

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on January 24, 2023, 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 Jibben to approve the agenda. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Claims: \$479,587.33

GENERAL: Metlife, Employee Life Insurance \$332.48; American Legal Publishing Corporation, Annual Fee For Code Website Hosting \$495.00; Tegra Group, Justice Center Consulting Agreement \$31,966.00; Bbg Construction Law, Counthouse Project Legal Retainer \$5,000.00; Lennox Independent Llc, Publishing \$3,647.02; New Century Press, Publishing \$1,148.43; Argus Leader/Multimedia Holding Inc, Publishing \$1,553.39; Midco, Phone/Video/Internet \$1,627.14; Sdacc, Sdacc & Naco Membership Dues \$10,734.00; Derhagopian, Jack, Crt Appt Atty \$21,447.90; Heidepriem, Purtell & Siegel, Llp, Crt Appt Atty \$2,678.55; Walton, Marcus L, Crt Appt Atty \$838.30; Dakota Law Firm Prof Llc, Crt Appt Atty \$1,222.10; Dematteo Law Firm, Prof Llc, Crt Appt Atty \$538.30; Lockwood & Zahrbock Kool Law Office, Pc, Crt Appt Atty \$4,066.93; Beck Law, Crt Appt Atty \$153.20; Laughlin, Nicole, Crt Appt Atty \$1,785.36; Knecht, Andrew J, Crt Appt Atty \$603.50; Olson Law Firm, Llc, Crt Appt Atty \$1,939.08; Certified Languages International, Interpreter \$24.75; Lopez, Rebecca, Interpreter \$60.00; Resolute Law Firm Pc, Crt Appt Atty \$2,130.47; Maxine Risty Court Reporting, Transcripts \$2,715.60; Active Data Systems Inc, Scanning Project Dec 2022 \$5,200.00; Jurors, Fees, Mileage \$560.14; Cole Paper, Paper \$1,730.40; Sdaco, 2023 Membership Dues \$5,108.51; Stephanie Moen & Associates, Grand Jury Transcript \$88.00; Sechser, Jenna, Grand Jury Transcript \$31.50; Redwood Toxicology Laboratory, Lab Testing/Ua kits \$340.53; Minnehaha County Jail, Blood Draws \$375.00; Riverside Technologies Inc, Toner \$344.00; Interstate Office Products, Supplies \$555.74; Thomson Reuters-West Publ Corp, Library Plan Charges \$17.66; G & R Controls Inc, Hvac Maint Cntrct/ Server Room \$5,343.55; Albers Electric Llc, Light Fixtures At Old Weed Shop \$3,603.47; Canton Home & Farm Supply, Flood Cleanup Supplies And Rentals \$117.91; Cintas (First Aid), First Aid Supplies \$126.98; Cintas, Rug Rental And Replacement \$211.60; Sturdevant's Auto Parts, Pickup Parts/Light Bulbs \$350.26; Prochem Dynamics Llc, Ice Melt \$536.55; Napa Auto & Truck Parts Of Sioux Falls, 12-Volt Cab Fan For The 2004 Dodge \$56.77; Midamerican Energy Co, Natural Gas Utilities – Courthouse \$4,652.95; City Of Canton, Water & Sewer Utilities – Courthouse \$397.59; Novak Sanitary Svc Corp, Garbage And Recycling Pick Up \$452.81; Hillyard/Sioux Falls, Replacement Upright Vacuum Cleaner \$884.45; Grainger, Gas Detector/Door Latch \$1,006.51; Quill, 6pk Z Perform 2000d 4x2 - Zebra Paper \$128.34; Tyler Technologies Inc, Ptm Migration \$227.50; Esri-Environmental Systems Research Institute Inc, Arcgis Maintenance \$8,050.00; Well365, Llc, Wellness Program \$4,255.00; Optum Bank, Hsa Monthly Maintenance Fee \$33.00; Frantzen Reporting/Pgr8r Inc, Transcription Service \$95.00; Sioux Falls Area Humane Society, City Contract-December 2022 \$750.60; Sd Sheriff's Association, 2023 Association Dues \$2,454.83; Dave's Service & Repair, Vehicle Maintenance Dec 2022 Statement \$435.80; Auto Dynamics Inc, Vehicle Maintenance 20-1, 21-3, 22-1 \$3,101.69; B & E Autoworx Llc, 21-3, 21-7, 21-6 \$183.90; Octane Ink Llc, Lettering Package 1-Tahoe, 1-Durango \$490.00; Sturdevant's Auto Value, December 2022 Statement \$129.29; Two Way Solutions Inc, Quarterwave Antenna \$15.99; Workforce-South, Pre-Employment Physical - Seth Rozeboom \$140.00; Jack's Uniforms & Equipment, Misc Uniforms/Mourning Band \$732.25; Northern Safety Technology, Inc, Transport System/Brackets \$4,615.51;

University Of Louisville, Sex Crimes Investigation - Leah Stroschein \$850.00; Menards-East, Tall Cabinet \$329.99; Graham Tire Co Llc-Corp, 4-New Tires (21-3) \$642.48; Lauries Café, Inmate Meals - December 2022 \$16.50; Buddi Us Llc, December 2022 Statement \$1,016.00; Lincoln Co Sheriff, Vincent Whaler Em Balance Transfer \$250.00; Karl Chevrolet, Upper Anyglide Box (22-3) \$1,417.50; Minnehaha Co Regional Jdc, Child/Shltr Care/Comm Sprvs \$7,609.00; Children's Home Society Of South Dakota, 2023 Budget Allocation \$8,000.00; Help Line Center Inc, 2023 Budget Allocation \$9,473.00; The Compass Center, 2023 Budget Allocation \$9,473.00; Inter-Lakes Community Action Partnership Corp, 2023 Budget Allocation \$2,210.00; Forward Sioux Falls, 2023 Budget Allocation \$1,579.00; Lifescape, 2023 Budget Allocation \$35,520.00; Sioux Empire Triage Center, 2023 Budget Allocation \$15,000.00; Minnehaha Co Human Services, Monthly Poor Relief-Dec \$6,707.95; Lewis & Clark Behavioral Health Services, Bmi Intake \$184.00; Anderson, Jennifer Marie, Mi Evals \$1,860.78; Dean Schaefer Court Reporting, Mi Transcript \$30.00; Schiltz, Ann, Mi Hearings \$32.00; Johnson Pllc, Katie, Mi Board- December \$4,747.00; Johnson Pllc, Erin M, Mi Board- November \$2,514.90; Salem Qmhp, Karla, Mi Evals \$825.00; Loving, Philip, Mi Evals \$3,666.76; Southeastern Behavioral Healthcare, Mobile Crisis-Dec/Annual Allotment \$45,113.38; Avera Mckennan Hospital, Mi Hold \$1,580.00; Beresford Public Library, 2023 Library Budget Allocation \$4,500.00; Canton Public Library, 2023 Library Budget Allocation \$6,000.00; City Of Harrisburg, 2023 Library Budget Allocation \$5,000.00; Hudson Library, 2023 Library Budget Allocation \$600.00; Lennox Public Library, 2023 Library Budget Allocation \$6,000.00; City Of Tea, 2023 Library Budget Allocation \$5,000.00; Dgr Engineering, Design Work \$616.00; Menards-West, Wall Insulation/Siding \$111.96; Chs Eastern Farmers, Propane For Heat At 4-H Event Center \$1,568.11; Century Business Products, Copier \$51.41; Lennox Life Enrichment For The Elderly, 2023 Budget Allocation \$5,000.00; Lennox Nutrition Center, 2023 Budget Allocation \$1,500.00; Help Line Rsvp/Help Line Center Inc, 2023 Budget Allocation \$2,000.00; Beresford Faith In Action, 2023 Budget Allocation \$1,200.00; Senior Companions, 2023 Budget Allocation \$2,000.00; Canton Transit, 2023 Budget Allocation \$10,000.00; Canton Nutrition Center, 2023 Budget Allocation \$2,727.00; Beresford City Transportation, 2023 Budget Allocation \$1,000.00; Beresford Community Food Cupboard, 2023 Budget Allocation \$1,000.00; Lincoln Co Conservation District, 2023 Budget Allocation \$20,000.00; Hogan, Wendi, 1-17-2023 Mileage \$13.27; Johnson, Mark, Mileage 1-17-2023 \$19.32; Enstad, Collin, Mileage 1-17-2023 \$18.14; Jongeling, Jerry, Mileage 1-17-2023 \$15.71; Green, Scott, Mileage 1-17-2023 \$16.80; Scott, Erik, Mileage 1-17-2023 \$6.30; Poppens, Michael, Mileage 1-17-2023 \$15.62; Sioux Metro Growth Alliance, 2023 Membership \$5,000.00; Quadient Finance Usa, Inc, Postage/Prepay Postage \$16,000.00

