

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

December 20, 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 Don Evers, Curtis Blumeyer, Larry Hansen, Adam Gillund and Joan Jagt. Also present was Auditor, Kathy Schreurs.

Motion by Gillund, seconded by Jagt, to approve minutes from the December 1, 2011 Commissioner meeting. All voted in favor.

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

Bruce Houck, RTR Superintendent, discussed concerns he has with the Lincoln County Transit Bus transporting pre-school students of the Ivanhoe School District and not the other three school districts in the County. Cara Nielsen, Lincoln County Transit and Bev Herfendahl, District Transit Director, stated that the County only has two buses and that it would be impossible to be in four county schools at the same time. They also stated that the buses are scheduled on a first come – first serve basis.

Houck thanked the Highway Department for starting to snow plow roads in the County at 5:00 a.m.

Pauline VanOverbeke, Soil Water Conservation District, reported on the activities and projects for 2011. Also present were Dale Sterzinger, Conservation Technician/WCA Administrator, Randy Kraus, Farm Bill Assistant, and Ron Madsen, Engineering Technician who also reported on projects in their specialty areas.

VanOverbeke reported that in 1997, the Board of Commissioners appointed the Lincoln County Soil & Water Conservation District as Lincoln County's Contact Agency for implementation of the Permanent Rules of the 1991 Wetland Conservation Act. VanOverbeke requested that the SWCD also be appointed as the LGU (Local Government Unit). Motion by Jagt, seconded by Blumeyer, to approve Resolution No. 49-2011 (Administration of the MN Wetland Conservation Act). All voted in favor.

**RESOLUTION REGARDING THE ADMINISTRATION
OF THE MINNESOTA WETLAND CONSERVATION ACT**

**LINCOLN COUNTY
RESOLUTION #49-2011**

WHEREAS, the Minnesota Wetland Conservation Act of 1991 (WCA) requires local government units (LGUs) to implement the rules and regulations promulgated by the Board of Water and Soil Resources (BWSR) pertaining to wetland draining, filling and excavation; and

WHEREAS, Minnesota Rules, chapter 8420 have been adopted by BWSR in accordance with the rulemaking provisions of Minnesota Statutes, chapter 14, for the purpose of implementing WCA; and

WHEREAS, Minnesota Rules 8420.0200, Subpart 1, Item E allows a county, city, or town to delegate implementation of chapter 8420 and the act to another governmental entity by the passage of resolutions by both parties; and

WHEREAS, both parties must provide notice to BWSR, the Department of Natural Resources, and the Soil and Water Conservation District of the delegation, including a copy of the resolution and a description of the applicable geographic area, within 15 business days of adoption of the resolution.

THEREFORE, BE IT RESOLVED by the Lincoln County Board of Commissioners' that the authority and administrative responsibility to implement WCA as the LGU within the legal boundaries of Lincoln County is delegated to the Lincoln Soil & Water Conservation District (SWCD) as of December 20, 2011 in accordance with Minnesota Rules, Chapter 8420.

Adopted this 20th day of December, 2011.

ATTEST:

Don Evers, 2011 Board Chair

Kathy Schreurs, County Auditor

Motion by Gillund, seconded by Jagt, to authorize Robert Olsen to begin the process of transferring Judicial Ditch 28 to the La qui Parle Watershed District. All voted in favor.

Robert Olsen, Environmental, reported that CD 35 will be receiving an exemption.

Olsen reported that Judicial Ditch 31 Repairs cost approximately \$10,000.00 less than originally anticipated.

Olsen reported that the County received the "Findings of Fact and Order Regarding Outlet of Lincoln County Ditch #24 into Lyon-Lincoln Ditch #31 Pursuant to Minnesota Statutes 103E.401. Motion by Blumeyer, seconded by Jagt, to authorize Olsen to order a Redetermination of Benefits on CD #24. All voted in favor.

Olsen reported that the City of Tyler is charging overage charges for the recycling sheds and rural garbage drop-offs. Motion by Hansen, seconded by Gillund, to hire an independent contractor for the months of January and February 2012 to monitor and keep the sites picked up in Tyler at the recycling sheds and rural garbage drop-offs. All voted in favor.

Olsen reported that M.A.A.C. received the results of the asbestos testing on a forfeited property building in Verdi Township. The cost to remove the hazardous materials is \$2,000.00. Motion by Jagt, seconded by Hansen, to hire M.A.A.C. to remove the asbestos from the forfeited property in Verdi Township. All voted in favor.

