

**LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

June 7, 2016  
Courthouse Commissioner Room  
Ivanhoe, MN 56142

The meeting was called to order at 9:00 a.m. by Board Chair, Richard Hamer, followed by the Pledge of Allegiance. Commissioners present were Joe Drietz, Don Evers, Richard Hamer, Joan Jagt, and Mic VanDeVere. Also present were Lincoln County Auditor, Deb Vierhuf, and Lincoln County Attorney, Glen Petersen. A conflict of interest with the bill to Ivanhoe Service Center was noted by Commissioner Joe Drietz. No other conflicts were noted.

Motion by Jagt, seconded by Evers to approve the consent agenda which included approval of minutes from May 17, 2016 and agenda for June 07, 2016. All voted in favor.

Pauline VanOverbeke, Lincoln Soil and Water District Manager presented the Yellow Medicine One Watershed One Plan Implementation Plan. VanOverbeke also informed the Board that the public hearing has been set for August 1, 2016.

Dustin Hauschild, Highway Engineer's Assistant, reviewed the bids for CSAH 9 Project No SAP 041-609-016 that were opened on May 25, 2016 at 10:30 a.m. The Engineer's Estimate was \$828,711.50. Bids received were as follows:

- R & G Construction \$776,916.20
- Midwest Contracting LLC \$880,529.80
- Duininck Inc \$914,697.75

Motion by Jagt, seconded by Drietz to accept the low bid of \$776,916.20 from R & G Construction for CSAH 9 Project No. SAP 041-609-016. All voted in favor.

Hauschild presented Resolution No. 31-2016 Approving Grant in the amount of \$195,555 from the Minnesota State Transportation Fund for Local Road Improvements for CSAH 9 Project No. SAP 041-609-016. Motion by Evers, seconded by VanDeVere to approve Resolution 31-2016 Approving Grant in the amount of \$195,555 from the Minnesota State Transportation Fund for Local Road Improvements for CSAH 9 Project No. SAP 041-609-016 and authorize the Lincoln County Board Chair and Auditor to sign the agreement. All voted in favor.

**LINCOLN COUNTY  
RESOLUTION 31-2016  
Approving Grant in the amount of \$195,555 from the Minnesota State Transportation Fund for  
Local Road Improvements**

WHEREAS, Lincoln County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for Local Road Improvement and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$195,555 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Lincoln County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the project but not required. The proper county officers

are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

ADOPTED by the Lincoln County Board of Commissioners on this 7<sup>th</sup>, day of June, 2016.

ATTEST:

---

Richard Hamer, 2016 Board Chair

---

Deb Vierhuf, County Auditor

Glenn Krog appeared before the Board to address some concerns about a bridge that is scheduled to be replaced in Diamond Lake Township on 180<sup>th</sup> Ave. After discussion was held, the Board was in favor of holding off on the project until Glenn has an opportunity to discuss his concerns with Diamond Lake Township.

Hauschild reviewed other project updates which were as follows:

- Bids for Arco project on County Road 26 will be open on June 21<sup>st</sup> at 3:00 p.m.
- Received the final inspection report from MnDOT for 2015 box culverts.
- Received all permits and most easements to proceed with 2016 box culverts once the bridge bonding is determined.

Hauschild reviewed the maintenance projects which were as follows:

- The Highway Department is in the process of getting the annual striping quotes. We will tentatively combine with Pipestone County to get a better price.
- Sidewalk has been removed along County Road 111 in Arco.
- Needed to rent an excavator for the culverts.
- Have been hauling gravel.

Hauschild also asked for approval from the Board to purchase a 1979 truck mounted snow blower from MnDOT. The purchase price is \$16,500.00. The current truck mounted snow blower that the County uses is a 1963. The cost of a new blower would be \$85,000. Donny Scholten, Maintenance Foreman, was also present in support of buying the 1979 truck mounted snow blower. Motion by Drietz, seconded by VanDeVere to purchase a 1979 truck mounted snow blower for \$16,500.00 and to keep the 1963 blower as a back-up. All voted in favor.

Ralph and Jolene Trageser appeared before the Board to discuss concerns about an ongoing issue with needed clean-up in Verdi. Since Verdi is unincorporated, this would fall under the guidelines of the County's Nuisance Ordinance. After discussion was held, the Board was in favor of looking into the situation to see what can legally be done. The Verdi residents will be notified of what can be done.

Robert Olsen, Environmental, presented updates on the following items.

