

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Vice Chair, Joel Arends, at 8:30 a.m. on September 15, 2022, with Commissioners Jim C. Jibben, Michael Poppens, and Jim Schmidt present. Deputy Auditor Shaun Feilmeier served as Clerk of the Board. Joe Meader, Civil Deputy State's Attorney, was also present.

ROUTINE BUSINESS:

MOTION by Jibben and seconded by Schmidt to approve the agenda with the following modifications: remove items eleven, twelve, thirteen, and fourteen from Regular Business and add under Regular Business Emergency Payment at Highway Shop & Approve Applications for payment for Legacy Aviation on 9/27 pay-meeting. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

Claims: \$2,502,796.63

GENERAL: United Healthcare Premium Billing, Cobra Health Insurance-Dg \$885.83; Lincoln Co Treasurer, Parcel # 240.28.76.1000 Tea Rd Maint/Drainage \$3,052.36; Jlg Architects, Project 21030 Lincoln County Courthouse \$37,400.00; Sioux Valley News Inc, Mins/Notices/Hearings \$1,802.17; New Century Press, Mins/Notices/Help Wanted/Hearings \$993.80; A & B Pure Water Online Corp, Water \$155.21; Us Bank, Statement 08/20/2022 \$14,676.26; Mcleod's Printing, Perfed Paper/Envelopes \$534.80; At&T Mobility, Mobile Internet \$3,377.64; Ramkota Hotel-Pierre, Travel-Lodging \$304.00; Peterson, Stuart & Klentz, Prof Llc, Public Defender Contract-Aug \$67,666.67; Tschetter & Adams Law Office, Pc, Crt Appt Atty \$1,013.21; Eich Law Office Prof Llc, Crt Appt Atty- Ivc \$1,028.20; Walter, Max, Crt Appt Atty \$1,614.50; Griese Law Firm, Pc, Crt Appt Atty \$141.40; A To Z World Languages Inc, Interpreter \$158.69; Guzman, Sandra, Interpreter \$75.00; Ciox Health, Med Records \$26.50; Sanford Health-Release Of Information, Med Records \$5.28; Sentencing Advocacy Group Of Evanston, Mitigation Specialist \$4,797.21; All Nations Interpreters, Inc, Interpreter \$845.25; Skorczewski, Jena, Transcript \$972.80; Menards-East, 54 Qt Gasket Box \$167.88; Jurors, Fees, Mileage \$6,396.76; Century Business Products, Copier Maint \$780.34; Cole Paper, Copy Paper \$1,706.20; Arrowwood Resort & Conference Center, Travel-Lodging \$1,851.64; Midco, Internet/Cross-Connect \$1,865.15; Sd State Treasurer, Sd State Treasurer/Mentally Ill \$874.47; Minnehaha County Jail, Boarding Fees/Prisoner Care/Blood Draws \$145,488.13; Lembcke-Schildhauer, Terri, Gj Proceedings \$500.00; Sanford Health, Hospital Charges/Blood Draws \$114.11; Beck, Pat, Grand Jury Transcript \$29.60; Pmb 0112, Executive Mgmt Finance Office, Access Fees - July 2022 \$36.25; Stephanie Moen & Associates, Grand Jury Reporting \$355.00; Thomson Reuters-West Pub Corp, Online/Sftwre Scrpnt/Libar Charges \$1,431.73; Redwood Toxicology Laboratory, Testing Costs \$25.00; Paragon Health & Wellness, Blood Draws \$1,320.00; Sd Dept Of Health, Lab Testing \$3,255.00; Pottawattamie Co Sheriff's Office, Document Service \$36.00; Thorin, Deya, Interpreter Services \$187.20; Blue360 Media, Sd Crim & Traffic Books \$469.63; Midwestern Mechanical Inc, Quarterly Fire System Inspection \$300.00; Herc-U-Lift, Forklift Repair \$456.96; Scott's Automotive, Repair To 2004 Dodge \$161.45; Howe Heating & Plumbing Inc, Additional Repair To Holding Cell Toilet \$339.98; G & R Controls Inc, Repair/Parts For Annual Boiler Preventative Maint. \$1,082.86; Cintas, Rug Cleaning/Rental \$221.50; Zee Medical Service, First Aid Kit Monthly Resupply \$200.05; Prochem Dynamics Llc, Cleaning Supplies And Toiletries \$1,496.69; Graybar Electric Co., Fuses For A/C Compressors \$65.45; Hillyard/Sioux Falls, Vacuum Bags \$94.06; Canton Home & Farm Supply, Hardware Supplies \$89.36; City Of Canton, Water/Sewer/Wood Disposal \$1,853.86; Midamerican Energy Co, Courthouse Gas Utilities \$414.74; Xcel Energy, Electricity \$13,044.12; Kirbside Car Wash, Car Wash \$12.00; Riverside Technologies Inc, Supplies-Toner \$302.44; Irons, Susan, Travel-Mileage/Meals \$328.86; Tyler Technologies Inc, Ptm 10 Services \$650.00; Cdw-G Inc, Software/Hardware \$6,246.31; Cbt Nuggets Llc, It Training \$1,797.00; Shi International Corp, Software Renewal \$1,602.50; Route 1, Bwc/Mounting Hardware \$23,975.17; Dell

