

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

November 18, 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, D. D. Sagmoe, Larry Hansen, James Johansen and Curtis Blumeyer. Also present were Auditor, Kathy Schreurs, and County Attorney, Glen Petersen.

Motion by Johansen, seconded by Sagmoe, to approve the minutes from the November 4, 2008 Commissioner meeting. All voted in favor.

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

Motion by Hansen, seconded by Blumeyer, to approve Resolution No. 32-2008 (Rural Water Board). Commissioners Hansen, Blumeyer, Jagt, and Sagmoe, voted in favor. Commissioner Johansen voted in opposition. Motion carried by majority vote.

**Resolution No. 32-2008
Resolution Appointing Francis Engels and Henry Van Dyke
to the Lincoln Pipestone Rural Water System Board of Commissioners**

Recitals/Background

WHEREAS, Francis Engels 4-year term as a Commissioner on the Lincoln Pipestone Rural Water System Board of Commissioners is scheduled to expire on January 1, 2009; and

WHEREAS, Henry Van Dyke's 4-year term as a Commissioner on the Lincoln Pipestone Rural Water System Board of Commissioners is scheduled to expire on January 1, 2009; and

WHEREAS, the Lincoln County Board of Commissioners believes that both Francis Engels and Henry Van Dyke are qualified to act as Commissioners on the Lincoln Pipestone Rural Water Board of Commissioners and are both worthy of appointment.

BE IT NOW RESOLVED, that the Lincoln County Board of Commissioners hereby appoints Francis Engels and Henry Van Dyke to the Lincoln Pipestone Rural Water System Board of Commissioners pursuant to and provided for by Minnesota Statutes 116A et seq. Both Francis Engels and Henry Van Dyke's terms shall commence on January 1, 2009, and shall expire on January 1, 2013.

ATTEST:

(SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Auditor Schreurs reported that there will be a state-wide recount of the November 4, 2008 US Senate seat between Norm Coleman and Al Franken. Schreurs reported that the recount will require staff and election judges to recount ballots on November 19, 2008 at 1:30 p.m. Auditor Schreurs reported that she has been appointed as Deputy Recount Official by the Secretary of State's Office for the recount in Lincoln County. Motion by Johansen, seconded by Hansen, to compensate Lincoln County election judges at a rate of \$15.00 per hour and mileage at \$.585 per mile for the November 4, 2008 general election state-wide recount. All voted in favor.

Motion by Sagmoe, seconded by Blumeyer, to approve Joint Powers Agreement #34424372 for election recount services between Lincoln County and the State of Minnesota acting through its Office of the Secretary of State. All voted in favor.

Motion by Sagmoe, seconded by Johansen, to approve Air Conditioning Construction Contract with Doom & Cuypers, Inc. (\$523,765.00) and to authorize Chair Jagt to sign said contract. All voted in favor.

Robert Olsen, Environmental Officer, reported:

- Culvert liner has been installed in County Ditch 37 that crosses State Highway 19
- County Ditch 7 has been staked for buffers
- The month of October is the largest month for recyclable collections since the service was started
- Reviewed the minutes of the Yellow Medicine Watershed District with regards to proposed Ditch 21

Loretta Lundberg, County Recorder, reviewed customer activity in the Records office related to the extended hours trial period. Discussion only.

Lee Amundson, County Engineer, reported on the progress of 2008 construction and maintenance projects.

Amundson reported that the State of Minnesota has requested approval to act as agent for accepting Federal funds for the CSAH 13 Project. Motion by Hansen, seconded by Sagmoe, to approve amendment between the State of Minnesota through its Commissioner of Transportation and Lincoln County to act as agent for the County in accepting Federal funds and to approve Resolution No. 35-2008 (Agency Agreement). All voted in favor.

**Resolution No. 35-2008
Agency Agreement**

BE IT RESOLVED, that pursuant to Minnesota State. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Lincoln County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

BE IT FURTHER RESOLVED, the Chair and the Auditor are hereby authorized and directed for and on behalf of the County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 93246", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

ADOPTED by the Lincoln County Board of Commissioners on November 18, 2008.

ATTEST:

(SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Amundson reported that the State of Minnesota has released a portion of Trunk Highway No. 14 effective December 1, 2008. Lincoln County has maintained this portion for approximately 30 years but did not have an official release from the State of Minnesota. The description reads as follows:

Beginning in the City of Lake Benton at a point on the south line of the state highway right of way of Trunk Highway No. 14, said point is located approximately 1700 feet south and approximately 45 feet east of the north quarter corner of Section 8, Township 109 North, Range 45 West; thence southeasterly along the centerline of Center Street (C.S.A.H. No. 22) for approximately 1000 feet and there terminating.

