



WHERE THE FOREST MEETS THE PRAIRIE

# Todd County

• MINNESOTA • EST. 1855 •

*Minutes of the Meeting of the Todd County Board of Commissioners held on  
December 21<sup>st</sup>, 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 21st day of December, 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 Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the agenda as presented.

**Consent Agenda**

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

To approve the Todd County Board of Commissioner's Meeting Minutes for December 10<sup>th</sup>, 2021 as presented.

To approve Alyssa Etzler to fill the open Social Worker position.

To approve the 2022 Tobacco Licenses for the Clarissa Municipal Liquor Store, Don and Dave's Store, The Hub Supper Club, Jon's Foods Inc, Eagle Valley Express, American Legion Post 417, Partridge Creek Blinds and More LLC, Rohde's Midway Gas Bar and Grill, and Shady's Golden Eagle.

To approve a One-Year On & Off Sale 3.2 Malt Liquor License for Don & Dave's Store at the address of 26762 County 26, Browerville, MN in Moran Township effective January 1<sup>st</sup>, 2022 through December 31<sup>st</sup>, 2022.

**GAMBLING PERMIT – MIDWEST OUTDOORS UNLIMITED – PRAIRIE PARTNERS  
CHAPTER**

**WHEREAS**, the Todd County Board of Commissioners are establishing their approval for a Gambling Permit for the Midwest Outdoors Unlimited – Prairie Partners Chapter through this resolution;

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners approve a Gambling Permit for the Midwest Outdoors Unlimited – Prairie Partners Chapter to hold a raffle event at the Hub Supper Club in Burnhamville Township at the address 30905 County 13, Burtrum, MN on March 5<sup>th</sup>, 2022.

**Auditor-Treasurer**

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous rollcall vote: To approve the Commissioner Warrants number (ACH) 401651 through 401672 in the amount of \$24,341.49 and (Regular) 55449 through 55502 in the amount of \$120,383.56 for a total of \$144,725.05.

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) 802239 through 802321 and (Regular) 708457 through 708532 for a total amount of \$163,844.29.

On motion by Erickson and second by Kircher, the following motion was introduced and adopted by unanimous rollcall vote: To approve the Health & Human Services SSIS Warrants number (ACH) 600522 through 600534 and (Regular) 516650 through 516672 for a total amount of \$69,623.78.



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On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the 2021 Elections Budget Carryover per the attached Budget Request Form details in the amount of \$15,000.

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: To renew the Hands of Hope Resource Center Lease Agreement for January 1, 2022 through December 31, 2022.

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

**Repurchase of Tax Forfeited Properties**

**WHEREAS**, Chatton D Bolden has submitted an application for repurchase of the following described tax forfeited lands; Parcel's 19-0096800, 19-0096900, 19-0097000, and 19-0097100 Lots 7, 8, 9, and 10 Block 3 of Sylvan Shores South.

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners approves the application for repurchase of tax-forfeited lands submitted by Chatton D Bolden.

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

**TRANSFER OF FUNDS – COUNTY DITCH 18 - PARTIAL REPAYMENT**

**WHEREAS**, on December 28, 2017, the Todd County Board of Commissioners approved the advance of \$300,000.00 from the General Fund (Fund 01) to the Ditch Fund (Fund 40) per BA#20171228-06; and **WHEREAS**, on September 4, 2018, the Todd County Board of Commissioners approved the special assessment payment terms, granting a 10 year repayment term with 2% interest to be credited to the General Fund (Fund 01). The first year of the special assessment collection began for taxes payable in 2019 per BA#20180904-07; and

**WHEREAS**, the amount collected in 2018 and 2019 for Ditch 18 Special Assessment #7189 in the principal amount of \$70,441.51 along with \$4,060.28 of interest was approved as a partial repayment of the advance via BA#20191217-09; and

**WHEREAS**, the amount collected in 2020 for Ditch 18 Special Assessment #7189 in the principal amount of \$33,833.84 along with \$4,606.32 of interest was approved as a partial repayment of the advance via BA#20201215-16; and

**WHEREAS**, the amount collected for Ditch 18 Special Assessment #7189 in taxes payable year 2021 is \$20,121.58 on the principal balance, along with \$3,243.61 of interest and is ready for transfer as a partial repayment to the advance made by the General Fund.

