









# TODD COUNTY BOARD OF COMMISSIONERS

## *Regular Board Meeting Agenda*

Date: March 30, 2010

Time: 7:30 PM

Meeting to be held in the County Board Room, Main Street Government Center, 347 Central Avenue,  
Long Prairie, Minnesota.

<b>Item #</b>		<b>Approx. Time</b>
<b>1</b>	<b>Call to Order and Roll Call</b>	
<b>2</b>	<b>Pledge of Allegiance</b>	
<b>3</b>	<b>Amendments to the Agenda</b>	
<b>4</b>	<b>Potential Consent Items</b>	
4.1	Approval of March 16, 2010 Minutes	
4.2	Applications for Malt Liquor Licenses	
4.3	Application for Liquor License	
4.4	Gambling Permit for Midway Gas Bar & Grill Resolution	
<b>5</b>	<b>Todd County Community Corrections</b>	
5.1	Addition to Advisory Board	
<b>6</b>	<b>Todd County Public Works</b>	
6.1	Approval of Lease Agreement	
<b>7</b>	<b>Standing Reports</b>	
	Administrator's Report	
	Commissioners' Report	
<b>8</b>	<b>Adjourn</b>	
<b>9</b>	<b>Informational Meeting</b>	
	<i>Depending on public attendance the Todd County Board will adjourn the Regular Board Meeting and hold an informational meeting with the following topics:</i>	
9.1	Brief overview of Economic Development Steering Committee	
9.2	Overview of Septic System Ordinances	
	Discussion on Public Relations opportunities including potential for	
9.3	District Meetings in June and a County newsletter	
9.4	Strategy Aligned Management	

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, MN Board Action Form



<b>Action Requested</b>	
<input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201003300006	

<b>Title (for publication with the Agenda):</b> Community Corrections Advisory Board	
Date of Meeting: March 30	Total time requested: 2 minute
Department Requesting Action: Community Corrections	
Presenting Board Action/Discussion at Meeting: TBD	
<b>Background</b> <input checked="" type="checkbox"/> Supporting Documentation enclosed	
See Attached	
<b>Options</b> <input type="checkbox"/> Supporting Documentation enclosed	
<b>Recommendation</b> <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion: approval of the March 16, 2010 minutes with/without corrections.	
<b>Financial Implications:</b> \$0	Comments
Funding Source: na	
Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

<b>Signatures</b>	
County Board Chairman:	
_____	
David Kircher	
Clerk to the Board:	
_____	
Nathan Burkett, County Administrator	
Seal	

# TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on  
March 16, 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 16<sup>th</sup> day of March, 2010 at Nine o'clock 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 second by Ruda, the following motion was introduced and adopted by unanimous vote: To approve the agenda as amended with the following changes: Employee recognition, Golden Eagle Supper Club liquor license, Flyover spraying of Birch Lake and the North side of Sauk Lake and discussion on the ISTS Ordinance.

## **Routine Business**

The County Board recognized Kitty Tepley, Comprehensive Planner and wished her well in retirement from the Todd County Soil and Water Conservation District. The County Board recognized Mark Anderson, Jail Administrator and wished him well in his retirement from the County.

On motion by Blessing and second by Kneisl the motion was introduced and adopted by unanimous vote: To approve the Commissioner Warrants #23895 – 24022 in the amount of \$115,720.41.

On motion by Neumann and second by Ruda, the following motion was introduced and adopted by unanimous vote to: Transfer of funds in the amount of \$13,867.00 from 2009 to 2010 for approved purchase of air compressor.

On motion by Ruda and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the application to sell 3.2 Malt Liquor License for the Golden Eagle Supper Club.

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the 1 Yr On Sale County Liquor & Sunday Sales for Bailey's Bar & Grill, 1 Yr On Sale County Liquor & Sunday Sales for the Thunder Lodge Sports bar & Supper Club, 1Yr On Sale County Liquor & Sunday Sales for the Golden Eagle Supper Club, Seasonal On sale County Liquor & Sunday Sales for Greystone Club, Inc., 1 Yr On & Off Sale Liquor & Sunday Sales for the Historic Rock Tavern LLC., 1 Yr On & Off Sale Liquor & Sunday Sales for Midway Gas LLC., 1 Yr On & Off Sale Liquor & Sunday Sales for Rohde's Hub Supper Club, Inc. and 1 Yr On Sale Club Liquor & Sunday Sales for Long Prairie Country Club, Inc.

