

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on December 12, 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 Arends and seconded by Jibben to approve the agenda. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Payroll: \$428,465.07

Commissioner's \$10,567.00; FICA 579.92, Medicare 135.63, SDRS 302.50

Auditor's \$13,240.89; FICA 723.33, Medicare 169.18, SDRS 793.26

Treasurer's \$17,771.31; FICA 993.95, Medicare 232.47, SDRS 1,065.07

States Attorney's \$68,682.05; FICA 3,928.98, Medicare 918.88, SDRS 4,042.25

Gen Gov Bldg \$17,735.87; FICA 973.56, Medicare 227.69, SDRS 1,062.96

DOE \$38,692.96; FICA 2,195.43, Medicare 513.44, SDRS 2,270.85

ROD \$8,447.35; FICA 454.86, Medicare 106.39, SDRS 456.91

VSO \$2,683.97; FICA 138.03, Medicare 32.28, SDRS 159.84

GIS \$6,313.20; FICA 345.56, Medicare 80.81, SDRS 377.60

IT \$9,965.40; FICA 595.80, Medicare 139.33, SDRS 596.72

HR \$5,464.20; FICA 305.11, Medicare 71.36, SDRS 326.65

Sheriff's \$108,734.41; FICA 6,432.78, Medicare 1,504.43, SDRS 8,154.64

Jail \$17,825.25; FICA 1,097.30, Medicare 256.62, SDRS 1,151.48

WIC \$302.16; FICA 18.73, Medicare 4.38

County 4-H \$2,253.60; FICA 138.48, Medicare 32.39, SDRS 134.02

P & Z \$11,276.68; FICA 697.46, Medicare 163.13, SDRS 676.60

Highway \$46,002.74; FICA 2,854.30, Medicare 667.54, SDRS 2,863.59

Communications \$34,146.83; FICA 1,970.18, Medicare 460.77, SDRS 2,047.59

EM MGMT \$3,710.40; FICA 210.53, Medicare 49.24, 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

Claims: \$1,888,199.07

GENERAL: Grainger, Hardware For Riding Floor Scrubber \$43.85; Fred The Fixer, Replacement Cabinet Keys – Hr \$18.00; Prochem Dynamics Llc, Custodial Supplies \$1,019.13; City Of Canton, Water Utilities – Courthouse \$366.14; Midamerican Energy Co, Natural Gas Utilities – Courthouse \$1,801.21; A & B Pure Water Online Corp, Monthly Drinking Water Machine Rental Agreement \$207.80; Xcel Energy, Electrical Utilities – Courthouse \$6,819.93; Menards-West, Small Hand Tools \$84.94; Kirbside Car Wash, Kirbside - 2 Car Wash \$24.00; Vanguard Appraisals Inc, Vanguard Appraisal - Service Plus 16bf \$2,480.00; Interstate Office Products, Interstate Office - 01ea7904 8 Chairs \$4,866.52; Stitches, Stitches – Apparel \$525.00; Sdaao, Sdaao - Member/Associate Fees \$900.00; At&T Mobility, Cellular Services \$391.16; Jensen Ins Agency, 23-24 Insurance Premiums \$-1,581.81; Schneider Geospatial, Llc Becaon Hosting \$17,628.00; Active Data Systems Inc, Scanning Project \$150.00; Cdw-G Inc, Scanner & Parts \$3,623.65; Tyler Technologies Inc, Software Maintenance \$1,275.99; Conference Technologies, Inc, Councial Chambers Mics \$8,204.25; Well365, Llc, Wellness \$2,480.43; Workforce-South, Drug Testing (Rafael) \$165.00; Sd Sheriff's Association, Annual Dues \$2,454.83; Leadsonline, Total Track Investigation Sys. Service Package \$2,567.00; Tr Repair, Bands \$374.90; Graham Tire Co Llc-Corp 4 Tires- 22-1 \$1,344.00; Glass Doctor Of Sioux Falls, Chip Repair 2021 Tahoe \$70.00; Sturdevant's Auto Value, Headlights \$69.98; Aj's Automotive Llc, 20-1 Headlight; Towing; 15-3 Oil Change \$201.83; Auto

