

**LINCOLN COUNTY BOARD OF COMMISSIONERS
MEETING MINUTES**

February 7, 2023
Courthouse Commissioner Room
Ivanhoe, MN 56142

The meeting was called to order at 9:00 a.m. by Board Chair Corey Sik, 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. No conflicts of interest were noted.

Motion by VanDeVere, seconded by Hauswedell to approve the consent agenda which included approval of the Commissioner meeting minutes from January 17, 2023, and the agenda for February 7, 2023. All voted in favor.

Chris Cauwels, IT Director, presented the updated Lincoln County Security Policy and reviewed the changes with the Board. Motion by Hauswedell, seconded by Nielsen to approve the updated Lincoln County Security Policy. All voted in favor.

Cauwels informed the Board that a security audit was completed on the Lincoln County network. As part of the process of receiving the HAVA (Help America Vote Act) grant dollars, we were given the opportunity to go through a process provided by Homeland Security. The Process included a remote audit where they tried to hack into our system and four cybersecurity experts from the federal government spent five days on-site to look at all of our systems. This is a valuable service to Lincoln County that we wouldn't normally have access to. Some of the positives they mentioned was our malware has a very quick response to cyber-attacks and they felt our IT focuses a lot of attention to our system. Information only.

Dustin Hauschild, Lincoln County Environmental Administrator, gave some Rural Garbage and Solid Waste updates. They were as follows:

- The MPCA Greater MN Recycle grant has been signed. Hauschild will move forward with getting contractors and suppliers in place.
- There have been a few issues with the Picnic Point garbage dumpster. There has been quite a bit of garbage at this site. We will work with Daryl on either removing that dumpster during the winter months or having more snow maintenance so the dumpster is accessible. If we continue with the dumpster year round, we will try to get this site added to our normal contract.

Hauschild requested authorization to apply for the Mn Dept. of Ag Noxious Weed Grant to purchase equipment. The Grant would be used to purchase a sprayer for the JD Gator for use on County Ditches and at Rural Garbage Sites. The minimum award is \$500.00 and the maximum award is \$5,000.00 if used for equipment purchases. The funds need to be spent by the end of June and the County needs to provide a 20% match. Hauschild is looking at a sprayer at a cost of \$4,100.00 with the County match being \$850.00. Motion by Nielsen, seconded by Hauswedell to authorize applying for the Mn Dept. of Ag Noxious Weed Grant and authorize the Environmental Administrator to sign and execute the grant agreement. All voted in favor.

Hauschild requested authorization to apply for the MPCA – Replacing Failing Septic System Grant. This grant would be used to provide low-income homeowners with funding to replace failing or non-compliant septic systems. The minimum award is \$100,000 and the maximum award is \$750,000. Hauschild will do some calculating to determine the amount of funds we will apply for. No County match is required, but the funds cannot be used for any administrative expenses. These funds also need to be used by the end of June. Motion by VanDeVere, seconded by Drietz to authorize applying for the MPCA-Replacing Failing Septic System Grant and authorize the Environmental Administrator to sign and execute the grant agreement. All voted in favor.

Commissioner Sik requested that Hauschild meet with the Parks Manager, the Highway Maintenance Superintendent and an area home owner to discuss the thistles on a County property located in the city of Lake Benton. Some thistle maintenance will need to be done on this property going forward. Information only.

Jean Nelson, Lincoln County Assessor, requested that the Board set the Board of Equalization and Appeal meeting. Motion by Nielsen, seconded Hauswedell to set the Board of Equalization and Appeal meeting for June 20, 2023 at 6:30 p.m. All voted in favor.

Glen Petersen, Lincoln County Attorney gave a brief summary of the Sheriff's salary discussion. On December 20, 2022, the Department Head and Elected Official salaries were set. Sheriff Meester's salary was previously \$80,054.00. He was given an increase to \$85,054.00. Sherriff Meester filed an appeal with the courts to increase his salary higher than the \$85,054.00. A mediation meeting was held with the Personnel Committee on January 12, 2023. A closed session was held during the January 17, 2023 Board Meeting. A recommendation was made by Attorney Matthew Gross and Sheriff Meester to move the Sheriff's salary to \$92,000.00. We are here today to discuss the Sheriff's salary and the proposal to move the salary to \$92,000.00. Attorney Gross informed the Board that the appeal Sheriff Meester filed

has to be done within 15 days from setting the salaries. This appeal has been put in place by statute for Elected Officials. Attorney Petersen informed the Board that information from the mediation should not be used in these proceedings. The Board should decide if they will move forward by approving the salary of \$92,000.00. Some of the items discussed were as follows:

- Commissioner Sik asked why the salary request had not been brought up earlier in the year. Attorney Petersen commented that the Board as well as Sheriff Meester should bring salary up prior to setting that salary.
- Commissioner Hauswedell felt the increase that was offered was a good increase and feels that when trying to get someone's salary up, it should be done in steps – not all at one time. Looking at an average of area counties percentage of increase, the average percentage was 6.883%. The increase we gave was 6.25%. Hauswedell feels we were close to what other counties were giving in percentage.
- A comment was made by Paul Fehrman. (a Lincoln County Taxpayer) Fehrman is in agreement that a larger increase should be done in steps. His feeling is that the County is being strong armed into giving this increase.
- A comment was made by John Appelen (a Lincoln County Land Owner) He feels that it depends largely on what Sheriff Meester budgeted for his salary.
- Commissioner Drietz feels that Sheriff Meester was aware of his salary prior to Election. He feels his salary issues should have been brought up prior to Election or right after the Election.
- Commissioner VanDeVere commented that he did not like the way this was handled. He feels this could have been done internally through communication.
- Attorney Petersen feels the discussion should be on how things are handled in the future to open up the communication.
- Commissioner Sik wants the Sheriff to receive a fair wage, but communication needs to be better.
- Sheriff Meester feels an open discussion with Personnel a couple times per year would be a step in the right direction. Meester also feels it would be helpful for him to attend Board Meetings.
- Commissioner Nielsen asked Sheriff Meester what amount was budgeted for his salary. Sheriff Meester used his current 2022 salary of \$80,054.00 in his 2023 budget.
- Commissioner Hauswedell commented that he understands why this was filed, but feels if discussions would have been done earlier in the year, this could have been avoided.
- Commissioner Sik feels with the lower population and the lower inmate population at the Jail, the County offered a fair wage.
- Fehrman made a comment regarding the per capita amount in Pipestone County. This per capita amount figures out to \$11.20 per capita. The current salary for the Lincoln County equates to \$14.70 per capita. Fehrman feels this should be looked at as well.
- Attorney Petersen pointed out that a neighboring county went to litigation on an Elected Officials salary and the cost to the county was \$55,000.00.

Commissioner Sik made a motion to increase the Sheriff's salary to \$88,000.00 with the thought that we will work towards the \$92,000.00 and have communications through Personnel meetings with Sheriff Meester throughout the year. After discussion this motion was seconded by Hauswedell. Attorney Gross and Sheriff Meester left the meeting to have a private discussion. Attorney Gross informed the Board that Sheriff Meester is willing to agree to the \$88,000.00 for the 2023 salary. All voted in favor.

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

- Preparing plans and proposals for county bridges, township bridges, paving, ADA Pedestrian Ramp, and seal coat projects.
- Bridge inspections for 2022 are almost complete. Some of the load posted bridges have a few clean up items to take care of.

Wilson presented maintenance updates. They were as follows:

- Working on some reoccurring snow drifting issues.
- Working on Unit #20
- Annual sign inspections are being completed to replace damaged or deteriorated signs.
- The post pounder went in for service but it looks like it will need to be replaced.
- Dozer is in for annual maintenance.
- Reinforcement bridge work may be completed while things are frozen up.
- Working with the MPCA and a third party inspector on the violations from last year.

Information only.

Wilson informed the Board that he continues to work on finalizing and closing out projects from 2020 and 2021. Information only.

Wilson presented Resolution 11-2023 for the completion of contract 03-2020 Box Culvert Projects. Motion by VanDeVere, seconded by Drietz to approve Resolution 11-2023 for the completion of contract 03-2020 Box Culvert Projects. All voted in favor.

**RESOLUTION
11 - 2023**

WHEREAS, the construction of Contract 03-2020 Box Culvert Projects 041-601-033 & 041-605-024 has in all things been completed by John Riley Construction, Inc., the final contract costs are as follows:

Original Contract Amount	\$	679,559.54
Contract Changes	\$	0.00
Revised Contract Amount	\$	679,559.54
Final Contract Amount	\$	645,881.10
Final Payment Amount	\$	9,806.15

NOW THEN, BE IT RESOLVED that we do hereby accept said completed project for and in behalf of the County of Lincoln and authorize final payment as specified above.

ADOPTED by the Lincoln County Board of Commissioners this 7th day of February, 2023.

ATTEST:

Corey Sik, 2022, Board Chair

Deb Vierhuf, County Auditor-Treasurer

Wilson presented Resolution No. 12-2023 for the completion of contract 01-2021 Box Culvert Projects. Motion by Nielsen, seconded by Hauswedell to approve Resolution No. 12-2023 for the completion of contract 01-2021 Box Culvert Projects. All voted in favor.