ROAD AND BRIDGE: Metlife, Employee Life Insurance \$49.92; A-Ox Welding Supply Inc, T Cylinder 1-Yr Lease/Rental \$110.30; Graham Tire Co Llc-Corp, Tire Repair/Parts \$2,272.22; Howe Heating & Plumbing Inc, Dx Gas Leak \$347.50; Cintas (First Aid), Medical Supplies \$93.23; Canton Home & Farm Supply, Mailboxes \$93.96; Cole Paper, Paper \$103.00; Force America Distributing Llc, Parts \$249.45; Boyer Trucks Corp, Parts \$838.27; Deans Distributing, Fluids/Bulk Oil \$2,314.07; Bartlett Tools Inc, Tools \$33.23; Sturdevant's Auto Value, Supplies \$64.99; Butler Machinery Co, Parts \$1,185.86; Canton Home & Farm Supply, Parts \$35.33; Transource, Parts \$230.93; Inland Truck Parts & Service, Parts \$90.88; Cintas, Mats, Towels \$111.77; Sturdevant's Auto Value, Parts \$319.90; Fastenal Company, Supplies \$46.61; Northern Truck Equip Co, Parts \$1,605.06; Napa Auto & Truck Parts Of Sioux Falls, Parts \$677.66; Equipment Blades Inc, Blades \$27,483.64; Dakota Fluid Power Inc, Parts \$1,287.09; Sdachs, 2023 Shortcourse Registration \$200.00; Midco, Phone/Video \$75.28; Midamerican Energy Co, 11/30/22-12/30/22 Gas \$6,684.82; Presto-X, Pest Control \$160.46; L G Everist, Sand \$3,697.26; Sign Solutions Usa, Sign Parts \$929.82

911: Metlife, Employee Life Insurance \$34.32; Century Business Products, Dispatch Copier Contract Usage \$19.22; Two Way Solutions Inc, Alcester Twr Rnt/Rptr Maint \$3,399.99; Cole Paper, Paper \$226.60; Midco, Phone/Video \$218.01
EMS: Metlife, Employee Life Insurance \$0.79; I-29 Fuels, Fuel For Courthouse Generators \$879.54; Interstate Power Systems Inc, Annual Service On Courthouse Generators \$1,268.00; Sdema, South Dakota Emergency Management Association Dues \$30.00; Tri-State Emergency Mgmt Assoc, Tri-State Emergency Management Association Dues \$20.00; Midco, Phone/Video \$110.24
AIRPORT: A-1 Pumping & Excavating Inc, Pumping Office Holding Tank \$160.00; Sioux Falls Electric, Airport Lighting Maintenance \$364.80; Sioux International Inc, Chain Repair - Airport Snowblower \$13.44
24/7 SOBRIETY: Potter, Virgil, Test Fee Refund \$40.00; Metlife, Employee Life Insurance \$3.12; Pharm Chem Inc, December 2022 - Sweat Patch Analysis \$125.80; Midco, Phone/Video \$28.99
STATEWIDE SOBRIETY: Sd Attorney General's Office, 24/7 Participation Fees \$8,985.00

Payroll: \$422,578.20

Commissioner's \$6,020.20; FICA 353.27, Medicare 82.62
Auditor's \$13,859.11; FICA 761.54, Medicare 178.10, SDRS 831.56
Treasurer's \$21,403.49; FICA 1,210.11, Medicare 283.03, SDRS 1,284.20
States Attorney's \$58,364.97; FICA 3,355.41, Medicare 784.71, SDRS 3,464.43
Gen Gov Bldg \$18,372.72; FICA 1,037.98, Medicare 242.76, SDRS 1,095.71
DOE \$39,085.18; FICA 2,261.99, Medicare 529.03, SDRS 2,282.55
ROD \$8,438.47; FICA 449.11, Medicare 105.04, SDRS 456.91
VSO \$2,615.40; FICA 135.70, Medicare 31.74, SDRS 156.92
GIS \$6,293.20; FICA 346.76, Medicare 81.09, SDRS 377.60
IT \$9,965.40; FICA 596.19, Medicare 139.43, SDRS 597.92
HR \$3,676.20; FICA 196.18, Medicare 45.88, SDRS 220.57
Sheriff's \$111,634.49; FICA 6,635.08, Medicare 1,551.73, SDRS 8,184.97
WIC \$201.44; FICA 12.49, Medicare 2.92
County 4-H \$3,410.40; FICA 211.44, Medicare 49.46, SDRS 204.63
P & Z \$13,463.92; FICA 825.39, Medicare 193.04, SDRS 807.84
Highway \$68,634.44; FICA 4,079.25, Medicare 954.02, SDRS 3,842.13
Communications \$31,334.68; FICA 1,822.73, Medicare 426.28, SDRS 1,880.08
EM MGMT \$3,710.40; FICA 211.01, Medicare 49.35, SDRS 224.06
24/7 \$2,094.09; FICA 128.38, Medicare 30.02, SDRS 167.53

Reports:

Mileage reports were presented as follows: December 2022 Highway mileage report, Quarter 4 2022 Planning & Zoning mileage report, December 2022 Highway Number 100 mileage report, December 2022 Buildings & Grounds mileage report, December 2022 Sheriff Civil Fee mileage report.

A hearing notice regarding an application for Conditional Use Permit to allow Light Manufacturing was presented.

The December 2022 Clerk of Courts report totaling \$136,044.04 was presented.

Handouts from the 01.19.2023 special meeting were presented.

MOTION by Schmidt and second by Poppens 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 Poppens to approve the Commission Minutes: 01.10.2023 & 01.19.2023. 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 01.05.2023: Brock Nelson - Deputy Sheriff Detective – SO 1/Step 11 - \$35.25/hour. MOTION by Schmidt and second by Poppens. 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 12.27.2022: Christopher Hogan - Civil Deputy - SO 1/Step 6 - \$31.14/hour. MOTION by Schmidt and second by Poppens. 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 01.4.2023: Gregri DeGrange - Deputy Sheriff - SO 1/Step 7 - \$31.93/hour. MOTION by Schmidt and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Seth Rozeboom as full-time Deputy Sheriff in the Sheriff's Office at \$27.53/hr (SO1/Step 1) effective 01.16.2023. MOTION by Schmidt and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to amend Resolution #2301-06 to include the Lincoln County Emergency Manager and the Board of County Commissioners for mileage. MOTION by Schmidt and second by Poppens. 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 Stewart Title for the amount of \$2,111.04; original warrant number 031800 issued 08/09/2022. MOTION by Schmidt and second by Poppens. 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 between Lincoln County, South Dakota, and Land Title Guaranty Company Regarding Use of County Property for creating a County Plant. MOTION by Schmidt and second by Poppens. 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 Amendment to Professional Services Agreement with JLG Architects. MOTION by Schmidt and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to promote/reclassify Nichole Matzen from Paralegal to Victim's Witness Assistant in the State Attorney's Office at \$28.44/hour (Grade 108, Step 4) 01.09.2023. MOTION by Schmidt and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve compromise of County Aid Liens lacking personal identifying information as follows (lien number, amount): 01-01804, \$75.00; 01-01801, \$2395.89; 01-01798, \$987.03; 01-01793, \$796.74; 01-01790, \$346.40; 01-01789, \$13.75; 01-01782, \$1949.21; 01-01777, \$519.68; 01-01769, \$179.82; 01-01758, \$200.00; 01-01750, \$8357.25; 01-01743, \$474.80; 01-01739, \$146.67; 01-01738, \$146.67; 01-01729, \$363.27; 01-01724, \$196.84; 01-01722, \$97.11; 01-00987, \$54.00; 01-01717, \$200.00; 01-01714, \$532.24; 01-01713, \$214.70; 01-01712, \$200.00; 01-01700, \$260.41; 01-01694, \$256.58; 01-01689, \$253.20; 01-01658, \$2376.86; 01-01653, \$60.21; 01-01620, \$101.72; 01-01618, \$155.38; 01-01616, \$898.00; 01-01587, \$397.85; 01-01584, \$100.00; 01-01576, \$41.10; 01-01575, \$73.00; 01-01554, \$506.78; 01-01540, \$361.91; 01-00749, \$106.25; 01-01813, \$204.28; 01-00104, \$7.29; 01-01685, \$746.49; 01-04231, \$291.37. MOTION by Schmidt and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve 2023 Commercial Garbage Hauler/Recycling Collection Licenses for the following entities: Novak Sanitation Service, Waste Management, A-OK Sanitary Services, RBS Sanitation Inc, Herm's Sanitation. MOTION by Schmidt and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the termination of employment of Sandra Martinsen, Tax and License Clerk for the Treasurer's office, effective 1/17/2022. MOTION by Schmidt and second by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

SECOND READING & PUBLIC HEARING occurred 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. Toby Brown, Planning & Zoning Director, explained the application and staff report. The applicant was present to answer questions on their intentions. No addition comment either in opposition, favor, nor neutral was offered to the Board.

