

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

Nov 6, 2018
Courthouse Commissioner Room
Ivanhoe, MN 56142

The meeting was called to order at 9:00 a.m. by Board Chair Mic VanDeVere, followed by the Pledge of Allegiance. Commissioners present were Joe Drietz, Rick Hamer, Corey Sik, Mic VanDeVere and Jack Vizecky. Also present was Lincoln County Auditor Deb Vierhuf. No conflicts of interest were noted.

Motion by Drietz, seconded by Sik to approve the consent agenda which included approval of the minutes from October 16, 2018, and the agenda for November 6, 2018. All voted in favor.

Vince Robinson, DSI President, presented information on the Small Cities Development Grant Program. Surveys have been sent out to determine interest in the program. This program would be for single and multi-family duplexes. It has been determined that there is sufficient interest to move forward. A grant of \$600,000 will be applied for with the State. The Lincoln County HRA is putting the proposal together but the applicant has to be a County or a City. Robinson would like the County to be the applicant. Funds would come in to the County, the funds would be sent to HRA as the administrator and the HRA would do the administrative duties that are required. The County would have to include these dollars in their annual audit. Motion by Hamer, seconded by Vizecky to authorize the preliminary proposal for the Small Cities Development Grant Program to be submitted on behalf of the County. All voted in favor.

Robert Olsen, Environmental, informed the Board that assistance with a crossing has been requested on CD #35 by Paul Fehrman. A corrugated metal pipe has been offered by Luke Morris to the County at ½ price which is \$3,600.00. Motion by Hamer, seconded by Sik to approve the purchase of a corrugated metal pipe at a cost of \$3,600 to be used to provide a crossing on CD #35. All voted in favor.

Olsen presented Resolution 34-2018 Resolution of Comprehensive Land Use Plan for approval. A public hearing was held on the plan, the plan was summarized and the public had the opportunity to comment. The next step will be to work on the related ordinance. Motion by Drietz, seconded by Vizecky to approve Resolution 34-2018 Resolution of Comprehensive Land Use Plan. All voted in favor.

**RESOLUTION NO. 34-2018
RESOLUTION OF COMPREHENSIVE LAND USE PLAN**

At the Regular Meeting of the Lincoln County, Minnesota Board of Commissioners on November 6, 2018, Commissioner Drietz moved, seconded by Commissioner Vizecky adoption of the following Resolution.

WHEREAS, the Lincoln County Board of Commissioners realizing the need to manage the future uses of the resources and assets of Lincoln County have instructed that a Comprehensive Land Management Plan be prepared through the efforts of the Lincoln County Environmental Office, with the assistance of the Southwest Regional Development Commission; and

WHEREAS, its major purpose is to set guidelines for existing and future development in Lincoln County with the aim being to prepare for the future generations a pleasing and desirable place in which to live and work; and

WHEREAS, the Lincoln County Board feels that the goals of this Comprehensive Land Use Plan can be achieved only with the efforts of this Board and future Boards to a strong commitment of proper and appropriate uses of our resources and assets in this County; and

WHEREAS, with the adoption and implementation of this Comprehensive Land Use Plan we, the Lincoln County Board of Commissioners, believe that we are setting in place the framework for a stronger, more viable and enjoyable Lincoln County; and

WHEREAS, it is in the best interest of the County, its people and in the interest of promoting the safety, health and the general welfare of the County to establish a County policy for future growth; and

WHEREAS, it is the responsibility of the Lincoln County Board of Commissioners to utilize the foresight to assist and guide themselves and others in the affairs of the County; and

WHEREAS, the Board has the power and authority to approve the County Comprehensive Land use Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LINCOLN IN THE STATE OF MINNESOTA;

That document with all text, maps, plans and sketches constitutes the Comprehensive Land Use plan for the future physical development of Lincoln County.

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 resolution.

ATTEST:

Mic VanDeVere, 2018 Board Chair

Deb Vierhuf, County Auditor

Olsen presented Resolution 35-2018 Resolution of the Lincoln County Ditch System 1 Year Assessments for 2019 for approval. This resolution is to build up enough ditch funds to cover maintenance projects. This resolution has been published in the paper and a few questions were received and answered. Motion by Sik, seconded by Drietz to approve Resolution 35-2018 Resolution of the Lincoln County Ditch System 1 Year Assessments for 2019. All voted in favor.

**Resolution No. 35-2018
Resolution of the Lincoln County Ditch System 1 Year Assessments for 2019**

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 one year assessments are adopted to maintain an appropriate balance in each of the following Ditch Repair Funds:

County Ditch No. 2	2,500.00
County Ditch No. 7	10,000.00
County Ditch No. 10	5,000.00
County Ditch No. 14	2,500.00
County Ditch No. 15	40,000.00
Joint-Judicial Ditch No. 16	10,000.00
County Ditch No. 18	10,000.00
County Ditch No. 20	5,000.00
County Ditch No. 35	25,000.00
County Ditch No. 36	5,000.00
County Ditch No. 37	75,000.00
County Ditch No. 38	5,000.00
County Ditch No. 39	5,000.00

County Ditch No. 40	10,000.00
County Ditch No. 42	30,000.00
County Ditch No. 45	10,000.00
County Ditch No. 49	2,500.00
County Ditch No. 50	2,500.00
Judicial Ditch No. 11	2,500.00
Judicial Ditch No. 12	5,000.00
Judicial Ditch No. 13	5,000.00
Judicial Ditch No. 19	10,000.00
Judicial Ditch No. 28	2,500.00
Judicial Ditch No. 29	30,000.00
Judicial Ditch No. 30	30,000.00
Judicial Ditch No. 31	10,000.00
Judicial Ditch No. 32	25,000.00

BE IT FURTHER RESOLVED, that the aforementioned assessments are due and payable to the Ditch Repair Funds in 2019.