Marketing Lp, Monitors \$3,036.41; Verizon Connect Fleet Usa Llc, Subscription \$233.88; Octane Ink Llc, Atv - Wrapped Camp Hood \$1,200.00; B & E Autoworx Llc, 20-4 08/17/2022 \$49.95; Auto Dynamics Inc, Vehicle Repair \$1,054.42; Aj's Automotive Llc, 18-1, Vehicle Repair \$25.75; Parker Ford Inc, 21-2, Vehicle Repair \$451.57; Fee, Don, Equipment Install \$3,000.00; Dave's Service & Repair, August 2022 – Statement \$605.21; Graham Tire Co Llc-Corp, Tires \$572.04; Voyager Fleet Systems Inc, Fuel Expense \$339.01; Transunion Risk & Alternative, Subscription \$75.00; Frantzen Reporting/Pgr8r Inc, Transcription \$360.50; Jack's Uniforms & Equipment, Uniform, Vests, Glock, Chevrons \$5,656.86; Harrisburg Ace Hardware, Misc Items \$146.53; Cna Surety, Notary Bond \$50.00; Silverstar Car Wash, Membership \$279.72; Rv Transport Inc, Cargo Freight \$4,695.25; All American Towing, 19-1, Tow \$129.00; Safe Harbor, Conference Registration Fee \$75.00; Carver, Ryan, Reimbursement Training \$649.00; Verizon Wireless, Mobile Internet \$80.02; Pennington Co Jail, August 2022 - Transportation Bill \$265.00; Lauries Café, Inmate Meals \$17.00; Avera Mckennan Hospital, Prisoner Care \$363.87; Buddi Us Llc, August 2022 - Tagging Days \$768.00; Lincoln Co Sheriff, Em Transfer \$655.00; Motorola Inc, Radio's For The Jail Dept \$5,837.54; Two Way Solutions Inc, Radio's, Equipment \$3,836.00; Sanford Health Pathology Clinic, Coroner Calls-Aug \$750.00; Med-Star Paramedic Ambulance Inc, Transport \$450.00; Sanford Health, Autopsies \$4,737.00; Sanford Health Home (Vna), Public Health Svc \$1,250.00; Sd State Treasurer, Mentally Ill \$120.00; Loving, Philip, Mi Evals \$3,675.89; Anderson, Jennifer Marie, Mi Evals \$1,640.82; Gates, Laurie, Mi Hearing \$32.00; Johnson Pllc, Katie, Mi Board- August \$2,908.80; Penning, Leslie, Mi Hearing \$32.00; Ringing Shield, Nichole, Mi Evals \$550.00; Koch, Elizabeth J, Mi Hearing \$56.00; Avera Med Group Specialty Clinic, Mi Hold \$198.93; Maendel, Jayda, Part-Time Event Cleaning \$240.00; Lennox Ace Hardware, Driveway Reflectors And Spare Padlock Keys \$11.16; Sturdevant's Auto Parts, Spray Lubricant/Parts/Fittings \$23.23; G & R Controls Inc, Light Fixtures For The New Showring Building \$4,293.63; South Lincoln Rural Water, Water/Refund Plat Fee \$445.45; Novak Sanitary Svc Corp, Garbage/Recycling \$395.83; Bomgaars, Horse Mats For Doorways And Bolt Cutter \$654.76; Stantec Consulting Services Inc, Plan Review \$57.50; Imeg Corp, Plan/Plat Review \$1,575.00; Hogan, Wendi, Mileage 8/10/2022-8/15/2022 \$26.54; Jongeling, Jerry, Mileage 8/10/2022-8/15/2022 \$31.42; Green, Scott, Mileage 8/10/2022-8/15/2022 \$33.60; Poppens, Michael, Mileage 8/10/2022 \$15.62; Scott, Erik, Mileage 8/15/2022 \$6.30

ROAD AND BRIDGE: A-Ox Welding Supply Inc, Cylinders \$51.83; Action Electric Inc, Traffic Light Repair \$428.57; Automatic Security Company Inc, Circuits, Batteries \$405.00; Century Business Products, Copies \$52.07; Cole Paper, Copy Paper \$101.56; Sioux Valley News Inc, Publishing \$32.77; A & B Pure Water Online Corp, Water \$1.64; New Century Press, Publishing \$27.50; Us Bank, Statement 08/20/2022 \$58.19; Fastenal Company, Bolts \$60.29; Bartlett Tools Inc, Tools \$38.64; Clean Sweep Distributing, Supplies \$1,020.00; Howe Heating & Plumbing Inc, Hood Maintenance Contract \$4,734.70; Istate Truck Center, Parts \$430.72; Cintas, Mats, Towels \$78.91; Fastenal Company, Parts \$42.89; Transource, Parts \$55.92; Grainger, Battery \$28.06; Fastenal Company, Supplies \$159.82; Lawson Products Inc, Bolts \$40.81; Deans Distributing, Oil, Grease, Fuel Additive \$3,068.89; Napa Auto & Truck Parts Of Sioux Falls, Parts/Supplies \$1,243.35; Sdacc, Sdacc Convention Registration \$195.00; Sdsu-Sd Ltap, Nclr Registration \$250.00; Midco, Internet \$15.77; Xcel Energy, Traffic Lights \$112.78; At&T Mobility, Mobile Internet \$95.32; South Lincoln Rural Water, Sep Charge \$120.45; Bluepeak, Internet \$530.61; Verizon Connect Fleet Usa Llc, Fleet \$767.85; Novak Sanitary Svc Corp, Trash – Aug \$277.63; Midamerican Energy Co, Gas – Aug \$133.10; Southeastern Electric Co-Op Inc, Electric – Aug \$1,321.00; Jfi Inc, Road Salt/Tire Rpr/Propane \$59,751.23; Lyle Signs Inc, Custom Signs \$26.01; L G Everist, Riprap \$11,142.15; Knife River, Asphalt/Crushed Concrete \$150,007.78; Sd Dept Of Transportation, 2022 Bridge Inspections \$8,747.16; Dakota Traffic Services Inc, Traffic Control/Rd Paint \$4,607.66

911: Two Way Solutions Inc, Radio's, Equipment \$7,283.56; Cole Paper, Copy Paper \$223.44; A & B Pure Water Online Corp, Water \$50.95; Sd Dept Of Public Safety, Teletype Service \$3,090.00; Bluepeak, 911 Circuits \$969.05;

Centurylink, Monthly Services \$162.03; Midco, Internet \$39.41; Xcel Energy, Electricity \$9.00
EMS: Interstate Power Systems Inc, Generator Service For Courthouse And 911 \$576.00; Timmerman,
Harold, Gas For Training \$68.38; Midco, Internet \$7.89; Verizon Wireless, Mobile Internet \$40.03
AIRPORT: Bluepeak, Airport \$47.76; Lincoln Co Rural Water, Water-Airport \$45.00; Southeastern
Electric Co-Op Inc, Electricity \$151.00; American Engineering Testing Inc, Aip # 3-46-0078-020-2022
Apron Reconstruction \$8,360.00; Helms & Associates, Project # Aip 3-46-008-020-2022 \$1,363.34
24/7: Hassebrook, Andrew, Remote Pbt Refund \$2.00; Dash, Exam Gloves \$197.80; Pharm Chem Inc,
August 2022 - Sweat Patch Analysis \$377.40; Us Bank, Statement 08/20/2022 \$157.02
MODERN/PRESERV: Century Business Products, Copier/Printer Copies Fee \$37.60; Mcleod's
Printing, Mortgage Index Sheets For Index Books \$575.18 LAW LIBRARY: Lexisnexis/Relx
Inc, Law Library \$280.00 STATEWIDE SOBRIETY: Sd Attorney General's Office, 24-7 State
Reimbursement \$8,075.00; Hassebrook, Andrew, Remote Pbt Refund \$36.00
MODERN/PRESERV: Sdaco, Sdaco M & P Fund \$2,382.00 STATE MOTOR: Sd State
Treasurer, Sd State Treasurer \$453,888.60 SALES TAX: Sd State Treasurer, Sd State Treasurer
\$1,342,106.32 BIRTHS, DEATHS, & TITLES: Sd State Treasurer, Sd State Treasurer B & D
\$580.00

Reports:

A notice of hearing pertaining to a Conditional Use Permit to allow light manufacturing was presented.
South Dakota State University Southeast Research Farm Field Day event information was presented.

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

CONSENT AGENDA:

MOTION by Jibben and second by Poppens to approve the Commission Minutes: 9/6/2022. Jibben:
"Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize Auditor to Execute the Application for Replacement
Warrant submitted by Jim Schmidt for the amount of \$379.33; original warrant number 30614 issued
04/27/2021. MOTION by Jibben and second by Poppens. Jibben: "Aye" Poppens: "Aye" Schmidt:
"Aye" Arends: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Wellness Service
Agreement with Well365 LLC for the period 11/01/2022 through 10/31/2023. MOTION by Jibben 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
items from the Sheriff's Office: Item 6984, Car Camera System, Panasonic Arbitrator System,
TGA000327/TGA00216, Transfer to Worthing Police; Item 6776, Body Cam, Arbitrator TW370,
THA00035, Transfer to Worthing Police. MOTION by Jibben and second by Poppens. Jibben: "Aye"
Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

An individual from Fairview commented on pending litigation, election records, and post-election
audits.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Schmidt commented on the annual County Association convention in Pierre and commended Mr. Golden on his Union presentation.

Commissioner Arends reported that the South Dakota Game, Fish, & Parks has approved work at Lake Alvin regarding the spillway and water quality.

Commissioner Jibben reported that Lincoln County Road 103 west of Lennox will be closed for at least 8 weeks in order to work on the bridge.

REGULAR BUSINESS:

SECOND READING & PUBLIC HEARING occurred for an Ordinance of Lincoln County South Dakota Regarding the Issuance of Local Medical Cannabis Establishment Permits by Amending Ordinance 2106-30. None spoke in favor of the ordinance. One individual from a licensed medical cannabis establishment spoke in opposition and presented changes over the phone. Joe Meader, Civil Deputy State's Attorney, responded to each of the proposed changes to the ordinance language. Discussion was extensive.

