

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
June 21, 2011*

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 21st day of June, 2011 at 9:00 A.M. The meeting was called to order by Chairperson Blessing with all members present. The meeting was opened with the Pledge of Allegiance.

Approval of Agenda

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

- Added to the agenda:
1. Resolution requesting approval from the Mn Department of Natural Resources for the sale of tax forfeited lands.
 2. Resolution establishing a policy related to payment of the Todd County curbside recycling subsidy.

Routine Business

On motion by Kircher and seconded by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the June 7, 2011 minutes as read.

On motion by Ruda and seconded by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Commissioner Warrants #28122 - #28349 in the amount of \$164,191.89.

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

TRANSFER OF FUNDS FROM GENERAL TO COMMUNITY CORRECTIONS

WHEREAS, The 2011 budget for Todd County's participation in the Todd-Wadena Community Corrections system has been approved at \$272,084, and;

WHEREAS, a letter was received asking for the first half of the appropriation,

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners hereby approve the transfer of the first half of the 2011 budget, \$136,042, from the General Fund to Todd-Wadena Community Corrections Fund.

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

TRANSFER OF FUNDS FROM BUILDING CONSTRUCTION FUND TO ROAD & BRIDGE FUND

WHEREAS, money has been bonded for the purpose to purchase equipment and vehicles for the Highway Department, and;

WHEREAS, equipment has been purchased and paid for out of the Road and Bridge fund, and;

WHEREAS, for record keeping purposes only, all expense should be taken out of the fund where the bond money was receipted.

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NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve the transfer of \$338,950.48, from the Building Construction Fund to the Road and Bridge Fund, which is the amount spent to purchase 2 Motor Grader Units and three pickups in the Highway Department.

On motion by Kircher and seconded by Neumann, the following resolution was introduced and adopted by majority vote with Neumann and Kircher voting against:

RESOLUTION REQUESTING THE CANCELLATION OF MOBILE HOME TAXES AS PER M.S. #277.24

WHEREAS, after much research has been conducted on the listed parcels, attached to this resolution, involving Mobile Homes, the County Auditor-Treasurer has found they are not collectable, due to either being sold, removed, owners are no longer in the area or are deceased, and;

WHEREAS, Minnesota Statute 277.24 allows the Auditor-Treasurer to cancel the taxes due to one or more of the above described circumstances.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners hereby grants permission to the Todd County Auditor-Treasurer to remove the Mobile Home taxes, per attached list, from the tax rolls, for the years listed, in the amount of \$ 3,724.89 as allowed by Minnesota Statute 277.24. (Listing available in the Todd County Administrator's Office).

On motion by Neumann and seconded by Ruda, the following resolution was introduced and adopted by majority vote with Kircher voting against:

RESOLUTION REQUESTING APPROVAL FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE SALE OF TAX FORFEITED LANDS

WHEREAS, the County Board of Commissioners of the County of Todd, State of Minnesota, desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for nonpayment of taxes, and;

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED, that the Todd County Board of Commissioners hereby certifies that all parcels of land on the attached list have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale. [Unless otherwise stated.] The Todd County Board of Commissioners hereby certifies that the Soil and Water Conservation Board (of the district in which the land is located) has reviewed the attached land sale list and identified any and all non-forested marginal land and wetland.

BE IT FURTHER RESOLVED that the Todd County Board of Commissioners hereby requests approval from the Minnesota Department of Natural Resources for the sale of said lands. (Listing available in the Todd County Administrator's Office).

Representative Mary Franson

Representative Franson was present and spoke about the potential government shut down.

Todd County Planning & Zoning

On motion by Ruda and seconded by Neumann, the following CUP was introduced and adopted by majority vote with Kircher voting against: Willie & Emma Yoder. Site address: 17686 300th St. Clarissa,

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MN 56440. Parcel #13-0016900. Application to construct and operate a private school. Building size to be approximately 24 x 48 ft. They will use the existing conforming sewer tank for the privy to this school. Use Permit is required for schools located in all zoning districts in Todd County.

On motion by Ruda and seconded by Kneisl, the following CUP was introduced and adopted by majority vote with Kircher voting against: Roman & Iva Gingerich - Site address: 45165 County 77, Bertha, MN 56437. Parcel #01-0032700. Application to construct and operate a private school to handle a maximum of 30 children. School to be approximately 20x32 ft with a basement and accessory building. Planned privy to be constructed using a sealed septic tank. Use Permit is required for schools located in all zoning districts within Todd County.

On motion by Ruda and seconded by Kircher, the following CUP was introduced and adopted by unanimous vote: Catherine Waldoch - Site address: 33244 335th Avenue, Cushing, MN 56443. Parcel #24-0041800. Application to operate a business of selling puppies. To purchase a maximum of 20 puppies at one time from a breeder and sell them from this site in an existing building. Use Permit is required for a retail business in Ag/Forestry zoned district.

Todd County Sheriff's Department

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

RESOLUTION APPROVING THE STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF TODD AND TODD COUNTY SHERIFF'S OFFICE

WHEREAS, the County of Todd on behalf of the Todd County Sheriff's Office desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreement further provides the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE BE IT RESOLVED, by the Todd County Board of Commissioners as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Todd on behalf of the Todd County Sheriff's Office, are hereby approved.
2. That the Sheriff, Peter J. Mikkelson, or his successor, is designated the Authorized Representative for the Todd County Sheriff's Office. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County connection to the systems and tools offered by the State.
3. That the Chairman of the Todd County Board of Commissioners is authorized to sign the State of Minnesota Joint Powers Agreements.

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

CENTRAL MINNESOTA DRUG AND GANG TASK FORCE

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WHEREAS, the Todd County Sheriff's Office is a member of the Central Minnesota Drug and Gang Task Force, and;

WHEREAS, the Todd County Sheriff's Office has previously entered into a Joint Powers Agreement with the Central Minnesota Drug and Gang Task Force, and;

WHEREAS, the language of the Joint Powers Agreement has been modified pertaining to the members of the Board of Directors, and;

WHEREAS, the new Agreement needs to be signed.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners sign the new Joint Powers Agreement with the Central Minnesota Drug and Gang Task Force.

Todd County Public Health

On motion by Kircher and seconded by Neumann, the following motion was introduced and adopted by unanimous vote: To accept the additional MN Statewide Health Improvement Project grant extension through September 30, 2011 and the additional grant dollars of \$10,895.33.

Todd County Development Corporation

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

TRANSFER OF FUNDS FROM REVOLVING LOAN FUND TO TODD COUNTY DEVELOPMENT CORPORATION REVOLVING LOAN FUND

WHEREAS, Todd County has been entrusted as the fiscal agent to hold funds for the purposes of establishing a revolving loan fund, and;

WHEREAS, the Todd County Development Corporation has been awarded a matching grant from USDA Rural Development to establish a revolving loan fund for Todd County, and;

WHEREAS, the balance of the revolving loan fund is at or above \$113,020.78 as of June 21, 2011.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners hereby approve the transfer of revolving loan funds, in the amount of \$113,020.78 plus interest, from Todd County's revolving loan fund, to Todd County Development Corporation's revolving loan fund, and; BE IT FURTHER RESOLVED, that by accepting these funds Todd County Development Corporation agrees to administer the revolving loan fund in accordance with policies required by USDA, and to make financial records regarding the revolving loan fund available to Todd County or its agents for review.

Closed Session

On motion by Ruda and second by Kneisl, the Todd County Commissioners' Meeting was recessed and went into closed session at 10:00 am to discuss employee matter.

On motion by Ruda and second by Neumann, the Todd County Commissioners' Meeting was resumed at 10:15 am. Chairman Blessing asked for a motion to approve the resignation of Mark Vigil with no response.

On motion by Ruda and second by Kneisl, the Todd County Commissioners' Meeting was recessed again and went into closed session at 10:35 am to discuss employee matter.

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On motion by Ruda and second by Kneisl, the Todd County Commissioners' Meeting was resumed at 10:58 am.

On motion by Neumann and seconded by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve settlement agreement with employee Mark Vigil, Sheriff's Office, Jailer-Dispatcher and accept resignation.

Todd County Administrator

Discussion was held regarding sending a letter to the State Legislature and Governor regarding the potential State shutdown. It was agreed to direct the Administrator to write the letters and send them out.

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

A RESOLUTION SUPPORTING APPLICATION FOR STATE CAPITAL BONDING FUNDS FOR A SENIOR CENTER TO PROVIDE COUNTY WIDE BENEFIT IN THE AREAS OF SENIOR NUTRITION, HEALTHY LIVING AND COMMUNITY ENGAGEMENT

WHEREAS, Todd County has one of the highest median ages in the State of Minnesota, and;
WHEREAS, Todd County values the ability of an individual or family to live independently and healthy and to live longer better, and;

WHEREAS, in a rural setting it is imperative that senior citizens have a strong support structure and network to ensure that they are able to stay in their homes and live fulfilling lifestyles, and;

WHEREAS, senior citizens are a vital and vibrant part of the Todd County Community and this project will grow the capacity of the community to support seniors, and the capacity of seniors to support the community.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners supports application to the State of Minnesota for a capital bonding request for 2012, and commits support to the planning and implementation of programs and facilities to ensure the vitality of the senior community in Todd County.

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

A RESOLUTION ADOPTING PERFORMANCE MEASURES

WHEREAS, the Legislature of the State of Minnesota has created a performance measurement program and;

WHEREAS, that performance measurement program requires that counties that voluntarily choose to participate must submit a resolution to that effect no later than July 1, 2011, and;

WHEREAS, Todd County has been engaged in strategic performance management since February of 2010, and the measures required by the State are reasonable and do not unduly burden county staff to produce.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners hereby adopts the performance measures as outlined in the Council on Local Results and Innovation 2011 Legislative Report and will report in accordance with the directive of the State Auditor's office.

BE IT FURTHER RESOLVED, that this resolution be contingent upon receipt of the \$.14 per capita aid outlined in Minnesota Statute for participating in this program.

