

**LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

August 17, 2021  
Courthouse Assembly Room-Zoom  
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, Steve Hauswedell, Dean Nielsen, Corey Sik and Mic VanDeVere. Also present was Lincoln County Auditor-Treasurer, Deb Vierhuf and Lincoln County Attorney, Glen Petersen arrived at 10:25 a.m. No conflicts of interest were noted.

Motion by Drietz, seconded by Hauswedell to approve the consent agenda which included approval of the minutes from August 3, 2021, and the agenda for August 17, 2021. All voted in favor.

The public hearing scheduled for 19 & 75 Filling Station LLC "off-sale" Liquor License was cancelled due to 19 & 75 Filling Station LLC wanting to hold off until 2022. Information only.

Chad Meester, Lincoln County Sheriff, requested approval of new software that would make looking up individual's probation requirements easier. The software links the Department of Corrections portal to our records management system. Motion by Sik, seconded by Nielsen to approve purchasing Probation Alerts Interface from Central Square in the amount \$8,137.69 with a yearly maintenance fee of 1125.19. All voted in favor.

Dave McCormick, Hendricks Ambulance Coordinator, informed the Board that he is in the process of applying for a part time advanced life support license that would allow the Hendricks Ambulance to use paramedics in emergency runs as well as transfers. Part of the application process to the EMS Regulatory Board is to get local government support. McCormick is in the process of putting a resolution together to be approved. The resolution will be presented at a future meeting. Information only.

Angela Larson, Family Services Director for United Community Action and Katie Riebel, Self Sufficiency Case Manager for United Community Action, requested approval of Resolution 24-2021 Family Homeless Prevention and Assistance Program Resolution. Larson stated that we have had this resolution approved for the last 14 years, but it needs to be renewed every other year to be able to use the Family Assistance Program Assistance Grant in Lincoln County. Motion by Drietz, seconded by VanDeVere to approve Resolution No. 24-2021 Family Homeless Prevention and Assistance Program Resolution. All voted in favor.

**Resolution No. 24-2021  
Family Homeless Prevention and Assistance Program Resolution**

**WHEREAS**, the Minnesota Housing Finance Agency has made available Family Homeless Prevention and Assistance Program grant monies to encourage and support innovation at the local level to help prevent homelessness, reduce the length of homeless episodes, and reduce repeated episodes of homelessness, and

**WHEREAS**, Area service providers who administer programs that address families' crisis needs have identified gaps within the service delivery system, and

**WHEREAS**, Area service providers who administer programs that address families crisis needs have identified strategies to address the identified service gaps,

**WHEREAS**, Area service providers wish to continue to work together to coordinate their services and improve the service delivery system,

**WHEREAS**, United Community Action Partnership desires to make an application on behalf of the area service providers for funds to address these identified problems,

**NOW THEREFORE BE IT RESOLVED** that the County of Lincoln agrees to support United Community Action Partnership in its application and implementation of the proposed Family Homeless Prevention and Assistance Program for the period of October 1, 2021-September 30, 2023.

ATTEST:

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Mic VanDeVere, 2021 Board Chair

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Deb Vierhuf, County Auditor-Treasurer

Vince Robinson, Lincoln County Enterprise Development Corp. (LCEDC), Executive Director, gave an update on LCEDC and the 2022 budget request. Items presented for review were as follows:

- 2021 LCEDC Board of Directors
- LCEDC minutes from the May 6<sup>th</sup> annual meeting.
- Staff hour's allocation for 2020.
- Budget request to the County of \$64,260.00 which is a 2% increase.

The Board will consider this request. Information only.

Robinson informed the Board that there is a possibility to apply for a grant from Blanden to help the people in Ivanhoe to get broad band. The Ivanhoe residents are the last Lincoln residents that need to get strong, reliable internet service. Information only.

Robinson requested setting a second public hearing for the rental rehab small city development grant program in Tyler and Lake Benton. Motion by Nielsen, seconded by Sik to approve setting a public hearing for the rental rehab small city development grant program for the cities of Lake Benton and Tyler

to take place on September 21, 2021 at 9:05 a.m. during the Lincoln County Board Meeting. All voted in favor.

Tami Nelson, Lincoln County Financial Accountant, provided the preliminary budget. There are a few departments that still need to provide their budget numbers. Currently there are estimates in the budget for those departments. The preliminary increase to the budget is currently at a 3% increase. Information only.

