

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:31 a.m. on October 10, 2023, with Commissioners Joel Arends, Michael Poppens, and Jim Schmidt present, James C Jibben via phone. 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 seconded by Poppens to approve the agenda. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

Claims: \$3,263,653.98

GENERAL: Sioux Valley News Inc, Publishing \$1,385.87; New Century Press, Publishing \$697.93; Lennox Independent Llc, Publishing \$1,582.43; Sioux Falls Rubber Stamp, Stamp \$50.45; Peterson, Stuart & Klentz, Prof Llc, Public Defender Contract – September \$68,666.66; Resolute Law Firm Pc, Crt Appt Atty \$2,648.25; Beck Law, Crt Appt Atty \$2,713.20; Knecht, Andrew J, Crt Appt Atty \$369.00; Fuller, Williamson, Nelson & Preheim, Llp, Crt Appt Atty – Juv \$1,027.20; Guzman, Sandra, Interpreter \$120.00; Dakota Psychological Services, Psychological Eval \$10,800.00; Allstar Investigations Llc, Crt Appt Atty \$3,298.00; All Nations Interpreters, Inc, Interpreter \$1,045.00; A To Z World Languages Inc, Interpreter \$53.10; Confidential Investigative Services, Private Investigator \$408.50; Johnson Pllc, Erin M, Crt Appt Atty - A&N \$5,521.05; Baloun Law, Pc, Crt Appt Atty - A&N \$475.73; Osborn, Roxane, Transcripts \$68.00; Gunner, Andrea, Transcript \$171.50; Beck, Pat, Gj Transcript \$250.75; Accurate Reporting, Inc, Gj Transcripts \$580.00; Best Western Ramkota Hotel, Lodging \$203.98; Beck, Pat, Gj Transcript \$512.75; Lundquist, Elizabeth H, Gj Reporting \$596.75; Pmb 0112, Executive Mgmt Finance Office, Access Fees \$46.50; Redwood Toxicology Laboratory, Lab Testing \$194.89; Henry, Roland, Bar Dues \$425.00; Luke Yellow Robe, A&N Services \$1,500.00; Argus Leader/Multimedia Holding Inc., Publications \$91.97; Century Business Products, Copier Contract \$1,131.28; Us Bank, Us Bank Statement \$8,563.78; Thomson Reuters-West Publ Corp, Library Plan Charges \$36.74; Otis Elevator, Elevator Service Contracts \$2,522.73; G & R Controls Inc, Room 247 Rcus Tc Retrofit \$1,125.00; Scott's Automotive, New Tires For 2019 Chey Siverado \$998.76; Prochem Dynamics Llc, Custodial Supplies \$222.18; Stan Houston Equip, Chainsaw Parts \$4.00; Lennox Ace Hardware, Chainsaw Chain Sharpening And Purchase \$75.99; Menards-West, Hardware \$25.49; Canton Home & Farm Supply, Hardware \$3.78; A & B Pure Water Online Corp, Drinking Water Machine Rental And Maintenance \$207.80; Midamerican Energy Co, Natural Gas Utilities – Courthouse \$483.65; City Of Canton, Water Utilities – Courthouse \$1,701.27; Kirbside Car Wash, 7 - Car Wash \$78.00; Best Western Ramkota Hotel, Assessor School - Rapid City Sept 18 – 22 \$5,929.00; Heiliger, Ethan T, Assessor School - Rapid City Sept 17-22 \$200.00; Erdmann, David, Assessor School Rapid City Sept 17-22 \$200.00; Pieske, Ethan, Assessor School Rapid City Sept 17-22 \$200.00; Olseth, Sarah, Assessor School Rapid City Sept 17-22 \$200.00; Ekle, Donna, Assessor School Rapid City Sept 17-22 \$271.42; Preheim, Austin, Assessor School Rapid City - Sept 17-22 \$232.91; Goossen, Karla, Assessor School Rapid City Sept 17 - 22 \$200.03; Nagel, Matthew, Assessor School Rapid City Sept 17-22 \$200.00; Przybilla, April, Assessor School Rapid City Sept 17-22 \$200.00; Golden, Donelda, Assessor School Rapid City Sept 17-22 \$200.00; Northern Plains Appraisal, Nov 9, 2023 4 Hour Workshop \$48.00; At&T Mobility, Cellular Services \$3,051.61; Sd State Treasurer, Sd State Treasurer \$2,214.44; Cdw-G Inc, Printer/Software \$5,519.11; At-Scene Llc, Icrimefighter \$22,000.00; Riverside Technologies Inc, Printer \$635.00; Well365, Llc, September Wellness \$2,086.92; Workforce-South, Pre-Employment Physical \$495.00; Frantzen Reporting/Pgr8r Inc, Transcription Fee \$363.00; Auto Dynamics Inc, Vehicle Maintenance \$810.36; Transunion Risk & Alternative, September 2023 Billing \$75.00; Graham Tire Co Llc-Corp, 17-1, 20-4 Tires \$2,022.32; Genesis Autoworks, Insurance Deductible \$1,000.00; Sturdevant's Auto Value, Parts \$91.97; Fee, Don, 20-2, Replace Siren Speaker \$100.00; Voyager Fleet Systems Inc, September 2023 Fuel Statement \$1,972.01; Smith's Feedlot, Care For 3 Ponies \$1,350.00; Jack's Uniforms &

Equipment, Misc Uniforms \$3,760.05; Harrisburg Ace Hardware, Misc Office Products \$91.50; Intoximeters Inc, Mouthpiece Fst \$200.00; Law Enforcement Risk Management Group, Training \$550.00; Verizon Wireless, Cellular Services \$120.03; Sd Dept Of Public Safety, Teletype Service \$3,090.00; Pharm Chem Inc, September 2023 - Sweat Patch Analysis \$287.55; Streicher's, Misc Uniform – Brown \$86.97; Uline Inc, Pelican Case \$97.48; Innovative Office Solutions Llc, Office Supplies \$106.51; Preferred Printing Inc, Envelopes \$419.52; Law Enforcement Risk Management Group, Training \$550.00; Verizon Connect Fleet Usa Llc, Monthly Statement \$671.01; Pennington Co Jail, Inmate Transportation Billing \$746.80; Minnehaha County Jail, September 2023 Contract & August 2023 Overage \$168,592.77; Amg Infectious Disease, Prisoner Care \$127.92; Mulbah, James, Cam Refund \$4.00; Duncan, Andrew, Breath Test Refund \$25.00; Two Way Solutions Inc, Apx Mobile Mic \$695.94; Fee, Don, 23-6, Installation Of Equipment \$2,200.00; Sanford Health, Coroner Calls \$1,500.00; Sanford Medical Center, Transports \$1,080.00; Anderson, Jennifer Marie, Mi Evals \$3,006.60; Loving, Philip, Mi Evals \$5,637.67; Gates, Laurie, Mi Board \$32.00; Miller, Francie, Mi Hearings \$64.00; Helseth, Ramona, Mi Hearings \$32.00; Johnson Pllc, Katie, Mi Board \$3,814.55; Avera Mckennan Hospital, Mi Hold \$4,980.00; Rent-All Inc, Stump Grinder Rental \$390.00; Maendel, Jayda, Post Event Cleanup \$65.00; Stensland Gravel Co, Road And Parking Lot Gravel \$1,501.44; South Lincoln Rural Water, Water Utilies - 4-H Event Center/Fairgrounds \$187.14; Mcleod's Printing, Envelopes \$98.90; 4-H Club Leaders, Premium Money \$3,808.50; Vandiest Supply Company, Weed Chemical – Inventory \$3,059.00; Nutrien Ag Solutions, Weed Chemical \$2,530.50; Lookout Plan & Code Consulting Llc, Lookout Code And Plan Consulting \$819.90; Sweeter, Marlene, Planning Commission Mileage 9/18/2023 \$6.97; Jongeling, Jerry, Planning Commission Mileage \$15.71; Boots, Todd, Planning Commission Mileage \$19.57; Scott, Erik, Planning Commission Mileage \$6.30; Poppens, Michael, Planning Commission Mileage \$15.62; ROAD AND BRIDGE: North Central Rental & Leasing Llc, Cat Rental \$4,900.00; A-Ox Welding Supply Inc, Cylinders \$51.83; Graham Tire Co Llc-Corp, On-Site Repair \$749.82; Autopros Tire & Service Center, Wo412 \$958.00; Century Business Products, Copies 8/19-9/18 \$63.08; Us Bank, Supplies \$265.72; Diesel Machinery Inc, Parts \$4,024.70; Cintas, Mats, Towels \$267.32; Butler Machinery Co, Parts \$77.38; Cole's Petroleum Inc, Fuel \$21,555.00; Deans Distributing, Hydraulic Oil \$2,005.75; Jfi Inc, Propane \$27.31; Rockmount Research And Alloys Inc, Fab Supplies \$1,211.81; Malloy Electric, Parts \$205.46; Fastenal Company, Supplies \$141.58; Napa Auto & Truck Parts Of Sioux Falls, Parts \$118.79; Bomgaars, Supplies/Grass Seed \$298.97; Sdltap, Registration X2 \$250.00; Xcel Energy, Traffic Lights 8-9 \$109.07; City Of Sioux Falls Public Works, Tires/Trash \$252.17; Midamerican Energy Co, Sep Heat \$67.80; South Lincoln Rural Water, Sep Water \$161.07; At&T Mobility, Cellular Services \$80.08; Southeastern Electric Co-Op Inc, Electric \$7,142.06; Micheal's Purple Petunia, Pump Tanks \$150.00; Culligan Water Conditioning Corp, Oct Water \$50.00; Verizon Connect Fleet Usa Llc, Oct Fleet 886.55; Novak Sanitary Svc Corp, Sep Trash \$336.27; Knife River, Crushed Concrete \$7,277.70; Bluepeak, Oct Internet \$640.61; Loiseau Construction, Inc, Lc152 Fdr Equip W/Oper \$581,219.52; Sd Dept Of Transportation, 2023 Bridge Inspections, 5,531.84; Blackstrap, Inc, Salt \$4,367.36; Truenorth Steel, Culverts -Inventory \$24,218.88; 911: Language Line Services Inc, Language Line Monthly Statement \$100.00; Century Business Products, Copier Contract \$36.32; Two Way Solutions Inc, Radio Programming \$482.50; Centurylink, 08/13/23 Billing Statement \$313.88; Bluepeak, Billing Statement - 09/20/2023 \$941.40; Centurylink, 09/13/23 Billing Statement \$314.10; EMERGENCY AND DISASTER: The Lodge At Deadwood, Room For State Conference \$400.00; AIRPORT: Helms & Associates, Project Aip #3-46-0078-021-2023 \$5,988.44; At&T Mobility, Cellular Services \$95.75; Lincoln Co Rural Water, Airport \$51.00; Lt Companies Inc, North Ga Apron Reconstruction \$185,852.02; 24/7: Paul, Kelsie, 24/7 Breath Test Refund \$9.00; Friesen, Samantha, 24/7 Remote Breath Refund \$20.00; MODERN/PRESERV: Century Business Products, Monthly Copies \$38.75; Us Records Midwest Llc, Books And Binders For Vault \$3,242.41; JUSTICE CENTER: Tegra Group, August/September 2023 Installment \$64,459.54; Jlg Architects, Project 21030 \$240,387.54; Service First Fire Sprinkler, Hydrant Flow Test \$294.40; STATEWIDE SOBRIETY: Sd Attorney General's Office, September 2023 24/7 State Fees \$8,358.00; MODERN/PRESERV: Sdaco, Sept M & P

State \$1,846.00; SALES TAX: Sd Dept Of Revenue, 3rd Quarter Excise Tax \$1.63; STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$421,418.28; BIRTHS, DEATHS, & TITLES: Sd State Treasurer, Sept Birth & Death To State \$740.00

Reports:

Mileage Reports were presented as follows: September 2023 Emergency Management, Sheriff Patrol, Assessor's Office.

September 2023 Register of Deeds report totaling \$140,139.60 was presented.

Notice of Public Hearing of the City of Tea Planning Commission on the creation of the City of Tea Tax Increment District Three.

Renewal application to construct and operate a restricted use storage and disposal facility for the City of Canton.

American Recovery Plan Act (ARPA) 3rd Quarter spending report.

East Dakota Water Development District minutes from August and September 2023.

Veterans Service Office Report – September 2023.

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

CONSENT AGENDA:

MOTION by Schmidt and seconded by Arends to approve County Commission Minutes: 10.03.2023.

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

RESOLUTION: BE IT RESOLVED Authorize Auditor to Execute the Application for Replacement Warrant submitted by Mary Graves for the amount of \$124.35; original warrant number 31626 issued 05.26.2022. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED Authorize Auditor to execute the Application for Replacement Warrant submitted by Jeannie Iannello for the amount of \$250.33; original warrant number 31156 issued 12.03.2021. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair and the Auditor to execute the State of South Dakota Department of Public Safety – Office of Emergency Management Local Emergency Management Performance Grant Fourth Quarter Single Signature sheet. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the hire of Casey Larson as seasonal Equipment Operator in the Highway department at \$31.01/hr. effective 10.10.2023 MOTION by Schmidt and seconded by Arends. 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, amending the Revised Zoning Ordinance for Lincoln County by 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, Toby Brown, Planning and Zoning Director

presented the staff report, the applicant was in attendance to present information and to answer any questions. None spoke in favor nor opposition.

MOTION by Poppens seconded by Arends to approve an Ordinance of Lincoln County, SD, amending the Revised Zoning Ordinance for Lincoln County by 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. Arends: "Nay" Poppens: "Nay" Jibben: "Nay" Schmidt "Nay" Landeen: "Nay". Motion failed.

COMMISSIONER BRIEFING: Traci Humphrey, Human Resource Director introduced Sean Arnett of Brown & Brown, Lincoln County's Benefits Consultant, he presented the necessary facts regarding 2024 employee benefits package. Traci Humphrey also presented the Wellness Service Agreement with Well365 LLC for the period 11/01/2023 through 12/31/2024. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to select presented option #2 and continue coverage through Health Partners for the 2024 employee health benefits. MOTION by Arends seconded by Schmidt. Arends: "Aye" Poppens: "Nay" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to select presented option to switch from Metlife & Hartford to Symetra for life insurance, critical illness, and accident coverage and to offer an employee paid short term disability benefit. MOTION by Arends seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Wellness Service Agreement with Well365 LLC for the period 11/01/2023 through 12/31/2024. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Becky Vander Broek Register of Deeds, presented the necessary facts regarding the creation of a \$200.00 cash change account to be used by the Register of Deeds to make change. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve the creation of a \$200.00 cash change account to be used by the Register of Deeds to make change. MOTION by Poppens seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, presented the necessary facts regarding the expenditure of \$1,000.00 to the National Center for Public Land Counties. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the expenditure of \$1,000.00 to the National Center for Public Land Counties. MOTION by Schmidt seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Joel Arends, Commissioner, introduced a request for board action to refer to the Planning Commission for a recommendation to amend the 2009 Revised Zoning Ordinance to provide for the regulation of carbon dioxide pipelines and carbon dioxide production facilities. Several spoke in opposition.

RESOLUTION: BE IT RESOLVED to table the action of referral for 60 days. MOTION by Schmidt seconded by Arends. 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 reports were given.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 10:22 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 seconded by Poppens. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt “Aye” Landeen: “Aye”. Motion carried.

Commissioner Jibben left meeting at 10:22 a.m.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:57 a.m. MOTION by Schmidt and seconded by Arends. Arends: “Aye” Poppens: “Aye” Jibben: Absent. Schmidt “Aye” Landeen: “Aye”. Motion carried.

ADJOURNMENT:

MOTION by Poppens and seconded by Arends to adjourn at 10:58 a.m. until 8:30 a.m. on October 24, 2023. Arends: “Aye” Poppens: “Aye” Jibben: Absent. Schmidt “Aye” Landeen: “Aye”. Motion carried.

Lincoln County Board of Commissioners

Tiffani Landeen, Lincoln County Chair

Attest: _____
Cristen Standley, Deputy Auditor

Approved: October 24, 2023
Please publish the week of October 30, 2023.