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners hereby authorize the transfer of funds in the amount of \$23,365.19 from Fund 40-County Ditches/Ditch 18 to Fund 01 General Fund.

**Administration**

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

**2022 COUNTY COMMISSIONER SALARY**

**WHEREAS**, the Todd County Board of Commissioners is responsible for setting compensation of county employees, elected officials, appointed officials and board members, and;



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**WHEREAS**, the Todd County Board of Commissioners considered the duties and responsibilities of each individual position; and

**WHEREAS**, the Todd County Board of Commissioners considered the salaries of elected officials in other comparable counties; and

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners approve setting the County Commissioners salary at \$33,393 plus \$1,800 supplemental pay for Board Chair and \$1,200 supplemental pay for the Board Vice-Chair in 2022.

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

**2022 COUNTY ATTORNEY SALARY**

**WHEREAS**, the Todd County Board of Commissioners is responsible for setting compensation of county employees, elected officials, appointed officials and board members, and;

**WHEREAS**, the Todd County Board of Commissioners considered the duties and responsibilities of each individual position; and

**WHEREAS**, the Todd County Board of Commissioners considered the salaries of elected officials in other comparable counties; and

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners approve setting the County Attorney salary at \$123,527 in 2022.

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

**2022 COUNTY AUDITOR/TREASURER SALARY**

**WHEREAS**, the Todd County Board of Commissioners is responsible for setting compensation of county employees, elected officials, appointed officials and board members, and;

**WHEREAS**, the Todd County Board of Commissioners considered the duties and responsibilities of each individual position; and

**WHEREAS**, the Todd County Board of Commissioners considered the salaries of elected officials in other comparable counties; and

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners approve setting the County Auditor/Treasurer salary at \$96,790 in 2022.

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

**2022 COUNTY RECORDER SALARY**

**WHEREAS**, the Todd County Board of Commissioners is responsible for setting compensation of county employees, elected officials, appointed officials and board members, and;

**WHEREAS**, the Todd County Board of Commissioners considered the duties and responsibilities of each individual position; and

**WHEREAS**, the Todd County Board of Commissioners considered the salaries of elected officials in other comparable counties; and

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners approve setting the County Recorder salary at \$74,098 in 2022.

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

**2022 COUNTY SHERIFF SALARY**

**WHEREAS**, the Todd County Board of Commissioners is responsible for setting compensation of county employees, elected officials, appointed officials and board members, and;



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**WHEREAS**, the Todd County Board of Commissioners considered the duties and responsibilities of each individual position; and

**WHEREAS**, the Todd County Board of Commissioners considered the salaries of elected officials in other comparable counties; and

**NOW, THEREFORE BE IT RESOLVED**, that the Todd County Board of Commissioners approve setting the County Sheriff salary at \$111,885 in 2022.

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

#### **CHANGES TO GROUP HEALTH INSURANCE CONTRIBUTIONS**

**WHEREAS**, the Todd County Board of Commissioners are responsible for setting compensation and benefits of county employees, elected officials, appointed officials and board members, and;

**WHEREAS**, the Todd County Board of Commissioners desires to change employer/employee contributions for health insurance coverage within the County's Group Health Insurance Plan.

**WHEREAS**, the Todd County Board of Commissioners has previously followed the same pattern bargained with unions for group health insurance contributions for those not covered under collective bargaining agreements, and;

**WHEREAS**, some collective bargaining agreements for 2022 have been settled as of this date, December 21, 2021, and;

**NOW THEREFORE BE IT RESOLVED**, for employees not covered by a collective bargaining agreement, the County shall pay the cost of single insurance coverage up to \$813.91 per month, or the full cost of the premium, whichever is less. The County shall pay \$1,300 toward the Employee + Spouse coverage, \$1,075 toward Employee + Child(ren) coverage and \$1,400 toward Family coverage, or the full cost of the premium, whichever is less. The County shall not pay more than the actual premium cost of the plan.