Robert Olsen, Lincoln County Environmental, requested approval to replace a rock crossing on JD #19. Olsen has talked to the landowner and received a quote for 30' of steel pipe in the amount of \$5,272.00. The property has been in CRP for several years but will be brought back into full production. There are adequate funds in the repair account. Motion by Drietz, seconded by Sik to approve purchasing 30' of tile to replace a rock crossing on JD #19 in the amount of \$5,272.00. All voted in favor.

Olsen informed the Board that his office had looked into replacing pipe for CD #35. 5,000 feet had been replaced previously. A camera was run under Highway 19 and this part of the system is in good shape, however, an additional 1,500 – 1,800 of pipe will need to be replaced on the North side of the highway. This will be done after harvest and will be brought back for approval at a later date. The estimated cost would be approximately \$25,000.00. Information only.

Olsen requested approval to purchase a GPS unit for the Environmental office to assist with ditch repairs, buffer maintenance, and locating field outlets. Dustin Hauschild, Environmental Assistant, is familiar with this equipment and it could potentially save us time and money on repairs. Olsen would like to use the buffer funds for this purchase. Currently we have \$185,000.00 in this account. Motion by Drietz, seconded by Sik to purchase GPS equipment, to be used in locating tile, buffer maintenance, and field outlets, in the amount of \$15,000.00 to be charged to the buffer account. All voted in favor.

Olsen informed the Board that the variance to do a whole lake treatment on East Lake Stay has been denied. The DNR feels the native weeds will also be killed. Olsen has requested an on-site meeting with the DNR to discuss. Information only.

Olsen informed the Board that he has put a separate budget in place for the Ag Inspector. The County has needed to do more weed maintenance than in the past. By Statute, the first notice to the landowner comes from the township. If the township cannot get results, they request assistance from the County. The FSA office has also been requesting that the County investigate various weed issues. Information only.

Commissioner Hauswedell inquired about the tile on JCD #31. Olsen informed the Board that there is a petition being prepared and that petition will come to the Auditor-Treasurer's office. The petition will need to be approved. There will be an improvement cost and a separable maintenance cost. Information only.

Joe Wilson, Lincoln County Engineer, presented project updates. They were as follows:

- County Highway 1 has a box culvert project. The box culvert will be here sometime after August 20<sup>th</sup>.
- The County Highway 7 Widening Project will tentatively begin this week with culverts followed by grading.
- Box culverts on Co Hwy 15 and 19 will begin mid to late September when materials are available.

Information only.

Wilson presented maintenance updates. They were as follows:

- Continue to replace culverts.
- Moving some of the road accesses from the Red Pine project.
- Second round of shoulder mowing is complete.
- Continue to do tree spraying
- One of the Lincoln County Highway workers is currently helping Yellow Medicine County.

Information only.

Wilson gave an update on the projects that need to be closed out from last year. They were as follows:

- 3 Township Box Culvert Projects – Need final contractor information
- County Sealcoat Project – Need final contractor information
- Community Wind North Re-Power Road Use Agreement – Finished
- Courthouse and Highway Parking Lot Project – Need final contractor information.

Information only.

The agreement for Blazing Star II has been complete. The agreement ended up to be \$10,000.00 per mile. Information only.

Wilson informed the Board that the project on MN Hwy 271 is planned to start September 7<sup>th</sup>. The road from TH 19 to Hendricks will be closed and detoured to TH 75. The detour is supposed to end before October 2nd. If people use alternate routes, we would prefer they use County Rd 101 rather than Township Rd 130<sup>th</sup> Ave. Information only.

Wilson requested approval of a quote to find property lines and existing right-of-way to expedite our progress of Co Hwy 7 widening project from Tyler to Arco. The quotes were as follows:

- Bolton and Menk      \$25,000 - \$28,000
- Westwood                \$13,500.00
- Bueltel Moseng Land Survey    \$6,000.00
- WSB Engineering                \$33,026.00

Motion by Nielsen, seconded by Hauswedell to approve the quote from Bueltel Moseng Land Surveying, Inc. in the amount of \$6,000.00 to survey and find the property lines in the existing Right of Way to expedite the County Highway 7 Widening Project from Tyler to Arco. All voted in favor.

Wilson informed the Board that the County will be getting quotes for the annual striping. Information only.

Wilson has talked to the landowner on County Highway 8 so we can move forward with the bridge replacement. The landowner did not like the options Wilson presented. Wilson has put some maps together to show why we are going with the skew proposed. Wilson feels the County is being fair with the proposal. Wilson will continue to work on and give an update at the next meeting. Information only.

Committee Reports were given:

Drietz – None  
 Hauswedell – JCD #12 Ditch Meeting  
 Nielsen – None  
 Sik – Labor Management with Highway, Plum Creek Library  
 VanDeVere – Prime West

Auditor Warrants were presented.

