04 Commissioner Rudningen moved and Commissioner Hendrickx seconded to approve the Commissioner warrants as follows: Revenue: \$165,273.31; Solid Waste: \$2,363.63; Road and Bridge: \$31,396.27; Revolving Loan Fund: \$47,777.73; County Ditches: \$17,186.45; County Health Insurance: \$424.00; Upper Minnesota Watershed: \$8,333.74; Region 6 West Agency: \$36,110.93; Townships & Cities Agency: \$2,888,138.96; and Human Services, \$378.53 which includes the following bills over \$2,000: CNH, \$30,310.980; Commerford Construction Inc., \$4,357.87; Computer Professionals Unlimited Inc., \$5,318.24; Don's Flooring, \$2,979.21; E & M Electric LLP, \$3,644.82; Johnson Controls, \$5,138.50; Kandiyohi County, \$2,000.00; L.G. Everist, Inc., \$2,949.11; MARCO, \$18,783.00; Northern Lights Trail Snowmobile Club, \$2,222.86; Overholser Properties LLC, \$3,250.00; Pictometry International Corp, \$7,760.75; Pioneerland Library System, \$30,118.25; Riley Brothers Companies, \$3,125.22; Swift County Fair Association, \$17,000.00; Swift County Highway Dept, \$2,000.00; Swift County Historical Society, \$17,750.00; Swift County HRA, \$58,037.63; Swift County RDA, \$47,777.73; Appleton Township Treasurer, \$37,315.89; Benson Township Treasurer, \$31,306.39; Camp Lake Township Treasurer, \$43,698.36; Cashel Township Treasurer, \$53,740.59; City of Appleton Treasurer, \$770,022.62; City of Benson Treasurer, \$768,924.14; City of Clontarf Treasurer, \$35,247.49; City of Danvers Treasurer, \$38,504.91; City of DeGraff Treasurer, \$13,190.94; City of Holloway Treasurer, \$96,601.92; City of Kerkhoven Treasurer, \$154,904.92; City of Murdock Treasurer, \$70,088.94; Clontarf Township Treasurer, \$41,535.96; Dublin Township Treasurer, \$50,238.81; Edison Township Treasurer, \$35,458.78; Fairfield Township Treasurer, \$28,246.07; Hayes Township Treasurer, \$46,800.14; Hegbert Township Treasurer, \$35,785.85; Kerkhoven Township Treasurer, \$38,879.33; Kildare Township Treasurer, \$46,576.81; Marysland Township Treasurer, \$35,103.50; Moyer Township Treasurer, \$36,032.45; Pillsbury Township Treasurer, \$52,063.21; Shible Township Treasurer, \$26,479.91; Six Mile Grove Township Treasurer, \$33,738.25; Swenoda Township Treasurer, \$56,615.06; Tara Township Treasurer, \$39,080.06; Torning

Township Treasurer, \$49,840.56; West Bank Township Treasurer, \$63,957.51; Upper MN River Watershed District, \$8,333.74; Upper MN Valley RDC, \$36,110.93; Kevin VanHeuveln, \$12,146.56; and Widseth Smith Nolting & Assoc Inc., \$7,245.00. Motion carried unanimously.

Board and Committee Reports were given as follows: Commissioner Fox reported on SCBH finance, RLF, Restorative Practices, Woodland Center, and Pomme de terre. Commissioner E. Pederson reported on SWCD and diversity meeting. Commissioner Rudningen reported on the Well-being Committee, Enhancing the Organization Meeting, RASP, ARMOR, and Glacial ridge Bi-way. Commissioner Hendrickx reported on 6-W Corrections, RLF, Woodland Center, PIC, and AMC. Chairman P. Peterson reported on 6-W Corrections and CPH meeting.

Administrator Pogge-Weaver updated the board on buffer strip legislation and having Kurt Deter update the board on this issue; the BWSR grants to complete mapping of water ways was cut by the legislature during the special session; reviewing the space needs study proposals is underway; updated the board on recurring a Restorative Practices Coordinator, a GIS Coordinator, and a Deputy Assessor; and discussed the GIS Base Mapping RFP that will be released soon.