AN ORDINANCE OF LINCOLN COUNTY, SD, REZONING THE PROPERTY LEGALLY DESCRIBED AS 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.

BE IT ORDAINED BY LINCOLN COUNTY, SD:

That the property legally described as Lot 2, Tempo Addition, N1/2 SW1/4, Section 24-T100N-R51W Delapre Township is hereby rezoned from the "A-1" Agricultural District to the "C" Commercial District, and the official zoning map of Lincoln County is amended to include the rezoning.

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

SECOND READING & PUBLIC HEARING occurred 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. Toby Brown, Planning & Zoning Director, explained the application and staff report. The applicant was present to answer questions on their intentions. No addition comment either in opposition, favor, nor neutral was offered to the Board. Primary concern was regarding access to the site and the safety around the Railroad.

MOTION by Poppens and second by Jibben to approve ordinance titled: AN ORDINANCE OF LINCOLN COUNTY, SD, REZONING THE PROPERTY LEGALLY DESCRIBED AS 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. Arends: "Nay" Jibben: "Nay" Poppens: "Nay" Schmidt: "Aye" Landeen: "Aye". Motion failed.

PUBLIC HEARING occurred to consider an application for a Temporary On-Sale Malt Beverage License to operate outside of a municipality 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 fundraiser on March 25, 2023. Location: Lincoln County Fairgrounds near Lennox. A representative of the applicant was present via telephone to explain the event. No addition comment either in opposition, favor, nor neutral was offered to the Board.

RESOLUTION: BE IT RESOLVED to approve the application for a Temporary On-Sale Malt Beverage License to operate outside of a municipality 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 fundraiser on March 25, 2023. Location: Lincoln County Fairgrounds near Lennox. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Wendy Sweeter, speaking for the Lincoln County 4-H Shooting Sports, presented notice of their raffle: The Lincoln County 4-H Shooting Sports plans to sell raffle tickets for \$10 each for the following items: \$110 – Sierra 2-person inflatable kayak; \$100 – Scheels Gift card; \$100 – Scheels Gift card; \$50 – Scheels Gift card; \$28 each – 10 Halvalon knife kit with handle, blades, and holster; \$15 – Massage Mat with Heat & Vibration. 15 items totaling \$625. Drawing to occur Sunday April 23 during 4-H Shooting Sports practice at the Lincoln County 4-H building. Need not be present to win. There was no public input offered to the Board on this item at this time. The Board took no action to object.

COMMISSIONER BRIEFING: Traci Humphrey, Human Resources Director, informed the Board of the necessary facts pertaining to a new holiday, two new job descriptions, and a request to reclassify a position. Public input on the Airport Manager job description included

statements that the Airport Manager should focus on safety as well as profitability. Public input on the Commissioner Administrative Officer included comments on grant writing, taxpayer funded lobbying, need for the position, importance of having an outside party interview, as well as FAN findings/report. Terry Fluit, Highway Superintendent, was also present to answer questions about the reclassification requested in his department.

RESOLUTION: BE IT RESOLVED to approve the Airport Manager job description and authorize the Human Resource Director to recruit the position. MOTION by Poppens and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to table Board discussion and action regarding the new position of Commission Administrative Officer. MOTION by Poppens and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Nay" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reclassify a position in the Highway Department from a Heavy Equipment Specialist (Grade 107) to a Diesel Mechanic (Grade 109). MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, informed the Board of the necessary facts pertaining to a request to solicit bids for a replacement truck chassis, 2023 Spring Load Limits, and their enforcement. There was no public input offered to the Board on these items at this time.

RESOLUTION: BE IT RESOLVED to authorize request for bids for a new vehicle for the Highway Department (1 ton/550), chassis only to be used for a sign truck. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Whereas, seasonal climatic changes can be detrimental to our highways and create dangerous driving conditions and

Whereas, the Lincoln County Board of County Commissioners desires to protect existing Lincoln County Highways, ultimately saving tax dollars and,

Whereas, The Lincoln County Board of County Commissioners desire the enforcement of weight limitations on Lincoln County Highways as set forth and posted by the Lincoln County Highway Department.

NOW THEREFORE BE IT RESOLVED;

Whereas the limits on Lincoln County Highways shall be set at seven (7) tons per axle (40 Ton Max) on designated asphalt surfaced roads and six (6) tons per axle on designated gravel roads, during the spring thaw period and when load limit signs are in place and that the South Dakota Motor Carrier Services is hereby requested to enforce said reduced weight limitations on Lincoln County Highways.

