

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

September 21, 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, and Mic VanDeVere. Commissioner Sik was absent. Also present was Lincoln County Auditor-Treasurer, Deb Vierhuf via zoom, Kristina Richmond, Lincoln County Deputy Auditor-Treasurer, and Lincoln County Attorney, Glen Petersen. No conflicts of interest were noted.

Motion by Hauswedell, seconded by Drietz to approve the consent agenda which included approval of the minutes from September 7, 2021, and the agenda for September 21, 2021. All (4) voted in favor.

Hunter Robinson, DSI, requested approval to reset the public hearing date and time. Motion by Nielsen, seconded by Hauswedell to reset the public hearing date to October 19, 2021 at 9:05 a.m. for the Rental Rehabilitation Small City Development Grant Program. All (4) voted in favor.

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

- The contractor has finished the Box Culvert Project on CSAH 1.
- The contractor continues to work on Co. Hwy 7 Widening Project. Expect to be finished in 2-3 weeks.
- Box culverts, on Co Hwy 15 and 19, are planned to begin mid to late October.

Information only.

Wilson presented maintenance updates. They were as follows:

- Continuing to use the rented excavator to install culverts, dig a storm water pond at one of our gravel pits, and some Park projects.
- Fall seeding.
- Plan to finish the sub-grading on County Highway 12 this week.

Information only.

Wilson informed the Board that he is still working on closing and finalizing projects from last year. Information only.

Wilson would like to extend the summer hours through October 8th. The Board was in consensus with extending the summer highway hours through October 8th. Information only.

Wilson received one quote for general spraying. The quote was from DeAngelo Brothers, LLC for \$147.00 per mile. There is approximately 120 miles of spraying to be done. Motion by Drietz, seconded by Hauswedell to approve the spraying quote from DeAngelo Brothers, LLC for \$147.00 per mile for approximately 120 miles. All (4) voted in favor.

Wilson presented the 2022 highway budget proposal. The levy amount will remain the same. Some of the items that are expected to be purchased in 2022 are as follows:

- CAT Backhoe for a cost of \$135,000.00.
- A snow plow truck which was budgeted over two years at a cost of \$240,000.00
- Self-Propelled sheepsfoot roller at a cost of \$75,000.00.
- A milling attachment for the skid loader at a cost of \$15,000.00
- Replacing the 1987 Fork lift with a newer model at an estimated cost of \$12,000.00
- Getting an upgraded GPS in 2022 and also in 2023.
- Some smaller equipment includes an adaptor plate for the New Holland tractor, a new field computer, two distance meters for the pickups, and a new computer for the Engineer.
- Wilson reviewed budgeted miscellaneous revenues.

Information only.

Wilson informed the Board that an approximate cost for the Lake Benton shop is estimated at \$40,000.00. Wilson plans to use reserves for this project. Information only.

Dustin Hauschild, Environmental Assistant, informed the Board that they are working with Lake Benton to put surveillance cameras by the dumpsters to identify dumping materials that shouldn't be dumped. The city will allow cameras to be put on the fire hall for this surveillance. Motion by Drietz, seconded by Nielsen to approve using cameras from the City of Lake Benton to be mounted on the firehall to be used for surveillance of the Lake Benton Rural Dumpster Site. All (4) voted in favor.

Robert Olsen, Environmental, gave an update on the forfeiture property clean-up. Olsen received two estimated quotes to clean up parcel #14-0132-000. The estimates range from \$20,000.00 - \$50,000.00. These estimates are for demolition not disposal. Olsen would like a motion to proceed with bids on property clean-up. Motion by Nielsen, seconded by Drietz to approve proceeding with bids for demolition and disposal on parcel #14-0132-000. All (4) voted in favor.

Olsen informed the Board that the railroad is requesting insurance from the contractor and from Lincoln County for the crossing for CD #14. Olsen would like to proceed with getting bids from the contractors. Motion by Hauswedell, seconded by Drietz to approve proceeding with obtaining bids from contractors for the railroad crossing on CD #14. All (4) voted in favor.

