

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
October 2, 2012*

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 2nd day of October, 2012 at 9:00 AM. The meeting was called to order by Chairperson Ruda. The meeting was opened with the Pledge of Allegiance.

Approval of Agenda

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the agenda with the following changes:

1. Add – Sheriff's Department - Enforcement Grant

Routine Business

On motion by Kircher and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the September 18, 2012 Minutes as read.

On motion by Blessing and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the actions of HHS Committee Meeting held September 25, 2012 in accordance with the minutes on file in the Todd County Administration Office.

On motion by Kneisl and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve Commissioner Warrant numbers 32308 thru 32433 in the amount of \$157,361.76 for payment on October 5, 2012.

NATIONAL 4-H WEEK OCTOBER 7-13, 2012

WHEREAS, 4-H youth across the nation are leading efforts to solve problems in their communities and make a difference for their futures;

WHEREAS, 4-H is one of the largest youth development organizations in Minnesota and the largest in the nation with six million young people.

WHEREAS, 4-H in Todd County claims 4-H program numbers more than 245 members and more than 84 volunteers.

WHEREAS, 4-H as part of Extension of the University of Minnesota is a program where youth learn through opportunities that provide them hands-on experiences in 4-H's mission mandates of science, engineering and technology; healthy living; and citizenship.

WHEREAS, 4-H has connected youth and their communities with the innovative research and resources from our nation's 106 land-grant universities and colleges for more than 100 years;

NOW, THEREFORE, I, Gerald Ruda, Chairman of the Todd County Board of Commissioners, do hereby proclaim October 7-13, 2012, as National 4-H Week in Todd County. I urge the people of this community to take advantage of the opportunity to become more aware of this special program that enhances our young people's interests in their futures as part of Todd County 4-H Youth Development and to join us in recognizing the unique partnership between our county and our state University System.

TODD COUNTY BOARD OF COMMISSIONERS

On a motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the signing of a two year lease with the Long Prairie Hockey Association to use the Expo building at the Todd County Fairgrounds starting September 15, 2012 and ending March 31, 2014 with the stipulation of having proof of insurance in place. (Lease on file in the Administration Office).

Todd County Sheriffs' Department

On motion by Blessing and second by Kircher, the following motion was introduced and adopted by unanimous vote: To accept the 2013 TVD Enforcement Grant for public safety in the amount of \$14,450.00.

Hands of Hope

On a 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, Our 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, regardless of race, age, religion, income level gender or occupation, and is happening in Todd County;

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

WHEREAS, Domestic violence costs the nation between \$8 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 has affected over 317 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 2012 as Domestic Violence Awareness Month and urge all citizens to work with Hands of Hope Resource Center in eliminating domestic violence in our communities.

Attorney's Office

On a motion by Kneisl and second by Blessing, the following motion was introduced and adopted by unanimous vote: To support the Hennepin County lawsuit seeking payment of deed tax from Fannie Mae and Freddie Mac.

Administration

It was brought to the attention of the County that there may have been issues created with the grounding of the plumbing and electrical service during renovation of the Historic Courthouse. Travis Fuechtmann from Contegrity was present and reported they found no findings after research into this issue.

TODD COUNTY BOARD OF COMMISSIONERS

On a motion by Kircher and second by Neumann, the following motion was introduced and adopted by unanimous vote: To rescind the previously passed resolution regarding establishment of a Todd County Committee on Ultra-High Speed Broadband.

On motion by Neumann and second by Kircher to adopt the new resolution was introduced and adopted by unanimous vote:

A RESOLUTION ESTABLISHING AND DIRECTING A TODD COUNTY COMMITTEE ON ULTRA-HIGH SPEED BROADBAND

WHEREAS, the Todd County Board of Commissioners supports, and is in possession of many letters, resolutions and petitions of support for the launch of a county-wide, ultra high speed broadband network to every home, business and institution in Todd County, and;

WHEREAS, the County Board authorized a feasibility study to determine the feasibility and financial parameters of launching such a network, and;

WHEREAS, the County Board is in support of continuing the discussion of bringing ultra-high speed broadband to Todd County.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners establishes, as an official committee of Todd County, a committee to be known as the Todd County Fiberband Committee. The committee is commissioned with the following composition, duties and authorization:

1. Composition

- a. The committee shall be comprised of:
 - i. Two County Commissioners
 - ii. One member or delegate of the Todd County Livestock Advisory Committee
 - iii. One member or delegate of the Todd County Development Corporation
 - iv. Five members of the community with a demonstrated interest in the subject matter
- b. All members shall be appointed by the Todd County Board of Commissioners.

