

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

March 17, 2020
Courthouse Assembly Room
Ivanhoe, MN 56142

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

Motion by Hamer, seconded by Sik to approve the consent agenda which included approval of the minutes from March 3, 2020 and the agenda for March 17, 2020. All voted in favor.

Eileen Christensen, Lake Benton City Administrator, and David Enke, Lake Benton City Council member, requested approval of the Contract for Law Enforcement Services between the City of Lake Benton and Lincoln County. The Lake Benton City Council and Mayor has approved the contract. Discussion was held on whether to go with a 3 year contract or a 1 year contract with review after the first year. There are clauses within the contract that allows review if there is a dispute. Discussion was held on some of the differences between the Hendricks city contract and the Lake Benton city contract. There are some differences in the hours worked between the two cities. The city of Hendricks has been contacted and discussion was held with them on reviewing and possibly making changes to their contract. The City of Lake Benton contract is a 3 year contract with an annual cost of \$56,160.00. Motion by Sik, seconded by VanDeVere to approve the 3 year Law Enforcement Contract between Lincoln County and Lake Benton City. Commissioner Drietz, Hamer, Sik and VanDeVere voted in favor. Commissioner Vizecky voted in opposition. Motion carried by majority vote.

Enke informed the Board that the city of Lake Benton has a patrol vehicle that is fully equipped with less than 5,000 miles on it and if the County is interested, the patrol vehicle could be purchased from the city. The Board will consider this and will make a decision on that at a future meeting. Information only.

Lincoln County Sheriff Chad Meester and Lincoln County Emergency Management Director Amber Scholten, were present to discuss getting cell phones for the deputies and the department heads that need one and move away from the stipends that are currently issued. One issue with using a personal cell phone is that the phone can be subpoenaed if the deputy or department head is involved in a lawsuit. If someone chooses to not receive a county phone, they will not have the option of receiving a stipend. Motion by VanDeVere, seconded by Drietz to approve the purchase of county phones for county personnel and no longer having the cell phone stipend once a policy is put in place. All voted in favor.

Scholten asked to approve a Resolution Declaring a State of Emergency in Lincoln County due to the COVID-19 pandemic for the next 30 days. Motion by VanDeVere, seconded by Sik to approve Resolution No. 17-2020 Declaring a State of Emergency in Lincoln County due to the COVID-19 pandemic for the next 30 days. All voted in favor.

**Resolution No. 17-2020
Declaring a State of Emergency**

WHEREAS the COVID-19 pandemic impacted the population of Lincoln County and its cities; and

WHEREAS the COVID-19 pandemic event has caused a significant amount of public hardship and distress for Lincoln County Government, cities, residents and businesses; and

WHEREAS the Lincoln County Department of Emergency Management requests the Lincoln County Board of Commissioners to declare Lincoln County in a STATE OF EMERGENCY for the COVID-19 pandemic event of 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Lincoln County Board of Commissioners declares Lincoln County in a State of Emergency for conditions resulting from the COVID-19 pandemic event of 2020.

Adopted by the Lincoln County Board of Commissioners this 17th day of March, 2020.

ATTEST:

Joe Drietz, 2020 Board Chair

Deb Vierhuf, County Auditor-Treasurer

Scholten would like the Board to appoint Commissioner Drietz, Commissioner VanDeVere, Robin Sik, Joe Wilson, Amber Scholten, Rick Drietz, and Deb Vierhuf to a COVID-19 Emergency Response Committee and authorize the committee to make emergency decisions as COVID-19 situations arise. Motion by Hamer, seconded by Sik to appoint Commissioner Drietz, Commissioner VanDeVere, Robin Sik, Joe Wilson, Amber Scholten, Rick Drietz, and Deb Vierhuf to a COVID-19 Emergency Response Committee and authorize the committee to make emergency decisions as COVID-19 situations arise. Commissioner Drietz, Hamer, Sik and VanDeVere voted in favor. Commissioner Vizecky voted in opposition. Motion carried by majority vote.

Shelly Eldridge, Ehlers Senior Municipal Advisor, reviewed the pre-sale report for \$4,925,000 Taxable General Obligation Tax Abatement Bonds, Series 2020A. This report outlines the terms, risks and issues with the upcoming bond. Due to decreasing the term of the bond from 20 to 10 years, we will need to have a public hearing on April 7th to add additional abatement parcels. We will also be doing a rating call on April 7th in the afternoon. Lincoln County can choose to pay the bond off after 5 years without any interest penalty. If we do not get a favorable rate, our rating from the call on the 7th will be good for 90 days. The risk with this type of bond is that if the Wind Power Production Tax is not sufficient to cover the payments, we would have to use other forms of revenue for the payments. After discussion, a motion was made by VanDeVere, seconded by Drietz to approve Resolution 14-2020 Providing for the Sale of \$4,925,000 General Obligation Taxable Property Tax Abatement Bonds, Series 2020A. Commissioner Drietz, Hamer, Sik, and VanDeVere voted in favor. Commissioner Vizecky abstained due to not hearing everything clearly via teleconference call. Motion carried by majority vote.