Kathy Schwantes reviewed and discussed with the board approving a new agreement to provide local programming and extension employees for 2016-2018.

06-16-15-05 Commissioner Rudningen moved and Commissioner Fox seconded to approve and agreement with the University of Minnesota for providing extension program locally and employing extension staff for 2016-2018. Motion carried unanimously.

County Engineer Sander reviewed bid and requested the approval of three bridges in the County.

06-16-15-06 Commissioner Hendrickx moved and Commissioner E. Pederson seconded to approve accepting bids and awarding contracts for project SAP 076-598-011 on CR 54 Bridge, SAP 076-599-055 and 076-599-058 Bridge Replacements. Motion carried unanimously.

County Engineer Sander reviewed bid and requested the approval of seal coating on County Roads 6, 35, and 39.

06-16-15-07 Commissioner Rudningen moved and Commissioner Fox seconded to approve accepting bids and awarding contracts for project SAP 076- 030-003 on CSAH 6, 35 and 39 for sealcoating. Motion carried unanimously.

County Engineer Sander requested board approve, accept the project, and make final payment on CP 012-001 on CR 73.

06-16-15-08 Commissioner Fox moved and Commissioner Rudningen seconded to approve, accept the project, and make final payment on project CP 012-001 on CR 73. Motion carried unanimously.

Commissioner Fox discussed his concerns on ditch mowing and specifically the Highway Department mowing a ditch that already has the top cut previously cut. County Engineer Sander indicated that he will look into addressing this concern.

Administrator Pogge-Weaver updated the Board on work related to the strategic plan specifically on the diversity work being completed by the University of Minnesota Morris and work being completed by the RASP Team.

06-16-15-09 Commissioner Hendrickx moved and Commissioner Rudningen seconded to adjourn.
Motion carried unanimously.

Meeting adjourned at 6:36 PM.

WITNESSED:

Peter Peterson, Chair

ATTEST:

Michel Pogge-Weaver, Clerk of the Board

DRAFT

SWIFT COUNTY BOARD OF ASSESSMENT AND EQUALIZATION MINUTES
June 16, 2015

County Auditor Kim Saterbak called the meeting to order at 6:40 PM with all members present as well as County Administrator Mike Pogge-Weaver and County Assessor Wayne Knutson. At the start of the meeting no members of the public were in the audience.

The County Board of Equalization members took an oath to fairly and impartially review market values and equalize as fairly as possible all values in the County.

Commissioner Fox nominated Peter Peterson Chair.

06-16-15-01 Commissioner Rudningen moved nominations cease and move the nomination of Peter Peterson as chair. Commissioner Hendrickx seconded the motion. Motion carried unanimously.

Commissioner Peterson took over the meeting as Chairman and asked the board for nominations for Clerk.

06-16-15-02 Commissioner Rudningen moved and Commissioner Fox seconded to elect County Auditor Kimberly Saterbak as Clerk of the Board of Equalization. Motion carried unanimously.

Assessor Knutson presented the board with information regarding work occurring in the Assessor's office along with the 2015 values assessed for taxes payable in 2016. Mr. Knutson reviewed three properties specifically and recommended that the board approve changes to the three parcels due to clerical error. The properties whose estimated market values were changed included: 24-0113-100 from \$172,300 to \$194,900; 24-0021-100 from \$1,700 to \$231,000; and 23-1410-400 from \$823,800 to \$1,123,200.

06-16-15-03 Commissioner Peterson moved and Commissioner Rudningen seconded to accept the final property values with the noted changes. Motion carried unanimously.

Chairman Peterson asked for citizen comments.

