

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

June 2, 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 and County Attorney, Glen Petersen.

Motion by Gillund, seconded by Evers, to approve minutes from the May 19, 2009 Commissioner meeting. All voted in favor.

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

Roseanne Lasnetski, Retired Senior Volunteer Program(RSVP), reported that she has scheduled a "Second Harvest" distribution for July 2009 to be held at the Hendricks Fire Hall.

Lasnetski reported that the laptop computer that is used for the RSVP program does not have enough memory to run her computer programs. Lasnetski reported that the computer memory will cost approximately \$50.00. Motion by Gillund, seconded by Hansen, to authorize Lasnetski to purchase 2 GB computer memory. All voted in favor.

At 9:15 a.m. a public hearing was held to hear testimony to grant liquor licenses. Motion by Evers, seconded by Gillund, to approve liquor licenses for the Knotty Pine Supper Club and the Hendricks Golf Course for the period of July 1, 2009 to June 30, 2010. All voted in favor.

Daryl Schlapkohl, Parks Manager, reviewed estimated costs for the Norwegian Creek Park Expansion. Electrical, Plumbing and Sewer System quotes were also reviewed.

Auditor Schreurs presented a resolution for the purchase of a new transit bus. An earlier resolution was approved by the Board, but Minnesota Department of Transportation is now requiring two signatures. Motion by Blumeyer, seconded by Evers, to approve Resolution No. 22-2009 (Transit Vehicle Purchase). All voted in favor.

**Resolution No. 22 - 2009
Transit Vehicle Purchase**

BE IT RESOLVED, that Lincoln County enters into an Agreement with the State of Minnesota to receive ARRA funds for the Lincoln County Transit System;

BE IT FURTHER RESOLVED, that Lincoln County agrees to receive ARRA funding for 100% of the total cost of a new transit vehicle;

NOW, THEREFORE BE IT RESOLVED that The Lincoln County Board of Commissioner's hereby authorizes the Transit Director and the Lincoln County Auditor to execute the aforementioned Agreement and any amendments thereto.

ADOPTED by Unanimous vote the 2nd day of June, 2009.

ATTEST: (SEAL)

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

Lee Amundson, Engineer, gave the construction/maintenance update:

- Road shouldering has been completed on CSAH 13, 11, 9 and 6

- Easements for LRIP Safety Project on CSAH #7 near the Tyler Airport will be acquired
- CSAH 12 still obtaining easements
- Discussion on parameters used for clothing allowance

Robert Olsen, Environmental Administrator, presented a resolution for the Assumption of Large Wind Energy Conversion Systems Permit Authority by Lincoln County, Minnesota (per Minnesota Statute 216F). Motion by Hansen, seconded by Evers, to approve Resolution No. 23-2009 (Assumption of Large Wind Energy Conversion Systems Permit Authority). All voted in favor.

Resolution Number No. 23-2009
Resolution for the Assumption of Large Wind Energy Conversion Systems Permit Authority by Lincoln County, Minnesota (per Minnesota State Statute 216F)

WHEREAS, the Lincoln County Zoning Administrator will forward all Wind Energy Conversion System (WECS) Applications to the Minnesota Public Utilities Commission in determining what jurisdiction has siting authority pursuant to Minnesota Statutes Chapter [216F.011]; and

WHEREAS, the Minnesota Public Utilities Commission shall consider and apply the Lincoln County Wind Energy Ordinance standards as amended that are more stringent than commission rules unless the commission finds good cause not to apply the standards pursuant to Minnesota Statutes Chapter [216F.081]; and

WHEREAS, the Lincoln County Board of Commissioners has adopted the following specific standards that are more stringent than the General Wind Turbine Permit Setbacks (Exhibit A) as cited in Minnesota Public Utilities Commission Order Establishing General Wind Permit Standards, issued January 11, 2008, PUC Docket E, G-999/M-07-1102:

1. Homes/Dwellings (other than project owners) shall have a more stringent setback of 750 feet distance required to meet Minnesota Rules Chapter 7030 for commercial projects.
2. Roads and other rights-of-way (recreational trails, power lines, etc.) shall have a more stringent setback of 300' from the edge of the rights-of-way.
3. Other Structures (other than Homes/Dwellings) shall have a more stringent setback of 1.25 times the total height (defined as the distance from ground surface to the vertically extended rotor tip).
4. Shore land Districts (land within 300 feet of a creek/stream/river or 1,000 feet of a lake) shall have a more stringent setback such that no turbines are allowed within this District.
5. Project boundary setback shall have a more stringent requirement of 5 rotor diameters from other project boundaries.

