



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

Minutes of the Meeting of the Todd County Board of Commissioners held on March 17th, 2020

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 March, 2020 at 9:00 AM. The meeting was called to order by Chairperson Kircher. The meeting was opened with the Pledge of Allegiance. All Commissioners were present.

Approval of Agenda

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the agenda as presented with the addition of item 5.7 Parks & Trails Board Appointment, 11.3 Public Health Update, 12.2 Temporary Change to County Personnel Policy, and 12.3 COVID Emergency Executive Committee Appointment.

Consent Agenda

On motion by Becker and second by Erickson, the following motions and resolutions were introduced and adopted by unanimous vote:

To approve the Todd County Board of Commissioner's Meeting Minutes for March 2nd, 2020 as presented.

To approve an Off Sale, On Sale and Sunday Liquor License for T.J.'s Diamond Point Inc dba Diamond Point Supper Club/Lounge at the address of 12867 Bayview Dr, Sauk Centre, MN in Birchdale Township effective April 1, 2020 through March 31, 2021.

To approve an On Sale and Sunday Liquor License for Thunder Lodge Sportsbar & Supper Club Inc at the address of 22056 US 71, Long Prairie, MN in Long Prairie Township effective April 1, 2020 through March 31, 2021.

GAMBLING PERMIT – ST MARY OF MT CARMEL

WHEREAS, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for St Mary of Mt Carmel through this resolution;

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve a Gambling Permit for the St Mary of Mt Carmel to hold a raffle event at The Hub Supper Club in Burnhamville Township at the address 30905 County 13, Burtrum, MN on April 24th, 2020.

GAMBLING PERMIT – TODD COUNTY COUNCIL ON AGING

WHEREAS, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for Todd County Council On Aging through this resolution;

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve a Gambling Permit for the Todd County Council On Aging to hold raffle events at the Clarissa Ballroom in Eagle Valley Township at the address 19281 Kotter Rd, Clarissa, MN on May 16th, 2020 and October 31st, 2020.

Auditor-Treasurer

On motion by Kneisl and second by Neumann the following motion was introduced and adopted by unanimous rollcall vote: To approve the Commissioner Warrants number (ACH) 400568 through 400585 in the amount of \$5,702.61 and (Regular) 53209 through 53297 in the amount of \$68,809.48 for a total of \$74,512.09.

On motion by Neumann and second by Becker, the following motion was introduced and adopted by unanimous rollcall vote: To approve the Health & Human Services Commissioner Warrants number (ACH) 800507 through 800576 and (Regular) 706470 through 706542 for a total amount of \$221,011.75.



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

On motion by Becker and second by Erickson, the following motion was introduced and adopted by unanimous rollcall vote: To approve the Health & Human Services SSIS Warrants number (ACH) 600144 through 600157 and (Regular) 515717 through 515748 for a total amount of \$64,116.11.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To provide acknowledgement to Benson Air Ag, Inc of Benson, MN for spraying of tent worms in Todd County in the Calendar year 2020 and along with the Public shall be notified within 48 hours prior to a spraying event.

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the appointment of Jenny Crider as the District 2 member representative on the Todd County Parks & Trails Board to fill the existing vacancy.

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

**RESOLUTION FOR A PUBLIC LAND AUCTION OF
TAX-FORFEITED PARCELS IN TODD COUNTY**

WHEREAS: Tax-Forfeited Parcels in Todd County have been reappraised and classified as provided by M.S. 282.01, and will be offered for sale by the Todd County Auditor/Treasurer at a public auction.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners do hereby approve said land auction to commence at 10:00 a.m. on the 3rd day of April, 2020. The Todd County Auditor/Treasurer is hereby directed to publish a notice of the upcoming land auction as provided by law.

BE IT FURTHER RESOLVED, that the terms of sale are as follows:

All property is sold for cash or check only, no payment plans will be offered and full payment is due on the date of sale.

A charge of \$25.00 will be made for each State Deed issued.

A charge of \$46.00 will be made to record the State Deed.

State Deed Tax on the amount of purchase will be collected. (0.0033 x purchase price or minimum of \$1.65)

A \$50.00 fee for well certificate, if applicable, will be collected.

A Tax Forfeiture Administration fee of \$250.00 will be collected.

A 3% Assurance Fund charge will be made (as per M. S. 284.28, Subd. 8).

BE IT FURTHER RESOLVED, that Tax-Forfeited Parcels will be offered for sale subject to liens, existing roads, easements and leases, if any, and any special assessments canceled at forfeiture may be reassessed by the municipalities after the sale.