Olsen informed the Board that after the joint meeting was held in regards to JCD #12 and #31, they found that the bridge was in good shape and only needs signs to be posted. The Lyon County Attorney had requested an addendum be added to the petition. Olsen will get the required signatures on the addendum and we will have another meeting after the second regular Board meeting on October 19, 2021. Information only.

Olsen informed the Board that the Comprehensive Land Ordinance will be discussed at the Planning and Zoning meeting on the 3rd Wednesday in October. Olsen would like the Commissioner's to attend. Information only.

Kathy Schwantes, Extension Regional Director, presented a Memorandum of Agreement between Lincoln County and the University of Minnesota which clearly states the responsibilities for both the County and the University of Minnesota. The agreement is reviewed for approval every three years. Motion by Drietz, seconded by Nielsen to approve the Memorandum of Agreement with the University of Minnesota relating to Extension and its programs that may exist between Lincoln County and the University for the time period of January 1, 2022 – December 31, 2024. All (4) voted in favor.

Tami Nelson, Lincoln County Financial Accountant, presented the resolution showing a 3% increase for the preliminary budget. Commissioner Drietz felt we should start with a 4% increase just in case something comes up that we didn't consider. Commissioner Nielsen felt that if the departments have looked over their budgets and this gives a 3% preliminary increase, we should stay with the 3% increase. Motion by Drietz, seconded by Hauswedell to approve Resolution No. 28-2021 2022 Proposed Levy which shows a 4% increase. Commissioner Drietz, Hauswedell and VanDeVere voted in favor. Commissioner Nielsen voted in opposition. Motion carried by majority vote.

**Resolution No. 28 – 2021
2022 Proposed Levy**

WHEREAS, the County Auditor of Lincoln County, Minnesota, has made and submitted her estimate of expenses and revenues of said county for the year 2022, as required by law, and the county board of said county having duly examined and considered the same,

NOW THEREFORE BE IT RESOLVED, that there is hereby approved, the following proposed levy, against the taxable property of said county of Lincoln for the year 2022.

**2022 PROPOSED Levy
\$6,068,384**

ADOPTED by majority vote, this 21th day of September, 2021.

Mic VanDeVere, Board Chair

Deb Vierhuf, County Auditor-Treasurer

Daryl Schlapkohl, Lincoln County Parks Manager, presented two quotes for a ¾ Ton pickup purchase. The quotes were as follows:

- Dahl Motors, Pipestone \$36,545.00
- Weelborg Ford, Redwood Falls \$31,625.00

Schlapkohl would like to keep the 2011 pickup as a backup and put the 1991 pickup out for auction when the new pickup is received. Schlapkohl's recommendation is to purchase the Ford pickup from Weelborg. Motion by Hauswedell, seconded by Nielsen to purchase the ¾ ton F250 Ford pickup from Weelborg Ford in Redwood Falls in the amount of \$31,625.00 plus corresponding fees. All (4) voted in favor.

Schlapkohl informed the Board he is looking to trade in the lawn mower and will bring quotes to the next meeting. Information only.

Committee Reports were given:

Drietz – CPT, Lincoln County Enterprise Development
Hauswedell – JCD #12 & #31 in Lyon County
Nielsen – None
Sik – absent
VanDeVere – JCD #12 & #31 in Lyon County

Auditor Warrants were presented.

Motion by Drietz, seconded by Nielsen to approve the following Commissioner Warrants #16445 - #16516 for the following amounts: Revenue - \$582,450.80, Road & Bridge - \$49,487.76, Debt Service - \$13,330.83, and Ditch - \$7,704.10. All voted in favor.

The following bills were over \$2,000.00 per M.S. 375.12: Ag Plus Cooperative - \$26,814.74, Ash Lake Twp. Treasurer - \$114,750.00, Black Strap Inc. - \$2,091.51, Counties Providing Technology - \$5,376.00,

Dave Hulstein Excavating Inc. - \$13,330.83, Diamond Lake Twp. Treasurer - \$70,000.00, Drammen Twp. Treasurer - \$10,000.00, Marble Twp. Treasurer - \$12,500.00, Martin Marietta Materials, Inc. - \$2,537.69, Milbank Winwater Works - \$4,051.00, Northern Con Agg LLP - \$3,538.18, Royal Twp. Treasurer - \$193,950.00, Shaokatan Twp. Treasurer - \$165,000.00, TrueNorth Steel Inc. - \$5,217.10, Ziegler Power Systems (CAT) \$3,623.47 and 57 payments less than \$2,000.00 - \$20,192.97.