**RESOLUTION
12 - 2023**

WHEREAS, the construction of Contract 01-2021 Box Culvert Projects 041-615-022 & 041-619-014 has in all things been completed by R&G Construction, the final contract costs are as follows:

Original Contract Amount	\$	612,098.38
Contract Changes	\$	(9,383.63)
Revised Contract Amount	\$	602,714.75
Final Contract Amount	\$	592,866.61
Final Payment Amount	\$	9,085.13

NOW THEN, BE IT RESOLVED that we do hereby accept said completed project for and in behalf of the County of Lincoln and authorize final payment as specified above.

ADOPTED by the Lincoln County Board of Commissioners this 7th day of February, 2023.

ATTEST:

Corey Sik, 2022, Board Chair

Deb Vierhuf, County Auditor-Treasurer

Wilson informed the Board that the State funding has been approved. It was expected to be down 9%, but it only ended up down 3%. Information only.

Wilson informed the Board that the Road and Bridge Hearing will be scheduled for March 7, 2023 at 10:00 a.m. Information only.

Wilson would like approval of an adopt-a-highway request. The request is from a family member so Wilson would like the Board to approve due to a conflict of interest. The road to be adopted is on County Highway 17 from Trunk Highway 75 to County Highway 5 by the Laleman family in remembrance of Tony Laleman. Motion by Sik, seconded by Nielsen to approve the adopt-a-highway request for the Laleman family on County Highway 17 from Trunk Highway 75 to County Highway 5 in remembrance of Tony Laleman. All voted in favor.

Committee Reports were given:

- Drietz – CPT, RCRCA and Area II
- Hauswedell – Western Mental Health
- Nielsen – ACE, AMC Legislative session
- Sik – HRA, Labor Management

VanDeVere – Solid Waste Recycling Commission, Rural MN Energy Board, PRIME West, Supporting Hands

Auditor Warrants were presented.

Motion by VanDeVere seconded by Hauswedell to approve the following Commissioner Warrants #20040 - #20109 for the following amounts: Revenue - \$88,759.31, Road and Bridge - \$44,296.99, Ditch - \$2,710.00 and Solid Waste - \$180.00. Commissioner Hauswedell, Nielsen, Sik and VanDeVere voted in favor. Commissioner Drietz abstained due to an Ivanhoe Service Center bill. Motion carried by majority vote.

The following bills were over \$2,000.00 per M.S. 375.12: Ag Plus Cooperative - \$23,469.37, BioAg Energy Services LLC - \$3,335.42, Bolton & Menk - \$2,710.00, The Computer Man Inc. - \$2,492.00, Ivanhoe Public Library - \$8,239.00, Lake Benton Library - \$8,239.00, Lyon Co Auditor-Treasurer - \$2,074.94, Office MNIT Services - \$5,392.00, SeaChange - \$2,861.49, Siverson Public Library - \$8,239.00, Southwest Health and Human Services - \$22,747.38, Summit Fire Protection - \$5,760.00, Towmaster - \$3,585.79, Truck Center Companies East LLC - \$2,222.56, Tyler Oil Co. - \$2,145.82, Tyler Public Library - \$8,239.00, Vollan Oil - \$3,984.10, and 53 payments less than \$2,000.00 - \$20,209.43.

Deb Vierhuf, Lincoln County Auditor-Treasurer requested approval of the annual Equity Compliance Report. Motion by VanDeVere, seconded by Nielsen to approve the annual Equity Compliance Report. All voted in favor.

Vierhuf presented the updated fee schedule for 2023. Motion by VanDeVere, seconded by Hauswedell to approve the 2023 Fee Schedule. All voted in favor.

Vierhuf presented the Southwest Adult Mental Health Consortium Fiscal Master Agreement. This agreement outlines the role of the consortium’s fiscal agent. Des Moines Valley Health and Human Services has been the host for several years, but requested this document to outline their role. Motion by Hauswedell, seconded by VanDeVere to approve the Southwest Adult Mental Health Consortium Fiscal Master Agreement. All voted in favor.

Vierhuf presented the WSB topological survey in the amount of \$858.00 to be paid out of capital improvement. Motion by VanDeVere, seconded by Drietz to approve paying WSB for the topological survey in the amount of \$858.00 out of the Capital Improvement Fund. All voted in favor.

Discussion was held on if we should have WSB go ahead and do the archeological survey. Commissioner VanDeVere feels WSB is the most familiar with the project and it would make sense to have them do the archeological survey. Motion by VanDeVere, seconded by Hauswedell to approve moving ahead with WSB for the archeological survey at the Hole in the Mountain Park for the Legacy Park project. All voted in favor.

Motion by Drietz, seconded by Hauswedell, to adjourn at 11:17 a.m. All voted in favor.

ATTEST: (SEAL)

Corey Sik, 2022, Board Chair

Deb Vierhuf, County Auditor-Treasurer