



Regular Meeting Agenda

TUESDAY, JANUARY 10, 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

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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) Claims: \$1,635,734.98 Payroll: \$397,465.00 Longevity: \$2,700.00
- 4) 2023 Annual Publication of Salaries & Wages per SDCL 6-1-10
- 5) Reports:
 - a. Mileage reports
 - b. East Dakota Water Developement District minutes
 - c. Letters from the Department of Agriculture & Natural Resources regarding a Revised Nutrient Management Plan
 - d. December 2022 Register of Deeds report
 - e. December 2022 Veterans Service Office report
- 6) Board action to approve Consent Agenda items.

CONSENT AGENDA:

- 1) Approve County Commission Minutes: 12.27.2022
- 2) Re-appoint Terry Fluit to the position of Lincoln County Highway Superintendent per SDCL 31-11-1.
- 3) 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.

- 4) 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.
- 5) 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).
- 6) Appoint the location for Chattel Mortgage Sales to be at the main entrance of the Courthouse in Canton.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) Authorize the Auditor to publish a notice of vacancy for the District 4 Planning Commission representative.
- 11) Approve and authorize the Chair and Auditor to execute the first quarter single signature sheet for the Local Emergency Management Performance Grant.
- 12) Set the date and time for the FIRST READING to occur January 24, 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).

- 13) 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.
- 14) Approve the hire of Stacie Young as full-time 4H Administrative Assistant in the 4H Extension Office at \$22.44/hr (Grade 104/Step 5) effective 01.09.2023.
- 15) Authorize Auditor to execute the Application for Replacement Warrant submitted by Loffler Companies for the amount of \$6,797.00; original warrant number 114563 issued 12/13/2022.
- 16) Appoint the following as precinct polling places for 2023: Beresford, Pleasant Township, & Brooklyn Township – Beresford City Library, 115 S. 3rd St., Beresford; Canton Wards #1, #2, & #3 – Canton Methodist Church, 621 E. 4th St., Canton; Canton Wards #4 & #5 – Canton Methodist Church, 621 E. 4th St., Canton; Dayton Township – Shalom Lutheran Church, 1000 Maple St., Harrisburg; Delapre Township – Tea City Hall, 600 E. 1st St., Tea; Grant Township – West Prairie Lutheran Church, 46788 282nd St., Lennox; Harrisburg 1 – Harrisburg United Methodist Church, 204 Grand Ave, Harrisburg; Harrisburg 2 – Harrisburg United Methodist Church, 204 Grand Ave, Harrisburg; Highland Township & Canton Township – Canton Methodist Church, 621 E. 4th St., Canton; Hudson & Eden Township – Hudson Fire Hall, 310 4th St., Hudson; LaValley Township – New Day Church, 27365 472nd Ave, Harrisburg; Lincoln Township & Delaware Township – South Lincoln Rural Water, 28647 472nd Ave., Worthing; Lennox Wards #1, #2, & #3 – First English Lutheran Church, 120 E. 2nd Ave., Lennox; Norway Township, Fairview, Inc. & Fairview Township – Lands Lutheran Church, 47998 292nd St., Hudson; Perry Township – First English Lutheran Church, 120 E. 2nd Ave., Lennox; Sioux Falls 1-11 – First Evangelical Free Church, 2601 W. 69th St., Sioux Falls; Sioux Falls 1-12 – Living Word Free Lutheran Church, 7901 S. Meredith Ave, Sioux Falls; Sioux Falls 1-13 – Central Church, 3100 W. Ralph Rogers Rd, Sioux Falls; Sioux Falls 1-14 – Central Church, 3100 W. Ralph Rogers Rd., Sioux Falls; Sioux Falls 1-15 – First Evangelical Free Church, 2601 W. 69th St., Sioux Falls; Sioux Falls 1-16 – Central Church 3100 W. Ralph Rogers Rd., Sioux Falls; Sioux Falls 1-18 – Spirit of Joy Lutheran Church, 2208 W. La Quinta St., Sioux Falls; Sioux Falls 2-10 – Faith Baptist Church, 601 W. 57th St., Sioux Falls; Sioux Falls 2-11 – Faith Baptist Church, 601 W. 57th St., Sioux Falls; Sioux Falls 2-12 – Linwood Wesleyan Church, 1101 E. 57th St., Sioux Falls; Sioux Falls 2-13 – Linwood Wesleyan Church, 1101 E. 57th St., Sioux Falls; Sioux Falls 2-15 – Faith Baptist Church, 601 W. 57th St., Sioux Falls; Sioux Falls 2-16 – Spirit of Peace Church, 6509 S Cliff Ave, Sioux Falls; Springdale Township – Shalom Lutheran Church, 1000 Maple St., Harrisburg; Tea – Tea City Hall, 600 E. 1st St., Tea; Worthing & Lynn Township – Worthing Fire Station, 403 Louise Ave, Worthing.

REGULAR BUSINESS:

- 1) Discussion and Board action regarding the creation of an ambulance district (James Jibben)
- 2) Board discussion and action regarding request to lease the parking lot of the County fairgrounds (William Golden)
- 3) Board action to formally approve Commissioner's salaries. (Traci Humphrey)
- 4) 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)
- 5) Board action to approve and authorize the chair to execute an agreement with the South Dakota Department of Transportation for a detour route on CR152 (294th St). (Terry Fluit)
- 6) Board action to approve request for 2023 annual supply bids (Terry Fluit)

- 7) Board action to approve and authorize the chair to execute the contract for the 2023 bridge replacement project (Terry Fluit)
- 8) Board discussion on solutions for housing the highway superintendent outside of the courthouse. (John Rombough)
- 9) Board action to appoint members to boards & committees (Shaun Feilmeier)
- 10) Board action to designate three legal newspapers per SDCL 7-18-3 (Shaun Feilmeier)
- 11) Discussion and Board action regarding County Coroner appointment (Shaun Feilmeier)
- 12) Board action to approve additional staff in the Auditor's Office (Sheri Lund)

OPPORTUNITY FOR PUBLIC COMMENT

COMMISSIONER REPORT (INFORMATIONAL ONLY)

EXECUTIVE SESSION:

- 1) Contract for Tegra with 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).
- 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) 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)
- 4) 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)
- 5) Contract for Henry Carlson with 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).
- 6) Letter of Engagement with 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

UPCOMING MEETINGS & EVENTS:

- 1) The Public Hearings that were scheduled for 01.03.2023 have been rescheduled and re-noticed for 01.24.2023. ()