

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Commissioner, Michael Poppens, at 8:30 a.m. on June 27, 2023, with Commissioners Joel Arends present, James C Jibben was present via phone. Auditor Sheri Lund served as Clerk to 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 with the removal of item six (6) under regular business. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

Claims: \$2,319.171.90

GENERAL: Metlife, Employee Life Insurance \$371.14; Midco, Voice/Video/Internet Services \$3,607.88; Sdacc, Clerp \$5,382.06; Resolute Law Firm PC, Crt Appt Atty \$6,173.17; Strange, Farrell, Johnson & Brewers Pc, Crt Appt Atty \$3,955.70; Tschetter & Adams Law Office, Pc, Crt Appt Atty \$559.77; Laughlin, Nicole, Crt Appt Atty – Juv \$6,278.15; A To Z World Languages Inc, Interpreter \$138.45; Guzman, Sandra, Interpreter \$140.61; All Nations Interpreters, Inc, Interpreter \$1,142.85; Ciox Health, Med Records \$291.12; Cranbrooks, Psyd Abpp Lp, Katheryn, Competency Eval \$3,125.00; Beck, Pat, Gj Transcript \$195.50; Jurors \$Fees/Mileage \$2,565.58; Cole Paper, Paper \$1,784.50; Sd State Treasurer, Sd State Treasurer \$-15.00; Sd Dept Of Health , Lab Testing \$40.00; Minnehaha County Jail, Blood Draws \$550.00; Redwood Toxicology Laboratory, Lab Testing \$136.70; Thomson Reuters-West Publ Corp, Software Subscription \$856.07; Paragon Health & Wellness, Blood Draws \$2,160.00; Sechser, Jenna, Grand Jury Court Reporting \$308.50; Sanford Medical Center, Blood Draws \$76.00; Pmb 0112, Executive Mgmt Finance Office, Access Fees \$46.50; Beck, Pat, Transcripts \$101.75; Child's Voice Route #6361, Expert Testimony Fees \$531.44; Meader, Joe, Prosecutor Conference \$361.11; Sd Dept Of Public Safety, Overpayment Refund \$185.92; Nelson, Alison D, Prosecutor Conference \$361.11; Wollman, Thomas, Prosecutor Conference \$517.15; Eden, Amanda, Prosecutor Conference \$361.11; Olson's Pest Technicians, Insect And Rodent Control \$375.00; G & R Controls Inc, Maintenance Hvac Call For Server Room. \$189.00; Grainger, Custodial Supplies \$23.25; Quarystone Greenhouse, Planter Refill. \$250.00; Prochem Dynamics Llc, Custodial Supplies \$63.80; Menards-West, Custodial Supplies \$18.46; Bomgaars, Measuring Container For Spraying \$10.99; Autopros Tire & Service Center, 2019 Equinox 306438 \$100.90; At&T Mobility, At&T Cellular Service \$3,090.48; Metlife, Employee Life Insurance \$12.48; Cdw-G Inc, Adaptors/Batteries \$3,768.62; Cbt Nuggets Llc, Online Training \$1,797.00; Tyler Technologies Inc, Executime Maintenance \$3,028.61; Riverside Technologies Inc, Printers \$1,714.00; Frantzen Reporting/Pgr8r Inc, Transcription Service \$405.50; Sioux Falls Area Humane Society, City Contract - May 2023 \$947.14; Fee, Don, Full Build, Removal Equipment \$4,950.00; Auto Dynamics Inc, Vehicle Maintenance \$534.42; Avera Heart Hospital Of Sd, 2-Aed Battery/Pad Set \$198.00; Two Way Solutions Inc, Radio Repair \$660.99; Dione Renee Erickson, Mini Horse Care \$1,486.00; Dakota Large Animal Clinic P.C., Mini Horse Vet Care \$450.69 Aj's Automotive Llc, 17-2, Vehicle Maintenance \$55.66; Pennington Co Jail, Inmate Transportation Billing \$651.87; Charles Mix Sheriff's Office, May 2023 Inmate Billing \$70.00; Ophthalmology Ltd, Inmate Medical 06-02-23 \$352.44; Dakota Embalming & Transport Inc, Transport \$400.00; Med-Star Paramedic Ambulance Inc, Transport \$525.20; Sanford Health Pathology Clinic, Coroner Calls \$1,350.00; Sanford Health Autopsies \$12,736.00; South Cliff Falls Apartment, Poor Relief – Rent \$600.00; Thompson, Paige, Counseling \$110.00; Southeastern Behavioral Healthcare, Mobile Crisis – May \$477.29; Loving, Philip, Mi Evals \$2,484.20; Schiltz, Ann, Mi Hearings \$272.00; Salem Qmhp, Karla, Mi Evals \$110.00; Anderson, Jennifer Marie, Mi Evals \$1,448.30; Ringing Shield, Nichole, Mi Hearings \$55.00; Penning, Leslie, Mi Hearings \$176.00; Sd Human Services Center, Psych Eval \$600.00; Johnson Plc, Katie, Mi Board \$3,531.00; Avera Mckennan Hospital, Mi Hold