BE IT FURTHER RESOLVED, that the right is reserved by Todd County, in the interest of the public, to cancel this sale at any time prior to its sale.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the appointment of Les Levin as a Member-At-Large on the Todd County Parks & Trails Board to fill the existing vacancy.

County Commissioners

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

“SECOND AMENDMENT DEDICATED COUNTY” RESOLUTION

WHEREAS, the Second Amendment of the United States Constitution reads “A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed.” and



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual's right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home, and

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated by the Due Process Clause of the Fourteenth Amendment against the states, and

WHEREAS, the People of Todd County, Minnesota, derive economic benefit from all safe forms of firearm recreation, hunting, and shooting conducted within Todd County using all types of firearms allowable under the United States Constitution, and

WHEREAS, certain legislation, beyond existing laws to date, that has or may be introduced in the Minnesota legislature in the future, and certain legislation which has or may be introduced in the United States Congress in the future, could have the effect of infringing on the rights of law-abiding citizens to keep and bear arms, as guaranteed by the Second Amendment to the United States Constitution, and

WHEREAS, the Todd County Board of Commissioners is concerned about the passage of any new legislation containing language which could be interpreted as infringing the rights of the citizens of Todd County to keep and bear arms, and

WHEREAS, the Todd County Board of Commissioners wishes to express its deep commitment to the rights of all citizens of Todd County to keep and bear arms, except those prohibited by current law, and

WHEREAS, the Todd County Board of Commissioners wishes to express opposition to any law in the future, beyond existing laws to date, that would unconstitutionally restrict the rights of the citizens of Todd County to keep and bear arms, and

WHEREAS, the Todd County Board of Commissioners wishes to express its intent to stand as a County Dedicated to Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the State of Minnesota, any efforts in the future to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens of Todd County to keep and bear arms, including through legal action, the power to appropriate public funds, and the right to petition for redress of grievances.

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

That the Todd Board of Commissioners hereby declares Todd County, Minnesota, as a "Second Amendment Dedicated County", and

That the Todd Board of Commissioners hereby expresses its intent to uphold the Second Amendment rights of the citizens of Todd County, Minnesota, and

That the Todd Board of Commissioners hereby expresses its intent that public funds of the County not be used to restrict the Second Amendment rights of the citizens of Todd County, or to aid Federal or State agencies in the restriction of said rights, and

That the Todd Board of Commissioners hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms using such legal means as may be expedient, including, without limitation, court action.

Property Tax Abatement – Public Hearing

The County Board held a public hearing to gather public input regarding the proposed property tax abatement on the property identified as tax parcel number 36-0132800 of a project to be known as the 2nd Avenue Apartments.

DW Jones Inc & City of Long Prairie

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

RESOLUTION RELATING TO A TAX ABATEMENT; GRANTING THE ABATEMENT

BE IT RESOLVED by the Board of County Commissioners (the "Board") of Todd County, Minnesota (the "County"), as follows:

Section 1. Authorization and Recitals.



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

1.01. The County, pursuant to Minnesota Statutes, Sections 469.1812 to 469.1815, as amended (the "Act"), is authorized to grant an abatement of the property taxes imposed by the County on a parcel of property, if certain conditions are met, through the adoption of a resolution specifying the terms of the abatement.

1.02. The County proposes to assist in financing the construction by D.W. Jones, Inc. of a 37-unit apartment building in the City of Long Prairie, in the County, which project is to be known as the 2nd Avenue Apartments, at 100% market-rate and no income restricted units (the "Project").

1.03. Pursuant to the Act, on the date hereof, this Council conducted a public hearing on the desirability of granting an abatement of property taxes on certain properties expected to be benefited by the proposed Project, which properties are identified as tax parcel number 36-0132800 (the "Properties"). Notice of the public hearing was duly published as required by law in the Long Prairie Leader, the official newspaper of the County, on March 4, 2020, which date is no fewer than ten and no more than 30 days prior to the date hereof.

Section 2. Findings. On the basis of the information compiled by the County and elicited at the public hearing referred to in Section 1.03, it is hereby found, determined and declared:

2.01. The Project is in the public interest because it will increase or preserve the tax base of the County, provide employment opportunities in the County, and help provide access to services for residents of the County.

2.02. The County expects that the benefits of the proposed abatement are not less than the costs of the proposed abatement. The public benefits that the County expects to result from the abatement are the provision of improved internet access for the benefit of residents of the County.

2.03. The Properties are not located in a tax increment financing district.

2.04. The granting of the proposed abatement will not cause the aggregate amount of abatements granted by the County under the Act in any year to exceed the greater of (i) ten percent (10.00%) of the County's net tax capacity for the taxes payable year to which the abatement applies, or (ii) \$200,000.

