

TODD COUNTY BOARD OF COMMISSIONERS

Regular Board Meeting Agenda

Date: October 19, 2010

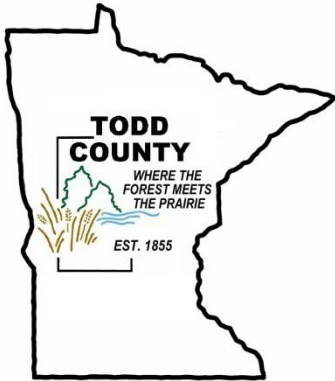
Time: 9:00 AM

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

Item #		Approx. Time
1	Call to Order and Roll Call	9:00
2	Pledge of Allegiance	9:01
3	Amendments to the Agenda	9:03
4	Potential Consent Items	9:05
4.1	Commissioner Warrants	
4.2	Donald & Judith Panitzke Abatement	
4.3	Approve October 5, 2010 Minutes	
5	ELRM	9:08
5.1	Review CUP - Randy & Ona Chock	
5.2	Renewal CUP - John Sovereign	
6	Public Health	9:10
6.1	Approve Environmental Health Fee Schedule for 2011	
6.2	Discussion - Review Agenda Items for MTW Board of Health Meeting	
7	Ditch & Ag Inspector	9:13
7.1	Athorization of Bridge replacements of Todd Area Trails Association	
8	Administrator	9:15
8.1	South Country Health Alliance	
8.2	Request to Waive 60 day Hiring Rule	
9	Standing Reports	
9.1	Administrator's Report	
9.2	Commissioners' Report	
	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, MN Board Action Form



Action Requested	
<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):	

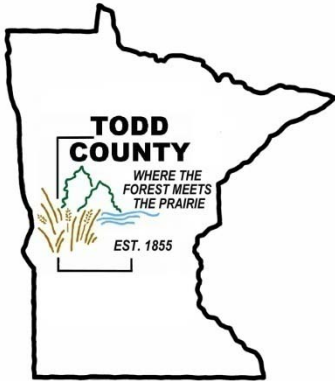
Title (for publication with the Agenda): Commissioner Warrants	
Date of Meeting: Oct 19, 2010	Total time requested: 1 minute
Department Requesting Action: Auditor-Treasurer	
Presenting Board Action/Discussion at Meeting: Nate	
Background <input type="checkbox"/> Supporting Documentation enclosed	
Audit listing has been forwarded to Commissioners for review	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
To approve Commissioner warrants #25947 thru 26096 in the amount of \$141,698.72	
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

Signatures	
STATE OF MINNESOTA } COUNTY OF TODD }	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
	Seal

VENDOR NAME	AMOUNT
BEAR GRAPHICS INC	6,402.35
CENTRAL SPECIALTIES INC	16,546.64
CPS TECHNOLOGY SOLUTIONS	8,256.09
FLEET SERVICES DIVISION	7,081.50
FORUM COMM PRINTING	5,700.00
GRANITE ELECTRONICS INC	6,200.10
JOHNSTON FARGO CULVERT	13,563.51
LONG PRAIRIE OIL COMPANY	2,218.65
METRO SALES INC	3,863.00
MINN COUNTIES COMPUTER COOP MI	4,045.38
NORTHERN BUSINESS PRODUCTS	2,444.76
NORTHERN STAR COOP	2,195.70
S.W. RECYCLING	2,204.00
SHIRLEY'S GAS & GROCERIES	2,657.94
SYNERGY GRAPHICS	15,007.19
WIDSETH SMITH NOLTING INC	3,058.25
133 PAYMENTS LESS THAN \$2000	40,253.66
FINAL TOTAL.....	\$141,698.72

Todd County, MN Board Action Form



Action Requested	
<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):	

Title (for publication with the Agenda): Approve October 5, 2010 Minutes	
Date of Meeting: October 19, 2010	Total time requested: 1 Min
Department Requesting Action: Administration	
Presenting Board Action/Discussion at Meeting: County Administrator	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Minute	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Approval of the October 5, 2010 Minutes without changes	
Financial Implications: \$0	Comments
Funding Source:	
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

Signatures
STATE OF MINNESOTA } COUNTY OF TODD } I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:
Seal

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
October 5, 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 5th day of October at 9:00 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 Blessing by and second by Kneisl, the following motion was introduced and adopted by unanimous vote to approve the agenda as amended with the following changes:

1. Add Juelke Resolution Denial of Rezoning Request

Routine Business

On motion by Neumann and second by Blessing, the following motion was introduced and adopted by unanimous vote: Approve the September 21, 2010 minutes without changes.

On motion by Ruda and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve the Commissioner Warrants #25821 - #25946 in the amount of \$76,020.62.

On motion by Ruda and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Auditor Warrants #214811 - #214903 in the amount of \$1,311,442.97.

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

SET COUNTY 2011 TRUTH IN TAXATION MEETING DATE

WHEREAS, there have been many changes to the Truth in Taxation Laws for 2011, and;

WHEREAS, one of the changes is that the TNT meeting for the County is no longer set on the first Thursday of December, and;

WHEREAS, the TNT meeting can be part of a regular scheduled meeting, but must occur after 6:00 p.m.

NOW, THEREFORE BE IT RESOLVED, that the 2011 Truth in Taxation meeting be set for 7:30 p.m., November 30th, in the County Board Room at 347 Central Avenue, Long Prairie, MN 56347.

On motion by Neumann and second by Ruda, the following motion was introduced and adopted by unanimous vote: Approve a 5 month On Sale and Sunday Liquor License for Scott & Velvet Ross, owners of Sunsets, Inc.

Public Works

On motion by Blessing and second by Ruda, the following motion was introduced and adopted by unanimous vote: Set meeting Fall Road Meeting date for 9:00 AM – 11:00 AM at the Long Prairie Shop on 11/22/2010.

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

TODD COUNTY BOARD OF COMMISSIONERS

FINAL PAYMENT AUTHORIZATION CP 77-10-03

WHEREAS, the contract with Tri-City Paving Inc. for the 2010 aggregate shouldering project known as CP 77-10-03 located along various Todd County highways has in all things been completed, and;
WHEREAS, construction work on this contract was scheduled and completed in 2010 with the value of the total work certified being \$65,721.05, and;
WHEREAS, that due to the scheduling of the work no partial payments have been previously been made to the contractor as work progressed, and;
WHEREAS, it has been determined that \$65,721.05 still remains to be paid to Tri-City Paving Inc.
NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners does here accept said completed project for and in behalf of the County of Todd and authorize final payment as specified.

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

FINAL PAYMENT AUTHORIZATION CP 77-10-02

WHEREAS, the contract with AAA Striping Services Company for the 2010 pavement marking project known as CP 77-10-02 located along various Todd County Highways, has in all things been completed, and;
WHEREAS, construction work on this contract was scheduled and completed in 2010 with the value of the total work certified being \$59,000.36, and;
WHEREAS, partial payments amounting to \$52,639.16 have been previously been made to the contractor as work progressed, and;
WHEREAS, it has been determined that \$6,361.20 still remains to be paid to AAA Striping Services Company.
NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners does here accept said completed project for and in behalf of the County of Todd and authorize final payment as specified.

