

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
August 5, 2014*

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 5th day of August, 2014 at 9:00 AM. The meeting was called to order by Chairperson Kneisl. The meeting was opened with the Pledge of Allegiance. All members present.

Approval of Agenda

On motion by Becker and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the agenda as presented with the following changes.

1. Remove – Rainbow Rider Contract
2. Remove – TCDC Report

Routine Business

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the July 15, 2014 Regular Board Minutes as read.

On motion by Erickson and second by Becker, the following motion was introduced and adopted by unanimous vote: To approve the actions of HHS Committee Meeting held July 22, 2014 in accordance with the minutes on file in the Todd County Administration Office.

On motion by Neumann and second by Becker, the following motion was introduced and adopted by unanimous vote: To approve the Commissioner Warrants number 38162 thru 38315 in the amount of \$113,511.45.

On motion by Kircher and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the Auditor Warrants number 223022 thru 223257 in the amount of \$3,320,988.09.

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

GAMBLING PERMIT FOR MAIN STREET DUCKS UNLIMITED

WHEREAS, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for the Main Street Ducks Unlimited through this resolution;

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve a one day Gambling Permit for the Main Street Ducks Unlimited to hold a raffle at Diamond Point at the address 12818 Bayview Dr, Sauk Centre, MN on September 23rd, 2014.

Solid Waste/Transfer Station

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve September 17, 2014 at 7 PM for a public hearing to discuss increases in the Solid Waste Service Charge (parcel charge) and the MSW tipping fees charged to Todd County customers for MSW.

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Public Works

Introduction of Casey Poepping as a new Public Works Department Heavy Equipment Operator.

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

FINAL PAYMENT AUTHORIZATION - 2014 PAVEMENT STRIPING CONTRACT

WHEREAS, the contract with Traffic Marking Services, Inc. for the 2014 Pavement Striping Contract known as CP 77-14-03 located along various Todd County Highways, has in all things been completed, and;

WHEREAS, construction work on this contract was scheduled and completed in 2014 with the value of the total work certified being \$90,242.67, and;

WHEREAS, partial payments amounting to \$85,730.54 have been previously been made to the contractor as work progressed, and;

WHEREAS, it has been determined that \$4,512.13 still remains to be paid to Traffic Marking Services, 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 Neumann and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve September 9, 2014 at 7:00 PM to conduct a public hearing on September 9th, 2014 at 7:00 PM for the proposed implementation of a one-half of one percent Transportation Sales Tax per Minnesota Statute 297A.993.

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

AWARD OF CONTRACT FOR 2014 BRIDGE CONSTRUCTION PROJECTS

WHEREAS, sealed bids were received on July 29th, 2014 by the Todd County Public Works Director and the Todd County Auditor/Treasurer for SAP 077-597-004, SAP 077-598-025, SAP 077-598-026, SAP 077-598-027, and SAP 077-599-063, said projects for bridge construction located on various routes in Todd County, and;

WHEREAS, the following sealed bids were received:

Riley Bros Construction, Inc.	Morris, Minnesota	\$922,117.40
Landwehr Construction, Inc.	Saint Cloud, Minnesota	\$1,004,136.49
Marvin Tretter, Inc.	Pierz, Minnesota	\$1,036,549.85
Gladen Construction, Inc.	Laporte, Minnesota	\$1,262,117.25

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners does hereby accept and award the contract for the above said construction projects to Riley Brothers Construction, Inc. of Morris, Minnesota based on their low bid of \$922,117.40.

