

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
September 17, 2013*

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 17th day of September, 2013 at 9:00 AM. The meeting was called to order by Chairperson Neumann. The meeting was opened with the Pledge of Allegiance. All members present.

Approval of Agenda

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

1. Schedule Date for TNT Meeting

Routine Business

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the September 3, 2013 Regular Board Minutes as read.

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: Approve the Commissioner Warrants #35477 - #35600 in the amount of \$76,055.16.

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve Health & Human Service Warrants in the amount of \$49,108.50.

On motion by Blessing and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve Updated Joint Powers Agreement with Central MN EMS Region. (Agreement on file in the Administration Office).

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve an On Sale, Sunday and Off Sale Liquor License extension for the Historic Rock Tavern LLC to have his licenses extended to March 31, 2014.

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve an On Sale and Sunday Liquor for the Sauk Centre Country Club, LLC,/DBA Greystone Golf Club from October 1, 2013 thru March 31, 2014.

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve to set the Truth and Taxation hearing for November 26, 2013, to start at 6:00 p.m. in the County Commissioners Board Room.

Sheriff's Department

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

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ACCEPT 2013 FEDERAL BOATING SAFETY EQUIPMENT GRANT

WHEREAS, the Todd County Sheriff's Office applied for the 2013 Federal Boating Safety Equipment Grant, and;

WHEREAS, Todd County was awarded a grant in the amount of \$450.00 to purchase a rescue curtain, and;

WHEREAS, this grant agreement needs to be approved by the Todd County Board of Commissioners. NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve the 2013 Federal Boating Safety Equipment Grant.

Soil, Water & Conservation

On motion by Erickson and second by Kneisl, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit to create a subdivision to be named "Kandota Landing". Plat consists of Lots 1 thru 14, The Subdivision will have 13 residential lakeshore riparian lots and 1 residential non-riparian lot. All lots exceed the minimum size requirement of 80,000 sq. feet. A new road is being proposed. All lots will be serviced by private water wells and septic systems. Property Owners: First State Bank of Sauk Centre. Kandota Landing, Lots 1 thru 13, Block One and Lot 1, Block Two. Section 20 & 29, Twp 127, Range 34, Kandota Township, Todd County. Approval of the Conditional Use Permit to create subdivision with conditions: (1) 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". (2) No modification or removal of historic ice ridge along lakeshore. (3) Areas with steep slopes within shore impact zone restricted to stairs to lake constructed above ground, no watercraft access ramp construction, no retaining wall construction, no sand blankets, and (4) vegetation removal requires a Shoreland Alteration Permit and be limited to 15 feet in width.

On motion by Kircher and second by Kneisl, the following motion was introduced. Conditional Use Permit for the expansion of the existing business of Hwy 27 Auto Salvage was tabled and sent back to the Planning Commission for further review and discussion.

On motion by Blessing and second by Kircher, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit for a "Temporary Housing Permit" – to place a 1,280 sq. ft manufactured home on the same site as the existing home, to be occupied by a family member. Use Permit is required for Temporary Housing located in an Ag/Forestry-2 district zone. One sewer system will be installed to handle both homes. Property Owners: Joseph & Karen Zetah. Site Address: 33968 Pulaski Rd. Cushing, MN 56443. 40 acres) NE4 NW4, Section 24, Twp 132, Range 32, Fawn Lake Township. Granted with the following conditions: (1) Temporary family housing is for immediate family members only. (2) Conditional use permits shall be issued for an individual and not the land. (3) The dwelling size shall not exceed 1280 square feet, one story, or two bedrooms. (4) The dwelling, site, or combination of shall not be subdivided, sold or used as rental property. (5) All temporary family housing may be subject to a biennial review by the Planning & Zoning staff. (6) Temporary housing shall be

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removed from the property within 60 days of disuse. (7) Temporary housing shall be required to hook up to a compliant septic system.

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: Application to rezone that part of the proposed plat of "Sibell's Subdivision Two" which is further than 1,000 feet of Lake Osakis from the current zone of Agricultural/Forestry-2 to Shoreland General Development (GD) to be consistent with the rest of the property within the subdivision. Property Owners: Darwin Sibell. "Sibell's Subdivision Two", Section 5, Twp 128N, Range 35W, Gordon Township, Todd County. Approved with the condition the plat of Sibell Subdivision Two is approved and recorded.

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit for the residential subdivision known as "Sibell's Subdivision Two" Subdivision consisting of two lots: Lot One Block One containing 2.23 acres and Lot 2, Block One containing 1.99 acres. Use Permit is required for all subdivisions located in lakeshore zoned property. Property Owners: Darwin Sibell. Sibell's Subdivision Two, Lot One & Two, Block One, Section 5, Twp 128N, 35W, Gordon Township, Todd County. Approval with conditions: (1) 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. (2) Applicant shall obtain approval from the Gordon Township Board prior to installation of driveway. (3) Any further subdividing of land must be done through the plat and survey process.