Marlin Rieppel owner of parcel ID 22-0082-000 in Appleton addressed his concern that the property was valued at \$12,200 and was valued too high. Since Mr. Rieppel did not attend the Local Board of Equalization meeting he had no grounds for petition and were advised to work with the Swift County Assessor's Office before property values were assessed for 2016. No board action was taken.

06-16-15-04 Commissioner Rudningen moved and Commissioner E. Pederson seconded to adjourn the Board of Assessment and Equalization Meeting. Motion carried unanimously and the meeting adjourned at 7:14 PM.

WITNESSED:

Peter Peterson, Chair

ATTEST:

Kimberly Saterbak, County Auditor



Request for Board Action

BOARD MEETING DATE:
July 7, 2015

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Auditor	REQUESTOR: Marlene Molden	REQUESTOR PHONE: 320-843-4069
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Approval of tobacco licenses for the following businesses: Kerkhoven Handi-Stop	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: Tobacco licenses are required to be reviewed by the Board of Commissioners
BACKGROUND/JUSTIFICATION: Yearly renewal of tobacco license.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	The license has been reviewed by the County Attorney and County Sherriff. Both have signed off on the licenses. No violations of their licenses have been reported.

Budget Information

FUNDING: n/a

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Approved as to form	RECOMMENDATIONS: Approval
COMMENTS: None	COMMENTS: None



Request for Board Action

BOARD MEETING DATE:
July 7, 2015

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider appointing the appointment of a Social Worker	
AGENDA YOU ARE REQUESTING TIME ON: Consent Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? No	EXPLANATION OF MANDATE: n/a
BACKGROUND/JUSTIFICATION: The County interviewed 2 individuals for a Social Worker position who serves developmentally disabled individuals. The candidate that staff would like to offer this position to has 17 years of County Social Work experience and currently works with developmentally disabled individuals and has the required training and certifications for our position. Staff is requesting board approval to hire this individual at the 10 year step in recognition of the experience they have.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? None	

Budget Information

FUNDING: None

Review/Recommendation

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

SWIFT COUNTY

RESOLUTION NO. _____

**A RESOLUTION SUPPORTING THE REPLACEMENT OF
BRIDGE #5380 ON TRUNK HIGHWAY 40**

WHEREAS, the Minnesota Department of Transportation (MnDot) is planning for the repair/replacement of Bridge # 5380 located on Trunk Highway 40 across Lac qui Parle Lake, and

WHEREAS, it appears that MnDot is considering repairing the bridge citing the structure as a historic bridge structure, and

WHEREAS, the Swift County Board of Commissioners is concerned with the safety of the transportation infrastructure necessary to transport youth to school on a daily basis, and

WHEREAS, the existing narrow lanes pose traffic and pedestrian safety issues and does not meet the current state standard which are in place to promote public safety, and

WHEREAS, adverse winter driving conditions, which occur on the current Milan Bridge could be improved with a new wider bridge.

NOW, THEREFORE BE IT RESOLVED, by the Swift County Board of Commissioners opposes MnDot's proposal for the rehabilitation of Bridge # 5380 and supports the replacement of the bridge structure with a new bridge structure with wider traffic lanes and pedestrian crossing lanes.

Adopted on a _____ vote by the Swift County Board of County Commissioners the 7th day of July 2015.

Swift County Board of Commissioners

Peter Peterson, Chairman

ATTEST:

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

Fox ___ Hendrickx ___ E. Pederson ___
P. Peterson ___ Rudningen ___



Request for Board Action

BOARD MEETING DATE:
July 7, 2015

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Environmental Services	REQUESTOR: Scott Collins	REQUESTOR PHONE: 320-843-2356
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approval of a Conditional Use Permit #4998 requested by Leonard Wulf & Sons, Inc (Owner)/ Spring Valley Farms LLP (Purchaser) for establishing a new feedlot that consists of a 102' x 168' total confinement barn to house 2,100 head swine between 55 and 300 pounds located in the NW corner of 170th Ave NE and 70th St NW in Fairfield Township.	
AGENDA YOU ARE REQUESTING TIME ON: 9:30 am	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? No	EXPLANATION OF MANDATE: Click here to enter text.
BACKGROUND/JUSTIFICATION: Required Conditional Use Permit per subsection 3.3 Code of Ordinances, Agricultural District I. Allowable use with Conditional Use Permit. The request is to establish a new feedlot that consists of a 102' x 168' total confinement barn to house 2,100 head swine between 55 and 300 pounds located in the NW corner of 170th Ave NE and 70th St NW in Fairfield Township. There will also be a 102' x 168' poured concrete under floor liquid manure storage area.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

