

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on February 7, 2023, with Commissioners Joel Arends, Michael Poppens, and Jim Schmidt present and James C Jibben present via phone. Auditor Sheri Lund 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.

Payroll: \$410,701.39

Commissioner's \$5,530.40; FICA 322.90, Medicare 75.52
Auditor's \$13,859.09; FICA 761.53, Medicare 178.10, SDRS 831.56
Treasurer's \$20,085.89; FICA 1,126.16, Medicare 263.39, SDRS 1,205.14
States Attorney's \$59,273.43; FICA 3,411.72, Medicare 797.88, SDRS 3,481.50
Gen Gov Bldg \$17,362.68; FICA 975.16, Medicare 228.07, SDRS 1,037.18
DOE \$38,650.61; FICA 2,235.06, Medicare 522.74, SDRS 2,256.48
ROD \$8,482.97; FICA 451.87, Medicare 105.68, SDRS 456.91
VSO \$2,874.44; FICA 151.76, Medicare 35.49, SDRS 172.47
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 \$90,401.56; FICA 5,339.32, Medicare 1,248.72, SDRS 6,497.92
Jail \$18,037.18; FICA 1,110.62, Medicare 259.75, SDRS 1,140.12
WIC \$201.44; FICA 12.49, Medicare 2.92
County 4-H \$4,056.72; FICA 235.56, Medicare 55.09, SDRS 243.40
P & Z \$14,145.60; FICA 867.65, Medicare 202.94, SDRS 821.74
Highway \$61,120.95; FICA 3,598.38, Medicare 841.55, SDRS 3,384.99
Communications \$30,936.43; FICA 1,798.04, Medicare 420.50, SDRS 1,856.19
EM MGMT \$3,710.40; FICA 211.20, Medicare 49.39, SDRS 224.24
24/7 \$2,036.80; FICA 124.83, Medicare 29.19, SDRS 162.94

Longevity: \$5,018.34

States Attorney's \$600.00; FICA 37.20, Medicare 8.70, SDRS 36.00
Treasurer \$718.34; FICA 0.00, Medicare 0.00, SDRS Special Pay Plan 718.34
Gen. Gov. Bldg \$700.00; FICA 43.40, Medicare 10.15, SDRS 42.00
Sheriff's \$2,000.00; FICA 124.00, Medicare 29.00, SDRS 140.00
Communications \$1000.00; FICA 62.00, Medicare 14.50, SDRS 60.00

Reports:

Mileage reports were presented as follows: November and December 2022 Assessor mileage report, January 2023 Emergency Management report.

Notice of Surface Water Discharge Permit from the South Dakota Department of Agriculture & Natural Resources was presented.

November and December 2022 Minnehaha County Regional Juvenile Detention Center Monthly Commissioner Report was presented.

January 2023 Register of Deeds report totaling \$85,178.20 was presented.

January 2023 Veterans Service Office report was presented.

South Dakota Department of Game, Fish and Parks 2022 Annual Wildlife Damage Program Report was presented.

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

CONSENT AGENDA:

MOTION by Schmidt and seconded by Arends to approve County Commission Minutes: 01.24.2023. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Aileen Winters as full-time Deputy Sheriff in the Sheriff's Office at \$28.22/hr (SO1/Step 2) effective 01.30.2023. 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 hire of Alexander Hemann as full-time Deputy Sheriff in the Sheriff's Office at \$29.65/hr (SO1/Step 4) effective 01.30.2023. 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 hire of Justin Mersier as full-time Deputy Sheriff in the Sheriff's Office at \$28.22/hr (SO1/Step 2) effective 01.30.2023. 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 hire of Israel Perez as full-time Deputy Sheriff in the Sheriff's Office at \$28.22/hr (SO1/Step 2) effective 02.13.2023. 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 hire of Andrew Lambert as full-time Equipment Highway Operator in the Highway Department at \$24.23 (Grade 106/Step 3) effective 02.06.2023. 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 hire of Sam Borns as full-time Equipment Highway Operator in the Highway Department at \$24.23 (Grade 106/Step 3) effective 02.06.2023. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept notice of retirement from Deborah Block, Treasurer, effective 03.31.2023. 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 a step increase for the following individual in the Sheriff's Office effective the first day of the biweekly pay period following 01.26.2023: Garrett Welsh - Deputy Sheriff - SO1/Step 4 - \$29.65/hr. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and remove from the Airport inventory Item #1534, a white 1998 Dodge pickup (VIN 1B7HF16Y4WS52997), due to complete loss

