

REDWOOD COUNTY, MINNESOTA

JUNE 17, 2014

The Board of County Commissioners met in regular session at 8:30 a.m. in the Commissioners' Room in the Government Center, Redwood Falls, Minnesota.

Present for all or portions of the meeting were Commissioners Priscilla Klabunde, Sharon Hollatz, John Schueller, Lon Walling, Al Kokesch, and County Administrator Vicki Knobloch. Also present were County Attorney Steve Collins; Sheriff Randy Hanson; Auditor/Treasurer Jean Price; Highway Engineer Willy Rabenberg; Restorative Justice Coordinator Eric Johnson; Keith Muetzel, Tom Quackenbach, EDC Director Julie Rath; HR Coordinator Peter Brown; Brad Cobb, Payroll/Safety Technician Sarah Hogy.

Chair Hollatz called the meeting to order asking for the Pledge of Allegiance to the Flag.

On motion by Schueller, second by Walling, the Board voted unanimously to approve the June 17th revised agenda.

Chair Hollatz asked the Board members to identify any areas for which they had a Conflict of Interest. Klabunde identified a conflict within the abstract of bills.

**CONSENT AGENDA**

- On motion by Walling, second by Kokesch, and excluding the bills from Klabunde Electric in the amount of \$843.50, the Board voted unanimously to approve the consent agenda.
- On motion by Schueller, second by Kokesch with Klabunde abstaining due to Conflict of Interest, the Board voted to approve the bills from Klabunde Electric in the amount of \$843.50.
- On motion by Schueller, second by Kokesch, the Board voted unanimously to approve the following:
  - June 3rd minutes.
  - Payment of bills as follows:

|                        |              |
|------------------------|--------------|
| Revenue Fund           | \$ 91,934.05 |
| Building Fund          | \$ 99,978.01 |
| Ditch Maintenance Fund | \$ 13,188.74 |
| Solid Waste Fund       | \$ 18,508.65 |

**SHERIFF**

- Hanson updated the Board on the Redwood County Jail Population for May, 2014.
- On motion by Schueller, second by Kokesch, the Board voted unanimously to approve the Law Enforcement Contract with the City of Wabasso for 15 hours a week at \$40/hour for law enforcement services from July 1 to December 31, 2014.

- On motion by Walling, second by Klabunde, the Board voted unanimously to declare a 2006 Ford Crown Victoria, VIN #2FAFP76X104907 as excess property and authorize the Sheriff's Department to sell the property.
- On motion by Kokesch, second by Walling, the Board voted unanimously to approve the purchase of a 2011 Ford Crown Victoria, VIN #2FABP7BV3BVX123078 in the amount of \$6,925.00 plus fees.

#### **ROAD & BRIDGE**

- On motion by Schueller, second by Klabunde, the Board voted unanimously to approve the low quote for a snowplow truck with trade-in from Fox Brothers International in the amount of \$94,998. Additional quote received from Maney International in the amount of \$97,980.
- On motion by Klabunde, second by Walling, the Board voted unanimously to approve the quote for snowplow box/Plows from Towmaster Truck Equipment off State Contract #S-863(5), Contract #61353 in the amount of \$87,104.
- On motion by Kokesch, second by Schueller, the Board voted unanimously to approve the low quote from Red Rock Quarry for sealcoat aggregate for construction year 2015 in the amount of \$16.50/ton plus \$0.15/ton production tax. Additional quote received from Southern Minnesota Construction in the amount of \$17/ton.
- On motion by Walling, second by Klabunde, the Board voted unanimously to approve proposal from Widseth Smith Nolting for hydraulic/hydrological analysis and design services for Bridge L6869 in North Hero Township and authorized County Engineer to sign agreement.
- On motion by Schueller, second by Kokesch, the Board voted unanimously to award Reflectorized Pavement Markings Contract (Project #CMP 14-PM) to low bidder AAA Striping Services in the amount of \$56,415.50. Additional quote received from Traffic Marking Service in the amount of \$56,806.46.

#### **ADMINISTRATOR**

- On motion by Schueller, second by Kokesch, and in a roll-call vote with Hollatz, Schueller, Klabunde, Walling, and Kokesch all voting aye, the following resolution was adopted:

### **RESOLUTION FOR MN VALLEY SNOW RIDERS-REDWOOD GRANT REDWOOD COUNTY BOARD OF COMMISSIONERS**

**BE IT RESOLVED** that Redwood County act as the legal sponsor for an application for funding to the State of Minnesota Department of Natural Resources for Maintenance of snowmobile trails managed by MN Valley Snow Riders-Redwood.

**BE IT FURTHER RESOLVED** that upon approval of its application by the state, Redwood County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

**BE IT FURTHER RESOLVED** that the Chair of the Redwood County Commissioners is authorized to sign such an agreement with the Minnesota Department of Natural Resources.

**BE IT FURTHER RESOLVED** that the County Auditor-Treasurer is authorized to serve as the fiscal agent for the above mentioned project.

- On motion by Kokesch, second by Walling, the Board voted unanimously to approve loan to Grandview Apartments in the amount of \$100,000 at 2.5%, interest only, for 7 years.

***Personnel Action Items***

- On motion by Walling, second by Kokesch, the Board voted unanimously to accept the resignation of John Ebner as License Center Supervisor effective June 16, 2014.
- On motion by Klabunde, second by Schueller, the Board voted unanimously to post for License Center Supervisor, Deputy Registrar for Redwood County License Center.
- On motion by Walling, second by Klabunde, the Board voted unanimously to appoint Amy Groebner as Interim Deputy Registrar for Redwood County License Center.