2. Duties

- a. Research market conditions and demand for an ultra-high speed broadband network in Todd County
- b. Research legislation at all governmental levels that may have an impact upon the County's ability to obtain an ultra-high speed broadband network
- c. Recommend actions to the County Board and other legislative bodies to enable speedy deployment of an ultra-high speed broadband network
- d. Meet, convene and confer with professionals, stakeholders, deemed advisable to establishment of an ultra-high speed broadband network
- e. Meet as a committee on a schedule deemed appropriate by the committee
- f. Report on a monthly basis to the Todd County Board of Commissioners regarding activities
- g. Appoint a chairperson to guide the committee

3. Authorizations

- a. Committee members are authorized use of the County's facilities.
- b. Committee members are authorized a \$35 per diem for meetings of the committee or authorized by the committee

TODD COUNTY BOARD OF COMMISSIONERS

- c. Mileage reimbursement for travel from the member's primary residence to committee meetings or meetings authorized by the committee
- d. To spend funds from a budget approved by the County Board, up to \$500 per expenditure, expenditures exceeding \$500 must be approved by the County Administrator
- e. To request additional assistance or resources from the County Board or County staff as deemed advisable to complete the committee's duties

BE IT FURTHER RESOLVED, that Commissioners David Kircher and Gary Kneisl are appointed as members to the Committee, and that County Administration shall issue notice of a vacancy to fill positions on the committee and accept applications in accordance with the County's policies.

Public Hearing – Septic Ordinance Amendment

Open Public Hearing at 9:32 am for the Septic Ordinance Plan. Closed Hearing at 9:48. No Public Comment.

Soil, Water, Conservation and Development Division

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

RESOLUTION FOR ADOPTING AMENDMENTS TO TODD COUNTY PLANNING & ZONING ORDINANCE

WHEREAS, Minnesota statutes Chapter 394 authorizes the adoption of controls by the Board of County Commissioners, and;

WHEREAS, the Todd County Planning Commission held a public hearing on July 5, 2012 to discuss proposed amendment to modify the existing ordinance language that requires evidence of septic system compliance before a Todd County permit or land use application is granted. The new language would still require evidence of septic system compliance if application includes addition of a bedroom - Planning & Zoning Ordinance language Section 7.15 D&E(i) and Section 9.08E(iii),

WHEREAS, the County Board of Commissioners at their July meeting made additional changes to the proposed ordinance change, posted the ordinance changes for a public 30 day review and comment period to be followed by a Planning Commission public hearing and recommendation

7.15 Nonconformities

- D. A sewage treatment system not meeting the requirements of Section 9.08 of this ordinance must be upgraded, at a minimum, at any time a permit or variance of any type is required for any improvement on, or use of, the property *as specified in E(i) below*. For the purposes of this provision, a sewage treatment system shall not be considered nonconforming if the only deficiency is the sewage treatment system's improper setback from the ordinary high water level.**
- E. Todd County will require a continuous onsite sewage treatment system program for the purpose of identifying nonconforming onsite sewage treatment systems. Evidence of a sewage treatment system compliance, as verified by a State-licensed site evaluator, must be provided upon the following:**

TODD COUNTY BOARD OF COMMISSIONERS

- (i) Any application for variance, conditional use permit, ~~permits for enlargement or intensification or improvement of property.~~ for new home construction and/or addition of a bedroom to existing home. ~~or increase home occupancy.~~

9.08 Sewage Treatment Standards

- (E). Nonconforming Sewage Treatment System - upgrading requirements. **A sewage treatment system not meeting the requirements of Minnesota Rules Chapter 7080, must be upgraded, at a minimum, upon any of the following:**

The application for a Conditional Use Permit;

The application for a Variance;

~~The issuance of a permit to enlarge, add to, or structurally alter a dwelling (This includes adding an enclosed deck or attached garage).~~ The issuance of a permit to construct a new dwelling or to enlarge, add to, or structurally alter a dwelling in such a way as to increase occupancy (i.e adds bedroom(s) to residence Permit for new home construction and/or addition of a bedroom to an existing home.