from a vehicle fire on 01.23.2023; to be disposed of by Dave's Service in Lennox. 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 and authorize the Chair to execute the National Museum of the U.S. Air Force Inventory Report for the loaned display aircraft at the Marv Skie Lincoln County Airport. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the Auditor to publish a notice of vacancy for the District 3 Planning Commission representative. 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 a step increase for the following individual in the Sheriff's Office effective the first day of the biweekly pay period 02.08.2023: Andrew Steinberg – Detective – SO1/Step 7 - \$31.93/hr. 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 a step increase for the following individual in the Sheriff's Office effective the first day of the biweekly pay period following 02.10.2023: Leah Stroschein - Deputy Sheriff - SO1/Step 5 - \$30.38/hr. MOTION by Schmidt and second by Arends. 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 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. Toby Brown, Planning & Zoning Director, explained the application and staff report. The applicant was present to answer questions on their intentions. A resident of Tea spoke in opposition.

AN ORDINANCE OF LINCOLN COUNTY, SD, REZONING PROPERTY LEGALLY DESCRIBED AS TRACT 1, TIMMERMAN'S ADDITION, SE1/4, SECTION 17-T100N-R51W FROM THE "A-1" AGRICULTURAL DISTRICT TO THE "PD" PLANNED DEVELOPMENT DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF LINCOLN COUNTY.

BE IT ORDAINED BY LINCOLN COUNTY, SD: Section 1. That the property legally described as Tract 1, Timmerman's Addition, SE1/4, Section 17-T100N-R51W is hereby rezoned from the "A-1" Agricultural District to the "PD" Planned Development District, and the official zoning map of Lincoln County is amended to include the rezoning. Section 2. That Section 154.200 of the Lincoln County Code of Ordinances is hereby amended to include a new subsection to read: PURE BLISS PLANNED DEVELOPMENT DISTRICT. The regulations set forth herein or elsewhere in this chapter are the district regulations for the Pure Bliss Planned Development District: (A) Uses Permitted. (1) Cannabis cultivation facility, provided: (a) Medical cannabis cultivation facilities shall provide proof of registration with the State Department of Health, and shall, at all times, maintain a valid, accurate, and up-to-date registration with the State Department of Health. Should registration be revoked at any time, any permitted special use or conditional use shall immediately become void; (b) The facility shall not operate within 1,000

feet, measured by a straight line in all directions, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises of a facility to the nearest property line of a public or private school; (c) The facility must operate entirely within an indoor, enclosed and secure facility; (d) There shall be no emission of dust, fumes, vapors or odors which can be seen, smelled or otherwise perceived from beyond the lot line for the property where the facility is operating. (2) Cannabis product manufacturing facility, provided: (a) Cannabis product manufacturing facilities shall provide proof of registration with the State Department of Health, and shall, at all times, maintain a valid, accurate, and up-to-date registration with the State Department of Health. Should registration be revoked at any time, any permitted special use or conditional use shall immediately become void; (b) The facility shall not operate within 1,000 feet, measured by a straight line in all directions, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises of a facility to the nearest property line of a public or private school; (c) The facility must operate entirely within an indoor, enclosed and secure facility; (d) There shall be no emission of dust, fumes, vapors or odors which can be seen, smelled or otherwise perceived from beyond the lot line for the property where the facility is operating. (3) Agriculture. (B) Accessory Uses. Accessory uses and buildings permitted are those accessory buildings and uses customarily incident to any permitted use allowed in the A-1 Agricultural District. (C) Parking Regulations. Parking shall be regulated in conformance with the provisions of the A-1 Agricultural District. (D) Sign Regulations. Signs shall be regulated in conformance with the provisions of the A-1 Agricultural District. (E) Density, Area, Yard and Height Regulations. The density, area, yard and height shall be regulated in conformance with the provisions of the A-1 Agricultural District. (F) Final Development Plan. Prior to future additions or any modifications to the agricultural building, a Final Development Plan shall be presented to the Planning Commission for their approval.

