

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

July 6, 2010
Courthouse Commissioner Room
Ivanhoe, MN 56142

The meeting was called to order at 9:00 a.m. by Board Chair, Adam Gillund, followed by the Pledge of Allegiance. Commissioners present were Adam Gillund, Larry Hansen, Joan Jagt and Don Evers. Curtis Blumeyer was absent. Also present were County Auditor, Kathy Schreurs and County Attorney, Glen Petersen.

Motion by Hansen, seconded by Jagt, to approve minutes from the June 15, 2010 Commissioner meeting and Board of Appeal and Equalization. All (4) voted in favor.

Motion by Evers, seconded by Jagt, to approve agenda items. All (4) voted in favor.

Kate Johnson, 4-H Program Coordinator, and Kristen Garcia, 4-H Summer Intern, provided 4-H updates on Day Camps, 4-H Exchange to California, Project Days and County Fair preparations.

Robert Olsen, Environmental Administrator reported that he had conducted a final inspection of the alleged nuisances located in Verdi in Lincoln County. A formal complaint had previously been received by Lincoln County from Verdi Township. The inspection found several property owners still out of compliance and in violation of the Lincoln County Nuisance Ordinance. Supervisors from Verdi Township, property owner, Howard Iler, and resident, Michelle Lillebridge, provided additional comments concerning the alleged nuisances. Motion by Evers, seconded by Hansen, to set abatement of public nuisances within twenty days from the date of the service of an Order of Abatement for Verdi property owners in violation of the Lincoln County Nuisance Ordinance. All (4) voted in favor.

Motion by Evers, seconded by Hansen, to order abatement of Lots 14, 15, and 16, Block 1, Verdi owned by Marvin & Darla McCurdy. All (4) voted in favor.

Motion by Gillund, seconded, by Hansen, to order abatement of Lots 19 and 20, Block 5, Verdi owned by Clifford Wagner %Terry Vick. All (4) voted in favor.

Motion by Evers, seconded by Hansen, to order abatement of Lot 1, Block 5, and Lots 17, 18, & 19 of Block 2, Verdi owned by Howard & Darlene Iler. All (4) voted in favor.

Olsen reported that erosion has occurred on JD #30. The estimated cost of repair for 80 ft. of 18" dual wall tile and installation in two areas is \$4,000.00. Motion by Jagt, seconded by Hansen, to authorize Robert to proceed with repairs to JD #30. All (4) voted in favor.

Olsen reported that the tile is blocked on JD #28 and will need to be repaired. There is no estimate on cost at this time. Motion by Gillund, seconded by Evers, to repair JD #28. All (4) voted in favor.

Olsen reported that he has received complaints regarding the location of the recycling shed and rural garbage dumpster location in the city of Arco. The Lincoln County Highway Department owns land where the shed and dumpster could be relocated. Motion by Jagt, seconded by Hansen to approve relocation of recycling shed and rural garbage dumpster in the City of Arco. All (4) voted in favor.

Motion by Gillund, seconded by Jagt, to approve additional rural garbage dumpster for Shaokatan Township. All (4) voted in favor.

Board members from the Lake Benton Lake Improvement District (LBLID) reported that the growth of the curly leaf pondweed in Lake Benton Lake has expanded. The Board had earlier decided not to treat the lake for the weed in 2010 due to lack of funding. Many lake residents are concerned about their property values if the lake continues to go untreated. The Lake

Improvement Board asked the County to consider appropriating funding for the Lake District. No action on this day.

Motion by Gillund, seconded by Jagt, to appoint Commissioners Hansen and Evers, with Commissioner Jagt as alternate, to a Joint LBLID Board consisting of two Commissioners and appointed members of the Lake Improvement District. All (4) voted in favor.

Motion by Gillund, seconded by Evers, to waive all past and future special assessment fees for the Lake Benton Lake Improvement District. All (4) voted in favor.

Lee Amundson, County Engineer, gave a construction/maintenance and construction schedule update to the Board. Amundson reported that there have been construction delays due to a rainy June.

Amundson reported that an underground fuel tank inspection has been performed by the Minnesota Pollution Control Agency. Owner certification (licenses) for two county highway employees is now a requirement.