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

FINAL PAYMENT CONCURRENCE FOR THE 2012 CITY OF BERTHA PROJECTS

WHEREAS, on May 18th, 2010 Todd County agreed to enter into a cooperative agreement with the City of Bertha to include improvements to County State Aid Highway 23 and County State Aid Highway 24 as part of a larger proposed City of Bertha utility and street reconstruction contract, and;

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WHEREAS, sealed bids were received on January 31st, 2012 by the Bertha City Council for various improvement projects that included work on County State Aid Highway #23 and County State Aid Highway #24 known as SAP 077-623-008 and SAP 077-624-018 respectively, and;

WHEREAS, the Todd County Board of Commissioners passed a resolution supporting the Bertha City Council in an award of a construction contract to Wagner Construction, which included SAP 077-623-008 and SAP 077-624-018, and;

WHEREAS, the contract with Wagner Construction for the 2012 City of Bertha Projects has in all things been completed and final proposed payments have been approved by the City of Bertha Council at their July 2014 Meeting.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners does hereby concur with the City of Bertha in their approval of final contract payments to Wagner Construction for the 2012 City of Bertha Projects, which includes Todd County Projects SAP 077-623-008 and SAP 077-624-018 located on County State Aid Highway 23 and County State Aid Highway 24 respectively.

Planning & Zoning

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit for a residential subdivision located on Molly Lake to be known as “Molly Lake & Forest Lands”. Owners: Nary L Gruver Volpe & Eugene Volpe. 9419 Pagewood Lane, Houston, TX 77063. Plat consists of one lot, one block containing 23.62 acres. Lot exceeds the minimum size requirements for a shoreland subdivision. Use Permit is required for all subdivisions located in lakeshore zoned property. Property is zoned both NE Shoreland and Ag/Forestry-1.

Molly Lake – Molly Lake & Forest Lands”, Lot One, Block One, Section 23, Twp 128N, Range 32W, Burnhamville Township, Todd County. Approval with condition: This wording be added –“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, federal, EPA, or Todd County Ordinances.”

On motion by Becker and second by Erickson, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit to establish a site to be used for portable hot mix plants. Plant to be located within an existing permitted gravel pit. Use Permit is required for permanent or temporary bituminous facilities located in Ag/Forestry-1 & 2 zones. Owners: James & Suzanne Lund, JL Trucking, Excavating & Grading LLC, 81-8 80th St. SW Staples, MN 56479. (80 acres) – E2 SE4, Section 9, Twp 132, Range 33, Moran Township, Todd County.

On motion by Becker and second by Erickson, the following motion was introduced and adopted by unanimous vote: Conditional Use Permit to construct a wireless telecommunications facility. The facility will consist of a 250 ft self-support tower with a 10 ft lightning rod. To include a 12x30x6 ft equipment shelter. Facility will be contained in a fenced area, 90x90 ft. Tower will meet the required setback minimums. Use Permit is required for all towers located in Ag/Forestry-1 zone that exceed 100 ft in height. Owners: SBA Communications/Verizon Wireless. Property Owners: Duane J Pogreba, etal, 28161 410th St., Browerville, MN 56438. (77.13 acres) E2 NE4 ex part platted as Pine Island Heights, Section 25, Twp 132, Range 33, Moran Township, Todd County. Granted as per request.

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On motion by Erickson and second by Becker, the following motion was introduced and adopted by majority vote with Kircher voting against: Conditional Use Permit for a “Temporary Housing Permit” – to place a 14x70 (980 sq ft) mobile home on the same site as the existing home, to be occupied by a family member. Unit will not have well and will use a porta-pottie for septic system. Use Permit is required for Temporary Housing located in an Ag/Forestry-1 district zone. Property Owners: Mark & Jo Marie Michel, 42208 Co 81, Browerville, MN 56438. (40 acres) NW4 NW4, Section 20, Twp 132, Range 33, Moran Township, Todd County. Granted with condition applicant meet the requirements of Section 9.17 of Todd County Ordinance as follows: (1) For immediate family members only. (2) Dwelling size does not exceed 1280 sq ft. (3) Dwelling site shall not be sub-divided, sold, or used as rental property. (4) Subject to biennial review by P&Z. (5) Shall be removed after 60 days of disuse. (6) Shall be required to hook up to compliant sewer system if water is plumbed into the home and (7) Owners submit a pumping agreement from a licensed septic pumper for the primitive septic system.

