

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

ROUTINE BUSINESS:

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

Claims: \$2,380,096.80

GENERAL: Chs, Inc, Earnest Money For Land Purchase \$5,000.00; New Century Press, Feb Publishing/Job Postings \$1,303.00; Lennox Independent Llc, Feb Publishing/Subscription \$2,688.63; Argus Leader/Multimedia Holding Inc., Jan Publishing \$831.66; Sioux Valley News Inc, Feb Publishing/Past Due Issues/Subscription \$1,927.69; Us Bank, Supplies/Computers/Travel \$7,404.23; Sentencing Advocacy Group Of Evanston, Mitigation Specialist- Oct-Jan \$14,952.96; Peterson, Stuart & Klentz, Prof Llc, Public Defender Contract- Feb \$68,666.67; Skorczewski, Jena, Transcripts \$2,038.95; Knecht, Andrew J, Crt Appt Atty \$1,028.90; Resolute Law Firm Pc, Crt Appt Atty \$2,683.45; Strange, Farrell, Johnson & Brewers Pc, Crt Appt Atty \$3,510.66; Walton, Marcus L, Crt Appt Atty \$2,400.80; Ciox Health, Med Records \$78.75; Laughlin, Nicole, Crt Appt Atty- Juv \$3,185.20; Price Phd, Thomas L, Competency Eval \$7,200.00; Guzman, Sandra, Interpreter \$130.30; All Nations Interpreters, Inc, Interpreters \$1,252.50; Maxine Risty Court Reporting, Transcripts \$328.30; Frantzen Reporting/Pgr8r Inc, Grand Jury Transcript \$683.15; Canton Pizza Ranch, Petit Jury Meal \$84.87; Jurors, Fees, Mileage \$926.80; Century Business Products, Copier Maint \$1,085.30; Tyler Technologies Inc, Position Budgeting - 2/14/2023 \$450.00; Sd State Treasurer, Sd State Treasurer/Mentall III \$879.47; Qualified Presort, Printing/Mailing Tax Statements \$16,778.33; Accurate Reporting, Inc, Gj Transcript \$48.00; Beck, Pat, Gj Transcript \$18.50; Paragon Health & Wellness, Blood Draws \$2,760.00; Thomson Reuters-West Publ Corp, Software Subscription \$838.41; Lembcke-Schildhauer, Terri, Gj Transcript \$47.85; Pmb 0112, Executive Mgmt Finance Office, Access Fees/Microfilm \$908.34; Sd Dept Of Health, Lab Testing \$3,175.00; Child's Voice Route #6361, Expert Testimony \$1,337.80; Clinical Laboratory Of The Black Hills, Pre-Testimony Meeting/Trial Testimony \$3,600.00; A & B Pure Water Online Corp, Water \$156.85; Eden, Amanda, Pattern Jury Instructions \$75.00; Canfield Business Interiors, Desk \$2,811.62; Dakota Wash Llc, Vehicle Washer Service \$64.80; Canton Home & Farm Supply, Hardware Supplies \$82.28; Prochem Dynamics Llc, Custodial Supplies/Ice Melt \$1,789.00; Lennox Ace Hardware, Hardware For Pickups/Propane For Portable Heater \$72.30; Novak Sanitary Svc Corp, Garbage And Refuse Collection \$452.81; City Of Canton, Water Utilities – Courthouse \$497.62; Midamerican Energy Co, Natural Gas Utilities-Crthse \$2,739.15; Xcel Energy, Electricity \$5,669.91; Menards-West, Hand Tools And Equipment For Canton Shop \$1,411.14; Cole Paper, Paper \$300.99; Riverside Technologies Inc, Toner \$244.00; Steinley Real Estate Appraisals, Uspap Test \$325.00; At&T Mobility, Mobile Internet \$2,955.43; Pictometry, Pictometry Contract Inv Us433378 \$44,070.00; Midco, Cross-Connect/Internet \$907.83; Cdw-G Inc, Printers/Parts/Usb Drives \$5,354.29; Route 1, Adapter \$177.00; Vanguard Appraisals Inc, Vanguard Service Fees \$13,386.00; Optum Bank, Hsa Monthly Maintenance Fee \$22.00; Well365, Llc, Wellness \$2,327.50; Homeland Health Specialists, Inc, Flu Shots \$40.00; Boyce Law Firm Llp, Legal Fees \$672.00; Transunion Risk & Alternative, February 2023 Billing \$75.00; Leadsonline, Amended Contract \$701.00; Centralsquare Technologies, Ps Pro/Mobile Ecitation Annual Fee \$2,342.24; Sturdevant's Auto Value, February 2023 Statement \$69.95; Graham Tire Co Llc-Corp, Tires \$1,284.96; Auto Dynamics Inc, Oil Changes/Brakes/Battery \$876.29; Fee, Don, Misc Equipment Install