**RESTORATIVE JUSTICE**

- On motion by Klabunde, second by Kokesch, the Board voted unanimously to approve the revisions to the Redwood County Circle Sentencing Handbook.
- Eric Johnson, Restorative Justice Coordinator, presented an update on Restorative Justice programs.

**PUBLIC HEARING SOCIAL HOST ORDINANCE**

- At 10:00 a.m. the Board opened the Public Hearing for the purpose of discussing the adoption of a Social Host Ordinance.
- The Affidavit of Publication was presented and no one from the public was present for comments.
- Chair Hollatz closed the public hearing at 10:15 a.m.
- On motion by Kokesch, second by Walling, in a four to one vote with Schueller voting nay, the following Ordinance was adopted:

**ORDINANCE NO. 050614**

**COUNTY OF REDWOOD  
STATE OF MINNESOTA**

**SOCIAL HOST ORDINANCE**

This ordinance prohibits and establishes penalties for any person hosting an event or gathering where alcohol is present and being possessed or consumed by persons under twenty-one (21) years of age.

Be it enacted by the Board of Commissioners of Redwood County, State of Minnesota, as follows:

**Subd. 1. Purpose and Findings.** The Board of Commissioners of Redwood County intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The Board of Commissioners of Redwood County finds that:

- a. Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of 21 are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.
- b. Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.
- c. Alcohol is an addictive drug which if used irresponsibly could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.
- d. Often events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and condone the activity and in some circumstances provide the alcohol.
- e. Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove; and an ordinance is necessary to help further combat underage consumption.
- f. A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs.

**Subd. 2. Authority.** This ordinance is enacted pursuant to Minnesota Statute §145A.05, Subdivision 1.

**Subd. 3. Definitions.** For purposes of this ordinance the following terms have the following meanings:

- a. Alcohol. "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin, or any other distilled spirits, including dilutions and mixtures thereof from whatever source or by whatever process produced.
- b. Alcoholic Beverage. "Alcoholic beverage" means alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer and which contains one-half of 1 percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
- c. Event or gathering. "Event or gathering" means any group of three or more persons who have assembled or gathered together for a social occasion or other activity.
- d. Host. "Host" means to aid, conduct, allow, entertain, organize, supervise, control, or permit a gathering or event.
- e. Parent. "Parent" means any person having legal custody of a juvenile:
  1. As natural/adoptive parent or stepparent;
  2. As a legal guardian; or
  3. As a person to whom legal custody has been given by order of the court.

- f. Person. "Person" means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.
  
- g. Residence or Premises. "Residence" or "premises" means any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, where occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.
  
- h. Underage Person. "Underage person" is any individual under twenty-one (21) years of age.

**Subd. 4. Prohibited Acts.**

- a. It is unlawful for any person(s) to host or allow an event or gathering at any residence, premises, or on any other private or public property, where alcohol or alcoholic beverages are present, when the person knows or reasonably should know that an underage person will or does a) consume any alcohol or alcoholic beverage or b) Possess any alcohol or alcoholic beverage with the intent to consume it, and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s).
  
- b. A person is criminally responsible for violating Subdivision 4(a) above if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.
  
- c. A person who hosts an event or gathering does not have to be present at the event or gathering to be criminally responsible.

**Subd. 5. Exceptions.**

- a. This ordinance does not apply to conduct solely between an underage person and his or her parents while present in the parent's household.
  
- b. This ordinance does not apply to legally-protected religious observances.
  
- c. This ordinance does not apply to retail intoxicating liquor or 3.2 percent malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minnesota Statute §340A.503, Subd. 1(a)(1).
  
- d. This ordinance does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverage during the course or scope of employment.

**Subd. 6. Enforcement.** This ordinance can be enforced in the county by any peace officer licensed in the State of Minnesota.

**Subd. 7. Severability.** If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

**Subd. 8. Penalty.** Violation of Subdivision 4 is a misdemeanor.

**Subd. 9. Effective.** This ordinance shall take effect immediately following its final passage and adoption.

#### **AUDITOR/TREASURER**

- On motion by Klabunde, second by Kokesch, the Board voted to approve the following:
  - Cash Balance Report
  - Investment Summary
  - Budget Reports, Revenue Fund, Building Fund, Ditch Maintenance Solid Waste, Human Services, Family Service Collaborative Agency, Public Health, Debt Service Fund.
  - May Disbursements in the amount of \$1,972,297.21.

#### **COMMISSIONER REPORTS**

- The commissioners reported on meetings they attended:

Kokesch:

- Redwood County Historical Society
- Lower Sioux –County Road 2 State Historical Preservation

Hollatz:

- EDC/RADC

Walling:

- Redwood/Renville Regional Solid Waste Board
- Chief Elected Officer's Board
- Insurance Collaborative

Klabunde:

- EDC
- Restorative Justice Advisory Board
- Redwood Collaborative
- SWHHS Insurance Meeting
- Western Mental Health
- Southern Prairie Community Care

Schueller:

- Redwood/Renville Regional Solid Waste Board
- Soil and Water Meeting
- MN River Congress

**WORKSESSION**

- The Board discussed the Compensation and classification study (Comp worth) and requested further information from staff.

**ADJOURN**

- There being no further business, Chair Hollatz declared the meeting adjourned at.10:53 a.m.

Attest: \_\_\_\_\_  
Vicki Knobloch  
County Administrator

\_\_\_\_\_  
Sharon Hollatz, Chair  
Board of County Commissioners