

**LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

Dec 08, 2016  
Courthouse Commissioner Room  
Ivanhoe, MN 56142

The meeting was called to order at 2:00 p.m. by Board Chair, Richard Hamer, followed by the Pledge of Allegiance. Commissioners present were Richard Hamer, Joe Drietz, Don Evers, Joan Jagt, and Mic VanDeVere. Also present were Lincoln County Auditor, Deb Vierhuf and Lincoln County Attorney, Glen Petersen. No conflicts of interest were noted.

Motion by Evers, seconded by VanDeVere to approve the consent agenda which included approval of the minutes from Nov 15, 2016, and the agenda for Dec 08, 2016. All voted in favor.

At 2:05 p.m. a public hearing was held regarding liquor applications for the Hendricks Golf Club Association and the Knotty Pine Supper Club. Motion by Drietz, seconded by VanDeVere to approve liquor licenses for the Hendricks Golf Club Association and the Knotty Pine Supper Club for the period of January 1, 2017 to December 31, 2017. All voted in favor.

Bruce Nielsen, Lincoln County Assessor, informed the Board that Commissioner Evers and Jagt had taken the Board of Equalization training. Since both of these Commissioner's terms will be ending, we will need to decide who will complete the training. Information only.

Robin Sterzinger, Financial Accountant, presented the Board with the new United Community Action contract for the 2017 year. Sterzinger also informed the Board that the expenses for Transit for the 2016 year were \$23,374 which was below the \$46,000 budgeted amount. The budget for 2017 will be set at \$25,000. Motion by Jagt, seconded by Evers to approve the 2017 United Community Action Agreement. All voted in favor.

Dan Kuss, Veterans Service Officer, gave an update of visits, conference information, grant dollars, outreach, and other miscellaneous items going on in his department. Kuss also reviewed his budget and informed the Board that it will be similar to last year. Information only.

At 2:30 p.m. a public hearing was held regarding the Water Management Plan Amendment. The plan will be in effect from January 1, 2017 through December 31, 2021. Pauline VanOverbeke was present to review the plan and asked if there were any questions. VanOverbeke has sent approximately 65-70 copies of the plan to individuals, townships, cities, commissioners, water management task forces, and state agencies. VanOverbeke stated that this plan is in effect until the One Watershed One Plan takes its place. VanOverbeke had received comments from Minnesota Pollution Control Agency, BWSR, and the Minnesota Department of Health. VanOverbeke read the comments for the record. The comments were in approval of the plan. Upon approval, VanOverbeke will submit a copy of the plan, a list of the entities that received the proposal, the notice and proof of the public hearing held today, the comments received and any changes that have been made to the Board of Water and Soil Resources. Motion by Evers, seconded by Drietz to approve the Water Management Plan Amendment. All voted in favor.

Robert Olsen, Environmental, reported that Harvey Suhr has declined the appointment to the Lake Shaokatan Lake Improvement District Board of Directors. Olsen has received a recommendation to appoint Scott Veire to the vacant spot on the Lake Shaokatan Lake Improvement District Board of Directors. Motion by Jagt, seconded by Drietz to appoint Scott Veire to the vacant spot on the Lake Shaokatan Lake Improvement District Board of Directors. All voted in favor.

Olsen also presented information on the business that was conducted by the Lake Shaokatan Lake Improvement District Board. Two resolutions have been presented by the Board. These resolutions state that the levy for 2017 will be \$25,000 and the assessment will be \$5,000. Olsen will send out letters to the Lake Shoakatan landowners communicating what the tax burden will be to their property if the levy and assessment is approved. Each landowner will have the opportunity to voice their opinion at the Commissioners meeting on December 20<sup>th</sup> and are encouraged to call and set up an appointment. After the landowners have a chance to voice their opinion, the Board will decide if the levy and assessment amounts will be approved. Information only.

Olsen also presented information on the per diem for the Lake Shaokatan Lake Improvement District that was approved at the last Board meeting. After looking at the history, Olsen found that the per diem for the Lake Benton Lake Improvement District has been \$40. The per diem that was approved for the Lake Shaokatan Lake Improvement District was \$50. Motion by Jagt, seconded by VanDeVere to amend the previous motion from November 15<sup>th</sup> meeting to change the per diem for the Lake Shaokatan Lake Improvement District from \$50 to \$40 per meeting. All voted in favor.

Olsen also informed the Board that David Peake would like to split his property described as Outlot F on the Don Ja Lai plat (parcel # 03-0219-030). According to the County Ordinance, this type of split cannot be done without subdividing unless the Board approves the split and allows a metes and bounds description on the property. Motion by Evers, seconded by Drietz to allow the split of Outlot F on the Don Ja Lei plat (parcel # 03-0219-030) and allow a metes and bounds description on the parcel. All voted in favor.

