

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on May 4, 2021, with Commissioners Joel Arends, Jim C. Jibben, and Jim Schmidt present. Deputy Auditor, Shaun Feilmeier, served as Clerk of the Board. Chief Civil Deputy State's Attorney, William Golden, was also present.

ROUTINE BUSINESS:

MOTION by Schmidt and seconded by Arends to approve agenda with Regular Business Item Number nine removed: Augustana-County Attorney Opinion and Closing Certificates. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Payroll: \$286,381.51

Commissioner's \$4,714.00; FICA 286.05, Medicare 66.92
Auditor's \$10,487.21; FICA 650.20, Medicare 152.07, SDRS 629.23
Treasurer's \$17,361.27; FICA 1,076.37, Medicare 251.73, SDRS 1,041.67
States Attorney's \$36,553.21; FICA 2,263.83, Medicare 529.45, SDRS 2,134.42
Gen Gov Bldg \$13,808.55; FICA 854.88, Medicare 199.93, SDRS 828.51
DOE \$27,618.63; FICA 1,711.13, Medicare 400.17, SDRS 1,587.55
ROD \$6,526.39; FICA 404.64, Medicare 94.64, SDRS 343.10
VSO \$2,033.62; FICA 126.08, Medicare 29.49, SDRS 122.02
GIS \$4,902.40; FICA 303.95, Medicare 71.09, SDRS 294.14
IT \$5,723.20; FICA 353.60, Medicare 82.70, SDRS 343.39
HR \$3,012.00; FICA 186.74, Medicare 43.67, SDRS 180.72
WIC \$316.48; FICA 19.62, Medicare 4.59
Sheriff's \$72,066.67; FICA 4,468.12, Medicare 1,044.95, SDRS 5,049.34
County 4-H \$3,128.82; FICA 193.98, Medicare 45.37, SDRS 187.73
P & Z \$11,478.60; FICA 711.67, Medicare 166.46, SDRS 657.21
Highway \$38,433.06; FICA 2,380.35, Medicare 556.68, SDRS 2,306.00
Communications \$22,949.75; FICA 1,421.64, Medicare 332.48, SDRS 1,376.20
EM MGMT \$2,936.40; FICA 180.82, Medicare 42.29, SDRS 176.18
24/7 \$2,331.25; FICA 144.54, Medicare 33.80, SDRS 186.50

Longevity: \$ 3,150.00

Treasurer's \$750.00; FICA 46.50, Medicare 10.88, SDRS 45.00
States Attorney's \$750.00; FICA 46.50, Medicare 10.88, SDRS 45.00
Sheriff's \$650.00; FICA 40.30, Medicare 9.43, SDRS 39.00
Communication's \$1,000.00; FICA 62.00, Medicare 14.50, SDRS 60.00

Reports:

Handouts from Lennox Ambulance District item on April 27, 2021 agenda were presented.

CONSENT AGENDA:

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

MOTION by Jibben and seconded by Schmidt to approve Commission Minutes: 4/27/2021. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Clerk and Treasurer oaths and bonds from the following Townships: Brooklyn, Canton, Dayton, Delapre, Eden, Fairview, Grant, Highland, LaValley,

Lincoln, Norway, Perry, Pleasant, Springdale. MOTION by Jibben and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Auditor to execute the eligibility documents from SD Federal property Agency to participate in the Federal Surplus Property Program. MOTION by Jibben and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve garbage hauler license application from Roos Sanitation. MOTION by Jibben and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to update the compensation for Lt. Jarid Espland to \$2,780.00/bi-weekly. MOTION by Jibben and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve out-of-county travel to Indianapolis, IN for Joe Carlson and Jarid Espland for evidence management training from June 14th - June 17th. MOTION by Jibben and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and remove from inventory the following from the Information Technology Department: Item 4481, Monitor Dell P2212hb, Serial CN0NDMRP742612A, obsolete; Item 4949, Monitor-22 Dell, obsolete; Item 5347, ThinkCentre M93P Tiny, Serial MJ042TZ8, obsolete; Item 5348, computer Lenovo M93p Tiny, Serial MJ04TXX, obsolete; Item 5455, computer Lenovo M700 Tiny, MJ04UWPI, obsolete; Item 5460, computer Lenovo M700 Tiny, Serial MJ04QL3U, obsolete; Item 5461, computer Lenovo M700 Tiny, Serial MJ04QL2M, obsolete; Item 5463, computer Lenovo M700 Tiny, Serial MJ04W5A6, obsolete; Item 5465, computer Lenovo M700 Tiny, Serial MJ04W5AK, obsolete; Item 5466, computer Lenovo M700 Tiny, Serial MJ04VFKP, obsolete; Item 5467, computer Lenovo M700 Tiny, Serial MJ04W5KF, obsolete; Item 5468, computer Lenovo M700 Tiny, MJ04UWPR, obsolete; Item 5469, computer Lenovo M700 Tiny, Serial MJ04W59Z, obsolete; Item 5470, computer Lenovo M700 Tiny, Serial MJ04W5K6, obsolete; Item 5471, computer Lenovo M700 Tiny, MJ04UWP9, obsolete; Item 5472, computer Lenovo M700 Tiny, Serial MJ04W5K0, obsolete; Item 5473, computer Lenovo M700 Tiny, Serial MJ04UWP4, obsolete; item 5477, Lenovo ThinkCentre M900, Serial MJ04Z75D, obsolete; Item 5550, laptop Lenovo Thinkpad, Serial PF0ETKRU, obsolete. MOTION by Jibben and seconded by Schmidt. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

No public chose to comment to the Board at this time.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Arends commented on the recent fundraiser organized by the Lincoln County Fairgrounds Foundation, that its large attendance speaks highly of the program and its participants.

Commissioner Schmidt commented that he and Commissioner Jibben participated in the auction at the Lincoln County Fairgrounds Foundation fundraiser.

Commissioner Poppens arrived via telephone.

REGULAR BUSINESS:

RESOLUTION: BE IT RESOLVED to remove from the table an Ordinance of Lincoln County, SD, rezoning a portion (approximately 20 acres – proposed Tract 1) of the property legally described as N1/2 NE1/4 (Ex. H-1), Section 18-T98NR50W from the I-1 Light Industrial District to the I-2 General Industrial District and amending the Official Zoning Map of Lincoln County. MOTION by Schmidt and seconded by Arends. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

AN ORDINANCE OF LINCOLN COUNTY, SD, AMENDING THE 2009 REVISED ZONING ORDINANCE BY REZONING A PORTION OF THE N1/2 NE1/4 (EX. H-1) OF SECTION 18-T98N-R50W FROM THE I-1 LIGHT INDUSTRIAL DISTRICT TO THE I-2 GENERAL INDUSTRIAL DISTRICT.

BE IT ORDAINED BY LINCOLN COUNTY, SD:

That a portion, as shown by exhibit, of the property legally described as the N1/2 NE1/4 (Ex. H-1) of Section 18-T98N-R50W is hereby rezoned from the I-1 Light Industrial District to the I-2 General Industrial District, and the official zoning map of Lincoln County referred to in Section 2.03 of the 2009 Revised Zoning Ordinance is amended to include the rezoning.

MOTION by Poppens and seconded by Arends. Arends: “Aye” Jibben: “Nay” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

PUBLIC HEARING was held for the purpose of consideration of the petition to vacate the following described highway: located 16’ alley from north property line Lot 1 Fountain Estates Addition South to the south property line of Tract 5 Dave Roddel Addition. Toby Brown, Director of Planning & Zoning, introduced the item. The Applicant was present to speak as well. There were no members of the public present who wanted to speak in favor nor opposition of the vacation.

RESOLUTION: BE IT RESOLVED to vacate the following described highway: located 16’ alley from north property line Lot 1 Fountain Estates Addition South to the south property line of Tract 5 Dave Roddel Addition. MOTION by Schmidt and seconded by Arends. Arends: “Aye” Jibben: “Aye” Poppens: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

The Board recessed until 9:00 a.m.

COMMISSIONER BRIEFING: Matt Chase of the National Association of County Officials presented on the American Rescue Plan as it relates to South Dakota counties. Chase said that more information will be posted on their website as it is released from the Treasury Department.

Commissioner Poppens was not present after the presentation.

PUBLIC HEARING was held for the purpose of adopting the following supplements to the 2021 Budget: A supplement adding \$800.00 in account 233-4331, \$871.83 in account 233-366, \$306.78 in account 233-4322-411, \$23.47 in account 233-4322-412, \$1,375.00 in account 233-4322-425, \$336.31 in account 233-4322-428, \$19,991.08 in account 101-37100, and \$19,991.08 in account 233-4911-00000. Shaun Feilmeier, Deputy Auditor, informed the Board of the nature of the proposed supplements. There were no members of the public present who wanted to speak in favor nor opposition of the budget supplements.

RESOLUTION: BE IT RESOLVED to adopt the following supplements to the 2021 Budget: A supplement adding \$800.00 in account 233-4331, \$871.83 in account 233-366, \$306.78 in account 233-4322-411, \$23.47 in account 233-4322-412, \$1,375.00 in account 233-4322-425, \$336.31 in account 233-4322-428, \$19,991.08 in account 101-37100, and \$19,991.08 in account 233-4911-00000. MOTION

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

COMMISSIONER BRIEFING: Shaun Feilmeier, Deputy Auditor, informed the Board of the necessary facts pertaining to a request to transfer remaining Transfer Station cash to the General Fund.

RESOLUTION: BE IT RESOLVED to approve transfer of \$19,991.08 from the Transfer Station to the General Fund. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

SEALED BID was read for lease of farmland located within The Northeast Quarter (NE 1/4) of Section 36, Township 100, Range 51 West of the 5th P.M., Except the West 370.42 Feet of the East 2,132.80 Feet of the North 823.17, Lincoln County, South Dakota but not including the temporary easement on the north end consisting of 142,911 square feet from May 4 to December 31, 2021: Allen Rippentrop for \$3,900.00.

RESOLUTION: BE IT RESOLVED to award the bid for lease of farmland located within The Northeast Quarter (NE 1/4) of Section 36, Township 100, Range 51 West of the 5th P.M., Except the West 370.42 Feet of the East 2,132.80 Feet of the North 823.17, Lincoln County, South Dakota but not including the temporary easement on the north end consisting of 142,911 square feet from May 4 to December 31, 2021 to Allen Rippentrop for \$3,900.00. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

FIRST READING for an Ordinance of Lincoln County, SD, rezoning the property legally described as a portion (approximately 10 acres), N1/2 NW1/4 (Ex. H-1 & N 211.5' of E 412'), Section 33-T100N-R49W from the A-1 Agricultural District to the C Commercial District and amending the Official Zoning Map of Lincoln County. Toby Brown, Director of Planning & Zoning, explained the proposed ordinance to the Board.

FIRST READING for an Ordinance of Lincoln County, SD, rezoning the property legally described as Egge's Tract 1 (Ex. Lots 1 and 2), W1/2 SW1/4, Section 11-T100N-R49W from the A-1 Agricultural District to the RR Rural Residential District and amending the Official Zoning Map of the area of Joint Jurisdiction. Toby Brown, Director of Planning & Zoning, explained the proposed ordinance to the Board.

COMMISSIONER BRIEFING: Julia Disburg, Human Resources Director, informed the Board of the necessary facts pertaining to 2022 general staff wage increases for budgeting purposes. Disburg requested direction at the next Board meeting.

The Board recessed at 9:58 a.m.

The Board reconvened at 11:22 a.m. with Arends, Jibben, and Landeen present.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 11:23 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 Jibben. Arends: "Aye" Jibben: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 11:57 a.m. MOTION by Arends and seconded by Jibben. Arends: “Aye” Jibben: “Aye” Landeen: “Aye”. Motion carried.

MOTION by Arends and seconded by Jibben to adjourn at 11:57 a.m. until 8:30 a.m. on May 11, 2021. Arends: “Aye” Jibben: “Aye” Landeen: “Aye”. Motion carried.

Lincoln County Board of Commissioners

Tiffani Landeen, Lincoln County Chair

Attest: _____
Shaun Feilmeier, Deputy Auditor

Approved: _____

Please publish the week of May 17, 2021.