

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on August 2, 2023, with Commissioners Joel Arends via phone, James C Jibben, Michael Poppens, and 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. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

Claims: \$618,598.02

GENERAL: Metlife, Employee Life Insurance \$354.54; Lennox Independent Llc, Publishing \$1,102.30; Argus Leader/Multimedia Holding Inc, Publishing \$514.66; Midco, Internet/Video/Voice Services \$3,960.33; Resolute Law Firm Pc, Crt Appt Atty \$430.10; Walton, Marcus L, Crt Appt Atty \$1,797.60; The Counseling Café, Psych Eval \$1,506.24; Laughlin, Nicole, Crt Appt Atty \$670.00; Dakota Psychological Services, Psychological Eval \$5,400.00; Sd Human Services Center, Med Records \$6.50; Ciox Health, Med Records \$112.44; Certified Languages International, Interpreter \$26.40; Jurors, Fees/Mileage \$35.30; Mcleod's Printing, Checks/Envelopes \$1,078.07; Delta Dental, Cobra Dental Insurance \$46.82; Century Business Products, Contract Copies \$413.22; Sd Dept Of Health, Lab Testing \$2,920.00; Beck, Pat, Grand Jury Proceedings \$500.00; Paragon Health & Wellness, Blood Draws \$2,280.00; Pmb 0112, Executive Mgmt Finance Office, Access Fees \$46.50; Lundquist, Elizabeth H, Grand Jury \$350.00; Sanford Medical Center, Blood Draw \$38.00; Canton Pizza Ranch, Grand Jury \$56.97; Riverside Technologies Inc, Toner \$270.00; Thomson Reuters-West Publ Corp, Library Plan Charges \$856.78; Olson's Pest Technicians, Insect And Rodent Control – Courthouse \$375.00; G & R Controls Inc, Repair To A/C Compressor #3 \$1,111.99; Al's Motorsickle Shop Inc, Equipment Repair - '01 Polaris Ranger \$284.99; Benco Products Inc, Replacement Sprayer Nozzles \$21.93; Lennox Ace Hardware, Supplies \$42.90; Prochem Dynamics Llc, Custodial/Kitchen Supplies \$138.63; Cintas Rug, Cleaning And Exchange \$269.93; Novak Sanitary Svc Corp, Refuse And Garbage Collection \$452.81; Midamerican Energy Co, Natural Gas Utilities – Courthouse \$489.88; Grainger, Floor Drying Fans \$324.48; Kirbside Car Wash, Car Wash \$10.00; Eastway Auto Service, Inc., 2019 Chevy Equinox Ls Repair \$37.17; Aj's Automotive Llc, Vehicle Maintenance \$186.34; Erdmann, David, Aug 1 - 3 Vanguard \$66.00; Olseth, Sarah, Aug 1 - 3 Vanguard \$66.00; Heiliger, Ethan T, Aug 1 - 3 Vanguard \$66.00; Preheim, Austin, Aug 1 - 3 Vanguard \$66.00; Sehr, Heather, Aug 1 - 3 Vanguard \$66.00; Pieske, Ethan, Aug 1 - 3 Vanguard \$66.00; Golden, Donelda, Aug 1 - 3 Meals \$66.00; Ekle, Donna, Aug 1 - 3 Meals \$66.00; Nagel, Matthew, Aug 1 - 3 Meals \$66.00; Przybilla, April, Aug 1 - 3 Meals \$66.00; Active Data Systems Inc, Scanning Services – Doe \$12,287.92; Cdw-G Inc, Drives/Cords \$632.81; Graybar Electric Co, Cords \$252.75; Shi International Corp, Software Maintenance \$1,497.50; Justfoia, Inc., Software Implementation \$750.00; Optum Bank, Hsa Monthly Maintenance Fee (July) X 8 \$22.00; Well365, Llc, Wellness \$2,287.24; Boyce Law Firm Llp, Outside Counsel \$360.00; Sd Dept Of Labor & Regulation, Late Fee \$38.02; Sd Div Of Criminal Investigation, Fingerprinting \$173.00; Silverstar Car Wash, Monthly Statement \$309.69; Dave's Service & Repair, July 2023 Monthly Statement-Vehicle Maintenance \$614.75; Auto Dynamics Inc, Vehicle Maintenance \$963.39; Jack's Uniforms & Equipment, Misc Uniform \$2,039.66; Lincoln Co Sheriff, Em Balance Transfer \$150.00; Verizon Connect Fleet Usa Llc, Monthly Statement \$233.21; Sunset Law Enforcement, Ammo \$835.80; Yankton Co Sheriff's Office, July 2023 Inmate Boarding Fees Statement \$85.00; Pennington Co Sheriff's Office, Inmate Transports Monthly Statement \$724.87; Avera Med Group Radiology, Inmate Medical-Michael Hendricksen \$114.74; Buddi Us Llc, July 2023 Statement-Tagging Days