Motion by Hauswedell, seconded by Drietz to approve the following Commissioner Warrants #16223 - #16282 for the following amounts: Revenue - \$85,913.94, Road & Bridge - \$30,797.64, Debt Service - \$10,038.84 and Ditch - \$51,558.85. All voted in favor.

The following bills were over \$2,000.00 per M.S. 375.12: Ag Plus Cooperative - \$2,561.04, Counties Providing Technology - \$5,376.00, Double D Gravel Inc. - \$10,038.84, Hancock Concrete Prod Co LLC - \$10,916.41, Benjamin Jerzak - \$6,200.00, Lyon Co Auditor-Treasurer - \$34,535.21, Petersen Law Office PLLC - \$62,165.00, Quarnstrom & Doering PA - \$6,196.05, James L Stellmach - \$2,194.51, TrueNorth Steel Inc. - \$16,696.66, WSB & Associates, Inc. - \$3,409.75, Ziegler Power Systems (CAT) - \$2,804.01 and 48 payments less than \$2,000.00 - \$15,215.79.

Deb Vierhuf, Lincoln County Auditor-Treasurer, presented Resolution 25-2021 Forfeited Properties. The individual properties will be discussed in more detail at the next meeting. Motion by Drietz, seconded by Sik to approve Resolution 25-2021 Forfeited Properties. All voted in favor.

#### **Resolution No. 25-2021 Tax Forfeited Classification**

**WHEREAS**, certain lands in Lincoln County, Minnesota, have forfeited to the State of Minnesota for non-payment of taxes, and,

**WHEREAS**, the Lincoln County Board of Commissioners classify these lands as **non-conservation lands**, in accordance with Minnesota Statutes 282.01.

**NOW THEREFORE BE IT RESOLVED**, that the Lincoln County Board of Commissioners hereby certify that all parcels of land listed below have been viewed and comply with the provisions of Minnesota Statutes 85.012; 92.461; 282.01 Subd. 8; and 282.018; and other statutes that require the withholding of tax-forfeited lands from sale.

**BE IT FURTHER RESOLVED**, that the Lincoln County Board of Commissioners does not need the approval of the Minnesota Department of Natural Resources for the sale of the following parcels:

#### **Shaokatan Township**

Parcel #14-0132-000  
 Sect – 23 TWP – 111 Range – 46  
 Parcel Described in Inst #3922  
 Property Address: 1565 Co Hwy 16

#### **City of Arco**

Parcel #16-0078-000  
 BLK – 8  
 Lots 10-11-12

#### **City of Hendricks**

Parcel #17-0132-000  
 Hendricks City  
 Lot-6 Blk-1

#### **City of Ivanhoe**

Parcel #18-0117-010  
Ivanhoe City  
BLK-1  
W 56' of Lots 1&2

Parcel #18-0126-000  
Ivanhoe City  
BLK-1  
Lots 17, 18, & 19

**City of Lake Benton**

Parcel #19-0435-000  
Lake Benton  
Blk – 2 Snyders Add'n  
Lots 1 & 2

Attest:

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Mic VanDeVere, 2021 Board Chair

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Deb Vierhuf, County Auditor-Treasurer

Vierhuf requested approval to designate the parks 1988 truck as surplus and advertise to sell with sealed bids. Motion by Sik, seconded by Nielsen to approve designating the Parks 1988 1-ton GMC 4-wheel drive truck to be declared as surplus to be sold by sealed bids. All voted in favor.

The Public Hearing to appeal the denial of the East River Electric Power Coop., Inc. Conditional Use Permit to relocate a 69 KV Power Line was called to order at 11:00 a.m.

Introductions were held. Commissioners present were Joe Drietz, Steve Hauswedell, Dean Nielsen, Corey Sik and Mic VanDeVere. Other Lincoln County Staff present were Robert Olsen, Environmental, Dustin Hauschild, Environmental Assistant, Deb Vierhuf, Lincoln County Auditor-Treasurer, and Glen Petersen, Lincoln County Attorney. Media present were Brent Beck and Mark Wilmes from the Lincoln County Editorial. East River Electric Power Coop., Inc representatives present were Paul Letsche, Steve Arbach, Matt Mohr, and Tony Englert. Members of the public in attendance were Barry Gronke, Wayne Bednarek, Steve Citterman, Bill Jerzak, Tim Jerzak, and Lincoln Electric employees, Lyle Lamote, Line Superintendent, and Tim O'Leary, General Manager.

