

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on May 3, 2022, with Commissioners Joel Arends and Jim C. Jibben present. Deputy Auditor Frannie Hofer served as Clerk of the Board. William Golden, Chief Civil Deputy State's Attorney, was also present.

ROUTINE BUSINESS:

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

Payroll: \$318,722.41

Commissioner's \$4,730.00; FICA 293.25, Medicare 68.58
Elections \$975.00; FICA 60.45, Medicare 14.14
Auditor's \$10,444.54; FICA 647.56, Medicare 151.44, SDRS 626.66
Treasurer's \$17,941.91; FICA 1,112.40, Medicare 260.15, SDRS 1,076.52
States Attorney's \$48,850.41; FICA 3,051.02, Medicare 713.57, SDRS 2,8469.29
Gen Gov Bldg \$14,430.36; FICA 957.64, Medicare 223.97, SDRS 867.61
DOE \$31,924.21; FICA 1,979.30, Medicare 462.88, SDRS 1,864.95
ROD \$8,250.12; FICA 511.50, Medicare 119.63, SDRS 465.27
VSO \$2,137.60; FICA 132.53, Medicare 31.00, SDRS 128.26
GIS \$5,151.20; FICA 319.37, Medicare 74.69, SDRS 309.07
IT \$8,141.60; FICA 504.79, Medicare 118.06, SDRS 488.50
HR \$4,736.80; FICA 293.68, Medicare 68.68, SDRS 284.21
Sheriff's \$83,807.88; FICA 5,214.31, Medicare 1,219.48, SDRS 5,967.67
WIC \$332.32; FICA 20.60, Medicare 4.82
County 4-H \$3,287.23; FICA 203.81, Medicare 47.66, SDRS 197.23
P & Z \$10,096.41; FICA 625.98, Medicare 146.42, SDRS 560.79
Highway \$37,105.76; FICA 2,304.07, Medicare 538.86, SDRS 2,229.75
Communications \$24,243.33; FICA 1,503.08, Medicare 351.52, SDRS 1,454.60
EM MGMT \$3,044.00; FICA 190.22, Medicare 44.49, SDRS 184.08
24/7 \$1,680.00; FICA 104.16, Medicare 24.36, SDRS 134.40

Longevity: \$4,990.34

Treasurer's \$800.00; FICA 49.60, Medicare 11.60, SDRS 48.00
States Attorney's \$1,940.34; FICA 49.60, Medicare 11.60, SDRS 48.00
Sheriff's \$700.00; FICA 43.40, Medicare 10.15, SDRS 42.00
Highway \$550.00; FICA 34.10, Medicare 7.98, SDRS 33.00
Communications \$1,000.00; FICA 62.00, Medicare 14.50, SDRS 60.00

Reports:

Letter from South Dakota Department of Transportation-Transportation Alternatives Funding Available.
Mileage reports were presented as follows: March 2022 Sheriff Civil Fee mileage report.

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

CONSENT AGENDA:

MOTION by Arends and second by Jibben to approve Commission Minutes: 4.26.2022. Arends: "Aye" Jibben: "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 05.01.2022: Cory McCloud – Deputy Sheriff – SO1/Step 12 - \$30.54/hr. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize signature of Memorandum of Understanding between Harrisburg School District and the Sheriff's Office regarding School Resource Officer. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Application Affidavit for Replacement Warrant submitted by Legacy Law Firm for the amount of \$2,702.24; original warrant number 31401 issued 03/17/2022. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the promotion of Kaysee Nesmoe, full-time Office Assistant to full-time Correctional Officer I in the Sheriff's Office at \$21.53/hr (Grade 106/Step 5) effective 04.25.2022. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the 2021-2022 renewal of the Uniform Alcoholic Beverage License Applications for structures only submitted by the following: Suraj Gas Bar LLC, RB-2619, Carlson TR #2 & Lot 1 of Carlson Tr #2 S1/2 SW1/4- 31-96-50; I-29 Fuels, RB-2684, 19 98 50 Replat of Fodness TRS 1&2 NE ¼ Trl; Lenkota Country Club, RB-2767, 65.65 AC Lying w of Hwy 44 Ex RR & Tr In SE ¼ 31-99-51, Skydine Inc RB-3062, Lot 1 SE ¼ (ex H-23) and South 50' East 1007.10' Muellers Lot 2 & Lot 2 & Lot A in H-2 SE ¼; Riverview Farms LLC, RB-25444, Govt Lot 3' Ex Riverview Add; The Good Earth Farm LLC, RB-27353, Kroger's Addition Tract 2C, NW1/4, 28-98-51. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for the FIRST READING to occur May 10, 2022, and JOINT SECOND READING & PUBLIC HEARING with Sioux Falls City Council to occur May 24, 2022, at the Lincoln County Courthouse at 7:00 p.m. for an Ordinance amending Article 9.00, "C" Commercial District, Section 9.02(J)(1), Medical Cannabis Establishment. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

A Canton resident talked about the surplus land.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

None

REGULAR BUSINESS:

COMMISSIONER DISCUSSION: Discussion was held regarding parcel 100.49.36.3000.

