

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on February 14, 2023, with Commissioners Joel Arends, Michael Poppens, Jim Schmidt and James C Jibben present. Auditor Sheri Lund served as Clerk of the Board. William Golden, Chief Civil Deputy State's Attorney, was also present.

ROUTINE BUSINESS:

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

Claims: \$2,313,403.60

GENERAL: Lennox Independent Llc, Publishing \$1,369.58; Sioux Valley News Inc, Publishing \$766.66; Us Bank, Statement 01/20/2023 \$3,806.32; Sioux Falls Rubber Stamp, Auditor Stamp/Jibben Stamp \$79.87; Ramkota Hotel-Pierre, Travel-Lodging \$210.00; Tschetter & Adams Law Office, Pc, Crt Appt Atty \$5,261.42; Peterson, Stuart & Klentz, Prof Llc, Public Defender Contract-Jan \$68,666.67; Resolute Law Firm Pc, Crt Appt Atty \$5,245.72; Dematteo Law Firm, Prof Llc, Crt Appt Atty \$150.70; Nicholson Law, Crt Appt Atty- Juv \$404.00; Vanderpol-Bailey, Melanie, Forensic Examiner \$635.25; Pierre Psychology, Competency Evaluation \$2,750.00; Isi, Llc, Interpreter \$160.00; All Nations Interpreters, Inc, Interpreters \$688.75; Dakota Law Firm Prof Llc, Crt Appt Atty A&N \$2,017.10; Reynolds Law, Llc, Crt Appt Atty- A&N \$1,716.10; Kennedy, Renee, Transcripts \$210.80; Frantzen Reporting/Pgr8r Inc, Transcripts \$1,227.25; Accurate Reporting, Inc, Transcripts \$96.00; Active Data Systems Inc, Scanning Project/Filedirector Software \$35,541.00; Jurors, Fees, Mileage \$6,666.88; Century Business Products, Copier Maint \$652.67; Sd State Treasurer, Sd State Treasurer/Mentally Ill \$2,132.18; Sdrs Special Pay Plan, Participant Fee \$45.00; Sd Dept Of Health, Blood Draw/Lab/Coroner Testing \$4,775.00; Sanford Medical Center, Medical Services \$194.50; Sechser, Jenna, Grand Jury \$250.00; Paragon Health & Wellness, Blood Draws \$1,680.00; Pmb 0112, Executive Mgmt Finance Office, Network Access Fees \$36.25; Beck, Pat, Grand Jury Transcript \$102.00; Dakota Data Shred, Shredding \$44.44; Minnehaha County Jail, Blood Draws/Boarding Fees-Jan \$148,454.25; Child's Voice Route #6361, Expert Testimony \$166.00; A & B Pure Water Online Corp, Water \$156.85; Jensen Ins Agency, Addt'l GI Audit/Add/Delete Vehicles/Location \$10,055.00; Otis Elevator, Quarterly Elevator Maintenance Agreement \$1,296.18; City Glass & Glazing Inc, Door Hardware Repair \$195.61; Sturdevant's Auto Parts, Pickup Snowplow Parts \$112.33; Sturdevant's Auto Value, Wiper Blades/Scrapper/Misc Items \$323.57; Prochem Dynamics Llc, Custodial/Kitchen Supplies \$1,604.91; Grainger, Water Fountain Filters - Year Supply \$468.88; Batteries Plus #75, Batteries \$849.29; Lennox Ace Hardware, Propane for portable heater/supplies \$45.97; Cintas, Rug Rental And Replacement \$211.60; Ford Signs Inc, Hallway Signage \$240.00; Canton Home & Farm Supply, Building/Hardware/Office Supplies \$112.82; Cintas (First Aid), First Aid Supplies – Courthouse \$176.47; Midamerican Energy Co, Gas Utilities – Courthouse \$4,871.98; Novak Sanitary Svc Corp, Garbage And Refuse Collection \$452.81; City Of Canton, Water And Sewer – Courthouse \$767.97; Xcel Energy, Electricity \$6,695.04; Sdaao, 12 Membership Dues \$900.00; At&T Mobility, Mobile Internet \$2,680.35; Government Forms And Supplies, Office Stamps \$337.00; Midco, Cross-Connect/Internet \$1,751.67; Cdw-G Inc, Computer Parts And Software \$4,280.82; Governmentjobs.Com, Inc, Neogov Software \$5,020.40; Tyler Technologies Inc, Ptm Migration \$5,857.50; Well365, Llc, Wellness Program \$4,405.00; Aj's Automotive Llc, Tow/Oil Change \$1,036.76; Covert Track Group Inc, Renewal Device #357812098236810 \$600.00; Mocic, 2023 Membership \$200.00; Transunion Risk & Alternative, January 2023 Billing \$75.00; All State Window Tinting, 20% Front Windows \$90.00; Auto Dynamics Inc, Vehicle Maintenance 18-1; 20-2 \$798.36; Sioux Falls Ford Lincoln, Vehicle Repairs 21-2; 20-2

\$1,766.42; Silverstar Car Wash, Jan/Dec 2023 Statement \$579.42; Cenex Zip Trip, 12-15-22, Charges Fuel \$45.00; Voyager Fleet Systems Inc, January 2023 Fuel Statement \$958.77; Harrisburg Ace Hardware, Misc Items-Harrisburg Office \$100.20; Uline Inc, Envelopes \$78.86; Sisson Printing, Inc, Miranda Cards \$87.84; Justice Fire & Safety Inc, Fire Extinguisher Recharge \$65.75; Octane Ink Llc, Vinyl Logos/Stripes – Trailer \$3,625.00; Hemann, Alex, Vest Buy Back \$223.96; Jack's Uniforms & Equipment, Misc Uniform Equipment \$1,974.43; Pheasantland Industries, No Trespass Forms \$91.61; Law Enforcement Risk Management Group, Liability Risk Mngmt Conference \$850.00; Verizon Wireless, Arlo Line Charges, Acct #842574985-00001 \$10.36; Paramedics Logistics South Dakota, Prisoner Care \$246.53; Karl Chevrolet, New Vehicle - 23 Chev Tahoe \$42,507.00; Intoximeters Inc, 2-Fst \$650.00; Northern Safety Technology, Inc, Vehicle Equipment \$194.88; Karl Emergency Vehicles, Tahoe Parts And Accessories \$3,240.00; Verizon Connect Fleet Usa Llc, January 2023 Statement \$233.87; Hatcher, Lon, Reimburse-Washer Fluid \$4.57; Hughes Co Jail, Inmate Housing January 2023 \$95.00; Buddi Us Llc, January 2023 Tagging Days \$712.00; Sanford Health Pathology Clinic, Coroner Calls-Jan \$2,250.00; Lennox Ambulance, Transport \$720.00; Med-Star Paramedic Ambulance Inc, Transport \$450.00; Sanford Health, Autopsies \$13,909.00; Minnehaha Co Regional Jdc, Chld/Shltr Care/Comm Spvrn \$20,289.15; Dakotabilities Inc, 6cl Jan/Feb/Mar 2023 \$1,080.00; Minnehaha Co Human Services, Monthly Poor Relief- January \$6,707.95; The Meadows On Graystone, Poor Relief- Rent \$600.00; Heritage Funeral Home, Poor Relief Funeral Expenses \$2,500.00; Sanford Health Home (Vna), Public Health Svc \$1,250.00; Loving, Philip, Mi Evals \$3,941.72; Anderson, Jennifer Marie, Mi Evals \$4,372.42; Koch, Elizabeth J, Mi Hearings \$64.00; Schiltz, Ann, Mi Hearings \$112.00; Salem Qmhp, Karla, Mi Evals \$1,485.00; Penning, Leslie, Mi Hearing \$64.00; Johnson Pllc, Katie, Mi Board- January \$5,767.30; Southeastern Behavioral Healthcare, Mobile Crisis-Jan \$303.52; Miller, Francie, Mi Hearings \$138.00; Geotek Engineering & Testing Services Inc, Perc Test - 4-H Grounds \$2,100.00; Maendel, Jayda, Post Event Cleanup \$240.00; City Of Sioux Falls Public Works, Post Auction Cleanup \$22.94; South Lincoln Rural Water, Water Utilities - 4-H Event Center \$68.76; Lookout Plan & Code Consulting Llc, Lookout Code Consulting \$1,929.70; New Century Press, Beresford Republic Publishing \$68.32; Quadient Leasing Usa, Inc, Lease Payment \$3,982.56, ROAD AND BRIDGE: Jensen Ins Agency, Premiums \$2,960.00; Emc Insurance Companies, Claim \$3,000.00; A-Ox Welding Supply Inc, Rental/Supplies \$177.57; Jfi Inc, Tire Repair \$62.19; Century Business Products, Move Copier To Shop \$213.33; G & R Controls Inc, Repairs/Supply Fan Fuse \$2,596.12; Albers Electric Llc, Install Office Ports \$378.99; Hydraulic World, Parts \$394.16; Autopros Tire & Service Center, Repair \$621.35; Graham Tire Co Llc-Corp, Repair \$496.32; Fastenal Company, Parts/Supplies \$731.69; Century Business Products, 12/19-1/18 Copies \$40.79; Canton Home & Farm Supply, Parts \$19.99; Avera Occupational Medicine-Mitchell, Drug Test \$79.00; Lennox Independent Llc, Publishing \$57.50; Sioux Valley News Inc, Publishing \$32.29; Us Bank, Statement 01/20/2023 \$28.99; Bomgaars, Fuel Pump Nozzle \$96.98; Boyer Trucks Corp, Parts \$467.51; Napa Auto & Truck Parts Of Sioux Falls, Parts/Supplies \$2,265.42; Midway Service/Vollan Oil, Fuel \$21,616.57; Butler Machinery Co, Parts \$1,938.02; Inland Truck Parts & Service, Parts \$226.94; Cintas, Mats, Towels \$111.77; Cole's Petroleum Inc, Fuel \$22,275.00; Bartlett Tools In, Tools \$851.85; Force America Distributing Llc, Parts \$205.40; Transource, Parts \$449.12; Brock White Construction Materials, Supplies \$763.56; Dave's Service & Repair, Fuel \$159.10; Northern Truck Equip Co, Parts/Supplies \$4,017.01; Light And Siren, Parts \$465.60; Canton Home & Farm Supply, Supplies \$229.08; Bluepeak, Internet \$683.94; Xcel Energy, Rab/106/123 Lights \$169.90; Verizon Connect Fleet Usa Llc, Fleet-Feb \$767.85; South Lincoln Rural Water, Feb Water \$269.76; At&T Mobility, Mobile Internet \$95.32; Novak Sanitary Svc Corp, Jan Trash \$250.26; Midamerican Energy Co, Gas 12/30-2/3 \$7,876.05; Southeastern Electric Co-Op Inc, Electric 12/28-1/27 \$4,396.13; Sd Dept Of Transportation, Project

Costs/Bridge Inspections \$8,838.50; Geotek Engineering & Testing Services Inc, 42-010-109 And 42-004-100 \$1,998.00; Imeg Corp, Lc143 Pe/Surface Trtmnt/Depth \$33,613.85
911: Century Business Products, 911, Contract Invoice \$16.96; Language Line Services Inc, January 2023 Statement \$101.72; A & B Pure Water Online Corp, Water \$50.95; Bluepeak, 911 Utility Charges, Lennox \$966.14; Centurylink, 911, Phone Services \$163.52; Xcel Energy, Electricity \$12.16, EMS: Verizon Wireless, Verizon Air Card \$37.45, AIRPORT: Legacy Aviation Llc Corp, Airport Management Fee-Jan, Feb \$5,833.34; Dave's Service & Repair, No. 1 Diesel For Airport Tractor \$246.41; Stone Hill Excavation Llc, Snow Removal, Airport, December 16th Event \$639.00; Sbi Manufacturing, Large Snowblower Repair \$246.57; Sioux International Inc, Airport \$13.44; Us Bank, Statement 01/20/2023 \$463.22; Southeastern Electric Co-Op Inc, Electricity \$189.48; Bluepeak, Airport \$104.86; Lincoln Co Rural Water, Water-Airport \$85.00; Helms & Associates, Airport Project A8540:02 \$1,704.18, 24/7: Sonnenschein, Christopher, Refund Test Fee \$10.00; Katz, Alix, Scram Refund \$3.00; Pharm Chem Inc, January 2023 Sweat Patch Analysis \$191.70, MODERN/PRESERV: Century Business Products, Monthly Copies Fee \$27.00; Active Data Systems Inc, Labels And Thermal Rolls \$341.80
JUSTICE CENTER: Jlg Architects, Project 21030 Lincoln County Courthouse \$74,186.08
LAW LIBRARY: Lexisnexis/Relx Inc, Law Library \$280.00, STATEWIDE SOBRIETY: Sd Attorney General's Office, Jan 24-7 State Distributions \$9,353.00; Katz, Alix, Scram Refund \$15.00, MODERN/PRESERV: Sdaco, Sdaco M & P Fund \$1,590.00, STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$458,089.95, SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,145,072.54, BIRTHS, DEATHS, & TITLES: Sd State Treasurer, Sd State Treasurer B & D \$750.00

Reports:

Mileage reports were presented as follows: January 2023 Highway and Buildings and Grounds.

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

CONSENT AGENDA:

MOTION by Jibben and seconded by Schmidt to approve County Commission Minutes: 02.07.2023. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Approve the hire of Roland Henry as full-time Deputy State's Attorney in the State Attorney's Office at \$43.47 (Grade 114, Step 1) effective 2.21.2023. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept resignation of Ron Albers, Alternate Planning Commission Member, effective 02.06.2023. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the approve 2023 Commercial Garbage Hauler/ Recycling Collection Licenses for the following entities: Roo's Sanitation, Bolte's Sunrise Sanitary Service Inc. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

COMMISSIONER BRIEFING: Ray Koens Medical Coordinator, informed the Board of the necessary facts pertaining to the County Assistance medical claim before them. There was no public input offered to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to approve County Assistance payment of \$3,228.48 for medical claim case number 112041. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Traci Humphrey, Human Resources Director, presented updated job bulletin for the Commission Administrative Officer position and request direction for recruiting. Public input on the Commission Administrative Officer included having the position be self-funded.

RESOLUTION: BE IT RESOLVED to approve the job bulletin for the Commission Administrative Officer position and authorize the Human Resources Director to begin recruiting. MOTION by Poppens and seconded by Schmidt: Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: John Rombough, Building and Grounds Superintendent, informed the Board of the necessary facts pertaining to the rental contract for the Lincoln County Fairgrounds and the fee schedule for the show ring. There was no public input offered to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to approve the rental agreement as presented with the change to the fee schedule for the show ring. MOTION by Poppens and seconded Jibben: Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: Terry Fluit, Highway Superintendent, presented the necessary facts pertaining to 2023 bids for reseal project bid, about 30 miles plus the shop parking lot and for surfacing project, about 15.5 miles on CR152. There was no public input offered to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to approve publication of request for 2023 reseal project for about 30 miles plus the shop parking lot. MOTION by Schmidt and seconded by Arends: Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve publication of request for 2023 surfacing project, about 15.5 miles on CR152. MOTION by Arends and seconded by Jibben: Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: Commissioner Jibben had discussion regarding his proposed resolution. Commissioner Poppens recused himself; public comment a resident questioned if any other commissioner should step down from the discussion.

RESOLUTION: BE IT RESOLVED The Lincoln County Commission supports property owner's rights under South Dakota law. Summit carbon solutions and navigator heartland greenway and property owners should work to resolve negotiations over property and avoid the use of eminent domain. MOTION by Jibben and seconded by Schmidt: Arends: "Aye" Jibben: "Aye" Poppens: "Recused" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Commissioner Schmidt had discussion regarding his proposed resolution. Public input was presented in favor of the resolution

RESOLUTION: BE IT RESOLVED The Lincoln County commissioners hereby expressed support and thanks for the legislation presented by Representative Ernie Otten of district 6 to increase funds to counties for maintenance of infrastructure and county services. MOTION by Schmidt and seconded by Jibben: Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Sheri Lund, Lincoln County Auditor, presented information and answered question regarding National Opioid Settlements Implementation. Discussion was also had regarding the fee schedule for the public records request. There was no public input offered to the Board on this item at this time.

RESOLUTION: BE IT RESOLVED to authorize the Auditor to register for the new National Opioid Settlement. MOTION by Jibben and seconded by Arends: Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to amend resolution 1911-16 and to set the public record request fee structure for the Certified Accessor File and the Current payable tax list file at \$2,000.00. MOTION by Schmidt and seconded by Jibben: Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

There was no public input offered to the Board on this item at this time.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Schmidt informed the Board of his recent travel to the National Association of County Officials (NACO) in Washington and encouraged other Board members to attend.

EXECUTIVE SESSION:

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:24 a.m. for the following purposes: 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 9:26 a.m. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a rental contract for the Lincoln County Fair Grounds. MOTION by Poppens and second by Jibben. Arends: "Nay" Jibben: "Nay" Poppens: "Nay" Schmidt: "Nay" Landeen: "Nay". Motion failed.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:29 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). MOTION by Jibben 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 10:48 a.m. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Arends and second by Schmidt to adjourn at 10:48 a.m. until 8:30 a.m. on February 28, 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 28, 2023.
Please publish the week of March 6, 2023.