

**LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

February 3, 2009  
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, Curtis Blumeyer, Larry Hansen, Adam Gillund, and Don Evers. Also present were County Auditor, Kathy Schreurs, County Attorney, Glen Petersen.

Motion by Evers, seconded by Gillund, to approve minutes from the January 20, 2009 Commissioner meeting. All voted in favor.

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

Committee Reports were given:

Evers – Plum Creek Library and RCRCA  
Gillund – Western Mental Health  
Blumeyer – Solid Waste and SWCD  
Hansen – Rural Energy

Robert Olsen, Environmental Administrator, presented the Annual Ditch Report. Motion by Gillund, seconded by Blumeyer, to accept the January 2009 Ditch Report. All voted in favor.

Olsen reported the GIS Department is still working with the cities in the county in mapping infrastructure and trainings.

Olsen reviewed staffing duties within the Environmental Office.

Lee Amundson, County Engineer, reported that Lincoln County has been approved for \$275,000.00 for the CSAH 7 Safety Project.

Aumundson reported that the Highway Department is currently working on obtaining right-of-way easements for the CSAH 12 Project. Dustin Hauschild, Engineer's Assistant, requested consideration for allowing the Highway Department to proceed with condemnation should it become necessary. Motion by Hansen, seconded by Jagt, to approve Resolution No. 10-2009 (CSAH 12 Right-of-Ways). All voted in favor

**LINCOLN COUNTY  
RESOLUTION 10-2009**

WHEREAS, the County of Lincoln desires to improve a section of County State Aid Highway 12 between TH 75 and CSAH 13 for public safety improvements under State Aid Project SAP 41-612-04, and

WHEREAS, the acquisition of additional road right-of-way is necessary to conform to Minnesota State Aid Rule 8820.9920, and

WHEREAS, Lincoln County has been unable to acquire all required land by direct negotiation; and

WHEREAS, permanent highway easements and temporary easements over certain land are required to provide for the said construction; and

WHEREAS, Lincoln County has authority to acquire right of way for highway purposes by eminent domain pursuant to Minnesota Statutes; and

WHEREAS, Lincoln County has the right to acquire the right of way prior to the filing of an award by the court-appointed commissioners, pursuant to M.S. §117.01 and 117.042 (quick take);

NOW, THEREFORE BE IT RESOLVED that the Lincoln County Board of Commissioners hereby authorizes the acquisition of said land by eminent domain, and to take said land prior to the filing of an award by the court-appointed commissioners, pursuant to M.S. §163.02/2, 117.001, and 117.042; and

BE IT FURTHER RESOLVED that the Lincoln County Attorney is requested to file the necessary petition therefore, and to prosecute such action to a successful conclusion or until it is abandoned, dismissed or terminated by the County or the Court

ADOPTED this 3rd day of February, 2009.

ATTEST:

(SEAL)

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Joan Jagt, 2009 Board Chair

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Kathy Schreurs, County Auditor

Representatives of the City of Lake Benton and Stephanie Nichols met with the Board to find mutual agreement on replatting property owned by the City, the County, and Steve Nichols. A copy of the proposed replat was viewed by all in attendance. Motion by Evers, seconded by Gillund to proceed with the replat of property owned by Lincoln County, the City of Lake Benton, and Steve Nichols. All entities to share in cost of replat. All voted in favor.

Amundson reported that the City of Lake Benton has been maintaining a portion of CSAH 21 and that the Board may want to consider reverting this specific section of road to the City of Lake Benton. No action at this time.

The Board reviewed a proposed policy for road closures. Motion by Blumeyer, seconded by Evers, to approve the following "Road Closure Policy". All voted in favor.

#### **ROAD CLOSURE POLICY**

The purpose of this policy is to establish the means by which requests to close county state aid highways and county roads are to be processed.

The process is the following: a request is sent to the Lincoln County Highway Department.

Qualifications for approval will include the following: The requestor must be a local government unit or a not for profit group organization. The requestor must provide a certificate of insurance and a hold harmless agreement to Lincoln County. The requestor must provide the date/time of closure and the road to be closed. The requestor must provide and set up traffic control, barricades and detours as appropriate. The traffic control, barricades and detours must be approved by the Lincoln County Engineer. Emergency Services, to include the Sheriff's Department, Fire Department, and ambulance services must be contacted prior to closure. A contact person with phone number must be provided as well as the name of a person responsible for contacting emergency services prior to the closure.

Amundson reported that he is in the process of setting a meeting with MPCA and the Environmental Office regarding the disposal of asbestos and debris from the Arco School building.

Amundson reported that he is working on a grant application with 9 other counties on a Highway Safety Improvement Project.

Amundson requested approval to change the office hours for the Highway Department to 7:30 a.m. to 4:00 p.m. Motion by Hansen, seconded by Gillund, to approve a change of office hours for the Highway Accountant and the Office Field Aid to 7:30 a.m. to 4:00 p.m. Following discussion, all voted in opposition. Motion failed.

Amundson reported that he has applied for Stimulus Funds for three black top overlay projects within the County.

Bruce Nielsen reported that he had taken the Tax Calc Certification test on January 27, 2009, but has not received the results. Nielsen also reported that he continues to work on his narrative for Assessor certification.

Motion by Blumeyer, seconded by Gillund, to set Board of Adjustment and Equalization for June 16, 2009 at 6:00 p.m. All voted in favor.

Motion by Evers, seconded by Blumeyer change Regular Board meeting time on June 16, 2009 to 1:00 p.m. All voted in favor.

Motion by Evers, seconded by Hansen, to approve Resolution No. 11-2009 (Authorization for Abatements). All voted in favor.

**Resolution No. 11- 2009  
Authorization for Abatements**

**WHEREAS**, the Lincoln County Board of Commissioners wish to delegate the authority to approve abatements of valuation or taxes, up to and not to exceed \$2,000.00 per parcel and for such cases as clerical error, late homestead application or relative homestead application to the Lincoln County Auditor; and

**WHEREAS**, Minn. Stat. 375.192, Subd. 4 allows the Lincoln County Board of Commissioners to delegate said authority to the Lincoln County Auditor; and

**WHEREAS**, the Lincoln County Auditor concurs in the delegation of said authority.

**NOW, THEREFORE, BE IT RESOLVED**, that commencing February 3, 2009 and until revoked by the Lincoln County Board of Commissioners, the Lincoln County Board of Commissioners delegates to the Lincoln County Auditor, the authority to approve abatements of valuation or taxes, up to and not to exceed \$2,000.00 per parcel and for such cases as clerical error, late homestead application, or relative homestead application.

**ADOPTED** this 3rd day of February, 2009.

ATTEST:

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Joan Jagt, 2009 Board Chair

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Kathy Schreurs, County Auditor

Commissioner Blumeyer reported that the Lincoln, Lyon, Murray and Pipestone Public Health Board has approved contracting with Lincoln, Lyon and Murray Human Services for administrative services to be provided by Chris Sorensen, LLM Administrator. The contract will be sent to Ann Goering, legal council for Lincoln Lyon Murray and Pipestone Public Health, for legal review.

Craig Larson, Maintenance, reviewed the progress of the window and air conditioning project. Larson reported that there appears to be some problems with architectural and engineering plans. The Board referred the matter to the Building/Capital Improvements Committee (Larry Hansen and Curt Blumeyer). The Committee plans to meet with the architect on February 5, 2009 to discuss the project.

Chuck DeBates, Financial Account, reviewed proposed amendments to the 2008 Revenue Budget. Motion by Gillund, seconded by Evers, to approve budget amendments as presented. All voted in favor.

**Transfers from General Revenue Reserves**

**TO**

Fund                      (For Additional Expenses)

25	Law Library	1,200
103	Assessor	2,700
212	Regional Radio Board	500
222	Coroner	300
251	Probation Officer	8,600
521	Parks (Land Purchase)	143,116
605-605	Environmental (605)	43,500
605-607	Street Sign Addressing	300
622	Soil Digitalization	35,110
623	GIS	675
625-625	ISTS (625-625)	85
749-6872	LCEDC	20,000
749-6874	RSVP	2,275
92-816	Lake Benton Lake Improvement District	60,000
01-005	Local Government Aid Unallotment	75,680
	Additional Expenses	394,041

**FROM**

Reduced by Additional Revenues From:

01-005	Compliance Fund	-20,000
01-101	Recorder's Equipment Fund	-28,000
92-816	Lake Benton Lake Impr. Dist. Interest	-8,160
201-2794	Sheriff-Gun Permits	-500
201-2766	Sheriff-Forfieted Property	-200
201-2764	Sheriff-Contingency Fund	-1,000
01-252	Adult Probation	-3,350
01-005	Land Sale to Joe Weber	-76,101
	Additional Revenues	-137,311

Total Additional Expenses	394,041
Less: From Additional Revenue	-137,311
Less: From Capital Outlay (Parks)	-143,116
<b>Net Transfers from General Revenue</b>	<b>113,614</b>

Auditor Schreurs reported on proposed reductions by Governor Pawlenty of County Program Aid and Market Value Credits for budget years 2009, 2010 and 2011.

Lincoln County Commissioners have been invited to participate in several planning meetings. Commissioners Evers and Hansen will represent Lincoln County in a long range planning meeting for Lincoln Pipestone Rural Water in Marshall, MN on February 13, 2009. Commissioners Blumeyer and Jagt and Auditor Schreurs will attend an AMC Region VIII planning session in Slayton on February 13, 2009.

Auditor Warrants were presented.

Motion by Blumeyer, seconded by Hansen, to approve the following Commissioner Warrants #6649 - 6711 for the following amounts: Revenue - \$11,648.31, Road & Bridge - \$11,656.51 Courthouse Improvements - \$172.63, Solid Waste Task Force - \$2,026.50 and Lake Benton Lake Improvement District - \$1,960.00. All voted in favor.

Motion by Gillund, seconded by Evers, to adjourn at 1:00 p.m. All voted in favor.

ATTEST: (SEAL)

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Joan Jagt, 2009 Board Chair

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Kathy Schreurs, County Auditor