2.05. It is in the best interests of the County to grant the tax abatement authorized in this Resolution.

2.06. Under Section 469.1813, Subdivision 9 of the Act, it is not necessary for the County to obtain the consent of any owner of any of the Properties to grant an abatement.

Section 3. Granting of Tax Abatement.

3.01. A property tax abatement (the "Abatement") is hereby granted in respect of property taxes levied by the County on the Properties for a period of five (5) years, subject to satisfaction of the conditions for such duration described in Section 469.1813, subdivision 6(b). The Abatement will reduce all of the taxes for each of the Properties, and the total amount of the Abatement is estimated to be approximately \$199,470.

3.02. The County shall retain the Abatement and apply it to payment of all or a portion of the costs of acquiring or constructing the Project or to the payment of bonds of the County issued to finance costs of acquiring or constructing the Project.

3.03. The Abatement may be modified or terminated at any time by the Board in accordance with the Act.

County Ditch/Ag Inspector

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

2020 NOXIOUS WEED AND INVASIVE PLANT GRANT

WHEREAS, the MDA released the Noxious Weed and Invasive Plant Grant Proposal Application on October 1, 2019 and;

WHEREAS, November 19, 2019 the County Ag Inspector (CAI) brought a Board Action to the Board meeting asking for approval to apply for the Grant. The completed Grant application was submitted to the MDA on November 22, 2019. \$10,000 was requested to hire a contractor to do treatment of the



Township roads surrounding the Palmer amaranth fields, and to hire a contractor to do treatment of Wild parsnip in County Road ROWs and Township road ROWs that are identified to have Wild parsnip, and; **WHEREAS**, the CAI was informed on January 24, 2020, that Todd County has been awarded the \$10,000 requested amount, and on March 3, 2020 the CAI received the grant contract by email, and ; **WHEREAS**, this year the grant is reimbursement only, there will be no funds given to Todd County up front. The expenses will need to be covered by the general fund until invoices are submitted to the MDA and the County is reimbursed.

NOW, THEREFORE BE IT RESOLVED, the Todd County Board of Commissioners accepts the 2020 Noxious Weed and Invasive Plant Grant from the MDA in the amount of \$10,000.00, and authorizes the CAI to sign the Grant Award contract for and on behalf of Todd County.

Planning & Zoning

On motion by Erickson and second by Becker, the following motion was introduced and adopted by unanimous vote: To approve the Conditional Use Permit for a Retail Store on parcel 18-0050700 with proposed conditions: 1. Applicant must complete the variance process for the addition to the structure. 2. Applicant must abide by all applicable federal, state, and local regulations.

On motion by Kneisl and second by Becker, the following motion was introduced and adopted by unanimous vote: To approve the Conditional Use Permit for hosting of wedding events on parcel 07-0007000 with the proposed conditions: 1. Abandonment of the onsite manure pit. 2. Onsite camping will be limited to 4 camp sites and the length of stay must not exceed two nights. 3. No onsite dumping will be allowed for temporary camping sites. 4. Vehicle parking shall not take place within the public road right of way nor shall vehicles be parked along the access coming off County 78. 5. Total guests for each event will be limited to 198 guests. 6. All changes to the operation of this venue shall be presented to Planning and Zoning for further consideration. 7. Applicant must abide by all other applicable federal, state, and local standards.

Facilities Committee

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

AWARD OF CONSTRUCTION CONTRACT FOR 2020 TODD COUNTY EXPO BUILDING PROJECT

WHEREAS, sealed bids were received on March 10th, 2020 by the Todd County Facilities Committee for the renovation of the Todd County Expo Building located at the Todd County Fairgrounds in Long Prairie MN, and;

WHEREAS, the following sealed bids were received:

Arnzen Construction, Freeport MN, \$708,454.00 (Base Bid + Alternates 1 & 2)
Eagle Construction, Little Falls, MN \$1,456,000.00 (Base Bid + Alternates 1 & 2)

WHEREAS, the Todd County Facilities Committee has reviewed the bids and makes a recommendation to accept and award the contract to Arnzen Construction of Freeport, Minnesota, based on their low bid of \$708,454.00.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners does hereby accept and award the contract for the above said construction project to Arnzen Construction of Freeport, Minnesota based on their low bid of \$708,454.00.

On motion by Becker and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the 2nd Phase of the Rock Wall Project.



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Todd County

• MINNESOTA • EST. 1855 •

Health & Human Services

A Situational Update regarding Coronavirus Disease 2019 (COVID-19) was provided to the County Board with discussion held.