Amundson reported that the Pipestone County Engineer had referred him to two other contacts with regards to identifying possible asbestos contamination in the Arco school building.

406 South Lakeview Street
Lake Benton, MN 56149

WHEREAS, pursuant to M.S. 163.11, Subd. 5b, by agreement, Lake Benton Township has agreed to maintain the roadways affected by this Resolution and to waive any requirement under state law for the County to do so, and the Township shall reimburse the cost to the County for any signage expenses; and,

NOW, THEREFORE BE IT RESOLVED, that Lincoln County Resolution 29-2008 is hereby rescinded and that the Lincoln County Board of Commissioners hereby adopts this Resolution and revokes the following roadways:

County Road 117 from the intersection of 110th Street and 190th Avenue Easterly to the intersection with County Road 108, consisting of 1.0 miles, more or less.

ADOPTED this 18th day, of November, 2008.

ATTEST: (SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Amundson and Don Scholten, reviewed the benefits of purchasing versus leasing of a dozer to be used by the Highway Department. They also reviewed specifications of dozers that would be of benefit. Motion by Hansen, seconded by Blumeyer to advertise for bids for a used 180 horsepower bulldozer with high tracks. Commissioners Hansen, Blumeyer, Jagt and Sagmoe voted in favor. Commissioner Johansen voted in opposition. Motion carried by majority vote.

Amundson reported that the Minnesota Department of Transportation (Mn/DOT) has requested approval for a Memorandum of Understanding regarding the possible construction of a shared Wind Turbine. Motion by Sagmoe, seconded by Hansen, to approve the following Memorandum of Understanding and to authorize Chair Jagt to sign said Agreement. All voted in favor.

**Memorandum of Understanding
Between Minnesota Department of Transportation and Lincoln County**

WHEREAS, the Minnesota Department of Transportation (Mn/DOT) and Lincoln County agree to evaluate the possibility of constructing a shared Wind Turbine near the City of Ivanhoe, and;

WHEREAS, the two parties to this Memorandum have expressed an interest in constructing a wind turbine to be used jointly.

NOW, THEREFORE, Mn/DOT and Lincoln County state the following:

1. This Memorandum of Understanding (MOU) is not a binding agreement, and any binding obligation will be made with written, properly executed and approved agreements.
2. Mn/DOT, in coordination with Lincoln County, will determine cost sharing and prepare specifications for bid of a <40kw wind turbine.

ATTEST: (SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Nancy Krog, from a group called "Investing In Ivanhoe" requested approval to apply for a grant through the Resource Conservation & Development Council (RC&D) for the purchase of playground equipment . Motion by Sagmoe, seconded by Blumeyer, to approve grant application to Resource Conservation & Development Council by "Investing in Ivanhoe". All voted in favor.

Auditor Warrants were presented.

Motion by Sagmoe, seconded by Blumeyer, to approve the following Commissioner Warrants #5976 – 6054 for the following amounts: Revenue - \$151,958.57, Ditch - \$254.50, Capital Improvements - \$42,076.80 and Road & Bridge – \$11,739.31. All voted in favor.

Motion by Blumeyer, seconded by Hansen, to cancel warrants #5625 – Clipper Enterprises, Inc - \$135.00 and #5859 – A & C Excavating LLC - \$8,000.00. All voted in favor.

Motion by Blumeyer, seconded by Sagmoe, to accept MCIT refund of \$56,884.00 to be deposited in the Capital Improvements Account. All voted in favor.

Commissioner committee reports and correspondence were reviewed:

Blumeyer – SW Wind, State Auditor Pre-planning

Hansen – SW Regional Development, Area Agency on Aging

Hansen – Planning to attend Southern Regional Competitiveness Project Meeting

Johansen – Lincoln County Tourism

Sagmoe –Western Mental Health

The Board recessed at 12:00 for lunch.

The Board reconvened at 1:00.

Gail Sater, Minnesota Counties Insurance Trust, provided risk management training on the subject of contracts.

Motion by Blumeyer, seconded by Johansen, to pay per diem and mileage for Commissioner's Elect Don Evers and Adam Gillund to attend Area II meeting in Morton, Minnesota on December 13, 2008. All voted in favor.

The negotiating committee discussed Union Contract Negotiations.

Motion by Johansen, seconded by Hansen, to adjourn at 1:50 p.m. All voted in favor.

ATTEST:

(SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor