

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on December 27, 2022, with Commissioners Joel Arends, 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 Arends and second by Schmidt to approve the agenda. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Claims: \$497,550.40

GENERAL: Metlife, Employee Life Insurance \$326.50; Imeg Corp, Highway Shop Survey/Plan Review \$2,086.00; Argus Leader/Multimedia Holding Inc., Nov 2022 Publishing \$1,268.14; Midco, Phone/Video \$1,455.42; Ramkota Hotel-Pierre, Travel-Lodging \$154.00; Dakota Forensic Consulting, Forensic Consulting \$900.00; Griesse Law Firm, Pc, Crt Appt Atty \$2,693.60; Laughlin, Nicole, Crt Appt Atty \$114.60; All Nations Interpreters, Inc, Interpreter \$572.00; Guzman, Sandra, Interpreter \$218.37; The Counseling Café, Psych Eval \$1,435.32; Price Phd, Thomas L, Competency Eval \$2,400.00; A To Z World Languages Inc, Interpreter \$53.25; Kading, Kunstle & Goodhope Llp, Crt Appt Atty \$222.20; Skorczewski, Jena, Transcripts \$398.40; Accurate Reporting, Inc, Grand Jury Transcripts \$482.00; Beck, Pat, Transcript \$99.05; Thomson Reuters-West Publ Corp, Software Subscription Charges \$838.41; Redwood Toxicology Laboratory, Lab Testing \$82.02; Frantzen Reporting/Pgr8r Inc, Grand Jury Reporting/Transcripts \$471.15; Paragon Health & Wellness, Blood Draws \$1,320.00; Sanford Health, Medical Services \$1,013.94; Crevier, Leslie, Testimony-Forensic Interviewer 4479.00; Child's Voice Route #6361, Expert Witness Testimony \$1,863.38; Midwestern Mechanical Inc, Quarterly Fire Sprinkler System Inspection \$300.00; Olson's Pest Technicians, Insect And Rodent Control \$375.00; Sioux Falls Ford Lincoln, Oil Change - 2022 F-150 \$66.79; Howe Heating & Plumbing Inc, Lump Payment For Three Projects \$8,915.13; Cintas, Rug Rental And Replacement \$249.59; Grainger, Water Filters/Wall Hanging Eye Hooks \$51.56; Sunshine Foods, Laundry Soap \$13.09; Prochem Dynamics Llc, Ice Melt/Custodial Supplies \$2,788.03; Cintas (First Aid), First Aid Supplies \$197.39; Midamerican Energy Co, Gas Utilities For The Courthouse \$2,745.21; Novak Sanitary Svc Corp, Garbage And Refuse Collection \$460.48; Xcel Energy, Electricity \$6,610.52; Bomgaars, Ice Melt \$445.97; Active Data Systems Inc, Filedirector \$840.00; Tyler Technologies Inc, Software Support \$66,241.76; Schneider Geospatial, Llc, Beacon Portal \$17,628.00; Riverside Technologies Inc, Umbrella Subscription \$17,970.00; Cdw-G Inc, Zebra Printer/Software renewal/Computer Accessories \$31,199.70; Optum Bank, Hsa Monthly Maintenance Fee \$33.00; Sioux Falls Area Humane Society, County Contract-Nov 2022 \$919.10; Northern Safety Technology, Inc, Equipment-Tahoe \$930.66; B & E Autoworx Llc, 21-7, 20-4, 20-2 \$166.90; Silverstar Car Wash, Car Wash Membership \$289.71; Auto Dynamics Inc, Vehicle Repair \$205.86; Jack's Uniforms & Equipment, Uniform Equipment \$2,733.06; Intoximeters Inc, Mouthpiece Fst \$190.00; Hot Steel Custom Fabrication, Llc, Collapsible Burn Cage \$380.00; Sd Div Of Motor Vehicle, 22-3/23-1 Title, Plates \$48.40; Applied Concepts Inc, Radio Equipment \$13,022.50; Octane Ink Llc, Vinyl Lettering For Patrol Vehicle \$2,695.00; Fee, Don, Install Into Tahoe \$3,250.00; Aj's Automotive Llc, Oil Change 18-2 \$78.49; Graham Tire Co Llc-Corp, Tires 17-2 \$572.04; Route 1, Video Solutions \$11,534.25; Hughes Co Jail, Inmate Housing- November 2022 \$190.00; Pennington Co Jail, Inmate Transportation-Nov 2022 \$415.23; Minnehaha Co Regional Jdc, Comm Sprvs/Child/Shltr Care \$14,667.68; Sanford Health Home (Vna), Public Health Svc \$1,250.00; Southeastern Behavioral Healthcare, Mobile Crisis-Nov \$241.71; Loving, Philip, Mi Evals \$2,300.90; Johnson Pllc, Katie, Mi Board- November \$2,732.05; Salem Qmhp, Karla, Mi Evals \$1,760.00;

