

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by Chair Tiffani Landeen at 8:30 a.m. on March 23, 2021, with Commissioners Joel Arends and Jim C. Jibben present. Deputy Auditor, Shaun Feilmeier, served as Clerk of the Board. Chief Civil Deputy State's Attorney, William Golden, was also present.

ROUTINE BUSINESS:

MOTION by Arends and seconded by Jibben to approve agenda. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

Claims:

GENERAL FUND: Star Publishing, Min/Ntcs/Sle Tx Deed/Sld Bid/Hlp \$993.47; Midco, Phone/Video/Cross Connect \$1,926.42; Argus Leader/Multimedia Holding, Min/Ntcs/Sale Tax Deed/Sld Bid \$4,014.75; Metlife, Employee Life Insurance \$299.71; United Hlthcre Premium Billing, Cobra Health Insurance \$1,467.15; Election Systems & Software Inc, Hardware/Firmware Maint/Li \$135.42; Jurors, Fees, Mileage \$10,371.28; Certified Languages Internatnl, Interpreter \$26.40; Century Business Products, Printer Staples/Kyocera Printer \$7,309.49; Avera Mckennan Hospital, Er Visits/Blood Draw/Prsnr Cre \$516.24; Sioux Valley News Inc, Supplies-Env/Hlp Wntd-Vso Tech \$252.80; Thomson Reuters-West Publ Corp, Bks & Bnds Vol/Wstlw Dtbse Chrg \$567.71; Canton Pizza Ranch, Grand Jury Meals \$91.94; Lutheran Social Services Corp, Interpreter \$52.50; Frantzen Reporting/Pgr8r Inc, Grand Jury Predngs/Transcripts \$490.75; Redwood Toxicology Laboratory, Hallucinogen Blood Confirm \$403.00; Riverside Technologies Inc, Supplies-Ink \$350.00; Minnehaha County Jail, Blood Draws \$400.00; Paragon Health & Wellness, Blood Draws \$4,080.00; Midamerican Energy Co, Monthly Gas Usage-Crthse \$2,700.97; Pump 'N Pak, Fuel \$92.57; Justice Fire & Safety Inc, Annl Maint Inspection \$345.00; Xcel Energy, Electricity \$5,722.25; Novak Sanitary Svc Corp, Garbage/Recycling-Crthse \$243.89; G & R Controls Inc, Rplcd Flex Cplng/4-H Lghtng Upgr \$1,056.97; Napa Auto & Truck Parts Of Sf, Supplies/Repairs-#16,21,9 \$24.12; Prochem Dynamics Llc, Supplies-Cleaning/Hand Soap \$1,490.54; Lennox Ace Hardware, Supplies-Fuse \$5.99; Cintas, Mats \$448.98; North Star Insulation, Est Insulating Heating Lin \$1,550.00; Quill, Supplies-Office \$170.01; Tyler Technologies Inc, Financial/Personnel Mgmt M \$6,600.00; Optum Bank, Monthly Maint Fee \$33.00; Two Way Solutions Inc, Mototrbo Impress Charger \$159.98; Pennington Co Jail, Prisoner Transport \$276.82; Sioux Falls Area Humane Society, Contract/Aftr Hrs/Mileage \$833.60; Sd Div Of Motor Vehicle, Titles/Plates/Postage \$63.60; Streicher's, Sponge/Training Rounds \$2,591.59; Fed Ex, Evidence Return \$26.80; Jack's Uniforms & Equipment, Uniforms \$1,365.64; Applied Concepts Inc, Cable With Voltage Detecti \$348.00; Delta Dental, Cobra Dental \$135.90; Auto Dynamics Inc, Oil Changes \$707.70; Octane Ink Llc, Matte Ghosted Graphics \$310.00; Fidelity Security Life Ins Comp, Cobra Vision Insurance-Ds \$7.67; Fee, Don, Equip Removal From Charger \$350.00; Frontier Precision, Inc, Drone Uas Training \$790.00; Workforce-South, Pre-Employment Physicals \$330.00; Red D Haul Llc, Haul '21 Ford Explorers \$660.00; Sd Narcotics Officers Conf, Sd Narcotics Officers Conf \$100.00; Sanford Health, Autopsy \$2,122.00; Med-Star Paramedic Ambulance, Transport \$800.00; Minnehaha Co Regional Jdc, Comm Sprvsn/Chld/Shltr/Med \$10,847.75; Wenck Associates Inc, Project Costs \$2,985.89; Southeastern Behavior Hlthcre, Mobile Crisis-Feb \$291.71; Salem Qmhp, Karla, Mi Evals \$2,805.00; Loving, Philip, Mi Evals \$2,640.07; Avera Med Group Specialty Clnc, Mi Hold \$462.64; Lifescape, 2021 Budget Allocation \$35,040.00; Wagner, Heidi M, Mi Eval \$110.00; Johnson Pllc, Erin M, Mi Board-Feb \$1,980.00; City Of Tea, 2021 Budget Allocation \$5,000.00; Menards-West, Bargain Doors/Oak Fold Doo \$224.92; Chs Eastern Farmers, Fuel \$660.96; Uline Inc, Resealable Polypropylene B \$121.93; Autopros Tire & Service Center, Repairs- # Wb12 \$779.20; Billion Southtown Inc, Oil Change-'17 Traverse \$50.15; Johnson, Mark, Mileage 03152021 \$19.32; Jongeling, Jerry, Mileage- 03102021/03152021 \$31.42; Albers, Ron, Mileage- 03102021 \$17.05; Poppens, Michael, Mileage- 03102021 \$19.32; Enstad, Collin, Mileage- 03102021/03152021 \$36.28

HIGHWAYS: Star Publishing, Sealed Bids/Spring Load Limits \$159.83; Graham Tire Co Llc-Corp, Repairs- # 113 \$3,895.16; Midamerican Energy Co, Monthly Gas Usage-Hwy \$3,556.81; Jensen Ins Agency, Added Vehicles \$574.00; Overhead Door Of Sf Inc, Replace Op Arm/Reset Limit \$254.08; Two Way Solutions Inc, Silverado 2500 Radio \$253.95; Butler Machinery Co, Compact Track Loader/Supplies \$86,814.53; Dakota Fluid Power Inc, Repairs- # 16 \$650.74; Midco, Phone/Video \$80.19; Argus Leader/Multimedia Holding, Sealed Bids/Spring Load Limits \$801.45; Chs Eastern Farmers, Grass Versa Mixture \$1,097.15; Billion, Install Tow Mirror \$1,250.00; L G Everist, Recycled Concrete \$1,346.98; Novak Sanitary Svc Corp, Garbage/Recycling-Hwy \$150.94; Fastenal Company, Gloves/Batteries/Saw Blade/Paint \$1,689.30; Canton Home & Farm Supply, Ladder/Rollers/Plugs/Nuts \$273.10; Bluetarp, Oil Pump \$337.51; Napa Auto & Truck Parts Of Sf, Supplies/Repairs-#16,21,9 \$2,015.65; Fidelity Security Life Ins Comp, Cobra Vision Insurance \$7.67; Prochem Dynamics Llc, Supplies-Towels \$117.00; Transource, Injector/Actuator/Cartridg \$1,047.50; Verizon Connect Nwf, Inc, Monthly Service-Feb \$485.70; Cintas, Mats/Towels/Towel Can \$100.44; Metlife, Employee Life Insurance \$50.83; Bnsf Railway Company, Bnsf Contract/Protective Plan \$1,983.00; Laursen Asphalt Repair Equip, Recycler Tune Up Kit/Prehe \$436.50
 911: Xcel Energy, Electricity \$9.00; Midco, Phone/Video \$150.51; Metlife, Employee Life Insurance \$32.89; Workforce-South, Pre-Employment Physicals \$95.00; United Hlthcre Premium Billing, Cobra Health Insurance \$835.69
 EMS: Midco, Phone/Video \$59.57; Metlife, Employee Life Insurance \$1.20
 AIRPORT: Jensen Ins Agency, Add Terrorism Coverage \$416.00
 24/7: Midco, Phone/Video \$22.07; Pharm Chem Inc, Sweat Patch Analysis/Patch Kits \$1,058.75; Metlife, Employee Life Insurance \$2.99
 MODERN/PRESERV: Active Data Systems Inc, Zebra Thermal Rolls/Labels \$326.79
 LAW LIBRARY: Thomson Reuters-West Publ Corp, Law Library \$27.14
 EMPLOYEE GRP HEALTH: United Hlthcre Premium Billing Employee Health Insurance \$125,837.93

Payroll:

Commissioner's \$4,714.00; FICA 257.99, Medicare 60.34
 Auditor's \$10,487.20; FICA 552.93, Medicare 129.31, SDRS 629.23
 Treasurer's \$16,755.62; FICA 959.52, Medicare 224.39, SDRS 1,005.33
 States Attorney's \$41,536.41; FICA 2,297.69, Medicare 537.34, SDRS 2,433.42
 Gen Gov Bldg \$13,444.38; FICA 703.56, Medicare 164.55, SDRS 804.82
 DOE \$28,417.25; FICA 1,597.50, Medicare 373.60, SDRS 1,631.38
 ROD \$7,230.13; FICA 402.17, Medicare 94.06, SDRS 392.93
 VSO \$2,033.61; FICA 102.97, Medicare 24.08, SDRS 122.02
 GIS \$4,902.40; FICA 264.46, Medicare 61.85, SDRS 294.14
 IT \$5,723.20; FICA 333.74, Medicare 78.05, SDRS 343.39
 HR \$3,012.00; FICA 176.86, Medicare 41.36, SDRS 180.72
 WIC \$316.48; FICA 19.62, Medicare 4.59
 Sheriff's \$67,503.31; FICA 3,973.81, Medicare 929.36, SDRS 4,590.14
 County 4-H \$3,128.80; FICA 186.68, Medicare 43.66, SDRS 187.73
 P & Z \$11,628.60; FICA 688.51, Medicare 161.04, SDRS 657.21
 Highway \$41,735.67; FICA 2,386.13, Medicare 558.05, SDRS 2,504.17
 Communications \$23,415.04; FICA 1,340.70, Medicare 313.56, SDRS 1,404.90
 EM MGMT \$2,948.40; FICA 160.06, Medicare 37.43, SDRS 176.90
 24/7 \$2,363.73; FICA 116.05, Medicare 27.14, SDRS 189.10

Reports:

February 2021 Auditor's Account with the County Treasurer totaling \$18,965,471.42 as follows:

Total amount of deposits in banks \$11,154,836.10; Total amount of actual cash \$11,057.90; Total amount of checks and drafts in Treasurer's Possession not exceeding three days \$191,661.22; Total Cash Items \$1,570.74; Funds Invested \$ 7,606,345.46.

The February 2021 Expenditures Report and February 2021 Revenue & Expense Report were presented. Letter from the South Dakota Department of Natural Resources pertaining to East Dakota RNG Facility plans and specifications review was presented.

CONSENT AGENDA:

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

MOTION by Jibben and seconded by Arends to approve Commission Minutes: 3/9/2021. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve abatement for 100.49.17.3025 in the amount of \$2,378.22 for the tax year 2020 payable 2021. This is an inventory parcel and should not have a value. MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Agreement for Casework Services with Minnehaha County. MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set public hearing for May 4th between 8:35 A.M. and adjournment to vacate an alley in the Fountain Estates Addition. MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for the First Reading and Second Reading/Public Hearing for an Ordinance of Lincoln County amending the Official Zoning Map of Lincoln County by changing the zoning of the property legally described as Tract 1P of Burgers Addition in the Northwest quarter (NW1/4) of Section 34, Township 100 North, Range 49 West of the 5th Principal Meridian, Lincoln County, South Dakota from the "A-1" Agricultural zoning district to the "RR" Rural Residential zoning district. Location: 47933 Copperwood Circle – Harrisburg. (Dates: First Reading – April 13, 2021; Second Reading & Public Hearing – To occur between 8:35 a.m. and adjournment of the April 27, 2021 Board of Commissioners meeting.) MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for the First Reading and Second Reading/Public Hearing for an Ordinance of Lincoln County amending the Official Zoning Map of Lincoln County by changing the zoning of the property legally described as the North 733' of the South 1499.69' of the West 730', except part of Lot H-2, in the Northwest quarter (NW1/4) of Section 33, Township 100 North, Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota from the "A-1" Agricultural zoning district to the "RR" Rural Residential zoning district. Location: 27228 SD Hwy 17 – Tea. (Dates: First Reading – April 13, 2021; Second Reading & Public Hearing – To occur between 8:35 a.m. and adjournment of the April 27, 2021 Board of Commissioners meeting.) MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for the First Reading and Second Reading/Public Hearing for an Ordinance of Lincoln County amending the Official Zoning Map of Lincoln County by changing the zoning of the property legally described as a portion (approximately 20

acres) of the property legally described as the North half (N1/2) of the Northeast quarter (NE1/4), except lot H-1, of Section 18, Township 98 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota from the "I-1" Light Industrial zoning district to the "I-2" General Industrial zoning district. Location: Southwest intersection of 281st Street and 471st Avenue – Worthing. (Dates: First Reading – April 13, 2021; Second Reading & Public Hearing – To occur between 8:35 a.m. and adjournment of the April 27, 2021 Board of Commissioners meeting.) MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years. THEREFORE, Lincoln County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds. The County requests SDDOT to hire IMEG/Clark Engineering (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds. MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve step increase for the following individual in the Sheriff's Office effective the first day of the biweekly pay period following 4.1.2021: Jared Espland – Sergeant – SO 2/Step 10 - \$30.99/hour. MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve step increase for the following individual in the Sheriff's Office effective the first day of the biweekly pay period following 3.20.2021: Scott Gaalswyk - Deputy Sheriff - SO1/Step 12 - \$29.58. MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and remove from inventory the following items from the Sheriff's Office: Item 5065, 2015 Dodge Charger, 2C3CDXAG0FH844893, 135106 miles; Item 5103, Sentina Push Bumper, old and obsolete. MOTION by Jibben and seconded by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and remove from inventory the following items from Solid Waste: Item 1878, 1/2" Drill, inoperable; Item 1880, Weed Trimmer, Inoperable; Item 1933, Chainsaw, Poulan 2150, Serial 98014D301642-4, Inoperable; Item 2214, Radiant Heater, Surplus with building; Item 2252, Fog Lighting, Surplus with building; Item 5067, Sump Pump, Surplus with Building; Item 1757, Scoop Shovel, Inoperable; Item 0211, Pit Compactor, Surplus with building; Item 118, Lawn Mower/Tractor, ARCO, Serial 00090, Inoperable; Item 1532, Refuse Trailer, Spec Tec (2001), Serial 1S9ES45211S188350, Surplus with truck; Item 1755, 2 Prong Bale Fork, No longer needed; Item 3940, Diesel Fuel Tank, No longer needed; Item 4585, Refuse Trailer, Spec Tec (2013), Serial 1S9ES453XDS188652, Surplus with truck; Item 0931, Desk Calculator, Obsolete; Item 1531, Semi Tractor Truck, 2002 Sterling LT9500, Serial 2FWNAZASX2AJ84748, No longer needed/old; Item 1936, Garbage Truck, 1983 Ford LNT8000, Serial 1FDYW80U8DVA43783, Obsolete/has hydraulic issues; Item 5156, Semi Tractor Truck, 2000 Freightliner, Serial 1FUY3MDB4YDF37659, No longer needed/old; Item 0542, 3/4" Air Wrench, Chicago Pneumatic 9561, Serial 5049K343, Inoperable; Item 1176, VHF Mobile Radio, Motorola M43DGC90E2AA, Serial 869FZU2971, Obsolete; Item 1530, VHF Mobile Radio, Motorola M1225, Serial 869FBU2943, Obsolete; Item 1535, VHF Mobile Radio,

Motorola M1225, Serial 869FCG5112, Obsolete, Item 1536, VHF Mobile Radio, Motorola M1225, Serial 869FAS2421, Obsolete. MOTION by Jibben and seconded by Arends. Arends: “Aye” Jibben: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to transfer the following inventory from Solid Waste as follows: Item 2213, Com Series ICT Base Station and Antenna, Serial 15A183473, to Highway; Item 5028, Shop Vac, to Ag Buildings; Item 5102, DeWalt Cordless Drill, to Buildings & Grounds; Item 1119, Model 5G15 Forklift, Serial F25A70243, to Buildings & Grounds; Item 1389, 2000 Case 621B Wheel Loader, Serial JEE0058201, to Buildings & Grounds; Item 1751, Refuse Container, to Ag Buildings; Item 4686, Western 7.5 MW S W/QUAD Snow Plow, Serial 12011710945474340, to Buildings & Grounds; Item 5052, Hustler Raptor Z Mower, Serial 14071047, to Buildings & Grounds; Item 5129, Express AED, to Buildings & Grounds; Item 5896, 14LX Big Tex Dump Trailer, Serial 16VDX1425J5010112, to Buildings & Grounds; Item 2245, 2004 Dodge 2500 Pickup, Serial 3D7KU28D54G159510, to Buildings & Grounds; Item 0670, Blue Point GA541 Tap and Die Set, to Buildings & Grounds; Item 0895, HS 4813A Air Compressor, Serial 102093L-934589, to Buildings & Grounds; Item 1754, Cornwall Tools Automotive Creeper, to Buildings & Grounds; Item 1756, Pallet Jack, Serial 60201236, to Buildings & Grounds; Item 1877, R-155 ready Heater, Serial 4287401, to Buildings & Grounds; Item 1935, Refuse Container, to Ag Buildings. MOTION by Jibben and seconded by Arends. Arends: “Aye” Jibben: “Aye” Landeen: “Aye”. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

An individual from the City of Worthing Planning & Zoning Board encouraged the County to communicate with said Board regarding land use in the area around Worthing.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Poppens arrived at this time.

Commissioner Arends commented on County Commissioner Workshop in Pierre he and others attended the previous week. Arends remarked that growth is not happening in many other counties in South Dakota.

Commissioner Jibben reported that the appraisal of the Transfer Station has been completed and will be submitted to the Auditor. Jibben also gave the Board an update on the sale of the railroad segment between Canton and Hudson.

REGULAR BUSINESS:

COMMISSIONER BRIEFING: Jeff Schaefer, Legislative Audit, conducted a closing conference with the Board regarding the audit ending 2019. Schaefer reported that nothing of note was discovered.

SECOND READING and PUBLIC HEARING was held for an Ordinance of Lincoln County amending the Official Zoning Map of Lincoln County by changing the zoning of the property legally described as Lot 4 of Tract 1 of Superior Addition in the Southeast quarter (SE1/4) of Section 18, Township 97 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota from the “C” Commercial zoning district to the “I-1” Light Industrial zoning district. Toby Brown, Planning & Zoning Director, introduced the ordinance and offered to answer questions from the Board. The applicant spoke in favor of the rezone ordinance and explained why he needed it for his business. None spoke against the ordinance.

AN ORDINANCE OF LINCOLN COUNTY, SD, AMENDING THE 2009 REVISED ZONING ORDINANCE FOR LINCOLN COUNTY BY REZONING LOT 4 OF TRACT 1 OF SUPERIOR ADDITION IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 18, TOWNSHIP 97 NORTH, RANGE 50 WEST OF THE 5TH PRINCIPAL MERIDIAN, LINCOLN COUNTY, SOUTH DAKOTA FROM THE “C” COMMERCIAL DISTRICT TO THE “I-1” LIGHT INDUSTRIAL DISTRICT.

BE IT ORDAINED BY LINCOLN COUNTY, SD: That the property legally described as Lot 4 of Tract 1 of Superior Addition in the Southeast quarter (SE1/4) of Section 18, Township 97 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota, is hereby rezoned from C, Commercial District to I-1, Light Industrial District, and the official zoning map of Lincoln County referred to in Section 2.03 of the 2009 Revised Zoning Ordinance for Lincoln County is amended. MOTION by Jibben and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

SECOND READING and PUBLIC HEARING was held for an Ordinance of Lincoln County amending the Official Zoning Map of Lincoln County by changing the zoning of the property legally described as Lot 5 of Tract 1 of Superior Addition in the Southeast quarter (SE1/4) of Section 18, Township 97 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota from the "C" Commercial zoning district to the "I-1" Light Industrial zoning district. Toby Brown, Planning & Zoning Director, introduced the ordinance and offered to answer questions from the Board. No one spoke in favor nor opposition of the ordinance to rezone this property.

AN ORDINANCE OF LINCOLN COUNTY, SD, AMENDING THE 2009 REVISED ZONING ORDINANCE FOR LINCOLN COUNTY BY REZONING LOT 5 OF TRACT 1 OF SUPERIOR ADDITION IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 18, TOWNSHIP 97 NORTH, RANGE 50 WEST OF THE 5TH PRINCIPAL MERIDIAN, LINCOLN COUNTY, SOUTH DAKOTA FROM THE "C" COMMERCIAL DISTRICT TO THE "I-1" LIGHT INDUSTRIAL DISTRICT. BE IT ORDAINED BY LINCOLN COUNTY, SD: That the property legally described as Lot 5 of Tract 1 of Superior Addition in the Southeast quarter (SE1/4) of Section 18, Township 97 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota, is hereby rezoned from C, Commercial District to I-1, Light Industrial District, and the official zoning map of Lincoln County referred to in Section 2.03 of the 2009 Revised Zoning Ordinance for Lincoln County is amended. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

SECOND READING and PUBLIC HEARING was held for an Ordinance of Lincoln County amending the text of Article 12, Section 12.09(F), Concentrated Animal Feeding Operations Minimum Separation Distances, of the 2009 Revised Zoning Ordinance of Lincoln County, South Dakota. Toby Brown, Planning & Zoning Director explained the changes proposed in the ordinance. There were none present who spoke in favor of the ordinance. Those in opposition to the ordinance commented that the setbacks should be measured from the edge of the property, that the complaint process was a good addition, that the CAFO owner should have to buy all the land within the setbacks if they were to be measured from the unit instead of property line, and that the proposed amendments were not an improvement so the ordinance should remain how it is. Commissioners thanked those who spoke for bringing their comments to the hearing. Commissioners also commented on the need for compromise and balance as well as the importance of landowner rights.

RESOLUTION: BE IT RESOLVED to Table an Ordinance of Lincoln County amending the text of Article 12, Section 12.09(F), Concentrated Animal Feeding Operations Minimum Separation Distances, of the 2009 Revised Zoning Ordinance of Lincoln County, South Dakota. MOTION by Arends and seconded by Jibben. Arends: "Nay" Jibben: "Nay" Poppens: "Nay" Landeen: "Nay". Motion failed.

RESOLUTION: BE IT RESOLVED to deny approval of an Ordinance of Lincoln County amending the text of Article 12, Section 12.09(F), Concentrated Animal Feeding Operations Minimum Separation Distances, of the 2009 Revised Zoning Ordinance of Lincoln County, South Dakota. MOTION by

Arends and seconded by Jibben. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Nay”. Motion carried.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, informed the Board of the closures announced by the State of South Dakota for April holiday. A comment was made that these holidays should be discussed and decided at the beginning of the year so employees can better plan long term. Lund replied that this will be added to the list of annual resolutions for January 2022.