Budget Information

FUNDING: N/A

Review/Recommendation

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

Proposed Special Conditions
Spring Valley Farms, LLP
Conditional Use Permit #4998

1. The permit holder shall comply with all applicable governmental laws, rules and regulations as they may apply to the project.
2. Applicant's personnel must address all complaints, problems or concerns regarding public health, safety and welfare within 72 hours of presentation of the complaint. Copies of all complaints and responses addressed to them shall be submitted to Swift County Environmental Services.
3. Granting of the conditional use-permit shall be for the plans submitted with the initial application only.
4. All plans regarding approaches and access roads, as well as traffic control must be submitted to the township chairman.
5. Dead animals shall be disposed of in a manner consistent with the Minnesota Board of Animal Health and the Minnesota Pollution Control Agency (MPCA) requirements.
6. The permit holder shall allow the Zoning Administrator or MPCA staff to inspect the site whenever necessary. However, the Zoning Administrator shall provide a 24-hour notice in advance of any inspection that involves accessing the buildings in which the animals are confined.
7. A manure management plan must be completed.
8. That a Good Neighbor Policy be in effect. Prior to spreading, the residents of dwellings within $\frac{3}{4}$ mile of agitation and spreading sited would be contacted to determine if they have any special events planned which may be affected by the spreading. If possible, another location or time would be chosen. Neighbors are encouraged to contact the applicant with any scheduled events in advance so as to help them plan manure application.
9. Reasonable measures will be taken to minimize offensive odor, fumes, dust and noise so that none of these will constitute a public nuisance.
10. This Conditional Use Permit #4998 shall expire one year from the date of issuance if the permit is not utilized.
11. Violation of any of the above stated conditions may result in revocation of the conditional use permit.



