

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

April 5, 2011
Courthouse Commissioner Room
Ivanhoe, MN 56142

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

Motion by Gillund, seconded by Jagt, to approve minutes from the March 15 and 24, 2011 Commissioner meetings. All voted in favor.

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

Robert Olsen, Environmental, reported that there has been a problem with residents disposing of demo items, paint, tv's, microwaves etc. in the rural garbage dumpsters. Surveillance cameras were discussed but the equipment could be costly. Olsen will put up signs prohibiting illegal dumping to help eliminate the problem.

Olsen reported that a hearing will be held soon regarding repairs to JD #28.

Olsen reported that petitioners of JCD #16 have reached an agreement and the problem seems to have been resolved. Olsen stated that he felt there would be a motion to retract the petition soon.

Olsen presented a draft of the Minnesota Association of Drainage Inspectors BMP Authority Drainage Policy draft for the Board's review. Olsen also reported that the County must file an annual Buffer Strip report to the State of Minnesota. Information only.

Olsen reported that all of the permit documents for the Lake Benton Lake Improvement treatment application process have been filed. There will not be an expansion of treatment from what was originally proposed.

Olsen reported that there has been little, if any, progress on the cleanup in Verdi. There are three buildings that need to be either removed or improved, brush that needs clearing, applicances that need to be removed, and other various problems. Olsen will pursue the cleanup as stated in the agreement.

Olsen discussed the process of how the levy for the Lake Benton Lake Improvement District was calculated. He also explained that a \$7,500 special assessment is billed to the agricultural landowners. The \$7,500 fee is assessed by dividing the fee by the number of agricultural parcels. There was also discussion on why some taxpayers with no lake frontage pay an assessment and a business that is directly on the lake pays nothing, but derives substantial income due to the lake pays no assessment. Olsen also explained that the City of Lake Benton pays an annual contribution to the Lake Improvement District and the tax payers within the city limits of Lake Benton pay towards that contribution as part of their real estate taxes. Olsen will review the list of taxpayers.

Jack Vizecky, Sheriff, presented a Joint powers Agreement with the BCA regarding the Crimes Against Children Program that has been run by the City of St. Paul but has been turned over to the BCA. Motion by Gillund, seconded by Jagt to approve Joint Powers Agreement and Resolution No. 18-2011 (Joint Powers Agreement with BCA). All (4) voted in favor.

**County of Lincoln
State of Minnesota
Resolution No. 18- 2011**

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF LINCOLN ON BEHALF OF ITS COUNTY ATTORNEY AND COUNTY SHERIFF

WHEREAS, the County of Lincoln on behalf of its County Attorney and County Sheriff's Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the County is eligible. The Joint Powers Agreement further provide the County with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the County to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Lincoln on behalf of its County Attorney and Sheriff's Department are hereby approved. Copies of two Joint Powers Agreements are attached to this Resolution and made a part of it.
2. That the County Sheriff, Jack Vizecky, or his successor, is designated the Authorized Representative of the Sheriff's Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
3. That the County Attorney, Glen Petersen, or his successor, is designated the Authorized Representative for the County Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
4. That Don Evers, as the Board Chair for the County of Lincoln and Kathy Schreurs, the County Auditor, are authorized to sign the State of Minnesota Joint Powers Agreements.

Adopted this 5th day of April 2011 by the Board of Commissioners of Lincoln County, Minnesota.

Don Evers, 2011 Board Chair

Kathy Schreurs, County Auditor

Vizecky reported that the Drug Task Force will be going to a per capita funding in the near future and that the Task Force has asked that each County appoint a representative. Motion by Gillund, seconded by Evers to appoint Commissioner Jagt to the Drug Task Force. All (4) voted in favor.

Vizecky requested that the Board consider his request to hire two additional full-time deputies. Vizecky stated that crime has increased significantly in the County and provided examples of the need for additional deputies. The Personnel Committee will meet with Vizecky on April 19, 2011 following the regular Board meeting.

Lee Amundson, County Engineer gave the construction/maintenance update. Amundson stated that the breakup of blacktop has started in the County and is widespread. The only authorized maintenance work at this time is at Norwegian Creek at a cost of \$120.00.

The Board discussed the possibility of converting blacktop roads back to gravel due to the cost of maintaining blacktop roads. Discussion only.

Amundson reported that the County has obtained a new MPCA county wide permit for spraying for the 2012-2013 season.

Amundson reported that a "Toward Zero Deaths" workshop will be held in Redwood Falls on April 29, 2011.

Amundson reported that the Topeka Shiner minnow is currently listed as an endangered species. The species appears to have been minimally impacted by historic and current threats in this part of the region. Amundson requested approval to support a resolution that would downlist the Topeka Shiner minnow to threatened status or delisting completely. Motion by Gillund, seconded by Jagt to approve Resolution No. 16-2011 (Topeka Shiner). All (4) voted in favor.