Resolution No. 14-2020
Resolution Providing for the Sale of
\$4,925,000 General Obligation Taxable Property Tax Abatement Bonds, Series 2020A

- A. WHEREAS, the Board of Commissioners of the Lincoln County, Minnesota has heretofore determined that it is necessary and expedient to issue the County's \$4,925,000 General Obligation Taxable Property Tax Abatement Bonds, Series 2020A (the "Bonds"), to financing a portion of the County's required contribution to the fiber-optic communication network to be installed in the County; and
- B. WHEREAS, the County has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

1. Authorization; Findings. The Board of Commissioners hereby authorizes Ehlers to assist the County for the sale of the Bonds.

2. Meeting; Proposal Opening. The Board of Commissioners shall meet at 9:30 a.m. on April 21, 2020, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the County are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion

ATTEST:

Joe Drietz, 2020 Board Chair

Deb Vierhuf, County Auditor-Treasurer

Daryl Schlapkohl, Lincoln County Parks Manager, presented rates and rules for the Lincoln County Parks. Rules relating to golf carts were added for safety and some additional rules were put in place as to what is allowed to be burned in the fire pits. A no trespass form will also be put in place if someone is removed from the park. Schlapkohl reviewed the individual rates for each park. These rules and rates were also discussed with the Park Board. Motion by VanDeVere, seconded by Sik to approve the park rates and rules for the Lincoln County Parks and start a no trespass form if someone is removed from the park. All voted in favor.

Joe Wilson, Lincoln County Engineer, was present to give project updates. They were as follows:

- Working towards getting plans ready for construction.

Wilson presented maintenance updates. They were as follows:

- Crack filling
- Blading of gravel roads as weather permits.

Wilson informed the Board that the Blazing Star Transmission Line is planned to begin this week. Information only.

Wilson informed the Board that work is continuing on the Blazing Star 2 Wind Development Agreements and they should be ready for approval at the next meeting. We are looking at increasing the administrative fee from \$10,000.00 to \$15,000.00. This would be \$10,000.00 for Highway and \$5,000.00 for Environmental. Planning to put language in the agreement that we have the authority to close the roads if they do not maintain the road. Information only.

Wilson requested approval to purchase a new service truck to replace the current F550 Truck. The current truck was used when it was purchased in 2011 and has over 9,000 hours. We have currently budgeted \$100,000 for the service truck and plan to get at least \$7,000.00 for the current service truck. We have received two bids. The bids are as follows:

- | | | |
|-------------------------------|---------------|--------------|
| • ABM Equipment & Supply | • Teamco Inc. | \$115,998.99 |
| \$126,427.65 (State Contract) | | |

The County will use the current welder, generator and auxiliary fuel tank to keep the cost down. Wilson's recommendation is to go with Teamco Inc. Motion by Sik, seconded by Hamer to approve the purchase of a new service truck to replace the current F550 Truck from Teamco Inc. at a total cost of \$115,998.99 plus corresponding fees. Commissioner Drietz, Hamer, Sik and VanDeVere voted in favor. Commissioner Vizecky voted in opposition. Motion carried by majority vote.

Wilson informed the Board that he would like to put the Highway/Courthouse Parking Lot Project back out for bids. Motion by VanDeVere, seconded by Sik to approve advertising for bids for the Highway/Courthouse Parking Lot Project. All voted in favor.

Robert Olsen, Environmental, informed the Board that the CUP meeting for March 18th regarding the Buffalo Ridge Expansion project has been postponed until the 3rd week in April. Information Only.

Olsen informed the Board that he has received three quotes for the new cold storage shed. Copies of the quotes will be brought to the next meeting for approval. Information only.

Olsen presented the AIS Management Grant for approval. The grant has been DocuSigned by Olsen due to the new State requirement. The grant is to be used for weed management on the Lake Benton Lake and we were approved by the DNR to receive \$7,000.00. Motion by Hamer, seconded by Sik to approve the receipt of a \$7,000.00 AIS Management Grant to be received from the DNR and used by the Lake Benton Lake Improvement District once the expense is incurred. All voted in favor.