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

#### **A RESOLUTION FOR OPIOID SETTLEMENT AGREEMENT**

**Authorizing county staff to execute all necessary documents to ensure County participation in the multistate settlements relating to opioid distributors and manufacturers, and in the Minnesota Opioids State-Subdivision Memorandum of Agreement, and declaring support for an amendment to Minn. Stat. § 256.043, subd. 3(d).**

**WHEREAS**, the State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against manufacturers and distributors of prescription opioids related to the opioid crisis; and **WHEREAS**, the Minnesota Attorney General has signed on to multistate settlement agreements with several pharmaceutical distributors, McKesson, Cardinal Health, and AmerisourceBergen, as well as opioid manufacturer Johnson & Johnson, but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and

**WHEREAS**, there is a deadline of January 2, 2022, for a sufficient threshold of Minnesota cities and counties to sign on to the above-referenced multistate settlement agreements, and failure to timely sign on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

**WHEREAS**, representatives of Minnesota's local governments, the Office of the Attorney General, and the State of Minnesota have reached agreement on the intrastate allocation of these settlement funds between the State, and the counties and cities, as well as the permissible uses of these funds, which will be memorialized in the Minnesota Opioids State-Subdivision Memorandum of Agreement (the "State-Subdivision Agreement"); and



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**WHEREAS**, during negotiations of the State-Subdivision Agreement, representatives of Minnesota's counties prioritized flexibility in how local governments may use settlement funds for opioids abatement and remediation and advocated for counties to receive settlement allocations directly rather than using the distribution mechanism detailed in Minn. Stat. § 256.043, subd. 3(d); and

**WHEREAS**, in order to achieve the goals of flexibility and direct allocation, Minn. Stat. § 256.043, subd. 3(d), must be amended to remove a provision which would otherwise appropriate approximately 50 percent of the state's settlement allocation to county social service agencies for statutorily-prescribed use(s); and

**WHEREAS**, the State-Subdivision Agreement creates an opportunity for local governments and the State to work collaboratively on a unified vision to deliver a robust abatement and remediation plan to address the opioid crisis in Minnesota; now, therefore,

**NOW THEREFORE BE IT RESOLVED**, Todd County supports and agrees to the State-Subdivision Agreement; and

**BE IT FURTHER RESOLVED**, Todd County supports and opts in to the multistate settlements with McKesson, Cardinal Health, and AmerisourceBergen, and with Johnson & Johnson; and

**BE IT FURTHER RESOLVED**, Todd County authorizes county staff to execute all necessary documents to ensure County participation in the multistate settlements, including the Participation Agreement and accompanying Release, and in the State-Subdivision Agreement; and

**BE IT FURTHER RESOLVED**, Todd County, supports the amending of Minn. Stat. § 256.043, subd. 3(d), to remove a provision which would appropriate approximately 50 percent of the state's settlement allocation to county social service agencies via the existing Opiate Epidemic Response Fund distribution mechanism for statutorily-prescribed use(s).

### Todd County Ag Society

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote: To approve the waiving of the rental fees for the Todd County Ag Society's Winter Demo Derby event scheduled at the Todd County Fairgrounds on January 22, 2022.

### Policies Committee

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

#### **Establishment of a Merit System of Personnel Administration**

**WHEREAS**, Minn.Stat. 375.56-375.71 were enacted by the Minnesota Legislature authorizing Minnesota counties to establish a Personnel Administration System; and

**WHEREAS**, the Todd County Board of Commissioners adopted the County Personnel Act pursuant to Minn. Stat. 375.56-375.71 on November 16, 2021; and

**WHEREAS**, the Board of Commissioners will adopt and appoint members to a Personnel Board of Appeals, whereby three members will be appointed to serve staggering terms pursuant to Minn. Stat. 375.65.

