

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

March 2, 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, Don Evers and Curtis Blumeyer. Also present were County Auditor, Kathy Schreurs and County Attorney Glen Petersen.

Motion by Jagt, seconded by Hansen, to approve minutes from the February 16, 2010 Commissioner meeting. All voted in favor.

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

Robert Olsen, Environmental Administrator, reported that the cities of Hendricks and Tyler have signed contracts with the County of Lincoln for GIS services for one year. Motion by Hansen, seconded by Jagt to approve GIS contracts with the cities of Hendricks and Tyler. All voted in favor.

Olsen reported that a Public Hearing is scheduled for March 17, 2010 to review the request of a permit by Betty Jean Johnson to sub-divide property in consideration of a preliminary plat in Shaokatan Township.

Olsen reported that an educational presentation sponsored by the Minnesota Department of Natural Resources entitled "Our Water Our Choices" relating to the connectivity of land use and water quality is scheduled for March 24, 2010 beginning at 10:00 a.m.

Olsen reported that the dumpster capacity will be expanded at the Alta Vista, Marble and Hendricks sites.

Olsen reported that he will be hiring a part time person for the landfill.

Olsen reported that he had researched who has responsibility for CD 55 near Lake Hendricks, which was transferred to Lac qui Parle Watershed District. A fish barrier was installed along CD 55 but a permit was not applied for. Motion by Evers, seconded by Blumeyer, to authorize Robert Olsen to apply for a permit on behalf of the Lake Hendricks Lake Association. All voted in favor.

Chris Sorensen, Director of Lincoln, Lyon, and Murray Human Services and Administrator of Lincoln, Lyon, Murray, and Pipestone Public Health reviewed a resolution to create a new Joint Powers Agreement, which would combine LLM HS and LLMP into one single entity. The resolution would also establish a work group to reach consensus on specific areas within the Joint Powers Agreement. Motion by Jagt, seconded by Blumeyer, to approve Resolution No. 09-2010 (LLM HS and LLMP Joint Powers). All voted in favor.

**RESOLUTION 09-2010
RESOLUTION TO CREATE A NEW JOINT POWERS AGREEMENT**

WHEREAS, the Lincoln County Board of Commissioners acknowledges and accepts the majoritive recommendation from the Lincoln, Lyon and Murray Human Services Board, AND, the Lincoln, Lyon, Murray and Pipestone Public Health Services Community Health Board to create a new Joint Powers Agreement (JPA) pursuant to Minnesota Statutes Chapter [471.59 Joint Exercise of Powers]. The language within the new JPA shall combine the two separate entities currently known as the Lincoln, Lyon and Murray Human Services Agency, AND, the Lincoln, Lyon, Murray and Pipestone Public Health Services Agency into one single entity to be named at a later date.

WHEREAS, the Lincoln County Board of Commissioners acknowledges the majoritive

recommendation from the Lincoln, Lyon and Murray Human Services Board, AND, the Lincoln, Lyon, Murray and Pipestone Public Health Services Community Health Board to have this resolution approved prior to end of business on 2/26/10 in order to meet the timeline in creating the JPA prior to 7/1/10.

WHEREAS, the Lincoln County Board of Commissioners acknowledges and accepts the majoritive recommendation from the Lincoln, Lyon and Murray Human Services Board, AND, the Lincoln, Lyon, Murray and Pipestone Public Health Services Community Health Board to entrust Mr. Christopher Sorensen – Director LLM HS, and, Administrator LLMP PHS with the Management, Oversight and Collaborative efforts required in the creation of the new JPA.

WHEREAS, the Lincoln County Board of Commissioners acknowledges and accepts the majoritive recommendation from the Lincoln, Lyon and Murray Human Services Board, AND, the Lincoln, Lyon, Murray and Pipestone Public Health Services Community Health Board in providing the following specific guidance to Mr. Sorensen while creating the new JPA:

1. Legal Counsel - Mr. Sorensen shall elicit the necessary Legal Counsel in creating the new JPA pursuant to Minnesota Statutes Chapter [471.59] while also utilizing JPA Templates provided by Minnesota Counties Insurance Trust (MCIT).

2. Period of Performance/Not to Exceed Date - Mr. Sorensen shall take the necessary actions to create the new JPA and obtain Member County Board of Commissioner approvals prior to May 30, 2010. This completion date is critical to allow for any Member County contemplating termination to give written "Notice to others" not later than July 1, 2010 in accordance with the original Member County Resolutions establishing the JPA entity known as the LLMP PHS Agency.

