

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on November 28, 2023, with Commissioners Joel Arends, James C. Jibben, Michael Poppens, 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, were also present.

ROUTINE BUSINESS:

MOTION by Poppens and seconded by Schmidt to approve the agenda with item #4 and #6 be removed from the Consent Agenda and moved to the end of Regular Business. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Payroll: \$412,715.07

Commissioner's \$10,567.00; FICA 581.29, Medicare 135.95, SDRS 302.50
Auditor's \$13,240.89; FICA 743.15, Medicare 173.81, SDRS 793.26
Treasurer's \$17,654.75; FICA 985.61, Medicare 230.52, SDRS 1,058.07
States Attorney's \$68,874.77; FICA 3,975.59, Medicare 929.77, SDRS 4,053.81
Gen Gov Bldg \$16,369.80; FICA 913.99, Medicare 213.75, SDRS 980.99
DOE \$38,718.32; FICA 2,213.18, Medicare 517.62, SDRS 2,272.37
ROD \$8,413.99; FICA 454.37, Medicare 106.27, SDRS 456.91
VSO \$2,894.44; FICA 151.77, Medicare 35.49, SDRS 172.47
GIS \$6,313.20; FICA 344.24, Medicare 80.51, SDRS 377.60
IT \$9,965.40; FICA 596.19, Medicare 139.43, SDRS 596.72
HR \$5,663.10; FICA 318.13, Medicare 74.40, SDRS 338.58
Sheriff's \$97,772.56; FICA 5,778.15, Medicare 1,351.35, SDRS 7,321.47
Jail \$18,135.56; FICA 1,116.72, Medicare 261.16, SDRS 1,153.05
WIC \$402.88; FICA 24.98, Medicare 5.84
County 4-H \$2,253.60; FICA 138.48, Medicare 32.39, SDRS 134.02
P & Z \$11,766.60; FICA 727.84, Medicare 170.23, SDRS 706.00
Highway \$43,178.48; FICA 2,476.59, Medicare 579.20, SDRS 2,558.53
Communications \$32,132.34; FICA 1,854.32, Medicare 433.69, SDRS 1,926.74
EM MGMT \$3,710.40; FICA 211.01, Medicare 49.35, SDRS 221.42
Airport \$2,612.00; FICA 161.94, Medicare 37.87, SDRS 156.72
24/7 \$2,074.99; FICA 127.20, Medicare 29.75, SDRS 166.00

Claims: \$1,325,937.57

GENERAL: Sdml Workers' Compensation Fund, Workers Comp \$84,087.00; Argus Leader/Multimedia Holding Inc., Publishing \$809.02; MidcoInternet/Video/Voice Services \$3,704.68; Jensen Ins Agency, Insurance Premiums 2023-2024 \$197,034.77; Myers Billion, Llp, Indigent Persons Contract \$49,000.00; Sdacc, Clerp Reimbursement \$2.88; Dakota Law Firm Prof Llc, Crt Appt Atty \$4,675.35; Heidepriem, Purtell & Siegel, Llp, Crt Appt Atty \$4,438.60; Eich Law Office Prof Llc, Crt Appt Atty \$181.90; Resolute Law Firm Pc, Crt Appt Atty \$2,077.38; Laughlin, Nicole, Crt Appt Atty \$762.50; Knecht, Andrew J, Crt Appt Atty \$655.30; Ash Law Office, Pllc, Crt Appt Atty \$1,151.99; Osborn, Roxane, GJ Transcript \$360.75; Dakota Psychological Services, Psych Evals \$2,700.00; Canton Pizza Ranch, Grand Jury \$108.20; Certified Languages International, Interpreter \$28.05; Baloun Law, Pc, Crt Appt Atty - A&N \$316.68; Johnson Pllc, Katie, Crt Appt Atty - A&N \$1,270.92; Accurate Reporting, Inc, GJ Reporting \$270.00; Griese Law Firm, Pc, Crt Appt Atty \$327.00; Jurors, Fees/Mileage \$1,679.84; Delta Dental, Employee Cobra Dental Insurance \$46.82; Century Business Products, Copier \$561.14; Beck, Pat, Grand Jury \$353.95; Paragon Health & Wellness, Blood Draws \$2,880.00; Interstate Office Products, Supplies \$1,237.37; Olivia Heien, October Mileage \$14.07; Matthew Bender & Co., Inc, Sd Court Rules \$179.10; G & R Controls Inc, Steam Valve/Acutator Adjustment - Judges Chambers