Commissioner VanDeVere called the JD #29 Redetermination Public Hearing to order at 11:00 a.m.

Robert Olsen, Environmental, reviewed the documents presented. These documents were the viewers report, the damages report, and a narrative of the ditch system.

Karri Rupp, the lead ditch viewer, stated that the watershed acres were increased and the ditch now has 8,590 total benefitted acres. JD #29 was originally petitioned in 1915 and constructed around 1919. JD #29 has 46,180 feet of open ditch and 12,700 feet of 6" – 12" tile. JD #29 starts in the SW quarter of section 35 of Lake Stay Twp. and flows westerly and northerly to an outlet in the SW quarter of section 10 in Lake Stay Twp. It eventually follows a natural stream to the Yellow Medicine River. The ditch provides drainage to 29 sections. The sections that land in the watershed are 2, 3, 4 and 9 of Marshfield Twp. 1, 12, 13, 24 and 25 of Ash Lake Twp. and 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 33, 34, and 35 of Lake Stay Twp. Another item to note is that JD #29 also serves as an outlet to Yellow Medicine Watershed ditch #8. The Viewers conducted their field observations and land classifications in the fall of 2019 and Feb and March of 2020. Each 40 acre or smaller parcel was inspected. The different items that were used were soil serving maps, FSA aerial photos, topographical maps, linear data, production data, yield costs, yield sales, visual data, original ditch maps, and sales data from the Lincoln County Assessor's office. Benefits are figured by looking at the increased production by having the system in place. The benefits are then reconciled with recent sales values. Existing land management practices were not included. Consideration was also given to areas that were determined to be in a native or non-conservative condition or areas that were determined to be wetlands. Road benefits were determined by the reduced maintenance to the road after the system was in place. There are different land classifications that are looked at which are lettered from A – D with A land being benefitted the most and D land benefitted the least. There is also an efficiency ratio of 90% and a proximity ratio with those closer to the ditch getting greater benefit. An outlet benefit for Yellow Medicine Ditch #8 was determined to be \$99,432.00.

Ron Madsen, a benefitted land owner, asked who had authorized the redetermination. Robert Olsen stated that the County Board had ordered the redetermination and said it was noted in the Board minutes. Madsen would like a copy of those minutes. Madsen also asked if the original benefits for Yellow Medicine Ditch #8 were used or the litigated benefits. Olsen stated that the litigation was in 1983. This reduced the benefitted amount. In this case, the relationship of acres in the watershed were used to determine the outlet fee and the litigated acres were used. Madsen also asked about the legality of the 16 foot buffer and read a previous Zimmerman case. Olsen stated that this was brought up to the attorneys we are working with, and the buffer was established in the correct way in Lincoln County. Rinke and Noonan had reviewed the Zimmerman case. Olsen stated that Mr. Madsen can appeal, within 30 days from the approval date, if he would like. Commissioner VanDeVere asked if there were any other questions, from the landowners, for discussion. Ron Bunjer asked where the viewers got the acres from. Rupp stated that if there are any questions on the acres or if someone feels there is an error, this should be brought up and this can be reviewed. The acres came from the Lincoln County Assessor's office. Ron Madsen asked how many additional people were added to the system and how many additional acres were added. Rupp stated that she did not know this figure, but she could look it up and let him know.

Discussion was ended.

Motion by Nielsen, seconded by Drietz to approve the JD #29 Redetermination. All (4) voted in favor.

Olsen stated that he will prepare the order adopting the new viewers report and will bring it forward to the next meeting. Information only.

Motion by Drietz, seconded by Nielsen to adjourn the JD #29 Redetermination Public Hearing. All (4) voted in favor.

Motion by Drietz, seconded by Hauswedell to adjourn the Board of Commissioner's meeting at 11:44 a.m. All (4) voted in favor.

ATTEST:

(SEAL)

Mic VanDeVere, 2021 Board Chair

Deb Vierhuf, County Auditor-Treasurer