

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

August 5, 2008
Courthouse Commissioner Room
Ivanhoe, MN 56142

The meeting was called to order at 9:00 a.m. by Board Chair, Joan Jagt, followed by the Pledge of Allegiance. Commissioners present were Joan Jagt, James Johansen, D. D. Sagmoe, Larry Hansen and Curtis Blumeyer. Also present were Auditor, Kathy Schreurs and County Attorney, Glen Petersen and Financial Accountant, Chuck DeBates.

Motion by Blumeyer, seconded by Sagmoe, to approve the minutes from the July 15, 2008 Commissioner meeting. All voted in favor.

Motion by Johansen, seconded by Blumeyer, to approve agenda items. All voted in favor.

Motion by Sagmoe, seconded by Hansen, to approve amendment to the Board of Water and Soil Resources Natural Resources Block Grant Agreement, which extends the original agreement to December 15, 2008. All voted in favor.

Motion by Hansen, seconded by Johansen, to approve 2009 Minnesota Snowmobile Trails Assistance Program Snowmobile Maintenance and Grooming Grant Agreement, grant amount of \$21,840.00, and to authorize Auditor Schreurs to sign said agreement. All voted in favor.

Motion by Sagmoe, seconded by Blumeyer, to approve Resolution No. 24-2008 (Meester Police Officer Declaration). All voted in favor.

**Resolution No. 24-2008
Police Officer Declaration**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS, Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for eligible employees of police departments whose position duties meet the requirements stated therein and listed below.

BE IT RESOLVED that the Board of Commissioners of Lincoln County hereby declare that the position titled Deputy Sheriff, currently held by Chad A. Meester, meets all of the following Police and Fire membership requirements:

1. Said position requires a license by the Minnesota peace officer standards and training board under sections 626.84 to 626.863 and this employee is so licensed;
2. Said position's primary (over 50%) duty is to enforce the general criminal laws of the state;
3. Said position charges this employee with the prevention and detection of crime;
4. Said position gives this employee the full power of arrest, and
5. Said position is assigned to a designated police or sheriff's department.

BE IT FUTHER RESOLVED that this governing body hereby requests that the above-named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire salary deduction by the governmental subdivision.

DATED this 5th day of August, 2008

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Motion by Hansen, seconded by Johansen, to accept \$1,500.00 donation from the MN Trailriders Association to Hole in the Mountain Park. All voted in favor.

Mark Leibfried and Craig Larson, reported that they had viewed the school house in Arco that has been added to the forfeited property list. They reviewed pictures of the property which showed major deterioration, possible asbestos and a well. The Board requested Leibfried and Larson to secure the building and post "No Trespassing" signs.

Motion by Sagmoe, seconded by Hansen, to approve Resolution No. 22-2008 (Classification/Appraisals). All voted in favor.

**Resolution No. 22-2008
Tax Forfeited Classification/Appraisals**

WHEREAS, certain lands in Lincoln County, Minnesota, have forfeited to the State of Minnesota for non-payment of taxes, and,

WHEREAS, the Lincoln County Board of Commissioners classify these lands as non-conservation lands, in accordance with Minnesota Statutes 282.01.

NOW THEREFORE BE IT RESOLVED, that the following parcels of land be appraised as follows:

CITY OF ARCO

Parcel # 16-0101-000
Blk 015, Parcels Desc. In BK 106 Deeds PG 878

\$ 600.00

CITY OF HENDRICKS

Parcel # 17-0142-000
BLK 002 LOT 004

\$ 1,200.00

ADOPTED by unanimous vote, this 5th day of August, 2008.

ATTEST:

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Motion by Blumeyer, seconded by Johansen, to approve Resolution No. 23-2008 (Tax Forfeited Auction). All voted in favor.

