

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
January 19, 2010*

Call to Order

The Todd County Board of Commissioners met in the Commissioner's Board Room in the City of Long Prairie, MN, on the 19th Day of January at 9:04 A.M. The meeting was called to order by Chairperson Kircher with all members present. The meeting was opened with the Pledge of Allegiance.

Approval of Agenda

On motion by Blessing and seconded by Ruda, the following motion was introduced and adopted by unanimous vote to approve the agenda as amended with the following changes:

Approval of Commissioner Warrants

Veteran's Scenic Drive

The Board held a discussion of the Resolution passed on December 15, 2009 regarding a veteran's scenic drive. The public was invited to comment. Neumann motioned and Blessing seconded that the County Board will continue support of the December 15, 2009 resolution. Motion failed. Voting in favor: Neumann and Blessing. Voting against: Kircher, Ruda and Kneisl. It was agreed by consensus that action would be brought before this board on February 2, 2010 for the purposes of determining County Board support for the Veterans Scenic Drive project. Veterans Service Officer Pete Berscheit was directed to convene a committee of the veterans groups to discuss and work toward consensus on the issue.

Legislative Positions

The Board held a discussion on Legislative Positions. It was decided by consensus to table the discussion until a subsequent work session. The County Administrator was directed to contact the State Representative and State Senator for a discussion on legislative issues on or before February 2, 2010.

Public Works

On motion by Blessing and seconded by Kneisl, the following resolution was introduced and adopted by unanimous vote:

A RESOLUTION APPROVING A COOPERATIVE AGREEMENT FOR THE RIGHT OF WAY ACQUISITION PHASE OF THE STAPLES NORTH/SOUTH CORRIDOR WITH RAILROAD OVERPASS PROJECT (SP 77-596-01, SP 77-596-03, SP 77-596-04)

RESOLVED, that the County Board Chairman and the County Administrator are hereby authorized and directed on behalf of the County of Todd to enter into said cooperative agreement with City of Staples to administer/manage the Right of Way Acquisition Phase for the Staples North/South Corridor with Railroad Overpass Project (SP 77-596-02) as to the terms and conditions set forth in the cooperative agreement for said project.

On motion by Ruda and seconded by Neumann, the following resolution was introduced and adopted by unanimous vote:

A RESOLUTION FOR ACCEPTANCE OF FUNDING FOR THE RIGHT OF WAY ACQUISITION PHASE OF THE NORTH/SOUTH CORRIDOR WITH RAILROAD OVERPASS PROJECT IN STAPLES

RESOLVED, that the County of Todd does hereby affirm that any costs of the property acquisition or consultant services for the Right of Way Acquisition Phase of the North/South Corridor with Railroad Overpass Project in excess of the grant amount will be appropriated from other funds available to Todd County, and that any grant monies appropriate but not required, based on the final payments, shall be returned to the Minnesota Department of Transportation.

On motion by Blessing and seconded by Kneisl, the following resolution was introduced and adopted by unanimous vote:

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A RESOLUTION FOR THE RIGHT OF WAY ACQUISITION PHASE FOR THE NORTH/SOUTH CORRIDOR WITH RAILROAD OVERPASS PROJECT (SP 77-596-01, SP 77-596-03, SP 77-596-04) AGREEMENT FOR EXECUTION

RESOLVED, that pursuant to Minnesota Statute Section 161.36, the Commissioner of Transportation be appointed as Agent of the County of Todd to accept as its agent, federal aid funds which may be made available for eligible transportation related project, and;

BE IT FURTHER RESOLVED, the County Board Chairman and the County Administrator are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 95938", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

Discussion was held on a local road construction project. Kneisl stated concern that this project was to be funded with County Program Aids (CPA) but the County could not be sure that CPA would be received for 2010 until the end of 2010. With the understanding that the project would be advertised with an understanding of contingency on County Board approval: On a motion by Blessing and seconded by Ruda the following motion was adopted by a 4-1 vote (Ayes: Kircher, Neumann, Ruda, Blessing, Nays: Kneisl): The Todd County Board of Commissioners approves proceeding to public advertisement for bids of CP 10:74 (2010 County Road 74 Overlay Project).

County Ditch Inspector

On motion by Kneisl and seconded by Ruda, the following resolution was introduced and adopted by unanimous vote:

A RESOLUTION AUTHORIZING HOLD HARMLESS AGREEMENT PERMIT EXTENSIONS

RESOLVED, that the Todd County Ditch Authority authorizes the CDI to grant extensions to HHA permits for a period of one year from the original expiration date provided that the project will not change from the original permit, and;

BE IT FURTHER RESOLVED, that the CDI will not be required to issue an extension as permitted by this resolution if environmental or other factors have changed since the original approval of the permit, and the CDI may, using professional discretion, require a new HHA to be approved by the County Ditch Authority.

On motion by Blessing and seconded by Neumann, the following motion was introduced and adopted by unanimous vote: Acknowledge petition for maintenance on County Ditch 20.

