

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
September 16, 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 16th day of September, 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 Neumann and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the agenda with the following addition:

1. Long Prairie Hockey Association Contract

Routine Business

On motion by Becker and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the September 2, 2014 Commissioner Board Minutes as read.

On motion by Neumann and second by Becker, the following motion was introduced and adopted by unanimous vote: To approve the Commissioner Warrants number 38579 thru 38696 in the amount of \$126,280.48 and the Health & Human Services in the amount of \$38,112.55.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve advertising to purchase a motor pool vehicle, not to exceed the budgeted amount for 2014.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the signing of a two year lease with the Long Prairie Hockey Ass'n to use the Expo building at the Fairgrounds starting September 15, 2014 and ending March 31, 2016 for Hockey.

Solid Waste/Transfer Station

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

TODD COUNTY RESOLUTION MARKET PRICE FOR THE SOLID WASTE MANAGEMENT TAX

WHEREAS, the solid waste management tax requires political subdivisions to identify by resolution a market price if the political subdivision: Subsidizes the cost of service at a facility.

WHEREAS, the political subdivision will be liable for the solid waste management tax based only on the market price amount identified through this resolution, and;

WHEREAS, the market price is identified in state statutes as the "lowest price available in the area", and;

WHEREAS, Todd County has performed research to identify the lowest price available in the area;

THEREFORE, the County of Todd declares a market price of \$65.00 per ton at the Morrison County Landfill.

Public Works

On motion by Erickson and second by Neumann, the following resolution was introduced and adopted by roll call vote: Erickson, yes; Neumann, yes; Kircher, yes; Becker, yes; Kneisl, yes.

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ESTABLISHMENT OF A TODD COUNTY TRANSPORTATION SALES TAX

WHEREAS, Todd County's transportation infrastructure forms the backbone of the County's economy and has a direct impact on future economic development countywide, and;

WHEREAS, funding for transportation systems has remained stagnant for a number of years and is failing to keep pace with not only population and growing demands but also inflation of highway related expenses, and;

WHEREAS, MnDOT Statute 297A.993 allows Counties to impose a one half of one percent (0.5%) Transportation Sales Tax, dedicated exclusively for payment of the capital costs of specific County Board designated transportation projects or improvements, after conducting a public hearing, and;

WHEREAS, the Todd County Board of Commissioners conducted a public hearing on September 9th, 2014 regarding the proposed implementation of the Transportation Sales Tax and at said public hearing a list of designated capital projects, listed in the Todd County Public Works Five Year Construction Plan, was presented and is made referenced here by attachment, and;

WHEREAS, the proceeds of said Transportation Sales Tax are required to be allocated to the County's Road and Bridge Fund, which will help reduce the Public Works Department's property tax requirements, and said tax must terminate when revenues raised are sufficient to finance the projects or improvements.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners hereby authorizes and imposes a one half of one percent (0.5%) Transportation Sales Tax, as provided for in Minnesota Statute 297A.993, for dedicated funding of County Board designated projects and is referenced here by attachment, and;

BE IT FURTHER RESOLVED, that the Todd County Board of Commissioners hereby requests that the Transportation Sales Tax be collected by the State of Minnesota Department of Revenue, as provided for in Minnesota Statute 297A.99, and;

BE IT FURTHER RESOLVED, that the Todd County Board of Commissioners hereby directs the Todd County Auditor/Treasurer to certify the tax to the State of Minnesota Department of Revenue before September 30th, 2014 and that the tax will be effective January 1st, 2015.

Loren Fellbaum started presenting the Public Works 5 year Construction Plan. Neumann recommended to table until after review of the Capital Improvement Plan. Kircher suggested this topic be presented at the Fall Road Meeting.

On motion by Erickson and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve setting the 2014 Fall Road Meeting for November 5, 2014 at 10:00 AM at the Public Works Long Prairie Shop located at 44 Riverside Drive, Long Prairie, MN 56347.

Soil & Water

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

RESOLUTION FOR AQUATIC INVASIVE SPECIES PREVENTION AID

WHEREAS, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota counties a County Program Aid grant for Aquatic Invasive Species (AIS) prevention. The amount designated to each county is based on the number of watercraft trailer launches as well as the number of watercraft trailer parking spaces within each county. Todd County was allocated approximately 1.6% of the total, which equates to \$73,039 in 2014 and \$162,308 for 2015 and each year after, and;

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WHEREAS, the legislation requires that Todd County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county, and;

WHEREAS, the county may appropriate the proceeds directly, or may use any portion of the proceeds to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county. Any money appropriated by the county to a different entity or political subdivision must be used as required under this section, and;

WHEREAS, the county must submit a copy of its guidelines for use of the proceeds to the Department of Natural Resources by December 31 of the year the payments are received.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of Todd County, Minnesota, designates oversight of Todd County's AIS prevention efforts to the Todd Soil, Water, Conservation Development Division (SWCDD) and delegates to them the responsibility to prepare, implement and report annually a plan to allocate the funding in accordance with above legislation, and;

BE IT FURTHER RESOLVED, as part of Todd SWCDD responsibilities, an advisory committee will be established with the purpose of developing an AIS plan. This plan will then be approved by the Todd County Board of Commissioners before submission to the Department of Natural Resources.

