THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on April 6, 2021, with Commissioners Joel Arends, Jim C. Jibben, Michael Poppens, and Jim Schmidt 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 Poppens and seconded by Arends to approve agenda with the removal of Regular Business Item #27: Discussion on structure 42-148-050 (Lake Alvin) about replacement structure type, IMEG. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Payroll: $289,904.70
Commissioner's $4,664.00; FICA 254.89, Medicare 59.62
Auditor's $10,487.20; FICA 552.93, Medicare 129.31, SDRS 629.23
Treasurer's $17,004.02; FICA 961.96, Medicare 224.98, SDRS 1,020.23
States Attorney's $42,483.21; FICA 2,379.93, Medicare 556.58, SDRS 2,490.23
Gen Gov Bldg $13,714.89; FICA 720.33, Medicare 168.48, SDRS 822.89
DOE $27,550.42; FICA 1,543.75, Medicare 361.03, SDRS 1,587.55
ROD $7,743.15; FICA 422.18, Medicare 98.74, SDRS 417.68
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 $70,909.09; FICA 4,198.54, Medicare 981.90, SDRS 6,444.70
County 4-H $3,128.81; FICA 186.68, Medicare 43.66, SDRS 187.73
P & Z $10,953.60; FICA 646.66, Medicare 151.23, SDRS 657.21
Highway $38,141.11; FICA 2,163.25, Medicare 505.92, SDRS 2,288.47
Communications $21,879.51; FICA 1,245.49, Medicare 291.30, SDRS 1,312.77
EM MGMT $2,948.40; FICA 160.06, Medicare 37.43, SDRS 176.90
24/7 $2,309.60; FICA 112.70, Medicare 26.36, SDRS 184.77

Longevity: $1,900.00
Gen Gov Bldg $900.00; FICA 55.80, Medicare 13.05, SDRS 54.00
Highway $1,000.00; FICA 62.00, Medicare 14.50, SDRS 60.00

Reports:
The February 2021 Sheriff Civil Fee mileage report was presented.
A letter from the South Dakota Department of Environment and Natural Resources pertaining to the Nutrient Management Plan for Dakota Plains Dairy LLC was presented.
The March 2021 Veterans Service Office Report was presented.

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

MOTION by Schmidt and seconded by Arends to approve Commission Minutes: 3/23/2021. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "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 3.29.2021: EJ Colshan -

Sergeant - SO2/Step 12 - $32.54. MOTION by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to transfer the following inventory from the Sheriff's Office to Buildings & Grounds: Item 2426, Briggs & Stratton 01654 Port. Generator, Serial 1010959788. MOTION by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to surplus and remove from inventory the following items from the Sheriff's Office: Push bumper charger, Sentina, for older charger; Item 1543, Car Radio, Kenwood, Serial TK860G, old UHF Radio; Item 2207, Car Radio, Kenwood, Serial TK860G, old UHF Radio; Item 4679, Car Radio, Kenwood, Serial TK860G, old UHF Radio; Item 4382, In car camera, VIO, Serial MVS1D117, inoperable/Highway Grant; Item 4566, Push bumper, Sentina, for older charger. MOTION by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to surplus and remove from inventory the following items from the Sheriff's Office: Item 1198, Motorola radio system, gold elite Serial 800-166, replaced by new Zetron system; Item 1161, logger recorder, Guardian, Serial 00344569, replaced by new Zetron system; Item 2634, 911 system, Zetron 3200, replaced by State provided Lumen system; Item 0750, desk organizer, black metal, replaced by new furniture; Item 2897, workstation, Viking, replaced by new furniture; Item 2898, workstation, Viking, replaced by new furniture; Item 2899, workstation, Viking, replaced by new furniture; Item 2901, Acoustical walls, Viking, replaced by new furniture; Item 3624, 30" CPU cabinet, Viking, replaced by new furniture; Item 3625, 60" CPU cabinet, Viking, replaced by new furniture; Item 3626, 60" CPU cabinet, Viking, replaced by new furniture. MOTION by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to set Public Hearing to occur May 4, 2021, between 8:35 a.m. and adjournment for the purpose of adopting the following supplements to the 2021 Budget: A supplement adding $800.00 in account 233-4331, $871.83 in account 233-366, $306,78 in account 233-4322-411, $$23.47 in account 233-4322-412, $1,375.00 in account 233-4322-425, $336.31 in account 233-4322-428, $19,991.08 in account 101-37100, and $19,991.08 in account 233-4911-00000. MOTION by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the agreement with Karpel Solutions for case management software in the State's Attorney office. MOTION by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:
A Lincoln County resident commented on the inconvenience of the Transfer Station’s closure and voiced concerns that said closure might increase the littering problem on Township roads and ditches.