On motion by Ruda and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve the March 2, 2010 minutes without corrections.

Motion to approve fly-over spraying of Big Birch Lake and Sauk Lake was tabled until March 30, 2010 pending receipt of more information.

# TODD COUNTY BOARD OF COMMISSIONERS

## Veteran's Scenic Drive

On motion by Neumann to adopt the resolution for the Armed Forces Scenic Drive, no second received, Motion failed.

## Todd County Sheriffs' Department

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

### **RESOLUTION FOR JOINT POWERS AGREEMENT FOR CHILD SEXUAL PREDATOR PROGRAM AGREEMENT #3000-1518**

WHEREAS, the State of Minnesota was awarded a Federal grant from the US Department of Justice, Office of Community Orientated Policing Services (COPS), Child Sexual Predator Program, and;  
WHEREAS, the State of Minnesota is in need of assistance from city and county law enforcement agencies in investigating and combating the exploitation of children which occurs through the use of computers, and;  
WHEREAS, this grant would cover investigative expenses, including overtime, travel, training and equipment, for participating law enforcement agencies;  
NOW, THEREFORE BE IT RESOLVED, that Todd County enter into the Community Orientated Policing Services (COPS), Child Sexual Predator Program Joint Powers Agreement with the State of Minnesota (on file in the Administrator's Office).

## Todd County Public Works Department

On motion by Blessing and second by Ruda, the following motion was introduced and adopted by unanimous vote: Approval for the Board Chair, Vice Chair, County Administrator and County Engineer to enter in to a lease agreement for no more than \$478,000 for the purchase of 2 Mack plow trucks and 1 Cat challenger tractor at an interest rate no greater than 4.15%, no greater than \$80,000 annual payment and no more than 7 years with a Todd County bank.

## Todd County Ditch & Ag Inspector

On a motion by Kneisl and second by Neumann the regular meeting of the Todd County Board of Commissioners was recessed.

On a motion by Ruda and second by Blessing, a meeting and public hearing of the Todd County Ditch Authority was convened.

On motion by Ruda and second by Blessing, the following resolution was introduced and adopted by unanimous vote:

### **RESOLUTION FOR BRIDGE REPLACEMENT HYDRAULIC REDUCTION COUNTY DITCH 20**

WHEREAS, the BNSF Railway Company is requesting to replace Bridge 139.07 located on County Ditch 20 in section 7 of Villard Township. This project will be done at the Railway Company's own

# TODD COUNTY BOARD OF COMMISSIONERS

expense, and;

WHEREAS, the existing structure is a parallel, 1 span, 41 foot deck plate girder open deck bridge on concrete abutments. The proposed replacement structure is a 10 foot wide by 6 foot high concrete box culvert. An engineered design has been submitted by Bridge & Stream Engineering Inc., and;

WHEREAS, the Railway Company's Engineer has completed a hydraulic study comparing the hydraulic capacity of the existing structure to the hydraulic capacity of the concrete box culvert, and;

WHEREAS, landowners in the affected areas on County Ditch 20 have been notified of the reduction in hydraulic capacity and have been given an opportunity to voice any concerns to the Ditch Authority.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Commissioners acting in their capacity as Ditch Authority give permission to BNSF Railway Company to replace existing bridge 139.07 with a 10 ft wide by 6 ft high concrete box culvert at their own expense, and;

BE IT FURTHER RESOLVED, that the applicant and/or contractor will defend, indemnify, and hold Todd County, its employees and officials harmless from any claims, demands, actions or causes of action, including reasonable attorney's fees and expenses arising out of any act or omission on the part of the applicant, or its subcontractors, partners or independent contractors or any of their agents or employees in the performance of or with relation to any of the work or services to be performed or furnished by the applicant or the subcontractors, partners, or independent contractors or any of their agents or employees under the agreement.

