



WHERE THE FOREST MEETS THE PRAIRIE

Todd County

• MINNESOTA • EST. 1855 •

*Minutes of the Meeting of the Todd County Board of Commissioners held on
October 19th, 2021*

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 October, 2021 at 9:00 AM. The meeting was called to order by Chairperson Becker. The meeting was opened with the Pledge of Allegiance. All Commissioners were present.

Approval of Agenda

On motion by Erickson 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 11.2 MOAs for Health Insurance Change.

Consent Agenda

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

To approve the Todd County Board of Commissioner's Meeting Minutes for October 5th, 2021 as presented.

To accept Bryan Anderson's resignation, Heavy Equipment Operator, effective 10/29/2021.

To approve the resignation of Vanessa Eisenbraun, Support Enforcement Aide, effective October 29, 2021.

GAMBLING PERMIT – NWTF STRUTTIN' BLACKBEARDS

WHEREAS, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for the NWTF Struttin' Blackbeards through this resolution;

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners approve a Gambling Permit for the NWTF Struttin' Blackbeards to hold a raffle event at the Clarissa Ballroom in Eagle Valley Township at the address 19281 Kotter Road, Clarissa, MN on February 5th, 2022.

Auditor-Treasurer

On motion by Kneisl and second by Kircher, the following motion was introduced and adopted by unanimous rollcall vote: To approve the Commissioner Warrants number (ACH) 401522 through 401561 in the amount of \$34,686.51 and (Regular) 55270 through 55317 in the amount of \$84,041.96 for a total of \$118,728.47.

On motion by Kircher and second by Neumann, the following motion was introduced and adopted by unanimous rollcall vote: To approve the Health & Human Services Commissioner Warrants number (ACH) 802056 through 802128 and (Regular) 708255 through 708321 for a total amount of \$77,478.95.

On motion by Erickson and second by Kneisl, the following motion was introduced and adopted by unanimous rollcall vote: To approve the Health & Human Services SSIS Warrants number (ACH) 600478 through 600490 and (Regular) 516566 through 516592 for a total amount of \$63,221.79.

On motion by Kneisl and second by Neumann, the following motion was introduced and adopted by unanimous vote: To adopt the 2022 County Fee Schedule to be effective January 1, 2022 per the attached document.



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On motion by Neumann and second by Erickson, the following resolution was introduced and adopted by majority rollcall vote with Kircher against:

Resolution for Classification of Tax-Forfeited Property and Requesting Approval from the Minnesota Department of Natural Resources for the Sale of Tax Forfeited Lands

WHEREAS, the County Board of Commissioners of the County of Todd, State of Minnesota, desires to offer for sale certain parcels of land that have forfeited to the State of Minnesota for nonpayment of taxes, and

WHEREAS, said parcels of land have been viewed by the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE BE IT RESOLVED, that the Todd County Board of Commissioners hereby certifies that all parcels of land on the attached list have been viewed and comply with the provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd. 8, and 282.018, and other statutes that require the withholding of tax-forfeited lands from sale. The Todd County Board of Commissioners hereby certifies that the Soil and Water Conservation Board (of the district in which the land is located) has reviewed the attached land sale list and identified any and all non-forested marginal land and wetland.

BE IT FURTHER RESOLVED, that the Todd County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the Sale of one tax forfeited parcel highlighted on the attached list.

Public Works

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

A RESOLUTION OF SUPPORT REGARDING THE CITY OF STAPLES LETTER OF INTENT TO APPLY FOR FUNDING THROUGH THE MINNESOTA SAFE ROUTES TO SCHOOL PROGRAM

WHEREAS, \$8 million in Safe Routes to School Funding is available statewide in Minnesota, with a minimum of \$50,000 and cap of \$500,000 for each project, and;

WHEREAS, City of Staples is interested in applying for Safe Routes to School Funding for a project that provides trail and sidewalk connections to both the Staples-Motley High School/Middle School and the Staples-Motley Elementary School, and;

WHEREAS, City of Staples is required to have Todd County act as a state aid sponsor in order to apply for funding, and;

WHEREAS, the City of Staples and Staples-Motley Schools are requesting sponsorship for this project, and;

WHEREAS, The City of Staples understands that it will be responsible for all costs not covered by Safe Routes to School including but not limited to consultant engineering, right-of-way acquisition, construction administration and inspection, utility construction, as well as construction costs above the SRTS award, and;

WHEREAS, The City of Staples and Staples-Motley School has agreed to maintain such improvements for the lifetime of the improvements.