COMMISSIONER REPORT (INFORMATIONAL ONLY):
Commissioner Jibben reported a similar concern as the one described in Opportunity for Public Comment regarding the Transfer Station closure that he heard from a constituent of his.

REGULAR BUSINESS:
PUBLIC HEARING was held in connection with a proposed plan of financing involving the issuance by the Issuer of its revenue bonds (the “Bonds”) in one or more series pursuant to a plan of finance in an

aggregate principal amount not to exceed $90,000,000 to finance and refinance the Project at Augustana University. Todd Meierhenry, explained the resolution before the Board and answered questions. There was nobody present who spoke in favor nor opposition to the bonding resolution for this project.

RESOLUTION GIVING APPROVAL TO A PROJECT WITH THE AUGUSTANA COLLEGE ASSOCIATION (THE "CORPORATION"), AND GIVING APPROVAL AND AUTHORIZATION FOR THE ISSUANCE OF ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2021 (THE AUGUSTANA COLLEGE ASSOCIATION PROJECT) OF THE COUNTY OF LINCOLN, SOUTH DAKOTA, IN ONE OR MORE TAX-EXEMPT AND/OR TAXABLE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $90,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO BE LOANED TO THE CORPORATION TO FINANCE THE PROJECT DESCRIBED HEREIN; APPROVING THE FORM OF BONDS, INDENTURE, LOAN AGREEMENT AND OTHER DOCUMENTS WITH RESPECT TO SAID BONDS AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH DOCUMENTS, AND THE SALE OF SAID BONDS; MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO SAID PROJECT; APPROVING THE TAX-EXEMPT SERIES OF BONDS FOR PURPOSES OF SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986; AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN RELATED INSTRUMENTS.

WHEREAS, the County of Lincoln, South Dakota (the "County") is a political subdivision and corporate body duly organized and existing under the Constitution and the laws of the State of South Dakota (the "State"); and WHEREAS, the purpose of Chapter 9-54 of the South Dakota Codified Laws (the "Act") as found and determined by the legislature is to promote the welfare of the State by the provision of necessary economic development facilities; and WHEREAS, the County Commission (the "Commission") of the County has received from The Augustana College Association d/b/a Augustana University, a South Dakota nonprofit corporation (the "Corporation"), a proposal that the County undertake to finance a Project (as hereinafter described) through the issuance of economic development revenue bonds (the "Series 2021 Bonds") pursuant to the Act, the proceeds of which to be used by the Corporation; and WHEREAS, the proceeds of the Series 2021 Bonds will be used to finance (i) the current refunding of the Economic Development Revenue Bonds (Augustana College Association Project), Series 2005 previously issued by the County in the original principal amount of $7,000,000 (the "Series 2005 Bonds"); (ii) the current refunding of the Economic Development Revenue Bonds (Augustana College Association Project), Series 2008 previously issued by the County in the original principal amount of $9,000,000 (the "Series 2008 Bonds"); (iii) the current refunding of all or a portion of the Economic Development Revenue Bonds, Series 2014A (The Augustana College Association Project) previously issued by the Minnehaha County, South Dakota in the original principal amount of $13,000,000 and the Economic Development Revenue Bonds, Series 2014B (The Augustana College Association Project) previously issued by the Minnehaha County, South Dakota in the original principal amount of $5,000,000 (collectively, the "Series 2014 Bonds" and, together with the Series 2005 Bonds and the Series 2008 Bonds, the "Refunded Bonds"); (iv) certain termination payments with respect to one or more interest rate swaps entered into in connection with one or more series of the Refunded Bonds; (v) the construction and equipping of student housing and improvements on the campus and other university facilities; (vi) the funding of a debt service reserve fund and liquidity reserve for the Series 2021 Bonds, if needed; (vii) paying for capitalized interest; and (viii) the payment of costs incidental to the issuance of the Series 2021 Bonds (collectively, the "Project"); and WHEREAS, the County desires to facilitate the selective development of the community and help provide the range of services and employment opportunities required by its population, and the Project shall assist the County in achieving those objectives; and WHEREAS, the County has been advised by representatives of the Corporation that conventional commercial financing to pay the costs of the Project is available only on a limited basis and at such high costs of borrowing that the economic feasibility of operating the Project would be significantly reduced, but the Corporation has also advised this Commission that with the aid of county financing and its lower borrowing cost the Project is economically more feasible; and WHEREAS, the