Amundson reported that a portion of CSAH 2 will be designated to CSAH 9.

Amundson reported that the OSHA walk through is scheduled for July 12 –13, 2010.

Craig Larson, Maintenance, reported that the construction crew will begin repairs on the Courthouse Skylights July 12, 2010 and that cleaning and tuck pointing of the exterior of the jail will also begin the week of July 12, 2010.

Motion by Gillund, seconded by Jagt, to approve auditor warrant for Final Half of Pay Application #9 for \$27,591.50 from Doom and Cuypers for the Courthouse air conditioning project. All (4) voted in favor.

Motion by Jagt, seconded by Evers to approve Certificate of Substantial Completion for the air conditioning project from Doom and Cuypers. All (4) voted in favor.

Motion by Hansen, seconded by Jagt, to approve Joint Powers Agreement between the counties serviced by Lincoln Pipestone County Rural Water System to guarantee general obligation bonds. All (4) voted in favor.

Auditor Schreurs reported that Lincoln County has received \$117,381.85 from the SW/WC Service Cooperative as a savings through the Group Insurance Pool Minimum Premium Plan due to favorable experience for Lincoln County. Motion by Evers, seconded by Jagt, to accept \$117,381.85 from SW/WC Service Cooperative and to deposit said funds to the General Revenue Account. All (4) voted in favor.

Motion by Gillund, seconded by Hansen, to appoint Commissioner Jagt to the Southwest Health and Human Services Joint Powers Board and Commissioner Evers as alternate. All (4) voted in favor.

Motion by Jagt, seconded by Evers, to approve the State of Minnesota Federal Boating Safety Supplemental Grant Agreement and to accept Supplemental Grant of \$6,113.00. All (4) voted in favor.

Auditor Schreurs reported that Lincoln County is eligible for a \$300.00 per polling site grant to help defray operating costs of the assistive voting equipment and vote-counting equipment in each polling place for the 2010 election year. Motion by Evers, seconded by Hansen to approve Resolution No. 28-2010 (HAVA Grant Application). All (4) voted in favor.

**HAVA Grant Application
Resolution No. 28-2010**

WHEREAS, the State of Minnesota Office of the Secretary of State (SOS) is currently soliciting applications from counties for grants to defray operating costs of the assistive voting equipment and vote-counting equipment in each polling place for the 2010 election year; and

WHEREAS, \$300,000 has been appropriated from the Help America Vote Act (HAVA) account; and

WHEREAS, grants of up to \$300.00 per polling place may be made until this appropriation is exhausted; and

WHEREAS; Lincoln County had less than 50,000 voters as of January 1, 2010; and

WHEREAS, Lincoln County had previously expended all HAVA funding; and

WHEREAS, Lincoln County had 8 (eight) polling places in existence as of May 28, 2010;

NOW, THEREFORE, BE IT RESOLVED Lincoln County is applying for HAVA funds of \$2,400.00 to help defray operating costs of the assistive voting equipment and vote-counting equipment for the 2010 election year.

Adopted by unanimous vote this 6th day of July, 2010.

ATTEST:

Adam Gillund, 2010 Board Chair

Kathy Schreurs, County Auditor

Motion by Jagt, seconded by Hansen, to approve Resolution No. 29-2010 (Absentee Ballot Board). All (4) voted in favor.

**LINCOLN COUNTY
RESOLUTION NO. 29-2010
AUTHORIZING AN ABSENTEE BALLOT BOARD**

WHEREAS, Minnesota Statutes 203B.121 authorizes that the governing body of any county must authorize an absentee ballot board by resolution to process regular absentee ballots; and

WHEREAS, the absentee ballot board shall take possession of all return envelopes delivered to them in accordance with section 203B.08 during the 46 days before the election for processing and must examine all return envelopes in the manner provided in M.S. 203B.121; and

WHEREAS, the absentee ballot board must consist of a sufficient number of election judges trained in the handling of absentee ballots and appointed as provided in Minnesota Statutes Sections 204B.19 to 204B.22. The board may include staff trained as election judges; and

NOW, THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that an Absentee Ballot Board with the authority granted by Minnesota Statutes 203B.121 be and hereby is established for all elections.