On a motion by Ruda and second by Neumann the meeting of the Todd County Ditch Authority was adjourned.

On a motion by Blessing and second by Ruda, the regular meeting of the Todd County Board of Commissioners was reconvened.

## Collaborative Design Group

Collaborative Design Group and Contegrity Group presented the study and design for the potential renovation of the historic courthouse (on file in the Administrator's Office).

## Todd County Public Health

On motion by Neumann and second by Blessing, the following resolution was introduced and adopted by unanimous vote:

### **A RESOLUTION INDICATING INTENTION TO ENGAGE IN A DELEGATED AGREEMENT WITH MINNESOTA DEPARTMENT OF HEALTH**

WHEREAS, Todd County has an existing delegated agreement with the MDH for licensing, consultation, inspection, and enforcement to applicable businesses and organizations who provide food, beverage, and lodging to the public, and;

WHEREAS, The "Todd County Unified Environmental Health Ordinance", effective June 2007 provides for regulations, policies and procedures to carry out this function.

WHEREAS, Todd County has an existing contract with Morrison County for Sanitarian services, and;

WHEREAS, The MN Department of Health has updated the delegation agreement, which Todd County needs to submit before June 30, 2010. A review of the applicable ordinance and processes will need to

# TODD COUNTY BOARD OF COMMISSIONERS

be completed, and revisions made if necessary, prior to approving the new delegated agreement, and; WHEREAS, The new delegation agreement will be brought to the County Board for action prior to submitting it to MDH.

NOW, THEREFORE BE IT RESOLVED, The Todd County Board of Commissioners directs the Public Health office to complete the work referenced above in preparation for the new delegated agreement with MDH for the county's Licensed Establishment Program, as it is the intent of the Board to continue this service.

## **Administration**

On motion by Kneisl and second by Ruda, the following motion was introduced and adopted by unanimous vote: To approve a grant agreement with the Initiative Foundation for the purpose and coordinating services for senior citizens (on file in the Administrator's Office).

The 2009 financial report was received and filed.

On a motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: Amendment of the Todd County 2010 Policy Positions document in accordance with the attached (on file in the Administrator's Office).

Discussion was held on the Minnesota Pollution Control Agency's (MPCA) Septic System rule changes and the results of the Planning Commission's public hearing on March 4, 2010. The Planning Commission recommended that the County not adopt the required rules. The County Board agreed that: (1) The County is, and will continue to be the authority for septic systems in Todd County and that the Todd County Ordinances are the rules by which permits will be issued by (2) The County Board will not be taking any official action on the proposed rule changes until the 2010 Minnesota Legislative Session has concluded (3) Septic Contractors should be aware that the MPCA rules exist and act accordingly.

## **Todd County Administrator's Report**

A report from Public Works regarding costs to post signs for Veteran's Memorial Highway has been received. Draft policies guiding the use of the Todd County Fairgrounds have been drafted and are available for comment. A vehicle maintenance provider for the motor pool has been selected. The Solid Waste Committee is working on an agreement with Otter Tail County for a shared Department Head in Solid Waste. The Sheriff has received an 800MHz grant that must be spent by May. The March 23 work session has been postponed by the Chair.

## **Todd County Commissioner's Report**

Kneisl reported bonding for Perham Resource Recovery Facility has been approved by both houses of the Legislature and the Governor. Kircher reported the TCDC Steering Committee has been doing good work and that there should be a report coming soon.

## **Adjourn**

There being no further business to come before this board, Chairman Kircher recess the meeting to March 30, 2010 at 7:30 p.m. in the Commissioners Board Room.