Olsen will be discussing putting road signs at the intersections within the townships of Hansonville, Hendricks and Royal. These are the only townships that did not get the intersection signs the first time around. The cost would be split with the Townships. The County will pay 50% and the Township will pay 50%. Information only.

Olsen informed the Board that they have been monitoring and replacing damaged 911 signs around the county. Information only.

Glen Petersen, Lincoln County Attorney, informed the Board that the replacement property for the Hole in the Mountain has been accepted by the DNR. Forms will need to be filled out and a purchase agreement will be put in place. Information only.

Petersen informed the Board that John Johnson is selling some property and part of that property is registered. The law requires us to file a registered property survey. Petersen requested approval of Registered Land Survey #6 which is located west of Lake Benton. Motion by VanDeVere, seconded by Sik to approve Registered Land Survey #6 located west of Lake Benton. All voted in favor.

Committee Reports were given:

- Drietz – CPT, Lincoln County Enterprise Development, Missouri River Watershed, Lac Qui Parle Watershed Meeting, Career Force, Extension
- Hamer – None
- Sik – Lac Qui Parle Watershed, Canvas of Elections, SW Adult Health Consortium Meeting
- VanDeVere – United Community Action, ACE Coordinator interviews, Rural Transportation Meeting in Marshall, PrimeWest, SW Regional Development, Highway 23 Coalition, Park Board, COVID-19 Committee Meeting
- Vizecky – None

Auditor Warrants were presented.

Motion by VanDeVere, seconded by Drietz to approve the following Commissioner Warrants #12429 - #12506 for the following amounts: Revenue - \$79,999.93, and Road & Bridge - \$19,034.24.

Commissioner Drietz, Hamer, Sik, and VanDeVere voted in favor. Commissioner Vizecky abstained due to not being able to view the bills via conference call. Motion carried by majority vote.

The following bills were over \$2,000.00 per M.S. 375.12: Axon Enterprise, Inc. - \$3,456.00, Clark Equipment Co. - \$19,500.00, CNH Industrial Capital America LLC - \$11,057.46, Counties Providing Technology - \$5,266.00, Election Systems & Software Inc. - \$2,625.13, Frontier Precision Inc. - \$2,225.00, Harrison Truck Centers, Inc. - \$3,130.88, Kirkvold Oil Co. - \$3,146.00, MN Dept. of Corrections - \$19,021.03, Ziegler Power Systems (CAT) - \$3,820.20 and 68 payments less than \$2,000.00 - \$25,786.47.

Bruce Nielsen, Lincoln County Assessor, requested approval to set the Lincoln County Board of Appeal and Equalization for June 16, 2020 at 6:30 p.m. Motion by Hamer, seconded by Sik to approve setting the Lincoln County Board of Appeal and Equalization for June 16, 2020 at 6:30 p.m. All voted in favor.

Commissioner Drietz presented Resolution 15-2020 to support a Lac Qui Parle and Yellow Bank Rivers' One Watershed One Plan Project. Motion by VanDeVere, seconded by Sik to approve Resolution 15-2020 to support a Lac Qui Parle and Yellow Bank Rivers' One Watershed One Plan Project.

RESOLUTION # 15 -2020
Resolution to support a Lac qui Parle and Yellow Bank Rivers'
One Watershed, One Plan Project.

WHEREAS, the Minnesota Board of Soil and Water Resources has developed policies for coordination and development of comprehensive watershed management plans, also known as One Watershed, One Plan, consistent with Minnesota Statutes, Chapter 103B.801, Comprehensive Watershed Management Planning Program; and

WHEREAS, Minnesota Statutes, Chapter 103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a local water management plan; and

WHEREAS, Minnesota Statutes, Chapter 103D.401, Watershed Management Plan, authorizes Minnesota Watershed Districts to develop and implement a watershed management plan; and

WHEREAS, Minnesota Statutes, Chapter 103C.331, subdivision 11, Comprehensive Plan, authorizes Minnesota Soil and Water Conservation Districts to develop and implement a comprehensive plan; and

WHEREAS, the counties, soil and water conservation districts, and watershed districts within the Lac qui Parle Watershed (#18) and Upper Minnesota River Watershed (#16), as identified in the attached One Watershed, One Plan Suggested Boundary Map, have interest in developing a comprehensive watershed management plan for these areas; and

WHEREAS, the counties, soil and water conservation districts, and watershed districts within the Lac qui Parle Watershed, #18, and Upper Minnesota River Watershed, #16, request that the Minnesota Board of Water and Soil Resources accept the proposed boundary change to watersheds #16, #18 and #20 as delineated in the attached Intended Boundaries Exhibit. Local Government Units believe this change will allow for a more localized approach to One Watershed, One Plan in the portion highlighted in the attached exhibit of the suggested Minnesota River 1W1P planning boundary #16 that lies within the Lac qui Parle – Yellow Bank Watershed District legal jurisdiction as well as the hashed portion in #16 that will be adopted into a future Chippewa 1W1P planning boundary.

