

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on August 8, 2023, with Commissioners James C Jibben, Michael Poppens, Jim Schmidt present. Auditor Sheri Lund served as Clerk to the Board. Joe Meader, Civil Deputy State's Attorney, Steve Rasmussen, Commission Administrative Officer, was also present.

### **ROUTINE BUSINESS:**

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

Claims: \$3,490,512.14

GENERAL FUND: Sioux Valley News Inc, Publishing \$638.20; Argus Leader/Multimedia Holding Inc., Publishing \$831.12; Us Bank, July Statement \$7,088.25; Peterson, Stuart & Klentz, Prof Llc, Public Defender \$68,398.07; Resolute Law Firm Pc, Crt Appt Atty \$3,134.30; Beck Law, Crt Appt Atty \$982.60; Knecht, Andrew J, Crt Appt Atty \$2,649.20; Eich Law Office Prof Llc, Crt Appt Atty \$1,259.10; Avera Medical Group Specialty, Med Records \$19.24; Ciox Health, Med Records \$16.98; Watson Ph.D, Dale G, Forensic Neuropsychologist \$14,260.00; Sentencing Advocacy Group Of Evanston, Mitigation Specialist \$5,211.88; A To Z World Languages Inc, Interpreter \$138.45; Hummel, Steven, Investigative Services \$615.07; Neuropsychology Associates, Neuropsychologist \$3,200.00; Beresford City Hall, Civil Services \$25.00; All Nations Interpreters, Inc, Interpreter \$1,031.25; Guzman, Sandra, Interpreter \$120.00; Lockwood & Zahrbock Kool Law Office, Pc, Crt Appt Atty - A&N \$7,838.40; Frantzen Reporting/Pgr8r Inc, Grand Jury Transcripts \$540.30; Skorczewski, Jena, Transcripts \$191.10; Jurors, Fees/Mileage \$1,410.14; Canton Pizza Ranch, Grand Jury \$233.35 Century Business Products, Copier \$690.56; Emc Insurance Companies, Claim \$10,000.00; Sd State Treasurer, Sd State Treasurer \$1,765.43; Sdrs Special Pay Plan, Sdrs Special Pay Plan \$45.00; Redwood Toxicology Laboratory, Lab Testing \$82.02; Sd Secretary Of State, Notary – Candace \$30.00; Sommervold, Jessica, Dv Training Supplies \$36.78; A & B Pure Water Online Corp, Drinking Water Contract \$207.80; Scotts Automotive, Bearing And Tire Replacement \$578.25; Diverse Lawn & Landscaping Llc, Irrigation Repair \$300.00; Howe Heating & Plumbing Inc, Toilet Flush Valve Repair \$657.99; Prochem Dynamics Llc, Custodial Supplies \$2,216.43; United Laboratories, Custodial Supplies & Equipment Lubricant \$797.39; Fred The Fixer, File Cabinet Keys \$8.00; Canton Home & Farm Supply, Vinyl Cove Base, Glue, And Irrigation Repair Parts \$274.48; City Of Canton, Water Utilities – Courthouse \$1,833.85; Xcel Energy, Electrical Utilities \$4,449.37; Aj's Automotive Llc, Oil Change/Vehicle Maintenance \$156.97; Autopros Tire & Service Center, Repairs And Maintenance \$1,163.55; Sturdevant's Auto Value, Car 2151 - Snow Driver/Vehicle Maintenance \$97.96; Olseth, Sarah, Meals July 11-13 \$68.00; Steinley Real Estate Appraisals, Sarah Uspap \$100.00; At&T Mobility, Cellular Service \$3,137.72; Pmb 0112, Executive Mgmt Finance Office, Microfilm \$89.76; Riverside Technologies Inc, Printer \$579.00; Irons, Susan, Mileage For June And July 2023 \$236.63; Sdvsoa, Membership And Conference Dues \$100.00; Civicplus, Website Hosting \$10,803.02; Cdw-G Inc, Software \$8,713.00; Dell Marketing Lp, Monitors \$461.98; Family Services Inc, Eap X 1 \$70.00; Transunion Risk & Alternative, July 2023 Billing \$75.00; Auto Dynamics Inc, Vehicle Maintenance \$1,077.45; Voyager Fleet Systems Inc, July 2023 Fuel Statement \$1,212.59; Harrisburg Ace Hardware, Misc Office Products \$88.27; Pheasantland Industries, Custom Decal \$590.88; Dione Renee Erickson, July 2023 Full Care Mini Horses \$1,250.00; Verizon Wireless, Cellular Service \$80.02; Sd Dept Of Revenue, 23-6, Vehicle Title & Plates \$26.70; Interstate Office Products, Sheriff-New Office Furniture \$6,186.83; Red D Haul Llc, New Vehicle Delivery \$300.00; Fee, Don, Equipment Removal 17-2 Charger \$300.00; Two Way Solutions Inc, Radio Batteries \$495.96; Minnehaha County Jail, July 2023 Contract & June 2023 Overage

