

# TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on  
November 20, 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 20th 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 – Approval of Narrowband Public Works Radios
2. Add – Discussion of additional information needed for approval of CUP's

## Routine Business

On motion by Kircher and second by Blessing, the following motion was introduced and adopted by majority vote with Neumann voting against: To approve the November 6, 2012 Minutes as read.

On motion by Neumann and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve the actions of HHS Committee Meeting held November 13, 2012 in accordance with the minutes on file in the Todd County Administration Office.

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve Commissioner Warrant numbers 32747 thru 32860 in the amount of \$78,336.79 for payment on November 21, 2012.

## Todd County Public Works

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

**FINAL PAYMENT AUTHORIZATION FOR 2012 HIGHWAY CONSTRUCTION CONTRACT  
SAP 077-607-009, SAP 077-621-019, SAP 077-628-005,  
CP 12:74, CP 77-12-01 & CP 77-12-02**

WHEREAS, the 2012 highway construction contract with Central Specialties, Inc. for SAP 077-607-009, SAP 077-621-019, SAP 077-628-005, CP 12:74, CP 77-12-01 & CP 77-12-02, 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 \$2,654,629.82, and;

WHEREAS, partial payments amounting to \$2,519,048.33 have been previously been made to the contractor as work progressed, and;

WHEREAS, it has been determined that \$135,581.49 still remains to be paid to Central Specialties, 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.

# TODD COUNTY BOARD OF COMMISSIONERS

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

## **2013 MASTER BRIDGE PRIORITY REPLACEMENT LIST**

WHEREAS, Todd County has determined that the attached list of bridge on County State Aid Highways, County Roads, Township Roads, and Municipal Streets are either listed as structurally deficient or are a high priority for removal and replacement within the immediate future, and;

WHEREAS, local roads play an essential role in the overall state transportation network and local bridge are a critical component of the local road system, and;

WHEREAS, State support for the replacement of bridges continues to be crucial to maintaining the integrity of the local road system and is necessary funding source for the County, Townships, and Municipalities to proceed with replacements of the bridges on the attached list, and;

WHEREAS, Todd County intends to proceed with the replacement of these bridges as soon as State Transportation Bond Funds become available.

NOW, THEREFORE BE IT RESOLVED, that Todd County commits that it will proceed with the replacement of these listed bridges immediately after being notified of the availability of State Transportation Bond Funds.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve attached proposal from Brandon Communications to migrate all the Public Works Radios to digital narrowband channel bandwidth in the amount of 29,241.32. (Proposal on file in the Administration and Public Works Department).

## **Todd County Sheriffs' Department**

On a motion by Kneisl and second by Kircher, the following motion was introduced and adopted by unanimous vote: To accept redistributed grant funds from the Central Minnesota Emergency Services Board in the amount of \$76,215.00 for the purposes of partial funding of channelized BDA on the new Staples ARMER tower site.

On a motion by Kircher and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve contracts with Fiplex, Inc. of Miami, FL in an amount not to exceed \$102,000 for engineering and equipment to establish an ARMER repeater site near Staples, MN. The Sheriff and County Administrator are authorized to contract for construction of a tower at a cost not to exceed \$45,000. Approve purchase of supplies and materials for a utility structure to be built at a cost not to exceed \$10,000 and authorization for the City of Staples to perform work to bring power to the site, and procure necessary electrical materials and conduit.

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

On a motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit for Jennifer Ahrendt. Site address: 15402 315<sup>th</sup> Avenue, Burtrum, MN 56318. (78.28 acres) NW4 SE4, SW4 SE4 ex Ry, Section 33, Twp 128, Range 32, Burnhamville Township. Conditional Use Permit for "Temporary Housing". To bring in a second home to be used by a family member. All requirements of Section 9.17 of the Todd County Ordinance regarding dwelling size, sewerage, and use can be met for this Ag/Forestry-2 district.

