

**LINCOLN COUNTY BOARD OF COMMISSIONERS – SPECIAL MEETING  
MEETING MINUTES**

July 23, 2018  
Courthouse Commissioner Room  
Ivanhoe, MN 56142

The meeting was called to order at 1:00 p.m. by Board Chair Mic VanDeVere, followed by the Pledge of Allegiance. Commissioners present were Joe Drietz, Rick Hamer, Jack Vizecky, and Mic VanDeVere. Commissioner Corey Sik was absent. Also present was Lincoln County Auditor Deb Vierhuf and Lincoln County Attorney Glen Petersen. No conflicts of interest were noted.

Motion by Drietz, seconded by Vizecky to approve the July 23, 2018 agenda. All (4) voted in favor.

Chad Meester, Lincoln County Sheriff, informed the Board that they are ready to offer the full time Deputy Sheriff position to Jacob Jenson and asked for approval to hire. Motion by VanDeVere, seconded by Drietz to hire Jacob Jenson as a full time Deputy Sheriff. Commissioner VanDeVere and Drietz voted in favor, Commissioner Hamer and Vizecky voted in opposition. Motion failed.

Vince Robinson, DSI President, and Bryan Roth, ITC CEO, were present for discussion of the Memorandum of Understanding between ITC and Lincoln County for broadband service. Ryan J Taylor, ITC's legal counsel from Cutler Law Firm, LLP in Sioux Falls and Jenny Boulton, Lincoln County's legal counsel from Kennedy & Graven, Chartered were present via conference call. A final copy drafted by Taylor of the accepted language was presented to the Commissioners. Discussion was held on the 5% penalty fees, upcoming auction, CAF II funding, need in the county, wireless versus hard wired broad band, possible grants, the speed of fiber optic and other miscellaneous items. Taylor reviewed the final changes to the MOU with the Board. Some new language had been added by ITC to the MOU that changed the savings below the project estimate would be shared at a ratio of 5:12. The Lincoln County Commissioners would like this removed. ITC was in agreement with removing that language. Commissioner VanDeVere asked for a motion of the final ITC version 8 of the MOU with the stipulation that the ratio of 5:12 savings below the cost of the project be removed.

Motion by Drietz, seconded by Hamer to approve the Memorandum of Understanding (final version 8 from ITC with the ratio savings language removed) between Lincoln County and ITC for border to border broadband contingent on the MOU being approved by the ITC Board and the CAF II funding being received by ITC to a maximum \$6.5 million contribution by Lincoln County. All (4) voted in favor.

Commissioner VanDeVere informed the rest of the Board that we need to renew our Master Plan for Hole in the Mountain Park to increase our grade to improve our chances of getting the legacy funding. The application needs to be completed by July 31, 2018. VanDeVere had contacted Robinson about doing that application and Robinson informed the Board that in order to qualify for this funding, we would need to approve 2 resolutions. Robinson informed the Board that there will be a cost payable to DSI associated with submitting the documentation for the application. An agreement could be entered into with DSI not to exceed \$3,500.00 for office time. Robinson asked for approval of Resolution No. 24-2018 granting Lincoln County authority to sponsor grant requests for Hole in the Mountain Park.

Motion by Hamer, seconded by Vizecky to approve Resolution No. 24-2018 granting Lincoln County authority to sponsor grant requests for Hole in the Mountain Park. All (4) voted in favor.

**Resolution No. 24-2018  
Granting Lincoln County Authority to Sponsor Grant Requests for Hole in the Mountain**

**BE IT RESOLVED** that Lincoln County has the legal public authority to sponsor a grant funding request associated with Hole in the Mountain County Park (PROJECT), which has been previously designated by the Greater Minnesota Regional Park and Trail Commission (COMMISSION) as a regional park or trail.

**BE IT FURTHER RESOLVED** that as we are fully aware of the information provided in the funding request, including any non-state match and other long-term commitments (as defined in the funding request), related master plan and any supporting information as submitted.

**BE IT RESOLVED** that, if selected for funding by the COMMISSION, Lincoln County shall act as legal sponsor for the PROJECT contained in the Department of Natural Resources (DNR) Parks & Trails Legacy Grant Application (STATE'S GRANT APPLICATION) and that County Board Chair is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of the applicant.

**BE IT FURTHER RESOLVED** that the APPLICANT has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the funding request and therefore, also in the STATE'S GRANT APPLICATION.

**BE IT FURTHER RESOLVED** that the APPLICANT has or will acquire fee title or permanent easement over the land described in the funding request and therefore, also in the STATE'S GRANT APPLICATION for regional parks and has or will acquire fee title, perpetual easement or a minimum of a 20 year lease over the land described in the funding request and therefore, also in the STATE'S GRANT APPLICATION for regional trails.

**BE IT FURTHER RESOLVED** that, upon approval of its application by the state, the applicant may enter into an agreement with the State of Minnesota for the above-referenced project, and that the applicant certifies that it will comply with all applicable laws and regulations as stated in the grant contract including

- **dedicating the park property for uses consistent with the grant program into perpetuity**
- **committing to maintain the trail for a period of no less than 20 years and providing a perpetual easement for recreational trail purposes on all lands acquired for trail use.**

**NOW, THEREFORE BE IT RESOLVED** that LINCOLN COUNTY BOARD CHAIR is hereby authorized to execute such agreements as are necessary to implement the project on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the County Board of Lincoln County on July 23, 2018.

ATTEST:

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Mic VanDeVere, 2018 Board Chair

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Deb Vierhuf, County Auditor

Motion by Hamer, second by Drietz to approve Resolution No. 25-2018 Providing Matching Funds towards the Hole in the Mountain Project. All (4) voted in favor.

**Resolution No. 25-2018  
Providing Matching Funds towards the Hole in the Mountain Project**

**BE IT RESOLVED** that Lincoln County has the legal public authority to sponsor a grant funding request associated with Hole in the Mountain County Park (PROJECT), which has been previously designated by the Greater Minnesota Regional Park and Trail Commission (COMMISSION) as a regional park or trail.

**BE IT FURTHER RESOLVED** that as we are fully aware of the information provided in the funding request, including any non-state match and other long-term commitments (as defined in the funding request), related master plan and any supporting information as submitted.

**NOW, THEREFORE BE IT RESOLVED** that, if selected for funding by the COMMISSION, Lincoln County shall provide up to \$6,000 of local match towards the project.

**I CERTIFY THAT** the above resolution was adopted by the County Board of Lincoln County on July 23, 2018.

ATTEST:

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Mic VanDeVere, 2018 Board Chair

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Deb Vierhuf, County Auditor

Motion by Hamer, seconded by Vizecky to approve paying DSI for the time associated with the grant application not to exceed \$3,500 to be paid out of the Parks Department. All (4) voted in favor.

Robin Sterzinger, Lincoln County Financial Accountant, discussed the Retro Fit Lighting quote. Some additional discussions and review will take place prior to awarding the bid. Information only.

Deb Vierhuf, Lincoln County Auditor, presented the end of June balance report for investments. Information only.

Vierhuf informed the Board that we have an HP invoice for a new computer for the Auditor's office in the amount of \$700.00 that she would like to pay as an Auditor Warrant. Motion by Drietz, seconded by Hamer to approve paying an HP invoice in the amount of \$700.00 as an Auditor Warrant. All (4) voted in favor.

Motion by Drietz, seconded by Vizecky to adjourn at 2:02 p.m. All voted in favor.

ATTEST:

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Mic VanDeVere, 2018 Board Chair

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Deb Vierhuf, County Auditor