# TODD COUNTY BOARD OF COMMISSIONERS

## COMMISSIONER WARRANTS

VENDOR NAME	AMOUNT
AMERICAN SOLUTIONS FOR BUSINES	2,314.08
CITY OF PERHAM	42,691.68
DELL MARKETING	2,174.39
GENE-O'S FAMILY RESTAURANT	4,018.50
NORTHERN STAR COOP	5,561.48
SHIRLEY'S GAS & GROCERIES	2,488.72
STAPLES WORLD	4,393.38
TRENCHERS PLUS INC	13,886.06
118 PAYMENTS LESS THAN \$2000	38,192.12

Not Approved

# Todd County, MN Board Action Form



<b>Action Requested</b>	
<input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201003300002	

**Title (for publication with the Agenda): Malt Liquor Licenses**

Date of Meeting: March 30 Total time requested: 2 minute

Department Requesting Action: Auditor-Treasurer's

Presenting Board Action/Discussion at Meeting:

**Background**  Supporting Documentation enclosed

**Application have been submitted to sell 3.2 Malt Liquor Licenses for:**  
 Knotty Pine Ballroom  
 Little Moran Humting Club  
 Head of the Lakes Resort

**Options**  Supporting Documentation enclosed

**Recommendation**  The Todd County Board of Commissioners approves the following by Motion:

To approve a:  
 one Year On & Off Sale 3.2 Malt Liquor License for Knotty Pine Ballroom  
 one Year On Sale 3.2 Malt Liquor License for Little Moran Humting Club  
 one Year On & Off Sale 3.2 Malt Liquor License for head of the Lake Resort

<b>Financial Implications:</b> \$	Comments
Funding Source:	
Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

**Signatures**

County Board Chairman:  
 \_\_\_\_\_  
 David Kircher

Clerk to the Board:  
 \_\_\_\_\_  
 Nathan Burkett, County Administrator

Seal



# Todd County, MN Board Action Form



<b>Action Requested</b>	
<input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201003300003	

<b>Title (for publication with the Agenda):</b> County Liquor License	
Date of Meeting: March 30	Total time requested: 2 minute
Department Requesting Action: Auditor-Treasurer's	
Presenting Board Action/Discussion at Meeting:	
Background <input type="checkbox"/> Supporting Documentation enclosed	
Application have been submitted to sell County Liquor LV Fowler, Inc./DBA Double Eagle Golf & Grill	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion: To approve a: one Year On Sale Liquor and Sunday Sales for LV Fowler, Inc/DBA Double Eagle Golf & Grill	
Financial Implications: \$	Comments
Funding Source:	
Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

<b>Signatures</b>	
County Board Chairman:	
_____	
David Kircher	
Clerk to the Board:	
_____	
Nathan Burkett, County Administrator	
Seal	

# Todd County, MN Board Action Form



<b>Action Requested</b>	
<input type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201003300004	

<b>Title (for publication with the Agenda):</b> Gambling Permit Midway Gas Bar and Grill	
Date of Meeting: March 30	Total time requested: 2 minute
Department Requesting Action: Auditor Treasurer	
Presenting Board Action/Discussion at Meeting: TBD	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
See Resolution	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion: Approve Resolution	
<b>Financial Implications: \$0</b>	Comments
Funding Source: na	
Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

<b>Signatures</b>	
County Board Chairman:	
_____	
David Kircher	
Clerk to the Board:	
_____	
Nathan Burkett, County Administrator	
Seal	

# TODD COUNTY BOARD OF COMMISSIONERS

## **Resolution for Gambling Permit for the Sauk Centre Conservation Club Inc. for Midway Gas Bar & Grill**

**WHEREAS**, the Todd County Board of Commissioners are in agreement to approve a Gambling Permit for the Sauk Centre Conservation Club, Inc.

**NOW, THEREFORE BE IT RESOLVED**, to approve a Gambling Permit for the Sauk Centre Conservation Club, Inc, for pull tabs at the Midway Gas Bar & Grill located at 17908 U.S. 71, Long Prairie, MN.

Adopted this 30<sup>th</sup> day of March, 2010.

# Todd County, MN Board Action Form



<b>Action Requested</b>	
<input type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201003300001	

<b>Title (for publication with the Agenda):</b> Community Corrections Advisory Board	
Date of Meeting: March 30	Total time requested: 2 minute
Department Requesting Action: Community Corrections	
Presenting Board Action/Discussion at Meeting: TBD	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
See Resolution	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Approve Resolution	
<b>Financial Implications: \$0</b>	Comments
Funding Source: na	
Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

<b>Signatures</b> County Board Chairman:  _____ David Kircher Clerk to the Board:  _____ Nathan Burkett, County Administrator
---