Administration

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

Adoption of Changes to Todd County Personnel Policy

WHEREAS, the Todd County Board of Commissioners has recognized a need for strong, up to date personnel policy, and;

WHEREAS, the Todd County Board of Commissioners and policies subcommittee have had an opportunity to review the policy revisions put forth in Article VII, Section 7.03 of the Personnel Policy and find the implementation to be in the best interest of the sound administration of the County;

NOW, THEREFORE BE IT RESOLVED, the Todd County Board of Commissioners adopts the attached changes to the Todd County Personnel Policy and directs the County Coordinator to begin administration of said policy as of March 17, 2020.and;

BE IT FURTHER RESOLVED, that it is understood that this Resolution replaces and supersedes all prior County Board actions, oral or written, relating to the subject matter hereof.

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

Adoption of Temporary Changes to Todd County Personnel Policy

WHEREAS, the Todd County Board of Commissioners has recognized a need for efficient and effective government, up to date personnel policy, and;

WHEREAS, the Todd County Board of Commissioners have had an opportunity to review the policy revisions put forth and find the implementation to be in the best interest of the sound administration of the County;

NOW, THEREFORE BE IT RESOLVED, the Todd County Board of Commissioners adopts the attached changes to the Todd County Personnel Policy and directs the County Coordinator to begin administration of said policy as of March 17, 2020.and;

BE IT FURTHER RESOLVED, that it is understood that this Resolution replaces and supersedes all prior County Board actions, oral or written, relating to the subject matter hereof.

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

CREATION OF THE COVID-19 EMERGENCY EXECUTIVE COMMITTEE

WHEREAS, the COVID-19 Virus Pandemic is requiring all levels of government agency to make immediate changes to their standard policies and procedures, and;

WHEREAS, Todd County is obligated to protect the safety and welfare of all the citizens and staff of Todd County which may require immediate action or change to policies and procedures.

NOW, THEREFORE BE IT RESOLVED, that Todd County Board of Commissioners hereby creates a COVID-19 Emergency Executive Committee that is granted authority to make time sensitive decisions on only Todd County Policies and Procedures that relate to the COVID-19 pandemic, and



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

BE IT FURTHER RESOLVED, that these time sensitive decisions be immediately brought forth to be considered for ratification by the full County Board of Commissioners at either the next regularly scheduled County Board of Commissioners Meeting or an Emergency County Board of Commissioners Meeting, and;

BE IT FURTHER RESOLVED, that the members the COVID-19 Emergency Executive Committee be the County Board Chairperson, County Board Vice-Chairperson, County Coordinator, County Attorney and the County Health/Human Services Director.

Adjourn

On motion by Kneisl and second by Neumann, the meeting was adjourned for the month of March 2020.

COMMISSIONER WARRANTS

VENDOR NAME	AMOUNT
MN COUNTY ATTORNEY'S ASSOC	\$ 3,707.00
NORTHERN SALT INC.	\$ 26,912.38
ONSOLVE, LLC	\$ 7,950.00
STAPLES WORLD	\$ 2,616.57
WIDSETH SMITH NOLTING INC	\$ 2,530.00
102 PAYMENTS LESS THAN 2000	\$ 30,796.14
Total:	\$ 74,512.09

HEALTH & HUMAN SERVICES WARRANTS

VENDOR NAME	AMOUNT
DHS - SWIFT	\$ 134,919.28
RURAL MN CEP INC	\$ 6,744.90
TODD COUNTY AUDITOR/TREASURER	\$ 15,096.10
US POSTAL SERVICE	\$ 4,672.00
139 PAYMENTS LESS THAN 2000	\$ 59,579.47
Total:	\$ 221,011.75

VENDOR NAME	AMOUNT
#15998	\$ 2,831.27
#14593	\$ 3,022.65
LUTHERAN SOCIAL SERVICES OF MN-ST PAUL	\$ 2,655.24
NORTH HOMES CHILDREN & FAMILY SRVS	\$ 2,871.87
NORTHERN PINES MENTAL HLTH CTR INC	\$ 2,500.00
PRODUCTIVE ALTERNATIVES INC	\$ 4,467.38
#13887	\$ 2,024.78
STEP	\$ 7,010.44
#16014	\$ 2,328.12
WEST CENTRAL REG JUVENILE CTR	\$ 4,114.00
PAYMENTS LESS THAN 2000	\$ 30,290.36
Total:	\$ 64,116.11



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Todd County

• MINNESOTA • EST. 1855 •

On a motion by Kneisl and second by Neumann, the preceding minutes of the County Board meeting held March 17, 2020 were duly approved by unanimous vote at the Todd County Board of Commissioners at the Regular Board Meeting held on April 7, 2020.

Witness my hand and seal:

David Kircher, County Board Chairperson

Denise Gaida, Todd County Auditor-Treasurer