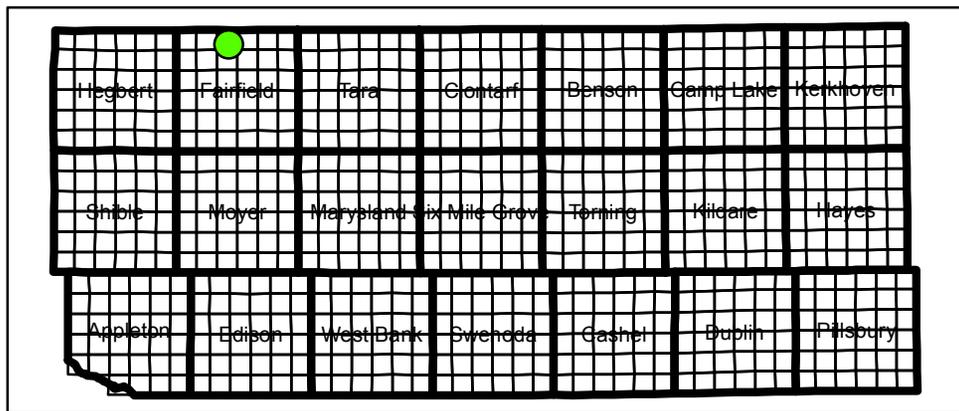
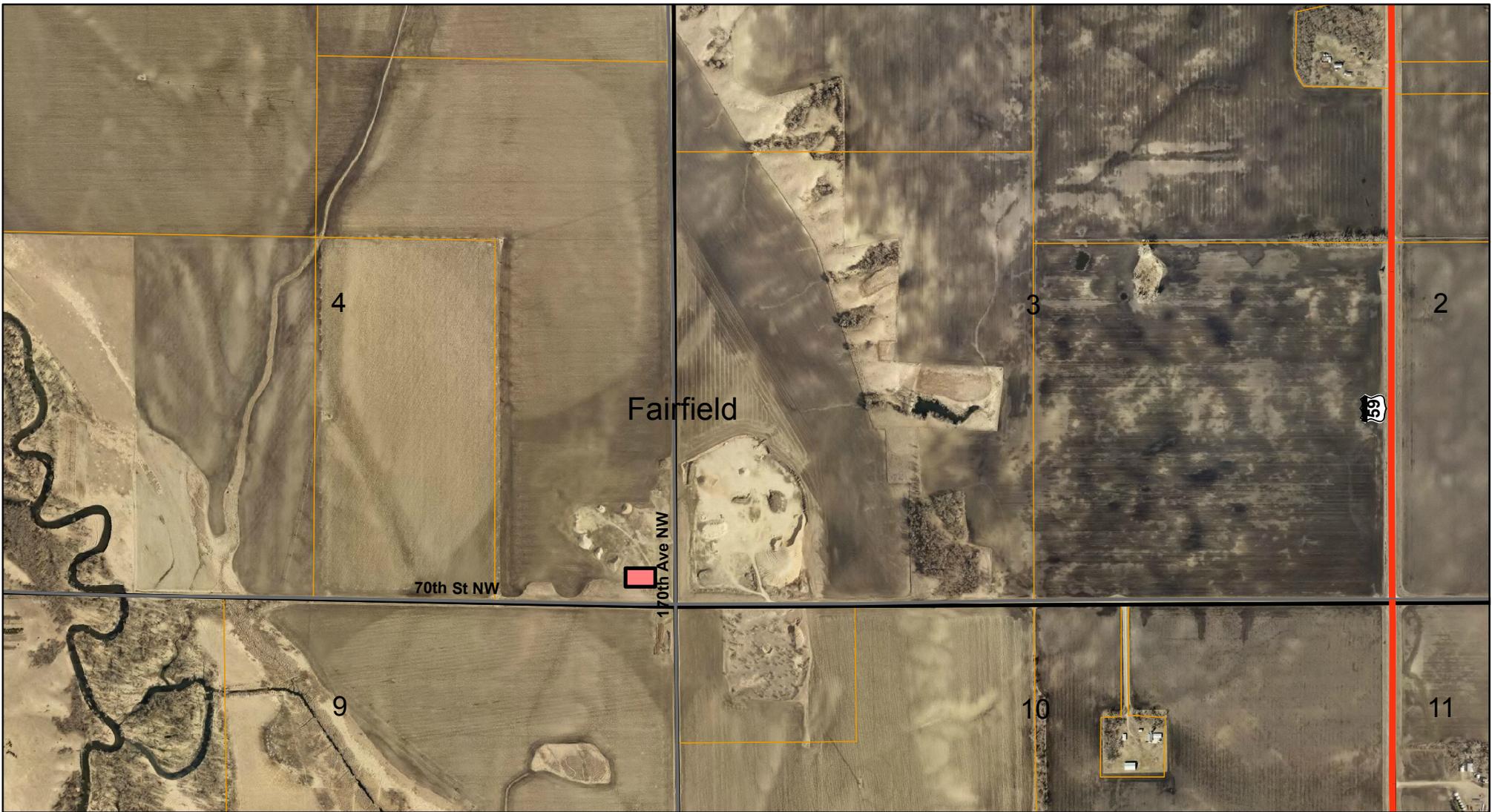
Planning Commission,

Spring Valley Farms, LLP is planning to build a 2100 head hog finishing barn in section 4 of Swift County. It will consist of a 168'x 102' building with an underfloor pit of the same dimensions and 8' deep for manure storage. There will be a connected office/utility room approximately 20'x 20'. A new well will be drilled to provide water and a generator installed to mitigate the risk of a power outage. The manure will be applied onto surrounding farm land to provide fertility for crops. Thank you for your time.