- The County has been awarded a grant from pollution control of \$36,400.00 for the disposal of farm waste such as plastic film and bail wrap. The County has 45 days to prepare a work plan time line and set up goals and objectives to be approved by MPCA to receive the dollars. Lyon County was also awarded a grant for mattress and car seat recycling.
- The Buffer Law enforcement will be up to the Counties according to statute. The Soil and Water Conservation District does not have regulatory authority to enforce the Buffer laws. If the County did not want to enforce, it would be enforced by BWSR. Lincoln County was awarded \$112,000.00 to enforce the buffer laws. The tax bill has not been approved but may be approved in special session.

- A 3<sup>rd</sup> 6 yard dumpster was put in Lake Benton for Solid Waste. The Verdi garbage site is being monitored.
- Olsen assisted the City of Ivanhoe on a land dispute. A ditch crossing will be put in on CD 37 to settle the dispute and allow an individual to access his property. The Cost will be shared by the City of Ivanhoe and the Landowner.
- The city of Tyler and Stony Point Park have removed a boat landing without approval. A citation will be issued for removing the landing without a permit and will either have to put the landing back or get the permit required.

Commissioner VanDeVere asked Olsen if we have a solar ordinance. Olsen said that we do have the solar issue addressed but should possibly be looked at to get a more detailed ordinance in place. Information only.

Jason Overby, Lincoln Pipestone Rural Water General Manager, presented information about the Priority 2 LPRW projects. Most of these improvements are needed to get ready for the connection to Lewis and Clark and there are some required changes due to mandates from MPCA. Pipestone County has agreed to issue the GO Bonds on behalf of LPRW to help finance the construction of the Priority 2 Improvements Project if a Joint Powers Agreement is in place with the other Counties served by Rural Water. Motion by VanDeVere, seconded by Jagt to approve Resolution No. 29-2016 Approving Joint Powers Agreement between the Counties served by Lincoln Pipestone Rural Water System to guarantee general obligation bonds. All voted in favor.

**RESOLUTION NO. 29-2016  
RESOLUTION APPROVING JOINT POWERS AGREEMENT**

**WHEREAS**, LPRW provides potable water to individuals, farms, cities, and commercial customers located in the following ten counties in southwest Minnesota:

1. Jackson County,
2. Lac Qui Parle County,
3. Lincoln County,
4. Lyon County,
5. Murray County,
6. Nobles County,
7. Pipestone County,
8. Redwood County,
9. Rock County,
10. Yellow Medicine County; and

**WHEREAS**, LPRW needs to make improvements and upgrades to its existing water distribution system, which LPRW refers to as the "Priority 2 Improvements Project"; and

**WHEREAS**, the Priority 2 Improvements Project is necessary to bring LPRW into compliance with MPCA regulations, because it will allow water received from the Lewis and Clark Regional Water System to replace most of the water which is currently being pumped from LPRW's Holland Well, which will ultimately benefit most of the aforementioned ten counties; and

**WHEREAS**, the estimated costs of the Priority 2 Improvements Project is \$14,858,925.00; and

**WHEREAS**, \$1,969,000.00 of the costs of the Priority 2 Improvements Project will be paid for by a grant LPRW will receive from the United States Department of Agriculture/Rural Development; and;

**WHEREAS**, \$3,000,000.00 of the costs of the Priority 2 Improvements Project will be paid for by a Point Source Implementation Grant ("PSIG"); and

**WHEREAS**, the remaining \$9,890,000.00 of costs for the Priority 2 Improvements Project will be paid for by issuing general obligation bonds (“GO bonds”); and

**WHEREAS**, LPRW does not have the legal authority to issue GO bonds; and

**WHEREAS**, Pipestone County, Minnesota, has agreed to issue \$9,890,000.00 of GO bonds on behalf of LPRW to help finance the construction of the Improvements Project on the condition that the other nine aforementioned counties sign a Joint Powers Agreement, which guarantees the payment of both the interim and permanent GO bonds in the amount of \$9,890,000.00; and

**WHEREAS**, Minnesota Statute §571.59 allows the ten aforementioned counties to enter into a Joint Powers Agreement, which guarantees the payment of both the interim and permanent GO bonds in the amount of \$9,890,000.00.

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

That the Joint Powers Agreement between the aforementioned ten counties and Lincoln Pipestone Rural Water System, which is dated May 16, 2016, is hereby approved in its entirety.

Adopted this 7th day of June, 2016.