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

2011 STATE AID PROJECTS AUTHORIZATION

WHEREAS, the Todd County Public Works Department Proposed 6-Year Road Improvement Plan has identified segments of County State Aid and County highways which require construction work to be done in the near future in order to maintain, at its current level, the overall highway system of Todd County, and;
WHEREAS, the costs for the proposed work will be paid for with funds available from the County's State Aid construction accounts, and;
WHEREAS, for the year 2011, the following projects have been recommended for the 2011 State Aid Construction Program:
County State Aid Highway 1 from County State Aid Highway 10 to County State Aid Highway 38
 SAP 77-601-18 Bituminous Mill & Overlay with Aggregate Shouldering
County State Aid Highway 4 from County Road 58 to County State Aid Highway 11
 SAP 77-604-13 Bituminous Mill & Overlay with Aggregate Shouldering
County State Aid Highway 8 from County State Aid Highway 6 to Trunk Highway 287

TODD COUNTY BOARD OF COMMISSIONERS

SAP 77-608-07 Bituminous Mill & Overlay with Aggregate Shouldering
County State Aid Highway 45 from the Douglas County Line to Trunk Highway 27
SAP 77-645-02 Bituminous Mill & Overlay with Minor Curb & Gutter Repair
County State Aid Highway 46 from the Douglas County Line to County Road 92
SAP 77-646-06 Bituminous Mill & Overlay with Aggregate Shouldering
County State Aid Highway 51 from the Stearns County Line to the Douglas County Line
SAP 77-651-04 Bituminous Mill & Overlay with Minor Side Walk Repair
NOW, THEREFORE BE IT RESOLVED, that the Public Works Department is hereby directed to prepare the necessary plans and specifications for the above noted projects.

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: Approve WSB & Associates Contract for Right of Way Acquisition Services. (Contract on file in the Todd County Administrator's Office).

On motion by Neumann and second by Ruda, the following motion was introduced and adopted by unanimous vote: Approve cooperative agreement with the City of West Union. (Agreement on file in the Todd County Administrator's Office).

Hands of Hope

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

PROCLAMATION AGAINST DOMESTIC VIOLENCE IN TODD COUNTY

WHEREAS, homes should be a place of warmth, love, tranquility, and security, and for most of us, home and family can indeed be counted among our greatest blessings;

WHEREAS, domestic violence is a serious crime that terrorizes one's home which affects people of all races, ages, income levels, and sexes here in Todd County;

WHEREAS, The crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to the systematic use of physical, emotional, sexual, psychological, and economic control or abuse;

WHEREAS, Domestic violence costs the nation between \$5 billion and \$10 billion annually in medical expenses, police and court costs, shelters and foster care, sick leave, absenteeism, and loss of productivity; and here in Todd County affected over 145 men, women and children during the past year;

WHEREAS, Only a coordinated community effort will put a stop to this crime; therefore a coalition of organizations including law enforcement officials, shelter providers, victim services, health care providers, the clergy and concerned citizens has emerged to directly confront this crisis;

NOW, THEREFORE BE IT RESOLVED, In recognition of the important work done by domestic violence programs, we the commissioners of Todd County do hereby proclaim the month of October 2010 as Domestic Violence Awareness Month and urge all citizens to work with Hands of Hope Resource Center in eliminating domestic violence in our communities.

Environmental & Land Resource Department

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

TODD COUNTY BOARD OF COMMISSIONERS

DENIAL OF REZONING REQUEST

WHEREAS, John & Marilyn Juelke (property owners) have applied to rezone property located in NW4 SW4, Section 15, Kandota Township, and;

WHEREAS, this property is currently zoned AF-1 -Agricultural/Forestry. This zone is established to provide for and protect areas of the county where commercial crop and livestock agriculture, forestry, large tract recreational activities (i.e. hunting, snowmobiling, horseback riding, etc) and wildlife habitat/natural areas are the primary uses. The overall density may not exceed one dwelling unit per quarter-quarter section or original Gov't Lot, and;

WHEREAS, owners proposed to rezone the land to AF-2 – Agricultural/Forestry. This zone is established to provide for and protect areas of the county where commercial crop and livestock agriculture, forestry, large tract recreational activities (i.e. hunting, snowmobiling, horseback riding, etc) and wildlife habitat/natural areas are the primary uses. The overall density may not exceed two dwelling units per quarter-quarter section or original Gov't Lot, and

WHEREAS, this request was heard by the Planning & Zoning Commission at their September 9, 2010 meeting where application was forwarded to the County Board of Commissioners with their recommendation, and

WHEREAS, on September 21, 2010 the County Board of Commissioners heard the request, and found that the request (1) does not conform with the purposes of the Comprehensive plan in that the 2030 comprehensive land use plan for this zoning district strongly recommends that the use stay as agricultural/forestry and zoning stay at 1 house per Govt 40 acres, (2) no overall need was established because there are already two building sites on the site that was zoned for one house per 40 acres, and (3) change will not be consistent with the purposes of the zoning ordinance and zoning district because by changing to AF/2 and increasing the density of the property, there will no longer be a consistent pattern of growth as per our 2030 Comprehensive Land use Plan, and

NOW, THEREFORE BE IT RESOLVED, that the rezoning request be denied as presented.

Ditch & Ag Inspector

On motion by Kneisl and second by Blessing, the following resolution was introduced and adopted by unanimous vote: Acknowledge receipt of HHA petition to maintain approximately 1/4 mile of County Ditch 33 & 2 in Reynolds Twp section 32.

Todd County Administrator

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

RESOLUTION TO ADOPT THE HOUSEHOLD WATER WELL PROGRAM

WHEREAS, the North Central Economic Development Association (NCEDA)/Region Five Development Commission received grant funds from the USDA to create a Household Water Well program for low to mid income landowner to repair or replace existing water wells and;

WHEREAS, the NCEDA will work with Todd County Public Health, Todd County Soil & Water District and other agencies for loan development and;

WHEREAS, Todd County consents to participate in the program and;

WHEREAS, the Todd County Auditor's office will assist with collection of delinquent loans.

TODD COUNTY BOARD OF COMMISSIONERS

NOW THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners agrees to adopt the Household Water Well Program submitted on September 21, 2010 between the NCEDA/Region Five Development Commission and Todd County and;

FURTHER RESOLVED that the Todd County Auditor or Treasurer agrees to the manner in which delinquent loans shall be collected and are authorized to assess the balance of such loans to the property's real estate taxes and the balance collected shall be paid to the NCEDA/Region Five, in accordance with the agreement and;

BE IT FURTHER RESOLVED, the Chairman and County Auditor are authorized to sign the Memorandum of Understanding upon approval of the County Attorney.