RESOLUTION: BE IT RESOLVED that the Lincoln County Courthouse be closed and provide administrative leave for employees on April 2, 2021, to reopen with regular business hours Monday, April 5th. MOTION by Poppens and seconded by Arends. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Shaun Feilmeier, Deputy Auditor, informed the Board of the necessary facts pertaining to the sale of recently surplused county vehicle.

RESOLUTION: BE IT RESOLVED to appoint Joel Arends, Michael Poppens, and Tiffani Landeen as an appraisal committee for the surplus 2015 Dodge Charger and authorize the Auditor to advertise for sealed bids. MOTION by Arends and seconded by Jibben. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Steve Swenson, Sheriff, informed the Board of the necessary facts pertaining to two agreements before them.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the 3-year Contract for Dispatching Services with the City of Lennox. MOTION by Arends and seconded by Poppens. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the 5-year agreement with Axon Enterprises Inc for \$12,210.40 for tasers for the Sheriff’s Office. MOTION by Poppens and seconded by Arends. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Commissioner Landeen informed the Board of a request to table the Garnos Study draft discussion.

RESOLUTION: BE IT RESOLVED to table the draft from Bill Garnos of Inmate Trends and Projections. MOTION by Arends and seconded by Poppens. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Julia Disburg, Human Resources Director, informed the Board of the necessary facts pertaining to personnel items. Comments were made about the process for filling the Register of Deeds position as well as its starting salary.

Commissioner Landeen turned the gavel over to Commissioner Arends.

RESOLUTION: BE IT RESOLVED to approve the appointment of Becky Vander Broek as the Lincoln County Register of Deeds at an annual compensation of \$65,000 effective 4.5.2021. MOTION by Poppens and seconded by Landeen. Jibben: “Aye” Poppens: “Aye” Landeen: “Aye” Arends: “Nay”. Motion carried.

Commissioner Landeen resumed as Chair.

RESOLUTION: BE IT RESOLVED to approve the resignation of Paul Coppock effective 4.1.2021. MOTION by Arends and seconded by Jibben. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Debbie Block, Treasurer, informed the Board of the necessary facts pertaining to a request for payment plan.

RESOLUTION: BE IT RESOLVED to approve payment plan on parcel 250.24.15.010; 3rd ADD TO W LENNOX N 118.5' OF LOTS 9 & 10 BLK 15 of \$1500.00 for a down payment and \$400.00 monthly payments until paid in full. MOTION by Arends and seconded by Jibben. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Commissioner Poppens informed the Board of the necessary facts pertaining to a review appraisal needed at the airport.

RESOLUTION: BE IT RESOLVED to approve Review Appraisal Scope of Work from Nelson Valuation Services LLC not to exceed \$2,863.00 for airport land and authorize review appraisal.

COMMISSIONER BRIEFING: Commissioner Poppens informed the Board that the either the resolution that surplused the County property south of Tea or withdraw the County’s application for grant money for a drainage feasibility study. Commissioner Landeen commented that she would rather cancel the surplus since there are individuals speaking to the Board about the drainage problems in that watershed multiple times each year.

RESOLUTION: BE IT RESOLVED that Lincoln County withdraw its grant application for drainage feasibility study and move forward with selling the property legally described as NE1/4 Section 36, Township 100, Range 51 W of the 5th PM except W 370.42 feet of the E 2,132.80 feet of the N 823.17, Lincoln County, SD. MOTION by Poppens and seconded by Arends. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Nay”. Motion carried.

MOTION by Arends and seconded by Jibben to adjourn at 9:43 a.m. until 8:30 a.m. on April 6, 2021. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

Lincoln County Board of Commissioners

_____/s/
Tiffani Landeen, Lincoln County Chair

Attest: _____/s/
Shaun Feilmeier, Deputy Auditor

Approved April 6, 2021

Please publish the week of April 12, 2021.