Sincerely,

A handwritten signature in black ink that reads "Greg Reuter". The signature is fluid and cursive, with a long horizontal stroke at the end.

Greg Reuter
Partner



Project: Establishing a new feedlot that consists of a 102' x 168' total confinement barn to house 2,100 head swine between 55 & 300 pounds, along with a 102' x 168' poured concrete under floor liquid manure storage area.

Owner & Purchaser: Leonard Wulf & Sons, Inc. & Spring Valley Farms, LLP

Legal: SE 1/4 of the SE 1/4 of of Sect. 4, of Fairfield Township, in Swift County, MN.



Request for Board Action

BOARD MEETING DATE:
July 7, 2015

Commissioner's Report

Department Information

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

BRIEF DESCRIPTION OF YOUR REQUEST: Consider approval of Resolution for Bridge Bonding Funds for the SAP 076-598-011 project on CR 54 in Shible Township Section 31.	
AGENDA YOU ARE REQUESTING TIME ON: July 7, 2015	ARE YOU SEEKING APPROVAL OF A CONTRACT? no
IS THIS MANDATED? yes	EXPLANATION OF MANDATE: Board Resolution required for bridge bonding funding
BACKGROUND/JUSTIFICATION: The Bridges are part of the county bridge replacement plan.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED? Contract approval	

Budget Information

FUNDING: State and local

Review/Recommendation

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

SP 076-598-011 SWIFT COUNTY

RESOLUTION

WHEREAS, The County of Swift has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for the construction of SAP 076-598-011, Bridge No.76J28;

WHEREAS, The amount of the grant has been determined to be \$119,866.00 by reason of the lowest responsible bid.

NOW THEREFORE, BE IT RESOLVED: That the County of Swift does hereby affirm that any cost of the bridge in excess of the grant will be appropriated from the funds available to the County of Swift, and that any grant monies appropriated for the bridge but not required, based on the final estimate, shall be returned to the Minnesota State Transportation Fund.

Dated at Benson, Minnesota this 7th day of July, 2015.

Swift County Board of Commissioners

Peter Peterson, Chairman

CERTIFICATION

STATE OF MINNESOTA

COUNTY OF SWIFT

I do hereby certify that the foregoing resolution is a true and correct copy of a resolution presented to and adopted by the County of Swift at a duly authorized meeting thereof held on the 7th day of July, 2015.

Michel Pogge-Weaver, Administrator



Request for Board Action

BOARD MEETING DATE:
June 30, 2015

Commissioner's Report

Department Information

ORIGINATING DEPARTMENT: Auditor	REQUESTOR: Kim Saterbak	REQUESTOR PHONE: 320-843-6108
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Agenda Item Details

BRIEF DESCRIPTION OF YOUR REQUEST: Consider appointing two Swift County members to sit on the Chippewa County Ditch #13 – Joint Ditch Board.	
AGENDA YOU ARE REQUESTING TIME ON: Agenda	ARE YOU SEEKING APPROVAL OF A CONTRACT? No
IS THIS MANDATED? Yes	EXPLANATION OF MANDATE: Redetermination of benefits located in Swift County
BACKGROUND/JUSTIFICATION: The redetermination completed on Chippewa County ditch #13 has assigned benefits in Swift County. As part of MN Statute 103E.235, once a petition has been received and the proposed drainage project involves two or more counties, a joint ditch board must be established. Chippewa has the larger number of acres and will be continue as the home county for this joint ditch board. They will, therefore, be responsible for assigning the Joint Ditch number. I have included the MN Statute 103E.235, petition request and correspondence from Kurt Deter's office for your convenience.	
PREVIOUS ACTION ON REQUEST / OTHER PARTIES INVOLVED?	