On motion by Ruda and seconded by Kneisl, the following motion was introduced and adopted by unanimous vote: Acknowledge petition for maintenance on County Ditch 40.

Auditor-Treasurer

On motion by Ruda and seconded by Neumann, the following resolution was introduced and adopted by unanimous vote:

A RESOLUTION APPROVING A GAMBLING PERMIT FOR DUCKS UNLIMITED CHAPTER 064

RESOLVED, to approve a one day Gambling Permit to hold a raffle on March 6, 2010 for the Ducks Unlimited Chapter 064 of Todd County to be held at the Bruno's Hub Supper Club, located at 30905 County Road 13, Burtrum, MN.

On motion by Neumann and seconded by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve a one day On Sale 3.2 Malt Liquor License for Swanville Lions for a Fishing Derby on Long Lake in Burnhamville Township on Feb 27, 2010.

On motion by Ruda and seconded by Blessing, the following motion was introduced and adopted by unanimous vote: To approve the December 2009 Todd County Board Minutes. Minutes for 2009 are on file in the Auditor-Treasurer's office.

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On motion by Kneisl and seconded by Blessing, the following motion was introduced and adopted by unanimous roll call vote: To approve Commissioner Warrants #23343 – 23467 in the amount of \$164,060.83.

Todd County Soil and Water Conservation District

On motion by Kneisl and seconded by Ruda, the following resolution was introduced and adopted by unanimous vote:

RESOLUTION TO APPROVE 2010-2011 FEEDLOT WORK PLAN

RESOLVED, that the Todd County Board of Commissioners approve the 2010-2011 County Feedlot Program Delegation Agreement and Work Plan as written.

Environment and Land Resource Management

On motion by Ruda and seconded by Kneisl, the following motion was introduced and adopted by unanimous vote: RESOLVED by this board to approve the Todd County Planning Commission recommendations for the following CUP, subject to conditions and as per copy on file in the Administrator's Office: Laurence Fox (81.59 acres) E2 NW4, Section 24, Twp 130, Range 33, Hartford Township, Todd County. CUP for adding a kill floor to process red meat for retail sale as well as custom processing.

On motion by Kneisl and seconded by Neumann, the following motion was introduced and adopted by unanimous vote: RESOLVED by this board to approve the Todd County Planning Commission recommendations for the following CUP, subject to conditions and as per copy on file in the Administrator's Office: Jacob & Emma Miller (160 acres) SW4, Section 29, Twp 131, Range 34, Eagle Valley Township, Todd County. CUP to open a retail business to make, sell and repair leather goods such as saddles, harness and accessory items.

On motion by Ruda and seconded by Kneisl, the following motion was introduced and adopted by unanimous vote: RESOLVED by this board to approve the Todd County Planning Commission recommendations for the following CUP, subject to conditions and as per copy on file in the Administrator's Office: Blue Spruce Development Inc. Ben Zacher Sandy Shores Too, Block One, Lots thru 8, Section 34, Twp 129 N Range 35 W Leslie Township. CUP for residential subdivision known as "Sandy Shores Too" Subdivision consisting of approximately 17.84 acres.

On motion Blessing and seconded by Ruda, the following motion was introduced and adopted by unanimous vote: The Todd County Board of Commissioners refers the issue of the Minnesota Septic Rules Update to the Planning Commission for the First Public Hearing per Todd County Board Protocol and asks for the recommendation of the Planning Commission as to adoption of said rules.

Todd County Development Corporation

Discussion was held on the Todd County Development Corporation steering committee. The Board reviewed the document and committee roster. The Board will recommend changes and approve the committee roster at the February 2, 2010 Board meeting

Commissioners' Reports

Commissioner Ruda reported that there will be an informational meeting on Judicial Ditch 2 in Alexandria and the Douglas County Public Works Building on January 25, 2010.

Adjourn

There being no further business to come before this board, Chairman Kircher adjourned the meeting to February 2, 2009 at nine o'clock a.m. in the Commissioners Board Room.

Approved Payments

Card Services	2,339.85	Centerpoint Energy	2,166.60
City of Perham	38,245.57	CPA Technology	2,123.08
Geo-Com Corp	6,732.06	H & L Mesabi	2,404.69
Information System Corp	8,123.88	Innovative Office Solutions	2,212.72
Brad Kneisl	5,370.00	Long Prairie Oil	3,701.05
MACO	2,250.00	MN Counties Computer Coop	4,466.22
MN Counties Insurance Trust	17,118.00	Morrison County	8,276.52

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NAPA Auto Parts	2,263.83	North American Salt	16,093.63
Nutrition Services Inc.	2,209.80	SEH Incorporated	2,410.20
Shirleys Gas & Groceries	3,202.75	Todd County Social Serv	4,975.50
103 payments less than \$2,000	27,374.88		

On a motion by Ruda and second by Kneisl the preceding minutes of the County Board meeting held January 19, 2010 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on February 2, 2010.

Witness my hand and seal:

/s/

David Kircher, County Board Chairperson

/s/

Nathan Burkett, County Administrator