Dynamics Inc, 22-3, 21-4, 20-2, 22-1, 21-2, 21-1, 22-1 \$951.33; Pheasantland Industries, Embroidery \$102.80; Bomgaars, Charge Espland 11.16.23 \$8.99; Justice Fire & Safety Inc, Fire Extinguishers \$463.00; Canton Home & Farm Supply, 240915 \$7.73; At&T Mobility, Cellular Services \$2,484.72; Streicher's, Kuntz 11.22.23 Order\$940.50; Fee, Don, 23-7 Equipment Install \$2,300.00; Jack's Uniforms & Equipment, Gear \$5,138.77; Newvision Automotive Llc, 2021 Tahoe Windshield \$400.00; Pheasantland Industries, Embroidery \$50.38; Graham Tire Co Llc-Corp, 4 Tires- 22-1 \$584.00; Aj's Automotive Llc, 20-1 Headlight; Towing; 15-3 Oil Change \$52.15; Fed Ex, Evidence Return \$69.57; Union Co Sheriff's Dept, Jock Room/Board 9.27-9.30 \$320.50; 24/7, Refund 24/7 \$124.00; Stryker Sales Llc, 3 Kits & Replacement Battery \$928.50; Sanford Health Pathology Clinic , Coroner Calls/Transport \$1,410.00; Minnehaha Co Human Services, Poor Relief \$14,145.02; Sioux Falls Utilities, Poor Relief \$181.69; Sanford Health Home (Vna), Public Health Serv \$1,250.00; Fox Law Firm Pllc, Mi Eval \$90.75; Anderson, Jennifer Marie, Mi Evals \$1,319.96; Southeastern Behavioral Healthcare, Mobile Crisis – October \$572.04; Johnson Pllc, Katie, Mi Board \$3,407.95; Salem Qmhp, Karla, Mi Evals \$1,760.00; Loving, Philip, Mi Evals \$1,998.36; Penning, Leslie, Mi Hearings \$96.00; Gates, Laurie, Mi Board \$96.00; Ringing Shield, Nichole, Mi Evals \$275.00; Thurman, Creighton, Crt Appt Atty \$232.12; Blackburn & Stevens, Prof. L.L.C., Crt Appt Atty \$171.20; Maendel, Jayda, Post Event Cleanup \$120.00; Prochem Dynamics Llc, Custodial Supplies \$96.77; South Lincoln Rural Water, Water Utilities - 4-H Event Center And Fairgrounds \$147.14; City Of Canton, Old 4-H Grounds Cleanup \$80.00; Benco Products Inc, Wo486 \$1,717.33; Canton Home & Farm Supply, Wo486 \$108.66; Lookout Plan & Code Consulting Llc, Fees & Contracts \$5,983.49; Sweeter, Marlene, P&Z Board Mileage \$8.47; Jongeling, Jerry, P&Z Board Mileage \$19.07; Boots, Todd, P&Z Board Mileage \$23.77; Green, Scott, P&Z Board Mileage \$20.40; Poppens, Michael, P&Z Board Mileage \$18.97; At&T Mobility, Cellular Services \$198.22; ROAD AND BRIDGE: Metlife, Employee Life Insurance \$53.04; Jensen Ins Agency 23-24 Insurance Premiums \$3,064.66; A-Ox Welding Supply Inc, Cylinder Rental \$51.83; Autopros Tire & Service Center, Tire Repair \$28.15; Driveline Service Inc, Wo497 \$134.64; Interstate Power Systems Inc, Generator Service \$2,834.83; Us Bank, Misc \$79.45; Pheasantland Industries, Safety Apparel \$313.91; Cole's Petroleum Inc, Fuel \$21,563.62; Varitech Industries Inc, Parts \$55.33; Fastenal Company, Supplies \$490.19; Northern Truck Equip Co, Wo487/Wo466 \$3,706.00; Butler Machinery Co, Wo488/Wo481 \$544.68; Equipment Blades Inc, Ripper Teeth \$440.04; Dakota Fluid Power Inc, Wo457 \$952.28; Force America Distributing Llc, Wo490 \$1,038.55; Bartlett Tools In, Tools \$872.84; Jfi Inc, Propane \$54.62; Cintas, Mats/Towels \$197.72; Canton Home & Farm Supplies, Supplies \$98.34; Sturdevant's Auto Value, Supplies \$9.99; Mid-American Research Chemical, Supplies \$923.09; Dakota Riggers & Tool Supply Inc, Supplies \$297.84; Napa Auto & Truck Parts Of Sioux Falls, Parts/Supplies \$4,766.61; South Lincoln Rural Water, Water \$141.07; Midamerican Energy Co, Heat \$1,526.07; Xcel Energy, Electric \$108.71; Culligan Water Conditioning Corp, Water \$50.00; Southeastern Electric Co-Op Inc, Electric \$1,845.13; Novak Sanitary Svc Corp, Trash \$336.27; Verizon Connect Fleet Usa Llc, Fleet Gps \$886.55; Bluepeak, Internet \$630.61; At&T Mobility, Cellular Services \$80.08; Blackstrap, Inc, Salt \$2,268.98; Johnson, Mark Andrew, Row Payment For 085c, 085d \$1,610.00; Sd Dept Of Transportation, 2023 Pavement Marking \$97,603.80; Geotek Engineering & Testing Services Inc, Coring Report: Lc102,134,110,111,117 \$1,647.75; Blackstrap, Inc, Salt \$2,324.43; City Of Sioux Falls Public Works, Dump \$17.41; 911: Metlife, Employee Life Insurance \$37.44; Century Business Products, Oct-Dec Dispatch \$129.18; Language Line Services Inc, Oct & Nov Service \$221.28; Bluepeak, October & November Bill \$1,959.94; Centurylink, Monthly Charges \$21.04; Two Way Solutions Inc, Service Charge For Batteries (Alcester Tower) \$404.50; RURAL FIRE: Alcester Rural Fire Assoc 2nd Half Allocation \$3,018.73; Beresford Rural Fire Assoc, 2nd Half Allocation \$5,157.63; Canton Rural Fire Assoc, 2nd Half Allocation \$5,157.63; Centerville Rural Fire, 2nd Half Allocation \$3,018.73; Fairview Rural Fire Asso, 2nd Half Allocation \$5,157.63; Harrisburg Rural Fire, 2nd Half Allocation \$5,157.63; Hudson Rural Fire Assoc, 2nd Half Allocation \$5,157.63; Lennox Rural Fire Assoc, 2nd Half Allocation \$5,157.63; Tea Rural Fire Assoc, 2nd Half Allocation \$5,157.63; Worthing Rural Fire Asso, 2nd Half Allocation \$5,157.63; EMERGENCY AND DISASTER: Metlife Employee Life Insurance \$0.79;