Budget Information

FUNDING: n/a

Review/Recommendation

COUNTY ATTORNEY: Danielle Olson	COUNTY ADMINISTRATOR: Mike Pogge-Weaver
RECOMMENDATIONS: Was not submitted for review prior to the meeting	RECOMMENDATIONS: Appoint two members to the Chippewa County Ditch #13 Board
COMMENTS: None	COMMENTS: None

Mike Pogge-Weaver

From: Cathy Theis <CTheis@rinkenoonan.com>
Sent: Wednesday, July 01, 2015 9:49 AM
To: Kim Saterbak; 'JClauson@co.chippewa.mn.us'
Cc: 'jweid56214@yahoo.com'; Kurt Deter
Subject: 20404-0009: Current Chippewa County Ditch #13 - Proposed Joint Ditch #13 Chippewa, Swift County Joint Ditch #13
Attachments: Minn Stat. 103E.235.pdf; Viewers' Letter dated July 2, 2015.pdf

See message below from Kurt Deter. Do not hesitate to contact Kurt if you have any questions.

Jon and Kim:

I received a phone call from Jim Weidemann, the lead viewer on the Redetermination of County Ditch #13 and have attached the letter that they submitted to Chippewa and Swift Counties indicated that there are benefitted properties in both counties. I have attached Minnesota Statutes 103E.235 concerning the system in two or more counties. Since Chippewa has the most benefitted area, they would be the County where documents are filed.

Subd. 2 indicates that Chippewa County would notify Swift County and request a joint meeting to select five members for the Joint Board. I would suggest rather than both Boards meeting, Chippewa County would appoint three members to be on the Joint Board and Swift County would appoint two members to be on the Joint Board. The Redetermination of Benefits Report would be filed in Chippewa County and the Joint Board would then pick a hearing date for the Redetermination of Benefits. The viewers will work with the Counties on the Viewers' Report that will be sent as part of the mailing on the Redetermination of Benefits. The bottom line is that a Joint Board needs to be formed, the Redetermination Report is filed, a hearing date is set and we hold a Redetermination of Benefits Hearing. If you would like me at the hearing, please contact me before setting the date. If you have any questions, please contact me.

Kurt

Cathy Theis
Legal Secretary

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Chippewa County Drainage Authority

Re: Chippewa County CD #13

July 2, 2015

As the viewers appointed to do a redetermination of benefits for CD #13, we have found that acres in Swift County empty into, and benefit from CD #13. There are approximately 9,050 acres in Chippewa County and approximately 6,112 acres in Swift County that benefit from CD #13.

We, therefore, recommend that Chippewa CD #13 become a Chippewa/Swift Joint Ditch #13. After it is made a Joint Ditch System, we will have the redetermination of benefits ready to submit to the Joint Board.

Respectfully submitted,

Duane Bendixen
39739 State Hwy 68
Morgan, MN 56266

Kenneth Nash
1415 North 5th Street
Montevideo, MN 56265

James Weidemann
41480 Ideal Avenue
Belview, MN 56214

2014 Minnesota Statutes

[Authenticate](#)

103E.235 DRAINAGE SYSTEM IN TWO OR MORE COUNTIES.

Subdivision 1. **Designation.** A petition for a proposed drainage project in two or more counties must be designated as a joint county drainage system with a number assigned by the auditor of the county with the largest area of property in the drainage system.

Subd. 2. **Joint county drainage authority.** The board where a petition for a proposed joint county drainage project is filed shall notify the board of each county where property is affected by the drainage system and request the boards to meet jointly and consider the petition. The boards shall select five of their members at the meeting to be the drainage authority. At least one member must be from each board. The drainage authority shall be known as the joint county drainage authority with a joint county drainage project or system number. A vacancy in the membership of the joint county drainage authority must be filled by joint action of the boards.

Subd. 3. **Transfer of drainage systems to watershed districts not affected.** This section does not affect the transfer of a drainage system to the board of managers of a watershed district under chapter 103D.

History: 1990 c 391 art 5 s 34

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