BE IT FURTHER RESOLVED, that the penalty for the violation of the load restrictions shall be set forth in SDCL 32-22-55.

MOTION by Arends and second by Jibben. 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 request letter as follows:

Pursuant to the policies of the South Dakota Motor Carrier Services, please use this letter as our official request for assistance and authorization for your agency to employ whatever means necessary for the enforcement of reduced weight limitations during the spring thaw period on Lincoln County Highways in Lincoln County, South Dakota.

Thank you for your assistance in this matter.

Sincerely,

LINCOLN COUNTY BOARD OF COUNTY COMMISSIONERS

MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye"

Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: John Rombough, Buildings & Grounds Superintendent, informed the Board that the Highway Superintendent and his office assistant have been moved to the Highway Shop and that their old space is currently being utilized. Rombough did not have enough information to update the Board on a potential Highway Shop Addition at this time. There was no public input on this item at this time.

COMMISSIONER BRIEFING: Karla Goossen, Director of Equalization, informed the Board of the necessary facts pertaining to a resolution to set rates for records in her office. There was no public input offered to the Board on this item at this time.

A RESOLUTION TO ESTABLISH FEES FOR PROPERTY INFORMATION IN THE OFFICE OF THE DIRECTOR OF EQUALIZATION

WHEREAS, it is in the best interest of the County to develop a standardized fee schedule for property information requests in the Office of the Director of Equalization to assure that information when requested is standardized; and

WHEREAS, any requests, whether online or at the courthouse, are subject to the fee schedule adopted by this resolution; and

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County, South Dakota, that as of January 1, 2023, the Lincoln County Director of Equalization Office will charge, with the Lincoln County Treasurer administering, the following fees:

Requests:

\$1.00 per property record card

Or

\$1.00 per page for other documents that are legally permitted

All fees collected shall be deposited in the general fund of Lincoln County.

Beacon/Property Information Portal:

\$10.00 per day

\$30.00 per week

\$50.00 per month

\$450.00 annual subscription

No refunds or prorations

All fees collected shall be deposited to the account set up for the online portal.

MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye"

Schmidt: "Aye" Landeen: "Aye". Motion carried.

FIRST READING occurred 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.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, informed the Board of the necessary facts pertaining to requested contingency transfer and budget adjustment. There was no public input offered to the Board on these items at this time.

RESOLUTION: BE IT RESOLVED to approve contingency transfer to the following 2022 budget: \$126,797.04 to Board of Commissioners. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the adjustment to the 2023 budget as follows:
Decrease the Treasury Budget

Salaries and Wages-43,744.61 changing the budget to 422,960.39

OASI-3,363.92 changing the budget to 32,631.08

Retirement-2,624.67 changing the budget to 25,606.33

Group Health Insurance-8,861.77 changing the budget to 57,975.23

For a total change to the Treasury's budget in the amount of \$58,594.97

Increase the Auditors' budget by the same

Salaries and Wages-43,744.61 changing the budget to 339,421.61

OASI-3,363.92 changing the budget to 26,143.92

Retirement-2,624.67 changing the budget to 20,491.67

Group Health Insurance-8,861.77 changing the budget to 86,979.77

For a total change to the Auditor's budget in the amount of \$58,594.97

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

The item regarding the lease of the Fairgrounds' parking lot was not ready to be addressed at this time. No action or discussion occurred on it.

OPPORTUNITY FOR PUBLIC COMMENT:

An individual expressed gratitude to the Board for Commissioner Schmidt testifying his support for a bill to help pay for County courthouse and jail projects with sales tax.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Schmidt expressed thanks for Representative Otten for his work on ways for Counties to pay for courthouse and jail projects.

Commissioner Arends reported on City of Harrisburg efforts to improve safety of a railroad crossing as well as the increase in dairy operations in Lincoln County over the past decade as reported by the Sioux Metro Growth Alliance quarterly newsletter.

EXECUTIVE SESSION:

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:54 a.m. for the following purposes: Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters, SDCL 1-25-2(3); 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); Preparing for contract negotiations or negotiating with employees or employee representatives, SDCL 1-25-2(4). MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:25 a.m. 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 a professional services agreement with Stantec for \$94,500 for the Lincoln County Comprehensive Plan Update. MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a professional services agreement with Stantec for \$27,000 for the Tea Stormwater Detention Feasibility Study. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Arends and second by Jibben to adjourn at 10:28 a.m. until 8:30 a.m. on February 7, 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 February 7, 2023.

Please publish the week of February 13, 2023.