Flood Plain Ordinance Discussion

Gloria Stevenson from the GIS Department presented information pertaining to the updated flood hazard mapping, FEMA National flood insurance program. The new flood zone boundaries are to go into effect February 4, 2011. Our local zoning ordinance will need to be updated to adopt the new flood zone boundaries. The GIS Department and the ELRM Department will be working on the zoning update and incorporating the updated mapping.

Midwest Medical Examiner's Office

The Midwest Medical Examiner's Office was present to report the summary of medical examiner involvement for deaths occurring in Todd County during the year 2009. They also reported on any statistically significant trends.

Todd County Administrator's Report

The Commissioners' meeting scheduled for December 7, 2010 has been cancelled by the Board Chair.

AUDITOR WARRANTS

VENDOR NAME	AMOUNT
AMERICAN HERITAGE BANK	25,371.68
CITY OF PERHAM	36,505.44
COMPUTER PROFESSIONALS	3,638.30
LONG PRAIRIE OIL COMPANY	14,219.14
LONG PRAIRIE SANITARY SERVICE	2,045.30
MN DEPT OF FINANCE	6,255.00
MORRISON CO DEPT OF PUB WORKS	28,787.36
MORRISON COUNTY	31,019.11
TODD COUNTY DAC	3,410.00
AMERICAN HERITAGE BANK	3,011.93
GENE-O'S FAMILY RESTAURANT	6,232.50
MINNESOTA POWER	10,551.80
RAINBOW RIDER	4,000.00
AMERICAN HERITAGE	3,883.12

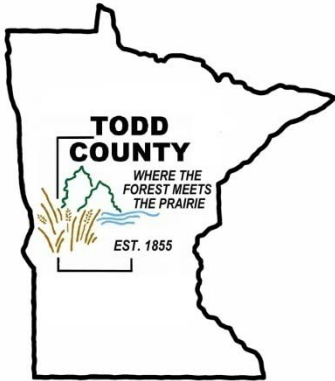
TODD COUNTY BOARD OF COMMISSIONERS

FLEET SERVICES	3,675.82
KNIFE RIVER CORP	58,381.82
NORTHERN STAR COOP	2,871.61
TOM'S BACKHOE SERVICE, INC	860,917.28
WIDSETH SMITH NOLTING INC	38,509.01
ZAYO ENTERPRISE NETWORKS	3,291.20
25 PAYMENTS LESS THAN \$2000	8,479.65
GREAT RIVER REGIONAL LIBRARY	81,923.00
LONG PRAIRIE OIL COMPANY	18,813.75
MITCH'S FUEL SERVICE	19,119.90
PAYMENTS LESS THAN \$2000	36,529.25
FINAL TOTAL.....	\$1,311,442.97

COMMISSIONER WARRANTS

VENDOR NAME	AMOUNT
CENTRACARE HEALTH SERVICES	2,710.00
CHAMBERLAIN OIL COMPANY	2,513.39
COMMISSIONER OF TRANSPORTATION	6,189.15
FLEET SERVICES DIVISION	8,479.21
LONG PRAIRIE OIL COMPANY	6,444.91
MORRISON CO PUBLIC HEALTH SERV	7,703.33
MOTOROLA	14,299.90
119 PAYMENTS LESS THAN \$2000	27,680.73
FINAL TOTAL.....	\$76,020.62

Todd County, MN Board Action Form



Action Requested	
<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):	

Title (for publication with the Agenda): CUP - Randy & Ona Chock	
Date of Meeting: October 19, 2010	Total time requested: 5 minutes
Department Requesting Action: Planning & Zoning (ELRM)	
Presenting Board Action/Discussion at Meeting: Garry Johanson, Director	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Options <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion: Approve the review of the existing Conditional Use Permit granted for a dog breeding kennel with up to 12 breeding dogs and to require not further reviews unless a complaint is received by the ELRM Office	
Financial Implications: \$	Comments
Funding Source:	
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

Signatures	
STATE OF MINNESOTA } COUNTY OF TODD }	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

CONDITIONAL USE PROCEEDINGS

STATE OF MINNESOTA
COUNTY OF TODD

In The Matter of: Randy & Ona Chock
Mailing address: 48605 County 77
Verndale, MN 56481

Site address: 48605 County 77.

Parcel Number: 01-0017200

REVIEW OF: Existing Conditional Use Permit for Dog breeding kennel with up to 12 breeding dogs.
This property is located in an AF-2 Ag/Forestry District

The above entitled matter was heard before the Todd County Planning Commission on the 7th day of October, 2010, on a petition for Conditional Use pursuant to the Todd County Zoning Ordinance, for the following described property (40 acres) SE4 NE4, Section 17, Twp 133, Range 34, Bartlett Township, Todd County.

Record this document in: X abstract records torrens records.

IT IS ORDERED that the Conditional Use be (granted, denied) #C-20101011790 as upon the following conditions, changes or reasons:

Continuation of this CUP without further reviews unless a written complaint is received.

Todd County Board of Commissioners
David Kircher, Chairperson

Dated: October 19, 2010

**STATE OF MINNESOTA
COUNTY OF TODD**

**OFFICE OF
ENVIRONMENT & LAND RESOURCE MANAGEMENT**

I, Garry Johanson ELRM Director for the County of Todd, with and in said County, do hereby certify that I have compared the foregoing copy and order (granted, denying) a Conditional Use with the correct and true transcript of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand at Long Prairie, Minnesota, in the County of Todd on _____ :

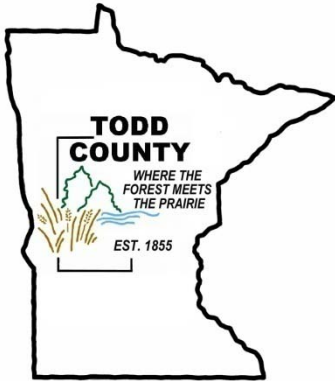
DIRECTOR
TODD COUNTY ELRM OFFICE

Drafted by: Linda Bleess
Planning Commission Secretary

This form mailed to Applicant

Activities granted by a Conditional Use Permit expire and are considered invalid unless they are substantially completed within thirty-six months of the date the conditional use permit is granted by the Board of Commissioners. Section 530(O) Todd County Ordinance.

Todd County, MN Board Action Form



Action Requested	
<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):	

Title (for publication with the Agenda): CUP - John Sovereign	
Date of Meeting: October 19, 2010	Total time requested: 5 minutes
Department Requesting Action: Planning & Zoning (ELRM)	
Presenting Board Action/Discussion at Meeting: Garry Johanson, Director	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Options <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion: Approve renewal of Conditional Use Permit to utilize this 17.44 acres parcel for a residential building site without change or condition.	
Financial Implications: \$	Comments
Funding Source:	
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

Signatures	
STATE OF MINNESOTA } COUNTY OF TODD }	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

CONDITIONAL USE PROCEEDINGS

STATE OF MINNESOTA
COUNTY OF TODD

In The Matter of: John Sovereign
Mailing address: 403 Pine Street South
Sauk Centre, MN 56378

Site Address: none

Parcel Number: 03-0033000

REQUEST: Renewal of Conditional Use Permit granted on September 30, 2003 (C-20031007480) to utilize this 17.44 acre parcel for a residential building site. Use Permit is required for more than one home on a Gov't 40 acres. The Original CUP expired in 2009.