\$765.33; Fox Print Printing & Graphics, Etched Glass Privacy Printing - Cao & Doe \$3,507.53; Prochem Dynamics Llc, Auto Scrubber Motor Repair - Highway Shop Machine. \$5,994.01; Jerry's Auto Sales Inc, Mechanical Repair To The 2012 Chevy Silverado \$1,921.53; Lennox Ace Hardware, Hardware - Plow Work On Pickup Plow \$38.26; Cintas, Rug Exchange And Cleaning – Courthouse \$269.93; Prochem Dynamics Llc, Custodial Supplies \$2,431.90; Grainger, Signage \$64.06; Esri-Environmental Systems Research Institute Inc, Gis Maintenance \$8,605.00; Tyler Technologies Inc, Energov Maintenance\$1,403.91; Cdw-G Inc, Battery/Storagesystem \$2,716.91; Tasc, Fsa \$2,544.77; Workforce-South, Flu Shots \$210.00; Smith's Feedlot, Care For Ponies 10/1-10/31 \$1,200.00; Centralsquare Technologies, Yearly Renewal 2/24-2/25 \$6,316.37; Frantzen Reporting/Pgr8r Inc, Transcription Fee \$176.65; Sioux Falls Area Humane Society, County Contract - October 2023 \$1,045.64; Workforce-South, Pre-Employment Physical \$165.00; Two Way Solutions Inc, Radio Programming \$150.00; Autopros Tire & Service Center, 23-5 Oil Change & New Tires \$898.68; Auto Dynamics Inc, Vehicle Maintenance \$2,279.09; Graham Tire Co Llc-Corp, 22-3, 20-2 Tires \$1,480.00; Sturdevant's Auto Value, 21-3, Trico Ultra Beam \$69.98; Dave's Service & Repair, Vehicle Maintenance \$2,139.01; Colshan, E.J., Reimbursement/Fuel 11/9/23 \$39.73; City Of Harrisburg, October Monthly Fuel \$3,727.10; Nartec Inc, Meth Test \$359.82; Harrisburg Ace Hardware, De-Icer \$8.99; Jack's Uniforms & Equipment, Uniforms - Swenson And Rodriguez \$389.88; Dell Marketing Lp, Monitors \$1,927.35; Streicher's, Jackets/Binoculars \$4,733.12; Applied Concepts Inc, Antenna Mount \$1,470.00; Northern Safety Technology, Inc, 21 Chev Tahoe-Arges Mounting \$63.22; Silverstar Car Wash, October Monthly Bill \$309.69; Centralsquare Technologies, Yearly Renewal 2/24-2/25 \$6,316.36; Verizon Connect Fleet Usa Llc, November Montly Bill \$199.28; Union Co Sheriff's Dept, Jock \$1,521.50; Pennington Co Jail, Inmate Transportation Billing \$138.41; Thrifty White Pharmacy, Mariner \$3.99; Avera Med Group Radiology, White Eyes \$318.42; Northern Safety Technology, Inc, Console For Dodge Charger \$531.59; Lewis & Clark Behavioral Health Services, Bmi Intake \$213.00; Loving, Philip, Mi Evals \$1,182.53; Larson, Valerie, Mi Hearing- Yankton \$30.00; Lewno Law Office, Lucy M Lewno, Atty Mi Hearing- Yankton \$240.01; Katterhagen, Mark, Mi Hearing- Yankton \$30.00; Schiltz, Ann, Mi Hearings \$136.00; Anderson, Jennifer Marie, Mi Evals \$953.32; Ringing Shield, Nichole, Mi Eval \$137.50; Loving, Philip, Mi Evals \$1,411.69; Amg Pyschiatry Sf, Mi Hold \$1,263.85; Avera Mckennan Hospital, Mi Hold \$1,486.39; Maendel, Jayda, Post Event Cleanup \$120.00; Markle, Dorothy, Reimbursement For Ribbons \$136.73; Dakota Alignment & Frame Service, Wo480 \$7,254.67; Agterra Technologies Inc, Parts \$660.00; Benco Products Inc, Wo153 \$359.04; Canton Home & Farm Supply, Supplies \$25.75; Nutrien Ag Solutions, Weed Chemical \$16,589.40; Lookout Plan & Code Consulting Llc, Fees & Contracts \$16,088.47; Imeg Corp, Fees & Contracts \$387.50; Stantec Consulting Services Inc, Fees & Contracts \$1,250.00; ROAD AND BRIDGE: Sdml Workers' Compensation Fund, Workers Comp \$32,671.00; Healthpartners, Employee Cobra Health Insurance \$806.76; Jensen Ins Agency, Insurance Premiums 2023-2024 \$114,040.04; North Central Rental & Leasing Llc, Cat Rental \$4,900.00; Graham Tire Co Llc-Corp, Wo474 \$496.32; Butler Machinery Co, Wo424 \$7,094.29; Howe Heating & Plumbing Inc, Bldg/Grnds Repair \$220.00; G & R Controls Inc, Bldg/Grnds Service \$1,982.91; Dockendorf Equipment Co Inc, Wo632 Testing \$772.50; Century Business Products, Copies \$63.46; Avera Occupational Medicine-Mitchell, Drug/Alcohol Test \$80.00; Canton Home & Farm Supply, Supplies \$54.99; Equipment Blades Inc, Wo475, Wo476 \$2,647.48; Fastenal Company, Supplies \$1,498.14; Prochem Dynamics Llc, Supplies \$680.15; State Steel Of South Dakota, Wo473 \$80.00; Transource, Wo469 \$150.39; Transwest, Wo458 \$2,256.71; Benco Products Inc, Supplies \$296.52; Lyle Signs Inc, Signs \$2,850.00; Grainger, Parts \$84.35; Cintas, Mats, Towels \$197.72; Northern Truck Equip Co, Wo466/ Wo465/ Wo487 \$8,611.20; Bomgaars, Supplies \$67.74; Bartlett Tools In, Tools \$123.50; Sdachs, Sdach & Nace Dues \$350.00; Midco, Internet/Video/Voice Services \$30.70; South Lincoln Rural Water, Nov Water \$180.07; Presto-X, Pest Control \$176.51; Micheal's Purple Petunia, Pump Tanks \$150.00; Imeg Corp, 42-148-050 08xa \$4,794.34; Knife River, Asphalt \$143.50; Blackstrap, Inc, Salt \$26,460.85; Duininck Inc, Cold Mix \$2,350.80; Great Plains Roofing, Replace Shop Gutters \$17,720.00; 911: Sdml Workers' Compensation Fund, Workers Comp \$1,514.00; Jensen Ins Agency, Insurance Premiums 2023-

2024 \$1,993.00; Two Way Solutions Inc, Radio Programming \$300.00; Midco, Internet/Video/Voice Service \$147.53; EMERGENCY AND DISASTER: Sdml Workers' Compensation Fund, Workers Comp \$1,564.00; Jensen Ins Agency, Insurance Premiums 2023-2024 \$1,508.95; Timmerman, Harold, Gas For Sdema Board Meeting \$45.81; Midco, Internet/Video/Voice Services \$83.39; AIRPORT: Sdml Workers' Compensation Fund, Workers Comp \$828.00; Jensen Ins Agency, Insurance Premiums 2023-2024 \$3,657.42; A-1 Pumping & Excavating Inc, Pumping Of Office Holding Tank \$170.00; Bluepeak, Airport \$97.03; 24/7: Clay, Melissa, Scram Refund \$4.00; Sdml Workers' Compensation Fund, Workers Comp \$1,018.00; Pharm Chem Inc, Patch Kit & Overlay \$667.67; Redwood Toxicology Laboratory, October Montly Bill \$129.11; Midco, Internet/Video/Voice Services \$31.81; MODERN/PRESERV: Century Business Products, Monthly Copies Fee \$37.24; Us Records Midwest Llc, Book Tabs - Corner Records \$220.02; Cdw-G Inc, Desk Scanner \$3,105.67; JUSTICE CENTER: Meierhenry Sargent Llp, Justice Center \$2,814.88; Shaykett Appraisal Company, Inc, Appraisal Report \$7,000.00; Jlg Architects, Project 21030-16 \$240,334.50; Tegra Group, November 2023 Installment \$31,966.00; TIF #8: City Of Harrisburg, Tif #8 Disbursement \$290,617.48; TIF #9: City Of Lennox, Tif #9 Disbursement \$21,433.99

Reports:

Mileage Reports were presented as follows: October 2023 Sheriff Mileage.

October 2023 Auditor's Account with the County Treasurer Report and financial reports.

MOTION by Schmidt and seconded by Arends 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: 11.14.2023.

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

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute an agreement with the City of Canton for E-911 and Dispatching Services. 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 to execute an agreement with the City of Lennox for E-911 and Dispatching Services. 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 to execute an agreement with Vanguard Appraisals, Inc. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens:

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

RESOLUTION: BE IT to approve designation of Field Training Officer to Deputy Greg DeGrange and apply the FTO adjustment of +\$0.50/hr. to hourly wage effective 11.05.2023. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

COMMISSIONER BRIEFING: David Weidler, South Dakota Department of Legislative Audit, presented the information pertaining to the 2022 Audit, and answered question from the Board. The Board requested this item be on the agenda for next week to allow time to review findings. Public input was heard.

SECOND READING & PUBLIC HEARING occurred for an Ordinance of Lincoln County, SD, amending the Revised Zoning Ordinance for Lincoln County by rezoning Lots 1 and 2, Lake Alvin Subdivision, SE1/4 SE1/4, Section 33-T100N-R49W from the RC Recreation/Conservation District and the RR Rural Residential District to the PD Planned Development District, and amending the Official Zoning Map of Lincoln County. Toby Brown, Planning & Zoning Director, explained the application and staff report. The applicant was present to answer questions on their intentions. Several spoke in opposition.

MOTION by Arends seconded by Schmidt to approve ordinance titled: AN ORDINANCE OF LINCOLN COUNTY, SD, AMENDING THE REVISED ZONING ORDINANCE FOR LINCOLN COUNTY BY REZONING LOTS 1 AND 2, LAKE ALVIN SUBDIVISION, SE1/4 SE1/4, SECTION 33-T100N-R49W FROM THE RC RECREATION/CONSERVATION DISTRICT AND THE RR RURAL RESIDENTIAL DISTRICT TO THE PD PLANNED DEVELOPMENT DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF LINCOLN COUNTY. Arends: “Nay” Poppens: “Nay” Jibben: “Abstain” Schmidt “Nay” Landeen: “Nay”. Motion failed.

COMMISSIONER BRIEFING: Jared Narum, Assistant Highway Superintendent, presented a review of the 2023 Bridge inspections. Narum requested approval for a change order for structure 42-148-050 in the amount of \$58,049.80, he also requested the approval to advertise for bids for a service/utility body. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve a change order for structure 42-148-050 in the amount of \$58,049.80, increasing the contract from \$1,120,126.00 to \$1,178,175.80. MOTION by Arends and seconded by Poppens. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the highway superintendent to request bids for a service/utility body to be installed on the 2023 Chevrolet Silverado 6500 chassis that was bid for and purchased in July of 2023, opening bids on December 20th, 2023, at 11:15 a.m. at the Lincoln County Highway Shop. MOTION by Arends and seconded by Jibben. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Steve Swenson, Lincoln County Sheriff, informed the Board of the necessary facts pertaining to an amendment to a prisoner housing agreement reflecting a fee increase. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute Amendment No 2 to Contract for Housing of Lincoln County Prisoners between Minnehaha County and Lincoln County for 2024 at \$112.00 per day per prisoner with a minimum of 45 beds. MOTION by Schmidt and seconded by Arends. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Jake Oakland, Director of Information Technology, presented the necessary facts requesting approval for an agreement with Catalis Payments, LLC for the Treasurer’s Department. Public input was heard.

RESOLUTION: BE IT RESOLVED to approve and authorize the Commission Chair to execute an agreement with Catalis Payments, LLC. MOTION by Arends and seconded 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 reports were given.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 9:52 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" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:20 a.m. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Arends and seconded by Jibben to adjourn at 10:20 a.m. until 8:30 a.m. on December 5, 2023. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Lincoln County Board of Commissioners

Tiffani Landeen, Lincoln County Chair

Attest: _____
Cristen Standley, Deputy Auditor

Approved: December 5, 2023

Please publish the week of December 11, 2023.