RESOLUTION: BE IT RESOLVED to table the Ordinance of Lincoln County South Dakota Regarding the Issuance of Local Medical Cannabis Establishment Permits by Amending Ordinance 2106-30 until the 09.27.2022 Commission meeting in order for language clarification as discussed at today's Public Hearing. MOTION by Poppens and second by Schmidt. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

COMMISSIONER BRIEFING: The information regarding a Notice of Intent to Conduct a Raffle by Midwest Dance Center Booster Club was presented. No action was taken by the Board in objection to the raffle.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, informed the Board of the necessary facts pertaining to the Rural Access Infrastructure Fund process. Sheri Lund, Auditor, answered accounting questions on the topic.

RESOLUTION: BE IT RESOLVED to approve the process for Townships to apply for Rural Access Infrastructure Funds (RAIF) as presented. MOTION by Schmidt and second by Jibben. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, informed the Board of the necessary facts pertaining to amendments to the 2020 Federal Bridge Improvement Grants which would reflect a smaller portion paid by Lincoln County.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute amendments to the 2020 Federal Bridge grant agreements: 717448, 717449, 717450, 717451. MOTION by Schmidt and second by Jibben. Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Arends: "Aye". Motion carried.

COMMISSIONER BRIEFING: Karla Goossen, Director of Equalization, informed the Board of the necessary facts pertaining to an abatement request.

RESOLUTION: BE IT RESOLVED to abate property taxes for 2019 payable 2020 requested by Lifestyle Investments LLC in the amount of \$1,859.24 for the property legally described as Grand Arbor Village Add - Lot 5- BLK 2, a/k/a parcel number 281.57.02.005, due to: Replatted July 2018-the parcel

should have been deleted. MOTION by Poppens and second by Schmidt. Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Jake Oakland, Information Technology Director, informed the Board of the necessary facts pertaining to an agreement with Schneider Geospatial, LLC.

RESOLUTION: BE IT RESOLVED to approve and authorize Chair to execute an agreement with Schneider Geospatial, LLC for an online property information portal in the amount of \$25,018 plus an annual cost of \$17,628 per for 3 years. MOTION by Schmidt and second by Jibben. Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

FIRST READING occurred for an Ordinance of Lincoln County, SD, rezoning a portion (approximately 2.40 acres) of the property legally described as Tract 3, Poppenga’s Addition, SW1/4, Section 28-T99N-R51W Perry Township, from the “A-1” Agricultural District to the “C” Commercial District, and amending the Official Zoning Map of Lincoln County. The Planning Commission recommends approval (5-0). Location: 46622 278th Street

COMMISSIONER BRIEFING: Joe Meader, Civil Deputy State’s Attorney, informed the Board of the necessary facts pertaining to a CIP meeting for the Airport in Mitchell SD on October 3rd with Helms & Associates.

RESOLUTION: BE IT RESOVLED to appoint Michael Poppens as Lincoln County representative for the October 3rd CIP meeting in Mitchell, SD. MOTION by Jibben and second by Schmidt. Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

COMMISSIONER BRIEFING: The Board Discussed uses for the remainder of the ARPA funds. Commissioner Arends and Commissioner Poppens volunteered to put together an application process for these funds.

COMMISSIONER BRIEFING: The Board discussed the 2023 Provisional Budget. No motions were made to change or adopt the 2023 Budget. Board members commented on the importance of having a full Board for these things.

COMMISSIONER BRIEFING: John Rombough, Buildings & Grounds Superintendent, informed the Board of the necessary facts pertaining to emergency HVAC needs at the Highway Shop.

RESOLUTION: BE IT RESOLVED to approve G&R for \$9,465.00 for work at the Highway Shop and authorize the Chair to execute any documents to accomplish said work. MOTION by Poppens and second by Schmidt. Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 10:40 a.m. for the purpose of 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 Jibben. Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:59 a.m. MOTION by Poppens and second by Jibben. Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve the applications for payment submitted by Legacy Aviation and extend their agreements month-to-month to ensure airport operations. MOTION by Poppens and second by Schmidt. Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

MOTION by Poppens and second by Jibben to adjourn at 11:01 a.m. until 8:30 a.m. on September 27, 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 27, 2022
Please publish the week of October 3, 2022.