The above entitled matter was heard before the Todd County Planning Commission on the 7th, day of October, 2010, on a petition for Conditional Use pursuant to the Todd County Zoning Ordinance, for the following described property (17.44 acres) SE4 NE4 SW4 & E 660.85 ft of Gov't Lot 4 ex part platted as Scenic Valley Big Sauk Lake 3rd Addition, Section 23, Twp 127N, Range 34W, Birchdale Township, Todd County.

Record this document in: abstract records torrens records.

IT IS ORDERED that the Conditional Use be (granted, denied) #C-20101011791 as upon the following conditions, changes or reasons:

Granted with out change or additional conditions

**Todd County Board of Commissioners
Dave Kircher, Chairperson**

Dated: September 21, 2010

**STATE OF MINNESOTA
COUNTY OF TODD**

**OFFICE OF
ENVIRONMENT & LAND RESOURCE MANAGEMENT**

I, Garry Johanson ELRM Director for the County of Todd, with and in said County, do hereby certify that I have compared the foregoing copy and order (granted, denying) a Conditional Use with the correct and true transcript of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand at Long Prairie, Minnesota, in the County of Todd on _____ .

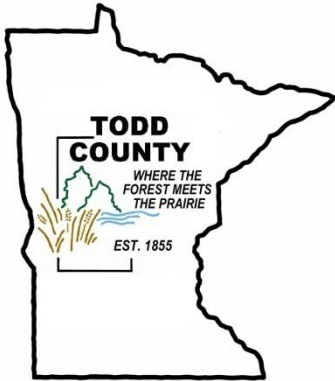
TODD COUNTY ELRM OFFICE

Drafted by: Linda Bleess
Planning Commission Secretary

This form mailed to Applicant

Activities granted by a Conditional Use Permit expire and are considered invalid unless they are substantially completed within thirty-six months of the date the conditional use permit is granted by the Board of Commissioners. Section 530(O) Todd County Ordinance.

Todd County, MN Board Action Form



Action Requested	
<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):	

Title (for publication with the Agenda): Approve Environmental Health Fee Schedule for Calendar Year 2011	
Date of Meeting: October 19, 2010	Total time requested: 5 minutes
Department Requesting Action: Public Health	
Presenting Board Action/Discussion at Meeting: Cheryl Schneider, Director	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
See Resolution and Attachments	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Financial Implications: \$ 52,228	Comments
Funding Source: License Fees Pay Program Expense	
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	
STATE OF MINNESOTA } COUNTY OF TODD }	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

TODD COUNTY BOARD OF COMMISSIONERS

Approve Environmental Health Fee Schedule for Calendar Year 2011

WHEREAS, Providing for safe public food, water, and licensed establishments is consistent with the Minnesota Essential Functions of Public Health in ‘Protecting Against Environmental Health Hazards’, and;

WHEREAS, the Todd County Unified Environmental Health Ordinance provides for consultation, licensing, inspection, and enforcement to applicable businesses and organizations, and the ordinance meets current Minnesota Food Code Rules and state requirements, and;

WHEREAS, Whereas, Todd County has a delegated agreement with the MN Department of Health for this function, and;

WHEREAS, the Environmental Health Fee Schedule is set to cover the Sanitarian contract obligation and program costs, and the fee schedule is approved annually.

THEREFORE BE IT RESOLVED, the Todd County Board of Commissioners approves the attached documents: The 2011 Environmental Health Fee Schedule, Environmental Health Fee Definitions, Penalty Fees Applicable to Correction Orders, Todd County Public Health Standardized Compliance Time Frames For Environmental Health Corrective Orders Issued Policy and Todd County Protocol For The Enforcement of Outstanding Environmental Health Violations.

TODD COUNTY PUBLIC HEALTH 2011 ENVIRONMENTAL HEALTH FEE SCHEDULE

This is for reference only. See definitions on back.