ATTEST:

---

Richard Hamer, 2016 Board Chair

---

Deb Vierhuf, County Auditor

Overby also presented biographical information and a resolution for three Board Appointees that are recommended for reappointment to the LPRW Board. Motion by Drietz, seconded by Jagt to approve Resolution No. 30-2016 Resolution Recommending That Frank Engels, Brent Fiekema, and Janice Moen be Appointed to the Lincoln Pipestone Rural Water System Board of Commissioners. All voted in favor.

**RESOLUTION NO. 30-2016  
RESOLUTION RECOMMENDING THAT  
FRANK ENGELS, BRENT FEIKEMA, AND JANICE MOEN  
BE APPOINTED TO THE  
LINCOLN PIPESTONE RURAL WATER SYSTEM  
BOARD OF COMMISSIONERS**

---

**BACKGROUND INFORMATION**

**WHEREAS**, Frank Engels 4-year term as a Commissioner on the Lincoln Pipestone Rural Water System (LPRW) Board of Commissioners is scheduled to expire at midnight on December 31, 2016; and

**WHEREAS**, Brent Feikema's 4-year term as a Commissioner on the LPRW Board of Commissioners is scheduled to expire at midnight on December 31, 2016; and

**WHEREAS**, Janice Moen's 4-year term as a Commissioner on the LPRW Board of Commissioners is scheduled to expire at midnight on December 31, 2016; and

**WHEREAS**, on May 23, 2016 the LPRW Board of Commissioner unanimously passed a Motion which recommends that Frank Engels, Brent Feikema, and Janice Moen be reappointed to another 4 year term on the LPRW Board of Commissioners; and

**WHEREAS**, the Lincoln County Board of Commissioners believes that Frank Engels, Brent Feikema, and Janice Moen are qualified to act as Commissioners on the Lincoln Pipestone Rural Water Board of Commissioners and are worthy of appointment.

---

**RESOLUTION**

**BE IT NOW RESOLVED**, that the Lincoln County Board of Commissioners hereby recommends that Frank Engels, Brent Feikema, and Janice Moen be appointed to the Lincoln Pipestone Rural Water System Board of Commissioners pursuant to and provided for by Minnesota Statutes §116A et seq. for a 4 year term which shall commence at 12:00 a.m. on January 1, 2017 and shall expire at midnight on December 31, 2020.

ATTEST:

---

Richard Hamer, 2016 Board Chair

---

Deb Vierhuf, County Auditor

Chris Sorensen, Director of Health and Human Services, presented information and estimate for construction to upgrade the security, confidentiality, and privacy of the SWHHS area of the courthouse. The current lease with SWHHS is \$10 per square foot. Lincoln County will increase the amount per square foot to recoup the cost of the construction. Commissioner VanDeVere would like to see more than one quote for the project. The Board was in favor of moving forward with getting additional quotes for the project.

Taylor Mueller has taken over as Interim Extension Program Coordinator. She appeared before the Board to introduce herself. Mueller also informed the Board that Tori Barka is the Extension Summer Intern. Mueller also gave an update on the 4H exchange program and the summer day camps.

Committee Reports were given:

VanDeVere – SWHHS, Rural MN Energy Board, AMC Region 8

Drietz – Insurance Committee, Personnel

Hamer – Personnel, Western Mental Health, Western Community Action

Jagt – SWHHS

Evers – HRA, Lincoln County Transit, Western Community Action, AMC Region 8, SAMMIE, LBLI Association Annual Meeting

Auditor Warrants were presented.

Motion by Jagt seconded by VanDeVere, to approve the following Commissioner Warrants #2197 - 2225 for the following amounts: Revenue - \$107,990.83, Road & Bridge - \$31,475.48, Ditch - \$11,697.50, and Lake Benton Lake Improvement District - \$20.00. All voted in favor.

The following bills were over \$2,000.00 per M.S. 375.12: A & C Excavating - \$9,440.00, A & C Excavating - \$8,867.50, Buysse Roofing Systems & Sheet Metal In - \$7,480.00, Computer Prof Unlimited Inc - \$5,038.96, CRCN, INC. - \$2,770.00, Independent Emergency Services - \$8,861.00, Johnson Trenching Co - \$2,830.00, Larkin Hoffman - \$18,241.46, M-R Sign Co Inc - \$7,799.48, Prairie Pride Cooperative - \$9,933.00, Tessier's Inc. Mechanical Contractors - \$17,074.50, Tom Hodges Construction & Electrical - \$13,440.00, Tom's Welding & Repair Shop - \$3,113.93, Towmaster - \$2,050.00, Waste Management of WI-MN - \$9,579.50 and 68 payments less than \$2,000.00 - \$24,664.48.