Miller, Francie, Mi Hearing \$80.50; Yankton Co Treasurer, Mi Hearing- Yankton \$255.00; Schiltz, Ann, Mi Hearings \$136.00; Avera Med Group University Psychiatry, Mi Hold \$1,035.25; Avera McKennan Hospital, Mi Hold \$790.00; Kruse Law Office, Crt Appt Atty- Mi \$10,198.70; Maendel, Jayda, Post Event Cleaning \$120.00; Miiller Electric Llc, Emergency Light/Showring Elctrl \$16,580.81; Lennox Ace Hardware, Wire Nuts \$5.99; Chs Eastern Farmers, Propane For Heat At 4-H/Event Center \$1,300.92; Sioux Valley News Inc, Sv News Publishing \$39.89; Icc, Conference Registration \$1,980.00
ROAD AND BRIDGE: Metlife, Employee Life Insurance \$49.92; Howe Heating & Plumbing Inc, Boiler Repair \$810.00; Argus Leader/Multimedia Holding Inc., Nov 2022 Publishing \$44.35; Century Business Products, Nov/Dec Copies \$42.95; Prochem Dynamics Llc, Custodial Supplies \$1,098.87; Butler Machinery Co, Parts \$493.85; Fastenal Company, Supplies \$372.63; Napa Auto & Truck Parts Of Sioux Falls, Parts \$1,638.13; Hot Steel Custom Fabrication, Llc, Parts \$168.45; Cintas, Mats/Towels \$111.77; Mid-American Research Chemical, Supplies \$117.93; Transource, Parts \$9,224.34; Midco, Phone/Video \$76.42; Presto-X, Pest Control \$160.46; Novak Sanitary Svc Corp, Nov Trash \$702.71; Xcel Energy, Nov Traffic Light 106/123 \$80.91; Micheal's Purple Petunia, Pump Tanks \$150.00; Imeg Corp, Project Costs \$13,504.31; Istate Truck Center, 48,49 Wheels \$3,078.00
911: Metlife, Employee Life Insurance \$34.32; Century Business Products, Copier Contract \$27.88; Two Way Solutions Inc, Power Antenna/Headset Repair \$1,231.52; Midco, Phone/Video \$219.13; Xcel Energy, Electricity \$9.00
EMS: Metlife, Employee Life Insurance \$0.79; Midco, Phone/Video \$110.52
AIRPORT: A-1 Pumping & Excavating Inc, Pumping Of Office Holding Tank \$160.00; Cenex Zip Trip, Fuel \$102.84
24/7 SOBRIETY: Metlife, Employee Life Insurance \$3.12; Pharm Chem Inc, Patch Kit \$576.20; Midco, Phone/Video \$28.84
DEBT SERVICE-TIF #8: City Of Harrisburg, Tif # 8 July-Nov Collections \$191,945.67

Payroll: \$367,277.83

Commissioner's \$5,288.00; FICA 313.05, Medicare 73.22
Auditor's \$12,681.20; FICA 692.08, Medicare 161.86, SDRS 760.86
Treasurer's \$19,740.06; FICA 1,126.64, Medicare 263.49, SDRS 1,184.41
States Attorney's \$54,039.57; FICA 3,077.69, Medicare 719.78, SDRS 3,174.43
Gen Gov Bldg \$16,526.16; FICA 919.02, Medicare 214.94, SDRS 982.88
DOE \$35,306.95; FICA 2,030.26, Medicare 474.82, SDRS 2,069.38
ROD \$7,631.92; FICA 399.11, Medicare 93.34, SDRS 420.96
VSO \$2,728.88; FICA 142.74, Medicare 33.38, SDRS 163.73
GIS \$5,716.40; FICA 316.26, Medicare 73.97, SDRS 342.98
IT \$9,051.00; FICA 538.98, Medicare 126.05, SDRS 543.06
HR \$3,396.80; FICA 180.18, Medicare 42.14, SDRS 203.81
Sheriff's \$93,623.27; FICA 5,534.84, Medicare 1,294.44, SDRS 6,653.39
WIC \$365.60; FICA 22.67, Medicare 5.30
County 4-H \$2,051.40; FICA 127.19, Medicare 29.75, SDRS 123.08
Weed Control \$850.00; FICA 52.70, Medicare 12.33
P & Z \$12,859.00; FICA 787.87, Medicare 184.28, SDRS 744.54
Highway \$54,185.98; FICA 3,164.20, Medicare 740.02, SDRS 3,040.61
Communications \$25,958.19; FICA 1,500.11, Medicare 350.85, SDRS 1,557.48
EM MGMT \$3,368.80; FICA 190.02, Medicare 44.44, SDRS 203.75
24/7 \$1,908.65; FICA 116.88, Medicare 27.34, SDRS 152.69