WHEREUPON the above resolution was adopted at the regular meeting of the Lincoln County Board of Commissioners this 6th day of November 2018.

ATTEST:

Mic VanDeVere, 2018 Board Chair

Deb Vierhuf, County Auditor

Olsen presented Resolution 36-2018 Authorizing the Assessment of Benefits for CD #15, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments. Olsen stated that all of the landowners that will be affected have received a letter letting them know what they would be charged and they had the opportunity to pre-pay. This will be a one year assessment following the viewers report. This assessment pays for the redetermination of benefits of CD #15 and the acquisition 1 rod buffer strip on both sides of the ditch. Motion by Vizecky, seconded by Sik to approve Resolution 36-2018 Authorizing the Assessment of Benefits for CD #15, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments. All voted in favor.

**STATE OF MINNESOTA
LINCOLN COUNTY BOARD OF COMMISSIONERS**

Regarding the assessment of benefits for the Redetermination of Lincoln County Ditch No. 15, as ordered by the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No. 15

Resolution #36-2018 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 November 6, 2018, Commissioner Vizecky moved, seconded by Commissioner Sik adoption of the following Resolution.

Whereas, the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.15 recently completed proceedings for the Redetermination of Benefits of County Ditch No. 15; 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, 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. 15 in the proceedings for Redetermination of Benefits of County Ditch No. 15.
2. The assessments shall be extended to real property according to the spreadsheet attached as Exhibit A, to be collected in a one-year assessment payable in 2019.
3. The assessments may be prepaid.

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

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

ATTEST:

Mic VanDeVere, 2018 Board Chair

Deb Vierhuf, County Auditor

Olsen presented Resolution 37-2018 Authorizing the Authorizing the Assessment of Benefits for CD #38, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments. Since this is a project with a high amount of dollars, the assessment will be spread over 20 years at 4% interest. Motion by Vizecky, seconded by Drietz to approve Resolution 37-2018 Authorizing the Assessment of Benefits for CD #38, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments. All voted in favor.

**STATE OF MINNESOTA
LINCOLN COUNTY BOARD OF COMMISSIONERS**

Regarding the assessment of benefits for the Improvement of Lincoln County Ditch No. 38, as ordered by the Board of Managers of the Yellow Medicine River Watershed District acting as the Ditch Authority for County Ditch No. 38

Resolution #37-2018 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 November 6, 2018, Commissioner Vizecky moved, seconded by Commissioner Drietz , adoption of the following Resolution.

Whereas, the Board of Managers of the Yellow Medicine River Watershed District acting as the Ditch Authority for County Ditch No. 38; 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 \$660,000 for the improvement proceedings, including construction of the improvement, to be reimbursed from benefit 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 Board of Managers of the Yellow Medicine River Watershed District in the proceedings for Improvement of County Ditch 38.
2. The assessments shall be extended to real property according to the spreadsheet attached as Exhibit A, to be collected in equal installments for a period of 20 years and carry an interest rate of 4% per annum on the unpaid balance until paid in full.
3. 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 yeas and 0 nays.

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

ATTEST:

Mic VanDeVere, 2018 Board Chair

Deb Vierhuf, County Auditor

Olsen presented Resolution 38-2018 Authorizing the Assessment of Benefits for CD #42, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments. CD #42 which is a tile system that outlets into CD #15. CD #42 pays towards the redetermination of CD #15. This is a one year assessment where letters were sent out and some prepaays were received. Motion by Drietz, seconded by Sik to approve Resolution 38-2018 Authorizing the Assessment of Benefits for CD #42, Establishing the Term of Assessment and Establishing a Rate of Interest on Assessments. All voted in favor.

STATE OF MINNESOTA
LINCOLN COUNTY BOARD OF COMMISSIONERS

Regarding the assessment of benefits for the Redetermination of Lincoln County Ditch No. 42, as ordered by the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No. 42	Resolution #38-2018 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 November 6, 2018, Commissioner Drietz moved, seconded by Commissioner Sik adoption of the following Resolution.

Whereas, the Lincoln County Board of Commissioners acting as the Ditch Authority for County Ditch No.42 recently completed proceedings for the Redetermination of Benefits of County Ditch No. 42; 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, 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.42 in the proceedings for Redetermination of Benefits of County Ditch No.42.
2. The assessments shall be extended to real property according to the spreadsheet attached as Exhibit A, to be collected in a one-year assessment payable in 2019.
3. The assessments may be prepaid.