NOW, THEREFORE BE IT RESOLVED, Todd County agrees to act as project sponsor for the project should the City of Staples be awarded Safe Routes to School Funds, and that such sponsorship may include the following responsibilities:

Act as the fiscal agent on behalf of the City of Staples



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- Request State Aid Project number for the project
- Ensure the project meets milestones and dates
- Assist the City of Staples in execution of a state bond grant agreement
- Assist the City of Staples' engineer in the develop, review and approval of the construction plans
- Submit the construction plans, engineers estimate, and proposal to the MnDOT District State Aid Engineer
- Publicly advertise, let, and award the construction project
- Submit State Aid Payment requests to the MnDOT State Aid Office
- Communicate progress and updates with MnDOT District State Aid Engineer and State Aid Programs Engineer
- Ensure that the project is being supervised and inspected by the City of Staples' Engineer
- Assist with project close out

BE IT FURTHER RESOLVED, the County will require that the City of Staples to enter into a Cooperative Construction Agreement with Todd County for the development of this project if said project is selected to receive Safe Routes to School Funds.

County Ditch/Ag Inspector

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: Acting as Ditch Authority, Rescind Resolution Board Action Tracking Number 20210921-14 – Hold Harmless Agreement petition from Prairie Lakes Farm LLC/Amthor Cattle on parcel 26-0022100, Ward Twp section 24 that was approved at the September 21, 2021 Board Meeting. The HHA application will be re-submitted with additional ditch line added on neighboring parcels.

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

Hold Harmless Agreement – Ditch Maintenance – County Ditch 19

WHEREAS, Prairie Lakes Farm LLC/Amthor Cattle is requesting to maintain approximately 1700 feet of CD19 that is located on their parcel 26-0022100 and approximately 1800 feet of CD19 that is located on parcels 26-0021802 & 26-0012000 owned by Mark Parteka. A Hold Harmless Agreement has been signed and submitted to the Ditch Authority, and;

WHEREAS, an onsite inspection has been done, 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 16.5 feet of the ditch, or moved to an approved upland site.

NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to Prairie Lakes Farm LLC/Amthor Cattle to maintain approximately 1700 feet of CD19 that is located on their parcel 26-0022100 and approximately 1800 feet of CD19 on parcels 26-0021802 & 26-0012000 owned by Mark Parteka, Ward Twp section 24. Prairie Lakes LLC will do this project at their own expense.

On motion by Kneisl and second by Kircher, the following motion was introduced and adopted by unanimous vote: To acknowledge receipt of a Hold Harmless Agreement petition from Dave Harren, to clean part of County Ditch 27 on parcels 28-0015201 & 28-0015001 and to install a private crossing on parcel 28-0015201 in Wykeham Twp section 24.



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

HOLD HARMLESS AGREEMENT – DITCH MAINTENANCE/REPLACE PRIVATE CROSSING – COUNTY DITCH 34

WHEREAS, Aaron Ekola is requesting to maintain approximately 1360 feet of ditch and replace a private crossing on CD34 that is located on his property. A Hold Harmless Agreement has been signed and submitted to the Ditch Authority, and;

WHEREAS, an onsite inspection has been done, 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 16.5 feet of the ditch. The existing, failing culvert crossing will be replaced with culverts that match the hydraulic capacity of a 48” culvert. The culvert(s) will be placed at original ditch bottom elevation.

NOW, THEREFORE BE IT RESOLVED, the Todd County Ditch Authority gives permission to Aaron Ekola to maintain approximately 1360 feet of ditch, and to replace a private crossing on CD34 that is located on parcel 19-0030000, Moran Twp section 29. This maintenance will be done on his own property and at his own expense.

County Sheriff

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 AGREEMENT WITH THE COUNTY OF TODD ON BEHALF OF ITS SHERIFF’S OFFICE

WHEREAS, the County of Todd on behalf of its Sheriff’s Office desires to enter into a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to participate in the Minnesota Financial Crimes Task Force (MNFCTF) established to investigate and prosecute identity theft and related financial crimes.

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

1. That the State of Minnesota Joint Powers Agreement 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 Sheriff’s Office is hereby approved.
2. That the Sheriff, Steve Och, or his or her successor, is designated the Authorized Representative for the Sheriff’s Office. 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 participation in the MNFCTF.
3. That Barbara Becker, the County Board Chair of the County of Todd, and Denise Gaida, the County Board Clerk are authorized to sign the State of Minnesota Joint Powers Agreement.

Planning & Zoning

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

Resolution to Adopt and Implement the Sauk River Comprehensive Watershed Management Plan
Whereas, the Todd County has been notified by the Minnesota Board of Water and Soil Resources that the Sauk River Comprehensive Watershed Management Plan (Plan) has been approved according to Minnesota Statutes §103B.801 and Board Resolution #16-17



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Whereas, Minnesota Statutes §103B.101, subd. 14 allows a local water management plan developed or amended, approved and adopted, according to chapter 103B to be replaced with a comprehensive watershed management plan but only to the geographic area of the Plan and consistent with the One Watershed, One Plan suggested boundary map.