Planning & Zoning

On motion by Erickson and second by Becker, the following motion was introduced and adopted by unanimous vote: Rezoning application to change the current zoning of the below described property from Ag/Forestry-1 to Ag/Forestry-2. Property Owners: Chad & Tamera Byland. (40 acres) NE4 of NE4, Section 29, Twp 130, Range 34, Iona Township. Parcel numbers: 13-0027600 and 13-0027602. Approved with condition this wording is added to the approval "This property 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."

On motion by Erickson and second by Becker, the following motion was introduced and adopted by unanimous vote: Conditional Use Application to increase his feedlot animal unit (AU) numbers from 499 to 999 (consists of dairy cows and dairy heifers). Increase will include barn and manure pit construction. Use Permit is required for all feedlots over 500 animal units but do not exceed 999 animal units. Feedlot must comply with standards of MPCA Chapter 7020 rules and Todd County Ordinances Section 9.11. Owner: James Buderus. Site address: 13716 Palomino Road, Bertha, MN 56437. SW4, Section 15, Twp 132, Range 35, Bertha Township, Todd County. Granted as per request with conditions: 1) Barn addition construction must include adequate temporary manure storage containment to address all manure stockpiling issues until the new liquid manure storage facility is completed. 2) A manure management plan acceptable to the Todd County Feedlot Officer must be reviewed prior to the onset of construction of barn addition. 3) Design for a manure storage area adequate for the facility, prepared by a licensed PE, must be submitted to the Todd County Feedlot Officer prior to the onset of construction of the liquid manure storage area (LMSA). 4) A comprehensive nutrient management plan acceptable to the Todd County Feedlot Officer must be prepared prior to the onset of construction of the liquid manure storage area (LMSA). 5) Septic system for farmstead must be brought into compliance.

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Ditch & Ag Inspector

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

HOLD HARMLESS AGREEMENT FOR DITCH MAINTENANCE – COUNTY DITCH 30
WHEREAS, Larry Dickinson is requesting to maintain approximately 1,250 feet of Lateral 3 on CD30 which is located on his own property in Eagle Valley Twp section 11, parcel # 07-0010000. The maintenance will be done at Larry's own expense. A Hold Harmless Agreement has been signed and submitted to the Ditch Authority, and;

WHEREAS, an onsite inspection was done August 26, 2014 and the petition was taken to a TEP meeting on September 9, 2014, 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.

NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to Larry Dickinson to maintain approximately 1,250 feet of Lateral 3 on CD30 located on his own property, at his own expense.

On motion by Kircher and second by Becker, the following motion was introduced and adopted by unanimous vote: To acknowledge Receipt of HHA petition from David Holmberg for ditch maintenance on CD32 located in Fawn Lake Twp section 33.

Health & Human Services

On motion by Kircher and second by Erickson, the following resolution was introduced and adopted by unanimous vote: To approve the Energy Assistance Program contract for FFY2015.

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by majority vote with Neumann voting against: To appoint Janel Toppari-Sovich to the Energy Assistance Coordinator, Grade 16, Step 3, \$15.86 per hour.

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by majority vote with Neumann voting against: To approve the temporary emergency appointment of Phil Johnson effective 09/08/14 to the position of Energy Assistance Coordinator at Grade 16 Step 8 \$21.085/hr.

Region V Sprout Marketplace

On motion by Becker and second by Erickson, the following motion was introduced and adopted by unanimous vote: To send Letter of Support to Morrison County for the Region V Sprout Marketplace program.

Auditor Treasurer Report

Nothing at this time.

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Commissioner's Report

Becker reported she attended the Rainbow Rider Ambassador Meeting. They have not heard anything yet regarding the refund of money for the year 2015. Erickson reported he had toured the Expo Building. The Hockey Association would like to be involved in any improvements of the building and Erickson will also contact the City in regards to their involvement too.

On motion by Neumann and second by Erickson, the meeting was adjourned for the month of September, 2014.

Regular Commissioner Warrants

Vendor Name	Amount
CDW GOVERNMENT INC	3802.05
DELL MARKETING L.P.	3112.25
DIGITAL ALLEY	2120.00
HANCOCK CONCRETE PRODUCTS CO	10405.86
HILLYARD	2150.45
MENCH/JAMES	3580.00
METRO SALES INC	2262.36
MORRISON CO PUBLIC HEALTH	5684.86
SEACHANGE	14216.95
THULL/LINUS AND ANNA	32513.70
TRUENORTH STEEL	7536.54
WEST CENTRAL INDUSTRIES	2601.30
WIDSETH SMITH NOLTING INC	2627.00
Payments less than 2000	33667.16
Final Total	\$126,280.48

HHS Commissioner Warrants

Vendor Name	Amount
# 11919 Foster Care	2076.90
# 878 Foster Care	2435.98
# 1477 Foster Care	2265.48
# 10746 Foster Care	5835.91
# 12490 Foster Care	3210.67
Payments less than \$2000	22287.61
Final Total	\$38,112.55


On a motion by Becker and second by Neumann, the preceding minutes of the County Board meeting held September 16, 2014 were duly approved by a unanimous vote of the Todd County Board of Commissioners at the Regular Board Meeting held on October 7, 2014.

Witness my hand and seal:

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Gary Kneisl, County Board Chairperson



Denise Gaida, Todd County Auditor-Treasurer