Olsen presented the Board with Resolution #42-2016 authorizing the assessment of benefits establishing the term of the assessment and establishing a rate of interest on the assessment for County Ditch #2. Motion by Jagt, seconded by Evers to approve Resolution #42-2016 authorizing the assessment of benefits establishing the term of the assessment and establishing a rate of interest on the assessment for County Ditch #2. All voted in favor.

**STATE OF MINNESOTA  
LINCOLN COUNTY BOARD OF COMMISSIONERS  
Resolution #42-2016**

Regarding the assessment of benefits for the Redetermination of Lincoln County Ditch No. 2, as ordered by the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No. 2

**Resolution #42-2016 Authorizing the Assessment of Benefits, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments**

At the Regular Meeting of the Lincoln County, Minnesota Board of Commissioners on December 8, 2016, Commissioner Jagt moved, seconded by Commissioner Evers adoption of the following Resolution.

Whereas, the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.2 recently completed proceedings for the Redetermination of Benefits of County Ditch No. 2; and

Whereas, the State's Drainage Code, Minnesota Statutes Chapter 103E, places certain obligations on Lincoln County related to the fiscal administration of the drainage system, including the assessment of benefits for redetermination; and

Whereas, final costs of the proceedings are now known, individual property assessments have been calculated, to include interest and administrative costs, and a reasonable term of assessment has been determined; and

Whereas, the County Auditor requires record of the County Board's action regarding the assessment of benefits for the redetermination.

Now, therefore, be it resolved that:

1. The Lincoln County Board of Commissioners, pursuant to its authority and obligations under Statutes Chapter 103E, authorizes and directs the assessment of benefits upon real property identified in the Viewer's Report adopted by the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.2 in the proceedings for Redetermination of Benefits of County Ditch No.2.
2. The assessments above \$500.00 shall be extended to real property according to the spreadsheet attached as **Exhibit A**, to be collected in equal installments for a period of 10 years and carry an interest rate of 4% per annum on the unpaid balance until paid in full.
3. The assessments below \$500.00 shall be extended to real property according to the spreadsheet attached as **Exhibit A**, to be collected in a one-year assessment payable in 2017.
4. The assessments may be prepaid but will accrue interest on the entire unpaid principal from the date the drainage lien was recorded to January 1 of the next calendar year, and afterwards from January 1 to January 1 of each year, in accordance with Statute Section 103E.605.

After discussion and upon a vote the Board Chair declared the Resolution adopted by vote of 5 years and 0 nays.

Upon vote, the Chair declared the Resolution adopted by unanimous vote.

ATTEST:

\_\_\_\_\_  
Richard Hamer, 2016 Board Chair

\_\_\_\_\_  
Deb Vierhuf, County Auditor

Olsen presented the Board with Resolution #43-2016 authorizing the assessment of benefits establishing the term of the assessment and establishing a rate of interest on the assessment for County Ditch #24. Motion by VanDeVere, seconded by Evers to approve Resolution #43-2016 authorizing the assessment of benefits establishing the term of the assessment and establishing a rate of interest on the assessment for County Ditch #24. All voted in favor.

**STATE OF MINNESOTA  
LINCOLN COUNTY BOARD OF COMMISSIONERS  
Resolution #43-2016**

<p>Regarding the assessment of benefits for the Improvement of Lincoln County Ditch No. 24, as ordered by the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No. 24</p>	<p><b>Resolution #43-2016 Authorizing the Assessment of Benefits, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments</b></p>
---	--

At the Regular Meeting of the Lincoln County, Minnesota Board of Commissioners on December 8, 2016, Commissioner VanDeVere moved, seconded by Commissioner Evers adoption of the following Resolution.

Whereas, the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.24 recently completed proceedings for the Improvement of County Ditch No. 24; and

Whereas, the State’s Drainage Code, Minnesota Statutes Chapter 103E, places certain obligations on Lincoln County related to the fiscal administration of the drainage system, including the assessment of benefits for construction of the improvement; and

Whereas, the County Board previously authorized payment for the improvement proceedings, including construction of the improvement, to be reimbursed from benefits assessments; and

Whereas, final costs of the proceedings are now known, individual property assessments have been calculated, to include interest and administrative costs, and a reasonable term of assessment has been determined; and

Whereas, the County Auditor requires record of the County Board’s action regarding the assessment of benefits for the improvement.