Robert Olsen, Environmental, presented information regarding the Planning and Zoning Commission. The Planning and Zoning Commission met on June 16, 2021 to review the application dated May 19, 2021 by East River Electric to obtain a conditional use permit to relocate a 69KV line from the middle of a section to along a hard surface road. All of the land owners, public utilities and government entities affected by the move were given notice of the hearing. After giving consideration to all testimony at the hearing, the Planning and Zoning Commission denied the East River Electric Conditional Use Permit. If denied, the Lincoln County Ordinance (subdivision 400) allows individuals to appeal to the Lincoln County Board within 30 days. A letter was received on July 14, 2021 requesting an appeal hearing. The Appeal Hearing was set at the July 20, 2021, Lincoln County Board of Commissioners meeting. The Appeal Hearing was set for August 17, 2021 to be held at 11:00 a.m.

Glen Petersen, Lincoln County Attorney reviewed section XVI Administration, page 8, section 604.0 Findings which states the criteria that needs to be reviewed in order to approve or deny the Conditional Use Permit requested by East River Electric.

The East River Electric Power Coop presented evidence as to why the permit should be approved. East River is in the process of moving lines that are in the middle of sections to along roadways for easier access to be able to provide reliable service. East River had a power point presentation to show why the permit should be approved. The Power Point covered the following points.

- East River's Relationship to Lyon-Lincoln – Lyon-Lincoln is a member cooperative.
- Lyon-Lincoln Electric's Area Projects Overview. The main projective of the project is to improve reliability and system operations, increase safety and provide load growth.
- Concerns with the Existing Line – the reliability and access to the line. A line in the middle of a section creates safety issues during storms, increased restoration time for patrol, crop damage during repairs, farm equipment contact when farming around the poles, and access to the line.
- Public Concerns – The Electric and Magnetic Fields (EMF) from the 69KV lines are lower than many common appliances used in our home every day. The conductor arrangement on the polls has been changed to alternating and vertical framing so the EMF is pointed outward instead of directly to the ground below.
- Projects Status

The Lyon-Lincoln representatives stated that they are affected when these lines go down.

Steve Citterman, a Lincoln County landowner, presented some of the concerns by the landowners that are apposed to moving the 69KV line. He stated that the landowners where the line will be moved will also have safety issues. The poles could fall and cause damage to their property. They would like to see the line buried for a mile when it goes in front of where someone lives. East River stated that there is a cost to repairs to underground lines and they don't have the equipment to do these repairs. Wayne Bednarek stated his concern for children flying kites where those lines are located and also someone driving off the road and hitting the poles. Bednarek would also like to see the lines buried where the lines go in front of a residence. Barry Gronke presented an alternate route for the lines to be moved. Gronke also talked about the studies on safety issues to being exposed to these lines 24/7.

Commissioner VanDeVere stated that many of these studies are not proven. VanDeVere also stated that of all the landowners affected, there are only 4 that are in opposition. VanDeVere would like to see East River Electric Power Coop work with the landowners in opposition if possible.

Gronke stated that he felt some landowners were forced into signing the easement. Bill Jerzak stated that he had some concerns in the beginning and that East River worked with him to ease concerns. Jerzak felt the East River representatives were very accommodating and did not feel anyone was forced to sign.

Commissioner VanDeVere stated that Lincoln County had also received letters from 6 landowners that were in support of moving the lines.

The Lincoln County Commissioners reviewed the criteria in order to approve or deny the conditional use permit. These criteria were as follows:

- That the requested use will not create an unreasonable excessive burden on existing roads and other utilities.
- The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.
- The structure and use will have an appearance that will not have an appearance unreasonable to the existing land use and environment.
- The requested use in the opinion of the planning commission is reasonably related to the existing land use and environment.
- The requested use is consistent with the Lincoln County Comprehensive Development Ordinance.
- The requested use is not in conflict with the Lincoln County Comprehensive Land Use Plan.
- The requested use will not create an unreasonable adverse effect because of noise, odor, glare or general unsightliness for nearby property owners.

Motion by VanDeVere, seconded by Drietz to approve the East River Electric Power Conditional Use Permit to relocate the 69 KV power line. All voted in favor.

Motion by Nielsen, seconded by Sik to adjourn the Public Hearing to appeal the denial of the East River Electric Power Coop., Inc. Conditional Use Permit to relocate a 69 KV Power Line. All voted in favor.

Motion by Drietz, seconded by Hauswedell to adjourn the Board of Commissioner's meeting at 12:21 p.m. All voted in favor.

ATTEST:

(SEAL)

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Mic VanDeVere, 2021 Board Chair

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Deb Vierhuf, County Auditor-Treasurer