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

FINAL PLAT APPROVAL – "WALLACE ADDITION"

WHEREAS, Owners- Developer Michael & Kim Wallace have applied to subdivide property next to Lake #196 (unnamed lake), property described as that part of the NW4, Section 31, 128N, R35W, Gordon Township, Todd County, and;

WHEREAS, the plat known as "Wallace Addition" consists of Lot 1 and 2, Block One. This property is located on Lake Number 196 which is zoned Natural Environment Lake (NE); and

WHEREAS, Applicants appeared before the Todd County Planning Commission at a public hearing on September 6, 2012, where this preliminary plat known as "Wallace Addition" was recommended to the County Board of Commissioner for approval with conditions. and;

WHEREAS, On September 18, 2012 the Todd County Board of Commissioners approved said Preliminary Plat to move forward and be completed with conditions: (1) This wording be added to the Use document "This site is located in an agricultural area, 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 and federal regulations and Todd County Ordinances." (2) Applicant shall obtain approval from Gordon Township Board prior to installation of any driveway. (3) Any further subdividing must be done by plat and survey. (4) Driveways and building construction on the created lots should utilize erosion control Best Management Practices (BMP's) during and after construction; and

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WHEREAS, the Todd County Soil, Water, Conservation & Development Division (Planning & Zoning) has completed the necessary plat review and find that all items required for final plat approval have been completed.

NOW, THEREFORE BE IT RESOLVED, the final plat of "Wallace Addition" be approved as presented.

Todd County Ditch & Ag

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

HOLD HARMLESS AGREEMENT FOR DITCH MAINTENANCE AND REPLACING PRIVATE CROSSINGS- COUNTY DITCH 31

WHEREAS, Aaron Wendel is requesting to maintain approximately 2,887 feet of CD31 and to replace three private culvert crossings. The ditch is located on Duane Peterson's property, 07-0004000, in Eagle Valley Twp section 5. The maintenance will be done at Aaron's own expense. A Hold Harmless Agreement has been signed and submitted to the Ditch Authority, and;

WHEREAS, an onsite inspection was done August 22, 2013, 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 must be side cast and leveled, staying within 16 ½ feet of the ditch. Applicant is also allowed to replace three private culvert crossings. This section of ditch is the beginning of Lateral 1, so there are no upstream culvert sizes to match.

NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to Aaron Wendel to maintain approximately 2,887 feet of CD31 and to replace three private culvert crossings. The ditch is located on Duane Peterson's property, and the project will be done at Aaron's own expense.

Health & Human Services

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

RESOLUTION AUTHORIZING APPLICATION FOR MINNESOTA HOUSING AND FINANCE AGENCY

FAMILY HOMELESSNESS PREVENTION AND ASSISTANCE PROGRAM

WHEREAS, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide funds for Family Homeless Prevention & Assistance Projects; and,

WHEREAS, the Lutheran Social Service has developed an application for the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program; and

WHEREAS, Lutheran Social Service has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program;

NOW, THEREFORE, be it resolved that the Lutheran Social Service is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Family Homelessness Prevention and Assistance Program in the county of Todd, in Minnesota.

On motion by Blessing and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve hiring of Bobbi Jo Freie for the Eligibility Worker position in the Financial Support Services unit, Grade 17, Step 5, \$18.65 per hour. Start date pending notice to previous employer.

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On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve hiring of Nicole Gesme for the Office Support Position in the Financial Support Services unit, Grade 15, Step 2, \$13.673 per hour. Start date pending notice to previous employer.

Auditor Treasurer

On motion by Kneisl and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve the waving of the 90 day waiting period and to begin recruiting to fill the position of Deputy Auditor-Treasurer.

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

A RESOLUTION ADOPTING THE 2014 PRELIMINARY LEVY

WHEREAS, the Laws of the State of Minnesota direct that the Todd County Board of Commissioners are required to annually approve by resolution a preliminary levy; and

WHEREAS, The Todd County Board of Commissioners have considered the financial situation of the County and had an opportunity to deliberate the levying of property taxes upon property owners within the County.

NOW, THEREFORE BE IT RESOLVED, the Todd County Board of Commissioners approves the Preliminary Levy for Todd County, for property taxes payable in 2014 as follows:

	Certified Levy	Program Aids	Local Levy
Revenue	6,078,853	798,945	5,279,908
Road & Bridge	2,242,454	500,000	1,742,454
Welfare	3,627,278		3,627,278
Public Health	330,498		330,498
Comp Water	5,303		5,303
Regional Library	312,304		312,304
Bond Debt	647,900		647,900
County Fair	20,000		20,000
County Parks & Trails	7,500		7,500
Total	13,272,090	1,298,945	11,973,145

Annex and Elevator Renovation Update

Earl Fuechtmann, Contegrity Group gave their monthly update on the construction on the annex and on the elevator installation.

Commissioner's Report

Nothing at this time.

Adjourn

Commissioner Neumann recessed the meeting until October 1, 2013.

Commissioner Warrants

Vendor Name

Amount

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BAUER/BARRY & LARAE	7,234.50
CENTRAL APPLICATORS INC	7,991.31
CONTECH CONSTRUCTION PRODUCTS	8,072.95
GEORGE SLACK PAINTING	2,200.00
MORRIS ELECTRONICS	2,089.54
MORRISON CO PUBLIC HEALTH SERV	3,900.91
S.W. RECYCLING	2,076.00
STAPLES WORLD	2,155.29
WIDSETH SMITH NOLTING INC	2,450.00
Payments less than 2000	37,884.66
Final Total	\$76,055.16

HHS Commissioner Warrants

Vendor Name

# 11645 Foster Care Provider	\$2,134.15
# 10981 Foster Care Provider	\$3,669.78
# 8165 LP-GE School/LP Kids	\$3,041.92
# 10746 Foster Care Provider	\$5,673.72
# 11417 Foster Care Provider	\$3,917.16
# 16220 Foster Care Provider	\$3,902.80
Payments less than 2000	\$26,768.97
Final Total	\$49,108.50

On a motion by Blessing and second by Erickson the preceding minutes of the County Board meeting held September 17, 2013 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on October 1, 2013.

Witness my hand and seal:


Randy Neumann, County Board Chairperson


Karen Busch, Todd County Auditor-Treasurer