

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on May 9, 2023, with Commissioners Joel Arends, Michael Poppens, and Jim Schmidt present. Auditor Sheri Lund served as Clerk to the Board. William Golden, Chief Civil Deputy State's Attorney, was also present.

ROUTINE BUSINESS:

MOTION by Poppens and second by Schmidt to approve the agenda with item 8 being removed from regular business and item 5 being moved to the end of the agenda." Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Claims: \$2,306,389.65

GENERAL: Election Systems & Software Inc, Expressvote Maint/Firmware Lic \$16,603.13; Peterson, Stuart & Klentz, Prof Llc, Public Defender Contract For 04/2023 \$68,666.67; Knecht, Andrew J, Crt Appt Atty – Juv \$988.30; Dakota Psychological Services, Psychological Service \$2,500.00; All Nations Interpreters, Inc, Interpreters Service \$745.65; Guzman, Sandra, Interpreter \$120.00; Price Phd, Thomas L, Competency Eval Report \$720.00; Skorczewski, Jena, Transcript \$1,330.75; Pheasantland Industries, Envelopes \$256.08; Century Business Products, Contract Copies \$792.57; Delta Dental, Cobra Dental Insurance – Db \$46.82; Iti Inc, License Plate Envelopes \$1,581.60; Beck, Pat, Gj Transcript \$48.10; Sechser, Jenna, Grand Jury \$351.45; Thomson Reuters-West Publ Corp, Online Subscription Charges \$838.41; Pmb 0112, Executive Mgmt Finance Office, Network Access Fees \$46.50; Thomas E Schacht, Professional Services \$16,987.50; Interstate Office Products, Supplies \$669.10; A & B Pure Water Online Corp, Water \$156.85; Sommervold, Jessica, Supplies \$8.51; Worthing Fire Station, Fire Call To Put Out The Airport's Plow Pickup \$565.00; Dakota Wash Llc, Vehicle Cleaning \$43.20; G & R Controls Inc, Steam Valve Repair In The Old Courthouse Building \$5,576.25; Olson's Pest Technicians, Insect And Rodent Control – Courthouse \$375.00; Sunshine Foods, Laundry Soap \$13.09; Grainger, Double Sided Mounting Tape \$22.41; Prochem Dynamics Llc, Custodial Supplies \$1,784.83; Diverse Lawn & Landscaping Llc, Replacement Mower Blades - All Machines \$134.50; Canton Home & Farm Supply, Supplies \$305.04; City Of Canton, Water Utilities – Courthouse \$373.54; Xcel Energy, Electricity \$6,987.70; Midamerican Energy Co, Natural Gas Utilities \$820.48; Us Bank, 042023 Statement \$5,527.95; Sdaao, 2023 Annual Assessor School \$6,165.00; At&T Mobility, Mobile Internet – April \$3,044.71; Ramkota Hotel-Pierre, Travel-Hotel \$1,033.46; Karpel Solutions, Annual Maintenance \$11,000.00; Tyler Technologies Inc, Ptm Maintenance \$13,469.02; Cdw-G Inc, Scanner, Software, Headsets \$2,069.16; Well365, Llc, Wellness \$2,302.50; New Century Press, Job Posting \$109.00; Sd Div Of Criminal Investigation, Background Check \$43.25; Frantzen Reporting/Pgr8r Inc, Transcription Service \$229.00; Centralsquare Technologies, Zsuite, Jail, Portal, Maintenance \$22,034.56; Transunion Risk & Alternative, April 2023 Monthly Statement \$75.00; Silverstar Car Wash, April 2023 Statement \$299.70; Auto Dynamics Inc, Vehicle Maintenance \$1,492.88; Sturdevant's Auto Value, April 2023 Statement \$36.05; Octane Ink Llc, Lettering Package, 23-5 \$245.00; Jack's Uniforms & Equipment, Misc Uniform \$6,470.33; Harrisburg Ace Hardware, April 2023 Statement \$165.02; Northern Safety Technology, Inc, Jotto Cell Transport System \$3,323.29; Bomgaars, April 2023 Statement \$49.98; Bartscher, Aaron, Reimbursement-Sams Club \$54.44; Dione Renee Erickson, Boarding & Care For 3 Mini Horses \$1,440.00; Midco, April 2023 Statement \$887.83; Verizon Wireless, April 2023 Monthly Statement Arlo Go 1, 2 \$80.02; Dell Marketing Lp, Detective Laptop \$2,555.43; Lincoln Co Sheriff, Em Balance Transfer \$45.00; Verizon Connect Fleet Usa Llc, April 2023 Statement \$233.87; Voyager Fleet Systems Inc, April 2023 Fuel Statement \$1,083.97; Two Way Solutions Inc, Battery \$259.98; The Lodge At Deadwood, Lodging-Swenson, Brown \$504.00; Minnehaha County Jail, April Contract/Prisoner Care

\$146,761.41; Ophthalmology Ltd, Prisoner Care \$352.44; Buddi Us Llc, April 2023 Tagging Days-Em \$2,380.00; Autoclear Llc, Fix Security X-Ray Machine \$7,791.00; Sanford Health Pathology Clinic, Coroner Calls-April \$1,620.00; Med-Star Paramedic Ambulance Inc, Transport \$1,612.40; Sanford Health Home (Vna), Public Health Service \$1,250.00; Anderson, Jennifer Marie, Mi Evals \$4,409.08; Wernke, Laurie A, Mi Hearings \$74.88; Sd State Treasurer, MI/Predatory Animal \$2,807.25; Loving, Philip, Mi Evals \$4,134.24; Southeastern Behavioral Healthcare, Mobile Crisis April \$207.04; Avera McKennan Hospital, Mi Hold \$1,580.00; Maendel, Jayda, Post Event Cleaning \$130.00; Cintas Rug, Cleaning And Replacement \$201.36; Menards-West, Rubber Expansion Joint For Concrete \$17.98; South Lincoln Rural Water, Water Utilities - 4-H Event Center \$83.76; Goeman, Jeff, Goeman Bldg Purchase \$49,500.00 ROAD AND BRIDGE: A-Ox Welding Supply Inc, Cylinder Rental \$51.83; Prochem Dynamics Llc, Repair Scrubber/Supplies \$3,214.96; Jfi Inc, Repair Tire/Propane \$185.36; Two Way Solutions Inc, Install Radio/Parts \$589.68; Crane Sales & Service, Overhead Crane Repair \$2,650.08; Glass Doctor Of Sioux Falls, Repalce Windshield \$623.39; Transource, Repairs \$749.41; Ace Towing Inc, Tow \$337.50; Pheasantland Industries, Safety Apparel \$2,430.05; Century Business Products, Copy Services 3/19-4/18 \$71.40; Jensen Ins Agency, Notary Bonds \$100.00; Sd Secretary Of State, Notary Applications \$60.00; Noregon Systems Llc, Jpro Renewal \$2,199.00; Us Bank, 042023 Statement \$935.87; Grant Writing, Usa, Zoom Classes For Writing & Management \$990.00; Cintas, Mats,Towels \$10.78; City Of Sioux Falls Public Works, Landfill Disposals \$545.40; Benco Products Inc, Parts \$153.00; Bartlett Tools In, Tools \$955.95; Fastenal Company, Supplies \$85.62; Canton Home & Farm Supply, Supplies \$19.98; Butler Machinery Co, Parts \$3,280.85; General Equipment & Supplies Inc, Parts \$1,008.50; Mid-American Research Chemical, Supplies \$6,929.89; Napa Auto & Truck Parts Of Sioux Falls, Parts \$372.91; Wheelco Truck & Trailer Parts, Parts \$9.36; Cole's Petroleum Inc, Diesel \$21,552.13; Xcel Energy, 106/123 Light 3/22-4/20 \$54.86; South Lincoln Rural Water, Water 3/28-4/25 \$167.76; Bluepeak, Internet 5/3-6/2 \$630.61; Culligan Water Conditioning Corp, Drinking Water 5/1-5/31 \$38.74; Micheal's Purple Petunia, Pump West Tank \$150.00; At&T Mobility, Mobile Internet – April \$95.32; Southeastern Electric Co-Op Inc, Electric 3/28-4/28 \$2,182.69; Midamerican Energy Co, Gas 3/31-5/1 \$828.10; Verizon Connect Fleet Usa Llc, Fleet – May \$834.00; Novak Sanitary Svc Corp, Trash – April \$315.75; Brock White Construction Materials, Detack/Asphalt/Parts \$34,111.17; Imeg Corp, Project Costs \$1,846.54; Sd Dept Of Transportation, Project Costs \$3,591.99; Knife River, Asphalt \$20,239.10 911: Centralsquare Technologies, Zsuite, Cad, Jail, Portal, Maintenance \$19,847.23; Century Business Products, Monthly Contract 68794-10, Dispatch \$36.32; A & B Pure Water Online Corp, Water \$50.95; Bluepeak, Internet Services 911 \$309.33; Centurylink, Monthly Services 4-13 Thru 5-12 \$161.39; Xcel Energy, Electricity \$0.47 EMS: Timmerman, Harold, Reimbursement For Gas For Sdema Board Meeting \$61.01; Verizon Wireless, Verizon Air Card \$40.01 AIRPORT: Legacy Aviation Llc Corp, Airport Management Fee - May 2023 \$2,916.67; Lincoln Co Rural Water, Water – Airport \$45.50; Southeastern Electric Co-Op Inc, Marv Skie Airport \$315.01; Helms & Associates, Airport Apron Reconstruction Design \$3,067.51 24/7: Andrew Ethan Duncan, Scram Refund \$3.00; Wagner Garcia Lopez, 24/7 Refund \$6.00; Pharm Chem Inc, April 2023 Sweat Patch Analysis \$479.25 MODERN/PRESERV: Century Business Products, Monthly Printer Copies \$31.36 JUSTICE CENTER: Lincoln Co Title, Closing Fees \$1,259.85; Jlg Architects, 21030 Lincoln County Courthouse \$47,140.12; Tegra Group, May 2023 Installment \$31,966.00 DEBT SERVICE-CRTHSE: Us Bank St. Paul, Bond Payment Series 2013 \$15,780.00 DEBT SERVICE-TIF #7:First Bank & Trust, Attn: Darin Schaap, Tif #7 Regular Payment \$53,178.30 DEBT SERVICE-HWY BLDG: Us Bank St. Paul, Bond Payment Series 2016 \$78,381.88 LAW LIBRARY: Lexisnexis/Relx Inc, Law Library Subscript \$280.00 STATEWIDE SOBRIETY: Sd Attorney General's Office, 24/7 April 2023 State Fees \$9,994.00; Andrew Ethan Duncan,

Scram Refund \$55.00; Wagner Garcia Lopez, 24/7 Refund \$30.00 MODERN/PRESERV: Sdaco, Sd M& P Fund \$3,235.00 STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$287,603.94 SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,192,503.75 BIRTHS, DEATHS, & TITLES: Sd State Treasurer, Birth Death Marriage \$710.00

Reports:

Mileage reports for April 2023 were presented from Emergency Management, Highway and Buildings and Grounds.

The April 2023 Register of Deeds Report was presented in the amount of \$67,228.20.

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

CONSENT AGENDA:

MOTION by Schmidt and second by Arends to approve County Commission Minutes: 05.02.2023, Consolidated Board of Equalization: 05.02.2023 and Board of Equalization: 05.02.2023. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute Quit Claim Deed for property legally described as Lots Eight (8) and Nine (9), in block one (1) of Cable's Addition aka Lincoln County Parcel No. 210.50.01.009, Lincoln County, South Dakota, to Randy Kruid. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute Quit Claim Deed for property legally described as Lot Ten B (10B) of Outlot ten (10) aka Lincoln County Parcel No. 210.40.00.010B, Lincoln County, South Dakota, to Randy Kruid. MOTION by Schmidt seconded by Arends. Arends: "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 04.24.2023: Cory McCloud - Patrol Sergeant- SO2/Step 13 - \$40.72/hr. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the abatement of taxes due to a veteran exemption, SDCL 10-4-40 for the tax year 2022, payable in 2023 in the amount of \$2,495.13, for a property located in the City of Sioux Falls. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED TO approve the 2023-2024 renewal of the Uniform Alcoholic Beverage License Applications for structures only submitted by the following: Suraj Gas Bar LLC, RB-2619, Carlson TR #2 & Lot 1 of Carlson Tr #2 S1/2 SW1/4- 31-96-50; CHS, Inc, RB-2684, 19 98 50 Replat of Fodness TRS 1&2 NE ¼ Trl; Lenkota Country Club, RB-2767, 65.65 AC Lying w of Hwy 44 Ex RR & Tr In SE ¼ 31-99-51, Skydine Inc RB-3062, Lot 1 SE ¼ (ex H-23) and South 50' East 1007.10' Muellers Lot 2 & Lot 2 & Lot A in H-2 SE ¼; Riverview Farms LLC, RB-25444, Govt Lot 3' Ex Riverview Add; The Good Earth Farm LLC, RB-27353, Kroger's Addition Tract 2C, NW1/4, 28-98-51. Horsted Enterprises LLC, RB-25443, South 105' of N 565' of the west 370' of the west 1002.3 ft to the south 300' of the North 565' of

the East 6323' of the West 1002.3 Ft Gov Lot 2 SW1/4 Sec 19-100-49. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Valerie Carroll as full-time Accounting Specialist in the Auditor's Office at \$21.55/hr (Grade 105/Step 1) effective 05.08.2023. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Brandon Timothy Otte as full-time Building Maintenance Technician in the Building & Grounds Department at \$20.84/hr (Grade 104/Step 2) effective 05.22.2023. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the resignation of Steve Flanagan, Part-time Deputy Sheriff for the Sheriff's Office, effective 05.04.2023. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

FIRST READING for an Ordinance of Lincoln County, SD, rezoning a portion (proposed Tract 1A of Holbeck Addition) of the property legally described as Tract 1, Holbeck Addition, N1/2 NW1/4, Section 27-T99N-R51W, Perry Township, from the "A-1" Agricultural District to the "RR" Rural Residential District, and amending the Official Zoning Map of Lincoln County. The Planning Commission recommends denial (7-0).

COMMISSION BRIEFING: Terry Fluit, Highway Superintendent presented the necessary facts regarding traffic control signs and the installation of rumble strips on County Highway 135, and for a haul road agreement. No public offered to give comment on this item at this time.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute a haul road agreement with SiteWorks Inc. for structure 42-113-060 on 274th St. MOTION by Arends seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: Tiffani Landeen, Commissioner presented the information pertaining to the Ad Hoc Committee. A Lincoln County resident offered information.

RESOLUTION: BE IT RESOLVED to create an Ad Hoc Committee for Planning & Zoning regarding a CO2 Pipeline Ordinance comprised of the following: Wendy Hogan, Jerry Jongeling, Tiffani Landeen, James Jibben, and legal counsel from the Lincoln County State's Attorney's office. MOTION by Schmidt seconded by Arends. Arends: "Nay" Poppens: "Abstain" Schmidt: "Aye" Landeen: "Aye". Motion failed.

COMMISSION BRIEFING: Francene Hofer, Treasurer presented the necessary facts for the need to adopt a new depository bank. No public offered to give comment on this item at this time.

RESOLUTION: BE IT RESOLVED to appoint Heritage Bank NA as an official depository bank. MOTION by Poppens seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: Tom Wollman. States Attorney presented the necessary facts pertaining to the Juvenile Detention Alternatives Initiative Memorandum of Understanding.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Lincoln County Juvenile Detention Alternatives Initiative (JDAI) Committee Memorandum of Understanding (MOU). MOTION by Schmidt seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

EXECUTIVE SESSION:

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 8:52 a.m. For the following purposes: Preparing for contract negotiations or negotiating with employees or employee representatives, SDCL 1-25-2(4). MOTION by Arends seconded by Poppens. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:45 a.m. MOTION by Poppens seconded by Arends. Arends: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

No public offered to give comment at this time.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Schmidt offered information regarding tourism statistical spending in Lincoln County.

Commissioner Jibben joined the meeting via telephone at 9:49 a.m.

COMMISSION BRIEFING: Tiffani Landeen, Commissioner presented the information regarding the location of the site for the Justice Center.

RESOLUTION: BE IT RESOLVED to approve the site location for the Lincoln County Justice Center to be located at the location described as the North half of the Southeast Quarter of the Southeast Quarter (N1/2SE1/4SE1/4) of Section Fifteen (15), Township Ninety- Eight (98) North, Range Forty-Nine (49) west of the 5th P.M., Lincoln County, South Dakota, according to the government survey thereof, a/k/a parcel number 098.49.15.4040. And The South Half of the Northeast Quarter of the Southeast Quarter ((S1/2NE1/4SE1/4), (Except the North 20 feet of the East 300 feet thereof), Section 15, Township 98, Range 49 West of the 5th P.M., Lincoln County, South Dakota, according to the government survey thereof, a/k/a parcel number 098.49.15.4011. MOTION by Schmidt seconded by Jibben. Arends: "Nay" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Arends and second by Schmidt to adjourn at 9:52 a.m. until 8:30 a.m. on May 23, 2023. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Lincoln County Board of Commissioners

Tiffani Landeen, Lincoln County Chair

Attest: _____
Sheri Lund, Auditor

Approved: _____
Please publish the week of May 15, 2023.