

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Vice Chair, Joel Arends, at 8:30 a.m. on September 6, 2022, with Commissioners 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 Poppens and seconded by Jibben to approve the agenda with a correction to Consent Agenda item #4: "Jacob" be replaced with "Jordan". Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Payroll: \$345,593.56

Commissioner's \$5,298.00; FICA 313.82, Medicare 73.39  
Auditor's \$12,528.38 FICA 664.40, Medicare 155.39, SDRS 751.69  
Treasurer's \$19,500.24; FICA 1,124.17, Medicare 262.90, SDRS 1,170.02  
States Attorney's \$54,052.21; FICA 3,055.22, Medicare 714.54, SDRS 3,175.19  
Gen Gov Bldg \$14,098.93; FICA 777.10, Medicare 181.73, SDRS 825.17  
DOE \$35,435.01; FICA 2,017.52, Medicare 471.83, SDRS 2,069.38  
ROD \$9,342.71; FICA 518.94, Medicare 121.35, SDRS 516.34  
VSO \$2,376.20; FICA 121.18, Medicare 28.34, SDRS 142.57  
GIS \$5,716.40; FICA 314.06, Medicare 73.45, SDRS 342.98  
IT \$9,051.00; FICA 535.45, Medicare 125.22, SDRS 543.06  
Sheriff's \$94,010.95; FICA 5,481.06, Medicare 1,281.87, SDRS 6,679.33  
WIC \$365.60; FICA 22.67, Medicare 5.30  
County 4-H \$2,140.99; FICA 132.74, Medicare 31.05, SDRS 128.45  
Weed Control \$4,336.00; FICA 265.91, Medicare 62.19, SDRS 260.16  
P & Z \$12,934.00; FICA 781.55, Medicare 182.81, SDRS 744.54  
Highway \$32,400.52; FICA 1,817.35, Medicare 425.03, SDRS 1,947.43  
Communications \$26,737.64; FICA 1,534.46, Medicare 358.88, SDRS 1,604.24  
EM MGMT \$3,368.80; FICA 186.63, Medicare 43.65, SDRS 203.75  
24/7 \$1,899.98; FICA 110.57, Medicare 25.86, SDRS 152.00

Longevity: \$650.00

Communications \$650.00; FICA 40.30, Medicare 9.43, SDRS 39.00

**Reports:**

A letter from Children's Home Society was presented.

A letter from the Department of Agriculture & Natural Resources pertaining to a solids separation facility was presented.

A letter from the Department of Agriculture & Natural Resources regarding a Manure Management System was presented.

Mileage reports were presented as follows: July 2022 Civil Fee mileage report, August 2022 Emergency Management mileage report, August 2022 Highway No100 mileage report, August 2022 Buildings & Grounds mileage report.

August 2022 Register of Deeds report was presented totaling \$144,588.90.

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

## **CONSENT AGENDA:**

MOTION by Schmidt and second by Poppens to approve the Commission Minutes: 8/23/2022. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the resignation of Julie Morrison, Paralegal, States Attorney Office, effective 09.23.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Jeremy Jacobson, full-time building maintenance worker for General Government Building at \$20.36/hr (Grade 104/Step 4) effective 08.29.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Jordan Wilcox, full-time Office Assistant for the Sheriff's Office at \$20.87/ hr (Grade 104/ Step 5) effective 09.06.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the resignation of Kaitlin Schirmacher, Records Clerk, Register of Deeds effective 09.02.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the resignation of Corissa Sweeter, Summer Assistant, 4-H effective 08.05.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Chloe Larsen, Deputy Sheriff, at \$25.61/hr (Grade S01/Step 1) effective 09.21.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve designation of Field Training Officer to Deputy Matthew Wilson and apply the FTO adjustment of +\$.050/hr to hourly wage effective 08.23.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve designation of Field Training Officer to Deputy Andrew Steinburg and apply the FTO adjustment of +\$.050/hr to hourly wage effective 08.22.2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and remove from inventory the following item from the Sheriff's Office: Item 6197, 2019 Dodge Durango, VIN # 1C4SDJFT9KC701450, totaled in accident, insurance company will take possession. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set date and time for a public hearing to occur Tuesday, October 4, 2022, between 8:35 A.M. and the adjournment of said meeting date, in the Commissioners' Meeting Room, Lincoln County Courthouse, to consider the adoption of a resolution of intent to enter into a lease for a term exceeding 120 days and an amount exceeding \$500.00. The subject area is known as Lease

Site P-1, a Tract 4,680 square ft., located at the Lincoln County/Marv Skie Airport. The proposed lessee is Airplanes2Go LLC. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

#### **OPPORTUNITY FOR PUBLIC COMMENT:**

An individual from Tea area Thanked the Board, Courthouse Committee, and Tegra for their hard work and expressed preference for building a Justice center on bare land in order to plan for future expansion needs.

An individual from Fairview commented on a meeting in Pierre related to election security. She also commented on pending litigation related to public records requests and her concerns regarding technology.

An individual from near Harrisburg commented on how taxes were calculated and expressed his desire to see plans for the proposed justice center and/or courtrooms.

#### **COMMISSIONER REPORT (INFORMATIONAL ONLY):**

Commissioner Schmidt reported on a letter he received from Minnehaha County regarding the construction of a new Juvenile Detention Center of which Lincoln County will have to pay their share. Schmidt also reported that the Southeast District Meeting is hosted by Lincoln County September 7 at the Fairgrounds.

Commissioner Poppens reported that he has scheduled a meeting open to the public at the Tea City Hall starting at 7:00 p.m. on September 21, 2022, in order to help inform the public on the topic of a Lincoln County Justice Center.

Commissioner Arends reported that the South Dakota Game Fish & Parks Commission took a dim view on the Spring Creek campgrounds and that their final action on said campgrounds will be in December.

#### **REGULAR BUSINESS:**

PUBLIC HEARING was held regarding the 2023 Provisional Budget per SDCL 7-21-8. No public nor Board member chose to speak on this topic at this time.

COMMISSIONER BRIEFING: Auditor Sheri Lund informed the Board of the necessary facts pertaining to the need to reschedule second meeting of September. Lund also proposed a mileage rate change in order to save money now that a County vehicle is available for use.

RESOLUTION: BE IT RESOLVED to move to the regular scheduled Commission meeting from 09.13.2022 to 09.15.2022. MOTION by Schmidt and second by Jibben. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve setting the mileage reimbursement rate as follows: \$.28/ mile when a personal vehicle is used, and County vehicles are available; \$.51/ mile when a personal vehicle is used, and County vehicles are not available. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

COMMISSIONER BRIEFING: William Golden, Chief Civil Deputy State's Attorney, reported to the Board the requested estimate for digitizing the old court records to be \$52,000. These records are the

records in danger of water damage. Golden also informed the Board of the necessary facts pertaining to the Courtroom Lease Agreement with Minnehaha County as amended by the Minnehaha County Board of Commissioners. Discussion included the desire for a pay-as-you-use type arrangement as well as the need to find an alternative court space for 2023 and beyond.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Lease Agreement with Minnehaha County for Courtroom space for \$8,917.00 per month commencing on the 1st day of July 2022 and ending on the 31st day of December 2022. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Nay". Motion carried.

MOTION by Poppens and second by Schmidt to recess as the Lincoln County Board of Commissioners and to convene as the Lincoln County Drainage Board. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

DRAINAGE BOARD: Two individuals commented regarding the portion of Snake Creek in the Right-of-Way of County Highway 117 asking the County to clean out and maintain it so water can flow. Terry Fluit, Highway Superintendent, commented that this section of ditch has been on the list to clean out for a couple years now. Fluit continued to explain that road work comes first and ditches are cleaned on a first-come first-served basis as time allows. An individual explained drainage problems on and around his property and asked for resolution stating that his Township was not helping him. Another individual from near Harrisburg asked several questions regarding the 9-Mile Creek drainage; some discussion about this was in regard to City/County jurisdiction. It was mentioned to the Board to set up a revolving capital fund from building permit fees to help address drainage problems.

MOTION by Poppens and second by Schmidt to exit Lincoln County Drainage Board and reconvene as Lincoln County Board of Commissioners. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:52 a.m. for the following purposes: SDCL 1-25-2(1), Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term "employee" does not include any independent contractor. SDCL 1-25-2(3), Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. SDCL 1-25-2(4), Preparing for contract negotiations or negotiating with employees or employee representatives. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:51 a.m. MOTION by Schmidt and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Auditor Lund reminded the Board of the 2023 budget timeline.

MOTION by Poppens and second by Jibben to adjourn at 10:51 a.m. until 8:30 a.m. on September 15, 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 September 15, 2022.

*Please publish the week of September 19, 2022.*