Olsen reported that things are moving ahead on the Judicial Ditch No. 31 Branch No. 9.

Motion by Gillund, seconded by Blumeyer, to approve Resolution No. 52-2011 (Payable 2012 ditch assessments). All voted in favor.

**Resolution No. 52-2011
Resolution of the Lincoln County Ditch System
Assessments for 2012**

Be it Revolved by the Lincoln Board of Commissioners, acting as the County Ditch Authority, County of Lincoln, State of Minnesota, that the following assessments are herewith adopted; and

Be it Further Resolved that the following assessments are adopted to maintain an appropriate balance in each of the following Ditch Repair Funds:

Fund No.		Amount
42-002	County Ditch No. 2	\$ 3,000.00
42-007	County Ditch No. 7	\$ 3,000.00
42-008	County Ditch No. 8	\$ 2,000.00
42-015	County Ditch No. 15	\$ 2,000.00
42-020	County Ditch No. 20	\$ 1,000.00
42-024	County Ditch No. 24	\$ 5,000.00
42-033	County Ditch No. 33	\$ 5,000.00
42-035	County Ditch No. 35	\$ 15,000.00
42-036	County Ditch No. 36	\$ 5,000.00
42-037	County Ditch No. 37	\$ 20,000.00
42-049	County Ditch No. 49	\$ 2,000.00
42-050	County Ditch No. 50	\$ 1,000.00
42-044	Public Ditch No. 4	\$ 1,000.00
42-190	Judicial Ditch No. 19	\$ 14,000.00

42-210	Judicial Ditch No. 21	\$ 1,000.00
42-220	Judicial Ditch No. 22	\$ 4,000.00
42-280	Judicial Ditch No. 28	\$ 3,000.00
42-290	Judicial Ditch No. 29	\$ 10,000.00
42-300	Judicial Ditch No. 30	\$ 10,000.00
42-310	Judicial Ditch No. 31	\$ 10,000.00

BE IT FURTHER RESOLVED, that the aforementioned assessments are due and payable to the Ditch Repair Funds in 2012.

WHEREUPON the above resolution was adopted at the regular meeting of the Lincoln County Board of Commissioners this 20th day of December, 2011.

ATTEST:

Don Evers, 2011 Board Chair

Kathy Schreurs, County Auditor

Motion by Jagt, seconded by Gillund, to approve Resolution No. 51-2011 (Year-end Ditches)

**RESOLUTION NO. 51-2011
RESOLUTION OF THE LINCOLN COUNTY DITCH SYSTEM
FOR LOAN**

BE IT RESOLVED by the Board of Commissioners, acting Ditch Authority, County of Lincoln, State of Minnesota, that the following ditch transfers are herewith adopted; and

BE IT FURTHER RESOLVED that the Lincoln County General Fund loan to the following ditch systems in the total sum of \$140,100.00

At December 31, 2011, it appears that the following 8 of 39 individual ditch systems will have a deficit cash balance. Minn. Stat. 103E.655, subd. 2 allows for loans to be made from the General Fund to a ditch system with insufficient cash to pay expenditures. If the County Board transfers money from another fund to a drainage system account, the money must be reimbursed from the proceeds of the drainage system that received the transfer.

Fund		Amount
42-024	County Ditch 24	2,000.00
42-033	County Ditch 33	4,100.00
42-036	County Ditch 36	1,000.00
42-037	County Ditch 37	5,000.00
42-110	Judicial Ditch 11	500.00
42-220	Judicial Ditch 22	1,000.00
42-280	Judicial Ditch 28	1,500.00
42-310	Judicial Ditch 31	<u>125,000.00</u>
	Total Money Borrowed	\$140,100.00

Consider the approval of the transferring monies in the amount of \$140,100.00 as of December 31, 2011 from the General Fund to individual ditch systems with deficit cash balances at 2011 year end. The monies transferred will be reimbursed effective January, 2012. A schedule attached show the individual ditch balances. The ditch systems with deficit cash balances are:

Fund		Amount
42-024	County Ditch 24	-1,894.22
42-033	County Ditch 33	-3,605.81
42-036	County Ditch 36	2,596.29
42-037	County Ditch 37	-4,521.08
42-110	Judicial Ditch 11	-351.82
42-220	Judicial Ditch 22	3,356.46
42-280	Judicial Ditch 28	552.45
42-310	Judicial Ditch 31	-15,220.03

WHEREUPON the above resolution was adopted at a regular meeting of the Lincoln County Board of Commissioners this 20th day of December, 2011.