Now, therefore, be it resolved that:

1. The Lincoln County Board of Commissioners, pursuant to its authority and obligations under Statutes Chapter 103E, authorizes and directs the assessment of benefits upon real property identified in the Viewer’s Report adopted by the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.24 in the proceedings for Improvement of County Ditch No.24.
2. The assessments above \$500.00 shall be extended to real property according to the spreadsheet attached as **Exhibit A**, to be collected in equal installments for a period of 15 years and carry an interest rate of 4% per annum on the unpaid balance until paid in full.
3. The assessments below \$500.00 shall be extended to real property according to the spreadsheet attached as **Exhibit A**, to be collected in a one-year assessment payable in 2017.
4. The assessments may be prepaid but will accrue interest on the entire unpaid principal from the date the drainage lien was recorded to January 1 of the next calendar year, and afterwards from January 1 to January 1 of each year, in accordance with Statute Section 103E.605.

After discussion and upon a vote the Board Chair declared the Resolution adopted by vote of  5  years and  0  nays.

Upon vote, the Chair declared the Resolution adopted by unanimous vote.

ATTEST:

Richard Hamer, 2016 Board Chair

Deb Vierhuf, County Auditor

Olsen presented the Board with Resolution #44-2016 authorizing the assessment of benefits establishing the term of the assessment and establishing a rate of interest on the assessment for County Ditch #33. Motion by Drietz, seconded by VanDeVere to approve Resolution #44-2016 authorizing the assessment of benefits establishing the term of the assessment and establishing a rate of interest on the assessment for County Ditch #33. All voted in favor.

**STATE OF MINNESOTA  
LINCOLN COUNTY BOARD OF COMMISSIONERS  
Resolution #44-2016**

<p>Regarding the assessment of benefits for the Improvement of Lincoln County Ditch No. 33, as ordered by the Lincoln County Board of Commissioners acting as the Ditch Authority for County ditch No.33</p>	<p><b>Resolution #44-2016 Authorizing the Assessment of Benefits, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments</b></p>
--	--

At the Regular Meeting of the Lincoln County, Minnesota Board of Commissioners on December 8, 2016, Commissioner Drietz moved, seconded by Commissioner VanDeVere adoption of the following Resolution.

Whereas, the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.33 recently completed proceedings for the Improvement of County Ditch No. 33; and

Whereas, the State's Drainage Code, Minnesota Statutes Chapter 103E, places certain obligations on Lincoln County related to the fiscal administration of the drainage system, including the assessment of benefits for construction of the improvement; and

Whereas, the County Board previously authorized payment of up to \$300,000.00 for the improvement proceedings, including construction of the improvement, to be reimbursed from benefits assessments; and

Whereas, final costs of the proceedings are now known, individual property assessments have been calculated, to include interest and administrative costs, and a reasonable term of assessment has been determined; and

Whereas, the County Auditor requires record of the County Board's action regarding the assessment of benefits for the improvement.

Now, therefore, be it resolved that:

1. The Lincoln County Board of Commissioners, pursuant to its authority and obligations under Statutes Chapter 103E, authorizes and directs the assessment of benefits upon real property identified in the Viewer's Report adopted by the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.33 in the proceedings for Improvement of County Ditch No.33.
2. The assessments above \$500.00 shall be extended to real property according to the spreadsheet attached as **Exhibit A**, to be collected in equal installments for a period of 15 years and carry an interest rate of 4% per annum on the unpaid balance until paid in full.
3. The assessments below \$500.00 shall be extended to real property according to the spreadsheet attached as **Exhibit A**, to be collected in a one-year assessment payable in 2017.
4. The assessments may be prepaid but will accrue interest on the entire unpaid principal from the date the drainage lien was recorded to January 1 of the next calendar year, and afterwards from January 1 to January 1 of each year, in accordance with Statute Section 103E.605.

After discussion and upon a vote the Board Chair declared the Resolution adopted by vote of 5 years and 0 nays.

Upon vote, the Chair declared the Resolution adopted by unanimous vote.

ATTEST:

\_\_\_\_\_  
Richard Hamer, 2016 Board Chair

\_\_\_\_\_  
Deb Vierhuf, County Auditor

Olsen also asked for approval to advertise for bids on CD #37 Branch #4 pump station. The bid opening will be February 21, 2017 at 10:30. Motion by Drietz, seconded by VanDeVere to approve advertising for bids on CD #37 Branch #4 pump station. All voted in favor.

Chad Meester, Lincoln County Sheriff asked for approval to post and advertise for a part-time dispatcher. This position would have between 8-30 hours per week. Motion by Jagt, seconded by VanDeVere to post and advertise for a part-time dispatcher. All voted in favor.