3. Status Reporting - Monthly Status Reports of progress shall be given to the Lincoln, Lyon and Murray Human Services Board, AND, the Lincoln, Lyon, Murray and Pipestone Public Health Services Community Health Board. Status Reporting shall be given to the Lincoln County Board of Commissioners upon request.

4. JPA Working Group - Mr. Sorensen shall establish a JPA Working Group comprised of 2 (two) representatives from each County to provide equal representation from each Member County. Mr. Sorensen shall solicit the participation of (1) County Commissioner from each Member County for each Service Board they serve on. The purpose of the JPA Working Group is not to discuss the merits of the JPA but to reach consensus on specific areas within the JPA where recommended language is provided by legal counsel addressing, but not limited to the following topic areas: (examples)

- Criteria and Prerequisites when accepting New JPA Membership
- Actions required for Termination of JPA Membership
- Allocation/Assignment of Reserve Funds and Acquired Property to JPA Members
- Disbursement of Reserve Funds and Acquired Property to JPA Member following Termination of JPA Membership

5. Organizational Structure - LLM HS and LLMP PHS to remain organizationally structured as today with creation of a new centralized Administrative Organization.

6. Financials - LLM HS and LLMP PHS Financials to remain separate for compliance with State Audit functions.

7. Separate Governing Boards - LLM HS and LLMP PHS shall remain governed by two independent and separate Boards in compliance with Local Agency Bylaws and State Mandates.

THEREFORE BE IT RESOLVED, the Lincoln County Board of Commissioners hereby accepts and approves the recommendations from the Lincoln, Lyon and Murray Human Services Board, AND, the Lincoln, Lyon, Murray and Pipestone Public Health Services Community Health Board to create a new JPA that combine their two entities into one single entity.

Adopted this 2nd day of March, 2010.

ATTEST:

Adam Gillund, 2010 Board Chair

Kathy Schreurs, County Auditor

Motion by Evers, seconded by Jagt, to appoint Commissioner Blumeyer to the LLM HS and LLMP Joint Powers Workgroup representing LLMP and to appoint Commissioner Evers as Delegate and Commissioner Jagt as Alternate to the LLM HS and LLMP Joint Powers Workgroup representing LLM HS. All voted in favor.

Motion by Evers, seconded by Jagt, to approve Resolution 10-2010 (Bridge Replacement). All voted in favor.

**LINCOLN COUNTY
BRIDGE REPLACEMENT
RESOLUTION 10-2010**

Whereas: Lincoln County has determined that the following deficient bridges on the C.S.A.H., County Road, and Township systems are a high priority and require replacement or rehabilitation within the next five (5) years, and

Bridge	Road	Estimated Project Cost	Local Funds	Bond Funds Needed	Proposed Construction
97-L1975	CSAH 13	98,000	49,000	49,000	2010
99	CSAH 13	98,400	49,200	49,200	2010
98	CSAH 13	64,400	32,200	32,200	2010
87 – 2988	190 th St Marshfield	340,000	34,000	306,000	2010
267-L1961	CSAH 7	112,000	56,000	6,000	2011
269-41501	CSAH 7	262,000	131,000	131,000	2011
6-L2079	240 Ave Hope	124,000	12,400	111,600	2011
172 – L2101	300 St Hendricks	93,000	9,300	83,700	2011
5 - L2078	240 Ave Hope	107,000	10,700	96,300	2011
46 – L2058	110 th Ave Verdi	87,000	8,700	78,300	2012
71 – L2113	110 th Ave Verdi	450,000	45,000	405,000	2012
7 – L2080	240 Ave Hope	85,000	8,500	76,500	2012
216-L1967	CSAH 8	173,600	86,800	86,800	2013
142 - 2755	260 St Shaokatan	118,000	11,800	106,200	2013
208 - 3905	320 St Royal	109,000	10,900	98,100	2013
194 – L2049	160 Ave Hansonville	156,000	15,600	140,400	2014

193 – L2065 150 Ave Hansonville	172,000	17,200	154,800	
56 – L2026 110 Ave Verdi	185,000	18,500	166,500	2014
226 – L9194 260 Ave Alta Vista	126,000	12,600	113,400	2014
197 – L2063 260 St Royal	92,000	9,200	82,800	2015
152-L2054 130 th Ave Shaokatan	45,000	4,500	40,500	2015
196-L9244 330 th St Royal	70,000	7,000	63,000	2015
39-2990 230 th Ave Marshfield	104,000	10,400	93,600	2015
168-3208 130 Ave Hendricks	115,000	11,500	103,500	2015