ATTEST:

Don Evers, 2011 Board Chair

Kathy Schreurs, County Auditor

Olsen reported that we have been approved for low income SSTS grants of \$23,500.00 for 2012.

Olsen requested the Board to reconsider their decision to eliminate the GIS position as it is a vital piece for many county departments. The Board denied the request but will consider contracting for GIS services.

Lee Amundson, Engineer, gave the construction/maintenance update.

Amundson:

- Reported that five candidates were interviewed for the Engineering Technician
- Discussed the renaming of Engineering Technician position titles
- Reported Safe Communities meeting is scheduled for second week in January
- Reported that Department had received \$49,249.39 FEMA reimbursement
- reviewed an updated position description for the Highway Accountant

Motion by Gillund, seconded by Jagt, to approve updated Accountant/Office Manager position description and authorized posting of the position. All voted in favor.

Jeanna Sommers, Emergency Management, and Jack Vizecky, Sheriff, presented an ARMER update:

- the Gold Elite Console will cost approximately \$53,000.00 and will be paid with E-911 funds.
- The Brookings County Control Station will be paid for with a 0% match grant
- The cost of the logger is yet to be determined
- The quote for connectivity is \$150,360.30 with a 50% match
- The third annual Public Safety Interoperable Communications Conference is scheduled for April 16 – 18, 2012 in St. Cloud

Sommers reported that the Safety Committee is looking into new training options. More information should be available in January.

Sommers reported that the State requires Safety and Emergency Management to have separate budgets due to federal funds and accurate tracking of grant dollars so the initial 2012 budget will need revisions.

Jeff Spartz, AMC Executive Director, reported on policy development, legislative activities and the services provided for members by the National Association of Counties.

Bruce Nielsen, Assessor, provided an update on assessing activities.

Correspondence was reviewed and the following Committee Reports were given:

Evers – SAMMIE Library, RCRCA, Hiking Trail Meeting
Gillund – Union Negotiations, Western Mental Health
Jagt – R & B Interviews, Union Negotiations
Blumeyer – Annual AMC Meetings, SW Workforce Council
Hansen – AMC Annual Meetings, RSVP, SRDC

Auditor Warrants were presented.

Motion by Jagt, seconded by Blumeyer, to approve the following Commissioner Warrants #15323 – 15420 for the following amounts: Revenue – \$147,205.08 Road & Bridge - \$33,089.25, Ditch - \$103,711.23. All voted in favor.

The following bills were over \$2,000.00 per M.S. 375.12:

Alpha Wireless Communications - \$3,894.90, American Solutions - \$2,091.18, Bolton & Menk - \$6,903.50, Civil Ag - \$91,832.89, Double D Gravel - \$9,108.12, Fran's Communications - \$2,535.88, Independent Emergency Services - \$4,008.28, Lyon Co Hazardous Waste - \$2,878.12, MN Dept of Corrections - \$11,798.53, Motorola - \$52,875.13, Office Peeps - \$2,628.19, Univ of MN - \$12,980.01, Rinke-Noonan - \$3,896.70, Dale Rochel - \$3,500.00, Roggenbuck Tree Service - \$2,500.00, Duane Sumerfelt - \$2,165.00, Waste Mgmt - \$5,495.94, Wm of Southern MN - \$6,449.01. There were 58 payments less than \$2,000 which equaled \$23,375.75.

Motion by Jagt, seconded by Blumeyer, to authorize County Auditor to issue Auditor Warrants for 2011 Lincoln County expenditures that are received by December 30, 2011. All voted in favor.

Resolution No. 48-2011
2012 County Commissioner Compensation

BE IT RESOLVED, that the County Commissioner Salary for the year 2012 for Lincoln County, Minnesota, be set at **\$14,000.00 per annum**, per commissioner, and

BE IT RESOLVED, that the per diem payment schedule be set at **\$75.00 per day**, for authorized meetings, and

BE IT FURTHER RESOLVED, that said per diem payments be authorized when required by law, MSA 375.055 and 375.06, and other applicable statutes, for services by individual county commissioners on any board, committee, or commission of county government including committees of the board, or for the performance of services by individual county commissioners when required by law, and for commissioner's attendance at the following meetings:

AMC Committees/Sub Committees	Affirmative Action
AMC Meetings	Legislative Mtgs./Dist., Reg., State
Pollution Control	Windpower Comm./Sub.Comm.
Private Industry Council	Tourism Committees
Health/Safety/Insurance	SWCD Board
Western Human Development	Capital Improvements Committee
LLMP Public Health	Election Meetings
Land Use Planning/Zoning	Solid Waste-Recycle-Energy Task Force
Weed Control	Finance - GASB
Daytime Activity Center	LCEDC
SW Regional Development Center	SW Emergency Mgmt Services
County Park Board	
Western Community Action	
Lincoln County HRA	
County Library Board	
Transportation Advisory	
Planning/Zoning	
Extension Committee	
Watersheds-Drainage	
RC&D	
RCRCA	
Regional Radio	
AREA II	
Union Negotiations	
Personnel Policy/Issues	
Water Planning	
Enterprise Development	
Road Inspection Committee	
Lincoln Lyon & Murray Human Services	
County Council on Aging	
Nutrition Project Council	
Plum Creek Reg. Library	
5 th District Public Defender	
C.E.O.B. Board	

BE IT FURTHER RESOLVED, that the **Federal Rate** be reimbursed to county board members, and county employees, for mileage expenses incurred while using their own vehicles on county business.

BE IT FURTHER RESOLVED, that the sum of **\$30.00 per day** be allowed for meal reimbursement, providing that receipts are submitted along with said request for payment.

ADOPTED by unanimous vote, this 20th day of December, 2011.

ATTEST:

Don Evers, Board Chair

Kathy Schreurs, County Auditor

Motion by Hansen, seconded by Evers to add \$15,000 to the LCEDC Budget for 2012. Commissioners Evers and Hansen voted in favor. Commissioners Jagt, Blumeyer, and Gillund voted in opposition. Motion failed by majority vote.

Motion by Blumeyer, seconded by Gillund to approve Resolution No. 50-2011 (Budget/Levy). All voted in favor.

**Resolution No. 50-2011
2012 Certified Levy**

WHEREAS, the County Auditor of Lincoln County, Minnesota, has made and submitted her estimate of expenses and revenues of said county for the year 2012, as required by law, and the county board of said county having duly examined and considered the same,

NOW THEREFORE BE IT RESOLVED, that there is hereby approved, the following certified levy, be ordered extended against the taxable property of said County of Lincoln for the year 2012. The detail of the County Budget is on file in the County Auditor's Office, Lincoln County Courthouse, Ivanhoe, Minnesota, and may be reviewed during normal business hours.

Revenue	\$1,969,287
Road & Bridge	\$1,171,000
Human Services	\$ 934,627
Debt Service	\$ 237,500
TOTAL	\$4,312,414
Plus Lake Benton LID	35,000
	<u>\$4,347,414</u>

NOW THEREFORE BE IT FURTHER RESOLVED that the 2012 County Budget is also approved as follows:

2012 BUDGET REVENUES/EXPENDITURES		1		
		2012	2012 Est.	2012 Net
		Original Budget	Revenues	(Rev) Exp
01	General Government			
FD/DPT				
Nos.				
1	Board of Commissioners	157,700		157,700
5	Administration	231,000	1,018,064	(787,064)
5	Compliance Fund	27,000	18,000	9,000
12	Court Administrator	36,000	1,000	35,000
14	Capital Outlay & Improvements	80,000		80,000

25	Law Library	14,300	4,000	10,300
41	County Auditor	269,375	3,000	266,375
42	Drivers License	28,500	35,500	(7,000)
43	County Treasurer	127,500	500	127,000
44	Safety Officer	12,031		12,031
61	Elections/Redistricting	32,200		32,200
70	Data Processing	100,000	100	99,900
74	Technology/Equipment	10,000	2,000	8,000
91	County Attorney	124,580		124,580
101	County Recorder	237,531	89,000	148,531
101	Co. Record. Equipment Fund	18,000	20,000	(2,000)
103	County Assessor	137,200	24,400	112,800
111	Courthouse Operations	178,100		178,100
112	Jail Building Maintenance	37,000		37,000
113	Highway Building Maintenance	4,000		4,000
121	Veterans Service Officer	32,681		32,681
131	Transit Department	243,381	200,326	43,055
133	Volunteer Drivers	24,000	24,000	0
TOTAL GENERAL GOVERNMENT		2,162,079	1,439,890	722,189

PUBLIC SAFETY

201	County Sheriff	1,186,660	159,574	1,027,086
204	DWI			0
205	Boat & Water Safety	8,310	4,800	3,510
212	Regional Radio Board	53,500		53,500
213	"911" Enhancement	125,000	77,300	47,700
222	County Coroner	10,000		10,000
251	Probation Officer	40,500	8,000	32,500
252	Adult Probation Programming	2,000	3,000	(1,000)
281	Emergency Management	72,062	31,000	41,062
TOTAL PUBLIC SAFETY		1,498,032	283,674	1,214,358