Reports:

A letter from the South Dakota Department of Agriculture & Natural Resources regarding a Revised Plans & Specifications Review was presented.

A letter from Minnehaha County regarding bond resolution for the proposed Minnehaha Juvenile Justice Center was presented.

Mileage reports were presented as follows: November 2022 Sheriff Civil Fee mileage report. A Notice of Reissuance of Solid Waste General Permits from the South Dakota Department of Agriculture & Natural Resources was presented.

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

CONSENT AGENDA:

MOTION by Schmidt and second by Jibben to approve the Commission Minutes: 12.13.2022. 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 State Financial Assistance Agreement with South Dakota Department of Transportation for Lincoln County/Marv Skie Airport AIP 3-46-0078-20-2022. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize Auditor to execute the Application for Replacement Warrant submitted by JFF Land LLC for the amount of \$73.70; original warrant number 031471 issued 04/14/2022. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the termination of employment of Ryan Oltmans, Equipment Operator for Highway Department, effective 12.02.2022. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Alan Kumlien as a seasonal Equipment Operator for the Highway Department at \$23.10/hr (Grade 106, Step 4) effective 12.08.2022. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the transition of Alecia Halvorson from part-time to full-time as Deputy Sheriff for the Sheriff's Office at \$26.91/hr (Grade SO1/Step 3) effective 01.01.2023. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to promote/reclassify Cory McCloud from Deputy to Sergeant in the Sheriff's Office at \$38.76/hour (SO2, Step 11) 01.01.2023. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

COMMISSIONER BRIEFING: Sheriff Steve Swenson informed the Board of the necessary facts pertaining to an amendment to a prisoner housing agreement reflecting a fee increase. The public offered no input to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Second Amendment to Contract for Housing of Lincoln County Prisoners between Minnehaha County and Lincoln County for 2023 at \$106.15 per day per inmate with a minimum of 45 beds. MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER REPORT: Deborah Block, Treasurer, informed the Board of the necessary facts pertaining to a proposed property tax payment plan. The public offered no input to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to approve a payment plan on the second half of 2021-payable-2022 taxes on property legally described as SF Auburn Hills Add Tr 6 Condo C104 BLGD C Heartland Fields as follows: The homeowner to make monthly payments of \$100 and will keep current on the taxes that will be due in 2023. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Wendy Sweeter, 4-H Advisor, presented to the Board an update on 2022 Lincoln County 4-H including a report on the activities of the Fairgrounds Foundation. The public offered no input to the Board on this item at this time.

COMMISSIONER REPORT: Terry Fluit, Highway Superintendent, informed the Board of the necessary facts pertaining to clarification made to an agreement regarding road segments around the City of Tea as well as the award/denial of Rural Access Infrastructure Funds (RAIF) grants for Townships. Fluit further explained that the denials were due to project timing being too far out and structure condition being "fair"; the \$16,000 awards were for engineering stage of projects; the \$22,000 award was for a structure replacement; and the \$9,600 awards were due to the projects' progress at this time. The public offered no input to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Agreement Between Lincoln County, South Dakota, and Tea, South Dakota, Regarding Multiple Segments of Lincoln County Roads on 469th Ave/Cr111 and 470th St/Cr113. MOTION by Poppens and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Rural Infrastructure Access Funds (RAIF) project applications as follows and authorize the Chair to sign letters of notification regarding the same. Awarded: 42-0301-2467 Preliminary Engineering \$16,000.00; 42-1589-1417 Preliminary Engineering \$16,000.00; 42-1776-1279 Preliminary Engineering \$16,000.00; 42-1588-0914 Preliminary Engineering \$9,600.00; 42-1588-0903 Preliminary Engineering \$9,600.00; 42-0217-1074 Preliminary Engineering \$16,000.00; 42-0596-1447 Preliminary Engineering \$16,000.00; 42-1591-1984 Structure Replacement \$22,000.00; 42-0895-1752 Preliminary Engineering \$16,000.00; 42-0955-1778 Preliminary Engineering \$16,000.00; 42-1153-0977 Preliminary Engineering \$16,000.00; 42-0758-1275 Preliminary Engineering \$16,000.00. Denied: 42-1391-1637 Preliminary Engineering; 42-1391-1629 Preliminary Engineering; 42-1102-1077 Preliminary Engineering. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Auditor Sheri Lund informed the Board of the necessary facts pertaining to a minor boundary change as well as end-of-year contingency transfers. The public offered no input to the Board on this item at this time.