Whereas, local roads play an essential role in the overall state transportation system network and local bridges are the critical component of the local road systems, and

Whereas, State support for the replacement or rehabilitation of local bridges continues to be crucial to maintaining the integrity of the local road system and is necessary for the County and the Townships to proceed with the replacement or rehabilitation of the high priority deficient bridges described above, and

Whereas, Lincoln County intends to proceed with replacement or rehabilitation of these bridges as soon as possible when State Transportation Bond funds are available,

Now Therefore, Be It Resolved, that Lincoln County commits that it will proceed with the design and contract documents for these bridges immediately after being notified that funds are available in order to permit construction to take place within one year of notification.

Adopted by Majority Vote on this 2nd day of March 2010.

ATTEST: (SEAL)

Adam Gillund, 2010 Board Chair

Kathy Schreurs, County Auditor

Lee Amundson, County Engineer:

- Gave a Construction/maintenance update to the Board. He is working on the Hendricks plan, and also gave a report on snow removal within the County.
- Reported that the Functional Classification and road reversions in the Verdi area must be approved by MnDOT and actions to make system changes will follow
- Reported that he has researched the local ARMER radio system. He will look into this further and recommend radio communication needs.
- Discussed the effectiveness of rumble strips

Glen Petersen, County Attorney, reported that Rinke Noonan has been asked to represent a group of landowners on a petition to create a lateral to Joint County Ditch 16. Lincoln and Pipestone Counties compose the Joint Drainage Authority for the system. All of the land involved in the petition and affected by the proposed lateral is in Lincoln County. Rinke Noonan is asking for Lincoln County's consent to represent the petitioners in the proceedings. Motion by Jagt, seconded Evers, to approve request to represent petitioners of JD 16 for a lateral and that Lincoln County waives any conflict of interest. All voted in favor.

Glen Petersen, County Attorney, and Jack Vizecky, County Sheriff, reviewed the possibility of a Joint Powers Agreement for law enforcement with the cities of Lake Benton and Hendricks. Discussion only.

Committee Reports were given:

Hansen – None
Blumeyer – SWCD, Local ARMER Radio Group – Regional Radio Board, Public Health
Gillund – Western Mental Health
Jagt – LLM Human Services
Evers – HRA, RCRCA, Plum Creek Regional Library, LLM Human Services

Auditor Warrants were presented.

Motion by Evers, seconded by Hansen, to approve the following Commissioner Warrants #9950 - 9992 for the following amounts: Revenue - \$6,650.86 and Road & Bridge - \$54,373.84. All voted in favor.

Chairperson Gillund informed the Board that Jim Mulder, Association of Minnesota Counties Executive Director, is retiring effective March 10, 2010.

A motion was made by Jagt, and seconded by Hansen, to go into closed session at 11:45 a.m. to discuss a Step III Grievance. All voted in favor.

A motion was made by Jagt, and seconded by Blumeyer, to open the closed session at 12:27 p.m. All voted in favor.

The Board reviewed the IRS Taxable Fringe Benefit Guide for Work Clothes and Uniform Allowances and Reimbursements.

Chuck DeBates, Financial Accountant, reviewed 2009 Departmental Budgets. Motion by Evers, seconded by Jagt, to approve transfers from General Reserves for 2009 to the following departments: All voted in favor.

012 – Court Administrator	\$ 7,000
061 – Elections	\$ 2,750
131 – Transportation	\$ 41,600
251 - Probation Officer	\$ 3,925
431 – Public Health	\$ 615
521 – Parks	\$ 23,665
605-606 – Environmental-Planning & Zoning	\$ 5,000
623 – GIS	\$ 20

Motion by Blumeyer, seconded by Jagt, to continue this meeting to March 9, 2010 at 9:00 a.m. in the Board of Commissioners Room, Lincoln County Courthouse, Ivanhoe, Minnesota to discuss 2009 final levy. All voted in favor.

There being no further business to discuss regarding the 2009 final levy, the Board Chair, Adam Gillund adjourned the meeting at 1:45 p.m. on Friday, March 5, 2010.

ATTEST:

(SEAL)

Adam Gillund, 2010 Board Chair

Kathy Schreurs, County Auditor