Now; Therefore, Be it Resolved, the county hereby adopts and will begin implementation of the approved Plan for the area of the county identified within the Plan and the plan replaces the local water management plan for that geographic area of the county within the WATERSHED PLAN NAME for the duration of the state approved Plan.

Be it Further Resolved after the adoption of the Plan, the county shall amend existing water and related land resources plans and official controls as necessary to conform them to Plan.

Be it Further Resolved after the adoption of the Plan or amendments to the plan, Todd County shall notify local units of government within the Sauk River Watershed. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the county for review as per Minnesota Statutes, Section 103B.321.

Be it Further Resolved that within 180 days, the county shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls and the Plan. The Todd County shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Plan.

Be it Further Resolved if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

Be it Further Resolved after receiving the recommendations of the county, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the county for review and recommendations.

On motion by Neumann and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve to enter into the attached Sauk River Watershed Collaborative Agreement.

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

Final Plat Approval – “Sunrise Estates”

WHEREAS, Applicant and property owner Matt Winters of BMW Properties, LLC of applied to subdivide three contiguous properties that are described as Part of Government Lot 2 of Section 22, and part of Government Lot 1 and part of the Northeast quarter of Section 27 in Kandota Township with the plat to be known as ‘Sunrise Estates’,

WHEREAS, Sunrise Estates consists of 5 buildable riparian lots and 1 non-buildable, non-riparian outlot; Block 1, Lot 1, 3.79± Acres; Block 1, Lot 2, 1.80± Acres; Block 1, Lot 3, 1.43± Acres; Block 1, Lot 4, 1.37± Acres; Block 1, Lot 5, 1.57± Acres; and Outlot A, 0.65± Acres; all of which are located in the Recreational Development Shoreland zoning of Sauk Lake in Kandota Township,

WHEREAS, On May 6th, 2021, the Todd County Planning Commission recommended the following properties be considered for Subdivision pursuant to Todd County Subdivision Regulation and Ordinance:

PID 14-0026000

SECT-27 TWP-127 RANG-34

PARTS OF NW4 NE4, N2 SW4 NE4 & GOVT LOT 1 DESC AS: COMM AT N QTR COR OF SEC 27, S 200.09 FT TO S LINE OF N 200 FT AS PT OF BEG; THENCE S 1729.79 FT, E 556.52 FT, SE 584 FT, NE 361 FT, NE 272 FT, NE 162 FT TO WATERLINE OF SAUK LAKE, N-RLY ALONG WATER LINE TO S LINE OF THE N 200 FT OF GOVT LOT 1, NW 1572 FT TO BEG

67.74 ACRES

PID 14-0026100



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SECT-27 TWP-127 RANG-34
N 200 FT OF NW4 NE4 & N 200 FT OF GOVT LOT 1
7.16 ACRES

PID 14-0025801

SECT-22 TWP-127 RANG-34
S 200 FT OF S2 OF GOVT LOT 2 & EX HWY 71
6.98 ACRES

WHEREAS, On May 18th, 2021, the Todd County Board of Commissioners considered the Preliminary Plat for the above described property and approved the Sunrise Estates preliminary plat with 11 conditions as follows:

1. Disconnection of the access to 10998 US 71 (at US 71 and 110th St) upon connection of the development to Akley Trail.
2. Complete approval from the County of the submitted wetland delineation report.
3. Identification of two sewerable sites per proposed lot and completion of a septic compliance inspection for existing systems. Sewerable sites must be approved by the County prior to final platting.
4. Proposed road must be tarred within the next two construction seasons (2022 and 2023).
5. Engineered storm water management pond must be completed prior to final platting.
6. Creation of one or more outlots to encompass the engineered stormwater management system.
7. Obtain the appropriate construction storm water permits as required by the Minnesota Pollution Control Agency.
8. Developer and future property owners must obtain appropriate permitting when necessary from other governmental agencies including but not limited to the Minnesota Pollution Control Agency and Sauk River Watershed District.
9. Creation of covenants addressing who is responsible for maintenance of storm water management practices.
10. Creation of covenants addressing who shall be responsible for maintenance of the roadway until the time Kandota Township takes ownership.
11. Creation of an agreement with Kandota Township of who will take ownership of the roadway once the road is built.

WHEREAS, the Planning & Zoning Department has completed the necessary final plat review and find that all items required for final plat approval have been completed.

NOW, THEREFORE BE IT RESOLVED, the final plat of "Sunrise Estates" be approved as presented.