**NOW, THEREFORE BE IT RESOLVED**, by the Todd County Board of Commissioners, that Todd County is in substantial compliance with the Federal Standards for a Merit System of Personnel Administration (5 CFR Part 900); and that Todd County has met all the Merit System of Personnel Administration and the County Personnel Act (Minn. Stat. 375.56-375.71) requirements; and that all personnel services will be provided by the County Coordinator.

**BE IT FURTHER RESOLVED**, that the effective date for the implementation and establishment of a Merit System of Personnel in Todd County is January 1, 2022.



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## Solid Waste

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

**A RESOLUTION TO APPROVE THE 2022 SOLID WASTE ENTERPRISE FUND BUDGET**  
**WHEREAS**, The Todd County Board of Commissioners are required to adopt an annual budget and certify it to the County Auditor.

**NOW, THEREFORE BE IT RESOLVED**, the Todd County Board of Commissioners hereby approves the following as the 2022 Budget for the Solid Waste Enterprise Fund of the County of Todd, Minnesota and directs that it be forwarded to the County Auditor.

### **SOLID WASTE ENTERPRISE FUND 2022 BUDGET**

<b>Description of Revenue Source</b>	<b>2022 Budget</b>
Property Taxes and Penalties	\$980,100
Licenses and Permits	\$960
HHW Reimbursement & Stipend	\$12,500
SCORE Grant	\$70,000
Charges for Service	\$1,830,000
Recyclables	\$150,000
<b>Revenue Total</b>	<b>\$3,043,560</b>
<b>Description of Expense</b>	<b>2022 Budget</b>
Personnel Services	\$545,073
Services and Charges	\$295,300
Supplies and Materials	\$143,150
Capital Expenditures	\$250,000
Tipping Fees	\$1,720,000
Other Expenditures	\$88,600
<b>Expense Total</b>	<b>\$3,042,123</b>
<b>BALANCE (REVENUE - EXPENSE)</b>	<b>\$1,437</b>

On motion by Erickson and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To authorize the Solid Waste Department to issue licenses and permits for the following applicants: LPS, City Sanitary, Tom's Refuse, Alex Rubbish and Matheisen. Contingent upon receipt of necessary documents issue licenses and permits for the following applicants: G&T Sanitation, and Waste Management.

On motion by Neumann and second by Erickson, the following motion was introduced and adopted by majority vote with Kircher against: To authorize the Solid Waste Department to accept the proposal from Forum Communications to print and mail the Recycling Survey.

## Health & Human Services

Cory Lawrence from STEP provided a letter read into record providing the County Board with an update of their service levels within Todd County in 2021.



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On motion by Erickson and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To approve the STEP Purchase of Service and Host County contract renewal.

On motion by Erickson and second by Neumann, the following motion was introduced and adopted by unanimous vote with Kircher abstaining: To approve the Northern Pines Purchase of Service Agreement renewal.

### **Planning & Zoning**

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit request by Simon Schmucker on parcel 13-0029000 to establish a wood processing operation in AF-1 Zoning with three conditions.

On motion by Neumann and second by Erickson, the following motion was introduced and adopted by unanimous vote: To grant the rezoning request from Doug Lien of parcel 15-0041700 from AF-1 to Shoreland-GD with no conditions.

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To move to remand the Lakeside Acres First Addition Preliminary Plat Approval topic back to the Planning Commission for further consideration and grant a 60 day extension for the preliminary plat consideration.

On motion by Neumann and second by Kneisl, the following motion was introduced and adopted by unanimous vote: To move to remand the Lakeside Acres Second Addition Preliminary Plat Approval topic back to the Planning Commission for further consideration and grant a 60 day extension for the preliminary plat consideration.

On motion by Kircher and second by Erickson, the following motion was introduced and adopted by unanimous vote: To approval of the Luna Sioux Hideaway Preliminary Plat with two conditions.