**LINCOLN COUNTY
RESOLUTION 16-2011
Topeka Shiner Endangered Species Listing**

WHEREAS, the Topeka Shiner minnow is currently listed as an endangered species, and

WHEREAS, the United States Fish and Wildlife Service (USFWS) conducted a recent study and concluded that the species is distributed widely across its historic range in Minnesota and South Dakota, and

WHEREAS, the study concluded that populations in these two states represent approximately 70 percent of the species' current range and in short, the species appears to have been minimally impacted by historic and current threats in this part of the range, and

WHEREAS, The USFWS concluded that given the Topeka Shiner's widespread distribution and apparent resilience to threats across northern parts of its range and recovery progress in portions of the remainder of the range, an endangered determination no longer seems appropriate, and

WHEREAS, The USFWS study recommends downlisting the Topeka Shiner minnow from endangered status to threatened status, and

WHEREAS, stipulations for construction of bridges and culverts due to the listing of the Topeka Shiner minnow as an endangered species has resulted in hardships for rural residents in Lincoln County; by forcing most bridge and culvert construction work to be completed during the fall harvest season,

NOW, THEREFORE, BE IT RESOLVED that Lincoln County supports the downlisting of the Topeka Shiner minnow to threatened status or delisting completely and encourages the downlisting or delisting to be completed as soon as possible to minimize further hardship on Lincoln County residents.

ADOPTED this 4th day of April, 2011.

Don Evers, 2011 Board Chair

Kathy Schreurs, County Auditor

Commissioners Gillund and Evers reported that they had received phone calls regarding the very bad condition of County Road 1. It was reported that the bad spots are not marked with signs or flags alerting motorists of the poor condition. Amundson reported that flags are now out on the major problem areas. Flags had not been placed previously due to the large amounts of snow and plowing of the roads. Other county roads were also discussed. More information is expected to be available at the April 19, 2011 meeting.

Amundson reported that Davis Buseth has been hired as the new truck driver at the Lake Benton shop.

Correspondence was reviewed and the following Committee Reports were given:
Evers – Plum Creek Library, Lincoln County HRA, Human Services, RCRRCA
Gillund – Personnel (interviews and labor contracts)
Jagt – Human Services, SWHHS, Personnel

Blumeyer – Absent

Hansen – Health and Safety, RSVP, Rural Energy Board, JP Solid Waste, LCEDC

Auditor Warrants were presented.

Motion by Gillund, seconded by Jagt, to approve the following Commissioner Warrants #13324 - 13388 for the following amounts: Revenue – \$56,765.96 and Road & Bridge - \$22,785.82, Ditch - \$479.56 and Joint Powers Solid Waste - \$988.00. All voted in favor.

Motion by Jagt, seconded by Hansen to approve Resolution No. 17-2011 (SW MN Housing Partnership). All (4) voted in favor.

**CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD
LINCOLN COUNTY, MINNESOTA
RESOLUTION NO. 17-2011**

WHEREAS, the County of Lincoln desires to participate in the Minnesota Housing Finance Agency, Renter Rehab Deferred Loan Program (RRDL), and administer it in accordance with all applicable State and Federal regulations; and

WHEREAS, in order to participate in the program it is necessary for the County of Lincoln to file an application signed by the Southwest Minnesota Housing Partnership, Executive Director with the Minnesota Housing Finance Agency; and

WHEREAS, the need for Lincoln County Board approval concerning the submission of Application for Administrative Authority; and

NOW THEREFORE, be it resolved by the Board of Commissioners of Lincoln County, that the Southwest Minnesota Housing Partnership, Executive Director is authorized to:

1. file an Application for Administrative Authority with the Minnesota Housing Finance Agency for participation in the Renter Rehab Deferred Loan Program (RRDL); and
2. administer through the Southwest Minnesota Housing Partnership program funds awarded by the Minnesota Housing Finance Agency for the rehabilitation of rental property in the County of Lincoln.

ATTEST:

(SEAL)

Motion by Jagt, seconded by Hansen to approve three year agreement with the City of Lake Benton for a portion of Hole-in-the-Mountain Park located North of U.S. Highway 14 for the purpose of a riding arena and show ring, for the Saddle Horse Holiday to include June 15, 2011, June 21, 2012 and June 20, 2013. All (4) voted in favor.

Motion by Gillund, seconded by Jagt to approve Hanratty & Associates Select 105 Agreement. All (4) voted in favor.

The Board reviewed bond refunding information.

Bruce Nielsen, reviewed the Pictometry proposal. The Board indicated that they were not interested in pursuing the proposal at this time.

The Board questioned Nielsen on whether Nielsen received personal compensation from townships/cities for assessing property. Nielsen reported that he assesses some townships/cities as part of his county assessor position and that he is not allowed by law to do personal assessing outside of his job.

Glen Petersen, County Attorney, reviewed a draft personnel policy modification that would allow the hire of a seasonal worker in the Parks department as the Department Head would have direct supervision over a family member. No action at this time.

Motion by Gillund, seconded by Jagt, to adjourn at 11:45 a.m. All (4) voted in favor.

ATTEST:

(SEAL)

Don Evers, 2011 Board Chair

Kathy Schreurs, County Auditor