

TODD COUNTY BOARD OF COMMISSIONERS

*Minutes of the Meeting of the Todd County Board of Commissioners held on
February 16, 2016*

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 February, 2016 at 9:00 AM. The meeting was called to order by Chairperson Becker. The meeting was opened with the Pledge of Allegiance. All Commissioners 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 as presented.

Routine Business

On motion by Kneisl and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve meeting minutes from February 2, 2016 Meeting Minutes as read.

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Commissioner Warrants number 42726 through 42815 in the amount of \$47,054.06 and HHS Warrants in the amount of \$73,162.75.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the Budget Request Form for Sheriff's Gun Permit account changes in order to meet statute guidelines account number changes must be made to Sheriff's Gun Permit Accounts, and the budget needs to be updated accordingly.

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Budget Request Form to realign budgeted items to Contracted Services instead of Part Time Wages within the following departments: Elections, Custodial/Buildings & Fairgrounds.

On motion by Neumann and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the attached Budget Request Form to Carryover Balance of Funds in the Custodial/Buildings-Grounds & Improvements Account in the amount of \$46,921.00.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve a one year On Sale, Off Sale, and Sunday Liquor License for 8's Pub & Grill LLC at the address of 24148 US 71, Long Prairie, MN in Long Prairie Township.

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve a one year On Sale, Off Sale, and Sunday Liquor License for Full O Fun LLC dba Saukinac Campground at the address of 21914 Bay Loop, Sauk Centre, MN in Kandota Township.

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

GAMBLING PERMIT FOR TODD COUNTY PHEASANTS FOREVER CHAPTER #381

TODD COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for the Todd County Pheasants Forever Chapter #381 through this resolution;

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve a one day Gambling Permit for the Todd County Pheasants Forever Chapter #381 to hold a raffle at The Hub Supper Club in Burnhamville Township at the address 30905 County 13, Burtrum, MN on April 9, 2016.

Solid Waste/Transfer Station

On motion by Erickson and second by Kneisl, the following resolution was introduced and adopted by unanimous vote: To approve the low quote for 6 containers from Spanier Welding in the amount of \$25,200.00

On motion by Kircher and second by Kneisl, the following resolution was introduced and adopted by unanimous vote: To approve accepting the lowest quote for a 2016 Chevrolet Silverado pickup from Marthaler Chevrolet in the amount of \$29,703.00

Ditch & Ag

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

MNDNR - RICE LAKE WATER CONTROL STRUCTURE REPLACEMENT - COUNTY DITCH 20

WHEREAS, the MnDNR, Little Falls Area Wildlife Office is requesting permission to replace a state-owned water control structure located within a portion of CD20 that runs through the Staples State Wildlife Management Area (WMA) on parcel 22-4001200, and;

WHEREAS, this project will replace the water control structure at the outlet of the Rice Lake Impoundment on the Staples WMA. The project purpose is to improve structure maintenance and safety, and to improve access to, and maintenance of, the associated dike west of the control structure. The ditch elevation, the maximum & minimum pool elevation of Rice Lake, and the hydrologic capacity of the water control structure will remain unchanged, 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. Culverts can be replaced at the existing elevation. Spoil may be side cast and leveled staying within 16.5 feet of the ditch, and;

WHEREAS, NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to the MnDNR Little Falls Area Wildlife Office to replace the state owned water control structure located on CD20 at the outlet of Rice Lake, as described in their Staples WMA Water Control Structure Replacement plan. There is an existing Operating & Maintenance Plan in place for the structure. This project will be done at MnDNR's own expense.

BE IT FURTHER RESOLVED, each party shall be responsible for its own acts and omissions and the results thereof and shall not be responsible for the acts of the other party and the results thereof. Liability of the County is governed by Minnesota Statutes, Chapter 466. Tort Liability, Political Subdivisions.

TODD COUNTY BOARD OF COMMISSIONERS

Great River Regional Library

Great River Regional Library gave their 2015 year-end report. Karen Pundsack, Executive Director, Nancy Potter, Long Prairie Library Services Coordinator and Cathy Perish, Eagle Bend/Staples Library Services Coordinator were present during this presentation.

Sheriff's Department

On motion by Neumann and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve to purchase the GPS equipment from Fleetmatics in the amount of \$5,300.00.

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

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF TODD ON BEHALF OF ITS COUNTY ATTORNEY AND SHERIFF

WHEREAS, the County of Todd on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Todd, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Todd on behalf of its County Attorney and Sheriff are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.
2. That the Sheriff Don Asmus or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Sarah Booker is appointed as the Authorized Representative's designee.

3. That the Todd County Attorney, Charles Rasmussen, or his or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Sonja Pearson is appointed as the Authorized Representative's designee.

