

**LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

March 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 was County Auditor, Kathy Schreurs.

Motion by Hansen, seconded by Gillund, to approve minutes from the February 17, 2009 Commissioner meeting. All voted in favor.

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

Several members of the Lincoln County Historical Society reviewed past, present and future activities of the Historical Museum located in the City of Hendricks. The museum was officially opened in 1969 and has been funded through volunteers and donations. Future needs include installing water to museum buildings, paint, electricity, telephone, and handicap accommodations. The museum Board also reviewed the 2009 budget.

Robert Olsen, Environmental Administrator, reported that he had been working with Daryl Schlapkohl, Parks Manager, to begin the process of developing new camp sites at Norwegian Creek Park. Olsen stated that the Environmental and Highway Departments are willing to provide assistance in the proposed development. The Park Board is expected to schedule a meeting in the near future to discuss the park expansion project. Motion by Hansen, seconded by Gillund, to authorize the Environmental and Highway Departments to provide assistance and wave fees and labor for the Norwegian Creek Park expansion. All voted in favor.

Motion by Blumeyer, seconded by Gillund, to approve application to rezone the Norwegian Creek Park Expansion to a General Use District and proceed to public hearing. All voted in favor.

Robert Olsen reported that the Lincoln County web site has had a change in its domain. The site is hosted by the Association of Minnesota Counties.

Olsen reported that Lake Benton Lake Improvement District has been approved for a Department of Natural Resources Grant to control curly leaf pond weed.

Bob Meyer, Minnesota Department of Natural Resources, met with the Board to discuss the purchase of 13 acres of land to be added to the Chen Bay Wildlife Management Area. Motion by Hansen, seconded by Jagt to approve the purchase of 13 acres in the SE ¼ section of section 22 in Diamond Lake Township by the Minnesota Department of Natural Resources. Commissioners Jagt, Hansen, and Blumeyer voted in favor. Commissioners Evers and Gillund voted in opposition. Motion passed by majority vote.

Committee Reports were given:

- Jagt– AMC Human Services Committee
- Evers – none
- Gillund – LCEDC
- Blumeyer – Public Health Administrative Services, Wind Production
- Hansen – LCEDC

Lee Amundson, County Engineer, reviewed the bids for SP 41-613-22 (bituminous overlay CSAH 13) that were opened at the February 17, 2009 Board meeting and recommended that the low bid be accepted. The following bids were received:

Central Specialties	\$1,225,776.46
Duininck Bros Inc	\$1,306,746.50
McLaughlin & Schulz Inc	\$1,320,417.39

Knife River

\$1,482,913.99

Motion by Hansen, seconded by Evers, to accept low bid of \$1,225,776.46 from Central Specialties for SP 41-613-22. All voted in favor.

Motion by Blumeyer, seconded by Gillund, to approve Resolution No. 12-2009 (Final Payment – Rupp Construction). All voted in favor.

**Final Resolution**

**12 – 2009**

WHEREAS, the 2007 Gravel Crushing project, has in all things been completed by Rupp Construction Co Inc, the final contract costs being \$62,482.06, and the County Board being fully advised in the premises.

NOW THEN, BE IT RESOLVED that we do hereby accept said completed project for and in behalf of the County of Lincoln and authorize final payment as specified in said final estimate.

ADOPTED by unanimous vote this 3<sup>rd</sup> day of March 2009.

ATTEST:

(SEAL)

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Joan Jagt, 2009 Board Chair

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Kathy Schreurs, County Auditor

Amundson reported that the State of Minnesota is asking for Lincoln County's commitment for the Rail Project scheduled for Lake Benton in 2013. The project is estimated at \$325,000.00 with Lincoln County being responsible for 10%. The Board asked Amundson to send a Letter of Commitment for the Rail Project.

Amundson reported that MN/DOT did not select Lincoln County as a site for erecting a wind tower.

Amundson and Dennis Larson, M.A.A.C., Inc. reviewed options for the disposal and demolition of the Arco School building. Removing the asbestos and then burying the remainder appeared to be the most economical method of disposal. A second contractor declined to bid on the disposal. Motion by Gillund, seconded by Hansen, to begin cooperation with M.A.A.C. to prepare for demolition of the Arco School building. All voted in favor.

Amundson reported that there were no stimulus funds approved for state highways in Lincoln County.

Motion by Hansen, seconded by Gillund, to approve Resolution No. 14-2009 (Right of Way- CSAH 12). All voted in favor.