\$163,467.75; Wegner Auto, 23 Dodge Charger \$35,333.00; Sanford Health Pathology Clinic, Coroner Calls \$1,200.00; Med-Star Paramedic Ambulance Inc, Transport \$533.60; Ringing Shield, Nichole, Mi Evals \$110.00; Koch, Elizabeth J, Mi Hearings \$112.00; Penning, Leslie, Mi Hearings \$96.00; Miller, Francie, Mi Hearings \$144.00; Gates, Laurie, Mi Board \$272.00; Loving, Philip, Mi Evals \$641.68; Anderson, Jennifer Marie, Mi Evals \$1,329.16; Dgr Engineering, Engineering Design \$4,757.00; Maendel, Jayda, Post Event Cleanup \$120.00; Lennox Ace Hardware, Plumbing Hardware \$21.97; Menards-West, Painting Materials \$182.40; Cintas Rug, Cleaning And Exchange \$58.14; South Lincoln Rural Water, Water Utilities - 4-H Event Center & Fairgrounds \$167.52; Stratmeyer, Joyce, Special Foods Judge \$50.00; Pankratz, Linda M, Special Foods Judge \$50.00; Tinker, Rachel, Fashion Revue Judge \$50.00; Dolby, Leslie, Fashion Revue Judge \$50.00; Endres, Jessica, Special Foods Judge \$50.00; Bomgaars, Parts \$36.96; Boyer Trucks Corp, Parts \$196.22; Napa Auto & Truck Parts Of Sioux Falls, Parts \$390.50; Innovative Office Solutions Llc, Planning Commission Nameplate \$31.60; ROAD AND BRIDGE: Midwest Petroleum Equipment, Service \$295.00; Butler Machinery Co, Repair \$1,801.15; Albers Electric Llc, Repair Bldg Lights \$6,172.46; Paul's Auto Repair, Repair \$387.35; Century Business Products, Copies 6/19-7/18 \$87.62; Avera Occupational Medicine-Mitchell, Drug Test \$79.00; Cintas (First Aid), First Aid Supplies \$195.94; Transource, Parts \$534.13; Istate Truck Center, Parts \$117.80; Bomgaars, Supplies \$11.98; Cintas, Mats,Towels,Uniform \$107.71; Jfi Inc, Propane \$64.08; A-Ox Welding Supply Inc, Supplies \$837.25; Fastenal Company, Supplies \$273.18; Napa Auto & Truck Parts Of Sioux Falls, Parts \$735.84; Sdacc, 2023 County Convention \$200.00; Xcel Energy, Traffic Lights \$51.29; South Lincoln Rural Water, Water – Jun \$73.76; Bluepeak, Jun & Jul \$1,261.22; Novak Sanitary Svc Corp, Jul Garbage \$315.75; Culligan Water Conditioning Corp, Aug Water \$50.00; Verizon Connect Fleet Usa Llc, August \$886.55; At&T Mobility, Cellular Service \$80.08; Southeastern Electric Co-Op Inc, Jul Electric \$1,668.84; Knife River, Asphalt \$13,092.10; Sd Dept Of Transportation, 2023 Bridge Inspections \$9,874.86; Geotek Engineering & Testing Services Inc, Pe For 2024 Road Projects \$2,016.00; Central Specialties Inc, 2023 Surfacing Project \$528,679.13; Bx Civil & Construction Inc, 42-148-050 08xa \$338,853.15; Midwest Contracting, Llc, 42-111-260 And 42-110-253 Replacements \$269,080.60; Stratmeyer, David, 42-007-040 Easement \$490.00; Stratmeyer, Elmer, 42-007-040 Easement \$350.00; 911: Century Business Products, 07/17/23 - 68794-10 Contract \$36.32; Powerphone Inc, Annual Plan, Software & Training Renewal \$5,157.75; Innovative Office Solutions Llc, Labels \$53.32; Powerphone Inc, Annual Plan, Software & Training Renewal \$2,786.00; Bluepeak, 07/20/23 - Billing Statement \$941.40; Centurylink, 07/13/23 Billing Statement \$156.83; Interstate Office Products, Sheriff-New Office Furniture \$2,979.92; EMS: Interstate Power Systems Inc, Generator Service 2023 \$4,611.67; Verizon Wireless, Cellular Service \$40.01; AIRPORT: Sd Dept Of Agriculture, Stormwater Construction Permit \$100.00; Efraimson Electric Inc, New Bearings \$2,936.84; Michaels Fence & Supply, Airport \$1,365.19; Sioux International Inc, Airport \$2,882.67; Bluepeak, Airport \$48.11; At&T Mobility, Cellular Service \$95.75; Lincoln Co Rural Water, Water Bill – Airport \$45.50; 24/7: Redwood Toxicology Laboratory, Panel 10 Generic 10 Coc/Amp-M-A \$332.50; Pharm Chem Inc, July 2023 - Sweat Patch Analysis \$255.60; MODERN/PRESERV: Century Business Products, Monthly Copy Fees \$32.10; JUSTICE CENTER: Jlg Architects, Project 21030 \$46,455.92; STATEWIDE SOBRIETY: Sd Attorney General's Office, July 2023 24/7 State Fees \$8,382.00; STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$502,645.80; SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,334,167.68; BIRTHS, DEATHS, & TITLES: Sd State Treasurer, Birth & Death – State \$940.00

Payroll: \$415,299.88

Commissioner's \$10,597.00; FICA 584.39, Medicare 136.67, SDRS 304.00

Auditor's \$11,452.89; FICA 658.86, Medicare 154.09, SDRS 687.18  
Treasurer's \$19,419.06; FICA 1,074.89, Medicare 251.40, SDRS 1,165.13  
States Attorney's \$66,972.36; FICA 3,911.76, Medicare 914.84, SDRS 3,943.42  
Gen Gov Bldg \$16,369.84; FICA 913.44, Medicare 213.62, SDRS 982.20  
DOE \$38,717.98; FICA 2,220.80, Medicare 519.40, SDRS 2,273.55  
ROD \$10,047.01; FICA 552.36, Medicare 129.19, SDRS 553.42  
VSO \$2,615.41; FICA 135.70, Medicare 31.74, SDRS 156.92  
GIS \$6,293.20; FICA 344.24, Medicare 80.51, SDRS 377.60  
IT \$10,162.08; FICA 608.39, Medicare 142.28, SDRS 609.72  
HR \$4,632.03; FICA 255.44, Medicare 59.74, SDRS 277.92  
Sheriff's \$97,078.11; FICA 5,705.10, Medicare 1,334.26, SDRS 7,254.43  
Jail \$18,203.78; FICA 1,120.95, Medicare 262.15, SDRS 1,154.93  
WIC \$402.88; FICA 24.98, Medicare 5.84  
County 4-H \$4,590.98; FICA 284.64, Medicare 66.57, SDRS 134.02  
Weeds \$4,777.63; FICA 293.25, Medicare 68.58, SDRS 286.66  
P & Z \$14,370.60; FICA 881.60 Medicare 206.21, SDRS 821.74  
Highway \$42,756.97; FICA 2,424.74, Medicare 567.08, SDRS 2,481.40  
Communications \$27,394.93; FICA 1,586.36, Medicare 370.99, SDRS 1,643.69  
EM MGMT \$3,710.40; FICA 211.38, Medicare 49.44, SDRS 222.62  
Airport \$2,612.00; FICA 161.94, Medicare 37.87, SDRS 156.72  
24/7 \$2,122.74; FICA 130.16, Medicare 30.44, SDRS 169.82

The following reports were presented:

July 2023 Emergency Management Mileage Report.

July 2023 Buildings and Grounds Mileage Report.

July 2023 Register of Deeds report totaling \$104,662.60.

July 2023 Veteran Service Officer Report.

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

#### **CONSENT AGENDA:**

MOTION by Schmidt and second by Poppens to approve County Commission Minutes:

08.01.2023. Poppens: "Aye" Jibben: "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 06.21.2023: Anthony Zongo – Deputy Sheriff– SO1/Step 3 - \$28.93/hr. MOTION by Schmidt and second by Jibben. Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the second quarter 2023 Highway Fund Transfer Request--fuel cost transferred to the Highway Fund from and in the amounts as follows: Auditor/ Treasurer \$58.84; Buildings and Grounds \$1565.63; Emergency Management \$504.96; Equalization \$196.88; Planning and Zoning \$631.95; Sheriff \$8270.17; State's Attorney Office \$1,600.05; Weeds \$931.89 Totaling \$13,760.37. MOTION by Schmidt and second by Jibben. Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED Approve abatement of taxes for 2022 payable in 2023 in the amount of \$174.52, on a property in the City of Sioux Falls, parcel 283.01.01.003. MOTION by

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

RESOLUTION: BE IT RESOLVED to authorize the chair to sign the letter of authorization for the [LCSD.GOV](http://LCSD.GOV) domain name. MOTION by Schmidt and second by Jibben. Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Drew Degroot as full-time Chief Civil Deputy State's Attorney in the State's Attorney Office at \$5,106.40/BW (Grade 117/Step 5) effective 08.28.2023. MOTION by Schmidt and second by Jibben. Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the resignation of Austin Richter, seasonal Highway Worker for the Highway Shop, effective 08.10.2023. MOTION by Schmidt and second by Jibben. Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

### **REGULAR BUSINESS:**

COMMISSIONER BRIEFING: Sheri Lund, Auditor presented the necessary facts regarding an application for a temporary Alcoholic Beverage license. The applicant was not present. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve an application for a temporary on-sale liquor license to operate outside of a municipality for Horsted Enterprises for a special event to occur on September 15-16, 2023, located at 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 a/k/a 100.49.19.3020. MOTION by Schmidt and second by Jibben. Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

FIRST READING occurred for an Ordinance of Lincoln County, SD, rezoning Tract 1, Klinghagen's Addition, NW1/4, Section 5-T99N-R50W, LaValley Township, from the "A-1" Agricultural District to the "C" Commercial District and amending the Official Zoning Map of Lincoln County. The Planning Commission recommends approval (6-0).

COMMISSIONER BRIEFING: Tom Berry and Katie Kemmitt, Stantec staff provided the Board with an update regarding the Comprehensive Plan. None spoke in favor nor opposition.

Commissioner Arends joined the meeting via phone at 8:47 a.m.

COMMISSIONER BRIEFING: Traci Humphrey, Human Resource Director present the necessary facts for the reclassification and recategorization of the Commission Assistant position. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve the reclassification and recategorization of the Commission Assistant to an Assistant Commission Administrative Officer, including the modified job description/responsibilities and increasing the grade from a grade of 105 to 110. MOTION by Schmidt and second by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Tom Wollman, State's Attorney presented necessary facts pertaining to the Lincoln County request for proposals for indigent defense services. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve the Request for Proposal with the presented language for Indigent Defense Services. MOTION by Schmidt and second by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING Sheri Lund, Auditor present the requested changes to resolution 2006-04. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to amend resolution 2006-04, ratify and adopt the following Cell Phone Stipend Policy as follows: Lincoln County will be providing two options for all positions that are deemed to require a mobile phone. This does NOT include members of the Lincoln County Sheriff's Office. You may choose from the following two options: 1. You will be provided with a county-owned phone. a. This phone will have unlimited text, talk, and data. b. This phone will be controlled and monitored by Lincoln County. c. This phone may be used for personal use. 2. You will be provided with a monthly mobile phone stipend added to your payroll. a. This stipend will match what the County pays for the service listed in option 1. b. Depending on the position and circumstances, you must understand and acknowledge that your phone could be subpoenaed in court and become part of evidence. The County will not provide you with a replacement phone during this time. Any Lincoln County Sheriff's Office position that requires a cell phone will be assigned a device that is issued and owned by Lincoln County. This employee is required to use the assigned mobile phone for all county-related business. You will NOT be issued a stipend for using your personal phone. All stipends will be reviewed annually to ensure that the correct amount is issued to each employee receiving a stipend. (Monthly stipend would be \$40.00). Any Department Head who feels a position in their department needs to be added to the cell phone policy will be reviewed and submitted for approval by the Board of Commission. Positions with mobile phone service are as follows: Commissioners, all Department Heads, Assistant Commission Administrative Officer, Chief Deputy State's Attorneys, Chief Deputy Sheriff, Sheriff's Lieutenants, 911 Dispatch Supervisor, and Highway Operations Supervisor. BE IT FURTHER RESOLVED to grant the Information Technology Director the authority to execute agreements with cell phone providers for cell phones and service. MOTION by Poppens and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

#### **OPPORTUNITY FOR PUBLIC COMMENT:**

Public comments were heard.

#### **COMMISSIONER REPORT (INFORMATIONAL ONLY):**

Commissioner Jibben spoke regarding the Marv Skie Airport.

Commissioner Schmidt spoke regarding an Executive Board meeting he will be attending.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 9:08 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 Poppens and second by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:26 a.m. MOTION by Poppens and second by Jibben. Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

Recess was taken at 9:27 a.m.

COMMISSIONER BRIEFING: Tom Wollman, State's Attorney presented the necessary facts regarding the proposed Representation of Indigent Persons and other Individuals requiring Court Appointed Counsel. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to authorize the Chair to execute a contract for Representation of Indigent Persons and other Individuals requiring Court Appointed Counsel between Lincoln County and Myers Billion LLP. MOTION by Poppens and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

**ADJOURNMENT:**

MOTION by Schmidt and second by Jibben to adjourn at 9:58 a.m. until 8:30 a.m. on August 22, 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: August 22, 2023  
*Please publish the week of August 28, 2023.*