**Resolution No. 23-2008
Tax Forfeited Auction**

WHEREAS, certain lands have forfeited to the State of Minnesota, for non-payment of taxes, and

WHEREAS, said lands have been classified and appraised, according to law, and lists thereof have been placed on file with the county auditor dated August 5, 2008, therefore,

BE IT RESOLVED, that the county auditor is hereby directed to sell said parcels of lands, for cash only, at public auction for not less than the appraised value, said sale to commence at 10:00 A.M., Wednesday, October 15, 2008, in the Commissioner's Room-Courthouse, Ivanhoe, Minnesota, and continue thereafter according to law.

ADOPTED by unanimous vote, this 5th day of August, 2008.

ATTEST:

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Mark Leibfried and Craig Larson presented a brief summary and photos of the Safety Committee inspection that was conducted on June 25, 2008. The committee toured area highway shops, the parks, the landfill and the bus garage. Information only.

Cara Nielsen, Transit Director, reviewed the preliminary 2009 transit budget. Motion by Sagmoe, seconded by Blumeyer, to approve Resolution No. 23-2008 (Transportation Resolution). All voted in favor.

**TRANSPORTATION RESOLUTION
No. 23-2008**

Resolved that the Lincoln County Board of Commissioners enter into an Agreement with the State of Minnesota to provide public transportation service in/of Lincoln County.

Further resolved that the Lincoln County Board of Commissioners agrees to provide 15% of the total operating costs and 20% of the total capital costs.

Further resolved that authorization to execute the aforementioned Agreement and any amendments thereto is hereby given to the Chairperson of the Lincoln County Board of Commissioners or the Transportation Director.

Further resolved that Chairperson of the Lincoln County Board of Commissioners or the Transportation Director is hereby authorized to execute requests for reimbursement to the Minnesota Department of Transportation.

ATTEST: (SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Lee Amundson, County Engineer:

- Reported on the progress of 2008 construction and maintenance projects
- Reported that Mn/DOT may be present at the August 19, 2008 to discuss the possibility of a cooperative wind turbine at the Ivanhoe station.

Motion by Sagmoe, seconded by Hansen, to approve auditor warrant to pay the sales tax on the detachable drop-deck trailer to RDO. All voted in favor.

Motion by Sagmoe, seconded by Blumeyer, to approve Resolution 25-2008 (Final Payment SAP 41-599-29). All voted in favor.

RESOLUTION 25 - 2008

WHEREAS, the construction of the following Box Culvert with Grading project; SAP 41-599-29, has in all things been completed by R & G Construction, the final contract costs being \$134,458.69, and the County Board being fully advised in the premises.

NOW THEN, BE IT RESOLVED that we do hereby accept said completed project for and in behalf of the County of Lincoln and authorize final payment as specified in said final estimate.

ADOPTED by unanimous vote this 5th day of August 2008.

ATTEST: (SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Amundson reported that the repair estimate for the Dead Coon Lake Outlet Control Structure on the east side of the lake is approximately \$8,000.00. RCRCA (Redwood Cottonwood River Control Area) will provide 75% of the cost of repair. Lincoln County's share will be approximately \$500.00. Motion by Blumeyer, seconded by Johansen, to reimburse the Highway Department for Lincoln County's share of repairs to the Dead Coon Lake Outlet Control Structure from General Revenue. All voted in favor.

Amundson reported that Lake Benton Township has requested a road exchange of CR 117, along the south line of Section 28, T109N, R45W, for one mile of 190th Avenue on the west line of Section 28 (formerly CR118). No action at this time.

Motion by Johansen, seconded by Hansen to approve the "sale by sealed bids" for the aggregate gradation shaker and the 1990 John Deere Model 2955 tractor with Tiger Mower. All voted in favor.

Robert Olsen, Environmental Administrator, reported that the Draft of Lincoln County Comprehensive Development Ordinance No. 40 is ready for a Public Hearing. Motion by Hansen, seconded by Sagmoe, to set a Public Hearing to hear testimony regarding the adoption of Lincoln County Comprehensive Development Ordinance No. 40 for September 10, 2008 at 7:00 p.m. in the Courthouse Assembly Room, Ivanhoe, MN. All voted in favor.

