

# TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on  
November 6, 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 6th day of November, 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 – One day gambling permit for Society of Saint Pius X
2. Remove – Public Hearing – Todd County Solid Waste Management Ordinance

## **Routine Business**

On motion by Kircher and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the October 16, 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 October 23, 2012 in accordance with the minutes on file in the Todd County Administration Office.

On motion by Kneisl and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve Auditor Warrant numbers 219006 thru 219210 in the amount of \$7,005,144.58 for the month of October, 2012.

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve Commissioner Warrant numbers 32561 thru 32746 in the amount of \$164,313.76 for payment on November 9, 2012.

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

### **GAMBLING PERMIT FOR THE SOCIETY OF SAINT PIUS X**

WHEREAS, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for the Society of Saint Pius X through this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve a one day, Gambling Permit for the Society of Saint Pius X, located at 18910 Ellipse Loop, Long Prairie, MN, to hold a raffle on December 30, 2012.

## **Todd County Soil, Water & Conservation**

9:05 Public Comment was held for Persons in favor of proposed Gourley Brothers CUP.

9:20 Public Comment was held for Persons against the proposed Gourley Brothers CUP.

Jason Kuboushek from Iverson, Reuvers LLC was present for questions regarding the Grouley Brothers CUP.

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Motion made by Neumann to deny the CUP for Gourley Premium Pork LLC. For lack of second, the motion failed.

On motion made by Kneisl and second by Kircher the following CUP was introduced and adopted by roll call vote: Kneisl yes, Neumann no, Kircher yes, Blessing no, Ruda yes.

Property Owners: Gourley Premium Pork LLC. Site Address 25445 Co 1. (40 acres) NE4 SE4, Section 8, Twp 129, Range 35, Leslie Township, Todd County. Conditional Use Permit to construct and operate a hog farrowing & gestation facility. Facility consists of a totally confined 230x424 ft building with a 12 ft deep pit under the entire area of the building and a 12 x 60 x 6 ft compost bay with/without roof. Total confinement of 1,412 animal units consisting of: 750 gilts -50-250 lbs; 2930 sows; 300 nursery pigs. An NPDES Permit from MN Pollution Control Office (MPCA) is required because the facility will house more than 1,000 animal units. An EAW has been completed by applicants as is required by MPCA. Granted contingent on MPCA findings of a negative declaration of EAW and conditions: (1) Meet all MPCA regulations. (2) Prepare a storm water management plan for the site capable of handling a 25 year storm event (4.5" rain in 24 hours) and have this plan reviewed and accepted by Todd County SWCDD prior to construction. Obtaining necessary building permits through Planning and Zoning will be contingent on this plan being complete. (3) In place of a Biofilter, Gourley Brothers will comment to conducting air monitoring using Air Monitoring Trailer and monitoring for hydrogen sulfide and ammonia. If issues are documented then the company will take remedial action. (4) Submit a structural design for animal composting for approval to Todd County Feedlot Officer. Obtaining necessary permits for composting facility will require staff review of this design. Develop a plan for catastrophic animal loss that it is tentatively approved by Department of Animal Health in advance to allow quick and safe disposal. (5) Collect baseline water quality data (nitrate, soluble phosphorus, e-coli) from perimeter tile prior to animals occupying the site and annually thereafter and submitted to MPCA and Todd County Feedlot Officer. (6) Install and maintain a compliant septic system to serve the site and its expected employees. (7) Establish a vegetative screen along the east and southern roadways to reduce dust and light impacts (Minimum 3 rows – 2 conifer and 1 shrub). (8) Observe proper well setback from feedlot based on well depth. (9) Copy Todd County Feedlot Officer on all reports submitted to MPCA. (10) Work with SWCDD to create a plan to ensure that no contaminated water from the facility can get to Dismal Creek.

## Closed Session

On motion by Blessing and second by Neumann, the Todd County Commissioners' Meeting was recessed and went into closed session at 10:20 am with Jason Kuboushek, Attorney from Iverson-Reuvers regarding the Todd County vs Central Specialties Incorporated case.

On motion by Kneisl and second by Blessing, the Todd County Commissioners Meeting was resumed at 10:30 am.

## Todd County Public Works

On a motion by Kircher and second by Blessing, the following motion was introduced and adopted by unanimous vote: The board recommends Brandon Communications attend the next Board Meeting

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November 20, 2012 with a compatibility study done and spot checks of coverage in the Todd County area.

On a motion by Blessing and second by Neumann, the following motion was introduced and adopted by unanimous vote: To instruct the County Engineer to submit an application for a ground-in wet reflective striping project for either FY 2014 or 2015 in the Highway Safety Improvement Program.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve Cooperative Agreement the City of Staples for Winter Maintenance Activities.