Corporation has paid, and expects to pay, certain expenditures in connection with the construction and equipping of student housing and other improvements on its campus prior to the issuance of the Bonds, which the Corporation intends to reimburse with proceeds of the Bonds; and WHEREAS, prior to the issuance of bonds, Section 147(f) of the Internal Revenue Code of 1986 (the "Code") and SDCL 9-54-12 requires that the County conduct a public hearing on the Project and the proposed financing with at least 7 days' advance notice of such hearing to be published in a locally circulated newspaper (the "Public Hearing"), and such notice was published on March 26, 2021 in the Argus Leader (the "Notice of Public Hearing"), and said public hearing was held by the County, on behalf of the County, as issuer of the Series 2021 Bonds, as well as the City of Sioux Falls, at 8:30 a.m. on the date hereof in accordance with the Notice of Public Hearing; and WHEREAS, the County desires to approve of the Project and authorize the issuance of the Series 2021 Bonds and related documents.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION AS FOLLOWS:

Section 1. Findings. In furtherance of the provisions of the Act, and in order to promote, stimulate and develop the general economic welfare and prosperity of the County and of the State through the promotion and advancement of commercial and industrial development and to encourage and assist in the expansion of business in said County and State by providing greater employment opportunities, thus promoting the general welfare of the citizens of said County and State, and based upon the information available to this Commission, it is necessary and advisable and in the best interest of said County and State to loan the proceeds of the Series 2021 Bonds hereinafter described to the Corporation, to provide funds to pay certain costs in connection with the financing of the Project, and to issue for the aforesaid purposes the Economic Development Revenue Bonds (The Augustana College Association Project), Series 2021 of said County, in one or more tax-exempt or taxable series, in an aggregate principal amount not to exceed $90,000,000. The Series 2021 Bonds shall be issued pursuant to the Trust Indenture (the "Indenture"), by and between the County and the Trustee named therein (the "Trustee"), and the proceeds of the Series 2021 Bonds shall be loaned to the Corporation to finance the Project pursuant to the Loan Agreement (the "Loan Agreement") by and between the County and the Corporation. The governing body hereby finds and declares that the Project will promote the welfare of said County and the State. The Project constitutes properties, real and personal, used or useful in connection with one or more revenue-producing enterprises within the meaning of the Act; that the availability of the financing under the Act and willingness of the County to furnish such financing is a substantial inducement to the Corporation to undertake the Project; that, based upon representations of the Corporation, the Project would not be undertaken but for the availability of county revenue bond financing; and that the effect of the Project, if undertaken, shall promote the general welfare of the County and the State.

Section 2. The Series 2021 Bonds. The Series 2021 Bonds, substantially in the form of the draft thereof on file with the County on this date shall be and the same is, in all respects, hereby authorized, approved and confirmed, and the Chairman, County Auditor, and other appropriate officials shall be and they are hereby authorized and directed to execute and seal the Series 2021 Bonds and to deliver the Series 2021 Bonds to the purchasers thereof, for and on behalf of the County, upon receipt of the purchase price, and to deposit the proceeds thereof in the manner provided for by the Indenture.

Section 3. Sale of the Series 2021 Bonds; Bond Purchase Agreement. The County does hereby authorize the sale of the Series 2021 Bonds to RBC Capital Markets, LLC and Colliers Securities LLC (collectively, the "Underwriters"), such Series 2021 Bonds to be in one or more series, in an aggregate principal amount not to exceed $90,000,000, to bear interest and to mature as set forth therein, at a purchase price of not less than 100% of the principal amount plus accrued interest. The County does hereby authorize and approve the execution and delivery of a Bond Purchase Agreement dated as of the date of the sale of the Series 2021 Bonds (the "Bond Purchase Agreement"), by and among the County, the Corporation and the Underwriters; such Bond Purchase Agreement to be substantially in the form and content of the draft thereof on file with the County on this date, and is hereby approved, with such changes therein as shall be approved by the Chairman or County Auditor, with the advice of the State's Attorney, and the execution thereof shall constitute conclusive evidence of their approval and the

County’s approval of any changes or revisions therein from the form of Bond Purchase Agreement approved hereby.

Section 4. Indenture and Loan Agreement. The Indenture, and the pledge of the Trust Estate thereunder as security for the Series 2021 Bonds and the interest thereon, and the Loan Agreement shall be, and they are, in all respects, hereby authorized, approved and confirmed, and the Chairman and County Auditor shall be and they are hereby authorized and directed to execute and deliver said documents in the form and content of the draft thereof on file with the County on this date, with such changes therein as shall be approved by the Chairman or County Auditor with the advice of the State’s Attorney, and the execution thereof shall constitute conclusive evidence of their approval and the County’s approval of any changes or revisions therein from the forms of Indenture and Loan Agreement approved hereby.

Section 5. Note. Pursuant to the Loan Agreement, the Corporation will issue to the County its Promissory Note dated as of the date of the issuance of the Series 2021 Bonds (the “Series 2021 Note”) to evidence its obligations under the Loan Agreement. The Series 2021 Note will be in a principal amount not less than the principal amount of the Series 2021 Bonds and have similar prepayment provisions, maturities and interest rates as the Series 2021 Bonds. The County hereby approves the assignment of the Series 2021 Note by the County to the Trustee for the benefit and security of the Series 2021 Bonds.

Section 6. Tax Certificate. The County does hereby authorize and approve the execution and delivery of a Tax Certificate and Agreement relating to the tax-exempt series of the Series 2021 Bonds (the “Tax-Exempt Bonds”), dated as of the date of the issuance of the Tax-Exempt Bonds (the “Tax Certificate”), between the Corporation and the County; such Tax Certificate to be substantially in the form and content of the draft thereof on file with the County on this date, is hereby approved, with such changes therein as shall be approved by the Chairman or County Auditor with the advice of the State’s Attorney, and the execution thereof shall constitute conclusive evidence of their approval and the County’s approval of any changes or revisions therein from the form of Tax Certificate approved hereby.

Section 7. Offering Document. Any preliminary official statement and/or final official statement or other offering document which may be used in connection with the sale and issuance of the Series 2021 Bonds shall be in such form as shall be approved solely as to and for purposes of distribution by the Chairman, or any other official of the County named in Section 12 herein, with the advice of bond counsel. The Chairman and each other official of the County named in Section 12 herein shall be and hereby are authorized and directed to execute any such preliminary official statement and/or final official statement or other offering document relating to the Series 2021 Bonds.

Section 8. Bond Opinion. The County Auditor of the County shall obtain a copy of the proposed approving legal opinion of bond counsel for the Bond, such opinion to be rendered by Ballard Spahr LLP, Sioux Falls, South Dakota, and shall cause such opinion to be filed in the offices of the County Auditor.

Section 9. Limited Obligations. The Series 2021 Bonds, together with the interest thereon, shall be limited obligations of the County payable solely out of the payments, revenues and receipts received by the County pursuant to the Loan Agreement and Series 2021 Note, which payments, revenues and receipts are hereby and pursuant to the Indenture pledged and assigned for the payment of the Series 2021 Bonds and shall be used for no other purpose than to pay the principal of and interest on the Series 2021 Bonds, except as may be otherwise expressly authorized in the Indenture. The Series 2021 Bonds and the interest thereon shall not constitute an indebtedness of the County within the meaning of any constitutional provision or statutory limitation and shall not constitute or give rise to a pecuniary liability of the County or its officers, agents or employees, or a charge against the County’s general credit or taxing power.

Section 10. Reimbursement Declaration. The Corporation has paid, and will continue to pay, certain costs of the Project prior to the date of issuance of the Bonds that it expects to reimburse with proceeds of the Bonds. The County hereby adopts a declaration of official intent with respect to the Corporation’s reimbursement of such expenditures, in accordance with Section 1.150-2 of the United States Treasury Regulations. The maximum amount of Bonds to be used for such purpose shall not exceed $60,000,000.

Section 11. Severability; Exhibits on File. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution. All documents herein referred to shall be maintained on file in the office of the County Auditor and is available for inspection by any interested party during normal business hours.
Section 12. Authority of County Officers. The Chairman, County Auditor, State's Attorney and other County officials shall be and they are hereby authorized to execute and deliver for and on behalf of the County any and all other agreements, instruments, certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the matters herein authorized and in the documents authorized and approved herein.
Section 13. Approval Pursuant to Section 147(f) of the Code. To the fullest extent required by Section 147(f) of the Code, the County hereby approves of the issuance of the Tax-Exempt Bonds, in one or more series, pursuant to a plan of finance in an aggregate principal amount not to exceed $90,000,000 and to finance the Project as described in the Notice of Public Hearing.
Section 14. Effective Date. This Resolution shall take effect following (i) the 20th day following its publication unless suspended by a referendum, and (ii) the holding of the Public Hearing to the satisfaction of the Commissioners.
Motion BY Poppens and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

PUBLIC HEARING was held to consider an application for temporary malt beverage license 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 May 1st fundraising event. The applicant was present to describe their planned event and answer questions. Nobody commented in favor nor opposition to the license request.
RESOLUTION: BE IT RESOLVED to approve application for temporary malt beverage license 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 May 1st fundraising event. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

BIDS were read for surplus Tax Deed Property legally described as Tract 16 in D&L Industrial Addition in the Southwest Quarter, Section 24, Township 100, Range 51, West of the 5th PM, Lincoln County, South Dakota., a/k/a Lincoln Co. Parcel #100.50.64.K016, as follows: Mike Brown, MDB Properties LLC $10,000.00; Jarrod Fredericks $1,899.00.
RESOLUTION: BE IT RESOLVED to award bid for surplus Tax Deed Property legally described as Tract 16 in D&L Industrial Addition in the Southwest Quarter, Section 24, Township 100, Range 51, West of the 5th PM, Lincoln County, South Dakota., a/k/a Lincoln Co. Parcel #100.50.64.K016, to Mike Brown, MDB Properties LLC, for the amount of $10,000.00. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

BIDS were read for farmland lease at property legally described as The Northeast Quarter (NE l /4) of Section 36, Township 100, Range 51 West of the 5th P.M., Except the West 370.42 Feet of the East 2,132.80 Feet of the North 823. 17, Lincoln County, South Dakota, as follows: Allen Rippentrop $3,799.00.
RESOLUTION: BE IT RESOLVED to reject bids for farmland lease at property legally described as The Northeast Quarter (NE l /4) of Section 36, Township 100, Range 51 West of the 5th P.M., Except the West 370.42 Feet of the East 2,132.80 Feet of the North 823. 17, Lincoln County, South Dakota, and authorize the Auditor to re-advertise for sealed bids for a one-year lease instead of a two-year lease due to

the Board’s intent to sell said property. MOTION by Arends and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Commissioner Schmidt introduced Peter Smith of Rural Office of Community Services who informed the Board of his organization’s services.

COMMISSIONER BRIEFING: Commissioner Schmidt introduced a representative from Court Appointed Special Advocates for Children (CASA) who briefly explained their organization. The following proclamation was read and signed:

SIOUX FALLS AREA CASA RED CAPE WEEK PROCLAMATION - 2021
WHEREAS, Sioux Falls Area CASA (Court Appointed Special Advocates) was created in 1994 at the request of Circuit Judge Gene Kean to be the voice for abused and neglected children in the foster care system; WHEREAS, 570 children experiencing abuse and neglect were referred to the Sioux Falls Area CASA Program in 2020, our highest number ever assigned to the Program; WHEREAS, SF CASA’s largest age demographic for referrals is children under 6 years old; WHEREAS, the impact of trauma imparted by abuse and neglect is life-long, leading many to “heal” themselves through substance abuse resulting in frequent incarceration, creating a loss of employment and much more, and often repeating as adults the cycles of abuse they experienced themselves as children; WHEREAS, in 26 years, 690 volunteers have given of their time, talent, and heart providing over 93,000 hours to our children to help them find safety and permanency; WHEREAS, children are vital to our community’s future success, prosperity and quality of life as well as being our most vulnerable assets; WHEREAS, in an effort to bring attention and awareness to the needs of our abused and neglected children in the 2nd Judicial Circuit, SF CASA is hosting a Red Cape Week during Child Abuse Prevention Month because every child deserves a Superhero; WHEREAS, the Red Cape symbolizes everyone’s ability to step up and help abused and neglected children in our community; WHEREAS, effective child abuse prevention strategies succeed because of partnerships created among superhero citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community; NOW, THEREFORE, we, Lincoln County Commissioners, do hereby proclaim April 4-10 as Red Cape Week and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in our efforts to support children and their families, thereby preventing future child abuse and strengthening the communities in which we live.

COMMISSIONER BRIEFING: Commissioner Arends introduced Bill Garnos, a consultant, who presented a report on the inmate population trends of Lincoln and Minnehaha Counties and answered questions from the Board after the Board voted to approve the second draft of his report.

RESOLUTION: BE IT RESOLVED to approve the second draft of the Inmate Population Trends report from Bill Garnos. MOTION by Arends and seconded by Jibben. Arends: “Aye” Jibben: “Aye” Poppens: “Nay” Schmidt: “Aye” Landeen: “Nay”. Motion carried.

COMMISSIONER BRIEFING: Ray Koens, Human Services, informed the Board of the necessary facts pertaining to Case # 111,442.

RESOLUTION: BE IT RESOLVED to approve payment of $26,554.99 for 7 claims as presented for Case #111,442. MOTION by Jibben and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: William Golden, Chief Civil Deputy State's Attorney, informed the Board of his findings pertaining to Douglas Runde's request to compromise lien number 05309. Runde was present to answer questions from the Board.

MOTION by Schmidt and seconded by Arends to amend the motion by Arends and seconded by Jibben changing the amount of the compromise from $7,500.00 to $15,00.00. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a compromise in the amount of $15,000.00 on lien number 05309 in the name of Sandra Dahl. MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Julia Disburg, Human Resources Director, informed the Board of several personnel items.

RESOLUTION: BE IT RESOLVED to hire Kaitlin Schirmacher as a fulltime Records Clerk for the Register of Deeds Office at $17.19/hour (Grade 104/Step 2) effective 3.24.2021. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve an exception to the current recruitment procedures and forego the internal recruitment process for the Deputy position within Register of Deeds office and offer the position to the one tenured staff within said office. MOTION by Poppens and seconded by Schmidt. Arends: "Nay" Jibben: "Nay" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to promote/reclassify, Jessica Sommervold, from Paralegal to Office Manager in the State's Attorney's Office at $29.10/hour (Grade 109, Step 10) effective 3.29.2021. MOTION by Schmidt and seconded by Arends. Arends: "Nay" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to promote/reclassify, Anje Williams, from Victims Witness Legal Assistant to Lead Paralegal in the State's Attorney's Office at $27.04/hour (Grade 109, Step 7) effective 3.29.2021. MOTION by Poppens and seconded by Schmidt. Arends: "Nay" Jibben: "Nay" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to amend Regular, Part-Time Employee Policy as follows:
5.2 Regular, Part-Time Employees
Regular part-time positions are those which are authorized as part of the County budget and are scheduled to work between 24 to 29 hours per week with a maximum of 1,250 hours per calendar year. Individuals in these positions do not receive holiday pay benefits or leave accruals. However, employees working in regular, budgeted part-time positions, who consistently work over 24 hours per week will participate in the South Dakota Retirement System. Also, employees working in regular part-time positions which require 30 or more hours per week will be eligible to participate in health insurance beginning January 1, 2014.
5.3 Seasonal and Variable Hour Employees
The County will periodically hire employees to work in positions which are not budgeted as authorized positions. These positions, which are not benefits eligible, are either seasonal or variable hour positions. Seasonal positions are those which are filled for a short period of time to assist with a seasonal need such as road construction or elections. They normally begin each calendar year in approximately the same part of the year, such as summer or winter. Seasonal positions may be either full or part-time, and

incumbents in these positions are not benefits eligible. While they typically last only a few months, seasonal positions may not extend beyond six months during any calendar year.

Unlike seasonal positions, variable hour positions may be filled for an indefinite period of time and typically require fewer hours. Variable hour positions are often used to supplement full-time staff positions, and hours per week can fluctuate substantially depending on staffing needs. Individuals in variable hour positions are not benefits eligible and may not average more than 24 hours per week in any calendar year period.

Pay for seasonal and variable hour employees are determined based on market, equity within the County, economic environment, and other factors.

Employees in variable hour positions will have their performance evaluated and their pay rate reviewed annually. The amount of any pay rate increase will be determined by the department head and Human Resources taking into consideration performance, market, internal equity, and other related issues. The annual increase should not exceed the percentage available to employees in budgeted positions. All increases must be approved by the County Commission.

Variable hour employment will end if an employee does not work any scheduled hours for more than six months. If the employee is later re-hired, the department head may request approval for appointment at the employee's last rate of pay or step placement.

The pay rate for employees in seasonal positions is typically not adjusted during the term of employment. However, individuals may receive increases if rehired in subsequent seasons as long as the new pay rate is within established ranges.