\$3,160.00; C&J Fencing Llc, Fence Repair \$614.46; Maendel, Jayda, Post Event Cleaning \$120.00; Lennox Ace Hardware, Hardware \$54.35; Cintas, Rug Cleaning And Exchange \$53.99; Bomgaars, Hardware \$55.94; Lincoln Co Open Class, Prize Money \$625.00; Jensen Ins Agency, Polaris Premium \$22.00; Grossenburg Implement Incorporated, Parts \$123.95; Stantec Consulting Services Inc, Lincoln County Comprehensive Plan Update \$17,579.24; Imeg Corp, Plat Review \$1,317.50; Carlson, Joel, Meal Reimbursement \$54.00; Hogan, Wendi, Planning, Commission Mileage \$26.54; Jongeling, Jerry, Planning Commission Mileage \$31.42; Boots, Todd, Planning Commission Mileage \$39.14; Green, Scott, Planning Commission Mileage \$33.60; Poppens, Michael, Planning Commission Mileage \$15.62; Scott, Erik, Planning Commission Mileage \$6.30; Enstad, Collin, Planning Commission Mileage \$18.14; ROAD AND BRIDGE: Metlife, Employee Life Insurance \$46.80; Healthpartners, Cobra Health Insurance - Harlay Fischer \$806.76; Graham Tire Co Llc-Corp, Field Tire \$811.72; Transource, Repair/Parts \$19,375.11; Butler Machinery Co, Repair/Parts \$593.12; Action Electric Inc; 123 Signal Repair \$706.97; Midwest Petroleum Equipment, Repair Gas Islander \$307.50; Jfi Inc, Tire Repair/Supplies \$99.15; Gworks, Cost Accounting Software Add-On \$875.00; Cole Paper, Paper \$116.28; Fastenal Company, Safety Glasses, Gloves \$423.71; Grossenburg Implement Incorporated, Parts \$412.30; Inland Truck Parts & Service, Parts \$1,622.60; Cintas, Mats,Towels,Uniform \$131.81; Deans Distributing, Oil \$2,494.53; Wheelco Truck & Trailer Parts, Parts \$456.33; Sign Solutions Usa, Signs \$8,020.60; Bartlett Tools In, Tools \$373.65; Bomgaars, Supplies \$33.14; Napa Auto & Truck Parts Of Sioux Falls, Parts \$625.00; Fluit, Terry, Meals \$34.00; Midco, Voice/Video/Internet Services \$34.66; Micheal's Purple Petunia, Pump \$150.00; Presto-X, Service \$494.94; Xcel Energy, Rab Light 5/14-6/15 \$56.47; At&T Mobility, Firstnet Cellular Service \$86.48; White Cap Lp, Materials \$3,861.00; Knife River, Materials \$20,416.79; Dustbusters, Inc, Dust Control \$45,939.48; Subsurface, Inc., Pipe Lining \$14,694.00; Imeg Corp, 42-244-255 Pe-Design \$29,984.20; Myrl & Roys Paving Inc, Materials \$3,104.52; Lyon County, Klondike Bridgetos 25(1) Cost Share \$33,205.95; 911: Metlife, Employee Life Insurance \$34.32; Century Business Products, Dispatch, Monthly Contract 93905-01 \$45.24; Cole Paper, Paper \$244.47; Midco, Voice/Video/Internet Services \$153.99; EMERGENCY AND DISASTER: Metlife, Employee Life Insurance \$0.79; Scott's Automotive, Tires For County Generator \$188.66; Midco, Voice/Video/Internet Services \$88.77; DOMESTIC ABUSE: Childrens Inn, Domestic Abuse Allocation \$4,500.00; The Compass Center, Domestic Abuse Allocation \$4,500.00; Lincoln Co Treasurer, Domestic Abuse allocation \$1,000.00; AIRPORT: A-1 Pumping & Excavating Inc, Pumping Of Office Holding Tank \$170.00; Bluepeak, Airport \$206.83; At&T Mobility, At&T Cellular Service \$24.56; 24/7: Davie, Maison, Ua Refund \$10.00; Miller, Nathan, Scram Refund \$4.00; Metlife, Employee Life Insurance \$3.12; Redwood Toxicology Laboratory, 24-7, Panel 10 Testing Supplies \$237.50; Dash, 24-7, Exam Gloves \$117.59; Midco, Voice/Video/Internet Services \$33.72; JUSTICE CENTER: Stockwell Engineers Inc, Survey \$6,751.50; STATEWIDE SOBRIETY: Miller, Nathan, Scram Refund \$24.00; STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$500,994.82; SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,492,913.00

Payroll: \$404,348.99

Commissioner's \$5,536.21; FICA 302.01, Medicare 70.64, SDRS 1.85
 Auditor's \$10,131.30; FICA 583.37, Medicare 136.44, SDRS 607.88
 Treasurer's \$19,415.43; FICA 1,074.67, Medicare 251.35, SDRS 1,164.91
 States Attorney's \$66,972.37; FICA 3,882.81, Medicare 908.07, SDRS 3,943.42
 Gen Gov Bldg \$16,369.82; FICA 913.25, Medicare 213.58, SDRS 983.46
 DOE \$38,619.47; FICA 2,233.11, Medicare 522.28, SDRS 2,267.64
 ROD \$9,838.67; FICA 539.45, Medicare 126.17, SDRS 556.94
 VSO \$2,615.40; FICA 135.70, Medicare 31.74, SDRS 156.92

GIS \$6,293.20; FICA 344.24, Medicare 80.51, SDRS 377.60
IT \$9,965.40; FICA 596.19, Medicare 139.43, SDRS 597.92
HR \$5,444.20; FICA 305.80, Medicare 71.52, SDRS 326.65
Sheriff's \$94,565.11; FICA 5,534.58, Medicare 1,294.38, SDRS 7,053.37
Jail \$18,336.31; FICA 1,129.17, Medicare 264.07, SDRS 1,149.57
WIC \$402.88; FICA 24.98, Medicare 5.84
County 4-H \$4,227.60; FICA 262.11, Medicare 61.31, SDRS 134.02
Weeds \$4,777.60; FICA 293.23, Medicare 68.58, SDRS 286.65
P & Z \$11,858.40; FICA 725.84, Medicare 169.76, SDRS 711.50
Highway \$40,878.33; FICA 2,326.11, Medicare 543.98, SDRS 2,382.45
Communications \$30,264.49; FICA 1,756.37, Medicare 410.79, SDRS 1,815.86
EM MGMT \$3,710.40; FICA 211.01, Medicare 49.35, SDRS 224.06
Airport \$2,089.60; FICA 129.56, Medicare 30.30, SDRS 125.38
24/7 \$2,036.80; FICA 124.83, Medicare 29.19, SDRS 162.94

Reports:

The May 2023 Sheriff patrol mileage was presented.

The May 2023 Auditor's account with the County Treasurer report totaling \$44,525,316.99 and the May 2023 financial statements were presented.

A letter from the Department of Agriculture and Natural Resources regarding Dakota Plains Dairy Site #2 East Proposed Modifications Plans and Specification Review was presented.

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

CONSENT AGENDA:

MOTION by Arends and second by Jibben to approve County Commission Minutes: 06.13.2023. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the resignation of Sampson Borns, Equipment Operator for the Highway Shop, effective 06.14.2023 MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to accept the resignation of Wendi Hogan, Planning Commission Member, effective 06.21.2023, and authorize the Auditor to publish notice of vacancy. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

REGULAR BUSINESS:

COMMISSION BRIEFING: William Golden, Chief Civil Deputy State's Attorney informed the Board of the necessary facts regarding the administrative hearing regarding the medical cannabis license #2203-10. The applicant was not present. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to revoke medical cannabis license #2203-10 issued to Nevil Patel. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Terry Fluit, Highway Superintendent informed the Board of the necessary facts pertaining to termination of an agreement, and for approval of a striping agreement with the South Dakota Department of Transportation. Fluit also informed the Board

of the necessary facts pertaining to a grant opportunity. Discussion was held regarding the emergency repairs being done to structure 42-175-153, the Beloit bridge. A Fairview citizen spoke in opposition to the grant application.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute Agreement to Terminate Agreement Number 717578 between the South Dakota Department of Transportation and Lincoln County, South Dakota. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED, to approve and authorize the chair to execute an agreement between the South Dakota Department of Transportation and Lincoln County for the 2023 striping project, approximately 96 miles. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED WHEREAS, Lincoln County desires assistance from the U.S. Department of Transportation Safe Streets for All Planning Grant Program for the purpose of developing a new Lincoln County Safety Action Plan, and WHEREAS, the Lincoln County Commission hereby commits to the support of the Lincoln County Safety Action Plan, and WHEREAS, the Lincoln County Commission commits to twenty percent local match for the project, and WHEREAS, the Lincoln County Commission acknowledges its responsibility to secure consultation for the development of the Safety Action Plan, and BE IT RESOLVED the Lincoln County Commission hereby authorizes the filing of a grant application, including all understandings and assurances contained therein, for the U.S. Department of Transportation Safe Street for All Planning Grant Program, and hereby authorizes the Highway Superintendent to act in connection with the application and to provide such additional information as may be required. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Traci Humphrey, Director of Human Resources informed the Board of the necessary facts pertaining to a proposed handbook revision, and the need for a revision to the Accounting Technician job description and grade classification. None spoke in favor no opposition.

RESOLUTION: BE IT RESOLVED to approve the proposed revisions to the Employee Handbook as follows: adding section 3.7 Accommodations for Pregnancy. The County will provide reasonable accommodations to employees with known limitations related to pregnancy, childbirth, or related medical conditions unless it causes undue hardship in accordance with the Pregnant Workers Fairness Act (PWFA). Employees with known limitations related to pregnancy, childbirth, or related medical conditions should speak to their supervisor or contact Human Resources about potential accommodations. The County will consider specific requests and may also evaluate other accommodations to assist employees. Employment decisions regarding accommodations under the PWFA will be based on the specific situation and in consideration of the impact on operations and staff. Modifying 6.5 Break Times for Nursing Mothers. The County supports nursing mothers by providing appropriate and reasonable arrangements to express breast milk after they return to work. The County will provide appropriate space and a reasonable break time for an employee to express breast milk for nursing a child for up to one year after the child's birth. Any time outside the employee's normal break time will be unpaid. Appropriate spaces for nursing mothers have been identified or reserved in many areas. Employees who need assistance in locating an appropriate space should speak with their supervisor or Human Resources. Human Resources is available to

assist employees and supervisors in identifying accommodations when needed. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the revision of the Accounting Technician job description and grade classification. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Sheri Lund, Auditor informed the Board of the request to revise resolution 2107-20. None spoke in favor no opposition.

RESOLUTION: BE IT RESOLVED to amend resolution 2107-20 to remove item number (9) Temporary licenses issued pursuant to this Resolution may allow the sale of alcoholic beverages on public property or property owned by a nonprofit corporation during a special event in a publicly owned facility. MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

Lincoln County residents spoke in favor of an ordinance regarding CO2 pipelines, and proposed election integrity meetings.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Arends mentioned that he would be bring ordinances forward regarding alcoholic beverage license.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 9:01 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). MOTION by Arends and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:35 a.m. MOTION by Jibben and second by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Arends and second by Jibben to adjourn at 9:35 a.m. until 8:30 a.m. on July 11, 2023. Arends: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

Lincoln County Board of Commissioners

Michael Poppens, Lincoln County Commissioner

Attest: _____
Sheri Lund, Auditor

Approved: July 11, 2023
Please publish the week of July 17, 2023.