NOW, THEREFORE, BE IT RESOLVED, that Lincoln County recognizes and supports watershed-scale planning efforts consistent with Minnesota Statutes, Chapter 103B.801, also known as One Watershed, One Plan; and

BE IT FUTHER RESOLVED that Lincoln County agrees with and supports the boundary change identified in the attached map and requests, from BWSR, an approval of the planning boundary change as identified; and

BE IT FURTHER RESOLVED that Lincoln County welcomes the opportunity to collaborate with the counties, soil and water conservation districts, and watershed districts within the Lac qui Parle and Yellow Bank Rivers' Watersheds for watershed-scale planning efforts in the future; and

BE IT FURTHER RESOLVED that Lincoln County supports an application to the Board of Water and Soil Resources for a planning grant to develop a comprehensive watershed management plan and anticipates entering into a Memorandum of Agreement with the counties, soil and water conservation districts, and watershed districts within the Lac qui Parle and Yellow Bank Rivers' Watersheds, to collaborate on this effort, pending selection as a recipient of a planning grant.

Joe Drietz, 2020 Board Chair

Deb Vierhuf, County Auditor-Treasurer

Deb Vierhuf, Lincoln County Auditor-Treasurer, presented Resolution No.16-2020 to Restrict or Assign Specific Accounts. Motion by VanDeVere, seconded by Sik to approve Resolution No. 16-2020 to Restrict or Assign Specific Accounts. All voted in favor.

RESOLUTION NO. 16-2020
RESOLUTION TO RESTRICTED/ASSIGNED SPECIFIC ACCOUNTS

BE IT RESOLVED, that the Lincoln County Board of Commissioners hereby Reserves/Designates the following accounts for the specific account/amount as shown below as of December 31, 2019:

12/31/2019

01...2704	Assigned	Health Insurance Pool	246,089
01...2754	Restricted	Recorder's Equipment Fund	20,710
01...2755	Restricted	Compliance Fund	95,339
01...2756	Restricted	E-911 Enhancement	282,773
01...2764	Restricted	Sheriff's Contingency Fund	973
01...2765	Restricted	Attorney's Forfeiture Fund	9,858
01...2772	Restricted	Ag BMP ISTS	0
01...2773	Restricted	Lac Qui Parle ISTS	5,751
01...2774	Restricted	BWSR ISTS	40,597
01...2780	Restricted	Adult Probation Programming	35,542
01...2782	Assigned	Safe & Sober	321
01...2787	Restricted	Ag BMP Note Fund	127,452
01...2790	Restricted	Greater YMR Phase II Note Fund	0
01...2792	Restricted	Redwood River Watershed Note Fund	81,877
01...2793	Restricted	Lac Qui Parle Watershed Note Fund	-3,460
01...2794	Restricted	Gun Permit To Carry	40,606
01...2801	Assigned	Squad Car	39,000
01...2813	Assigned	Recycle/Score	28,806
01...2820	Assigned	Prime West	375,000
01...2821	Assigned	Broadband	575,000
01...2847	Assigned	Joint Powers Solid Waste	38,348
01...2853	Assigned	Capital Improvements	393,310
01...2867	Assigned	Technology/Communications	60,768
01...2877	Assigned	Aquatic Invasive Species	37,207
01...2878	Assigned	Buffer Aid	171,203
01...2879	Assigned	Feedlot	4,691
	Total		2,707,760

ADOPTED by unanimous vote this 17th day of March 2020.

 Joe Drietz, Board Chair

 Deb Vierhuf, County Auditor

Total Fund Balance

12/31/2019
7,292,115 (Unaudited)

(Unaudited)

Less: Assigned-Above	1,969,742		
Less: Restricted-Above	738,018		2,707,760
Unreserved/Undesignated	4,584,354		

Commissioner VanDeVere would like all Commissions to remind their districts to fill out their census. Information only.

Motion by Sik, seconded by Hamer to adjourn at 11:30 a.m. All voted in favor.

ATTEST: (SEAL)

Joe Drietz, 2020 Board Chair

Deb Vierhuf, County Auditor-Treasurer