Commissioner Drietz presented information regarding our heating/cooling system. Drietz discussed the possibility with Tessiers to get a quote for a new unit for the 3<sup>rd</sup> floor and use the parts from the current 3<sup>rd</sup> floor unit in the 1<sup>st</sup> floor unit. With this proposal the 3<sup>rd</sup> floor unit would have a 7 year warranty. Motion by VanDeVere, seconded by Drietz to proceed with getting more information on replacing the 3<sup>rd</sup> floor heating/cooling unit and using the current 3<sup>rd</sup> floor parts for the 1<sup>st</sup> floor heating/cooling unit. All voted in favor.

Chad Meester, Lincoln County Sheriff, gave an update on the new Law Enforcement Contract with the City of Hendricks. Meester, Mayor Julie Hogie, and Attorney John Engels have been discussing the new contract. Meester has also attended Hendricks City Council meetings and has started putting language together for the new contract. Information only.

Meester also asked for approval of the 911 PSAP Maintenance Agreement with an annual cost of \$8,861.00. Motion by Evers, seconded by Jagt to approve the 911 PSAP Maintenance Agreement for \$8,861.00. All voted in favor.

Deb Vierhuf, Lincoln County Auditor, asked for approval of a Log Cabin Donation of \$1,200.00 from Kenneth and Betty Johansen. Motion by Jagt, seconded by Evers to accept the Log Cabin Donation of \$1,200.00 from Kenneth and Betty Johansen. All voted in favor.

Vierhuf also presented a request received from HRA to approve the HUD Capital Fund Grant of \$50,551.00. Motion by Jagt, seconded by Evers to approve the HUD Capital Fund Grant of \$50,551.00. All voted in favor.

Vierhuf also presented the updated 2016 Lincoln County Fee schedule for approval. Motion by VanDeVere, seconded by Jagt to approve the 2016 Lincoln County Fee Schedule. All voted in favor.

Vierhuf also requested approval of Resolution No. 27-2016 Establishment of Lincoln County Absentee Ballot Board. Motion by Drietz, seconded by Jagt to approve Resolution No. 27-2016 Establishment of Lincoln County Absentee Ballot Board. All voted in favor.

**LINCOLN COUNTY  
RESOLUTION NO. 27-2016  
ESTABLISHMENT OF LINCOLN COUNTY ABSENTEE BALLOT BOARD**

WHEREAS, Minnesota Statutes 203B.121 authorizes that the governing body of any county must establish 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, as on file at the Lincoln County Auditor's office, for the 2016 Primary and General elections.

ADOPTED by unanimous vote this 7th day of June, 2016.

ATTEST:

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

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

Vierhuf also requested approval of Resolution 28-2016 Establishment of Lincoln County UOCAVA Absentee Ballot Board. Motion by VanDeVere, seconded by Jagt to approve Resolution No 28-2016 Establishment of Lincoln County UOCAVA Absentee Ballot Board. All voted in favor.

**LINCOLN COUNTY  
RESOLUTION NO. 28- 2016  
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, as on file at the Lincoln County Auditor's Office, for the 2016 Primary and General Elections.

ADOPTED by unanimous vote this 7th Day of June, 2016.

ATTEST:

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

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

Vierhuf also requested approval of the Joint Powers Agreement for a recount during the 2016 Primary Election and Authorize the Auditor to sign said agreement. This is needed so the County has arrangements in place if a recount is necessary for the Primary Election. Motion by Drietz, seconded by VanDeVere to approve the Joint Powers Agreement for a recount during the 2016 Primary Election and authorize the Auditor to sign said agreement. All voted in favor.

Vierhuf also requested approval of the Joint Powers Agreement for a recount during the 2016 General Election and Authorize the Auditor to sign said agreement. This is needed so the County has arrangements in place if a recount is necessary for the General Election. Motion by Jagt, seconded by Evers to approve the Joint Powers Agreement for a recount during the 2016 General Election and authorize the Auditor to sign said agreement. All voted in favor.

The Board discussed the current departmental policies. Motion by VanDeVere, seconded by Jagt to recommend changes to the personnel policy to reflect that the Commissioners have final approval of all new or changed policies and shall also review all hires and terminations. All voted in favor.

Motion by Jagt, seconded by Drietz to adjourn at 12:34 p.m. All voted in favor.

ATTEST:

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

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