

TODD COUNTY BOARD OF COMMISSIONERS

Work Session Agenda

Date: March 24th, 2015

Time: Approximately 9:30 a.m. to follow HHS Board Meeting

Meeting to be held at the Historic Courthouse 215 1st Avenue So, Long Prairie, Minnesota

Item #		Approx. Time
1	Call to Order and Roll Call	9:30 a.m.
2	Amendments to the Agenda	
3	Katherine Mackedanz & Don Asmus Social Host Ordinance	9:30 a.m.
4	Loren - Possibility of Creating 2 Lead Person Positions	9:45 a.m.

Standing Reports

Adjourn

The County Board Meeting will begin promptly at the prescribed time. The County Board reserves the right to alter the order of the agenda items and the amount of time allowed for an item based on business needs.

TODD COUNTY ORDINANCE

NO. _____

SOCIAL HOST ORDINANCE

ORDINANCE NO _____

SOCIAL HOST ORDINANCE

Section 1. **Title and Authority.** The Todd County Board of Commissioners desires to protect the health, safety and welfare of all persons living in and visiting the County. The use of alcohol by persons under the age of twenty-one (21) is prohibited by State statute. 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. This ordinance is enacted pursuant to Minn. Stat. § 145A.05, subdivision 1.

Section 2. **Purpose and Findings.** The Board of Commissioners Todd 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 Todd 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 twenty-one 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.

Section. 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 one 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, whether that host is present or not.

(e) Parent. "Parent" means any person having legal custody of a Juvenile:

- (1) As natural, adoptive parent, or step-parent;
- (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, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, or any other place of assembly, public or private, whether occupied as a dwelling or for any social function, and whether owned, leased, or rented.

(h) Underage Person. "Underage person" is any individual under twenty-one (21) years of age.

Section 4. **Prohibited Acts.**

- (a) It is unlawful for any person(s) to;
- (1) host or allow an event or gathering;
 - (2) at any residence, premises, or on any other private or public property;
 - (3) where alcohol or alcoholic beverages are present;
 - (4) when the person knows or reasonably should know that an underage person will or does
 - (i) consume any alcohol or alcoholic beverage; or
 - (H) possess any alcohol or alcoholic beverage with the intent to consume it; and
 - (5) 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 Section 4 of this ordinance if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another to commit the prohibited act.

Section 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 Minn. Stat. § 340A.503, subd. 1 (a)(l).
- (d) This ordinance does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

Section 6. **Enforcement.** This ordinance can be enforced by any police officer, sheriff's deputy, or certified peace officer in the county.

Section 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.

Section 8. **Penalty.** Violation of Section 4 of this ordinance is a misdemeanor.

Section 9. **Effective Date.** This ordinance shall take effect upon publication following its final passage and adoption.

Adopted by the Todd County Board of Commissioners this ____ day of _____ 2015.

Todd County Board of Commissioners

By: _____

Its: _____

Attest:

Denise Gaida
County Auditor/Treasurer



TODD COUNTY PUBLIC WORKS

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White Paper on Creating Two Leadman Positions in the Public Works Department

Introduction

A number of Maintenance Staff have inquired on the possibility of creating some type of equipment operating incentive pay system in the next labor contract. This request was specifically intended for situations where staff are required to operate specialized pieces of equipment in complicated work assignments.

Problem

When creating this type of incentive system it would be difficult to define which work assignments and pieces of equipment would qualify for this system. It would also be difficult to not only manage this system in order to be fair equitable to all staff members but it would also be difficult to administer (i.e. payroll).

Solution

In order to address this concern, the creation of two Leadman positions is being recommended. These positions would be created by reclassifying two existing Heavy Equipment Operator positions into a Leadman – North position and a Leadman - South position. The additional responsibilities these positions would have would be to provide daily supervision over the rest of the maintenance staff in their shop/location and provide assistance/backup in the absence of the Maintenance Foreman.

If these positions are created, they would be evaluated under the Springstead Study and would most likely be assigned a grade higher than the Equipment Operator positions. These positions would be filled by conducting an In-House Job Posting.

Budget Impact

The following is a basic assessment of the potential budget impact assuming a one grade increase:

Position	Springstead Grade	Max Step	Annual Salary
Equip. Operator	7	9	\$ 53,614.00
Leadman	8	9	\$ 56,826.00
<i>Difference</i>			\$ 3,212.00

This would be a total budget impact of approximately **\$6,424** (assuming two positions are created).

Conclusion

By creating these positions the County could see a greater benefit in productivity of the maintenance division as compared to the cost of implementation. The County will also be able to train and evaluate employees for consideration of filling other positions (i.e. Maintenance Foreman). The Staff will have a greater opportunity for personal growth/ advancement and they will also be provided the opportunity to try/test having a position that requires some level supervisory duties.

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