RESOLUTION: BE IT RESOLVED to authorize the request for sealed bids for parcel 100.49.36.3000. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Nay" Landeen: "Aye". Motion Carried.

Commissioner Schmidt joined the meeting via telephone at 8:50 a.m.

COMMISSIONER BRIEFING: Frannie Hofer, Deputy Auditor, informed the Board of the bids received as advertised for the 38.48 acres of farmland south of the highway shop.

RESOLUTION: BE IT RESOLVED to approve and award the 38.48 acres of farmland south of the Highway Shop to Lincoln County Ag LLC for \$8,300.00. MOTION by Jibben and second by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion Carried.

MOTION by Arends and second by Jibben to reconvene as the Consolidated Board of Equalization. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion Carried.

MOTION by Arends and second by Jibben to reconvene as County Board of Equalization. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion Carried.

The Board reconvened at 9:03 a.m.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, informed the Board of the necessary facts pertaining to the sealed bids for crushed surface gravel and the speed limit reductions.

RESOLUTION: BE IT RESOLVED to approve and award the bid for the crushed surface gravel to the lowest of two bidders: Rechnagel Construction for \$4.32 per ton. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion Carried.

Commissioner Poppens joined the meeting via telephone at 9:05 a.m.

RESOLUTION: BE IT RESOLVED to approve to a Speed Limit Reduction CR105 (466th Ave) to 55 miles per hour. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: John Rombough, Buildings & Grounds Superintendent, informed the Board of the necessary facts pertaining to the purchase of a commercial mower, three bids were received.

RESOLUTION: BE IT RESOLVED to approval to purchase request for commercial zero turn mower for \$11,783.00 from D&D Small Engine Repair. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Julia Disburg, Human Resources Director, informed the Board of the necessary facts pertaining to the new position request and reclassification in the Sheriff's office. She also reported on the hiring bonus increase and the over hire of Deputy Sheriff positions. Steve Swenson, Sheriff, was also present to answer any questions.

RESOLUTION: BE IT RESOLVED to approve a New Position Request - Correctional Officer. MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a Reclassification - Sheriff's Office from Deputy Sheriff to Sergeant. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Commissioner Poppens left the meeting via phone at 9:12 a.m.

RESOLUTION: BE IT RESOLVED to approve an increase for Hiring Bonus-Deputy Sheriff position from \$5,000.00 to \$7,500.00 for certified law enforcement officers. MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Nay" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the over hire of two Deputy Sheriff positions. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: William Golden, Chief Civil Deputy State's Attorney, informed the Board of the necessary facts pertaining to a negotiation with Minnehaha County for courtroom rental. Golden also reported on appointing a representative to act on the County's behalf for the justice center and an offer that was made on the Tea land at 272nd St.

RESOLUTION: BE IT RESOLVED to approve the Lincoln County State's Attorney's Office to enter negotiations for one Minnehaha County Courtroom Rental. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to appoint TEGRA as an authorized representative to act on the owner's behalf with respect to the justice center project. MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

The Board recessed at 9:31 a.m. to convene as the County Board of Equalization.

MOTION by Arends and second by Jibben to reconvene as Board of Commissioners. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion Carried.

Commissioner Schmidt left the meeting via phone at 9:56 a.m.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:57 a.m. for the following purposes: Executive Session: Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. SDCL 1-25-2(3); Executive Session: Preparing for contract negotiations or negotiating with employees or employee representatives. SDCL 1-25-2(4). MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:11 a.m. MOTION by Jibben and second by Arends. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

MOTION by Arends and second by Jibben to reject offer on the Tea land on 272nd St. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion Carried.

Commissioner Poppens left the meeting via phone at 9:12 a.m.

COMMISSIONER BRIEFING: A public input work session occurred regarding CO2 pipeline crossing Lincoln County. Proponents and opponents spoke on the matter.

MOTION by Arends and second by Jibben to adjourn at 10:48 a.m. until 8:30 a.m. on May 10, 2022. Arends: “Aye” Jibben: “Aye” Landeen: “Aye”. Motion carried.

Lincoln County Board of Commissioners

/s/
Tiffani Landeen, Lincoln County Chair

Attest: _____
/s/
Sheri Lund, Auditor

Approved May 3, 2022.

Please publish the week of May 15, 2022.