Prior to the sale or transfer of any property in Todd County, the sewage treatment system must have a compliance inspection unless a valid certificate of compliance is on file with the county. If not found in compliance, the system must be:

Brought into compliance prior to the transfer of property, OR,

The seller shall provide the buyer sufficient security in the form of an escrow agreement to assure the installation of a standard sewage treatment system, as defined in Minnesota Rules Chapter 7080. The escrow amount shall be equal to 150 percent of a written estimate from a licensed and certified sewage treatment system installer or 110 percent of a written contract price provided by a state licensed and certified sewage treatment system installer. A copy of the estimate or contract shall be provided to the Department along with a copy of the escrow agreement prior to the property transfer. The system must be updated in accordance with Section 9.08(iii), OR;

System discontinued for use per Section 9.08(iii).

WHEREAS, the Todd County Planning Commission at the September 6, 2012 meeting made the recommendation to approve the listed changes to the Todd County Planning & Zoning Ordinance as presented.

NOW, THEREFORE BE IT RESOLVED, the Todd County Board of commissioners hereby approves the changes to Section 7.15 and 9.08 as presented.

Administrator's Report

The Administrator reported receiving correspondence from the Initiative Foundation requesting contribution for 2013. No money has been set aside at this point.

TODD COUNTY BOARD OF COMMISSIONERS

Commissioner's Report

Kneisl gave an update on the Perham incinerator expansion. The last public hearing will be October 24, 2012 and then they should be able to start construction next spring. Neumann asked when the hold would be released on the pathway work at the Battle Point. The Administrator explained he had to ask the Sauk River Watershed whether it would be an issue and there were not any, so they should be able to start work immediately. Ruda reported that the Todd County Clean up days at the transfer station went well and over 500 loads were brought in and we served over 600 households. There were people there from every township. Ruda gave a DOT letter to the commissioners for a meeting that is going to be held in St. Cloud on October 15, 2012, if anyone is interested to let him know. Ruda reported on the Gourley project in Leslie Township, the MPCA missed the deadline so they have to decide if they are going to have a special meeting. Gourley wants the MPCA to put it on the agenda for an existing meeting before October 16, 2012. After discussion, it was decided to wait to hear from the MPCA first and then decide when to have the meeting. Blessing reported the overpass project in Staples is 3 - 4 weeks ahead of scheduled and there will be a ribbon cutting ceremony on the 17th of October at 1:00 pm.

Adjourn

The meeting was recessed by action of Chairman Ruda until October 16, 2012 at 9:00 am.

COMMISSIONER WARRANTS

Vendor Name	Amount
Centra Care Health Systems Long Prairie	2,740.74
Central Applicators Inc	4,353.17
Central Specialties Inc	18,083.63
Commissioner Of Transportation	2,016.36
Contech Construction Products	8,132.28
Country Roads Construction	21,881.48
Diamond Mowers Inc	30,985.74
Doug's Excavating Inc	2,882.00
Geo-Com Corp	2,639.04
Long Prairie Leader	3,036.80
Long Prairie Oil Company	2,366.83
Metro Sales Inc	6,074.02
RTVision Inc	9,276.75
Seh Incorporated	2,212.50
Synergy Graphics	6,033.53
Total Tire And Gear Inc	2,128.77
Ziegler Inc	4,564.85
Payments less than 2000	27,953.27
Final Total	157,361.76

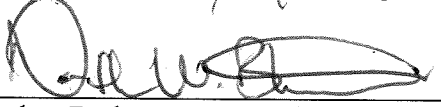
On a motion by Blessing and second by Kneisl the preceding minutes of the County Board meeting held October 2, 2012 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on October 16, 2012

TODD COUNTY BOARD OF COMMISSIONERS

Witness my hand and seal:



Gerald Ruda, County Board Chairperson



Nathan Burkett, County Administrator