**LINCOLN COUNTY  
RESOLUTION NO. 14-2009**

**RESOLUTION AUTHORIZING ACQUISITION OF RIGHT-OF-WAY  
FOR COUNTY HIGHWAY PROJECT**

WHEREAS, the Lincoln County Highway Department proposes to reconstruct County State Aid Highway No. 12 between U.S. Highway 75 and County State Aid Highway 13 in Diamond Lake Township, Lincoln County, Minnesota, which project, is numbered SAP 41-612-04 (hereinafter "Project"); and,

WHEREAS, the Project work consists of grading, base, bituminous surfacing, pending, sloping, drainage and signal systems, and bituminous path on said County State Aid Highway No. 12 to provide for the safety of traveling public; and,

WHEREAS, in addition to the existing easements, certain land and interest therein are required

to construct the Project and to conform to Minnesota State Aid Rule 8820.9920, and,

WHEREAS, the land and interests therein which are needed to construct the Project are described in Exhibit "A," which is attached hereto (hereinafter "New Right Of Way"); and,

WHEREAS, the Lincoln County Board of Commissioners desires to begin construction of the Project in the spring of 2009; and,

WHEREAS, to begin construction of the Project in the Spring of 2009, the county will require title and possession of the New Right Of Way prior to the filing of an award by the court appointed commissioners pursuant to the provisions of Minn. Stat § 117.042:

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Commissioners hereby authorizes the county highway engineer to proceed to acquire the New Right Of Way in accordance with Minnesota Statutes.

BE IT FURTHER RESOLVED, that the County Board of Commissioners hereby authorizes the acquisition of the New Right Of Way that cannot be successfully acquired through negotiation by eminent domain and to take title and possession thereto prior to the filing of an award by the court-appointed commissioners, pursuant to Minn. Stat. § 117.011 and 117.042.

BE IT FURTHER RESOLVED, that the County Board of Commissioners hereby requests that the Lincoln County attorney 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.

**NOW, THEREFORE, BE IT RESOLVED**, that the Lincoln County Board adopts this Resolution on this 3<sup>rd</sup> day, of March, 2009.

ATTEST:

(SEAL)

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Joan Jagt, 2009 Board Chair

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Kathy Schreurs, County Auditor

Auditor Warrants were presented.

Motion by Blumeyer, seconded by Evers, to approve the following Commissioner Warrants #6896 - 6954 for the following amounts: Revenue - \$23,171.84, Road & Bridge - \$81,105.09, Courthouse Improvements - \$611.94, and Ditch - \$48.70. All voted in favor.

Motion by Evers, seconded by Hansen, to approve Resolution No. 13-2009 (Redesign Work Group). All voted in favor.

**RESOLUTION # 13-2009  
REDESIGN WORK GROUP  
COUNTY OF LINCOLN**

WHEREAS, County officials use their role as local leaders to support the redesign of services that improve the lives of their citizens and make their communities more livable; and

WHEREAS, Counties have a long history of providing critical services. County governments are the citizen's local government voice, providing solutions that bring communities together; and

WHEREAS, Counties in District VIII have succeeded in partnering together in providing services by joint power agreements, contract for services, providing mutual aid, advisory committees and boards and informal sharing of information; and

WHEREAS, Counties must ensure financial security to their taxpayers, multi-county collaboration has been identified by County officials as a potential means to promote greater efficiency, consistency and specialization in public service delivery.

NOW, THEREFORE, BE IT RESOLVED, by the Lincoln County Board of Commissioners that Lincoln County is interested in continuing the Work Group(s) established during the AMC VIII meeting held on February 13, 2009 and shall, with the assistance of AMC VIII leadership, consent to meet on a mutually agreed upon committee basis with member participation based on two commissioners and other key personnel as agreed upon by each County.

ADOPTED this 3rd day of March, 2009.

ATTEST: (SEAL)

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Joan Jagt, 2009 Board Chair

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Kathy Schreurs, County Auditor

Motion by Gillund, seconded by Hansen, to appoint Commissioners Jagt and Blumeyer and Auditor Schreurs to the AMC Redesign Work Group. All voted in favor.

The Board reviewed cell phone policies. Auditor Schreurs will ask for input from Department Heads regarding a cell phone policy.

The Board reviewed a Joint Powers Agreement from Lincoln Pipestone Rural Water supporting a resolution passed by Nobles County to issue \$8.5 million in bonds for Lincoln Pipestone Rural Water to enter into a water purchase agreement with Osceola County Rural Water System, Inc., Auditor Schreurs was directed to invite Dennis Healy, LPRW CEO to the next Board meeting.

The Board reviewed a draft of an advertisement for a Lincoln County Assessor position. No action at this time.

Commissioner Jagt reported that National Government Week is May 3 – 9, 2009. This year's theme is "Greening Our Future".

The Board recessed at 12:30 p.m.

The Board reconvened at 1:00 p.m.

Jeff Nelson, Architect, Steve Doom, Contractor, Robert Everson, Mechanical Engineer, Bisbee Plumbing & Heating and T. Eric Enterprises gave an update on the Windows and Air Courthouse Project. Several change orders are being proposed and will be available for Board action at the March 17, 2008 meeting.

Motion by Gillund, seconded by Evers, to adjourn at 1:50 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