4. That Barbara Becker, the Chair of the County of Todd, and Denise Gaida, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Sheriff's Department

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

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF TODD ON BEHALF OF ITS COUNTY ATTORNEY AND SHERIFF

TODD COUNTY BOARD OF COMMISSIONERS

WHEREAS, the County of Todd on behalf of its County Attorney and Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreements further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Todd, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Todd on behalf of its County Attorney and Sheriff are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.
2. That the Sheriff Don Asmus or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Sarah Booker is appointed as the Authorized Representative's designee.

3. That the Todd County Attorney, Charles Rasmussen, or his or her successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Sonja Pearson is appointed as the Authorized Representative's designee.

4. That Barbara Becker, the Chair of the County of Todd, and Denise Gaida, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Public Works

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

VARIANCE REQUEST FROM STATE AID OPERATION FOR SAP 077-622-013

WHEREAS, the City of Eagle Bend and Todd County are cooperatively preparing plans for a reconstruction project located on County State Aid Highway 22 from Trunk Highway 71 to Third Avenue Southeast, and;

WHEREAS, this project would require adherence to all Minnesota Rules for State Aid Operations specifically Minnesota Rules for State Aid Operation 8820.9961 (Minimum Design Standards for 45-Degree and 60-Degree Pull-in Diagonal Parking) which would require the Parking Stall Depth for CSAH 22 to be 20 feet in length, and;

WHEREAS, the reason for this variance request is that a reduction in curb to curb width is required in order to gain adequate sidewalk width to meet all American with Disabilities Act (ADA) and MnDOT PROWAG requirements.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners does hereby request a variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9961 (Minimum Design Standards for 45-Degree and 60-Degree Pull-in Diagonal Parking) to allow for 18 foot deep parking stalls in lieu of the required 20 foot deep parking stalls, and;

TODD COUNTY BOARD OF COMMISSIONERS

BE IT FURTHER RESOLVED, that the Todd County Board of Commissioners hereby indemnifies, saves and holds harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of (project descriptions) in accordance with Minnesota Rules 8820.9961 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

The 2016 Spring Road Meeting was set for April 18, 2016 at 9:00 am at the Public Works Northern Shop located in Moran Township, as agreed upon by full Board.

Health & Human Services

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the Title IV-D Cooperative Agreement with the MN Department of Human Services and Todd County Health & Human Services, County Sheriff and County Attorney effective January 1, 2016 - December 31, 2017.

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve Health & Human Services to recruit and hire a Home Health Aide / Homemaker to fill the vacant position.

Planning & Zoning

Recommendation for Blair Maas Conditional Use Permit was tabled for correction of address.

On motion by Erickson and second by Neumann, the following CUP was introduced and adopted by unanimous vote: To approve amending CUP# C-20030624459 for Marvin Drayna to remove the commercial farm machinery repair activity from the existing CUP due to failure to follow conditions established by the Board. Conditions not met include:

- 1) Conifer planting for screening north to south and east to west along property line. Some planted but only a few survived (air photos show a few trees along one part of property – no screening)
- 2) All white goods, batteries, tires be removed from the property by June 3, 2003 (currently on site).
- 3) No inoperable unlicensed autos allowed on site (several on site).
- 4) Mobile homes, semi-trailers, and tires must be removed from site by May 31, 2008 (not met).

On motion by Erickson and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the Budget Request Form to Carryover Planning & Zoning Grant Funds in the amount of \$76,205.21.

On motion by Kircher and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the Budget Request Form to Carryover Aquatic Invasive Species (AIS) Funds in the amount of \$75,887.21.

Todd County Board of Commissioners and Todd County SWCD

Supervisory Joint Special Meeting

Separate minutes attached.

TODD COUNTY BOARD OF COMMISSIONERS

Closed Session

On motion by Neumann and second by Kircher, the Todd County Commissioners' Meeting was recessed and went into Closed Session for negotiation strategy at 11:12 am.

On motion by Erickson and second by Kneisl, the Todd County Commissioners' meeting was re-opened at 11:55 am.

Auditor-Treasurer Report

Denise reported the Work Session to following today's meeting.

Commissioners' Report

The Commissioners reported on the meetings they had attended.


The Finance Committee will be meeting February 23, 2016 at 9:00. Hiring Committee was formed to pursue HR Director/Coordinator. The Committee consisting of Erickson, Becker, Denise Gaida, Auditor Treasurer, Chuck Rasmussen, County Attorney and Don Asmus, Sheriff. The first meeting will take place following the Finance Committee on February 23, 2016.

Becker adjourned for meeting for the Month February, 2016.

On a motion by Erickson and second by Kneisl, the preceding minutes of the County Board meeting held February 16, 2016 were duly approved by unanimous vote at the Todd County Board of Commissioners Regular Board Meeting held on March 1, 2016.

Witness my hand and seal:


Barb Becker, County Board Chairperson


Denise Gaida, Todd County Auditor-Treasurer