# TODD COUNTY BOARD OF COMMISSIONERS

Granted as per application on condition all requirements of Section 9.17 of the Todd County Ordinance is met. Temporary dwellings shall comply with the following standards: (1) Temporary family housing is for immediate family members only. Conditional use permits shall be issued for an individual and not the land. (2) The dwelling size shall not exceed 1280 square feet, one story, or two bedrooms. (3) The dwelling, site, or combination of shall not be subdivided, sold or used as rental property. (4) All temporary family housing may be subject to a biennial review by the Planning & Zoning staff. (5) Temporary housing shall be removed from the property within 60 days of disuse. (6) Temporary housing shall be required to hook up to a compliant septic system.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit for Ivan & Katie Yoder. Site address: 17027 – 430<sup>th</sup> St., Bertha, MN 56437. (97.93 acres) N2 NE4 NE4 & W2 NE4 Ex Comm at NE cor of Section 18, W 1999.92 ft to pt of beg; thence W 300 ft, S 300 ft, E 300 ft, N 300 ft to beg, Section 18, Twp 132N, Range 34W, Germania Township. Conditional Use Permit to operate a commercial greenhouse to raise and sell vegetables and flowers from the site. Currently they have one existing greenhouse and the proposal is to add two more greenhouses as needed. Property is zoned AF/Forestry 1. Granted as per application without conditions or changes.

On a motion by Neumann and second by Kircher, the following motion was introduced and adopted by unanimous vote: Rezoning for John & Marilyn Juelke. Site Address: 11899 Bluegill Dr. Sauk Centre, MN 56378. (39.89 acres) NW4 SW4 ex RR R.O.W, Section 15, Twp 127, Range 34W, Kandota Township, Todd County. Rezoning application to change the current zoning of below described property from Ag/Forestry-1 to Agricultural/Forestry-2. Approved with the condition - this wording to be added to this parcel & any splits from this parcel "This site is located in an agricultural district, and consequently there will be from time to time, sights, sounds and smells associated with the operation of farming. No lot owner shall bring action of Law, against any farming operation because of such farming activities, as long as such farming activity complies with state, federal, EPA or Todd County Ordinances".

Discussion was held regarding additional information that should be required for a CUP. Neumann suggested blueprints, sketches and aerial photographs. The Ordinance Committee will look at these items for 2013. Ruda commented the updated and revised ordinance is due to the state on February 4, 2014. It was also suggested by Neumann to have the GIS Department provide maps of the Airports that are affected in Todd County.

## **Todd County Livestock Advisory Council**

Delvin Durheim from the Todd County Livestock Advisory Council was present to discuss concern regarding the language of the Feedlot Ordinance and to form a committee.

On a motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To have the Planning Commission review the ordinance with the Livestock Advisory Council the first Thursday in December, 2012 to start the discussion.

# TODD COUNTY BOARD OF COMMISSIONERS

## Todd County Ditch & Ag

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

### **HOLD HARMLESS AGREEMENT FOR DITCH MAINTENANCE/REPLACE PRIVATE CROSSING – COUNTY DITCH 29**

WHEREAS, Paul Raber is requesting to maintain a portion of CD29 located in Eagle Valley Township, section 25. The maintenance will be done on his own property at his own expense. He is also requesting to replace a private culvert crossing with a bridge. A Hold Harmless Agreement has been signed and submitted to the Ditch Authority, an onsite inspection has been done, and;

WHEREAS, applicant is allowed to maintain the drainage ditch to the original width, depth and grade. An improvement by lowering or widening the ditch bottom is not allowed. Sediment and vegetation can only be removed to the extent of the original ditch bottom elevation. Spoil may be side cast and leveled, staying within 16 ½ feet of the ditch, or moved to an approved upland site; permission has been given by SWCDD to place spoil on existing field road. Applicant is allowed to replace the existing culvert crossing with a bridge.

NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to Paul Raber to maintain a portion of CD29 located on his own property, at his own expense, and to replace an existing culvert crossing with a bridge.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To acknowledge receipt of HHA petition from Dareld Hirschey for ditch maintenance on CD20, located in Staples Township, sections 14 & 15.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To acknowledge receipt of HHA petition from Joseph Bontrager to maintain ditch on his property and to replace a private crossing in CD29, located in Eagle Valley Township, section 13.