Seal

# TODD COUNTY BOARD OF COMMISSIONERS

## A RESOLUTION ADDING ETHNIC MINORITIES POSITION TO ADVISORY BOARD

**WHEREAS**, The Todd County Board of Commissioners and the Wadena County Board of Commissioners, on May 4, 1974, and on May 5, 1974, respectively, duly caused a resolution to be adopted wherein they declared it their intention to the State of Minnesota, pursuant to Minnesota Laws of 1973, Chapter 401, to participate in the Community Corrections Act subject to the preparation and approval of a comprehensive plan by the Counties of Todd and Wadena and the Commissioner of Corrections for the State of Minnesota and;

**NOW, THEREFORE BE IT RESOLVED**, pursuant to the revision of said law, that the following persons are hereby appointed by the Chairperson of each County Board of Commissioners, with the advice and consent of each, to the Community Corrections Advisory Board:

1. Serving in the capacity of Citizen Member shall be Mark Hepokoski.
2. Serving in the capacity of Citizen Member shall be Naomi Moyer.
3. Serving in the capacity of Ethnic Minorities shall be Nora F. Carrillo-de Montanez.
4. Serving in the capacity of Victim Services shall be Connie Nelson.
5. Serving in the capacity of Todd County Commissioner shall be David Kircher.
6. Serving in the capacity of Todd County Commissioner shall be Mark Blessing.
7. Serving in the capacity of Wadena County Commissioner shall be Lane Waldahl.
8. Serving in the capacity of Wadena County Commissioner shall be David Schermerhorn.
9. Serving in the capacity of District Court Judge shall be Honorable S ally I reland Robertson.
10. Serving in the capacity of Prosecuting Attorney shall be Jane Gustafson.
11. Serving in the capacity of Public Defender shall be Gregory Peters.
12. Serving in the capacity of Police Chief shall be Kyle Huber.
13. Serving in the capacity of Wadena County Sheriff shall be Michael Carr, Jr.
14. Serving in the capacity of Todd County Sheriff shall be Peter Mikkelson.
15. Serving in the capacity of Health Professional shall be Cheryl Schneider.
16. Serving in the capacity of Social Services Director shall be Frank Sandelin.
17. Serving in the capacity of Educational Administrator shall be James Hofer.
18. Serving in the capacity of Corrections Agent shall be Johanna Jones.
19. Serving in the capacity of Correctional Administrator shall be Katherine Langer.

IN T ESTIMONY W HEREOF T HE TODD C OUNTY B OARD OF C OMMISSIONERS ha s caused this resolution to be adopted this \_\_\_\_\_ day of \_\_\_\_\_.

ATTEST:

TODD COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

By: \_\_\_\_\_

Todd County Administrator

Chairperson

# TODD COUNTY BOARD OF COMMISSIONERS

IN TESTIMONY WHEREOF THE WADENA COUNTY BOARD OF COMMISSIONERS has caused this resolution to be adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

WADENA COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_

Wadena County Auditor

By: \_\_\_\_\_

Chairperson

# Todd County, MN Board Action Form



<b>Action Requested</b>	
<input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use): 201003300005	

<b>Title (for publication with the Agenda): Equipment Purchase using Lease Program</b>	
Date of Meeting: 03/30/2010	Total time requested: 10 minutes
Department Requesting Action: Public Works	
Presenting Board Action/Discussion at Meeting: TBD	
<b>Background</b> <input checked="" type="checkbox"/> Supporting Documentation enclosed	
On March 16, 2010 the County Board passed a motion allowing for certain County officials to engage in a lease for equipment. The County Board directed that quotes be obtained before entering in to the agreement. Quotes were obtained and the most cost effective option is Minnesota National Bank and Kinetic Leasing.	
<b>Options</b> <input checked="" type="checkbox"/> Supporting Documentation enclosed	
#1 – Approve Motion #2 – Do not approve motion, motion from 3/16 stands and appropriate action will be taken #3 - Other	
<b>Recommendation</b> <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
The County Board approves the attached agreement with Minnesota National Bank & Kinetic Leasing for financing to purchase two 2010 Mack GU 173 Plow trucks from Twin Cities Mack & Volvo for \$385,467.13, and to purchase one CAT Challenger MT 465B Tractor and Diamond DDR120-CO Mower from Ziegler Equipment for \$92,123.48 under said agreement and orders appropriate execution.	
<b>Financial Implications:</b> \$477,590.61	Comments
Funding Source: Road & Bridge	
Budgeted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Action	Voting in Favor	Voting Against
Motion:	<input type="checkbox"/> Blessing	<input type="checkbox"/> Blessing
Second:	<input type="checkbox"/> Kneisl	<input type="checkbox"/> Kneisl
<input type="checkbox"/> Passed	<input type="checkbox"/> Ruda	<input type="checkbox"/> Ruda
<input type="checkbox"/> Failed	<input type="checkbox"/> Kircher	<input type="checkbox"/> Kircher
<input type="checkbox"/> Tabled	<input type="checkbox"/> Neumann	<input type="checkbox"/> Neumann