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

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

ATTEST:

Mic VanDeVere, 2018 Board Chair

Deb Vierhuf, County Auditor

Olsen informed the Board that the closure hearing would be held by Yellow Medicine Watershed for CD #39 on November 12, 2018 at 10:00 a.m. at the Yellow Medicine Watershed District office in Minneota, MN. Information only.

Olsen asked the Board to consider the purchase of a camera, locator snake and inventory items for ditch maintenance. Olsen feels having a camera would be more efficient than using a backhoe to find problem areas. Over time these purchases would be reimbursed to the County from the ditch accounts as the equipment is used. Estimated cost is as follows: Camera - \$12,000 - \$13,000, locator snake - \$600 - \$800, and inventory items - \$5,000. This will be brought back to the Board at a future meeting. Information only.

Joe Wilson, Lincoln County Highway Engineer, reviewed the road tour route. Wilson discussed finished and proposed projects on County Road 7, County Road 8, County Road 9, County Road 129, and County Road 1. Information only.

Wilson presented project updates. They were as follows:

- Working on design and surveying for the 2019-2020 season.
- Working on bridge projects for 2019.
- Working on survey and design for 2020-2021 projects.
- Hauling of material to the temporary concrete sight for Blazing Star wind project.

Wilson presented maintenance updates. They were as follows:

- Fall mowing and back slope mowing
- Gravel shouldering on paved roads.
- Rumble strips on paved roads
- Building Maintenance
- Clean up items at the Iler and Skime gravel pit.
- Culvert maintenance.
- Hope to demo the old Tyler shop soon.

Wilson presented quotes for the UTV. There are different amounts depending on if a trade is used or not. Wilson would like to try to auction the Gator off on Minnbid at a reserve of \$5,000.00. If we don't receive that amount, we could use the existing Gator as a trade. Wilson would also like to put the pro-patch trailer on Minnbid as well. The Board was in consensus with this plan. Motion by Hamer, seconded by Sik to declare the old pro-patch trailer and the John Deere Gator as surplus to be auctioned off on the Minnbid site. All voted in favor.

Wilson requested that \$100,000 be designated from the 2018 budget to be used towards the purchase of a plow truck in 2019. The remaining funds needed to make this purchase would be available in the 2019 budget. Motion by Drietz, seconded by Sik to designate \$100,000 from the 2018 budget to be used towards the purchase of a plow truck in 2019. All voted in favor.

Wilson informed the Board that they will be holding a public meeting for County Road 7 widening project from State Hwy 19 to County Road 17 on November 13th at 7:00 p.m. at the highway building. Invitation letters were sent out to the land owners, the commissioner for that district and the township officials for the townships affected. Information only.

Attorney Glen Petersen arrived at 10:16 a.m.

Jim Muchlinski, Marshall Independent Reporter, introduced himself and notified the Board that he will be covering the Lincoln County Board meetings. Information only.

Committee Reports were given:

Drietz – CPT
 Hamer – Gave an update on Hendricks Recycle location
 Sik – SWHHS, Plum Creek Library
 VanDeVere – Western Mental Health, HRA, United Community Action, Southern Prairie, AMC,
 Supporting Hands
 Vizecky – None

Auditor Warrants were presented.

Motion by Drietz seconded by Sik to approve the following Commissioner Warrants #8745 - #8810 for the following amounts: Revenue - \$27,417.31, Road & Bridge - \$50,434.32, Ditch - \$3,687.96 and LID - \$299.79. All voted in favor.

The following bills were over \$2,000.00 per M.S. 375.12: BioAg Energy Services LLC - \$2,440.34, Bueltel Moseng Land Surveying Inc. - \$2,590.00, Commissioner of Transportation - \$10,000.00, Dryland Farms Inc. - \$2,828.00, Hancock Concrete Prod. Co. LLC - \$4,829.04, Kris Engineer Inc. - \$5,367.99, Liberty Tire Services LLC - \$12,915.25, Lyon Co. Auditor-Treasurer - \$3,101.65, Prairie Pride Cooperative - \$14,131.93, Mike Thooft - \$3,375.46 and 56 payments less than \$2,000.00 - \$20,259.72.

Deb Vierhuf, Lincoln County Auditor, announced that after conferring with the Personnel Committee, it was decided to offer the VSO position to John Hovland. The position has been offered and accepted. Hovland will be in the office every Wednesday and will do home visits and other appointments as needed. Information only.

Vierhuf presented a Memorandum of Understanding to the Board for review. This has been discussed with the Personnel Committee and has been approved by the Union. The positions covered are the new position of Deputy Auditor/Treasurer, Deputy Assessor/Appraiser CMA/GIS or AMA and Deputy Assessor/Appraiser AMA/GIS. This will be brought back for approval at a future meeting. Information only.

Robin Sterzinger, Lincoln County Financial Accountant, reviewed some budget adjustments with the Board. The increase is 2% at this time. Information only.

Motion by Drietz, seconded by Sik to adjourn at 10:49 a.m. All voted in favor.

ATTEST:

Mic VanDeVere, 2018 Board Chair

Deb Vierhuf, County Auditor