On a motion by Neumann and second by Kircher, the following motion was introduced and adopted by unanimous vote: To acknowledge Receipt of HHA petition from Wally Miller to maintain a section of County Ditches 33 & 2 located in Reynolds Township section 29.

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

### **HOLD HARMLESS AGREEMENT FOR DITCH MAINTENANCE– COUNTY DITCH 33 & 2**

WHEREAS, Cory Larson is requesting to maintain approximately 3,000 feet of CD 33 & 2 located in Reynolds Township, section 29. The maintenance 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, applicant is allowed to maintain the drainage ditch to the original width, depth and grade as has been determined by DNR, SWCDD Staff and CDI. An improvement by lowering or widening the ditch bottom is not allowed. Sediment and vegetation can only be removed to the extent of the original ditch bottom elevation. Spoil may be side cast and leveled, staying within 16 ½ feet of the ditch, or

# TODD COUNTY BOARD OF COMMISSIONERS

moved to an approved upland site. Landowner has not made a decision on type of private crossing to install; another HHA will be submitted for the crossing when the type has been decided, and; WHEREAS, Unnamed Basin 77-173W is in the maintenance area. Per the DNR, excavation of the outlet channel of this water body cannot alter the natural runout elevation. In order to maintain this elevation, a permanent grade control structure may need to be installed. If the landowner or his contractor cause drainage of the water body which results in a DNR violation, the landowner will be responsible for the costs involved with restoration of the basin. If the landowner refuses to complete the restoration, the Ditch Authority will hire the work done and assess the cost only to parcels 20-0032900 & 20-0033000. NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to Cory Larson to maintain a portion of CD 33 & 2 located on his own property, at his own expense.

## **Administration**

On a motion by Blessing and second by Kircher, the following motion was introduced and adopted by unanimous vote: To re-appoint Charles Pelzer as Todd County Assessor for the period of January 1, 2013 to December 31, 2016.

On a motion by Neumann and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve contract with Springsted, Inc. of Saint Paul, MN in an amount not to exceed \$31,000.00 for a compensation and classification study.

On a motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve a special meeting for December 31, 2012 at 9 am in the County Board Room.

## **Administrator's Report**

The Administrator wanted to mention a special thank you to Pete Bleess, the Facilities Supervisor for the extra work and time spent for the Energy Efficiency Rebate in the amount of \$7,275.03 for the Historic Courthouse. The Administrator also wanted to thank the Taxpayer Services Department which included the Auditor/Treasurer's Office, Records Office, Assessor's Office and the Generalist for the extra effort going through tax time and at election time for the exceptional customer service and good attitude during this process. The Committee is moving along in adopting the Lean Process Improvement Plan. They just finished the second meeting and will be reporting later on this process. Chris Pelzer and Lisa Danielson were involved in the first steps in starting the process to improve processes of the county which will make a great return on investment for the County.

## **Commissioner's Report**

The First Presbyterian Church in Osakis is having their annual Thanksgiving Dinner on Thursday at 12:00 noon. There will be free will offering for the meal and the proceeds will go to the Todd County and Douglas County Food Shelf.

## **Adjourn**

The meeting was recessed by action of Chairman Ruda until Tuesday November 27, 2012 at 6:00 pm for the Budget Meeting at the Historic Courthouse.

# TODD COUNTY BOARD OF COMMISSIONERS


## COMMISSIONER WARRANTS

Vendor Name	Amount
Apex Equipment	3,835.73
Contech Construction Products	9,069.37
Dairy Queen	3,600.00
Long Prairie Oil Company	5,544.08
Morrison Co Public Health Serv	2,615.73
Northern Business Products	5,836.24
O'reily Auto Parts	3,657.56
Scott/Ladonna	2,350.00
Staples World	5,014.57
Payments less than 2000	36,813.51
Final Total	78,336.79

On a motion by Kircher and second by Neumann the preceding minutes of the County Board meeting held November 20, 2012 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on December 18, 2012.

Witness my hand and seal:

  
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Gerald Ruda, County Board Chairperson

  
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Nathan Burkett, County Administrator