On motion by Neumann and second by Kircher, the following motion was introduced and adopted by majority vote with Kircher voting against: After the fact Conditional Use Permit to operate a sawmill operation for custom sawing. Use Permit is required for sawmills located on Ag/Forestry-1 zone. Owners: Alvin and Juanita Yoder. 17785 Palomino Rd. Bertha, MN 56437. (80 acres) N2 NW4, Section 20, Twp 132, Range 34, Germania Township, Todd County. Approval of the application as requested with condition - Mr. Yoder submits to the state office the MPCA Industrial Stormwater Multi-Sector General Permit application. Kircher suggested letters be sent out to the Bishop Leaders regarding permit rules and regulations.

On motion by Becker and second by Kircher, the following motion was introduced and adopted by unanimous vote: To authorize expenditure of funds for cost sharing replacement septic systems as listed on supporting documents. (Documents on file in the Administration Office).

Soil, Water & Conservation District

On motion by Neumann and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve hiring of Mitchell Ness SWCD Resource Conservationist at Grade 18, Step 3 to manage the wetland program and assist with other SWCD duties with a start date of August 18, 2014.

On motion by Neumann and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve hiring of Sarah Katterhagen as SWCD Resource Conservationist at Grade 18, Step 4 to serve as Program Coordinator with an effective start date of August 10th, 2014 and to eliminate the Generalist position previously occupied by Mrs. Katterhagen.

On motion by Neumann and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve hiring of Shannon Haasser SWCD Resource Conservationist at Grade 18, Step 5 to manage the Water Plan and assist with other SWCD duties with a start date of August 25, 2014.

Health & Human Services

On motion by Kircher and second by Becker, the following motion was introduced and adopted by unanimous vote: To approve the Providers Choice contract to provide training to childcare providers in Cass, Morrison, Todd, and Wadena Counties. The contract period is September 1, 2014 - October 31, 2015.

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On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: To appoint Tonya Danielson to HHS Office Support Specialist at Grade 15, Step 1.

Auditor/Treasurer

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

TRANSFER OF FUNDS FROM COUNTY DITCH FUND TO THE GENERAL FUND

WHEREAS, the County Ditch Board has approved to have the hours worked by the County Ditch Inspector charged back to that ditch, and;

WHEREAS, the calculations have been made for the County Ditch Inspector's time for the period of July 1, 2013 through June 30, 2014 per attached copy.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve the transfer of \$6,527.50 from the County Ditch fund to the General Fund per attached list. (Reports available in the Administration Office).

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the Annual Purchase Agreement with the West Central Regional Juvenile Center for the 2015 calendar year.

Ditch & Ag Inspector

On motion by Kircher and second by Neumann, the following motion was introduced and adopted by unanimous vote: To acknowledge Receipt of HHA petition for ditch maintenance on CD22 located on Monroe Shrock property - Iona Twp section 30.

Commissioner's Report

Denise Gaida, Auditor -Treasurer announced primary canvassing will be August 14, 2014 at 9:00 am. She would like to have 2 Commissioners to assist with this process. Commissioners Becker and Erickson volunteered to help. Neumann reported the Park Board will be at the next Commissioner Meeting August 19, 2014 to discuss the playground equipment at Battle Point Park. The Sauk River Watershed will be holding a summer tour August 13, 2014 from 5 – 7 pm starting at the Osakis High School. Kircher suggested that the topic of appointing a liaison to the Board of Managers of the Sauk River Watershed District to the next Board Meeting. Erickson reported on the facility meetings, construction is wrapping up and final payments are in order. Erickson also met at the Todd County Fairgrounds Tuesday July 29, 2014 regarding concerns of the electrical area lighting. Locks will be put on all the poles for the future. Erickson shared he learned a lot at the Sauk River Watershed meeting. Becker also added that at the Facilities Meeting they had discussed the topic of moving departments within the buildings and that topic will be brought to work sessions in the future for final decisions. Becker and Neumann are requesting a printer be put in the Commissioner's Office. After further discussion, the Commissioner's will be receiving a printer in their office.

Commissioner Kneisl recessed the meeting until August 19, 2014.

