

**LINCOLN COUNTY BOARD OF COMMISSIONERS  
MEETING MINUTES**

June 20, 2023  
Courthouse Commissioner Room  
Ivanhoe, MN 56142

The meeting was called to order at 4:00 p.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. No conflicts of interest were noted.

Motion by Nielsen, seconded by VanDeVere to approve the consent agenda which included approval of the Commissioner meeting minutes from June 6, 2023, and the agenda for June 20, 2023. All voted in favor.

Nicole DeBore and Mark Wilmes were present to give an update on SW MN Arts Council. SW MN Arts Council is a non-profit organization and represents 18 counties. Mark Wilmes is the Lincoln County representative. DeBore stated that Lincoln County has always been a supporter and expressed her thanks to the county. The annual request will be \$500.00 which is the same as previous years. These dollars go directly to grants for Lincoln County residents. Information only.

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

- Continue to work on getting the 2023 County and Township Box Culverts, ADA Pedestrian Ramps, and Paving Plans out for bid.

Wilson presented maintenance updates. They were as follows:

- We were required on our last fuel pump inspection to add an alarm system. The parts have been ordered.
- The shouldering machine is working again, so the shouldering is being completed.
- Have started mowing the shoulders.
- Continue to haul gravel to maintain the gravel surfaces.
- Spraying trees in the right of way.

Information only.

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

Wilson informed the Board that he continues to work with Buffalo Ridge Wind Development to get issues cleaned up from the wind project. A punch list was sent last week. Information only.

Wilson requested approval of the 2022 Annual Report. Motion by VanDeVere, seconded by Drietz to approve the 2022 Annual Report of the Lincoln County Highway Department. All voted in favor.

Discussion was held on the Lake Benton Township Road swap. The items of discussion were as follows:

- Utilities would definitely be a factor. From a preliminary check, there is 3" water lines, buried power lines, and buried fiber that would need to be relocated on most of the miles.
- There would be a significant amount of tree removal that would need to be done.
- Wilson stated that if there is a large amount of traffic or if there is a business along those township roads, it would be something we should consider.
- If we decide to move forward, Wilson suggested swapping only 3 of the 4 township miles.
- The Board does not feel they want to make a decision on this at this time.

Information only.

Wilson presented a quote from Frontier Precision which is a new GPS receiver. Motion by VanDeVere, seconded by Nielsen to approve the GPS receiver quote from Frontier Precision in the amount of \$26,390.00. All voted in favor.

Wilson informed the Board that retirement notice has been received. Wilson would like the authorization to post and publish for the position. Motion by Sik, seconded by Hauswedell to authorize posting and publishing for a truck driver position in the Highway Department. All voted in favor.

Bids were opened for the land sale of 1.35 Acres, Part of Jorgenson Beach Lots 1-6, Part of Gov't Lot 5 in Section 19-T112N-R46W (Parcel #06-0229-000). The bids received were as follows:

- |                           |             |                   |            |
|---------------------------|-------------|-------------------|------------|
| • Brian Evans             | \$12,650.00 | • Gary L. Johnson | \$7,002.00 |
| • Border Line Investments | \$10,660.00 |                   |            |

Motion by VanDeVere, seconded by Drietz to approve accepting the bid from Brian Evans for 1.35 Acres, Part of Jorgenson Beach Lots 1-6, Part of Gov't Lot 5 (Parcel #06-0229-000) in the amount of \$12,650.00. All voted in favor.

Dustin Hauschild, Lincoln County Environmental Administrator, presented quotes for the Transfer Site Project which will be paid for through the Recycle Grant. There were four different areas that were quoted. The areas are building materials, building labor, concrete, and electrical.

Quotes were as follows:

Building material

- Tyler Lumber \$27,874.55
- Hendricks Farmers Lumber \$31,263.07

Building Labor

- Garrett Beck Construction \$34,500.00
- KHC Construction \$44,600.00

Concrete

- Garrett Beck Construction
  - Reuse \$17,400.00
  - Cold Storage \$19,500.00
  - Transfer Bldg. \$14,400.00
- KHC Construction
  - Reuse \$17,500.00
  - Cold Storage \$20,500.00
  - Transfer Bldg. \$13,240.00

Electrical

- Ivanhoe Electric \$9,750.00
- Tyler Electric \$6,800.00

The total with the four low quotes is \$120,314.55. Motion by VanDeVere, seconded by Hauswedell to approve the quotes as follows: Building Material – Tyler Lumber \$27,874.55, Building Labor – Garrett Beck Construction \$34,500.00, Concrete – Garrett Beck Construction Reuse \$17,400.00, Concrete – KHC Construction Cold Storage \$20,500.00 and Transfer Bldg. \$13,240.00, and Electrical – Tyler Electric \$6,800.00 for a total of \$120,314.55 for the Transfer Site Project to be paid for through the Recycle Grant. All voted in favor.

Discussion was also held the hiring of a part-time employee with the remaining grant funds. A meeting will be held with the Personnel Committee to discuss this further. Information only.

Hauschild presented an East River updated easement for approval. Motion by Nielsen, seconded by VanDeVere to approve the updated East River Easement. All voted in favor.

Hauschild would like to start getting bids for the Lake Shaokatan Outlet. Due to the outlet remaining in the same location, the County should be cleared to start that soon. The outlet will be paid out of the Buffer funds. Motion by Nielsen, seconded by Hauswedell to authorizing the advertisement of bids for the Shaokatan Outlet once it is approved by the DNR. All voted in favor.

At 5:00 p.m., the Ditch Hearing for the CD #45, CD #49, JD #11 and JD #21 Redeterminations was called to order by Corey Sik, 2023 Board Chair.

Dustin Hauschild, Lincoln County Environmental Administrator, stated the purpose of the hearing which is to decide whether the Lincoln County Drainage Authority should move ahead with the redetermination of Benefits on the following ditch systems: CD 45, CD 49, JD 11, and JD 21. The main intent of this action is to update the Benefit amount of the ditch system to reflect reasonable present-day land values. Gayle Rasmussen, Mike Thooft and Kari Rupp indicated they would be willing to be the ditch viewers for the Redetermination of Benefits for these systems.

Hauschild presented information on County Ditch 45.

The County Ditch 45 System was petitioned in 1917 and consists of 18,485 feet of 6" – 20" tile in Marble Twp Sec 19, 20, 29, and 28. This system is still using the original benefit amount of \$16,995.92 from 1918.

The purpose of the redetermination is to get the benefits up to date to meet current economic conditions as the tile is starting to show its age. The Authority should look at a 1000' section of tile in the SE ¼ of section 29, Marble Twp either this fall or in the next couple years.

Public comments were requested. Discussion on how the benefits are figured was held. This is determined by how many acres you have, what type of soil is on the land and how close you are to the system. A question was also asked on if the landowner would be allowed to prepay and how large the assessment might be. Hauschild gave some approximate figures. Information only.

The Findings of Fact and Order was presented which orders the Redetermination of benefits and assigns Gayle Rasmussen, Mike Thooft and Kari Rupp as ditch viewers. Motion by VanDeVere, seconded by Nielsen to approve the Findings of Fact and Order Regarding Redetermination of Benefits, Pursuant to Minnesota Statutes 103E.351 for County Ditch 45. A roll call vote was called: Corey Sik – Yea, Mic VanDeVere – Yea, Dean Nielsen – Yea, Joe Drietz – Yea, Steve Hauswedell – Yea. Motion passed.

Hauschild presented information on County Ditch 49.

The County Ditch 49 was petitioned in 1920 and consists of 500 feet of open ditch and 17,295 feet of 6" – 18" tile in Marble Twp Sec 3 & 4. This system is still using the original benefit amount of \$9,085.00 from 1921.

The purpose of the redetermination is to get the benefits up to date to meet current economic conditions as the tile is starting to show its age. Will also obtain the 16.5 ft buffer on the 500 feet of open ditch. There are currently no plans for work on this system. The Authority may want to consider doing some work to preserve the tile system as it crosses under US Hwy 75 to mitigate potential future issues.

Public comments were requested. No comments were presented.

The Findings of Fact and Order was presented which orders the Redetermination of benefits and assigns Gayle Rasmussen, Mike Thoof and Kari Rupp as ditch viewers. Motion by VanDeVere, seconded by Nielsen to approve the Findings of Fact and Order Regarding Redetermination of Benefits, Pursuant to Minnesota Statutes 103E.351 for County Ditch 49. A roll call vote was called: Corey Sik – Yea, Mic VanDeVere – Yea, Dean Nielsen – Yea, Joe Drietz – Yea, Steve Hauswedell – Yea. Motion passed.

Hauschild presented information on Judicial Ditch 11.

The Judicial Ditch 11 was ordered by the 12<sup>th</sup> District Court in 1918 and consists of 21,061 feet of 4"-16" tile in Marble Twp Sec 5, 6, & 7. This system is still using the original benefit amount of \$8,420.00 from 1918.

The purpose of the redetermination is to get the benefits up to date to meet current economic conditions as the tile is starting to show its age. Some property splits were made in the past that did not adequately address the ditch benefits. An adjustment was made in 2022 to split the benefits, but should be reviewed under this redetermination. The Authority will also need to deal with the impacts to the benefit areas where some land was acquired by the US Fish and Wildlife.

Public Comments were requested. Discussion was held on landowners that have tiled into the ditch, but are currently not paying the benefits. Discussion was also held on the US Fish and Wildlife not having to pay any benefits. A one-time payment was received from US Fish and Wildlife to exclude them from the benefits. The viewers will review any new outlets draining into the ditch system. A question was asked about the estimated cost. An estimate is about \$4.00 per acre. Another question was will this really be worth it if the redetermination costs \$10,000 - \$15,000. One of the purposes is to get benefits assessed on all landowners that benefit from the drainage.

