

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
November 19, 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 19th day of November, 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/changes:

1. Add – Gambling Permit – Sauk Valley Gobblers
2. Add – Set Meeting Dates for December
3. Add – 2013 Barbara O'Grady Excellence Leadership Award to Cheryl Schneider
4. Add – Construction Update – Contegrity Group

Routine Business

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the November 5, 2013 Regular Board Minutes as read.

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Commissioner Warrants #36044 - #36140 in the amount of \$70,293.58 for payment on November 22, 2013.

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Health & Human Service Warrants in the amount of \$42,372.69.

The Initiative Foundation was present and gave their Annual Report.

On motion by Kircher and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve the renewal of the annual contribution by allocating \$5,250.00 to the Initiative Foundation for the year 2014.

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

GAMBLING PERMIT FOR SAUK VALLEY GOBBLERS

WHEREAS, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for the Sauk Valley Gobblers through this resolution.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve a one day, Gambling Permit for the Sauk Valley Gobblers to hold a raffle at Diamond Point, located at 12818 Bayview Drive, Sauk Centre, MN on February 22, 2014.

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On motion by Erickson and second by Kneisl, the following resolution was introduced and adopted by unanimous vote: To approve additional meeting date for December 30, 2013 at 9:00 a.m.

Soil, Water & Conservation

On motion by Kircher and second by Blessing, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit to construct and operate a church/school facility. Facility to be used by approximately 20 to 30 families. Individual well and sewer is proposed. Use Permit is required for Public/Semi-Public Uses in Ag/Forestry District. Property Owner: Randal Patnode, 6250 Lake Sarah Heights Dr, Rockford, MN 55373. Site Address: 33763 275th Ave. Ward Township. Parcel #26-0034902. Living Waters Mennonite Church. 10 acres) E2 E2 NE4 NE4, Section 35, Twp 131, Range 33, Ward Township, Todd County. Granted with conditions: (1) a septic system design meeting county standards must be submitted prior to obtaining building permits; and (2) the following wording be added to the CUP recorded document: 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.

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit to operate a sawmill for custom sawing. Use Permit is required for a commercial business in Ag/Forestry District. Property Owner: Bennie and Elizabeth Yoder, 19330 Co 24, Bertha, MN 56437. Site address: Same. Parcel # 09-0001700. (122.31 acres) E2 NE4 & N2 N2 SE4, Section 4, Twp 132, Range 34, Germania Township, Todd County. Granted with conditions: (1) grey water sewer system for the home & the outhouse must be checked for compliance and updated if found failing; (2) Copy of application for MPCA permit needs to be submitted to Planning & Zoning; (3) Building permits for any new structures must be obtained.

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit to lease property to install a 195 ft monopole communication tower within a 100x100 ft fenced compound. To include a 12x30 ft shelter to house Verizon equipment cabinets. Use Permit is required for commercial towers located in Ag/Forestry District. Property Owner: Randy and Mary Brunko, 15638 221st Avenue, Long Prairie, MN 56347. Site address: Same. Parcel #17-0041900 & 17-0038200. Verizon Wireless – Sarah Hill, Agent, 10801 Bush Lake Rd, Bloomington, MN 55438. (9.08 acres) Comm at SW cor of SW4 NW4, N 330.96 ft to pt of Beg, E 717.61 ft, N 560 ft, W695.16 ft to W line, S 560.64 ft to beg, Section 36, Twp 128, Range 34, Little Sauk Township and (1.83 acres) Beg at NE cor of SE4 NE4, S 992.89 ft, W 60.25 ft, N 992.48 ft to N Line, E to Beg, Section 35, Twp 128, Range 34, Little Sauk Township, Todd County. Granted as per application without change or conditions.

On motion by Blessing and second by Erickson, the following motion was introduced and adopted by unanimous vote: Conditional Use application to create a one lot plat to be known as “Red Pine Acres Plat 2” consisting of 2.78 acres. Lot exceeds minimum requirements for area, side dimensions and road frontage. Lot abuts an existing public road – 233rd Ave. Private individual water well and sewer system proposed. Land is located in a Residential-2 Zone. Property owners and Developers: Darrell Bacon and Eugene and Cathy Gergen. Red Pine Acres Plat 2 – Lot 1, Block 1, Section 18, Twp 128, Range 33,

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Round Prairie Township. Todd County. Approval of the Conditional Use Permit to create a 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".

Soil, Water & Conservation

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

REQUEST FOR SPEED LIMIT STUDY ON COUNTY STATE AID HIGHWAY #12 FROM TRUNK HIGHWAY #28 IN SWANVILLE TO TRUNK HIGHWAY #287 IN LONG PRAIRIE

WHEREAS, numerous Todd County residents have expressed concerns over the appropriateness of the posted 50 mile per hour speed limit on County State Aid Highway #12 from Trunk Highway #28 in Swanville to Trunk Highway #287 in Long Prairie, and;

WHEREAS, by Minnesota Statute 169.14, Subdivision 5, local authorities can request the Commissioner of the Department of Transportation to authorize a speed limit on a local (non-trunk highway) roadway.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners does hereby request the Commissioner of Transportation to make the necessary investigation to determine the reasonable and safe speed limit, as provided in Section 169.14, Subdivision 5, of the Minnesota Statutes, on Todd County State Aid Highway #12 from Trunk Highway #28 in Swanville to Trunk Highway #287 in Long Prairie.