<b>Signatures</b>
County Board Chairman:  _____
David Kircher
Clerk to the Board:  _____
Nathan Burkett, County Administrator

Seal

# Kinetic LEASING

3345 39<sup>th</sup> Street S, Ste. 2, ~ Fargo, ND 58104  
(701) 476-0221 ~ (800) 558-7337 ~ (701) 476-0277 FAX

March 8, 2010

Todd County  
Attn: Nathan Burkett, County Administrator  
347 Central Avenue, Suite 5  
Long Prairie, MN 56347

(SENT VIA EMAIL)

**RE: County Public Works Equipment Lease Financing Proposal**

Dear Nathan:

Pursuant to your request for proposal for the lease financing of various equipment pieces by Todd County, MN, Kinetic Leasing, on behalf of Minnesota National Bank, is pleased to submit the following lease proposal. The following terms and conditions generally outline the proposed transaction based upon information provided to us by you.

**LESSEE:** Todd County, MN

**LESSOR:** Kinetic Leasing, Inc.

**ASSIGNEE/ESCROW AGENT:** Minnesota National Bank  
706 Lake Street  
Long Prairie, MN 56347

**EQUIPMENT:** Two (2) 2010 Mack Plowtrucks  
One (1) 2007 CAT Tractor & Mower

**EQUIPMENT COST:** \$477,590.61

**DELIVERY  
ACCEPTANCE DATE(S):** Various

**COMMENCEMENT DATE:** TBD

**FINANCING TERM:** 7 Years

**INTEREST RATE:** 4.15% - This interest rate will be fixed for the period of Commencement Date to the fifth year anniversary of the proposed transaction.

FIVE YEAR CALLS ON RATE: On the fifth year anniversary of the proposed transaction, the interest rate will be adjusted to the then current two-year FHLB rate plus 105 basis points. The re-pricing floor shall be no lower than 3.15% and the re-pricing ceiling shall be no higher than 5.65%.



- LEASE PAYMENTS:** Lease payments are to be quarterly, each due in advance. Based upon an Equipment Cost of \$477,590.61, there will be twenty-eight (28) quarterly payments of \$19,540.00. These payments are based on a 4.15% interest rate for the entire 7 year term; however, the lease payments for the last 2 years of the term may be adjusted downward or upward depending on the interest rate utilized on the Five Year Call on Rate. Refer to Exhibit A for additional details.
- DRAW PERIOD:** Minnesota National Bank would act as Escrow Agent on the proposed transaction. No administrative or supervisory fees would be assessed this account. Any interest income paid on this account would be for the benefit of the Lessee.
- TAXES:** Lessee will pay all fees, assessments, sales, use, property and other taxes imposed upon Lessor.
- INSURANCE:** Lessee will be required to maintain property and liability insurance in accordance with industry standards and acceptable to Lessor naming Lessor and Assignee as Loss Payee and additional insured.
- EQUIPMENT CONDITION/ MAINTENANCE:** Lessee shall maintain (or cause to be maintained) the Equipment in the same condition as when originally delivered, normal wear and tear excepted. The Equipment must be capable of performing the task for which it was originally intended and conform to all regulatory requirements imposed by any governmental body during the Lease Term.
- TRANSACTION EXPENSES:** Lessee shall pay any and all transaction expenses incurred including but not limited to Lessee legal counsel, UCC Financing Statement(s), recording, titling and registration. A \$250.00 fee will be due to Kinetic Leasing at the inception of the Lease to cover its documentation and transaction related expenses.
- PURCHASE OPTION(S):** Lessee at the end of the Lease Term, at it's option, shall purchase all of Lessor's right, title and interest in and to all, but not less than all of the Equipment described in and covered by the Lease for a purchase price equal to \$1.00 (one dollar).
- During the Lease Term, Lessee shall have the right to purchase the Equipment on any payment date. The attached amortization schedule depicts each annual purchase option under the "Purchase Option" column.
- CREDIT INFORMATION:** Current financial statements, completed lease application and complete equipment listing indicating descriptions (including serial numbers, price, and vendor(s). Minnesota National Bank may request additional information as necessary.
- CONTINGENCY:** This proposal is contingent upon Todd County, MN qualifying for tax-exempt *bank-qualified* municipal rate financing.
- DOCUMENTATION:** Shall be acceptable to Lessor and shall include appropriate validity opinion of counsel and any additional documents that may be deemed necessary by Lessor.