Meester also was present to discuss the Zuercher (CAD) system. Also present were Dean Gutzke, Zuercher Account Executive and Kent Wilkening, Nobles County Sheriff to address questions and concerns. Items of discussion were:

- A shared server with Nobles County. After the initial installation costs, there will not be a server charge from Nobles to Lincoln County.
- The advantages of a shared server.
- A summary of the Zuercher product and all of the technology in one area.
- The active 911 app that can be used by the fire departments and first responders. This app has a very low user price of \$10 per year per device.
- The tech support Lincoln County would have.
- How the cost of the system would be paid for. Many of the dollars would come from the 911 funds which are provided through the state.

After discussion and questions were addressed a motion was made by VanDeVere, seconded by Jagt to move forward with having a memorandum of understanding drawn up between Nobles and Lincoln County for the use of the server and a contract with the complete costs drawn up with Zuercher for

review. Commissioners Hamer, Jagt, and VanDeVere voted in favor. Commissioners Drietz and Evers voted in opposition. Motion carried by a majority vote.

Dave Halbersma, Lincoln County Engineer, informed the Board that he has reviewed quotes from four consultants for culvert sizing. Quotes received were from Stonebrook Engineering - \$1639 each, Erickson Engineering - \$1750 each, SEH - \$2500 each and WSN - \$2,500 each. Motion by VanDeVere, seconded by Evers to accept the low quote from Stonebrook Engineering for culvert sizing at \$1,639 each. All voted in favor.

Halbersma also informed the Board that .7 miles of CSAH 9 (CSAH2 to CR 129) is in need of an overlay in 2017. This was not included in the 5 year plan but Halbersma would like to add this to the 2017 projects. Motion by Drietz, seconded by VanDeVere to add the overlay of .7 miles of CSAH 9 (CSAH 2 to CR 129) to the 2017 project list. All voted in favor.

Halbersma also asked for approval of moving CR 107 overlay from 2020 to 2017 and would like the wheelage funds to be delegated to this project. Motion by Evers, seconded by Jagt to use the wheelage funds for an overlay on CR 107 and to move this project from 2020 to 2017. All voted in favor.

Halbersma also informed the Board that they would be starting to talk to the landowners about straightening out the curves on CR 7. This is on the 2018 project list. Information only.

Halbersma also asked for approval on Resolution 41-2016 Final Payment to Central Specialties for the 2016 overlay projects. Motion by Jagt, seconded by Drietz to approve Resolution 41-2016 Final Payment to Central Specialties and to approve payment as an Auditor Warrant. All voted in favor.

**RESOLUTION  
#41 – 2016  
FINAL PAYMENT TO CENTRAL SPECIALTIES**

WHEREAS, the construction of the following Projects, SAP 041-608-030, SAP 041-619-013, SAP 041-602-010, SAP 041-609-019, and SAP 041-605-023 has in all things been completed by Central Specialties Inc, the final contract costs as follows:

Original Contract Amount	\$ 1,159,898.01
Final Contract Amount	\$ 1,228,473.14
Final Payment Amount	\$ 64,804.12

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 above conditional on Central Specialties signing and returning final payment documents.

ADOPTED by the Lincoln County Board of Commissioners this 8<sup>th</sup> day of December, 2016.

ATTEST:

\_\_\_\_\_  
Richard Hamer, 2016 Board Chair

\_\_\_\_\_  
Deb Vierhuf, County Auditor

Halbersma also informed the Board that a reconstruction project will be done by the City of Hendricks on Lincoln Street. When a project like this is done, the ramps also need to be updated to the ADA requirements. These ramps are on the corner of Lincoln and Main St. (CSAH 24). Since the ADA requirements would need to be met when the County overlays Main St. (CSAH 24) sometime in the future, Halbersma feels we should have a cost share in the project. Motion by Drietz, seconded by VanDeVere to contribute \$4,000 per corner (total of \$16,000), to the Hendricks City project to help cover bi-directional ADA ramp requirements on the corner of Lincoln and Main Street. The motion also includes approval to pay for and add ADA improvements at the intersection of CSAH 17 and Main Street intersection into the City's project to cover required ADA ramp upgrades that will be needed for the 2018 CSAH 17 County project coming up. All voted in favor.

Halbersma also informed the Board that the Lake Benton City project at Coteau Street and CSAH 21 (Benton Street) will also have extra cost to meet the ADA requirements. Halbersma feels the County should contribute \$2,000 per corner (half the \$4,000 per corner since the ADA ramps are single direction instead of the bi-directional) to the project (total of \$4,000 since the project will only impact the south side of the intersection). Motion by Evers, seconded by Drietz to contribute \$4,000 to the Lake Benton City project on Benton Street to help cover the ADA required upgrades and to split the cost to even out the blacktop at the intersection. All voted in favor.