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

RESOLUTION: BE IT RESOLVED to table Board discussion and action regarding the creation of an ambulance district. MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: Terry Fluit Highway Superintendent presented information regarding safety concerns with the recent snow accumulation. No action was taken.

COMMISSION BRIEFING: Traci Humphrey Director of Human Resources presented a job bulletin for the position and explained the recruitment timeline.

RESOLUTION: BE IT RESOLVED to approve job bulletin and authorize Human Resources to publish the position of Lincoln County Treasurer for two weeks, with subsequent review of applicants by HR and Commission Liaisons, and final interviews conducted with the Commission on 2/28. Motion by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: Terry Fluit Highway Superintendent presented a resolution for selecting a consultant for the 2023 bridge inspections. Fluit also presented the 2023 supplies and materials bid tabulations.

BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Lincoln County is desirous of participating in the Bridge Inspection Program. The County requests SDDOT to hire IMEG (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

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

2023 Highway Supply Bids were read and awarded as follows.

Three bids were submitted for concrete culverts, box culverts, bridge decking (all sizes), etc. Cemcast Pipe and Precast from Hartford, SD, Oldcastel Infrastructure from Sioux Falls, SD and Rinker Materials from Rapid City, SD. The Highway Superintendent request that all bids be accepted.

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for concrete culverts, box culverts, bridge decking (all sizes), etc. to all bidders: Cemcast Pipe and Precast from Hartford, SD, Oldcastel Infrastructure from Sioux Falls, SD and Rinker Materials from Rapid City, SD. MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for crushed concrete (per ton): Knife River from Sioux Falls SD at \$11.00 (per ton), LG Everist from Sioux Falls SD \$11.10 (per ton).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for crushed concrete (per ton) to the lowest bidder: Knife River from Sioux Falls SD at \$11.00 (per ton). MOTION by Arends and seconded by Schmidt. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Three bids were submitted for 3/4 "6"x4' Carbide Blade (per blade): Equipment Blades from Sioux Falls SD \$280.00 (per blade), DMC Wear Parts from Whitewood SD \$214.48 (per blade), Butler Machinery from Sioux Falls SD \$281.00 (per blade).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for 3/4 "6"x4' Carbide Blade (per blade) to the lowest bidder: DMC Wear Parts from Whitewood SD at \$214.48 (per blade). MOTION by Poppens and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for 7/8"x6"x4' Rubber Flex Blade (per blade): Equipment Blades from Sioux Falls SD \$494.00 (per blade), DMC Wear Parts from Whitewood SD \$412.99 (per blade).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply bid for 7/8"x6"x4' Rubber Flex Blade (per blade) to the lowest bidder: DMC Wear Parts from Whitewood, SD \$412.99.00 (per blade). MOTION by Arends and seconded by Schmidt. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Three bids were submitted for #2 Ultra-Low Sulfur Diesel-Dyed (per gallon): CHS Farmers Alliance from Freeman SD \$2.9800 (per gallon), Cole's Petroleum from Madison SD \$2.8740 (per gallon), Vollan Oil from Baltic SD \$2.9470 (per gallon).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for #2 Ultra-Low Sulfur Diesel-Dyed (per gallon) to the lowest bidder: Cole's Petroleum from Madison SD \$2.8740 (per gallon).

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

Three bids were submitted for 10% Ethanol 87 minimum octane rating (per gallon): CHS Farmers Alliance from Freeman SD \$2.7800 (per gallon), Cole's Petroleum from Madison SD \$2.6180 (per gallon), Vollan Oil from Baltic SD \$2.8460 (per gallon).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for 10% Ethanol 87 minimum octane rating (per gallon) to the lowest bidder: Cole's Petroleum from Madison SD \$2.618 (per gallon). MOTION by Arends and seconded by Schmidt. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

One bid was submitted for Magnesium Chloride: Dustbusters Inc from Evanston WY \$1.29 (per gallon). RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for Magnesium Chloride to the only bidder: Dustbusters Inc from Evanston WY \$1.29 (per gallon). MOTION by Arends and seconded by Jibben. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for plant mixed asphalt materials, Hotmix Class G Type 1 or 2 (per ton): Knife River from Sioux Falls SD \$70.00 (per ton), Myrle & Roys Paving Inc from Sioux Falls SD \$82.00 (per ton).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for plant mixed asphalt materials, Hotmix Class G Type 1 or 2 (per ton) to the lowest bidder: Knife River from Sioux Falls SD \$70.00. MOTION by Arends and seconded by Jibben. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

One bid was submitted for plant mixed asphalt materials, Hotmix Class G Fines (per ton): Knife River from Sioux Falls SD \$120.00 (per ton).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for plant mixed asphalt materials, Hotmix Class G Fines (per ton) to the only bidder: Knife River from Sioux Falls SD \$120.00 (per ton). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

One bid was submitted for plant mixed asphalt materials, Cold Mix UPM (per ton): Knife River from Sioux Falls SD \$180.00.

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for plant mixed asphalt materials, Cold Mix UPM (per ton) to the only bidder: Knife River from Sioux Falls SD \$180.00 (per ton).

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

Two bids were submitted for Rip Rap (quartzite), Class A (per ton), Class B (per ton), and Class C (per ton): LG Everest (FOB Dell Rapids) from Sioux Falls SD \$27.45 (per ton), LG Everest (FOB Hawarden) from Sioux Falls SD \$37.25 (per ton).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for Rip Rap (quartzite), Class A (per ton), Class B (per ton), and Class C (per ton) to both bidders: LG Everest (FOB Dell Rapids) from Sioux Falls SD \$27.45 (per ton), LG Everest (FOB Hawarden) from Sioux Falls SD \$37.25 (per ton). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Three bids were submitted for rock salt (per ton) delivered to Highway Shop: Central Salt LLC from Lyons KS \$91.06 (per ton), Blackstrap Inc from Neligh NE \$85.30 (per ton), Johnson Feed Inc from Canton SD \$92.00 (per ton).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for rock salt (per ton) delivered to Highway Shop to the lowest bidder: Blackstrap Inc from Neligh NE \$85.30 (per ton). MOTION by Jibben and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for weed control chemical, Tordon 22-k (per gallon): Nutrien Solutions from Spearfish SD \$51.48 (per gallon), VanDiest Supply from Norfolk NE \$51.70 (per gallon).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Tordon 22-k (per gallon) to the lowest bidder: Nutrien Solutions from Spearfish SD \$51.48 (per gallon). MOTION by Arends and seconded by Jibben. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for weed control chemical, Tordon 22-k (per 2.5 gallons): Nutrien Solutions from Spearfish SD \$128.70 (per 2.5 gallons), VanDiest Supply from Norfolk NE \$129.25 (per 2.5 gallons).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Tordon 22-k (per 2.5 gallons) to the lowest bidder: Nutrien Solutions from Spearfish SD \$128.7 (per 2.5 gallons). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

One bid was submitted for weed control chemical, Tordon 22-k (per 30 gallons): Nutrien Solutions from Spearfish SD \$1,544.40 (per 30 gallons).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Tordon 22-k (per 30 gallons): Nutrien Solutions from Spearfish SD \$1,544.40 (per 30 gallons). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for weed control chemical, Freelex (per gallon): Nutrien Solutions from Spearfish SD \$30.00 (per gallon), VanDiest Supply from Norfolk NE \$30.00 (per gallon).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Freelex (per gallon) to both bidders: Nutrien Solutions from Spearfish SD \$30.00 (per gallon), VanDiest Supply from Norfolk NE \$30.00 (per gallon). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for weed control chemical, Freelex (per 30 gallons): Nutrien Solutions from Spearfish SD \$900.00 (per 30 gallons), VanDiest Supply from Norfolk NE \$900.00 (per 30 gallons).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Freelex (per 30 gallons) to both bidders: Nutrien Solutions from Spearfish SD \$900.00 (per 30 gallons), VanDiest Supply from Norfolk NE \$900.00 (per 30 gallons). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

One bid was submitted for weed control chemical, Freelex (per 250 gallons): Nutrien Solutions from Spearfish SD \$7,500.00.

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Freelex (per 250 gallons) to the only bidder: Nutrien Solutions from Spearfish SD \$7,500.00 (per 250 gallons). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for weed control chemical, Milestone (per gallon): Nutrien Solutions from Spearfish SD \$280.00 (per gallon), VanDiest Supply from Norfolk NE \$280.00 (per gallon). RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Milestone (per gallon) to both bidders: Nutrien Solutions from Spearfish SD \$280.00 (per gallon), VanDiest Supply from Norfolk NE \$280.00 (per gallon). MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Two bids were submitted for weed control chemical, Milestone (per 2.5 gallons): Nutrien Solutions from Spearfish SD \$700.00 (per 2.5 gallons), VanDiest Supply from Norfolk NE \$700.00 (per 2.5 gallons).

RESOLUTION: BE IT RESOLVED to award the 2023 Supply Bid for weed control chemical, Milestone (per 2.5 gallons) to both bidders: Nutrien Solutions from Spearfish SD \$700.00 (per 2.5 gallons), VanDiest Supply from Norfolk NE \$700.00 (per 2.5 gallons). MOTION by Schmidt and seconded by Jibben. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: John Rombough, Buildings and Grounds Superintendent, informed the Board of the facts for the maintenance contract with G&R Controls for the highway shop.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the HVAC controls and maintenance contract with G&R Controls for all four options for the following services at the Lincoln County Highway Department Shop: Option 1: HVAC Control Services - Automation - \$1,920.00, Option 2: Remote Notification Management - \$1,560.00, Option 3: Mechanical HVAC Services - \$3,343.00, Option 4: Hydronic Services - \$950.00. MOTION by Schmidt and seconded by Arends. Arends "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

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

COMMISSIONER REPORT (INFORMATIONAL ONLY):

No Commissioner reports were given at this time.

EXECUTIVE SESSION:

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:36 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 10:33 a.m. MOTION by Poppens and second by Schmidt. Arends: "Aye" Jibben: "Absent" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reclassify the Digital Assistant position previously advertised to Investigator within the States Attorney office. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the Civil Deputy States Attorney to submit a purchase offer to a property owner in the amount of \$329,000.00. MOTION By Schmidt and seconded Jibben. Arends: "Nay" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 10:40 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). MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 11:46 a.m. MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Absent" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Arends and second by Schmidt to adjourn at 11:47 a.m. until 8:30 a.m. on February 14, 2023. Arends: "Aye" Jibben: "Absent" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Lincoln County Board of Commissioners

/s/
Tiffani Landeen, Lincoln County Chair

Attest: /s/
Sheri Lund, Auditor

Approved February 14, 2023.
Please publish the week of February 20, 2023.