5.4 Converting to Part-Time

Full-time employees may convert to variable hour positions, depending upon position availability and department head approval, after resigning as long as there is a thirteen-week break in service between positions. Employees may retain the same pay rate if they are serving in a similar capacity. Exceptions to the break in service requirement may be granted by the Commission.

MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve Sheriff's request for exception to policy 5.4 Converting to Part-Time due to a Deputy transitioning to Part-Time in order to forgo the 13-week break in employment. MOTION by Arends and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to promote Jarid Espland from Sergeant to Lieutenant in the Sheriff's Office at $29.28/hour (SO3, Step 2) 4.13.2021. MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to extend COVID-19 leave through April 2021 to allow time for vaccination. MOTION by Poppens and seconded 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 customer service agreement from Novak Sanitary Service before them.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute Customer Service Agreement #00552605 with Novak Sanitary Services for the Lincoln County Fairgrounds in the amount of $55.01 per month for 60 months. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Commissioner Poppens proposed that the excess land near the Highway shop be sold and the proceeds go towards the 4-H projects since the additional land was purchased for 4-H use. Poppens asked if the Board would be willing to support his request for the Highway Superintendent to determine how much of the land was needed for operations so the remainder could be surplused and sold. The Board agreed.

Commissioner Poppens left the meeting at 10:46 a.m.

COMMISSIONER BRIEFING: Jared Narum, Highway Operations Supervisor, informed the Board of the necessary facts pertaining to several grant application resolutions as well as two 2021 project bids to be awarded.

RESOLUTION: BE IT RESOLVED to award the bid for 2021 Micro Surfacing Project to ASTECH Corp for $598,687.13, which was the lowest of three bidders. MOTION by Jibben and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to award the 2021 Bridge Project 42-180-069 bid to 605 Companies for $184,956.80, which was the lowest of six bidders. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute 2021 Federal Bridge Replacement Grant Application Resolution for 42-200-249 as presented and on file. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute 2021 Federal Bridge Replacement Grant Application Resolution for 42-200-226 as presented and on file. MOTION by Schmidt and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute 2021 Federal Bridge Replacement Grant Application Resolution for 42-120-158 as presented and on file. MOTION by Jibben and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute 2021 Federal Bridge Replacement Grant Application Resolution for 42-120-283 as presented and on file. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute 2021 Bridge Improvement Grant, Preservation Grant for 42-020-201 as presented and on file. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the 2021 Bridge Improvement Grant, Preservation Grant for 42-020-201. MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Karla Goossen, Director of Equalization, conducted her annual conference with the Board as required by SDCL 10-3-14.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, described a process for compromising of liens for those that have been deceased 5 years or longer and asked the Board for feedback. Comments from the Board were in favor of the described process. Lund also asked for clarification on some rent receipt and informed the Board of the necessary facts pertaining to the first quarter adjustments to the 2021 Budget.

RESOLUTION: BE IT RESOLVED to receipt rental payments from lease of Transfer Station property to the budget line item to be used for 4-H buildings within the General Fund. MOTION by Schmidt and seconded by Jibben. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to transfer budgeted cash to 24/7 in the amount of 58,476.00. MOTION by Schmidt and seconded by Arends. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve Automatic Budget Supplements for unanticipated grants in the amount of 13,400.89. MOTION by Jibben and seconded by Arends. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to retain 10% of Domestic Abuse Funds and distribute remaining to Children’s Inn and Compass Center evenly in place of their 2022 Budget allotment. MOTION by Schmidt and seconded by Arends. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Wendy Sweeter, 4-H Advisor, presented the 4-H Office First Quarter Report.

Commissioner Landeen turned the Chair over to Commissioner Arends and left the meeting at 12:06 p.m.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 12:07 p.m. for the purposes 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 Schmidt and seconded by Jibben. Jibben: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 12:46 p.m. MOTION by Schmidt and seconded by Jibben. Jibben: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

MOTION by Jibben and seconded by Schmidt to adjourn at 9:43 a.m. until 8:30 a.m. on April 13, 2021. Jibben: “Aye” Schmidt: “Aye” Arends: “Aye”. Motion carried.

Lincoln County Board of Commissioners

/s/
Tiffani Landeen, Lincoln County Chair

Attest: /s/
Shaun Feilmeier, Deputy Auditor

Approved April 13, 2021

Please publish the week of April 12, 2021.