Halbersma also gave an update on the proposed Utility Setback Ordinance. We may have to look at a permitting process to address this issue. Information only.

Halbersma also informed the Board that the cost of crack sealing material is being ordered with Pipestone County to take advantage of a price break. The highway department is also working on vehicle repairs and snow plowing. Information only.

Halbersma also informed the Board that Pipestone County approved the Highway Engineer Agreement that was previously approved by the Lincoln County Board. Information only.

Committee Reports were given:

- VanDeVere – Election Canvas, Rural MN Energy Board, Solid Waste Recycling Comm.
- Drietz – Soil and Water, Election Canvas,
- Hamer – MnDOT meeting, Lake Shaokatan Lake Improvement District Meeting, Western Mental Health, Extension meeting
- Jagt – None
- Evers – SAMMI, HRA, Lincoln Co Transit, United Community Action

Auditor Warrants were presented.

Motion by Jagt seconded by VanDeVere, to approve the following Commissioner Warrants #3669 - #3707 for the following amounts: Revenue - \$107,963.77, Road & Bridge - \$29,399.63, Ditch - \$26,637.87 and Solid Waste Task Force - \$892.56. All voted in favor.

The following bills were over \$2,000.00 per M.S. 375.12: A & C Excavating LLC - \$12,500.00, Computer Prof Unlimited Inc. - \$4,823.96, Development Services Inc. - \$2,182.50, Double D Gravel Inc. - \$15,242.12, Election Systems & Software Inc. - \$5,982.73, Fastenal Company - \$3,582.18, Kris Engineer Inc. - \$6,288.00, Lyon Co Auditor – Treasurer - \$3,941.60, Lyon –Lincoln Electric Co-op - \$2,095.20, One Office Solution - \$2,392.38, Prairie Pride Cooperative - \$9,197.30, Southwest Health and Human Service - \$8,772.50, SW Sanitation Inc. - \$2,008.81, Thompson Excavating - \$17,023.00, United Community Action Partnership - \$23,374.20, Victor Construction Inc. - \$7,416.00, Waste Management of WI-MN - \$10,182.04, and 82 payments less than \$2,000.00 - \$27,889.31.

Deb Vierhuf, Lincoln County Auditor, presented a Memorandum of Understanding with the AFSCME Sheriff’s Union stating that the Sheriff’s department retirees shall receive a cash payout of accrued vacation and sick leave for the time period of 12-15-16 through 12-15-19. Motion by Evers, seconded by Drietz to approve the Memorandum of Understanding with the AFSCME Sheriff’s Union stating that the Sheriff’s Department retirees shall receive a cash payout of accrued vacation and sick leave for the time period of 12-15-16 through 12-15-19. All voted in favor.

Vierhuf also requested that the Board amend the motion from the 11-15-16 meeting to change the \$5,000 loan to the Lake Shaokatan Lake Improvement District to an appropriation. Looking at past history, the Lake Benton Lake Improvement District received an appropriation at the start of their district. Motion by VanDeVere, seconded by Jagt to approve amending the motion from the 11-15-16 meeting to change the \$5,000 loan to the Lake Shaokatan Lake Improvement District to an appropriation. All voted in favor.

Vierhuf also presented the 2016 audit engagement letter between Clifton Larson Allen and Lincoln County for approval. Motion by Evers, seconded by Jagt to approve the 2016 audit engagement letter between Clifton Larson Allen and Lincoln County. All voted in favor.

Vierhuf also informed the Board that Lincoln County has received a MCIT dividend of \$51,307.00 and the dollars have been receipted into the capital improvement fund.

Motion by Drietz, seconded by VanDeVere to adjourn at 5:20 p.m. All voted in favor.

ATTEST:

\_\_\_\_\_  
Richard Hamer, 2016 Board Chair

\_\_\_\_\_  
Deb Vierhuf, County Auditor

Richard Hamer, Board Chair, called the Truth and Taxation public meeting to order beginning at 6:00 p.m. Present were County Commissioners Evers, Drietz, Hamer, Jagt and VanDeVere; County Staff Deb Vierhuf, Bruce Nielsen and Robin Sterzinger. The Board reviewed the proposed 2017 County levy.

The motion was made by Evers, seconded by Drietz, to adjourn the Truth in Taxation meeting at 6:30 p.m. All voted in favor.

Attest:

\_\_\_\_\_  
Richard Hamer, 2016 Board Chair

\_\_\_\_\_  
Deb Vierhuf, Auditor