On motion by Erickson and second by Kircher, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit request from Joseph Frank on parcel 06-0045900 to establish a ground mounted community solar facility in AF-2 Zoning with three conditions.

On motion by Erickson and second by Kircher, the following motion was introduced and adopted by majority vote with Neumann against: To deny the rezoning request by Blair Hetland & Mary Krause on parcel 21-0008805 based on two findings of fact.

On motion by Kneisl and second by Erickson, the following motion was introduced and adopted by unanimous vote: To grant the conditional use permit requested by Eddie Kauffman on parcel 05-0009500 to establish a commercial greenhouse in R-10 Zoning with four 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 requested by Anthony & Nicole Middendorf on parcel 03-0025600 & 03-0016902 to increase the allowed animal units on site in Shoreland-NE Zoning by 93.02 Animal Units to 99 Animal Units with six conditions.

### **County Auditor-Treasurer's Report**

The County Auditor-Treasurer reported that the year-end reporting was underway along with ARPA/SLFRF and CARES audits.



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## County Commissioner's Report

The Commissioners had nothing to report

### Recess

Chair Becker recessed the meeting until December 28, 2021.

#### COMMISSIONER WARRANTS

VENDOR NAME	AMOUNT
ALLIED 100	\$ 2,490.00
CENTRAL LAKES COATINGS LLC	\$ 9,020.00
COMPASS MINERALS AMERICA	\$ 21,052.47
FRIEDRICH'S TIRE & OIL CO	\$ 10,258.84
INTEREUM INC	\$ 2,756.16
KRIS ENGINEERING	\$ 3,896.00
LIBERTY TIRE SERVICES LLC	\$ 52,789.65
M-R SIGN COMPANY INC	\$ 3,006.00
NORTHERN STAR COOP	\$ 2,324.09
SIGN SOLUTIONS USA	\$ 4,609.77
STAPLES WORLD	\$ 3,037.46
WATCHGUARD VIDEO	\$ 4,995.00
64 PAYMENTS LESS THAN 2000	\$ 24,489.61
<b>Total:</b>	<b>\$ 144,725.05</b>

#### HEALTH & HUMAN SERVICES WARRANTS

VENDOR NAME	AMOUNT
BENNING PRINTING & PUBLISHING	\$ 5,724.00
BRENNY FUNERAL CHAPEL - STAPLES	\$ 3,500.00
DHS - SWIFT	\$ 56,139.02
V#4106 - COST EFF HEALTH INSURANCE	\$ 3,919.65
INFORMATION SYSTEM CORP	\$ 8,944.00
MCCC,MI33	\$ 9,994.24
V #15377 - COST EFF HEALTH INSURANCE	\$ 2,672.34
V #16073 - COST EFF HEALTH INSURANCE	\$ 3,949.88
STAPLES WORLD	\$ 3,898.95
150 PAYMENTS LESS THAN 2000	\$ 65,102.21
<b>Total:</b>	<b>\$ 163,844.29</b>

VENDOR NAME	AMOUNT
ARNZEN CONSTRUCTION INC	\$ 12,202.46
#16413	\$ 2,426.40
#16713	\$ 2,077.20
#16814	\$ 2,226.00
LUTHERAN SOCIAL SERVICE OF MN - ST PAUL	\$ 4,159.50
MLPS FORENSIC PSYCHOLOGICAL SRVS INC	\$ 2,437.50
#16668	\$ 4,173.60
#16491	\$ 2,226.00





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VILLAGE RANCH INC	\$	15,187.80
PAYMENTS LESS THAN 2000	\$	22,507.32
<hr/>		
Total:	\$	69,623.78

On a motion by Erickson and second by Neumann, the preceding minutes of the County Board meeting held December 21<sup>st</sup>, 2021 were duly approved by unanimous vote at the Todd County Board of Commissioners at the Regular Board Meeting held on December 28<sup>th</sup>, 2021.

Witness my hand and seal:

Barbara Becker, County Board Chairperson

Denise Gaida, Todd County Auditor-Treasurer