

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Vice Chair, Joel Arends, at 8:30 a.m. on January 11, 2022, with Commissioners Jim C. Jibben and Jim Schmidt present. Tiffani Landeen and Michael Poppens participated via telephone. 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 Jibben and second by Schmidt to approve the agenda. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Claims: \$1,970,247.34

GENERAL: Independent Publishing, Mins/Ntcs/Delinquent Taxes \$2,375.10; Sioux Valley News, Mins/Ntcs/Delinquent Taxes/Christmas Section \$1,374.49; A & B Pure Water, Water \$100.40; Sdacc, Sdacc & Naco Membership \$10,734.00; Peterson, Stuart, Public Defender \$66,666.67; Griesse Law Firm, Crt Appt Atty- Ivc \$290.10; Eich Law Office, Crt Appt Atty- Ivc \$1,855.63; Knecht, Andrew J, Crt Appt Atty \$3,750.60; Isi, Llc, Interpreter \$80.00; First Step Counseling, Ivc Eval \$200.00; Brende & Meadors, Crt Appt Atty \$2,975.10; Jurors, Fees, Mileage \$602.88; Us Bank, Statement 12/20/2021 \$3,029.17; Midco, Internet/Data Hrsbg \$1,074.99; Beck, Pat, Transcripts \$128.00; Avera Mckennan Hopsital, Er Visit \$143.87; Cassel Meyer, Mary Anne, Transcripts \$28.00; Pmb 0112, Executive, Network Tech/Micrographic \$802.60; Sanford Health, Er Visits \$302.96; Century Business, Copier Maint \$512.49; Interstate Office, Supplies-Office \$485.27; Otis Elevator, Cont Cjf65011-\$229.32; G & R Controls Inc, Commission Room \$1,238.00; Sunshine Foods, Supplies-Era Det \$15.58; At&T Mobility, Mobile Internet \$2,650.70; Family Services, Individual Counseling \$70.00; Auto Dynamics Inc, Repairs \$560.75; B & E Autoworx Llc, 21-3, 20-4 Repairs \$76.95; Harrisburg Ace Hardware, Batteries/Bulbs \$80.72; Dave's Service & Repair, Oil Change/Tow \$330.25; Graham Tire Co Llc, Tires - #16-2 \$584.04; Voyager Fleet System, Fuel Statement-Dec \$747.23; Canton Home & Farm, Keyblanks/Paint Spray \$37.11; Frantzen Reporting, Transcripts \$357.90; Two Way Solution, Quarterwave Antennas \$134.97; Transunion Risk, Search Engine \$75.00; Silverstar Car Wash, Car Wash Membership \$199.80; Defense Technology, Training \$175.00; Aj's Automotive Tire, Repair #17-\$25.75; Minnehaha County Jail, Boarding Fees/Prisoner Care \$173,603.99; Sioux Falls Area, Medical/Boarding \$3,300.13; Pennington Co Jail, Prisoner Transport \$805.55; Buddi Us Llc, Tagging Days \$1,668.00; Karl Chevrolet, 2021 Chevy Tahoes \$111,748.50; Sd Div Of Motor Vehicles, Titles/Plates/Postage \$63.60; Sellmark Corporation, Pulsar Helion Th \$6,960.00; Sanford Health Pathology, Coroner Calls-Dec \$1,650.00; Med-Star Paramedic, Transport \$900.00; Childrens Inn, 2022 Budget Allocation \$5,681.00; Forward Sioux Falls, 2022 Budget Allocation \$1,579.00; Help Line Center, 2022 Budget Allocation \$9,473.00; Inter-Lakes Comm, 2022 Budget Allocation \$2,210.00; Lifescape, 2022 Budget Allocation \$25,845.00; The Compass Center, 2022 Budget Allocation \$9,473.00; Sd State Treasurer, Mentally Ill \$791.63; Johnson Pllc, Katie, Mi Board- December \$1,994.85; Anderson, Jennifer, Mi Evals \$1,264.96; Lewno Law Office, Mi Board- Yankton \$81.50; Denherder Law Office, Crt Appty Atty \$128.70; Kennedy Pier Loftus, Crt Appt Atty \$128.70; Southeastern Behavioral, 2022 Annual Allocation \$44,828.00; Beresford Public Library, 2022 Budget Allocation \$4,500.00; Canton Public Library, 2022 Budget Allocation \$6,000.00; City Of Tea, 2022 Budget Allocation \$5,000.00; City Of Harrisburg, 2022 Budget Allocation \$5,000.00; Hudson Library, 2022 Budget Allocation \$600.00; Lennox Public Library, 2022 Budget Allocation \$6,000.00; Sd Dept Of Game, 2022 Pledge Blood Run \$15,000.00; South Lincoln Rural Water, Water-4-H \$59.45; Beresford City T, 2022 Budget Allocation \$1,000.00; Beresford Commun, 2022 Budget Allocation \$1,000.00; Beresford Faith, 2022 Budget Allocation \$1,200.00; Canton Nutrition, 2022 Budget Allocation \$2,700.00; Canton Transit, 2022 Budget Allocation \$2,500.00; Help Line Rsvp/H, 2022 Budget Allocation \$2,000.00; Lennox Life Enrichment, 2022 Budget Allocation \$5,000.00; Lennox Nutrition, 2022 Budget Allocation \$1,500.00; Senior Companion, 2022 Budget Allocation \$2,000.00;

Lincoln Co Conservation, 2022 Budget Allocation \$20,000.00; Riverside Technology, Supplies-Toner \$65.00; Smit, Randy, Weed Board Mileage \$28.72; Secog, 2022 Secog Dues \$18,835.00; Mailway Printers, Building Inspect \$582.03

ROAD AND BRIDGE: Sdrs Special Pay, Participant Fee \$45.00; A-Ox Welding Supply, T Cyl Lease/Q/K \$110.30; Jfi Inc, Used Tire/Propane \$64.37; Transource, Core/Nox Sensor \$1,380.31; A & B Pure Water, Water \$1.50; Independent Publishing, Publishing \$48.00; Sioux Valley New, Help Wanted-Seasonal Equip Operator \$48.00; Us Bank, Statement 12/20/2021 \$356.71; Benco Products Inc, Flowmeter Kit/Co \$763.63; Butler Machinery, Restocking Fee \$53.49; Canton Home & Farm, Paint Spray/Bush \$13.95; Fastenal Company, Nylock/Drill \$56.26; Jfi Inc, Used Tire/Propane \$24.41; Northern Truck Equip, Auger Motor \$590.48; Malloy Electric, Oil Seals \$73.39; Sturdevant's Auto Parts, Adapters/Mats/Wi \$274.40; Sdachs, Registration \$100.00; Midco, Internet \$15.75; Cintas, Mats/Towels/Towel Can \$80.92; Micheal's Purple, Pump Out Holding \$140.00; Presto-X, Commercial Pest \$142.00; South Lincoln Rural Water, Water-Hwy \$278.45; Southeastern Electric, Electricity-Hwy \$3,302.42; At&T Mobility, Mobile Internet \$98.65; Midamerican Energy, Monthly Gas Usage \$5,555.47; Vast Broadband, Internet-Hwy \$530.61

911: A & B Pure Water, Water \$50.95; Midco, Internet \$39.39

EMS: I-29 Fuels, Fuel-Emergency Generator \$461.75; Verizon Wireless, Mobile Internet \$40.01; Midco, Internet \$7.87; Tea Fire Dept, Firefighter Classes \$3,840.00

AIRPORT: Legacy Aviation, Airport Mgmt Fee \$2,916.67; Lincoln Co Rural, Water-Airport \$37.50; Southeastern Electric, Electricity \$238.30; Vast Broadband, Airport \$47.19; Helms & Associates, Project # A7596: \$3,045.00

LAW LIBRARY: Lexisnexis/Relx, Law Library \$280.00

STATEWIDE SOBRIETY: Sd Attorney General, Sd Attorney General \$129.00; Sd Attorney General, Sd Attorney General \$2,020.00; Sd Attorney General, Sd Attorney General \$10,351.00

MODERN/PRESERV: Sdaco, Sdaco M & P Fund \$2,566.00

STATE MV: Sd State Treasurer, Sd State Treasurer \$295,811.47

SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,023,867.07

BIRTHS, DEATHS, & TITLES: Sd State Treasurer, Sd State Treasurer \$500.00

Payroll: \$342,771.02

Commissioner's \$4,780.00; FICA 281.69, Medicare 65.87

Auditor's \$11,517.00; FICA 599.75, Medicare 140.27, SDRS 691.01

Treasurer's \$17,925.30; FICA 1,024.97, Medicare 239.71, SDRS 1,075.53

States Attorney's \$48,682.91; FICA 2,735.95, Medicare 639.85, SDRS 2,859.23

Gen Gov Bldg \$13,799.41; FICA 748.98, Medicare 175.17, SDRS 827.95

DOE \$32,248.12; FICA 1,822.84, Medicare 426.31, SDRS 1,883.31

ROD \$8,472.01; FICA 443.12, Medicare 103.64, SDRS 469.77

VSO \$2,162.60; FICA 107.94, Medicare 25.24, SDRS 129.76

GIS \$5,201.20; FICA 282.11, Medicare 65.98, SDRS 312.07

IT \$8,236.60; FICA 484.96, Medicare 113.42, SDRS 494.20

HR \$4,786.80; FICA 275.57, Medicare 64.45, SDRS 287.21

Sheriff's \$99,431.16; FICA 5,830.13, Medicare 1,363.51, SDRS 7,302.03

WIC \$166.16; FICA 10.30, Medicare 2.41

County 4-H \$3,337.22; FICA 197.56, Medicare 46.21, SDRS 200.23

P & Z \$9,746.40; FICA 585.59, Medicare 136.96, SDRS 562.29

Highway \$38,611.48; FICA 2,140.87, Medicare 500.68, SDRS 2,318.84

Communications \$28,870.15; FICA 1,674.14, Medicare 391.54, SDRS 1,732.21

EM MGMT \$3,064.00; FICA 167.54, Medicare 39.18, SDRS 185.28

24/7 \$1,732.50; FICA 100.18, Medicare 23.43, SDRS 138.60

Reports:

Mileage reports were presented as follows: December 2021 Emergency Management mileage report, December 2021 Highway No100 mileage report, December 2021 Highway mileage report, September-December 2021 Assessor mileage reports.

The December 2021 Register of Deeds report was presented totaling \$149,313.20.

A hearing notice from Lincoln County Planning & Zoning Department in regard to an application to rezone a property near Worthing was presented.

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

CONSENT AGENDA:

MOTION by Schmidt and seconded by Jibben to approve Commission Minutes: 1/4/2022. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the resignation of Kara Henke, Property Technician, effective 01.07.2022. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the resignation of Alecia Halvorson, Deputy Sheriff, effective 01.17.2022. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the Auditor to advertise a public hearing to occur during the regular meeting on February 1, 2022, between 8:35 a.m. and adjournment pursuant to SDCL 7-8-10 for the purpose of changing the boundaries of the commissioner districts to divide and redistrict the county so that each district contains as near as possible an equal number of residents, as determined by the last preceding federal decennial census. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to increase the rate of Mental Illness Board attorneys to the 2022 court appointed attorney rate of \$101.00 per hour and keep the mileage rate at \$1.00 per mile effective January 1, 2022. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

An individual residing in Tea from the SD Canvassing organization commented on elections in Lincoln County and South Dakota.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

No Commissioner reports were given at this time.

REGULAR BUSINESS:

COMMISSIONER BRIEFING: Dick Strassburg from TEGRA Group introduced his company and offered to answer questions regarding Owner's Representative.

COMMISSIONER BRIEFING: William Golden, Chief Civil Deputy State's Attorney, informed the Board of the necessary facts pertaining to an RFP for project manager.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 9:16 a.m. for the purposes of SDCL 1-25-2(3): Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:31 a.m. MOTION by Jibben and seconded by Schmidt. Jibben: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Commissioner Poppens returned to the meeting.

RESOLUTION: BE IT RESOLVED to authorize Request for Proposal for contract service manager, owner representative, or project manager and publish as soon as possible. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Commissioner Landeen returned to the meeting at 9:33 a.m.

COMMISSIONER BRIEFING: Chad Hazel from the Lincoln County Fairgrounds Foundation informed the Board of the need for a lease of fairgrounds in order for the Foundation to construct the necessary buildings they have been fundraising for. This will allow for a speedier construction process as well as continued fundraising during the project.

RESOLUTION: BE IT RESOLVED to direct the State's Attorney Office to work with the Lincoln County Fairgrounds Foundation on a lease similar to the airport leases and hear it at the next Board meeting on the 25th of January. MOTION by Schmidt and seconded by Landeen. Jibben: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Commissioner Landeen left the meeting at 9:45 a.m.

COMMISSIONER BRIEFING: Wendy Sweeter, 4-H Advisor, presented the 4-H Annual Report for 2021. Sweeter also answered questions from the Board.

COMMISSIONER BRIEFING: Harold Timmerman, Emergency Manager, informed the Board of the necessary facts pertaining to a grant signature sheet.

RESOLUTION: BE IT RESOLVED to approve and authorize the Vice Chair and Auditor to execute the State of South Dakota Department of Public Safety - office of Emergency Management Local Emergency Management Performance Grant Quarterly Report Single Signature Sheet for the 1st quarter. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

COMMISSIONER BRIEFING: Jared Narum, Highway Operations Supervisor, informed the Board of the necessary facts pertaining to 2022 Annual Supply Bids, 2022 Spring Load Limits, Motor Carrier Services request to enforce, and a budgeted trailer purchase.

RESOLUTION: BE IT RESOLVED to authorize the request for bids for the 2022 Annual Highway Department Supplies; bids opening date of February 7 at 11:15 a.m. MOTION by Jibben and seconded by Schmidt. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

LINCOLN COUNTY WEIGHT LIMIT ENFORCEMENT RESOLUTION

Whereas, seasonal climatic changes can be detrimental to our Highways and create dangerous driving

conditions and Whereas, the Lincoln County Board of County Commissioners desires to protect existing Lincoln County Highways, Ultimately saving tax dollars and, Whereas, The Lincoln County Board of County Commissioners, Desire the enforcement of weight limitations on Lincoln County Highways as set forth and posted by the Lincoln County Highway Department.

NOW THEREFORE BE IT RESOLVED; Whereas the limits on Lincoln County Highways shall be set at seven (7) tons per axle (40 Ton Max) on designated asphalt surfaced roads and six (6) tons per axle on designated gravel roads, during the spring thaw period and when load limit signs are in place and that the South Dakota Motor Carrier Services is hereby requested to enforce said reduced weight limitations on Lincoln County Highways.

BE IT FURTHER RESOLVED that the penalty for the violation of the load restrictions shall be set forth in SDCL 32-22-55.

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

RESOLUTION: BE IT RESOLVED to approve and authorize the Vice Chair to execute the letter requesting South Dakota Motor Carrier Services to enforce the 2022 Spring Load Limits in Lincoln County. MOTION by Jibben and seconded by Schmidt. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the purchase of a trailer from Ludens in the amount of \$20,950.00 for the Highway Department. MOTION by Schmidt and seconded by Jibben. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

FIRST READING occurred for an Ordinance of Lincoln County, SD, 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. Location: Parcel ID: 100.49.22.1020. Toby Brown, Planning & Zoning Director, explained the application and staff report. Brown answered questions from the Board.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, informed the Board of the necessary facts pertaining to her request for a surplus vehicle to be transferred to her office for use by the Treasurer's Office, Register of Deeds Office, and Auditor's Office required training out of County.

RESOLUTION: BE IT RESOLVED to transfer the following surplus vehicle to the Auditor's Office inventory: Ford Explorer VIN #1FM5K8ARXEGC14127 item #4733. MOTION by Poppens and seconded by Schmidt. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

COMMISSIONER BRIEFING: Jeff Schaefer from Legislative Audit reported on and conducted closing conference for the audit ending in 2020. Schaefer reported that there were no concerns to report.

COMMISSIONER BRIEFING: Julia Disburg, Human Resources Director, requested Board action regarding 2022 holidays as well as clarification on intent of duration of a Board action from a previous year.

RESOLUTION: BE IT RESOLVED to close the administrative side of the Lincoln County Courthouse at 12 Noon on Friday, April 15, 2022, as administrative leave for Lincoln County employees but remain open on June 20th. MOTION by Poppens and seconded by Jibben. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to grant the same cost-of-living pay increase to the Sheriff's Office Command Staff as the employees governed by the Agreement with Lincoln County Deputy Sheriffs Fraternal Order of Police Lodge #1 Labor Council during the 2022 pay year.

MOTION by Jibben and second by Schmidt to adjourn at 10:34 a.m. until 8:30 a.m. on January 25, 2022. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Lincoln County Board of Commissioners

_____/s/_____
Joel Arends, Lincoln County Vice Chair

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

Approved January 25, 2021.
Please publish the week of January 31, 2022.