On motion by Kircher and second by Blessing, the following motion was introduced and adopted by unanimous vote: To approve Cooperative Construction Agreements for SAP 077-599-063 and SAP 077-599-062. (Agreements on file in the Administration Office.)

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

FINAL PAYMENT AUTHORIZATION - 2013 BITUMINOUS CONSTRUCTION CONTRACT

WHEREAS, the contract with Tri-City Paving, Inc. for the 2013 Bituminous Construction Contract known as SAP 077-609-008, SAP 077-621-020, SAP 077-624-019, SAP 077-623-005, SAP 077-623-010 and CP 77-313-01 located along various Todd County Highways, has in all things been completed, and; WHEREAS, construction work on this contract was scheduled and completed in 2013 with the value of the total work certified being \$2,788,081.99, and;

WHEREAS, partial payments amounting to \$2,637,517.38 have been previously been made to the contractor as work progressed, and;

WHEREAS, it has been determined that \$150,564.61 still remains to be paid to Tri-City Paving, 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.

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

FINAL PAYMENT AUTHORIZATION - STAPLES OVERPASS PROJECT (SP 077-596-002)

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WHEREAS, the contract with Mathiowetz Construction Company for the 2012 Staples Overpass Project known as SP 077-596-002 located in the City of Staples, has in all things been completed, and;
WHEREAS, construction work on this contract was started in 2012 and completed in 2013 with the value of the total work certified being \$8,342,943.22, and;
WHEREAS, partial payments amounting to \$8,181,425.72 have been previously been made to the contractor as work progressed, and;
WHEREAS, it has been determined that \$161,517.50 still remains to be paid to Mathiowetz Construction Company, and;
WHEREAS, the City of Staples has reviewed and approves of the recommended final payment amount as specified.
NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners does hereby accept said completed project for and in behalf of the County of Todd and authorize final payment as specified.

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Budget Request Form for Local Levy Construction Projects in the amount of \$21,239.00 to the budget year 2014.

On motion by Blessing and second by Erickson, the Todd County Commissioners' Meeting was recessed and went into Closed Session with Jason Kuboushek, Attorney from Iverson Reuvers Condon regarding the Todd County vs Central Specialties Case. Discussion was held regarding update on the current status litigation at the Court of Appeals.

On motion Blessing and second by Kneisl, the Todd County Commissioners Meeting was resumed.

Human Resources

On motion by Blessing and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the position and authorize Human Resources to begin recruiting to fill the position of Generalist whose work assignment is to work in a Floating capacity.

On motion by Kneisl and second by Blessing, the following motion was introduced and adopted by unanimous vote: To accept Todd County Sheriff Pete Mikkelson's resignation effective December 30, 2013.

On motion by Blessing and second by Erickson, the following motion was introduced and adopted by unanimous vote: To accept Todd County Auditor/Treasurer Karen Busch's resignation effective December 30, 2013.

Commissioner Neumann announced Cheryl Schneider, HHS Director had been selected as the recipient of the 2013 Barba O'Grady Excellence in Public Health Leadership Award. The award had been given at the LPHA Annual Awards Luncheon November 14, 2013.

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Annex and Elevator Renovation Update

Earl Fuechtmann, Contegrity Group gave their monthly update on the construction on the annex and on the elevator installation. Earl estimated the project was 70% completed and the goal was to have the project done by the end of the year.

Commissioner's Report

Kneisl suggested the Board take a tour of the new Perham Resource Plant now that it is finish. He suggested January or February would be a good time to schedule this. Blessing announced the new Internal County Newsletter that has been posted to SharePoint for the employees. Neumann announced the 1st Presbyterian Church is having their annual Thanksgiving Dinner on November 28, 2013 at 12:00. There will be a free will offering for this dinner. Blessing announced he will not be able to attend the December 17, 2013 Commissioner Meeting.

Adjourn

Commissioner Neumann adjourned the meeting for the month of November, 2013.

Commissioner Warrants

Vendor Name	Amount
BRAATEN SAND & GRAVEL	10,227.74
BROWERVILLE TRUCKWASH/BIG BOYZ	2,402.38
LONG PRAIRIE MACHINERY CO INC	2,228.97
NORTH AMERICAN SALT	12,480.70
NORTHERN BUSINESS PRODUCTS	4,922.92
SHI CORP	4,087.97
WIDSETH SMITH NOLTING INC	5,208.64
Payments less than 2000	28,834.26
Final Total	70,393.58

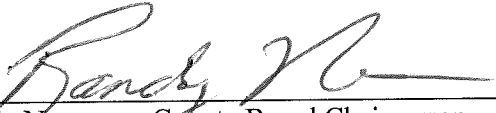
Health & Human Services Commissioner Warrants

Vendor name or #	Amount
# 1477 Foster Care	\$3,278.19
# 10981 Foster Care	\$3,669.78
# 10746 Foster Care	\$4,713.55
# 11417 Foster Care	\$5,216.72
Payments less than \$2000	\$25,494.45
Final Total	\$42,372.69

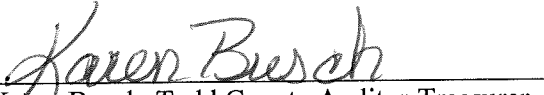
On a motion by Blessing and second by Erickson, the preceding minutes of the County Board meeting held November 19, 2013 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on December 3, 2013.

Witness my hand and seal:

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Randy Neumann, County Board Chairperson



Karen Busch, Todd County Auditor-Treasurer