On a motion by Kircher and second by Blessing, the following motion was introduced and adopted by unanimous vote:

## **FINAL PAYMENT AUTHORIZATION – SAP 077-654-001**

### **2010 TRUNK HIGHWAY 10 TURNBACK PROJECT IN THE CITY OF STAPLES**

WHEREAS, the contract with Tom's Backhoe Service, Inc. for the 2010 Trunk Highway 10 Turnback Project known as SAP 077-654-001 located on Second Avenue in the City of Staples, has in all things been completed, and;

WHEREAS, construction work on this contract was scheduled and completed with the value of the total work certified being \$3,966,410.16, and;

WHEREAS, partial payments amounting to \$3,939,210.16 have been previously been made to the contractor as work progressed, and;

WHEREAS, it has been determined that \$27,200.00 still remains to be paid to Tom's Backhoe Service, Inc, and:

WHEREAS, the City of Staples has provided approval of authorization for final payment of this project.

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, contingent that all required project close out documentation is provided by Tom's Backhoe Services, Inc before final payment is made.

Discussion was held when to hold the Todd County Solid Waste Management Ordinance Public Hearing.

On a motion by Blessing and second by Kircher, the following motion was introduced and adopted by unanimous vote: To hold the Todd County Solid Waste Management Ordinance Public Hearing on December 18, 2012 at 10:00 a.m.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the 2013 Environmental Health Fee Schedule.

### **Todd County Ditch & Ag**

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

### **HOLD HARMLESS AGREEMENT - PRIVATE CROSSING – COUNTY DITCH 29**

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WHEREAS, Joseph Bontrager is requesting to install a private culvert crossing in CD29. The project will be done on his own property at his own expense. A Hold Harmless Agreement has been signed and submitted to the Ditch Authority, an onsite inspection has been done, and;

WHEREAS, The culvert to be installed is a 48" which meets or exceeds the hydraulic capacity of the upstream and downstream culverts. The culvert will be placed at original ditch bottom elevation.

NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to Joseph Bontrager to install a private culvert crossing in CD29, located on his own property and at his own expense.

On a motion by Blessing and second by Neumann, the following resolution was introduced and adopted by unanimous vote: To approve acknowledge of receipt of petitions from Arthur Lanske, Brooke Silvernail, and Villard Twp to abandon part of lateral 1 located in SW4 SW4 Villard Twp section 17 and branch 1 of lateral 1 located in N2 NE4 Villard Twp section 20 of County Ditch 28. To remove parcels 25-0019700, 25-0019900, 25-0017200, 25-0016000, and 25-4001500 from the assessment roll, and to place the petitions on the Hearing Agenda for the meeting being held November 26, 2012.

## Administration

On a motion by Kneisl and second by Blessing, the following motion was introduced and adopted by majority vote with Neumann voting against: To approve \$80,950.00 capital contribution to Prairie Lakes Municipal Solid Waste Authority to be paid out of Solid Waste reserves.

Mike Hanan from Todd County Solid Waste Department reported they had a Tax Audit indicating for the years 2009-2011 the county owes \$7,167.15 for solid waste collection tax.

On a motion by Kneisl and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve the payment in the amount of \$7,167.15 to the Department of Revenue.

On a motion by Blessing and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve letter of support to be signed by the County Administrator for Region V Development Commission's application to the EPA for Brownfields Assessment Grant funds.

On a motion by Blessing and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve the 2013 Long Term Disability Group Coverage renewal with National Insurance Services of Wisconsin, Inc.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To appoint Commissioners Neumann and Ruda to serve on the search committee for the agriculture educator search committee.

## Commissioner's Report

The Todd County Commissioners does not have a Board Meeting on December 4, 2012. There will be a special budget meeting on November 27, 2012 at 6 pm in the Board Room. Next Tuesday, November 13,

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2012 there will be a Health and Human Services Meeting and a Work Session will also be held that day at 10:00 am.

## Adjourn

The meeting was recessed by action of Chairman Ruda until November 20, 2012 at 9:00 a.m.