**ADMINISTRATIVE  
PROCEDURES:**

At lease closing, \$477,590.61 would be deposited into an Escrow Account at Minnesota National Bank. As the equipment arrives, Lessee would then request payment of same by the Escrow Agent in exchange for the MSO(s) and/or titles of the Equipment.

**EXPIRATION DATE:**

**May 1, 2010.** The interest rate depicted in this proposal will be held through this date.

We appreciate this opportunity to present to you the preceding proposal as a service of Minnesota National Bank. Should you have any questions please contact Dan Saville at (800) 558-7337 or Allan Ulbricht.

Sincerely,  
Kinetic Leasing

*Daniel Saville*

Dan Saville  
Senior Vice President

**ACCEPTED:**

Todd County, MN

By: \_\_\_\_\_

Its: \_\_\_\_\_

Date \_\_\_\_\_

**EXHIBIT A**

**TODD COUNTY, MN**

**RENTAL PAYMENT SCHEDULE**

	<b>Date</b>	<b>Lease Payment</b>	<b>Interest</b>	<b>Principal</b>	<b>Purchase Option</b>
Lease					477,590.61
1	04/01/2010	19,540.00	0.00	19,540.00	463,639.91
2	07/01/2010	19,540.00	4,753.96	14,786.04	448,446.53
3	10/01/2010	19,540.00	4,600.50	14,939.50	433,110.72
4	01/01/2011	19,540.00	4,445.44	15,094.56	417,631.13
5	04/01/2011	19,540.00	4,288.78	15,251.22	402,006.42
6	07/01/2011	19,540.00	4,130.50	15,409.50	386,235.23
7	10/01/2011	19,540.00	3,970.57	15,569.43	370,316.19
8	01/01/2012	19,540.00	3,808.98	15,731.02	354,247.90
9	04/01/2012	19,540.00	3,645.71	15,894.29	338,028.97
10	07/01/2012	19,540.00	3,480.75	16,059.25	321,657.99
11	10/01/2012	19,540.00	3,314.07	16,225.93	305,133.53
12	01/01/2013	19,540.00	3,145.67	16,394.33	288,454.16
13	04/01/2013	19,540.00	2,975.52	16,564.48	271,618.42
14	07/01/2013	19,540.00	2,803.60	16,736.40	254,624.84
15	10/01/2013	19,540.00	2,629.90	16,910.10	237,471.95
16	01/01/2014	19,540.00	2,454.40	17,085.60	220,158.25
17	04/01/2014	19,540.00	2,277.07	17,262.93	202,682.23
18	07/01/2014	19,540.00	2,097.90	17,442.10	185,042.38
19	10/01/2014	19,540.00	1,916.88	17,623.12	167,237.15
20	01/01/2015	19,540.00	1,733.97	17,806.03	149,265.00

**AMORTIZATION SCHEDULE – US RULE, 360 Day Year**

Compound Period: Quarterly  
Nominal Annual Rate: 4.15%