The Findings of Fact and Order was presented which orders the Redetermination of benefits and assigns Gayle Rasmussen, Mike Thoof and Kari Rupp as ditch viewers. Motion by VanDeVere, seconded by Nielsen to approve the Findings of Fact and Order Regarding Redetermination of Benefits, Pursuant to Minnesota Statutes 103E.351 for Judicial Ditch 11. A roll call vote was called: Corey Sik – Yea, Mic VanDeVere – Yea, Dean Nielsen – Yea, Joe Drietz – Yea, Steve Hauswedell – Yea. Motion passed.

Hauschild presented information on Judicial Ditch 21.

The Judicial Ditch 21 was ordered by the 9<sup>th</sup> District Court in 1908 and consists of 4,400 feet of open ditch and 1,700 feet of 12" – 18" tile in Hansonville Twp Sec 12 & 13. This system is still using the original benefit amount of \$8,420.00 from 1918.

The purpose of the redetermination is to get the benefits up to date to meet current economic conditions to allow for repairs as needed.

Public comments were requested.

The Findings of Fact and Order was presented which orders the Redetermination of benefits and assigns Gayle Rasmussen, Mike Thoof and Kari Rupp as ditch viewers. Motion by VanDeVere, seconded by Nielsen to approve the Findings of Fact and Order Regarding Redetermination of Benefits, Pursuant to Minnesota Statutes 103E.351 for Judicial Ditch 21. A roll call vote was called: Corey Sik – Yea, Mic VanDeVere – Yea, Dean Nielsen – Yea, Joe Drietz – Yea, Steve Hauswedell – Yea. Motion passed.

Motion by Nielsen, seconded by VanDeVere to adjourn the Ditch Hearing and reconvene the regular Board Meeting. All voted in favor.

Teresa Keifer and Jessica Foley gave an update on the At Home in Lincoln County website and requested the County fund the site. The yearly cost for the site is \$34,750.00 per year.

Committee Reports were given:

Drietz – CPT  
 Hauswedell – Western Mental Health  
 Nielsen – AMC Region 8 Meeting, Lincoln County Enterprise Development  
 Sik – None  
 VanDeVere – AMC Region 8, Rural MN Energy Board

Auditor Warrants were presented.

Motion by VanDeVere, seconded by Nielsen to approve the following Commissioner Warrants #21031 - #21091 for the following amounts: Revenue - \$85,103.00, Road and Bridge - \$18,232.28, Debt - \$61,935.00 and Ditch - \$8,354.85. All voted in favor.

The following bills were over \$2,000.00 per M.S. 375.12: A&C Excavating LLC - \$2,250.00, A.C.E. of Southwest MN - \$4,139.50, Bakker Septic Tanks, LLC - \$2,878.95, Bond Trust Services Corporation - \$61,935.00, Buffalo Ridge Concrete Inc. - \$2,800.00, Counties Providing Technology - \$5,652.00, Frontier Precision Inc. - \$2,101.50, Ground Works, LLC - \$3,430.00, Hendricks Community Hospital - \$2,542.83, Peterson Law Office PLLC - \$30,384.96, Pictometry International Corporation - \$24,855.00, Southwest Health and Human Services - \$4,357.73, Sunsource - \$2,705.51, Ziegler Power Systems (CAT) - \$2,705.01, and 47 payments less than \$2,000.00 - \$20,887.14.

Deb Vierhuf, Lincoln County Auditor-Treasurer, informed the Board that the city of Ivanhoe has held their public hearing for parcel numbers 18-0020-000 and 18-0023-000. The city has chosen to abate part of the taxes on these parcels. The Board has decided to move forward with a hearing to abate these properties. Motion by Nielsen, seconded by VanDeVere to set a public hearing to be held on July 18<sup>th</sup> at 10:00 a.m. to consider abatement of parcel numbers 18-0020-000 and 18-0023-000. All voted in favor.

Vierhuf presented the final payment to ITC of \$300,000.00 for the Ivanhoe City Broadband. Motion by VanDeVere, seconded by Drietz to approve paying the final payment of \$300,000.00 to ITC for the Ivanhoe City broadband as per MOU which was approved on August 2, 2022 out of the Capital Improvement Account. All voted in favor.

Vierhuf presented the MOA between Lincoln County and the LELS Union for the Juneteenth holiday. Motion by Hauswedell, seconded by Drietz to approve the Memorandum of Agreement between Lincoln County and the Law Enforcement Labor Services, Inc. union to allow Juneteenth to be recognized as a paid holiday. All voted in favor.

Brad Leibfried, GIS specialist, stopped in to inform the Board that all of the Pictometry files have been updated with the new fly over data and that everything looks great. Information only.

Motion by Hauswedell, seconded by Nielsen, to adjourn at 6:13 p.m. All voted in favor.

ATTEST:

(SEAL)

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Corey Sik, 2023 Board Chair

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Deb Vierhuf, County Auditor-Treasurer