<p>BASE FEES (only one):</p> <p>Base Fee for Food, Beverage, Lodging, Mfg Home PK, Recreational Vehicle, Campgrounds, Pool/Spa, and Sexually Oriented Business</p> <p>\$156.00</p>	<p>RE-INSPECTION FEE Applicable to all licensed establishments</p> <p>LATE PAYMENT PENALTY FEE: \$105.00</p> <p>ADMIN PENALTY FEES - SEE ATTACHMENT B DEFINITIONS - SEE ATTACHMENT A</p>																												
<p>FOOD: In addition to Base Fee: only the highest category is applicable</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>Limited Food Menu</td><td style="text-align: right;">\$ 42.00</td></tr> <tr><td>Small Establishment</td><td style="text-align: right;">\$ 74.00</td></tr> <tr><td>Medium Establishment</td><td style="text-align: right;">\$189.00</td></tr> <tr><td>Large Establishment</td><td style="text-align: right;">\$325.00</td></tr> <tr><td>Schools</td><td style="text-align: right;">\$210.00</td></tr> <tr><td>Schools (second inspection fee)</td><td style="text-align: right;">\$210.00</td></tr> <tr><td>Beer or Wine Table Service</td><td style="text-align: right;">\$ 36.00</td></tr> <tr><td>Alcohol Service From Bar</td><td style="text-align: right;">\$100.00</td></tr> <tr><td>Catering Food Service</td><td style="text-align: right;">\$189.00</td></tr> <tr><td>Mobile Unit/Food Cart</td><td style="text-align: right;">\$ 74.00</td></tr> <tr><td>Seasonal Permanent Food Stand</td><td style="text-align: right;">\$ 42.00</td></tr> <tr><td>Seasonal Temporary Food Stand</td><td style="text-align: right;">\$ 42.00</td></tr> <tr><td>Each additional kitchen</td><td style="text-align: right;">\$105.00</td></tr> </table>	Limited Food Menu	\$ 42.00	Small Establishment	\$ 74.00	Medium Establishment	\$189.00	Large Establishment	\$325.00	Schools	\$210.00	Schools (second inspection fee)	\$210.00	Beer or Wine Table Service	\$ 36.00	Alcohol Service From Bar	\$100.00	Catering Food Service	\$189.00	Mobile Unit/Food Cart	\$ 74.00	Seasonal Permanent Food Stand	\$ 42.00	Seasonal Temporary Food Stand	\$ 42.00	Each additional kitchen	\$105.00	<p>SEXUALLY ORIENTED BUSINESS: In addition to Base Fee: only the highest category is applicable</p> <p>Live on site Initial Investigative Fee - \$2080 Criminal Background Check - \$520 Annual license - \$1040</p> <p>Media on site Initial Investigative Fee - \$1040 Criminal Background Check - \$520 Annual license - \$520</p> <p>For detail information, please refer to the Todd County Ordinance Regulating Sexually Oriented Business.</p>		
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<p>LODGING: In addition to Base Fee: Per unit \$ 6.00 (Maximum lodging fee)</p> <p>MFG HOME PK, RV, CAMPGROUNDS In addition to Base Fee: Per site \$ 3.00</p>	<p>YOUTH CAMPS:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Max Capacity</th> <th style="text-align: right;">Fee</th> </tr> </thead> <tbody> <tr> <td>200 or less</td> <td style="text-align: right;">\$ 360.00</td> </tr> <tr> <td>201 - 400</td> <td style="text-align: right;">\$ 508.00</td> </tr> <tr> <td>401 or more</td> <td style="text-align: right;">\$ 645.00</td> </tr> </tbody> </table>	Max Capacity	Fee	200 or less	\$ 360.00	201 - 400	\$ 508.00	401 or more	\$ 645.00																				
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<p>POOL/SPA In addition to Base Fee:</p> <p>Public Swimming Pool/Spa each \$ 126.00</p>	<p>WATER/SEWER</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>Individual Water and/or Sewer</td><td style="text-align: right;">\$ 53.00</td></tr> <tr><td>Additional wells each</td><td style="text-align: right;">\$ 26.00</td></tr> <tr><td>Repeat Water Test each</td><td style="text-align: right;">\$ 53.00</td></tr> </table>	Individual Water and/or Sewer	\$ 53.00	Additional wells each	\$ 26.00	Repeat Water Test each	\$ 53.00																						
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<p>SPECIAL EVENT FOOD STAND</p> <table style="width: 100%; border-collapse: collapse;"> <tr><td>Special Event Food Service</td><td style="text-align: right;">\$ 36.00</td></tr> <tr><td>Non Profit Special Event Food</td><td style="text-align: right;">\$ 20.00</td></tr> <tr><td>Discount for Food Safety Training</td><td style="text-align: right;">\$ 10.00</td></tr> <tr><td>Late Fee for Food Stand</td><td style="text-align: right;">\$ 10.00</td></tr> </table>	Special Event Food Service	\$ 36.00	Non Profit Special Event Food	\$ 20.00	Discount for Food Safety Training	\$ 10.00	Late Fee for Food Stand	\$ 10.00	<p>SPECIAL EVENT CAMPING AREA</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td>Base Fee</td> <td style="text-align: right;">\$ 41.00</td> <td>Late Fee:</td> <td style="text-align: right;">\$ 10.00</td> </tr> <tr> <td>5-25 sites</td> <td style="text-align: right;">\$ 36.00</td> <td>26-50 sites</td> <td style="text-align: right;">\$ 78.00</td> </tr> <tr> <td>51-75 sites</td> <td style="text-align: right;">\$104.00</td> <td>76-100 sites</td> <td style="text-align: right;">\$156.00</td> </tr> <tr> <td>101-200 sites</td> <td style="text-align: right;">\$260.00</td> <td>201 and up</td> <td style="text-align: right;">\$478.00</td> </tr> <tr> <td>Maximum SECA fee of</td> <td colspan="3" style="text-align: right;">\$520.00</td> </tr> </table>	Base Fee	\$ 41.00	Late Fee:	\$ 10.00	5-25 sites	\$ 36.00	26-50 sites	\$ 78.00	51-75 sites	\$104.00	76-100 sites	\$156.00	101-200 sites	\$260.00	201 and up	\$478.00	Maximum SECA fee of	\$520.00		
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<p>Plan Review Remodel Existing/New Small Construction \$ 182.00 Construct/Convert New Establishment \$ 283.00</p> <p><i>*Plan Review Fee is for Food, Beverage, Lodging, Manufactured Home Park, Recreational Vehicle, Campgrounds, and Sexually Oriented Business.</i></p>																													
<p>New owner license on or after October 1st: License Fee is ½ the annual license fee.</p>																													

Refund when license closes or sells business before March 1st: Refund is ½ the annual license fee.
Upon request

ENVIRONMENTAL HEALTH FEE DEFINITIONS Attachment A

Alcohol Service:

Bar: Alcoholic mixed drinks are served or where beer or wine are served from a bar.

Table (Beer, Wine, Setups): Beer, Wine or Setup services only to customers seated at tables.

Base Fee: A fee charged to all types of establishments.

Catering: means the preparation of foods at one location then subsequent delivery and service at different location.

Food Cart: means a food and beverage service establishment that is a non-motorized vehicle self-propelled by the operator.

Food Service:

Large Establishment: Food service that meets the medium establishment definition and seats more than 175 people, serves a full menu selection an average of five or more days per week or caters 500 or more meals per day.

Limited Food Menu: Prepackaged food that receives heat treatment and is served in the package, frozen pizza that is heated and served, continental breakfast, soft drinks, coffee, non-alcoholic beverages, or cleaning for eating, drinking, or cooking utensils when the only food served is prepared off site.

Medium Establishment: Food service with seating over 50 and using a range, oven, steam table, salad bar, or salad preparation area, more than one deep fat fryer or grill, more than two hot holding containers or provides catering or fast food. Establishments that can seat more than 175 people but serve a full menu selection an average of four or less days per week.

Mobile Food Unit: means a food and beverage service establishment that is a vehicle mounted unit, either motorized or trailered, operating no more than 21 days annually at any one place or is operated in conjunction with a permanent business licensed under Minnesota Statutes Chap. 157 or 28A at the site of the permanent business by the same individual or company, and readily movable, without disassembling, for transport to another location.

Seasonal Permanent Food Stand: means a food and beverage service establishment which is a permanent food service stand or building, but which operates no more than 21 days annually.

Seasonal Temporary Food Stand: means a food and beverage service establishment that is a food stand which is disassembled and moved from location to location, but which operates no more than 21 days annually.

Second School Inspection: Schools that receive USDA commodities are required to have two (2) food inspections each year.

Small Establishment: Food service with no salad bar and equipment not exceeding: one deep fat fryer; one grill; two hot holding containers; microwaves, or service of dipped ice cream/soft serve frozen desserts, or breakfast service in a bed and breakfast or in a boarding establishment. *Establishments which do not provide catering service and which meet "Medium Establishment" equipment criteria below but have a total seating capacity of 50 or less are "Small Establishments".*

Individual Sewer: A private sewage treatment system which uses subsurface treatment and disposal.

Individual Water: A private water supply other than a community public water supply.

Late Payment Penalty: Additional charge added to the license fee when a person operates a business without first having made application & fee payment for the current year's license by deadline date.

Lodging Per Unit: The number of guest rooms, cottages, or other rental units of a hotel, motel, lodging establishment, or resort, or the number of beds in a dormitory.

New Business/New Owners - 1st - 4th Quarter of Year: New business/new owners opening after September 30 and before January 1 are required to pay one-half (1/2) of the annual fee.

New Owners - 1st Quarter of Year: In the event of an ownership change for establishments that have already been licensed for the current year, the licensed operator would be refunded 1/2 of the license fee paid if the change in ownership occurs within the first quarter of the year (on or before March 31).