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On motion by Kircher and seconded by Ruda, the following motion was introduced and adopted by unanimous vote: To approve contract with Johnson Controls, Inc. of St. Cloud, MN for up to \$12,500 to upgrade the control systems in the County buildings.

On motion by Kneisl and seconded by Ruda, the following motion was introduced and adopted by unanimous vote: To approve Option 1 to adopt the proposal to create a Property Records and Taxpayer Services Division and direct County Administration to take appropriate action to implement changes and to approve Option 3 to approve filling one PRTS generalist position.

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

A RESOLUTION ESTABLISHING A POLICY RELATED TO PAYMENT OF THE TODD COUNTY CURBSIDE RECYCLING SUBSIDY

WHEREAS, the Todd County Board of Commissioners has set aside funding as a subsidy to licensed Todd County solid waste haulers for the purposes of partially offsetting the costs to collect recyclables at residential sites, and;

WHEREAS, the County Board desires to establish a protocol for acceptable expenditure of these public funds.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners establishes the following policy as it relates to payment of the Todd County Curbside Recycling Subsidy, effective immediately upon passage of this resolution:

Purpose: to establish a policy related to payment of the Todd County Curbside Recycling Subsidy Todd County will pay, out of Solid Waste Enterprise Funds, a subsidy of up to \$0.75 per household, per month to licensed solid waste haulers who provide curbside recycling service to Todd County residential customers. The following conditions must be met to the satisfaction of the Solid Waste Administrator before payment is authorized:

1. A licensed waste hauler with a contract or franchise with any city in Todd County will make recycling services available to each household within the city limits to receive the subsidy. The number of residential households must be provided to the County, and may be provided by the licensed hauler or the city.
2. A licensed waste hauler must provide Todd County, on a quarterly basis (by no later than January 15th, April 15th, July 15th, October 15th of each year), a list of customers, including the customer's name, billing address, and telephone number (if telephone number is available) of each and every customer that the hauler is seeking subsidy for services provided. Todd County may spot check to assure that services are being provided. A licensed waste hauler may submit a quarterly billing along with their quarterly account information. In the case of rental properties, notification may be sent to landlords of managers of rental properties. A licensed waste hauler must submit a copy of the letter (describing services to customers) along with its quarterly billing.
3. A licensed waste hauler must provide Todd County with a master list of all customers not covered under City contract or franchise agreement. The list of customers will include the customer's name and address of each customer the hauler is seeking subsidy for services

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provided (outside the cities under contract or franchise agreement). Todd County may spot check to assure that services are being made available. The licensed waste hauler will provide the telephone numbers (if telephone numbers are available) as needed for spot check. A licensed waste hauler may submit a monthly or quarterly billing along with any changes made during the specified time period, providing any additions or deletions to the master list.

4. A licensed waste hauler, in return for being provided with a curbside subsidy, must haul all recyclable materials so subsidized by Todd County to the Todd County Recycling facility; 30433 U.S. Highway 71, Browerville, Minnesota 56438.

Administrator's Report

Construction at the Historic Courthouse is moving along. We have found several items that will require change order including some soils issues in the area under the parking lot. Requests for Category 5, Doors, have been sent out by Contegrity, and they are working on an RFP for roofing services in accordance with the Board's direction. State shutdown planning is proceeding as directed by the Board. The County Administrator is preparing a recommendation for the Board, including categories of "State Essential", "County Essential", "County Priority", and "County Value". The Leadership Team will be meeting on June 27 to discuss the Administrator's recommendation. If the County Board or any commissioner wants any specific information regarding state shutdown from the County Administrator, the Administrator will provide said information to the greatest extent possible with the understanding that solid information is difficult to gain at this point given the uncertainty at the State level. Budget preparation for 2012 is continuing in concert with state shutdown procedures, and preparation will continue to be on schedule even given the increased volume of planning for state shutdown.

Commissioners' Report

Nothing at this time.

Adjourn

On a motion by Ruda and seconded by Neumann the meeting was adjourned for the month of June.

COMMISSIONER WARRANTS

VENDOR NAME	AMOUNT
BARGEN INC	5,442.61
COBORNS	2,548.41
DELL MARKETING	10,234.10
FLEET SERVICES DIVISION	21,024.70
IVERSON REUVERS LLC	3,021.75
KINETIC LEASING INC	18,897.00
METRO SALES INC	2,823.09
METRO SALES INCORPORATED	2,542.03
MN STATE AUDITOR	6,938.00
MOTOROLA	38,333.00
NORTHERN BUSINESS	3,520.32
SHIRLEY'S GAS & GROCERIES	2,832.49
STAPLES WORLD	2,686.07

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TODD CO MIS DEPT	6,168.50
PAYMENTS LESS THAN \$2000	37,179.82
FINAL TOTAL.....	\$164,191.89

On a motion by Ruda and second by Neumann the preceding minutes of the County Board meeting held June 21, 2011 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on July 5, 2011

Witness my hand and seal:



Mark Blessing, County Board Chairperson



Nathan Burkett, County Administrator