ADOPTED by unanimous vote this 6th day of July, 2010.

ATTEST:

Adam Gillund, 2010 Board Chair

Kathy Schreurs, Auditor

Motion by Evers, seconded by Jagt, to approve Resolution No. 30-2010 (UOCAVA Absentee Board). All (4) voted in favor.

**LINCOLN COUNTY
RESOLUTION NO. 30- 2010
AUTHORIZING A UOCAVA ABSENTEE BALLOT BOARD**

WHEREAS, Federal law provides an absentee voting process for absentee voters who are in the military, and United States citizens who are temporarily or permanently outside of the U.S. known as the UOCAVA (Uniformed Overseas Citizens Absent Voting Act).

WHEREAS, Minnesota Statutes authorizes the formation of a UOCAVA Absentee Ballot Board by resolution to immediately process UOCAVA absentee ballots; and

WHEREAS, the UOCAVA absentee ballot board must receive all return envelopes during the 46 days before the election for processing and must examine all return envelopes in the manner provided in M.S. 203B.24; and

WHEREAS, the UOCAVA absentee ballot board must consist of a sufficient number of election judges trained in the handling of UOCAVA absentee ballots and appointed as provided in Minnesota Statutes Sections 204B.19 to 204B.22. The board may consist of staff trained and certified as election judges;

NOW, THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners that an UOCAVA Absentee Ballot Board be and hereby is established for all elections.

ADOPTED by unanimous vote this 6th day of July, 2010.

ATTEST:

Adam Gillund, 2010 Board Chair

Kathy Schreurs, Auditor

Committee Reports were given:

Hansen – RSVP, Safety Tour

Blumeyer – Absent

Gillund – Western Mental Health

Jagt – Audit Management Meeting, Human Services, Safety Tour

Evers – RCRCA, Plum Creek Library

Auditor Warrants were presented.

Motion by Jagt, seconded by Evers, to approve the following Commissioner Warrants #11042-11133 for the following amounts: Revenue - \$85,453.34, Road & Bridge - \$126,830.61, Ditch - \$2,015.00, LBLID – \$999.00 and Debt Service - \$27,058.75. All (4) voted in favor.

Motion by Jagt, seconded by Gillund, to cancel warrant #10753 – A & C Excavating - \$8,000.00. All (4) voted in favor.

Motion by Jagt, seconded by Gillund, to approve Resolution No. 31-2010 (Hearing For Lake Benton and Diamond Lake Townships Boundary Change.) All (4) voted in favor.

**Resolution No. 31-2010
Resolution Calling For A Public Hearing To Approve A Boundary Change Between Lake
Benton and Diamond Lake Townships**

WHEREAS, Diamond Lake Township is a Township within the jurisdiction of Lincoln County Minnesota; and,

WHEREAS, the Lincoln County Auditor's Office received a petition signed by at least 2/3rds of the legal voters residing within the following lands located within Diamond Lake Township for an alternation of the township boundary:

The Southeast Quarter (SE1/4) of Section 34 and all of Sections Thirty-five (35) and

Thirty-six (36) of Township 110 Range 45 West of the 5th PM; and

NOW THEREFORE, the Lincoln County Board of Commissioners do hereby resolve as follows:

1. That a Public Hearing be scheduled for July 20, 2010 for consideration of a petition to alter the boundaries of Lake Benton and Diamond Lake Township.
2. That a notice of the public hearing shall be served upon the Clerks of Lake Benton and Diamond Lake Townships and that the notice of the public hearing be posted and published as required by law.

Adopted by unanimous vote this 6th day of July, 2010.

ATTEST: (SEAL)

Adam Gillund, 2010 Board Chair

Kathy Schreurs, County Auditor

Motion by Jagt, seconded by Gillund, to close the meeting at 11:50 a.m. to discuss potential litigation issues. All (4) voted in favor.

Motion by Jagt, seconded by Evers, to open meeting at 11:55 a.m. All (4) voted in favor.

Motion by Hansen, seconded by Jagt, to adjourn at 11:56 a.m. All (4) voted in favor.

ATTEST: (SEAL)

Adam Gillund, 2010 Board Chair

Kathy Schreurs, County Auditor