

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on January 4, 2022, with Commissioners Joel Arends, Jim C. Jibben, Michael Poppens and Jim Schmidt present. Deputy Auditor Shaun Feilmeier served as Clerk of the Board. William Golden, Chief Civil Deputy State's Attorney, was also present.

ROUTINE BUSINESS:

MOTION by Schmidt and second by Jibben to approve the agenda. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

MOTION by Schmidt and seconded by Poppens that Tiffani Landeen be appointed Chair of the Board of Lincoln County for the year 2022. Arends: "Nay" Jibben: "Nay" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

MOTION by Schmidt and seconded by Poppens that Joel Arends be appointed Vice Chair of the Board of Lincoln County for the year 2022. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Longevity: \$2,650.00

Treasurer's \$1,000.00; FICA 62.00, Medicare 14.50, SDRS 60.00

Gen. Gov. Bldg \$650.00; FICA 40.30, Medicare 9.43, SDRS 39.00

Highway \$1,000.00; FICA 62.00, Medicare 14.50, SDRS 60.00

Reports:

Mileage reports were presented: November 2021 Sheriff patrol mileage report.

Notices from the Department of Agriculture and Natural Resources pertaining to Primo Feedyards LLC State General Permit Application were presented.

MOTION by Schmidt and seconded by Poppens to approve Consent Agenda. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

CONSENT AGENDA:

MOTION by Schmidt and seconded by Poppens to approve Commission Minutes: 12/28/2021. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for the FIRST READING to occur January 11, 2022, and JOINT SECOND READING & PUBLIC HEARING with Sioux Falls City Council to occur January 25, 2022, at the Lincoln County Courthouse at 7:00 p.m. for an Ordinance rezoning the property legally described as W1/2 NE1/4 (Ex. S 247.5' and W 24.75' thereof), Section 22-T100N-R49W from the A-1, Agricultural District to the RR, Rural Residential District and amending the Official Zoning Map of the area of Joint Jurisdiction and a Preliminary Plan (Prairie Over Spring Creek Addition). Location: Parcel ID: 100.49.22.1020. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the Auditor to publish notice for three public hearings to occur between 8:35 a.m. and adjournment during the January 25th Commission meeting to consider applications as follows: Temporary Alcoholic Beverage License for Lincoln County Fairgrounds Foundation at the fairgrounds on March 26, Medical Marijuana License for 605 Cannabis LLC, and a Medical Marijuana License for Dakota Herb LLC. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the 2022 Application for Commercial Garbage Hauler/Recycling Collection License Application from A-OK Sanitary Service and Novak Sanitary Service. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Application Affidavit for Replacement Warrant submitted by Heather Peters for the amount of \$41.00; original warrant number 109129 issued 10/26/2021. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and remove from inventory the following obsolete item from the Sheriff's Office: Item 4733, 2014 Ford Explorer, Serial # 1FM5K8ARXEGC14127, No issues. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a step increase for the following individual in the Sheriff's Office effective the first day of the biweekly pay period following 01.03.2022: Brock Nelson - Deputy Sheriff - SO1/Step 10 - \$29.08/hr. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reclassify Amanda Eden, Deputy State's Attorney, to Senior Deputy State's Attorney, \$3,409.60/biweekly, effective 1.10.2022. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reclassify Ryan Wiese, Deputy State's Attorney, to Senior Deputy State's Attorney, \$3,409.60/biweekly, effective 1.10.2022. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the resignation of Nicole Carson, Paralegal, effective 12.30.2021. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

A resident from the Beresford area commented on County spending and his personal debts.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Jibben reported on preliminary discussions being had regarding water reclamation project in the County.

REGULAR BUSINESS:

COMMISSIONER BRIEFING: Work-session/discussion in regard to financing options and hiring of a project manager for building projects occurred with experts in bonding, architecture, construction, and development who answered questions from the Board. A representative from the Courthouse Improvement Advisory Committee also reported on the advice from said committee. It was requested to arrange for the project manager the Committee was speaking with to attend a Board meeting to discuss services in order to move forward.

COMMISSIONER BRIEFING: Shaun Feilmeier, Deputy Auditor, informed the Board of the necessary facts pertaining to several annual appointments and resolutions before them.

RESOLUTION: BE IT RESOLVED to appoint the following individuals to the following positions for the year 2022:

Southeastern Council of Governments-Executive Board: Jim Schmidt

Southeastern Council of Governments-Executive Board, Alternate: Michael Poppens

Southeastern Council of Governments-Urbanized Development Board1: Tiffani Landeen

Southeastern Council of Governments-Urbanized Development Board2: Jim C. Jibben

Southeastern Council of Governments-Urbanized Development Board3: Joel Arends

Southeastern Council of Governments-Urbanized Development Board, Alternates: Toby Brown, Terry Fluit

Emergency Management Communication System Member: Jim Schmidt

Emergency Management Service, Commission: Jim Schmidt

Emergency Management Service, Coordinator: Harold Timmerman

Lincoln County Weed Board: Jim C. Jibben

Southeastern Mental Health Board of Directors: Tiffani Landeen

Southeastern Mental Health Board of Directors, Alternate: Joel Arends

Airport Liaison Board Member: Michael Poppens

Airport Liaison Board Member, Alternate: Jim C. Jibben

JDC Juvenile Board: Jim Schmidt

School/Police Liaison Officer: Jim C. Jibben

School/Police Liaison Officer, Alternate: Michael Poppens

Inter-Lakes Community Action, Inc. : Jim Schmidt

Inter-Lakes Community Action, Inc. Alternate: Michael Poppens

Sioux Falls Area Chamber of Commerce Board of Directors Jim Schmidt

Sioux Falls Area Chamber of Commerce Board of Directors, Alternates: Joel Arends, Jim C. Jibben, Tiffani Landeen, Michael Poppens

Planning and Zoning Board: Michael Poppens

Planning and Zoning Board, Alternate: Tiffani Landeen

Sioux Valley Regional Railroad Authority: Jim C. Jibben

City of Sioux Falls Solid Waste Planning Board: Jon Hanson

Sioux Metro Growth Alliance: Joel Arends

Sioux Metro Growth Alliance, Alternate: Jim Schmidt

MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye"

Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to appoint the following as legal newspapers of Lincoln County for the year 2022: The Sioux Valley News, The Lennox Independent, The Tea Weekly, and the Argus Leader; and to continue to publish with Beresford Republic. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to appoint Official Depositories of the County as follows: Farmers State Bank at Canton, Security Savings Bank at Canton, First Bank & Trust at Canton, Reliabank Bank at Tea, First National Bank at Harrisburg, Premier Bank at Hudson, Frontier Bank at Sioux Falls, South Dakota Public Funds Investment Trust (FIT) at Sioux Falls, First National Bank at Sioux Falls, First Bank & Trust Wealth Management Services (TIF #7), US Bank (2013 Leased Acct & 2016 Leased Acct). MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to appoint the Chattel Mortgage Sale Location for Lincoln County to be in front of the Courthouse in Canton. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to appoint members to the Joint Board of Mental Illness as follows: Ann Schiltz (Lincoln County resident) be appointed as a regular lay board member of the Board of Mental Illness and Lincoln County Review Board for Developmental Disabilities effective immediately; and Candace Gearman (Lincoln County resident) be appointed as a regular lay board member of the Board of Mental Illness and Lincoln County Review Board for Developmental Disabilities effective immediately; and Francie Miller, Laurie Wernke, and Sean Kooistra (Lincoln County residents) be appointed as alternate lay board members of the Board of Mental Illness and Lincoln County Review Board for Developmental Disabilities effective immediately; and Betsy Koch (Minnehaha County resident) to be appointed as a regular lay board member of the Board of Mental Illness effective immediately; and Leslie Penning (Minnehaha County resident) to be appointed as a regular lay board member of the Board of Mental Illness effective immediately; and Pam Tiede, Mona Helseth, and Laurie Gates (Minnehaha County residents) to be appointed as alternate lay board members of the Board of Mental Illness effective immediately. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED that SDCL §7-7-25 states that the Board of County Commissioners, by Resolution, may authorize county officials to attend educational conferences, meetings, and conventions held and conducted within a 500-mile radius of the Lincoln County Courthouse, 104 N Main, Canton, SD for up to three days, pertaining to the betterment and advancement of county government; THEREFORE, BE IT RESOLVED that the County Highway Superintendent, Auditor, Treasurer, Register of Deeds, State's Attorney, Sheriff, County Assessing Officer, Planning and Zoning Director, IT Director, 911 Coordinator, Building Superintendent, Human Resources Director, GIS Director, 4-H Advisor, and their respective staff, be authorized to attend conferences, meetings, and conventions for the purpose set forth in SDCL §7-7-25 and that the mileage and necessary expenses to attend such be allowed. This Resolution shall be for the fiscal year 2022. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

WHEREAS SDCL 12-15-11 made it the responsibility of the County Commissioners of each county to set the fee for precinct election officials of all units of government in the county.

THEREFORE, BE IT RESOLVED, that the fee for precinct election officials in Lincoln County be set at \$175.00, and election superintendent at \$200.00, for each election.

BE IT FURTHER RESOLVED, that pursuant to SDCL 12-15-7 such election officials be allowed a fixed fee for attendance at a meeting called by the County Auditor for instruction on election laws and the duties of the judges and clerks of election as follows: \$25.00 compensation for election officials plus \$0.42/mile, or the established county rate, roundtrip.

BE IT FURTHER RESOLVED that there will be one cell phone provided by one precinct worker per polling place, and a \$20.00 fee will be issued for the usage of the phone for only that day.

BE IT FURTHER RESOLVED that the person delivering the poll-books and ballot boxes to the County Auditor's Office at the county seat shall receive the county rate for mileage as established pursuant to SDCL 7-7-24, for miles necessarily traveled in going to and returning from making the delivery (SDCL 12-15-11). The county rate for mileage is \$0.42 per mile.

BE IT FURTHER RESOLVED that the judges, clerks, Resolution Board, Counting Board, and any other personnel deemed necessary by the County Auditor for receiving ballot boxes, supplies, and for tabulating ballots be allowed \$15 per hour.

BE IT FURTHER RESOLVED that the Absentee Precinct personnel deemed necessary by the County Auditor for conducting Absentee Precincts be allowed \$15 per hour plus \$0.42/mile, or the established county rate, roundtrip.

BE IT FURTHER RESOLVED that the payment of rent for polling places be \$50.00 per precinct, not to exceed \$100.00 per polling place.

MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to appoint and authorize Harold Timmerman as Lincoln County Designee to request resources from the South Dakota Department of Agriculture's Wildland Fire Division for the duration of his appointed term as Emergency Manager. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the Auditor to schedule and advertise all public hearings for Alcoholic Beverage Licenses, vacate highway/plat/right-of-way, Road Districts, Airport Hanger leases, and Medical Marijuana Licenses as needed in the year 2022. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Sheriff Steve Swenson informed the Board of the necessary facts pertaining to two annual agreements. Swenson also informed the Board of the necessary facts pertaining to handgun replacement.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Intergovernmental Agreement for Adult Detention Services with Union County for the year 2022. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Animal Control Services and Impoundment Facility Operations Agreement with Sioux Falls Area Humane Society for the year 2022. MOTION by Jibben and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and authorize trade of twenty-four (24) .40 caliber Glock handguns to Jack's Uniform Equipment. BE IT FURTHER RESOLVED to approve the purchase of twenty-five (25) Glock 45 MOS 9mm and six (6) Glock 43X 9mm for a total of \$5,853.60 after trade-in. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, informed the Board of the necessary facts pertaining to a grant application requirement.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to sign Right-of-Way and Utility Certificates for BIG grant application for structure 42-148-050. MOTION by Schmidt and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Karla Goossen, Director of Equalization, informed the Board of the necessary facts pertaining to an abatement before them.

RESOLUTION: BE IT RESOLVED to abate property taxes for 2020 payable 2021 submitted by Whisper Ridge South LLC for the property legally described as SF Whisper Ridge South ADD Lot 4 Blk 9, a/k/a parcel number 283.05.09.004, in the amount of \$1,848.84 due to SDCL 10-18-1(2). MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

MOTION by Arends and second by Jibben to adjourn at 10:06 a.m. until 8:30 a.m. on January 11, 2022. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Lincoln County Board of Commissioners

_____/s/_____
Tiffani Landeen, Lincoln County Chair

Attest: _____/s/_____
Shaun Feilmeier, Deputy Auditor

Approved January 11, 2022.
Please publish the week of January 17, 2022.