PUBLIC WORKS/SANITATION

392	Landfill/Solid Waste	220,000	245,000	(25,000)
TOTAL PUBLIC WORKS		220,000	245,000	(25,000)

PUBLIC HEALTH

431	Public Health	35,376		35,376
TOTAL PUBLIC HEALTH		35,376		35,376

CULTURE & RECREATION

512	Regional Library	32,029		32,029
521	County Parks	156,750	156,750	0

549-6861	Historical Society	8,000		8,000
549-6862	SMAHC (Arts)	650		650
TOTAL CULTURE & RECREATION		197,429	156,750	40,679

CONSERVATION / NATURAL RESOURCES

605-605	Environmental Office	180,969	180,969	0
605-606	Planning & Zoning	23,300	23,386	(86)
605-607	Street Sign Addressing	6,530	1,800	4,730
605-624	Feedlot/Environmental	47,500	41,500	6,000
608	Trails Grant - Snowmobile	25,000	25,000	0
611	County Extension	101,732		101,732
623	GIS	0		0
625	ISTS	35,500	35,500	0
625	ISTS Loan Payments (Sp. Assess.)	238,975	238,975	0
631	Water MGMT Task Force	17,992	15,488	2,504
635	BWSR Grant	8,630	8,630	0
649-6863	Agr. Society (Fair)	25,000		25,000
649-6864	Soil Conservation SWCD	107,150		107,150
649-6865	Area II MN River Basin	4,750		4,750
649-6866	RC-RCA (Red. -Cott.)	4,140		4,140
649-6867	RC & D	300		300
TOTAL CONS./NATURAL RESOURCES		827,468	571,248	256,220

OTHER ECONOMIC DEVELOPMENT

749-6868	County Prom/Tourism	3,000		3,000
749-6869	SW.MN. Tourism Ass'n	300		300
749-6871	SW Initiative Foundation	1,765		1,765
749-6872	Enterprise Dev. Corp.	25,000		25,000
749-6873	Rural MN Energy Board	2,000		2,000
749-6874	RSVP	8,500		8,500
749-6875	Western Comm Action	0		0
749-6876	Legion/VFW MSA 375.35	600		600
749-6877	SW MN Workforce Council	1,800		1,800
749-6878	County Council on Aging	2,000		2,000
749-6879	Small Business Dev. Center	500		500
TOTAL MISC. & NON-DEPARTMENTAL		45,465		45,465
				0
TOTAL REVENUE FUND EXPENDITURES		4,985,849	2,696,562	2,289,287

03 HIGHWAYS & STREETS

3	Road & Bridge	1,171,000		1,171,000
TOTAL ROAD & BRIDGE		1,171,000		1,171,000

05 HUMAN SERVICES/SOCIAL SERVICES

5	Human Services	934,627		934,627
TOTAL HUMAN SERVICES		934,627		934,627

31 DEBT SERVICE

31	GO Jail	151,400		151,400
	Cap. Improvement Bond (CH)	86,100		86,100
TOTAL DEBT SERVICE		237,500		237,500

TOTAL EXPENDITURES

7,328,976	2,696,562	4,632,414
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Transfers From Reserves

		2011	Preliminary 2012
Compliance Fund	9,000	6,940,910	7,328,976
Insurance (SW Service Coop)	119,000	2,453,248	2,696,562
From Cap. Impr. (MCIT)	127,000	4,487,662	4,632,414
Reserves	65,000		
Total Transfers	320,000	317,000	320,000
		4,170,662	4,312,414

Increase	233,572	141,752
Percent increase	5.93%	3.40%

12/20/11 crd
 2011 Levy 4,170,662
 2010 Levy 3,937,090
 2009 Levy 4,182,367

FINAL

ADOPTED by unanimous vote, this 20th day of December, 2011.

ATTEST:

 Don Evers, Board Chair

 Kathy Schreurs, County Auditor

Commissioner Jagt left at 2:00 p.m.

The Board reviewed Union negotiations.

The Board reviewed proposed 2012 budgets and salaries.

Motion by Gillund, seconded by Hansen, to adjourn at 2:27 p.m. All voted in favor.

ATTEST:

Don Evers, 2011 Board Chair

Kathy Schreurs, County Auditor