A RESOLUTION OF LINCOLN COUNTY, SD, ESTABLISHING THE EFFECTIVE DATE OF THE SCHOOL DISTRICT BOUNDARY CHANGE BETWEEN THE LENNOX SCHOOL DISTRICT AND THE TEA SCHOOL DISTRICT

RESOLUTION: WHEREAS, Resolutions have been received from the Lennox School District #41-4 and from the Tea School District #41-5 approving a minor boundary change.

THEREFORE. BE IT RESOLVED by the Lincoln County Board of Commissioners to approve the minor boundary change to be effective December 31, 2022:

To be released from Lennox School District #41-4 and annexed to the Tea School District #41-5. Lot Two (2) of Hoffman's Addition in the Southwest quarter, of the Southwest quarter (SW ¼, SW ¼), of Section Thirty-One (31), Township One Hundred (100), North Range Fifty (50) West of the 5th P.M., Lincoln County South Dakota. a/k/a parcel number 100.50.31.J002. Lot Three (3) of Hoffman's Addition in the Southwest quarter, of the Southwest quarter (SW ¼, SW ¼), of Section Thirty-One (31), Township One Hundred (100), North Range Fifty (50) West of the 5th P.M., Lincoln County South Dakota. a/k/a parcel number 100.50.31.J003.

To be released from Tea School District #41-5 and annexed to the Lennox School District #41-4. Tract One (1) of Poppens Addition, an addition in the Northwest quarter of Section seven (7), Township ninety-nine (99) North Range Fifty (50). West of the 5th P.M., Lincoln County South Dakota. a/k/a parcel number 099.50.07.G100. MOTION by Poppens and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve contingency transfers to the following 2022 budgets: Auditor-\$1,000.00 to 101-4141-426000; GIS-\$100.00 to 101-4168-426000; Coroner-\$401.59 to 101-4213-422500. MOTION by Schmidt and second by Jibben. 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 a request from the public to lease the Fairgrounds parking lot in order to train CDL drivers. Discussion occurred regarding the Board's desired modifications to the standard short-term lease the County uses in order to accommodate a longer term for described uses. The public offered no input to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to table until the 01.03.2023 meeting the request to lease the parking lot of the County fairgrounds in order for an agreement to be drafted and presented. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

No public offered to give comment to the Board at this time.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioners gave no reports at this time.

EXECUTIVE SESSION:

COMMISSIONER BRIEFING: William Golden, Chief Civil Deputy State's Attorney, informed the Board of the requested action pertaining to hiring an attorney specialized in contract law for

the Manager at Risk terms and conditions. The public offered no input to the Board on this item at this time.

RESOLUTION BE IT RESOLVED to authorize the State's Attorney's Office to request a letter of engagement for legal services to negotiate with contract manager at risk. MOTION by Poppens and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:07 a.m. for the following purposes: 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); Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. SDCL 1-25-2(3); Preparing for contract negotiations or negotiating with employees or employee representatives, SDCL 1-25-2(4). MOTION by Arends and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:42 a.m. MOTION by Jibben and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: Absent Landeen: "Aye". Motion carried.

Commissioner Schmidt returned to the meeting.

ADJOURNMENT:

MOTION by Poppens and second by Schmidt to adjourn at 10:42 a.m. until 8:30 a.m. on January 3, 2023. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Lincoln County Board of Commissioners

/s/

Tiffani Landeen, Lincoln County Chair

Attest: /s/
Shaun Feilmeier, Deputy Auditor

Approved January 10, 2023.

Please publish the week of January 9, 2023.