Plan Review: When an establishment (licensed or required to be licensed) is constructed or remodeled, or when an existing structure is converted for use as a licensed establishment, the owner shall submit all required plans and specifications along with the Plan Review fee at least 30 days before beginning construction, extensive remodeling or conversion of a food establishment. Remodel Existing / New Small Construction is for remodeling of an existing licensed establishment that wishes to expand its licensed services, but does not require major facility or equipment upgrades. This fee category also includes new construction of Limited Food Service establishments, seasonal food stands, lodging with less than 5 units, and expansion of an existing Mobile Home Park.

Construct / Convert New Establishment is for when a new Small, Medium, or Large Food Service establishment or a lodging facility with 5 or more units or a new Mobile Home Park is constructed and when an existing building is converted for use as a licensed establishment. This fee category also covers remodeling requiring major upgrades to facilities or equipment.

A Late Payment Fee is due in addition to the Plan Review fee for failure to submit the Plan Review in a timely manner (see Late Payment Penalty definition). and EH Fee Schedule.

Pools:

Public Swimming Pool: Any swimming pool other than a private residential swimming pool.

Spa Pool: A public hot water pool intended for seated recreational use.

Reinspection/Consultation Fee: If more than one reinspection is required for any stated violation, the hourly fee rate for reinspections will be charged. This shall include travel to and from inspection, and any time associated with generating the applicable reports. This fee will also apply to visits requested for consultation purposes.

Repeat Water Test: A fee charged (see EH Fee Schedule) for each contaminated well to cover staff time and mileage to draw the retest as follows:

- a) If the retest samples (4 samples collected after the first disinfection) are **negative**, then only one sample taken one month later is needed - No charge.

- b) If the retest samples (4 samples collected after the first disinfection) are **positive**, the establishment owner must disinfect the well again. Four additional samples will be collected after disinfection - there will be a charge for these samples (see EH Fee Schedule)
- c) If samples remain positive, there will be a \$58 charge each time retest samples are collected. (See EH Fee Schedule)

Sexually Oriented Business:

- 1) Any business or enterprise where the primary of dominant theme is the presentation, display, depiction, or description of specified anatomical areas or specified sexual activities, or
- 2) Any business or enterprise where the sum total of floor, wall or shelf area devoted to uses or activities which emphasize the presentation, display, depiction, or description of specified anatomical areas or specified sexual activities, for more than seven (7) days per year, exceeds forty (40) square feet.
- 3a) **Live on Site:** Sexually oriented businesses, including but not limited to adult body painting studios, adult cabarets, adult companionship/conversation/rap establishments, adult massage parlor or health/sport club, adult modeling studios, adults sauna/steam room bath house, or other business where on-site employees, independent contractors, volunteers, patrons or other persons are actively engaged in the presentation, display, depiction, or description of specified sexual activities or specified anatomical areas.
- 3b) **Media on Site:** Sexually oriented businesses, including but not limited to adult motion picture theaters, adult motion picture arcades, adult motion picture theaters, and other businesses where specified sexual activities or specified anatomical areas are presented, displayed, depicted or described by means of movies, videos, computer generated images, or other visual or auditory devices for on-site viewing or listening.
- 4) This term does not apply to the practice of medicine, surgery, osteopathy, chiropractic, physical therapy, or podiatry by state registered or licensed individuals, nor does it include businesses which engage in uses or activities that are obscene and, therefore, prohibited by law.

Special Event Camping Area: Recreational camping areas as defined in Minnesota Statute, Chapter 327, section 327.14, subd. 8, used for 14 consecutive days or less, and not more than twice in a *calendar* year by people attending or working at events such as county fairs, flea markets, music festivals or other community festivals or gatherings. A late fee will be assessed if the application is not received by Public Health fourteen (14) days prior to the event.

Special Event Food Stand: A food and beverage service stand which is used in conjunction with celebrations and special events; the license is good for up to three events in a *calendar* year and for no more than ten total days. A late fee will be assessed if the application is not received by Public Health fourteen (14) days prior to the event. A Special Event Food Stand license is needed *by a licensed establishment* that wants to serve food *at a separate location from the physical* address of the establishment. A discount is given to organizations with an individual that has completed an approved food safety training course. The discount is good for 3 years after the course is taken by the individual. A copy of the course certificate must be received with the Special Event Food Stand Application.

Violations:

Administrative Penalty Fees: Administrative penalties would be assessed for continued non-compliance with corrective orders written as a result of violations of environmental health regulations noted during inspections of licensed establishments. Penalties would be assessed

only after the violation was noted for the third consecutive time in a given establishment.

* **Separate penalties would be assessed for each outstanding violation.**

(See EH Penalty Fee Attachment B)

Critical - Health Hazard: Means a biological, chemical or physical property that may cause an unacceptable health hazard.

Critical - Imminent Health Hazard: Means a significant threat or danger to the health of the public exists in the product, practice, circumstance or an event. Immediate correction is required.

Non-Critical Violation: A non-critical violation, if in non-compliance, is less likely than other violations to contribute to food contamination, illness or environmental harm. Non-critical violations do not pose a direct health hazard to the public.

Water Test: means the collection of a water sample at licensed establishment pursuant to MN Rule 4720 and the Safe Drinking Water Act (SWDA). If the water test shows levels above the MCL a repeat test will be conducted.

F: PUBLIC HEALTH/SANITARIAN/BOARD ACTION 2011. DEFINITIONS 2011 Page 4

PENALTY FEES

APPLICABLE TO CORRECTION ORDERS

Attachment B

Administrative Penalty Fees		
Non-Critical Violation	Per violation	\$25
Critical -Health Hazard	Per violation	\$50
Critical - Imminent Health Hazard	Per violation	½ license fee
Repeated non-compliance at re-inspection	Each administrative penalty	Increase \$25
Re-Inspection/Consultation Fee		
Applicable to all licensed establishments	Hourly rate	\$45
Violations:		
<p>Administrative Penalty Fees: Administrative penalties will be assessed for continued non-compliance with corrective orders written as a result of violations of environmental health regulations noted during inspections of licensed establishments. Penalties will be assessed after the violation is noted for the third consecutive time in a given establishment.</p> <p>* Separate penalties will be assessed for <u>each</u> outstanding violation.</p> <p>There is an opportunity to develop a compliance plan after the third consecutive same violation is identified. The penalty fees will be deferred so long as the owner meets the compliance plan time lines that are agreed upon between the owner and department. If the compliance plan time lines are not met, the penalty fee schedule resumes.</p>		
Critical - Health Hazard: Means a biological, chemical or physical property that may cause an unacceptable health hazard.		
Critical - Imminent Health Hazard: Means a significant threat or danger to the health of the public exists in the product, practice, circumstance or an event. Immediate correction is required.		
<p>Non-Critical Violation: A non-critical violation, if in non-compliance, is less likely than other violations to contribute to food contamination, illness or environmental harm.</p> <p>Non-critical violations do not pose a direct health hazard to the public but requires correction to meet current standards.</p>		

Cheryl Schneider, Director
 Todd County Public Health
 119 3rd St S, Long Prairie, MN
 320-732-4444

Todd County Public Health **Attachment C**
Standardized Compliance Time Frames
For Environmental Health Corrective Orders Issued Policy

Purpose: To provide consistency in setting of compliance dates for corrective orders issued.

