

**LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

April 21, 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 Hansen, to approve minutes from the April 7, 2009 Commissioner meeting. All voted in favor.

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

Robert Olsen, Environmental Administrator, reported that Lincoln County will be receiving \$4,165 in Performance Credit Funding as part of the 2008 Annual County Feedlot Program.

Olsen reported that he had received a letter from U.S. Fish and Wildlife, stating that they are not required to pay property taxes and special assessments. Motion by Hansen, seconded by Jagt, to approve Resolution No. 19-2009 (County Ditch 8). All voted in favor.

**RESOLUTION NO. 2009-19**

ABANDONMENT OF BENEFITS, TAXES AND SPECIAL DRAINAGE ASSESSMENTS  
FOR LOCAL DRAINAGE DISTRICT IN PROPERTY OWNED BY  
UNITED STATES FISH AND WILDLIFE IN JUDICIAL DITCH NO. 30

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**Be It Resolved** The Lincoln County Board of Commissioners, as Drainage Authority for Judicial Ditch No. 30, hereby abandons benefits, taxes and special assessments for property owned by the United States Fish & Wildlife Service in Judicial Ditch No. 30

**Be it Further Resolved** that on March 31, 2009, the Lincoln County Board of Commissioners, Drainage Authority for Judicial Ditch No. 30 (JD 30), received a letter from the United States Department of the Interior regarding property owned by United States Fish & Wildlife Service on the JD 30 drainage system requesting the abandonment of benefits, taxes and special drainage assessments for local drainage districts on property described as Northeast one-fourth (NE1/4) exc. Part of lying N and W of line described in Instrument No. 147342 in Section 22, Township 110N, Range 45 West of the 5<sup>th</sup> PM (Diamond Lake Township) Lincoln County, Minnesota.

**Be It Further Resolved**, that the Drainage Authority was authorized to act upon the request pursuant to Public Law 95-469.

**Whereupon** The Drainage Authority hereby approves the abandonment of benefits, taxes and special drainage assessments for Judicial Ditch 30 on the above described property owned by United States Fish and Wildlife Service pursuant to Public Law 95-469.

Dated: 21<sup>st</sup> Day of April, 2009.

Lincoln County Board of Commissioners  
Drainage Authority of Judicial Ditch No. 30

ATTEST:

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Lincoln County Board Chair

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Kathy Schreurs, County Auditor

Motion by Gillund, seconded by Evers, to approve Resolution No. 20-2009 (Judicial Ditch No. 30). All voted in favor.

**RESOLUTION NO. 2009-20**

**ABANDONMENT OF BENEFITS, TAXES AND SPECIAL DRAINAGE ASSESSMENTS  
FOR LOCAL DRAINAGE DISTRICT IN PROPERTY OWNED BY  
UNITED STATES FISH AND WILDLIFE IN COUNTY DITCH NO. 8**

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**Be It Resolved** The Lincoln County Board of Commissioners, as Drainage Authority for County Ditch No. 8, hereby abandons benefits, taxes and special assessments for property owned by the United States Fish & Wildlife Service in County Ditch No. 8.

**Be it Further Resolved** that on March 31, 2009, the Lincoln County Board of Commissioners, Drainage Authority for County Ditch No. 8 (CD8), received a letter from the United States Department of the Interior regarding property owned by United States Fish & Wildlife Service on the CD 8 drainage system requesting the abandonment of benefits, taxes and special drainage assessments for local drainage districts on property described as South One-half of Southeast One-Fourth (S1/2SE1/4) and South 220' of South One-half of Northeast One-fourth of the Southeast One-Fourth (S1/2NE1/4SE1/4) except part desc in Book 110 of Deeds page 539 all in Section 5, Township 111N, Range 46W of the 5<sup>th</sup> PM (Shaokatan Township) Lincoln County, Minnesota.

**Be It Further Resolved** that the Drainage Authority was authorized to act upon the request pursuant to Public Law 95-469.

**Whereupon** The Drainage Authority hereby approves the abandonment of benefits, taxes and special drainage assessments for County Ditch No. 8 on the above described property in Shaokatan Township owned by United States Fish and Wildlife Service pursuant to Public Law 95-469.

Dated: 21<sup>st</sup> Day of April, 2009.

ATTEST:

(SEAL)

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Joan Jagt, 2009 Board Chair

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Kathy Schreurs, County Auditor

Olsen reported that a Conditional Use Hearing had been held by the Planning & Zoning Board regarding the Norwegian Creek Park expansion area. The Planning & Zoning Board approved the rezoning request. Motion by Blumeyer, seconded by Hansen, to rezone the Norwegian Creek Expansion Area from special protection to general use. All voted in favor.

Commissioner Evers reported that the contractor that is replacing the siding on the Parks Maintenance shed/shop discovered that there is almost no insulation left in the walls. Motion by Gillund, seconded by Evers to approve cost for new insulation for the Parks Maintenance shed/shop. All voted in favor.

Olsen, reported that he had granted authorization to U'SAgain to place recycling containers in Tyler, Ivanhoe, and Lake Benton. The containers will be specifically used for the collection of shoes and clothing.

Olsen reported that a landowner along JD 22 is concerned about the distribution of ditch benefits along the system. Olsen reported on the process to redetermine the benefits. Information only.

Dustin Hauschild, Engineers Assistant, gave the construction/maintenance update:

- MnDOT spring load restrictions go off 4/20/09 and Lincoln County goes off on 5/4/09
- Working to acquire CSAH 12 right-of-ways
- CR 124 speed limit is 55 mph but advisory at Norwegian Creek Park is 15 mph

- Working with Hendricks Twp on maintenance for 300<sup>th</sup> Street
- Received notice that Lincoln County will receive additional monies for the CSAH 7 Tyler Airport Safety Project
- Update on equipment repairs
- Maintenance Foreman, Scholten, still obtaining information for a truck chassis

Hauschild reported that Martin and Robin Ritter have not signed an easement for CSAH 12 right-of-way. A hearing is scheduled for April 30, 2009 to acquire the property by eminent domain. Motion by Hansen, seconded by Evers, to authorize an Auditor's warrant for acquiring the right-of-way easements from Martin and Robin Ritter property along CSAH 12. At the recommendation of the Lincoln County Attorney, the warrant amount of \$65,028.94 will be made payable to the Lincoln County Court Administrator after the April 30, 2009 hearing. All voted in favor.

Hauschild reported that the demolition of the Arco School has been completed. Motion by Evers, seconded by Hansen, to purchase tax forfeited property PID 16-0101-000 in the City of Arco and to issue Auditor Warrant for said purchase. All voted in favor.

At 10:30 a.m. bids were opened for the purchase of 2009 seal coat oil. The only bid received was from Jebro, Inc. for \$291,118.82. No action taken at this time.

Hauschild reported that Engineer Amundson has requested that the Board consider the following recommendation for land sales:

"If MnDNR, et. al. request to purchase private lands along county highways we should require that 150' of easement outside of the existing County Highway Right-of-way be given to Lincoln County by the organization, as a condition of the sale. This would allow room for future highway reconstruction without having to struggle with huge paperwork problems in getting highway easements from MnDNR and other organizations." The Board stated that they will take the request to AMC District VIII for consideration.

The Board reviewed Resolution No. 28-2006 (Resolution on Access to County Roads). Motion by Blumeyer, seconded by Gillund, to approve amendment to Resolution No. 28-2006, Section 4, part a. to read:

"Necessary and practical shall be construed to mean a maximum of one farm entrance and one field entrance (or two field entrances) per half mile of roadway each side of center line where a single property ownership is involved, except on new dwellings or structures that increase tax base benefits for the County, subject to Board approval." All voted in favor.

Motion by Blumeyer, seconded by Gillund, to approve driveway access request from Jerome Jerzak per recommendation by the Lincoln County Highway Department. All voted in favor.

Bruce Nielsen, Assessor/Appraiser, reported:

- Boards of Review have been completed
- Has been certified in Tax Calculation
- Goal is to complete oral exam for accreditation in July

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

Jagt – Human Services  
 Evers – RCRCA, Public Health Video Conference, Human Services  
 Gillund – LCEDC, SW Emergency Medical Services, JD 28 meeting  
 Blumeyer – SWCD, Extension  
 Hansen – RSVP, LCEDC

Auditor Warrants were presented.

Motion by Evers, seconded by Blumeyer, to approve the following Commissioner Warrants # 7258 - 7338 for the following amounts: Revenue - \$58,907.98 Road & Bridge - \$31,528.41, Forfeited Property - \$1,625.00 and Courthouse Improvements - \$1,482.64. All voted in favor.

Motion by Hansen, seconded by Blumeyer to accept resignation of Dave Koster from the Lincoln Lyon Murray and Pipestone Public Health Board and to appoint Laurie Johansen to the Lincoln Lyon Murray and Pipestone Public Health Board. All voted in favor.

Commissioner Hansen reported that The Rural Minnesota Energy Board (RMEB) and the Metropolitan Energy Policy Coalition (MEPC) have been working on developing a joint wind development project. Exploration into the feasibility of this project is currently being funded by a grant. The concept is to install two 1.65 MW wind towers at the site of the Lyon County Landfill. A sample resolution supporting the project was reviewed. No action at this time.

The Board continued to review a proposed cell phone policy for Lincoln County.

Motion by Gillund, seconded by Evers, to adjourn at 12:40 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