

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

December 4, 2008
Courthouse Commissioner Room
Ivanhoe, MN 56142

The meeting was called to order at 2:00 p.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 Hansen, seconded by Sagmoe, to approve the minutes from the November 18, 2008 Commissioner meeting. All voted in favor.

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

At 2:00 p.m. the motion was made by Sagmoe, seconded by Blumeyer, to recess for a Public Hearing to hear comments from interested persons regarding the cleaning of Judicial Ditch 19. Robert Olsen reported that several areas of JD 19 have been cleaned at a cost of \$25,000.00, but there is still 10,000 feet that could be cleaned at an estimated cost of \$15,000.00 in order to complete the entire ditch cleaning project. Olsen also reported that it would be advantageous to obtain one-rod easements on one side of the ditch to facilitate with weed spraying and inspections. Landowners along the ditch system were asked if they would prefer to assess the cost of the ditch project over one year or multiple years. Eight of the ten landowners of the ditch system were present. Landowners asked questions and offered comments. There were no decisions made this day. Motion by Blumeyer, seconded by Hansen, to close the hearing at 2:45 p.m. All voted in favor

Chair Jagt called the Board of Commissioners meeting back to order.

Robert Olsen, Environmental Officer, reported:

- 41 new septic systems were permitted, so far, in 2008
- 10 septic system permits have been applied for but not yet permitted
- The Environmental Office has completed ten compliance inspections
- 33 septic system loans have been approved in 2008
- The Yellow Medicine Watershed District has scheduled a Public Hearing for December 8, 2008 to discuss Ditch 21

Craig Larson, Maintenance, reported that the Commissioner Board Room table is near completion. Larson asked the Board to consider designating the remainder of his 2008 budget as of December 31, 2008 to the Capital Improvements Fund. No action at this time.

Motion by Johansen, seconded by Hansen, to approve Resolution No. 38-2008 (Wind Production Tax). All voted in favor.

**Resolution No. 38-2008
Board of Commissioners, Lincoln County**

WHEREAS, Lincoln County is committed to the promotion, use, and development of renewable energy; and

WHEREAS, Lincoln County is a member of the Rural Minnesota Energy Board; and

WHEREAS, the Rural Minnesota Energy Board (known at that time as the Energy Task Force) was instrumental in developing the policies that resulted in the creation of a production tax to be placed on the energy produced by wind energy conversion systems; and

WHEREAS, the purpose of said production tax was to enable Counties to pay for infrastructure improvements and maintenance related to wind energy installations; and

WHEREAS, the Minnesota State Legislature has eliminated the ability of the Counties to use the production tax for its intended purpose:

THEREFORE, BE IT RESOLVED, that Lincoln County does hereby support the efforts of the Rural Minnesota Energy Board to correct the language in MN Statutes 275.70 and 275.71 that includes the wind production tax in the levy limit language by deleting said language from the Statute, thereby restoring the use of the production tax to its initial intended purpose.

ADOPTED, this 4th day of December 2008.

ATTEST: (SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor

Jay Trusty, Southwest Regional Development Corporation, reviewed a draft report of Pay Equity points for various employee positions in Lincoln County. No action at this time.

Motion by Johansen, seconded by Hansen, to approve Resolution 33-2008 (DNR Right of Way). All voted in favor.

RESOLUTION 33-2008

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, the owners-of-record include both private parties and the State of Minnesota's Chen Bay Wildlife Management Area.

NOW, THEREFORE, BE IT RESOLVED the County Highway Engineer is authorized to acquire such right-of-way as is necessary for the project.

ADOPTED this 4th day of December, 2008.

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.

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 Pipestone County Engineer had referred him to two other contacts with regards to identifying possible asbestos contamination in the Arco school building. The following quotes were received for asbestos inspection of the Arco school building:

Quad State	\$600.00
Midwest	\$900.00

The motion was made by Blumeyer, seconded by Hansen to accept quote from Quad State for \$600.00 to inspect the Arco school building for asbestos. All voted in favor.

Amundson reviewed future federal funding projects for 2009 – 2013. The projects include overlays on #6, #9, #11 and railroad grade crossing protection on #21.

Amundson reported that following road designation and construction on CSAH 15 a portion of land was available to an adjoining landowner for farming purposes. Motion by Hansen, seconded by Johansen, to approve quitclaim deed from Lincoln County to James A. and Julia Claeys for approximately 1.361 acres but reserving an easement for public right-of-way purposes. All voted in favor.

Auditor Warrants were presented.

Motion by Johansen, seconded by Sagmoe, to approve the following Commissioner Warrants #6123 – 6220 for the following amounts: Revenue - \$31,149.27, Ditch - \$19,159.63.50, Capital Improvements - \$9,171.26,076.80, LBLID - \$227.50, Solid Waste Task Force - \$462.00 and Road & Bridge – \$95,003.49. All voted in favor.

Motion by Blumeyer, seconded by Sagmoe, to cancel warrants #5875 – MN Counties Attorneys Association - \$941.00. All voted in favor

Commissioner committee reports and correspondence were reviewed:

The motion was made by Blumeyer, seconded by Johansen to recess at 6:00 p.m. to attend the Truth in Taxation hearing. All voted in favor.

Motion by Johansen, seconded by Blumeyer, to reconvene at 7:00 p.m. All voted in favor.

The negotiating committee discussed Union Contract Negotiations.

The Board reviewed the proposed 2009 proposed budget/levy.

Motion by Johansen, seconded by Sagmoe, to adjourn at 7:25 p.m. All voted in favor.

ATTEST: (SEAL)

Joan Jagt, 2008 Board Chair

Kathy Schreurs, County Auditor