\$1,692.00; Sanford Health, Autopsies/Public Health Serv \$10,829.16; Minnehaha Co Regional Jdc, Housing/Supervision \$39,777.94; Johnson Pllc, Katie, Mi Board \$4,044.60; Loving, Philip, Mi Evals \$3,318.40; Anderson, Jennifer Marie, Mi Evals \$586.66; Ringing Shield, Nichole, Mi Evals \$165.00; Johnson Pllc, Erin M, Mi Board \$2,535.90; Southeastern Behavioral Healthcare, Mobile Crisis – July \$447.62; Helseth, Ramona, Mi Hearings \$32.00; Salem Qmhp, Karla, Mi Evals \$3,135.00; Avera Mckennan Hospital, Mi Hold \$2,370.00; Abc Rentals, A/C Rental -Event Center \$313.50; Maendel, Jayda, Post Event Cleanup \$140.00; Chs Eastern Farmers, Propane Utilities - 4-H Event Center \$600.35; Lincoln Co Open Class, Membership Reimbursement \$140.00; Winterboer, Bev, Open Class Judge \$50.00; Lounsbery, Amber, Open Class Judge \$100.00; Shields, June, Open Class Judge \$50.00; Reith, Crystal, Open Class Judge \$100.00; Pankratz, Linda M, Open Class Judge \$50.00; Gesick, Martha, Open Class Judge \$100.00; Kamps, Angela, Open Class Judge \$100.00; Hilbrands, Cheryl, Open Class Judge \$100.00; Tipton, Jan, 4-H Static Judge \$50.00; Huffman, Teresa, 4-H Static Judge \$50.00; Sweeter, Marlene, 4-H Judge/Planning Commission \$50.00; Stratmeyer, Joyce, 4-H Static Judge \$50.00; Tinker, Rachel, 4-H Static Judge \$50.00; Rops, Kristi, 4-H Static Judge \$50.00; Martinell, Chuck, 4-H Static Judge \$50.00; Verhey, Dorothy, 4-H Static Judge \$50.00; Dewitt, Marty, 4-H Static Judge \$50.00; Shields, June, 4-H Static Judge \$50.00; Gillespie, Pam, 4-H Static Judge \$50.00; Leber, Marya, 4-H Static Judge \$50.00; Pankratz, Linda M, 4-H Static Judge \$50.00; Fastert, John, 4-H Sheep Judge \$200.00; Bruns, Sharon, 4-H Static Judge \$50.00; Sweeter, Robbie, 4-H Static Judge \$50.00; Fischer, Wayne, 4-H Poultry Judge \$200.00; Pearson, Jill, 4-H Static Judge \$50.00; Knode, Dale, 4-H Rabbit Judge \$200.00; Sachs, Annamarie, 4-H Dairy Judge \$175.00; Bittner, Joyce, 4-H Static Judge \$50.00; Johnke, Corey, 4-H Swine Judge \$200.00; Prairie, Julie 4-H Static Judge \$50.00; Pinkert-Wirt, Melissa, 4-H Companion Animal Judge \$50.00; Sweeter, Michael, 4-H Round Robin Judge \$25.00; Sweeter, Corissa, Summer Assistant Mileage \$106.43; Martinell, Chuck, Open Class Judge \$50.00; Richardson, Emma, 4-H Beef Judge \$200.00; Luden, Alissa, 4-H Round Robin Judge \$25.00; Imeg Corp, Engineered Plat Reviews \$620.00; Lookout Plan & Code Consulting Llc, Plan And Code Review \$2,520.00; Jongeling, Jerry, Planning Commission Mileage 8/9/2023 \$15.71; Boots, Todd, Planning Commission Mileage 8/9/2023 \$19.57; Green, Scott, Planning Commission Mileage 8/9/2023 \$16.80; Scott, Erik, Planning Commission Mileage 8/9/2023 \$6.30; Poppens, Michael, Planning Commission Mileage 8/9/2023 \$15.62; ROAD AND BRIDGE: Metlife, Employee Life Insurance \$43.68; North Central Rental & Leasing Llc, Cat Rental - 7/25-8/21 \$4,900.00; Paul's Auto Repair, Repair \$83.13; Butler Machinery Co, Parts/Labor \$3,273.12; City Of Sioux Falls Traffic, Light, & Power, Repair Rab Light \$2,264.27; Transource, Sensor \$1,009.72; G & R Controls Inc, Pm 8/1-10/31 \$1,982.91; Lincoln Co Treasurer, Title/Plates Vinxx0259 \$16.70; Cintas, Towels \$191.91; Hydraulic World, Parts \$97.13; Diesel Machinery Inc, Parts \$101.20; Midco, Internet/Video/Voice Services \$28.87; Presto-X, Services \$494.94; Knife River, Asphalt \$4,473.70; Imeg Corp, 42-244-255 Pe Design \$49,665.63; Geotek Engineering & Testing Services Inc, 42-010-109, 42-004-100 Ce \$123.75; 911: Metlife, Employee Life Insurance \$34.32; Century Business Products, 93905-01 Monthly Contract \$67.16; Language Line Services Inc, Language Line Monthly Statement \$102.18; Midco, Internet/Video/Voice Services \$147.19; EMERGENCY AND DISASTER: Metlife, Employee Life Insurance \$0.79; Breathing Air Systems Division, Parts For Air & Light Trailer \$407.14; Midco, Internet/Video/Voice Services \$83.95; AIRPORT: Metlife, Employee Life Insurance \$3.12; Pfeifer's Implement, Airport \$1,083.05; A-1 Pumping & Excavating Inc, Pumping Of Office Holding Tank \$170.00; Sioux Falls Electric, Airport \$1,905.91; Southeastern Electric Co-Op Inc, Electrical Utilities - Marv Skie Airport \$300.28; Bluepeak, Airport \$106.09; 24/7: Short, Lucas, 24-7 Scram Refund \$1.00; Metlife, Employee Life Insurance \$3.12; Midco, Internet/Video/Voice Services \$32.10; JUSTICE CENTER: Souvignier Real Estate, Brokers Price Opinion Report \$500.00; TIF #8: City Of Harrisburg, Tif #8

Disbursement \$13,986.21; TIF #9: City Of Lennox, Tif #9 Disbursement \$4,598.31; LAW LIBRARY: Lexisnexis/Relx Inc, Law Library - Annual Subscription \$3,528.00; STATEWIDE SOBRIETY: Short, Lucas, 24-7 Scram Refund \$11.00; FIRE DEPT: Canton Fire Dept, 2023 Fire Ins Tax Dist \$25,949.70; Hudson Fire Dept, 2023 Fire Ins Tax Dist \$3,884.41; Fairview Fire Dept, 2023 Fire Ins Tax Dist \$1,535.97; Harrisburg Fire Dept, 2023 Fire Ins Tax Dist \$54,737.52; Worthing Fire Station, 2023 Fire Ins Dist \$11,715.15; Lennox Fire Dept, 2023 Fire Ins Dist \$19,716.41; Tea Fire Dept, 2023 Fire Ins Dist \$44,414.64; Alcester Fire Dept, 2023 Fire Ins Dist \$1,058.45; Beresford Fire Dept, 2023 Fire Ins Dist \$7,596.42; Centerville Fire Dept, 2023 Fire Ins Dist \$2,418.32; Sioux Falls Fire Dept, 2023 Fire Ins Dist \$217,507.46

Payroll: \$408,095.66

Commissioner's \$10,612.00; FICA 582.84, Medicare 136.31, SDRS 302.50
Auditor's \$11,492.89; FICA 658.86, Medicare 154.10, SDRS 687.18
Treasurer's \$19,247.28; FICA 1,061.76, Medicare 248.34, SDRS 1,152.42
States Attorney's \$62,663.37; FICA 3,619.44, Medicare 846.48, SDRS 3,721.13
Gen Gov Bldg \$16,588.36; FICA 927.36, Medicare 216.88, SDRS 994.11
DOE \$38,717.96; FICA 2,220.80, Medicare 519.40, SDRS 2,272.35
ROD \$9,978.80; FICA 545.66, Medicare 127.62, SDRS 556.94
VSO \$2,655.40; FICA 135.70, Medicare 31.74, SDRS 156.92
GIS \$6,333.21; FICA 344.24, Medicare 80.51, SDRS 377.60
IT \$9,965.40; FICA 596.19, Medicare 139.43, SDRS 596.72
HR \$5,484.20; FICA 305.80, Medicare 71.52, SDRS 326.65
Sheriff's \$94,248.19; FICA 5,529.65, Medicare 1,293.22, SDRS 7,028.06
Jail \$18,392.13; FICA 1,132.63, Medicare 264.90, SDRS 1,160.93
WIC \$402.88; FICA 24.98, Medicare 5.84
County 4-H \$5,924.40; FICA 364.84, Medicare 85.32, SDRS 159.14
Weeds \$4,777.61; FICA 293.23, Medicare 68.58, SDRS 286.65
P & Z \$14,070.60; FICA 863.00 Medicare 201.85, SDRS 821.74
Highway \$39,512.34; FICA 2,238.35, Medicare 523.44, SDRS 2,293.25
Communications \$28,669.44; FICA 1,665.36, Medicare 389.46, SDRS 1,718.96
EM MGMT \$3,710.40; FICA 211.38, Medicare 49.44, SDRS 221.42
Airport \$2,612.00; FICA 161.94, Medicare 37.87, SDRS 156.72
24/7 \$2,036.80; FICA 124.83, Medicare 29.19, SDRS 162.94

The following reports were presented:

2023 2nd quarter mileage log Planning and Zoning.

July 2023 Sheriff patrol Mileage.

July 2023 Auditor's account with the County Treasurer Report in the amount of \$36,366,058.59 and financial reports.

Letter from the South Dakota Department of Agriculture and Natural Resources- Surface Water Discharge Permit Public Notice.

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

CONSENT AGENDA:

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

08.08.2023. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Cristen Standley as full-time Commission Recorder in the Auditor's Office at \$22.10/hr (Grade 105/Step 2) effective 08.28.2023. MOTION by Schmidt seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the re-categorization of the job description from Accounting Technician to a Commission Recorder in the Auditor's Office. MOTION by Schmidt seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for the FIRST READING to occur September 12, 2023, and JOINT SECOND READING & PUBLIC HEARING with the Sioux Falls City Council to occur September 26, 2023, at Carnegie Town Hall, 235 West 10th St., Sioux Falls at 7:00 p.m. for an Ordinance of Lincoln County, SD, rezoning the property legally described as Lot 8A, Mueller's 4th Addition, SE1/4, Section 19-T100N-R50W Delapre Township from the "A-1" Agricultural District to the "I-1" Light Industrial District, and amending the Official Zoning Map. MOTION by Schmidt seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for the FIRST READING to occur September 12, 2023, and JOINT SECOND READING & PUBLIC HEARING with the Sioux Falls City Council to occur September 26, 2023, at Carnegie Town Hall, 235 West 10th St., Sioux Falls at 7:00 p.m. for an Ordinance of Lincoln County, SD, rezoning the property legally described as a portion (approximately 1 acre) of the property legally described as SE1/4 SE1/4 (Ex: Lot H-1 and Tract 1 of Weber Addition), Section 8-T100N-R49W Springdale Township from the "A-1" Agricultural District to the "C" Commercial District, and amending the Official Zoning Map. MOTION by Schmidt seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

PUBLIC HEARING was held as advertised 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. Toby Brown, Planning and Zoning Director presented the staff report, the Planning Commission recommends approval (6-0). The applicant was present to present information and answer questions. Opponents and proponents gave testimony regarding the proposed ordinance.

AN ORDINANCE OF LINCOLN COUNTY, SD, REZONING THE PROPERTY LEGALLY DESCRIBED AS 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. BE IT ORDAINED BY LINCOLN COUNTY, SD: That the property legally described as Tract 1, Klinghagen's Addition, NW1/4, Section 5-T99N-R50W, LaValley Township, is hereby rezoned from the "A-1" Agricultural District to the "C" Commercial District, and the official zoning map of Lincoln County is amended to include the rezoning.

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

COMMISSIONER BRIEFING: Sheri Lund, Auditor presented the necessary facts regarding an application for a permissible use Alcoholic Beverage License. The applicant was no present. Lund also presented the facts regarding an application for a county aid lien compromise settlement. The applicant was present. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to authorize the lawful possession and consumption of alcoholic beverages on the County property known as the Lincoln County Fairgrounds on August 26, 2023 for the purpose of a special event by the party renting said property for that purpose and on that date. Let it be known that this action by the Board in no way authorizes the sale of alcoholic beverages on said property. MOTION by Poppens seconded by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to allow the applicant customer # 01-09125 to submit financial information to be reviewed by Commissioner Poppens and Schmidt and make recommendation for compromise. MOTION by Poppens seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Joe Meader, Civil Deputy States Attorney presented the letter of engagement for condemnation litigation. One resident spoke in opposition.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Engagement Letter for Condemnation Litigation. MOTION by Jibben seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Steve Rasmussen, Commission Administrative Officer presented a letter of support for the South Dakota Department of Transportation's application for the South Veterans Parkway Project. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the letter of support for the South Dakota Department of Transportation application for the South Veterans Parkway Project. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

No Public comments were heard.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

No Commissioner reports were given.

RESOLUTION: BE IT RESOLVED to enter into 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). Preparing for contract negotiations or negotiating with employees or employee representatives. SDCL 1-25-2(4). MOTION by Poppens and second by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

Commissioner Arends did not rejoin the meeting.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:12 a.m. MOTION by Jibben and second by Schmidt. Poppens: "Absent" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Schmidt and second by Jibben to adjourn at 9:13 a.m. until 8:30 a.m. on September 5, 2023. 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: September 5, 2023
Please publish the week of September 11, 2023.