WHEREAS, the Lincoln County Board of Commissioners acknowledge the Lincoln County Comprehensive Development Ordinance does not clearly define the term (Project Boundaries). It is the intention of Lincoln County Board of Commissioners that upon the adoption of this resolution the interpretation of the term (Project Boundaries) shall conform to the definition as found cited in Minnesota Public Utilities Commission Order Establishing General Wind Permit Standards, issued January 11, 2008, PUC Docket E, G-999/M-07-1102, Pages 4&8, under the title: PUC ORDER ESTABLISHING GENERAL WIND PERMIT STANDARDS. Project Boundaries shall be interpreted as follows:

The wind access buffer setback is an external setback from lands and wind rights outside of an applicant's site control, to protect the wind and property rights of persons outside the permitted project boundary and persons within the project boundary who are not participating in the project. (pg. 4)

Wind Access Buffer (setback from lands and/or wind rights not under permittee's control)
 Wind turbine towers shall not be placed less than 5 rotor diameters (RD) from all boundaries of developer's site control area (wind and land rights) on the predominant wind axis (typically north-south axis) and 3 rotor diameters (RD) on the secondary wind axis (typically east-west axis), without the approval of the permitting authority. This setback applies to all parcels for which the permittee does not control land and wind rights, including all public lands. (pg. 8)

WHEREAS, the Lincoln County Board of Commissioners fully entrusts the Minnesota Public Utilities Commission to ensure full compliance with the General Wind Permit Standards, issued January 11, 2008, PUC Docket E, G-999/M-07-1102 and those more stringent standards as identified within this resolution. The Lincoln County Board of Commissioners consider the compliance of the Wind Access Buffer Setback for lands and/or wind rights not under permittee's control paramount to the orderly development of Large Wind Energy Conversion System (LWECS) Development in Lincoln County, and

WHEREAS, the Lincoln County Zoning Administrator shall create an integrated process with the Minnesota Public Utilities Commission and notify the Lincoln County Board of Commissioners of any actions by the Minnesota Public Utilities Commission or LWECS permittee that would preclude or hinder the strict adherence to Lincoln County's more stringent standards and as cited in this resolution, and

THEREFORE BE IT RESOLVED, the Lincoln County Board of Commissioners hereby assume responsibility for processing permit applications for LWECS within Lincoln County, Minnesota, with combined nameplates of less than 25,000 kilowatts, pursuant to Minnesota Statutes Chapter [216F.08].

ATTEST: (SEAL)

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

Olsen reported that the Ivanhoe recycling site will be relocated to the Highway Department/Environmental parking lot by July 1, 2009.

Olsen reported that there was no evidence of curly leaf pondweed found on the west end of Lake Benton Lake. There was evidence of curly leaf pondweed on the east side but it does not appear to be growing.

Olsen also reported:

- DNR requesting tile replacement to Swan Lake near CSAH 7
- Administrative Order sent to Jacob Fretty to remove rocks from JD 30
- Possible crop damage due to ditch cleaning of JD 19

Legislative issues and correspondence were reviewed and the following Committee Reports were given:

Jagt – Human Services, Extension staffing
Evers – HRA, Human Services, Plum Creek Library, Environmental
Gillund – none
Blumeyer – Regional Radio Board, Public Health
Hansen – RSVP

Auditor Warrants were presented.

Motion by Hansen, seconded by Gillund, to approve the following Commissioner Warrants # 7622 - 7682 for the following amounts: Revenue - \$37,719.03 Road & Bridge - \$12,903.07, Ditch - \$5,001.72, Capital Improvement./Windows - \$92,323.82, and Lake Improvement District - \$62,872.65. All voted in favor.

Motion by Gillund, seconded by Blumeyer, to adjourn at 12:15 p.m. All voted in favor.

ATTEST: (SEAL)

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor