THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on January 25, 2022, with Commissioners Jim C. Jibben, Michael Poppens and Jim Schmidt present. Auditor Sheri Lund 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 Poppens to approve the agenda with the following change to move item 4 under regular business to item 2. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Claims: $340,120.10
GENERAL: United Healthcare, Cobra Health Ins $885.83; Metlife, Employee Life Ins $319.78; New Century Press, Minutes/Notices $635.27; Star Publishing, Minutes/Notices $1,045.59; Midco, Phone/Video/Cross-Connect/Internet-4-H $1,881.01; Minnehaha Co Auditor, Court Room Rental $50,000.00; Heidepriem, Purtll, Crt Appt Atty $4,102.24; Resolute Law Firm, Crt Appt Atty $1,846.05; Tschetter & Adams Law, Crt Appt Atty $1,100.46; Vuong Law, Crt Appt Atty- Juv $3,985.25; Dakota Law Firm, Crt Appt Atty- Juv $406.50; A To Z World Languages, Interpreter $160.00; All Nations Interpreters, Interpreters $735.00; Certified Languages, Interpreter $82.50; Minnehaha County Jail, Pretrial Service Agreement $17,500.00; Nguyen, Lam, Interpreter $75.00; Dept Of Social Services, Psych Eval $600.00; Price Phd, Thomas, Competency Eval $2,400.00; Beck, Pat, Grand Jury Proceedings/Transcripts $96.75; Frantzen Reporting, Grand Jury Proceedings/Transcripts $989.10; Skorczewski, Jenna, Prelim Hearing Transcript/Transcripts $296.40; Jurors, Fees, Mileage $884.08; Tyler Technologies, 1099 Process Training/Incode 10 Bank Recon $605.00; Minnehaha County Jail, Blood Draws $575.00; Paragon Health & Wellness, Blood Draws $1,560.00; Plymouth County, Subpoena Case $124.64; Interstate Office, Batteries/Office Supplies $443.88; Riverside Technologies, Supplies-Toner $125.00; Thomson Reuters-West, Books & Bounds Volumes $78.28; Associated Consulting, Project # 120096 $994.50; G & R Controls Inc, Prvntve Maint/Breaker Down $4,986.23; Heiskell Construction, Door Installed Judge Room $1,871.84; Jerry's Auto Sale, Transmission Flush $210.00; Canton Home & Farm, Adhesive Putty/Caulk/Nults/Bolts $81.47; Cintas, Mats $265.95; Lennox Ace Hardware, Key For Old Weed $5.58; Prochem Dynamics, Supplies-Breakroom $679.58; Zee Medical Service, 1st Aid Supplies-Crthse $171.95; Bomgaars, Extension Cords/Timers $49.96; City Of Canton, Water/Sewer $337.11; Midamerican Energy, Monthly Gas Usage $5,248.90; Novak Sanitary Svc, Garbage/Recycling $394.08; Xcel Energy, Electricity $6,334.86; Baete-Forseth Hvac, Courthouse Hvac Upgrade $23,299.99; Grainger, Pest Control Sprayer $161.86; Governmentjobs.Com, Insight Sbscrptn/Text Messaging/Supplies $3,359.01; Route 1, Kybrd/Crdlpnt/Dome/Supplies $54,811.12; Homeland Health, Flu Shots $70.00; Well365, Llc, Wellness Portal/Coaching $2,210.00; B & E Autoworx Llc, 21-3, 20-4, 20-1 $151.90; Billion Chrysler, Replaced Oil Coo $3,007.56; Jack's Uniforms, Uniform $721.34; Workforce-South, Wf Non Dot Pep $70.00; Silverstar Car Wash, Car Wash Membership $199.80; Defensive Edge Training, Course Registration $450.00; Northern Safety, Telescope Pole W $150.63; Sanford Health Pathology, Autopsy-Blood Draw $517.80; Minnehaha Co Regional Jdc, Comm Sprvsn/Child/Shltr Care $18,278.55; Stantec Consulting, Project # B00769 $9,418.80; Dakotabilities Inc, 8 Cl-Jan/Feb/Mar $1,440.00; Minnehaha Co Human, Monthly Poor Relief $6,995.27; Lewis Drug, Inc, County Assistance $575.19; Sanford Health, Public Health Svc $1,250.00; Southeastern Behavioral, Mobile Crisis-Dec $572.45; Lewis & Clark Behavioral, Bmi Intake $184.00; Yankton Co Treaser, Mi Hearing- Yankton $125.00; Dean Schaefer Court, Mi Hearings $114.00; Anderson, Jennifer, Mi Evals $1,888.28; Salem Qmhp, Karla, Mi Evals $880.00; Loving, Philip, Mi Evals $2,465.89; Johnson Pllc, Erin, Mi Board- November $1,722.60; Ver Beek Law Prof Llc, Mi Board- December $2,129.49; Avera Mckennan Hospital, Mi Hold $2,984.00; Imeg Corp, Project # 200061 $510.00; 4-H Club Leaders, Storage Rent-Tom $80.00; Menards-West, Filter/Sweeper $27.41; Chs Eastern Farmers, Propane $629.18; Napa Auto & Truck, Hose Fittings/Fi $122.92; Weed & Pest

Conference, Conference Registration $450.00; Heggen, Russell, Weed Applicator Licenses $71.75; Hogan, Wendi, Mileage- 01182022 $13.19; Johnson, Mark, Mileage- 01182022 $9.83; Enstad, Collin, Mileage- 01182022 $18.14; Jongeling, Jerry, Mileage- 01182022 $15.71; Poppens, Michael, Mileage- 01182022 $19.32; Sioux Metro Growth, Membership $5,000.00
ROAD AND BRIDGE: Metlife, Employee Life Ins $47.84; Stan Houston Equip, Boom Rental/Pruner Saw $1,291.45; Howe Heating & Plumbing, Installed Pressure $6,150.22; Sd Div Of Criminal, Background Check $43.25; Star Publishing, Help Wanted-Seasonal Equip Op $30.00; New Century Press, Help Wanted-Seasonal Equip Op $15.00; Cole's Petroleum, Fuel $16,298.10; Butler Machinery, Filters/Elements $1,442.39; Canton Home & Farm, Caulk/Nuts/Bolts $12.57; Cintas, Mats/Towels/Towel Can $80.92; Fastenal Company, Hcm 10plt Filter $78.20; Napa Auto & Truck, Hose Fittings/Fi $1,033.01; Transource, Oil Filters $53.28; Zee Medical Service, 1st Aid Supplies $96.85; Bomgaars, Ball Valve/Mats $98.01; Diesel Machinery, Filters/Scraper $795.14; Sdsu-Sd Ltap, Sd Asphalt Conference $125.00; Midco, Phone/Video $91.58; Micheal's Purple Petunia, Pump Out Holding $237.50; Novak Sanitary Svc, Garbage/Recycling $277.63; Xcel Energy, Electricity-Hwy $82.74; Lyle Signs Inc, Speed Limit Sign $154.60; Imeg Corp, Project Costs $41,381.72
911: Metlife, Employee Life Ins $32.89; Two Way Solutions, Tower Rent/Intmttnt Console $2,957.98; Innovative Office Solutions, Supplies-Folders/Labels $104.33; Xcel Energy, Electricity $9.00; Centurylink, Backup Lines $170.01; Language Line Serives, Interpreter $200.00; Midco, Phone/Video $156.39; Vast Broadband, 911 Circuits $2,822.01
EMS: Metlife, Employee Life Ins $0.75; Sdema, Memberhsip Dues $30.00; Midco, Phone/Video $66.52
AIRPORT: A-1 Septic Tank, Pump Septic Tank $250.80
24/7: Metlife, Employee Life Ins $2.99; Pharm Chem Inc, Sweat Patch Analysis $283.05; Midco, Phone/Video $23.78
DEBT SERVICE-TIF #7: First Bank & Trust, Annual Agent Fee $750.00