Policy: Standardized time frames will be used for compliance with corrective orders issued.

Time Frames:

Compliance time frame: Comply on Site

Critical Imminent Health Hazard violation orders

For critical violations, constituting an imminent health hazard to public. Firms must comply before the environmental health specialist leaves the establishment, action must be taken or initiated to mitigate the imminent health hazard to the public.

Some examples of this violation type are:

Serious cross-contamination issues; temperature violations-holding or cooling/reheating; unsanitary food contact surfaces; potentially hazardous food held beyond 7 days; employee practices; lack of hand washing; failure to properly sanitize equipment/utensils/dishes; ill employees; unapproved food source; no access to hand sink; no sanitizer in firm; sewage system failing; e. coli in water supply/providing an alternate source of potable water; animals in firm; pool with no chlorine; pool without life saving equipment; pool drain cover missing or drain not visible; firm has food service and does not have minimum facilities to engage in such.

Compliance time frame: 1- 4 days

Critical Health Hazard violation orders that are not imminent

For critical violations that are not imminent health hazards but are a hazard to the health of the public, firms are given one to four days to comply.

Some examples of this violation type are:

Potential for cross-contamination; no date marking; no hot water; improper storage of chemicals or personal items; improper sanitizing procedure; no Certified Food Manger or person in charge available; equipment malfunction; temperature of hot water too high;

Compliance time frame: 5 to 14 days

Non-critical violation orders

For non-critical violations firms are given 5 to 14 days to comply.

Some examples of this violation type are:

Sanitation issues covering non-food contact surfaces in prep or ware washing areas; insects/rodents in non-food areas; major garbage or storage issues; minor plumbing issues (leaks); minor chemical storage issues; dishwasher gauges not working or inaccurate; labeling issues with bottles or bulk ingredient containers; access to building by insects or rodents; repair of inoperative vent hood in kitchen; CO2 tanks not properly secured; general sanitation of non-food areas is substandard; lack of thermometers in refrigerators; inoperative vent fans in restrooms; lack of sanitizer test strips; lack of an approved food thermometer; lack of required backflow prevention/air gaps; toilet seats not of a sanitary design; non-shielded lights; missing or damaged ceiling tile replacement; water heater discharge pipe absent or incorrectly installed; well issues-casing needs to be extended or drainage around well head is substandard; minor structural or finish repairs needed; deteriorated mattresses, bedding , draperies.

Compliance time frame: Up to 30 Days

Non-critical facility or equipment violation orders

For non-critical violations that require a major expenditure of time and/or money to bring into compliance, firms given up to 30 days to comply or to have a plan of action in place.

Some examples of this violation type are:

Replacing domestic equipment with NSF; cold plate replacement; installation of required vent hoods; installation of a mop sink when there is none on premises; septic issues-adding capacity or a new system; installation of a new well; installing new floor coverings; major repairs/upgrades to the facility.

****NOTE:** These compliance time frames are subject to modification as public health needs change and new issues arise.

Todd County Public Health
119 Third Street South
Long Prairie, MN 56347
Telephone: 320-732-4440
Fax: 320-732-4445

- b)** Hold an administrative meeting with the operator of the establishment in question to determine a final resolution to the violation(s) in non-compliance and establish whether firm should have its license suspended or revoked.
- c)** Suspension or revocation of license for continued non-compliance with corrective orders and/or serious threats to the public health.
- d)** Criminal prosecution for the most grievous threats to the public health.

Todd County Protocol For The Enforcement of Outstanding Environmental Health Violations

Step One: Violation(s) noted during routine inspection or complaint investigation and corrective order(s) issued with reasonable and consistent time frames given for compliance in accordance with the “Policy on Standardized Compliance Time Frames For Corrective Orders Issued”.

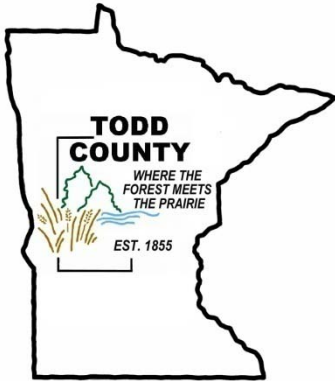
Step Two: During a follow up inspection, or the next routine inspection, the corrective order(s) is(are) noted in non-compliance. A Letter of Non-compliance is sent to operator via certified mail. Letter restates violation(s), date order(s) was (were) issued, and the name of person who issued the order.

- a) For violations that are a hazard to public health, the letter will **set a date for compliance**. It will also state that **a follow up inspection will be conducted after that date to determine compliance**. The re-inspection to verify compliance may be subject to the re-inspection fee.
- b) For violations that have the potential to become a hazard to public health, the letter will set a compliance date and ask that the establishment respond to this department in writing verifying that the violation(s) has (have) been complied with. A follow up inspection subsequent to the receipt of establishment’s response would be optional, and compliance could be verified during the next routine inspection.

Step Three: During a follow up inspection, or the next routine inspection, the corrective order(s) is(are) noted in non-compliance for a second time. Documentation of violation(s) must be solid and objective. The tools available to bring firm into compliance, either alone or in combination with one another, shall include the following, which are incorporated into the “Unified Environmental Health Ordinance” located in Section 11 and 14.

- a) Assessment of a monetary administrative penalty. As determined by the Todd County Board of Commissioners and set forth in the “Fee Structure for Administrative Penalties for Repeat Violations of Environmental Health Regulations”. This Monetary penalty could be issued in the form of a citation, on site, by an Environmental Health Specialist or in the form of a certified letter sent to the firm by Todd County Public Health (preferred method). This penalty may be repeated and increased for continued instances of non-compliance.

Todd County, MN Board Action Form



Action Requested	
<input type="checkbox"/> Action/Motion <input checked="" 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):	

Title (for publication with the Agenda): Morrison -Todd-Wadena Community Health Services Board of Health meeting	
Date of Meeting: October 19, 2010	Total time requested: 5 minutes
Department Requesting Action: Public Health	
Presenting Board Action/Discussion at Meeting: Cheryl Schneider	
Background <input type="checkbox"/> Supporting Documentation enclosed	
The Public Health Director will review with the Commissioners agenda items in preparation for the Morrison-Todd-Wadena Board of Health meeting scheduled for October 22, 2010.	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Financial Implications: \$	Comments
Funding Source:	
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

Signatures	
STATE OF MINNESOTA } COUNTY OF TODD }	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

Todd County, MN Board Action Form



Action Requested	
<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):	

Title (for publication with the Agenda): Approve Ditch Inspector's authorization of bridge replacements - Todd Area Trails Association	
Date of Meeting: October 19, 2010	Total time requested: 5 minutes
Department Requesting Action: Ditch/Ag Inspector	
Presenting Board Action/Discussion at Meeting: Nancy Uhlenkamp	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Attachment #1 Board Action form	
Attachment #2 Resolution	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Approve	
Do Not Approve	
Recommendation <input type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Approve Resolution authorizing Todd County Ditch Inspector to give permission to Todd Area Trails Association to install snowmobile bridges which are located on various County Ditches, providing that the bridge is in the same location as an existing bridge, the bridge will be no larger than 15 ft by 35 ft, and there is no excavation of the ditch channel or damage done to the ditch banks.	
Financial Implications: \$0	Comments
Funding Source:	
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