### AUDITOR WARRANTS

Vendor Name	Amount
American Heritage Bank	34,655.45
Computer Professionals	4,217.77
Fleet Services	6,444.72
Fleet Services Division	4,693.40
Gene-O's Countryside Rest Llc	2,774.00
Impact Technology	2,009.25
Long Prairie Oil Company	7,905.56
Long Prairie Sanitary Service	2,873.96
Mn Dept Of Finance	6,530.50
Morrison County	30,383.28
Perham Resource Recovery Facility	25,684.80
Resource Training And Solutions	164,460.50
Todd County Dac	4,092.00
Payments less than 2000	17,421.81
Anderson Brothers	23,899.53
City Of Long Prairie	9,078.93
Forum Comm Printing	5,000.00
Long Prairie Oil Company	8,429.60
Mathiowetz Construction Company	1,177,729.51
Minnesota Power & Light	10,531.42
Rainbow Rider	4,200.00
Resource Training And Solutions	175,391.50
Stoeckel Jahner Inc	2,720.00
Studio E Architects Llc	31,430.00
Univ Of Mn-Ext Fiscal & Acct	24,621.75
Wolf/Sara	2,000.00
Wsb And Associates	69,201.69
Zayo Enterprise Networks	3,316.99
Payments less than 2000	9,480.86
American Heritage	4,951.95
Anoka Co Government Center	17,318.25
Assessco Envir Services	2,375.00
Central Suspensions Inc	4,222.00
City Of Bertha	20,972.53

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Contegrity Group Inc	2,754.63
Full Spectrum Finishing	6,806.75
Goodells Welding And Fab Inc	3,199.16
Jerome Getz Const Llc	9,834.33
Marvin Tretter, Inc	343,383.53
Mid Central Door Co	6,678.00
Northern Star Coop	2,324.25
Payments less than 2000	5,656.17
Fleet Services Division	4,543.59
Long Prairie Oil Company	7,840.00
Payments less than 2000	8,636.09
American Heritage Bank	533,848.26
Big Swan Lake Improvement Dist.	5,860.28
City Of Bertha	25,247.47
City Of Browerville	96,959.84
City Of Burtrum	8,042.69
City Of Clarissa	71,519.13
City Of Eagle Bend	86,496.54
City Of Grey Eagle	53,172.37
City Of Hewitt	18,465.47
City Of Long Prairie	383,466.46
City Of Osakis	78,845.19
City Of Staples	295,964.94
City Of West Union	5,640.71
Region V Developmt Commission	7,037.68
Sauk River Water Shed District	37,243.45
School District 213	284,848.00
School District 2170	176,478.60
School District 2753	795,358.20
School District 2759	78,654.29
School District 486	151,992.24
School District 740	60,727.36
School District 743	243,781.76
School District 786	95,474.76
School District 787	121,960.12
School District 789	9,138.72
School District 790	8,844.96
School District 818	6,855.51
Town Of Bartlett	15,114.58
Town Of Bertha	12,273.02
Town Of Birchdale	60,005.48
Town Of Bruce	37,285.01

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Town Of Burleene	15,763.81
Town Of Burnhamville	54,974.95
Town Of Eagle Valley	17,761.47
Town Of Fawn Lake	42,398.25
Town Of Germania	11,592.47
Town Of Gordon	33,299.27
Town Of Grey Eagle	93,460.89
Town Of Hartford	37,063.23
Town Of Iona	12,709.09
Town Of Kandota	36,696.75
Town Of Leslie	56,960.73
Town Of Little Elk	18,331.16
Town Of Little Sauk	45,361.16
Town Of Long Prairie	45,438.18
Town Of Moran	20,536.52
Town Of Reynolds	21,557.07
Town Of Round Prairie	40,900.83
Town Of Staples	64,204.65
Town Of Stowe Prairie	19,938.58
Town Of Turtle Creek	28,250.07
Town Of Villard	42,816.43
Town Of Ward	28,564.90
Town Of West Union	9,513.25
Town Of Wykeham	14,820.76
Payments less than 2000	2,952.01
Total Disbursements	7,005,144.58

## COMMISSIONER WARRANTS


	Amount
Commissioner Warrants	
American Lung Association	3,840.15
Braaten Sand & Gravel	16,212.33
Cargill Salt Division	31,153.00
Central Mn Council On Aging	2,162.48
City Of Long Prairie	4,265.37
Contech Construction Products	18,881.66
Gould Construction/David	3,850.00
Long Prairie Oil Company	2,788.70
Maciej Construction	5,420.00
Morrison Co Public Health Serv	3,363.15
Royal Tire	2,893.93
S.W. Recycling	6,570.00
Total Tire And Gear Inc	5,461.66

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Triman Systems Inc	3,041.25
Uniforms Unlimited	2,210.36
West Central Tech Service Area	7,000.00
Payments less than 2000	45,199.72
Final Total	164,313.76

On a motion by Kircher and second by Blessing the preceding minutes of the County Board meeting held November 6, 2012 were duly approved by majority vote with Neumann voting against at the Todd County Board of Commissioners Regular Board Meeting held on November 20, 2012.

Witness my hand and seal:

  
Gerald Ruda, County Board Chairperson

  
Nathan Burkett, County Administrator