Payroll: $326,625.75

Commissioner's $4,780.00; FICA 281.69, Medicare 65.87
Auditor's $11,517.02; FICA 599.75, Medicare 140.27, SDRS 691.01
Treasurer's $17,864.61; FICA 1,021.21, Medicare 238.83, SDRS 1,071.88
States Attorney's $46,715.03; FICA 2,595.24, Medicare 606.95, SDRS 2,741.16
Gen Gov Bldg $14,181.63; FICA 772.68, Medicare 180.72, SDRS 845.64
DOE $31,646.55; FICA 1,785.54, Medicare 417.59, SDRS 1,847.21
ROD $8,453.64; FICA 441.98, Medicare 103.37, 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 $8,250.03; FICA 485.79, Medicare 113.61, SDRS 495.00
HR $4,786.80; FICA 275.57, Medicare 64.45, SDRS 287.21
Sheriff's $88,750.55; FICA 5,167.92, Medicare 1,208.63, SDRS 6,421.89
WIC $477.71; FICA 29.62, Medicare 6.93
County 4-H $3,337.22; FICA 197.56, Medicare 46.21, SDRS 200.24
P & Z $9,371.40; FICA 562.34, Medicare 131.51, SDRS 562.29
Highway $39,377.74; FICA 2,189.69, Medicare 512.12, SDRS 2,366.09
Communications $25,008.02; FICA 1,434.67, Medicare 335.51, SDRS 1,500.48
EM MGMT $3,064.00; FICA 167.73, Medicare 39.23, SDRS 185.46
24/7 $1,680.00; FICA 96.93, Medicare 22.67, SDRS 134.40

Reports:
Mileage reports were presented: 4th quarter 2021 Planning and Zoning, December 2021 Buildings and Grounds and December 2021 Patrol mileage reports.
The December 2021 Clerk of Courts report totaling $64,725.22 was presented.

Notice from the U.S. Army Corps of Engineers regarding permit for Nine-mile Lake Addition applied for by Runge Enterprises.
The 2021 Wildlife Damage Management Annual Report was presented.
The 2020 Audit of the Lincoln County Financials was presented.
A funding request for American Recovery Plan Act (ARPA) funds was presented from South Lincoln Rural Water System Inc.
The fourth Quarter review of the general fund was presented.
A letter of thanks from Beresford Faith in action for financial contribution was presented.

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

**CONSENT AGENDA:**
MOTION by Jibben and seconded by Schmidt to approve Commission Minutes: 1.11.2022 and 1.19.2022. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute Amendment II to agreement #22SC091292 between Lincoln County and the South Dakota Department of Health for Wic Services. MOTION by Jibben and seconded by Schmidt. 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 01.11.2022: Gregri DeGrange - Deputy Sheriff - SO1/Step 6 - $26.34/hr. MOTION by Jibben and seconded by Schmidt. 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 01.21.2022: Robert Corsini - Deputy Sheriff - SO1/Step 3 - $24.46/hr. MOTION by Jibben and seconded by Schmidt. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Commissioner Arends arrived at 8:31 a.m.

**OPPORTUNITY FOR PUBLIC COMMENT:**
No public comment was presented at this time.

**COMMISSIONER REPORT (INFORMATIONAL ONLY):**
Commissioner Schmidt stated that Representative Otten will have his proposal in front of the Taxation Committee on Thursday and plans to be in Pierre to support it.

**REGULAR BUSINESS:**
RESOLUTION: BE IT RESOLVED to enter Executive Session at 8:35 a.m. for the following purposes: Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. SDCL 1-25-2(3). MOTION by Poppens and second by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:04 a.m. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

SECOND READING & SECOND PUBLIC HEARING occurred for an Ordinance of Lincoln County, SD, amending the 2009 Revised Zoning Ordinance for Lincoln County by rezoning property legally described as Lot 1, Dakota Steel Addition, E1/2 NE1/4, Section 31-T97N-R49W from the "A-1" Agricultural District to the "I-1" Light Industrial District. Location: 29029 477th Avenue. Toby Brown, Director of Planning and Zoning, informed the Board that at 5:30 p.m. the applicant requested to withdraw the application to rezone.