Signatures	
STATE OF MINNESOTA}	
COUNTY OF TODD}	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

TODD COUNTY DITCH AUTHORITY

Approve Ditch Inspector's authorization of bridge replacements – Todd Area Trails Association

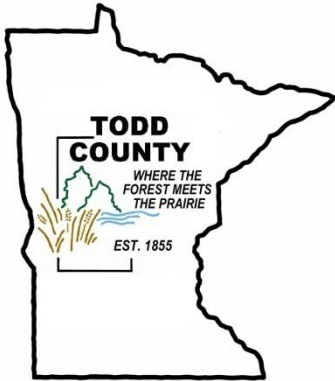
WHEREAS, The Todd Area Trails Association maintains the snowmobile trails in Todd County. Part of this maintenance is to assess the safety and condition of the numerous bridges on the trails. Many of these bridges cross over the County Ditch systems, and

WHEREAS, it is a regular occurrence that bridges need replacing because of damage or because the existing size no longer meets safety requirements, and

WHEREAS, for administrative time and cost savings the request is being made to allow the Ditch Inspector to approve these bridge replacements providing the new bridge is to replace an existing bridge at it's current location and that the new bridge will not exceed 15 feet by 35 feet.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Ditch Authority authorize the Ditch Inspector to approve any bridge replacement requests submitted by the Todd Area Trails Association provided they meet the criteria of the installation being in the same location of an existing bridge, the new bridge size does not exceed 15 feet by 35 feet, and there is no excavation of the ditch channel or damage done to the ditch banks.

Todd County, MN Board Action Form



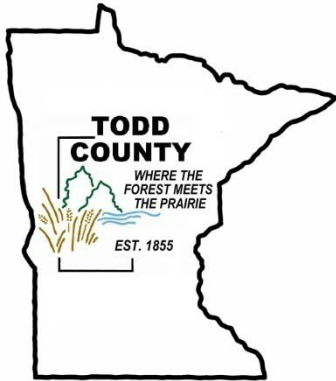
Action Requested	
<input checked="" type="checkbox"/> Action/Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Information Item	<input type="checkbox"/> Report <input type="checkbox"/> Resolution <input type="checkbox"/> Other
Board Action Tracking Number (Admin use):	

Title (for publication with the Agenda): Request to Waive 60 Day Hiring Rule	
Date of Meeting: October 19, 2010	Total time requested: 1 Min
Department Requesting Action: Administration	
Presenting Board Action/Discussion at Meeting: County Administrator	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
County Administration and Public Works are requesting a waiver of the 60 day hiring rule implemented by the County Board. The reason for this request is that a key staff member is departing the public works department and it is necessary to begin the hiring process to replace and ensure snow removal operations are efficient.	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Do not approve request	
Approve request	
Recommendation <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Approval of waiver of the County Board's rule requiring 60 days before a vacated position may be filled to fill the position of Superintendent in the Public Works Maintenance Division.	
Financial Implications: \$0	Comments
Funding Source:	
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

Signatures	
STATE OF MINNESOTA } COUNTY OF TODD }	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

Todd County, MN Board Action Form



Action Requested	
<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):	

Title (for publication with the Agenda): Todd County Board of Commissioners South Country Health Alliance	
Date of Meeting: October 19, 2010	Total time requested: 1 Min
Department Requesting Action: Administration	
Presenting Board Action/Discussion at Meeting: County Administrator	
Background <input checked="" type="checkbox"/> Supporting Documentation enclosed	
Options <input type="checkbox"/> Supporting Documentation enclosed	
Do not approve resolution	
Approve resolution	
Recommendation <input checked="" type="checkbox"/> The Todd County Board of Commissioners approves the following by Motion:	
Approve resolution	
Financial Implications: \$0	Comments
Funding Source:	
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

Signatures	
STATE OF MINNESOTA } COUNTY OF TODD }	
I, Nathan W. Burkett, County Administrator, Todd County, Minnesota hereby certify that I have compared the foregoing copy of the proceedings of the County Board of said County with the original record thereof on file in the Administration Office of Todd County in Long Prairie, Minnesota as stated in the minutes of the proceedings of said board and that the same is a true and correct copy of said original record and of the whole thereof, and that said motion was duly passed by said board at said meeting. Witness my hand and seal:	
Seal	

TODD COUNTY BOARD OF COMMISSIONERS

Todd County Board of Commissioner Resolution

WHEREAS; South Country Health Alliance is a 14 County Minnesota Managed Care Organization authorized to provide managed care services in various Minnesota counties; and

WHEREAS; South Country Health Alliance has entered into a contract with the Center for Medicare and Medicaid Services (CMS) and is participating in Medicare Advantage as a Dual Eligible Special Needs Plan (SNP); and

WHEREAS; Freeborn County has been a participating Member County of South Country Health Alliance Member since 2001, but has chosen to discontinue its membership with South Country Health Alliance beginning 1/1/11; and

WHEREAS; South Country and Freeborn County have developed a mature and successful provider network that serves a significant Medicare and Medicaid enrollee membership located in Freeborn County; and

WHEREAS; the Freeborn County Board of Commissioners has approved Freeborn County Resolution #HS-10-6012010 in support of continuing to contract for the provision of managed care services to eligible Freeborn County residents through South Country Health Alliance for the 2011 service year; and

WHEREAS; to avoid disruption of service to the eligible enrollees, the Minnesota Department of Human Services has acknowledged that South Country Health Alliance would continue to serve the eligible enrollees of Freeborn County in 2011 as a part of its approved service area; and

WHEREAS; the member counties of South Country Health Alliance, in accordance with Minn. Stat. 471.59 and through Resolutions passed by their respected County Boards, have duly empowered the Joint Powers Board of South Country Health Alliance to provide managed care services as authorized under the term of the Joint Powers Agreement and By-Laws; and

WHEREAS; to ensure minimal disruption of service to the citizens of Freeborn County, the South Country Health Alliance Joint Powers Board has unanimously approved South Country Health Alliance Resolution #01-0610-0001 authorizing South Country Health Alliance to continue to provide managed care services to eligible enrollees living in Freeborn County in 2011;

NOW, THEREFORE BE IT RESOLVED, Be It Resolved; that Todd County hereby ratifies the action of the South Country Health Alliance Joint Powers Board regarding the continuing provision of managed care service to eligible enrollees living in Freeborn County,

BE IT FURTHER RESOLVED that Todd County recognizes and acknowledges that the provision of managed care services to enrollees living in Freeborn County is subject to all the rights, obligations and conditions incident thereto; including those described in the South Country Health Alliance Joint Powers Board Articles and By-Laws and any contractual obligations incident thereto.