



Regular Meeting Agenda

TUESDAY, JANUARY 3, 2023

8:30 AM

(District 1) Joel Arends, Vice Chair
(District 2) Jim C. Jibben
(District 3) Tiffani Landeen, Chair
(District 4) Michael Poppens
(District 5) Jim Schmidt

Commission Meeting Room

104 N. Main Street

Canton, SD

P 605.764.2581

Auditor@lincolncountysd.org

PLEDGE OF ALLEGIANCE

ROUTINE BUSINESS:

- 1) Board action to approve Agenda.
- 2) Board action to elect Chair and Vice Chair per SDCL 7-8-15
- 3) Longevity: \$2,700.00
- 4) 2023 Annual Publication of Salaries & Wages per SDCL 6-1-10
- 5) Reports:
 - a. Letter from the Department of Agriculture & Natural Resources regarding a Revised Nutrient Management Plan
 - b. East Dakota Water Development District minutes
- 6) Board action to approve Consent Agenda items.

CONSENT AGENDA:

- 1) Approve County Commission Minutes: 12.27.2022
- 2) Appoint the official depositories of Lincoln County as follows: Farmers State Bank – Canton, Security Savings Bank – Canton, Premier Bank – Hudson, First Bank & Trust Wealth Management Services (Tif #7), US Bank (2013 Leased Acct & 2016 Leased Acct).
- 3) Appoint the location for Chattel Mortgage Sales to be at the main entrance of the Courthouse in Canton.
- 4) WHEREAS SDCL §7-7-25 states that the Board of County Commissioners, by Resolution, may authorize county officials to attend educational conferences, meetings, and conventions held and conducted within a 500-mile radius of the Lincoln County Courthouse, 104 N Main, Canton, SD for up to three days, pertaining to the betterment and advancement of county government; THEREFORE, BE IT RESOLVED that the County Highway Superintendent, Auditor, Treasurer, Register of Deeds, State's Attorney, Sheriff, County Assessing Officer, Planning and Zoning Director, IT Director, 911 Coordinator, Building Superintendent, Human Resources Director, GIS Director, 4-H Advisor, and their respective staff, be authorized to attend conferences, meetings, and conventions for the purpose set forth in SDCL §7-7-25 and that the mileage and necessary expenses to attend such be allowed. This Resolution shall be for the fiscal year 2023.
- 5) Appoint and authorize the Emergency Manager, Harold Timmerman, as Lincoln County Designee to request resources from the South Dakota Department of Agriculture's Wildland Fire Division.
- 6) Authorize the Auditor to schedule and advertise all necessary public hearings for Alcoholic Beverage Licenses, vacate highway/plat/right-of-way, Road Districts, Airport Hanger lease transfers, and Medical Marijuana Licenses as needed in the year 2023.
- 7) Appoint Terry Fluit to the position of Lincoln County Highway Superintendent per SDCL 31-11-1.