PUBLIC HEARING to consider the following application for a Temporary On-Sale Malt Beverage License to operate outside of a municipality for the Lincoln County Fairgrounds Foundation located at 34.12 Acres in Northeast Quarter including Railroad Property 29-99.51, Lincoln County, South Dakota, for a fundraiser on March 26, 2022. Applicant was present by telephone. No one spoke in favor nor opposition.
RESOLUTION: BE IT RESOLVED to approve the application for a Temporary On-Sale Malt Beverage License to operate outside of a municipality for the Lincoln County Fairgrounds Foundation located at 34.12 Acres in Northeast Quarter including Railroad Property 29-99.51, Lincoln County, South Dakota, for a fundraiser on March 26, 2022. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

PUBLIC HEARING to consider an application to acquire a Medical Marijuana License for Dalton Grimmius (Dakota Herb LLC) to operate outside of a municipality on the property legally described as Muellers 2nd ADD Lot 4B BLK 5-19-100-50 to the City of Sioux Falls, a/k/a parcel number 100.50.19.C5B4. William Golden, Chief Civil Deputy State's Attorney, commented that the application is in compliance with County Ordinance. Applicant was present. No one spoke in favor nor opposition.
RESOLUTION: BE IT RESOLVED to approve the application to acquire a Medical Marijuana License for Dalton Grimmius (Dakota Herb LLC) to operate outside of a municipality on the property legally described as Muellers 2nd ADD Lot 4B BLK 5-19-100-50 to the City of Sioux Falls, a/k/a parcel number 100.50.19.C5B4. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

PUBLIC HEARING to consider an application to acquire a Medical Marijuana License for Ned Horsted (605 Cannabis LLC) to operate outside of a municipality on the property legally described as E1/2SE1/4 *EX LOTS H-1-2-3 & SINNING TRS & COMMERCE PARK ADD* 18-98-50, a/k/a parcel number 098.50.18.4010. William Golden, Chief Civil Deputy State's Attorney, commented that the application is in compliance with County Ordinance. Applicant was present. No one spoke in favor nor opposition.
RESOLUTION: BE IT RESOLVED to approve application to acquire a Medical Marijuana License for Ned Horsted (605 Cannabis LLC) to operate outside of a municipality on the property legally described as E1/2SE1/4 *EX LOTS H-1-2-3 & SINNING TRS & COMMERCE PARK ADD* 18-98-50, a/k/a parcel number 098.50.18.4010. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Commissioner Arends gave background information regarding the Spring Creek Golf Course and future use. Barb Koopman and Phil Keithahn members of the Spring Creek Committee presented information regarding the proposed Game Fish & Parks campground at Spring Creek Golf Course.

COMMISSIONER BRIEFING: Wendy Sweeter, 4-H Advisor informed the Board of the necessary facts pertaining to the 4-H Shooting sports Raffle. Tickets will be sold mid-February through early-April with the drawing to occur around April 10, 2022.

COMMISSIONER BRIEFING: William Golden, Chief Civil Deputy State's Attorney, informed the Board of the necessary facts pertaining to the Lincoln County Fairgrounds Foundation Lease agreement with Lincoln County. Golden asked if the fees could be waived for the building permit.

RESOLUTION: BE IT RESOLVED to approve the lease agreement between Lincoln County and the Lincoln County Fairgrounds Foundation and to waive the building permit fees. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Agreement for professional Services for Airport Project Number AIP 3-46-0078-020-2022 with Helms & Associates. MOTION by Arends and seconded by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent informed the Board of the necessary facts pertaining to the expansion of the Highway shop for additional office space. The Board requested additional information be presented regarding the project.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:50 a.m. for the following purposes: Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. SDCL 1-25-2(3). MOTION by Poppens and second by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:47 a.m. MOTION by Poppens and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

MOTION by Schmidt and second by Arends to recess at 10:48 a.m. until 7:00 p.m. on January 25, 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/
Sheri Lund, Auditor

Approved February 1, 2022.
*Please publish the week of February 7, 2022.*