\$900.00; Dave's Service & Repair, 19-2, 21-1, Oil Changes \$100.50; Voyager Fleet Systems Inc, Feb 2023 Statement \$638.32; Two Way Solutions Inc, Radio Repair \$339.99; Jack's Uniforms & Equipment, Misc Uniform \$87.94; Dash, Exam Gloves \$532.32; Harrisburg Ace Hardware, February 2023 Statement \$142.70; Fred The Fixer, 3-Key Blanks \$6.00; Kuntz, Christopher, Fto Course 2/27-3/3/23 \$200.00; Welsh, Garrett, Fto Course 2/27-3/3/23 \$200.00; Verizon Wireless, February 2023 Billing \$80.02; Streicher's, Entry Ram: Monoshock 35lbs \$1,995.00; Verizon Connect Fleet Usa Llc, Feb 2023 Statement Acct #100000101901 \$233.87; Minnehaha County Jail, Boarding Fees/Prisoner Care \$136,027.08; Buddi Us Llc, February 2023 Tagging Statement \$740.00; Lincoln Co Sheriff, Em Balance Transfer \$1,010.00; Sanford Health Pathology Clinic, Coroner Calls-Feb \$1,050.00; Med-Star Paramedic Ambulance Inc, Transport \$514.00; Minnehaha Co Human Services, Monthly Poor Relief-Feb,Mar \$13,415.90; Porter Funeral Home Inc, Poor Relief- Funeral \$2,500.00; Southeastern Behavioral Healthcare, Mobile Crisis-Feb \$201.83; Ringing Shield, Nichole, Mi Evals \$495.00; Loving, Philip, Mi Evals \$2,154.23; Wernke, Laurie A, Mi Hearings \$90.88; Johnson Pllc, Katie, Mi Board- Feb \$3,584.50; Johnson Pllc, Erin M, Mi Board- Dec/Jan \$4,620.70; Anderson, Jennifer Marie, Mi Evals \$2,447.46; Avera Mckennan Hospital, Mi Hold \$3,160.00; Sanford Health, Mi Hold \$2,809.24; Maendel, Jayda, Post Event Cleaning \$100.00; Cintas, Rug Cleaning And Replacement \$37.99; South Lincoln Rural Water, Water Utilities - 4-H Event Center \$72.76; Mcleod's Printing, Printing \$39.90; Benco Products Inc, Parts \$11.67; Boyer Trucks Corp, Parts \$55.71; Assn Of Sd County Weed & Pest, 2023 Dues \$200.00; Vern Eide Motoplex, 2023 Polaris Ranger \$14,694.00; Lookout Plan & Code Consulting Llc, Lookout Plan Code Review \$450.00; Imeg Corp, 3-6-2023 Imeg Invoice 23000026.00-2 \$622.50; Icc, Icc Educodes \$1,350.00; Hogan, Wendi, Mileage 2/21 \$13.27; Johnson, Mark, Mileage 2/21 \$19.32; Enstad, Collin, Mileage 2/21 \$18.14; Green, Scott, Mileage 2/21 \$16.80; Scott, Erik, Mileage 2/21 \$6.30; Jongeling, Jerry, Mileage 2/21 \$15.71 ROAD AND BRIDGE: A-Ox Welding Supply Inc, Cylinder Rental \$51.83; Great Plains Roofing, Snow/Ice Removal \$1,716.13; Automatic Security Company Inc, Annual Fire Alarm Test \$125.00; Jfi Inc, Tire Repair \$106.40; G & R Controls Inc, Shop/Boiler Repairs \$2,153.41; Autopros Tire & Service Center, Sensor Repair \$86.71; Brock White Construction Materials, Repair 52 \$1,162.10; Transource, Repair/Parts \$1,638.74; City Glass & Glazing Inc, Privacy Glass \$2,208.90; Avera Occupational Medicine-Mitchell, Tpa Services \$79.00; Century Business Products, Copies 1/19-2/18 \$61.44; Safety Meeting Outlines, Employee Safety Training – 2023 \$140.00; New Century Press, Feb Publishing \$76.33; Lennox Independent Llc, Feb Publishing \$138.02; Argus Leader/Multimedia Holding Inc, Jan Publishing \$37.85; Sioux Valley News Inc, Feb Publishing \$65.99; Us Bank, Statement 02/20/2023 \$329.17; Fastenal Company, Supplies/Parts \$768.29; Butler Machinery Co, Parts \$3,586.78; Cintas, Mats, Towels \$121.95; Inland Truck Parts & Service, Parts \$396.80; Diamond Mowers Inc, Parts \$227.55; Boyer Trucks Corp, Parts \$1,179.75; Cole's Petroleum Inc, Bulk Diesel \$21,560.75; Napa Auto & Truck Parts Of Sioux Falls, Parts/Supplies \$1,387.88; Jfi Inc, Propane/Salt \$20,743.03; Canton Home & Farm Supply, Parts \$1.18; Grainger, Parts \$139.24; Equipment Blades Inc, Parts \$1,800.00; Xcel Energy, Traffic Lights \$153.72; Verizon Connect Fleet Usa Llc, Mar Fleet \$767.85; At&T Mobility, Mobile Internet \$95.32; Bluepeak, Mar Internet/Phone \$630.61; Novak Sanitary Svc Corp, Feb Trash \$315.75; Southeastern Electric Co-Op Inc, Feb Electric \$5,037.48; Culligan Water Conditioning Corp, Installation/Feb-Mar Drinking Water \$261.31; South Lincoln Rural Water, Mar Water \$182.76; Midamerican Energy Co, Mar Gas \$5,645.32; Case Vandestroet Administrative Trust, Gravel \$2,400.13; Sd Dept Of Transportation, Project Costs \$9,678.92; Imeg Corp, Project Costs \$7,417.50 911: Language Line Services Inc, February 2023 Service 02/28/23 \$100.00; Sd Dept Of Public Safety, Teletype Service 01/01/23-06/30/23 \$3,340.00; Century Business Products, Feb 2023 Communications Statement \$36.32; Cdw-G Inc, Spare Battery, Adapter \$315.92; A & B Pure Water Online

Corp, Water \$50.95; Bluepeak, Bluepeak Feb 2023 Statement \$966.14; Centurylink, Feb 2023 Statement-Communications \$163.52; Xcel Energy, Electricity \$14.02; Cdw-G Inc, Spare Battery, Adapter \$407.56 EMS: Scott's Automotive, Gas For Imat Conference \$98.56; Verizon Wireless, Verizon Air Card \$40.01 AIRPORT: Legacy Aviation Llc Corp, March Airport Management Fee \$2,916.67; Roto-Rooter, Cleaning Urinal Line & Use Of Camera \$275.00; Cenex Zip Trip, Fuel-Airport \$65.17; Lincoln Co Rural Water, Airport Water \$51.00; Southeastern Electric Co-Op Inc, Electricity-Airport \$192.73; Helms & Associates, Aip 3-46-0078-020-2022 \$12,270.05 24/7: Bauer, Kathrynne Claire, Cam Refund \$1.00; Pharm Chem Inc, February 2023 Sweat Patch Analysis \$127.80 MODERN/PRESERV: Century Business Products, Monthly Printer Copies \$21.50 JUSTICE CENTER: Jlg Architects, Project 21030 Lincoln County Courthouse \$304,522.40; Tegra Group, Justice Center Consulting Agreement \$32,870.79 LAW LIBRARY: Lexisnexis/Relx Inc, Law Library \$280.00 STATEWIDE SOBRIETY: Sd Attorney General's Office, February 2023 State Fees \$8,545.00; Bauer, Kathrynne Claire, Cam Refund \$5.00 MODERN/PRESERV: Sdaco, Sdaco M & P Fund \$1,096.00 STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$464,312.18 SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,001,404.64 BIRTHS, DEATHS, & TITLES: Sd State Treasurer, Sd State Treasurer B & D \$740.00

Reports:

Mileage reports were presented as follows: February 2023 Buildings & Grounds mileage report, February 2023 Highway mileage report.

Draft minutes from the February 2023 East Dakota Water Development District Board of Directors meeting were presented.

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

The February 2023 Clerk of Courts report totaling \$54,952.97 was presented.

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

CONSENT AGENDA:

MOTION by Schmidt and second by Jibben to approve County Commission Minutes: 03.07.2023. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve promotion of Kayla Delfs from Election Specialist to Deputy Auditor at \$25.92 (Grade 107/Step3) effective 3.27.2023. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Authorized Representative Certificate for matters relating to various bond issuances reflecting U.S Bank Trust Company, National Association, as Trustee naming authorized representatives as follows: Auditor Sheri Lund, Commission Chair Tiffani Landeen. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Kara Henke as full-time Records Clerk in the Register of Deeds Office at \$20.84 (Grade 104/Step 2) effective 03.13.2023. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve correction to the hiring of Ashley Anderson as 80% HR Technician and 20% VSO Assistant. MOTION by Schmidt and second by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

PUBLIC HEARING was held to consider a petition to vacate the following described highway: Portion of the Townships statutory right-of-way, approximately 2,825 feet in length and 66 feet in width, the northern terminus is the Big Sioux River and the Southern terminus is at the intersection of County Highway Number 116/ 276th St and 484th Avenue, as presently laid out and lying on or adjacent to the section line running north and south upon Section 16 and Section 17 of Township 99 North, Range 48 West of the 5th P.M. Lincoln County, South Dakota. None spoke in favor nor opposition of vacating said road.

MOTION by Arends to table petition to vacate road. Motion failed for lack of a second.

The Board progressed with remaining Regular Business items while staff attempted to reach the petitioner by phone so he could speak on the vacation of the roadway.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, read bids aloud as follows. 2023 Lincoln County Asphalt Surfacing: Central Specialties Inc of Alexandria MN for \$3,930,109.62; Border States Paving Inc of Fargo ND for \$4,019,066.35; Duininck Inc of Watertown SD for \$4,239,616.47; Journey Group Companies dba Black-Top Paving of Sioux Falls SD for \$4,456,037.09. 2023 Lincoln County Asphalt Surface Treatment: ASTECH Corp of St. Cloud MN for \$1,269,989.43; The Road Guy Construction Co. Inc of Yankton SD for \$1,300,668.02; Bituminous Paving Inc of Odessa MN for \$1,347,176.80. No public chose to give input to the Board at this time.

RESOLUTION: BE IT RESOLVED to award the 2023 paving project bid on CR152 from Hudson to CR117 (472nd Ave), approximately 15.5 miles, to the lowest bidder, Central Specialties Inc., for \$3,930,109.62. MOTION by Arends and second by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to award the 2023 surface treatment project bid on CR135 (north of Canton) and CR140 (I-29 east), about 30 miles, to the lowest bidder, ASTECH Corp., for \$1,269,989.43. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Commissioner Jibben introduced the topic of leasing County property for farmland. Process for doing so was discussed as well as whether property could be leased while for sale. No public chose to give input to the Board at this time.

RESOLUTION: BE IT RESOLVED to authorize farmland lease on the County property south of the Highway Shop and Tea area land near the airport by sealed bid. MOTION by Jibben and second by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, informed the Board of the necessary budgeted cash transfers before them. No public chose to give input to the Board at this time.

RESOLUTION: BE IT RESOLVED to approve budgeted cash transfer as follows from the General Fund: 911 Communications \$503,222; Emergency and Disaster \$101,881. MOTION by Schmidt and second by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

The Board resumed discussion regarding the petition to vacate. There was no additional comment given.

MOTION by Jibben and second by Schmidt to vacate the following described highway: Portion of the Townships statutory right-of-way, approximately 2,825 feet in length and 66 feet in width, the northern terminus is the Big Sioux River and the Southern terminus is at the intersection of County Highway Number 116/ 276th St and 484th Avenue, as presently laid out and lying on or adjacent to the section line running north and south upon Section 16 and Section 17 of Township 99 North, Range 48 West of the 5th P.M. Lincoln County, South Dakota. Arends: "Nay" Jibben: "Nay" Schmidt: "Aye" Landeen: "Nay". Motion failed.

A motion to enter Executive Session was made and withdrawn by Commissioner Arends.

OPPORTUNITY FOR PUBLIC COMMENT:

A Tea-area resident spoke on transparency concerns regarding 03.07.2023 Board action following Executive Session remanding an ordinance back to the Planning Board.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Jibben commended the Director of Equalization, Karla Goossen, on her public meeting regarding assessments.

Commissioner Schmidt commented on the recent news story describing Minnehaha County assessments and taxes.

EXECUTIVE SESSION:

RESOLUTION: BE IT RESOLVED to enter Executive Session at 8:55 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" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 11:07 a.m. MOTION by Arends and second by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Arends and second by Jibben to adjourn at 11:07 a.m. until 8:30 a.m. on March 28, 2023. Arends: "Aye" Jibben: "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 March 28, 2023.

Please publish the week of April 3, 2023.