Commissioner Warrants

Vendor Name	Amount
CENTRAL TODD COUNTY CARE CENTER	3,409.12

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COUNTRYSIDE PLUMBING & HTG OF LP,LLC	2,997.00
CRETEX CONCRETE PRODUCTS MIDWEST,	5,446.00
DELL MARKETING L.P.	5,641.28
EMERGENCY AUTOMOTIVE TECH	2,448.39
HYDRAULIC DOCTOR	2,106.90
PHEASANTS FOREVER	11,399.01
RELIANCE TELEPHONE INC	2,400.00
SRF CONSULTING GROUP, INC.	5,000.00
TITAN MACHINERY SHAKOPEE	3,706.42
TRISTAR POWER SOLUTIONS	14,066.00
VANHAVERMAET/LOREN	2,986.74
ZIEGLER INC	13,703.44
Payments less than 2000	38,201.15
Final Total	113,511.45

Auditor Warrants	Amount
Vendor Name	
ANDERSON BROTHERS	410,514.85
CLIFTON LARSONALLEN, LLP	3,422.08
FLEET SERVICES/WEX BANK	7,202.85
GENE-O'S COUNTRYSIDE REST LLC	3,675.75
LONG PRAIRIE OIL COMPANY	2,437.77
LONG PRAIRIE SANITARY SERVICE	2,814.54
MINNESOTA POWER & LIGHT	11,359.26
MORRISON COUNTY	60,934.90
NORTHERN STAR COOP	4,312.04
PETERS & CHURCHWELL	3,910.00
RAINBOW RIDER	5,000.00
TODD CO AGRICULTURAL SOC.	10,000.00
TODD COUNTY DAC	3,944.00
ZIEGLER/DANIEL AND MICHELLE	2,908.50
Payments less than 2000	15,679.85
BLANSHAN CONST SERVICES	7,526.85
CENTRAL SUSPENSIONS INC	2,725.00
EAGLE CONST CO INC	11,745.00
MIRAN CREEK FURNITURE INC	20,631.93
PRO TINT WINDOWS FILMS	3,224.00
SELL HARDWARE	2,540.38
YAMRY CONSTRUCTION INC	2,080.50
Payments less than 2000	4,063.02
ALEX GLASS & GLAZING INC	50,056.32
AMERICAN HERITAGE	7,491.10
BEN'S STRUCTURAL FAB INC	2,701.05

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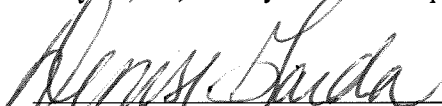
BRYAN WEGSCHEID PLUMBING & HEATING	24,550.00
COMMISSIONER OF FINANCE	2,635.00
JOHNSON CONTROLS	7,663.15
PEMBERTON SORLIE RUFER & KERSHNER	2,045.00
RESOURCE TRAINING AND SOLUTIONS	204,754.50
TODD CO AUD-TREAS	14,605.50
US BANK	76,811.88
ZAYO ENTERPRISE NETWORKS	3,223.63
Payments less than 2000	17,702.32
HORIZON ROOFING	7,817.55
MIRAN CREEK FURNITURE INC	2,268.05
YAMRY CONSTRUCTION INC	2,954.15
Payments less than 2000	123.82
ANDERSON BROTHERS	1,970,293.82
CITY OF LONG PRAIRIE	2,251.73
LONG PRAIRIE COMMUNITY GROUP	2,000.00
RESOURCE TRAINING AND SOLUTIONS	207,316.00
TAVES/HARRY J	8,896.38
TODD CO AUD-TREAS	13,916.00
VERIZON	2,208.53
Payments less than 2000	15,084.71
AMERICAN HERITAGE BANK	3,198.00
AUTO LEASING SPECIALISTS LLC	38,928.75
HILDI INC	4,250.00
LONG PRAIRIE OIL COMPANY	4,891.28
MN DEPT OF FINANCE	6,628.50
Payments less than 2000	11,068.30
Final Total	3,320,988.09

On a motion by Erickson and second by Becker, the preceding minutes of the County Board meeting held August 5, 2014 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on August 19, 2014.

Witness my hand and seal:



Gary Kneisl, County Board Chairperson



Denise Gaida, Todd County Auditor-Treasurer