- 8) WHEREAS SDCL 12-15-11 made it the responsibility of the County Commissioners of each county to set the fee for precinct election officials of all units of government in the county. THEREFORE, BE IT RESOLVED, that the fee for precinct election officials in Lincoln County be set at \$175.00, and election superintendent at \$200.00, for each election. BE IT FURTHER RESOLVED, that pursuant to SDCL 12-15-7 such election officials be allowed a fixed fee for attendance at a meeting called by the County Auditor for instruction on election laws and the duties of the judges and clerks of election as follows: \$25.00 compensation for election officials plus \$0.51/mile, or the established county rate, roundtrip. BE IT FURTHER RESOLVED that there will be one cell phone provided by one precinct worker per polling place, and a \$20.00 fee will be issued for the usage of the phone for only that day. BE IT FURTHER RESOLVED that the person delivering the poll-books and ballot boxes to the County Auditor's Office at the county seat shall receive the county rate for mileage as established pursuant to SDCL 7-7-24, for miles necessarily traveled in going to and returning from making the delivery (SDCL 12-15-11). The county rate for mileage is \$0.51 per mile. BE IT FURTHER RESOLVED that the judges, clerks, Resolution Board, Counting Board, and any other personnel deemed necessary by the County Auditor for receiving ballot boxes, supplies, and for tabulating ballots be allowed \$15 per hour. BE IT FURTHER RESOLVED that the Absentee Precinct personnel deemed necessary by the County Auditor for conducting Absentee Precincts be allowed \$15 per hour plus \$0.51/mile, or the established county rate, roundtrip. BE IT FURTHER RESOLVED that the payment of rent for polling places be \$50.00 per precinct, not to exceed \$100.00 per polling place.
- 9) Compromise the following County liens of at-least-5-years deceased as of January 1, 2023 as follows (lien number, amount, date of death): 01-05267, \$1217.50, 07.11.2017; 01-01019, \$11457.89, 05.10.1999 & 07.01.2015; 01-00139, \$1867.38, 08.03.2015; 01-04303, \$2500.00, 07.01.2012; 01-01358, \$11139.35, 10.13.2013; 01-01679, \$106627.69, 09.06.2006; 01-01364, \$10126.09, 06.11.2013; 01-05363, \$5000.00, 06.08.2014 & 03.28.2017; 01-01438, \$100.00, 10.03.2011; 01-01757, \$518.74, 10.12.2014; 01-01570, \$733.18, 02.21.2015; 01-00692, \$7149.45, 12.05.2008 & 07.19.2010; 01-02686, \$2500.00, 02.25.2008; 01-02164, \$94.00, 03.07.2009; 01-04564, \$2500.00, 03.22.2017; 01-01749, \$96.00, 06.14.2006; 01-01383, \$317.31, 06.14.2006; 01-02618, \$89.99, 09.02.2007; 01-02545, \$11877.89, 02.03.2011; 01-01404, \$526.87, 04.10.2017; 01-00125, \$353.84, 04.06.2014; 01-01530, \$473.36, 12.16.2009; 01-04478, \$2500.00, 09.09.2015; 01-02304, \$7.85, 01.08.2013; 01-00067, \$311.18, 01.08.2013; 01-03774, \$2168.90, 10.10.2015; 01-02628, \$16132.24, 12.27.2007; 01-04371, \$19388.32, 05.29.2015; 01-04496, \$2500.00, 11.13.2015; 01-02936, \$11.06, 08.21.2010; 01-03086, \$1015.00, 08.21.2010; 01-02612, \$47.18, 10.19.2013; 01-04492, \$2500.00, 11.19.2015; 01-01751, \$105912.84, 04.29.2016; 01-00686, \$13885.06, 04.10.1996; 01-05832, \$589.54, 04.10.1996; 01-02570, \$1061.71, 12.01.2017; 01-00129, \$878.66, 12.01.2017; 01-00974, \$5104.38, 01.23.2007; 01-01665, \$736.55, 01.23.2007; 01-07058, \$2430.00, 01.23.2007; 01-04565, \$2500.00, 03.25.2017; 01-04133, \$123.00, 11.08.2017; 01-00368, \$242.85, 11.08.2017; 01-04566, \$2500.00, 03.21.2017.
- 10) Approve and authorize the Chair and Auditor to execute the first quarter single signature sheet for the Local Emergency Management Performance Grant.
- 11) Set the date and time for the FIRST READING to occur January 10, 2023, and SECOND READING & PUBLIC HEARING to occur between 8:30 a.m. and adjournment of the February 7, 2023, Board of Commissioners Meeting for an Ordinance of Lincoln County, SD, rezoning the property legally described as Tract 1, Timmerman's Addition, SE1/4, Section 17-T100N-R51W Delapre Township, from the "A-1" Agricultural District to the "PD" Planned Development District, and amending the Official Zoning Map of Lincoln County. The Planning Commission recommends denial (5-1).
- 12) Approve the hire of Jacob Tetrack as a seasonal Equipment Operator for the Highway Department at \$23.64/hr (Grade 106, Step 2) effective 01.02.2023.

REGULAR BUSINESS:

- 1) SECOND READING & PUBLIC HEARING for an Ordinance of Lincoln County, SD, rezoning Lot 2, Tempo Addition, N1/2 SW1/4, Section 24-T100N-R51W Delapre 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 (6-0). (Toby Brown)
- 2) SECOND READING & PUBLIC HEARING for an Ordinance of Lincoln County, SD, rezoning a portion (proposed Tract 1, Johnson Addition, approximately 4.25-acres) of the property legally described as W1/2 NE1/4 (Ex. RR Right of Way, Lots H-1 & H-2, Lewis Tract 1, that portion of the W1/2 NE1/4 lying North of RR Right of Way except the N33' deeded to the City of Canton), Section 22-T98N-R49W Canton 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 (6-0). (Toby Brown)
- 3) Board action to re-appoint Erik Scott for a second four-year term as the At-Large (Livestock Production) representative for the Lincoln County Planning Commission. (Toby Brown)
- 4) Board action to formally approve Commissioner's salaries. (Traci Humphrey)
- 5) Board action to appoint members to boards & committees (Shaun Feilmeier)
- 6) Board action to designate three legal newspapers per SDCL 7-18-3 (Shaun Feilmeier)
- 7) Discussion and Board action regarding County Coroner appointment (Shaun Feilmeier)
- 8) Board action to approve additional staff in the Auditor's Office (Sheri Lund)
- 9) Board discussion and action regarding request to lease the parking lot of the County fairgrounds (William Golden)

OPPORTUNITY FOR PUBLIC COMMENT

COMMISSIONER REPORT (INFORMATIONAL ONLY)

EXECUTIVE SESSION:

- 1) Department Head evaluations: Executive Session: 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(1)
- 2) Sick Leave Assistance Program Application #2007 with Board action to follow: Executive Session: 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(1).
- 3) Settlement offer of bankruptcy debt with possible action to follow: 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)

ADJOURNMENT