

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on September 5, 2023, with Commissioners Joel Arends, James C Jibben, Michael Poppens, and Jim Schmidt present. Deputy Auditor Cristen Standley served as Clerk to the Board. Drew DeGroot, Chief Civil Deputy State's Attorney, Steve Rasmussen, Commission Administrative Officer, was also present.

ROUTINE BUSINESS:

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

Payroll: \$405,004.62

Commissioner's \$10,592.00; FICA 582.84, Medicare 136.31, SDRS 302.50
Auditor's \$11,472.89; FICA 620.53, Medicare 145.12, SDRS 687.18
Treasurer's \$19,411.16; FICA 1,073.16, Medicare 251.00, SDRS 1,163.45
States Attorney's \$61,907.80; FICA 3,591.35, Medicare 839.90, SDRS 3,638.35
Gen Gov Bldg \$16,369.81; FICA 913.81, Medicare 213.71, SDRS 980.99
DOE \$38,717.98; FICA 2,247.80, Medicare 525.71, SDRS 2,272.35
ROD \$10,081.19; FICA 553.24, Medicare 129.39, SDRS 556.94
VSO \$2,635.41; FICA 135.70, Medicare 31.74, SDRS 156.92
GIS \$6,313.21; FICA 344.24, Medicare 80.51, SDRS 377.60
IT \$9,965.40; FICA 596.19, Medicare 139.43, SDRS 596.72
HR \$5,464.20; FICA 305.80, Medicare 71.52, SDRS 326.65
Sheriff's \$93,917.35; FICA 5,546.41, Medicare 1,297.17, SDRS 7,019.61
Jail \$20,696.62; FICA 1,275.50, Medicare 298.31, SDRS 1,260.34
WIC \$201.44; FICA 12.49, Medicare 2.92
County 4-H \$2,996.10; FICA 184.52, Medicare 43.16, SDRS 134.02
Weeds \$4,777.60; FICA 293.23, Medicare 68.58, SDRS 286.65
P & Z \$13,995.60; FICA 858.35, Medicare 200.76, SDRS 821.74
Highway \$36,920.21; FICA 2,100.70, Medicare 491.29, SDRS 2,212.81
Communications \$29,693.88; FICA 1,703.13, Medicare 398.29, SDRS 1,780.42
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 \$2,552.37; FICA 156.80, Medicare 36.67, SDRS 204.19

Longevity: \$11,592.09

States Attorney's \$8,248.38; FICA 0.00, Medicare 0.00, Special Pay Plan \$8,248.38
Sheriff's \$2,643.71; FICA 65.10, Medicare 15.23, SDRS 84.00, Special Pay Plan 1,593.71
Communications \$700.00; FICA 43.40, Medicare 10.15, SDRS 42.00

The following reports were presented:

July 2023 Sheriff civil patrol Mileage.

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

MOTION by Schmidt and second by Jibben 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 Jibben to approve County Commission Minutes: 08.22.2023.

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

RESOLUTION: BE IT RESOLVED to approve and authorize the Auditor to execute the State of South Dakota Department of Health Division of Family and Community Health Sub-Recipient Agreement for WIC services grant. MOTION by Schmidt and second by Jibben. 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 26, 2023, between 8:30 a.m. and adjournment of the October 10, 2023, Board of Commissioners Meeting for an Ordinance of Lincoln County, SD, rezoning Tract 2, Slack's Addition, N1/2 NE1/4, Section 9-T99N-R49W Dayton 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 (5-0). MOTION by Schmidt and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to transfer the following inventory from the Sheriff's Office to the State's Attorney's Office: Item 6203 2019 Dodge Charger Vin 2C3CDXKT1KH619615. MOTION by Schmidt and second by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

MOTION by Arends and second by Schmidt to convene as Lincoln County Drainage Board. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

None spoke regarding Lincoln County drainage.

MOTION by Jibben and second by Arends to exit Lincoln County Drainage Board. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

MOTION by Arends and second by Poppens to reconvene as Lincoln County Board of Commissioners. Arends: "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 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 September 9, 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 Arends seconded by Schmidt. Arends: "Aye" Poppens: "Absent" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Harold Timmerman, Emergency Manager, presented the necessary facts regarding the execution of the 2024 Local Emergency Management Performance Grant. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED approve and authorize execution of the 2024 Local Emergency Management Performance Grant Sub-Recipient Agreement between the State of South Dakota Department of Public Safety Office of Emergency Management and Lincoln County South Dakota.

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

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent presented the necessary facts regarding execution of several documents pertaining to structure replacement on structures 42-011-210 and 42-012-210. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute the following: Utilities Certification, Letting Authorization, Right of Way Certificate, Right of Way easements with Mark and Jeanne M. Johnson, Right of Way easements with Jean Lounsberry, Right of Way easements with Linda Null, Right of Way easements with Lauverne Harr LLC, MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Traci Humphrey, Human Resources Director presented the necessary facts regarding the reclassification of the Administrative Assistant and Jail Office Assistant in the Sheriff's Office. The need for a temporary wage increase for temporary filling in as Diesel Mechanic in the Highway Department. Presented the Lincoln County Employee Leave Benefits from Vacation/Sick Pay to Paid Time Off (PTO) and Extended Sick Leave (ESL). None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve a reclassification of the Administrative Assistant and Jail Office Assistant in the Sheriff's Office from a grade 104 to 105. MOTION by Arends seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the temporary wage increase for James Symens (Equipment Operator) filling in as Diesel Mechanic in the Highway Shop at an increase of \$1.50 per hour worked as the mechanic effective 8.28.23 until the position is filled. MOTION by Arends seconded by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the transition of Lincoln County Employee Leave Benefits from Vacation/Sick Pay to Paid Time Off (PTO) and Extended Sick Leave (ESL). MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

PUBLIC HEARING: Public hearing was held as advertised for the provisional budget, Sheri Lund Auditor asked that the motion to approve and adopt the budget be held off until 09.19.2023 meeting. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to move the scheduled meeting of 09.12.2023 to 09.19.2023. MOTION by Jibben seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Sheri Lund, Auditor informed the Board of the necessary facts pertaining to a raffle to be held by Midwest Dance Center Booster Club. Name of Organization: Midwest Dance Center Booster Club, Purpose/Benefit of the Raffle: proceeds earned will go to assist our dancers to attend competitions and conventions in the upcoming 2023-2024 dance season, Location of Raffle: Squealers Restaurant, 840 Gateway Lane, Tea SD 57064, Start & End Date of Ticket Sales: November 4, 2023 from 4pm to 9pm, Cost of Tickets: Grand Prize 50/50 Drawing-\$5 a ticket, 5 tickets for \$20 and \$40 for an arm's length, Number of Tickets: 1 Grand Prize winner, Number of

Drawings & Date of Drawing: 1 November 4, 2023, List of Prizes & Value: Grand Prize 50/50 (based on number of tickets sold). None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 8:45 a.m. For the following purposes: 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). 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 Arends and second by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:36 a.m. **MOTION** by Arends and second by Jibben. Poppens: "Absent" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Drew DeGroot, Chief Civil Deputy State's Attorney explained the pertinent information regarding the tabled item for the tax deed property, and requested that no action be taken, and an appraisal be done. None spoke in favor nor opposition.

OPPORTUNITY FOR PUBLIC COMMENT:

Public comments were heard.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

No Commissioner reports were given.

ADJOURNMENT:

MOTION by Arends and second by Poppens to adjourn at 9:41 a.m. until 8:30 a.m. on September 19, 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 19, 2023

Please publish the week of September 25, 2023.