Olsen reported that County Ditch 45 has tile damage and requested repairs. The estimated cost of the repairs is \$9,000.00, however there is only \$4,500.00 currently in the repair fund. Motion by Johansen, seconded by Sagmoe, to replace 360 feet of 24 inch tile and approve loan from the General Fund to County Ditch 45 Repair Fund for costs exceeding \$4,500.00. Commissioners Hansen, Jagt, Johansen, and Sagmoe voted in favor. Commissioner Blumeyer abstained. Motion carried.

Olsen reported that the rural garbage/commercial recycling has been steadily increasing.

Olsen reported that he had received a request from Tory R. Salamone for approval for an individual septic treatment system (ISTS) loan. Currently the property is valued under \$10,000.00 and must have Board approval to receive an ISTS loan. Motion by Hansen, seconded by Blumeyer, to approve ISTS loan for Tory R. Salamone. All voted in favor.

Motion by Sagmoe, seconded by Johansen, to approve 18-month Feedlot Work Plan and July, 2008 Feedlot Report. All voted in favor.

The Board reviewed a letter being sent to the Yellow Medicine Watershed District inviting the District to a meeting with the Lincoln County Board of Commissioners in the near future to discuss details of Ditch 21.

Olsen reviewed the current Lincoln County solid waste assessment and recommended an increase for 2009. No action at this time.

Jay Trusty, Southwest Regional Development, reviewed the progress of the Pay Equity Study and Position Descriptions.

Vince Robinson, Lincoln County Enterprise Development (LCEDC), presented a summary of activities of the organization. Robinson presented his 2009 budget request of \$42,000.00 for consideration.

Mary Berns, Lincoln County Promotion and Tourism, reviewed promotional materials and the proposed 2009 budget. Per request from the Board, Berns will research the benefits of continuing their membership in the Southern Minnesota Tourism Association.

Bruce Nielsen, Deputy Assessor/Appraiser, reported that he had passed the ethics test and is currently working on the narrative portion of becoming accredited.

The Board recessed at 12:00 p.m.

The Board reconvened at 1:00 p.m.

Representatives from Baldrige & Nelson reviewed the proposed window plan replacement products for the courthouse.

The Board met with various Department Heads to discuss legislation which limits the County levy to 3.9% for 2009 and the effects this could have on Lincoln County.

Deb Vierhuf, Deputy Auditor, reported that as a result of a meeting with a Public Employee Retirement Association (PERA) representative, it was discovered that Dispatcher/Jailers were eligible for the Correctional Plan. They are currently enrolled in the Coordinated Plan. Changes to the Correctional Plan were made in the year 2000 and employer and employee contribution rates were increased. The total amount due to PERA is \$46,966.10. Motion by Sagmoe, seconded by Hansen to approve payment of \$46,966.10 to PERA for the employee and the employer contributions back to 2000, and to make payroll deductions to affected employees for their portion. All voted in favor.

Auditor Warrants were presented.

Motion by Johansen, seconded by Sagmoe, to approve the following Commissioner Warrants #5074 – 5202 for the following amounts: Revenue - \$77,134.18, Ditch - \$1,488.87, LBLID - \$40.00, Solid Waste Task Force - \$7,937.00 and Road & Bridge - \$96,337.47 All voted in favor.

Commissioner committee reports and correspondence were reviewed. Commissioner Blumeyer reported that John Schuh has resigned as Lincoln, Lyon, Murray and Pipestone Public Health Administrator.

Commissioner Jagt reported that the J.T. and LuAnn Weber family were chosen as University of Minnesota Extension Service's Lincoln County Farm Family of the Year and will be recognized at Farm Fest on August 6, 2008.

Motion by Sagmoe, seconded by Johansen, to adjourn at 3:05 p.m. All voted in favor.

ATTEST: (SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor