

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

January 6, 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.

Wendy Rost, Court Administrator, administered the "Oath of Office" to newly elected and re-elected Commissioners Joan Jagt, Adam Gillund, and Don Evers.

Motion by Gillund, seconded by Evers, to nominate Joan Jagt as 2009 Chairperson to the Lincoln County Board of Commissioners. There were no other nominations. All voted in favor.

Motion by Evers, seconded by Gillund, to nominate Curtis Blumeyer as 2009 Vice-Chair to the Lincoln County Board of Commissioners. There were no other nominations. All voted in favor.

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

Motion by Hansen, seconded by Evers, to approve minutes from the December 16, 2008 Commissioner meeting. All voted in favor.

Motion by Evers, seconded by Blumeyer, to approve Resolution No. 01-2009 (Setting the Time and Days of the 2009 Regular Board meetings). All voted in favor.

RESOLUTION 01-2009
Setting Time/Days for 2009 Regular Meetings
(MSA 375.07)

BE IT RESOLVED, that the first and third Tuesdays of each month for the year 2009, be set as the official days for regular meetings of the Lincoln County Board of Commissioners, with the exception of December 1, 2009. This resolution provides for the first meeting in December to be held on Thursday, December 3, 2009.

BE IT FURTHER RESOLVED, that the hours for said meetings be fixed at: 9:00 a.m. for January 20, 2009, and the months of February 2009, through January 6, 2010, all in accordance with M.S.A. 375.07 with the exception of December 3, 2009 which will be held at 2:00 p.m.

BE IT FURTHER RESOLVED, that said county Board meetings be held in the Commissioner's Room of the Courthouse, Ivanhoe, MN, 319 North Rebecca Street, in the City of Ivanhoe, State of Minnesota.

ADOPTED by unanimous vote, this 6th day of January 2009.

ATTEST:

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

Motion by Gillund, seconded by Blumeyer, to approve Resolution No. 02-2009 (Pre-Authorization of Payments). All voted in favor.

RESOLUTION No. 02-2009
Pre-Authorized Payments by Auditor's Warrant(s)

BE IT RESOLVED, that the County Auditor be and is hereby authorized to issue her warrant(s), drawn on the proper fund, for the following expenditures:

All utilities, (water, sewer, electrical, heating fuel, phone, etc.), incidentals, postage, payroll activity, insurance, board approved contracts, monthly lease payments, maintenance contracts, court ordered expenses, permit fees, dues, registrations, employee travel expenses, miscellaneous taxes, tax distributions and refunds, inter fund billings, expenditures subject to finance charges, payments to other political subdivisions, and motor vehicle registration expenses and County Attorney and County Sheriff contingency claims.

Said claims to be paid upon proper presentation of claims during the year 2009.

BE IT RESOLVED, that the County Auditor is hereby authorized to make fund transfers from time to time to maintain non-deficient fund balances or to issue warrants in payment of obligations of the County.

ADOPTED by unanimous vote this 6th day of January 2009.

ATTEST:

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

Motion by Blumeyer, seconded by Hansen to make \$100.00 appropriation to each of the Legion/VFW's in the County of Lincoln, and to include the Legion Post of Porter, MN (cemetery decoration), for their services for the year 2009. All voted in favor. Said Auditor' Warrant(s) to be issued upon receipt of a verified claim form. This being in accordance with M.S.A. 375.34 and 375.35 procedures.

The motion was made by Hansen, seconded by Evers, to approve Resolution No. 03-2009 (Lincoln County Soil & Water Conservation District Budget Appropriation). All voted in favor.

RESOLUTION No. 03 -2009
2009 Soil & Water Conservation District Appropriation/Payments

WHEREAS, the District Board of Supervisors of the Lincoln County Soil & Water Conservation District has submitted a budget and made application to the Board of County Commissioners for aid in meeting expenses for soil and water conservation purposes in Lincoln County, Minnesota, for the year beginning January 1, 2009;

NOW THEREFORE BE IT RESOLVED that the County of Lincoln, Minnesota, hereby appropriates the sum of \$107,150.00 for Soil Conservation purposes for the year 2009 beginning January 1, 2009, and ending December 31, 2009, all in accordance with M.S.A 40.07, Subd. 15.

BE IT FURTHER RESOLVED that said appropriation be paid as follows:

\$35,717.00 payment on January 23, 2009
\$35,717.00 payment on June 19, 2009
\$35,716.00 payment on October 23, 2009

BE IT FURTHER RESOLVED that the county auditor is hereby authorized to issue her warrant for said amounts/payments as scheduled above (Revenue Fund/SWCD Account).

ADOPTED by unanimous vote this 6th day of January, 2009.

ATTEST:

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

Motion by Blumeyer, seconded by Hansen, to approve Resolution No. 04-2009 (Agriculture Inspector Appointment). All voted in favor.

RESOLUTION No. 04-2009
(Agriculture Inspector Appointment)

WHEREAS, provision is made in M.S.A 18.80, Subd. 1, for the appointment of a County Agricultural Inspector.

NOW THEREFORE BE IT RESOLVED, that Robert Olsen, Lincoln County Environmental Office, PO Box 66, Ivanhoe, MN 56142 and telephone number is (507)-694-1344, is hereby appointed as Lincoln County's Agricultural Inspector, from January 1, 2009 to December 31, 2009.

BE IT FURTHER RESOLVED, that the County Agricultural Inspector and/or his Assistant, may attend the Annual Short Course and other Regional or District Conferences held during the year 2009.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Commissioner of Agriculture, State of Minnesota.

ADOPTED by unanimous vote, this 6th day of January, 2009.

ATTEST:

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

Motion by Gillund, seconded by Hansen, to appropriate \$300.00 to each organization in the County of Lincoln that operates an aeration system on a county lake. These organizations include the following:

- Lake Hendricks Improvement Association
- The Shaokatan Sportsmans Club
- The Tyler Rod Gun Club
- The Lake Benton Sportsmans Club
- The Arco Sportsmans Club

Motion carried. The county auditor was authorized to issue her warrant(s) to each organization for the operating year 2008-2009.

Motion by Evers, seconded by Hansen, to add Nebraska to Exception 2 of the "Out of State Travel Policy". All voted in favor.

Lincoln County Out of State Travel Policy
Adopted: January 6, 2009

The 2005 Session Laws, Chapter 156 requires counties to develop a policy on out of state travel for elected officials.

This policy applies to elected officials and employees of Lincoln County and overrules any other travel policy pertaining to out-of-state travel

All out-of-state travel requests are to be presented to the Lincoln County Board of Commissioners for consideration and approval prior to the planned date(s) of travel.

The County Board shall consider each request on a case-by-case basis.

The County Board will consider each request using the following guidelines:

- a. The contacts made or the information obtained must be important to the improved operation of the County and the respective department
- b. Conferences are to be professional in content and should be selected only when a similar conference is not held locally within a reasonable period of time.

Whenever possible, employees should make travel and accommodation arrangements in advance and request that the County be billed. All authorized travel expenses, which are not billed directly to the County, are paid by the employee subject to reimbursement.

EXCEPTION 1: Due to the proximity of "East River Counties of South Dakota" to Lincoln County, "East River Counties of South Dakota" will be exempted from this "Out of State Travel Policy". (The "River" is defined as the Missouri River)

EXCEPTION 2: Employees of the Highway Department and the Courthouse Maintenance Department are authorized for travel to pick up equipment and/or maintenance parts in North Dakota, South Dakota, Wisconsin, Nebraska and Iowa.

EXCEPTION 3: Employees of the Sheriff's Department are authorized to travel to any state as deemed necessary in the line of duty.

This policy will be reviewed annually by the County Board at the first meeting of each year. Motion by Blumeyer, seconded by Hansen, to set aside up to 20% of the remaining balance in the county's forfeited tax sale fund for the acquisition and maintenance of county parks or recreational areas as defined in M.S. 39831 to 398.36 (M.S. 282.08). All voted in favor.

Motion by Hansen, seconded by Evers, to approve the following Committee/Board Appointments for 2009. All voted in favor.

Lincoln County Commissioner Committee Appointments – 2009

Road Inspection Committee	:	All County Board Members
Human Services Joint Powers	:	Evers & Jagt
Negotiating Committee	:	Hansen & Jagt
S.W. Regional Development	:	Hansen
County Council on Aging	:	Jagt
RSVP Board	:	Hansen
Western Mental Health	:	Gillund
Lincoln County H.R.A.	:	Evers
Extension Committee	:	Jagt & Blumeyer
County Park Board	:	Gillund & Jagt
Water Management Task Force(C&VC)	:	Jagt & Blumeyer
Plum Creek Library Board	:	Evers
Lincoln County Library Board	:	Evers
Solid Waste Recycling Comm.	:	Blumeyer/Hansen
Law Library	:	Evers
Daytime Activity Center	:	Jagt
Community Health Services	:	Blumeyer (Alternate Gillund)
Lincoln County Prom. & Tourism	:	Evers
Lincoln Co. Enterprise Dev.	:	Gillund & Hansen
Lincoln SWCD Board Representative:	:	Blumeyer & all Commissioners as alternates
AMC Policy Committee	:	Hansen & Blumeyer
S.W. MN PIC Council	:	Blumeyer
Wind Power Committee/Mtgs.	:	All Commissioners
Rural MN Energy Board	:	Hansen/Evers
Area II Water	:	Blumeyer-Hansen Alternate
RCRCA	:	Evers
Yellow Medicine Watershed Advisory	:	Blumeyer
LacQuiParle Watershed Advisory:	:	Dan Christianson (3 year – 4/18/09)
J.C.D. #16 Drainage (Pipestone):	:	Hansen, Evers, Jagt, Gillund
J.C.D. #13 and #31 Drainage (Lyon):	:	Jagt/Gillund(Fenske/Stensrud/Ritter)
Land Use/Zoning	:	All Commissioners
SW Environmental Task Force	:	Evers
Insurance Committee	:	Blumeyer
Health/Safety/Personnel	:	Hansen & Gillund
Building/Capital Improvement	:	Hansen & Blumeyer
Regional Radio Board	:	Blumeyer

Step II Grievance	:	Hansen & Jagt
Step III Grievance	:	All Commissioners
RC & D	:	Blumeyer
Audit	:	Jagt & Blumeyer
Lincoln County Board of Appeals:		All Commissioners
SW Emergency Med. Services	:	Gillund
Western Community Action	:	Gillund
Transportation Committee	:	Hansen
Western Mental Health Dev. Selection:		Gillund & Jagt
Nutrition Council	:	Hansen
5 th District Public Defender	:	Blumeyer
Affirmative Action Officer	:	Jagt
PrairieLand Economic Development:		Hansen
Juvenile Detention Center	:	Hansen

Bids for the 2009 Official and Secondary newspapers were opened and reviewed. Bids were presented as follows:

Tyler Tribute	Index Number Bid	.132
Tyler, MN 56178	\$1.98 per inch	
Ivanhoe Times	Index Number Bid	.1435
Ivanhoe, MN 56142	\$2.18 per inch	

Motion by Blumeyer, seconded by Hansen, to accept low bid from the Tyler Tribute for \$1.98 per inch (Index Number .132), as per lowest index bid submitted. All voted in favor. The following resolution was adopted.

**RESOLUTION No. 05-2009
2009 County Printing Bids**

BE IT RESOLVED, that the Tyler Tribute be awarded said County Printing Bid for 2009, to become the Official County Paper, to print all matters as specified in said bid proposal, as required by law, and

BE IT FURTHER RESOLVED, that the rate for said services be as submitted in said bid, and that claims for county printing include a signed certificate of measurement.

ADOPTED by unanimous vote this 6th day of January 2009.

ATTEST: (SEAL)

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

2009 Secondary County Printing Bid

Ivanhoe Times	Index Number Bid	.2107
Ivanhoe, MN 56142	\$3.20 per inch	
Hendricks Pioneer	Index Number	.132
Hendricks, MN 54136	\$1.98 per inch	

Motion by Gillund, seconded by Blumeyer, to award 2009 Secondary County Printing Bid to the Hendricks Pioneer. All voted in favor.

Motion by Hansen, seconded by Evers, to approve final Courthouse, Sheriff, and Highway Union contracts and salary scales for 2009-2011, and to authorize Chair Jagt to sign said contracts on behalf of the Board of Commissioners. Commissioners Jagt, Evers, Blumeyer and Hansen voted in favor. Commissioner Gillund voted in opposition. Motion carried by majority vote.

Lee Amundson, County Engineer, reported on construction/maintenance projects for 2009. Motion by Blumeyer, seconded by Gillund, to authorize Amundson to advertise for 2009 construction projects as needed. All voted in favor.

Amundson reported that he had received two sealed bids for the purchase of a Track Type Dozer. The bids were due and opened at 10:30 a.m. on December 29, 2008. The bids were as follows:

Road & Machinery & Supplies (Savage, MN)	\$150,378.00
Ziegler Inc. (Minneapolis/Marshall, MN)	\$144,840.00

Bill Cherp, local contractor, questioned the need for the County purchasing a dozer as there are several local contractors that could be hired for project work. Commissioners held a lengthy discussion on the pros and cons of purchasing a dozer. Motion by Hansen, seconded by Blumeyer to accept low bid for the purchase of a Track Type Dozer from Ziegler Inc of \$144,840.00. Commissioners Hansen, Blumeyer, and Jagt voted in favor. Commissioners Evers and Gillund voted in opposition. Motion carried by majority vote.

Amundson reported that the Highway Department upgraded the JD 47" and the Allied 96" snow blowers to a Lorenz 108" snow blower.

Motion by Blumeyer, seconded by Gillund, to approve Gravel Pit Agreement between Eloise Iler and Family and the County of Lincoln through December 31, 2015 at a rate of \$0.55 per cubic yard. All voted in favor.

Amundson reported that Mn/DOT is still interested in having Lincoln County as a partner with regards to installing a wind turbine near Ivanhoe to be used jointly. Commissioner Blumeyer will continue to act as a liaison along with Amundson in future meetings.

Amundson reported that a contractor had inspected the Arco school building and there is asbestos present in the structure.

Amundson invited the Commissioners to ride in one of the snowplows to observe the snowplow in operation.

Motion by Hansen, seconded by Evers, to authorize Amundson to attend National Association of County Engineers in Peoria, Illinois April 19 – 23, 2009. All voted in favor.

Robert Olsen, Environmental Administrator, reviewed potential Board members for the joint Planning and Zoning and Board of Adjustment.

Olsen reported that 601 tons of residential and commercial recycling had been collected in 2008, which is an increase of 115 tons (24%) increase over 2007 (486 tons).

The Board reviewed the proposed 2009 Solid Waste Assessment. Motion by Blumeyer, seconded by Hansen to approve Resolution #06-2009 (2009 Solid Waste Assessment). All voted in favor.

Resolution No. 06-2009
Resolution Adopting and Approving
Environmental/ Solid Waste Assessment

WHEREAS, the County of Lincoln has adopted and established an Environmental/Solid Waste Assessment pursuant to the provisions of Minnesota Statutes 400.01, and

WHEREAS, said assessment provides that the Board of Commissioners shall establish by resolution a rate schedule for Environmental /Solid Waste Assessment to be assessed against various parcels of land within the County, and,

WHEREAS, the County Board has duly considered all factors relevant to establishing an Environmental/Solid Waste Assessment, and,

WHEREAS, the Board of Commissioners has determined that it is prudent to provide for the collection of costs associated with administering the Environmental and Solid Waste Programs in the County through an Environmental/Solid Waste Assessment.

NOW THEREFORE, BE IT RESOLVED, by the Lincoln County Board of Commissioners as follows:

That there is hereby established an Environmental/Solid Waste Assessment in the amount of \$30.00 per parcel with a structure value greater than \$1,000.00 and/or \$15.00 per unit/dwelling where a parcel has multi units. Minimum charge set at \$30.00. This assessment to be applied to payable 2009 property tax statement and years thereafter.

BE IT FURTHER RESOLVED, that said schedule will be effective upon the date hereof and shall remain in place until specifically amended by the Board of Commissioners.

WHEREUPON the above resolution was adopted at a regular meeting of the Lincoln County Board of Commissioners this 6th day of January, 2009, at Ivanhoe, Minnesota.

ATTEST: (SEAL)

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor

Olsen reported that Alta Vista Township has requested recycling and rural garbage dumpsters. The Board approved the request by consensus with stipulation that Alta Vista Township maintains the site (Alta Vista Township Hall) and provides snow removal.

Olsen reported that he had met with the Minnesota Pollution Control (MPCA) on the Norwegian Creek Park expansion septic system. Olsen stated that the meeting went well and that MPCA will work with the Environmental Office on the project.

Olsen reported that he had applied for an Emergency Management grant to help offset costs for storage of the County's official maps (ie. Zoning, ditch, cities).

Motion by Gillund, seconded by Hansen to approve Resolution No. 07-2009 (Aggregate Resource Preservation). All voted in favor.

**Resolution No. 07-2009
Consideration Of "Aggregate Resource Preservation Property Tax Law"
County Termination Option**

WHEREAS, the Lincoln County Board of Commissioners recognizes the importance of maintaining aggregate resources for the general economy of the county; and

WHEREAS, the County Board recognizes that property taxes are an important consideration as to the viability of the aggregate industries located in the county; and

WHEREAS, the State of Minnesota has an ad valorem property tax system based on the full market value of real estate or personal property; and

WHEREAS, the provisions of Minn. Stat. 273.1115, Aggregate Resource Preservation Property Tax Law, grants special and unique treatment to owners of land containing aggregate deposits, in comparison with other property in the county, therefore shifting the tax burden on these properties to other taxpayers; and

WHEREAS, the provisions of Minn. Stat. 273.1115, Aggregate Resource Preservation Property Tax Law, allow a county to terminate application of this law; and

WHEREAS, a county may reauthorize application of this law by a resolution of the County Board revoking the termination; and

WHEREAS, the County Board is required to hold a public hearing as part of the process to terminate application of this law; and

WHEREAS, said public hearing has been scheduled for February 17, 2009 at 10:30 a.m. at the Lincoln County Courthouse, Ivanhoe, MN.

NOW THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Commissioners hereby elects to begin the process of terminating participation in the Aggregate Resource Preservation Property Tax Law in Lincoln County.

ATTEST:

Joan Jagt, 2009 Board Chair

Kathy Schreurs, Auditor

Motion by Blumeyer, seconded by Evers to approve Contract Agreement #618 with Lincoln, Lyon, and Murray Human Services effective 1-1-09 to 12-31-09 to provide transit services. All voted in favor.

Commissioner Blumeyer presented a proposed management agreement between Lincoln, Lyon and Murray Human Services and Lincoln, Lyon, Murray, and Pipestone Public Health Services. There was no action on this day.

Auditor Warrants were presented.

Motion by Hansen, seconded by Gillund, to approve the following Commissioner Warrants #6430 - 6452 for the following amounts: Revenue - \$22,875.12, Road & Bridge - \$84,614.96 and Capital Improvements - \$140,973.75. All voted in favor.

Craig Larson, Maintenance, reported a letter was received from Mark Buechel, Minnesota Historical Society, stating that Lincoln County is in violation of the signed preservation agreement the county courthouse has with the Minnesota Historical Society to undertake any work on the property until the work has been reviewed and approved by MHS. A list of concerns was also attached. Larson then reviewed a response letter to the Minnesota Historical Society from Jeff Nelson, Baldrige & Nelson, Architects and Engineers, Inc. addressing MHS concerns. Larson asked the Board if they wished to continue with the window and air conditioning project or cease work until the matter is resolved. The consensus of the Board was to proceed with the project.

Committee reports and correspondence were reviewed.

Auditor Schreurs reported that Minnesota Governor Pawlenty has unallotted \$76,680.00 in Program Aid that was due to Lincoln County for 2008.

Motion by Hansen, seconded by Evers, to adjourn at 12:40 p.m. All voted in favor.

ATTEST:

(SEAL)

Joan Jagt, 2009 Board Chair

Kathy Schreurs, County Auditor