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit for parcel 18-0034700 submitted by Jason Ehnes for operation of a 10 semi-truck commercial transportation business with two conditions.

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit for parcel 18-0034700 submitted by Jason Ehnes for establishment of a bulk storage fuel tank with one proposed condition.

On motion by Kircher and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit for parcel 18-0034700 submitted by Lakes Gas Company for establishment of an 18,000 gallon bulk storage tank with three proposed conditions.

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit for parcel 15-0089800 submitted by David Bryant to establish a home-based business for online sales of firearms with one proposed condition.



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On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit for parcel 14-0026700 submitted by Michael Froseth to establish a Community Solar Energy System with two proposed conditions.

On motion by Neumann and second by Erickson, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit for parcel 14-0024800 submitted by Michael Froseth to establish a Community Solar Energy System with two proposed conditions.

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To grant the request for rezone of parcels 21-0001200, 21-0001900 and 21-0001201 submitted by Cary & Christine Kleinschmidt from AF1 to AF2 with no conditions.

On motion by Erickson and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To adopt the changes to Section 9.04B to read "Semi-trailers, railroad cars, and cargo containers may be used for storage structures in AF-1, AF-2 and Commercial Zones but shall be limited to two per parcel and shall require a land use permit."

Health & Human Services

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approve the 2022-2023 MFIP Biennial Service Agreement for program administration by Todd County.

Administration

On motion by Kneisl and second by Kircher, the following motion was introduced and adopted by unanimous vote: To approve the Region V lease agreement effective from January 1, 2022 through December 31, 2026.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To change Health Insurance Plan 2 to Smart Plan 1 and Plan 3 to Smart Plan 2 options by signing the MOAs, pending all unions agree to the change.

Closed Session

Chair Becker closed the session at 10:03 a.m. pursuant to MN Statute §13D.03 to consider strategies for labor negotiations.

Chair Becker reopened the session at 10:31 a.m.

County Auditor-Treasurer's Report

The County Auditor-Treasurer reported that there are 4 upcoming elections on November 2, 2021 that affect portions of Todd County Voters which include Upsala, Sauk Centre, Osakis and Long Prairie/Grey Eagle School Districts with absentee voting currently available via the school district offices.

County Coordinator's Report

The County Coordinator reported that there is a special Todd County Development Corporation meeting planned for November 1, 2021 to discuss broadband with area Legislators and Commissioners.

County Commissioner's Report

The Commissioners has nothing to report at this time.



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Adjourn

On motion by Erickson and second by Neumann, the meeting was adjourned for the month of October, 2021.

COMMISSIONER WARRANTS

VENDOR NAME	AMOUNT
BOSL/GREG	\$ 13,749.52
BROWERVILLE TRUCKWASH/BIG BOYZ	\$ 4,133.40
CENTRAL APPLICATORS INC	\$ 22,112.71
ENTERPRISE UAS, LLC	\$ 7,273.99
HERDERING INC	\$ 13,006.65
LONG PRAIRIE OIL COMPANY	\$ 4,408.66
RTVISION INC	\$ 2,482.51
WIDSETH SMITH NOLTING INC	\$ 26,576.56
80 PAYMENTS LESS THAN 2000	\$ 24,984.47
Total:	\$ 118,728.47

HEALTH & HUMAN SERVICES WARRANTS

VENDOR NAME	AMOUNT
V#16734-COST EFF HEALTH INS	\$ 2,653.26
HANDI-XPRESS LLC	\$ 2,743.00
RURAL MN CEP INC	\$ 16,369.13
137 PAYMENTS LESS THAN 2000	\$ 55,713.56
Total:	\$ 77,478.95

VENDOR NAME	AMOUNT
# 16413	\$ 2,277.60
# 16713	\$ 2,077.20
# 16831	\$ 3,000.00
HOLISTIC FAMILY EDUCATION SRVS	\$ 5,673.87
# 16814	\$ 2,226.00
NORTH HOMES CHILDREN & FAMILY SRVS	\$ 9,799.41
# 16668	\$ 3,954.60
STEP	\$ 5,193.45
VILLAGE RANCH INC	\$ 7,590.90
PAYMENTS LESS THAN 2000	\$ 21,428.76
Total:	\$ 63,221.79

On a motion by Kircher and second by Kneisl, the preceding minutes of the County Board meeting held October 19th, 2021 were duly approved by unanimous vote at the Todd County Board of Commissioners at the Regular Board Meeting held on November 2nd, 2021.

Witness my hand and seal:

Barbara Becker
Barbara Becker, County Board Chairperson

Denise Gaida
Denise Gaida, Todd County Auditor-Treasurer