Timmerman, Harold, Room & Gas Reimbursement \$205.87; Cummins, Service Unit And Replace Battery/Replace Coolant Heater \$1,631.11; AIRPORT: Metlife, Employee Life Insurance \$3.12; Jensen Ins Agency 23-24 Insurance Premiums \$-4.88; Southeastern Electric Co-Op Inc, Electrical Utilities - Marv Skie Airport \$159.97; At&T Mobility, Cellular Services \$95.92; 24/7: Metlife, Employee Life Insurance \$3.12; Redwood Toxicology Laboratory, Ua Test \$475.00; MODERN/PRESERV: Cdw-G Inc, Roller Kit For Scanner \$270.20; Mcleod's Printing, Book Pages - Deed Side/Rural \$411.71; STATEWIDE SOBRIETY: Sd Attorney General's Office, November 2023 24/7 State Fees \$9,744.00; MODERN/PRESERV: Sdaco, M & P State – November \$1,582.00; STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$338,157.59; SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,062,568.91; BIRTHS, DEATHS & TITLES: Sd State Treasurer, Birth & Death To State – November \$690.00

Reports:

Mileage Reports were presented as follows: November 2023 Emergency Management, Buildings & Grounds, Patrol Mileage.

November 2023 Register of Deeds report totaling \$90,794.10 was presented.

November 2023 Veterans Service Office Report.

Letter from the Department of Agriculture & Natural Resources regarding Revised Nutrient Management Plan.

MOTION by Schmidt and seconded by Jibben to approve the Consent Agenda with item #2 moved from the Consent Agenda to the end of Regular Business. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

CONSENT AGENDA:

MOTION by Schmidt and seconded by Jibben to approve County Commission Minutes: 12.05.2023.

Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED set the date and time for a public hearing to occur between 8:30 a.m. and adjournment of the January 9, 2024, Board of Commissioners meeting for an appeal on a decision by the Lincoln County Planning Commission to approve Conditional Use Permit #USE-0072-2023 for agriculturally related operations involving the handling, storage, transporting, and shipping of farm products (digester) on the property legally described as S1/2 N1W/4, Section 19-T96N-R48W Eden Township. MOTION by Schmidt and seconded by Jibben. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED set the date and time for the FIRST READING to occur December 26, 2023, and the SECOND READING & PUBLIC HEARING to occur between 8:30 a.m. and adjournment of the January 2, 2024, Board of Commissioners Meeting for an Ordinance of Lincoln County, SD, rezoning Lots 1, 2, and 3, Ninemile View Addition, NE1/4, Section 4-T99N-R49W from the A-1 Agricultural District and the RC Recreation/Conservation District to the RR Rural Residential District, and amending the Official Zoning Map of Lincoln County. The Planning Commission recommendation for approval failed (0-5). MOTION by Schmidt and seconded by Jibben. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a step increase for the following individual in the Sheriff's Office effective the first day of the biweekly pay period following 12.9.2023: Derek Fischer - Deputy Sheriff - SO1/Step 7 - \$31.93/hour. MOTION by Schmidt and seconded by Jibben. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

REGULAR BUSINESS:

Board discussion was heard from representatives from Tegra, DLR Group and Henry Carlson Construction requesting approval on the guaranteed maximum price which hasn't changed from the last meeting, the second request is to approve the design development drawing to move into construction documents. None spoke in favor nor opposition.

A ten-minute recess was called at 8:54 a.m.

RESOLUTION: BE IT RESOLVED to approve Design Development Drawings and proceed with Construction Documents with JLG and DLR. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Guaranteed Maximum Price with Henry Carlson Construction in the amount of \$45,649,131. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

PUBLIC HEARING occurred, as advertised for the purpose to adopt the following supplements to the 2023 Budget: A supplement adding \$100,000 to Board of Commissioners Budget for personal services not budgeted for; \$10,000 to Treasurers Budget for personal services for the change in payroll deductions and other current expenses change in leadership; \$15,000 to Postage Revolving because of change in accounting for postage; \$79,000 to the Highway Department Intergovernmental Expenses for the Wheel Tax for Cities/Townships paid more wheel tax out; \$45,000 Airport for personal services, \$45,000 Airport operating transfer in, because of new Airport Manager Position; \$28,481.08 RAIF for subrecipient payments paid out not budgeted for; \$300,000 Debt Service Tif # 8 under estimated tax that would be collected. Auditor Sheri Lund offered to answer questions on the requested budget supplements. Public input was heard.

RESOLUTION: BE IT RESOLVED to adopt the following supplements to the 2023 Budget: A supplement adding \$100,000 to Board of Commissioners Budget for personal services not budgeted for; \$10,000 to Treasurers Budget for personal services for the change in payroll deductions and other current expenses change in leadership; \$15,000 to Postage Revolving because of change in accounting for postage; \$79,000 to the Highway Department Intergovernmental Expenses for the Wheel Tax for Cities/Townships paid more wheel tax out; \$45,000 Airport for personal services, \$45,000 Airport operating transfer in, because of new Airport Manager Position; \$28,481.08 RAIF for subrecipient payments paid out not budgeted for; \$300,000 Debt Service Tif # 8 under estimated tax that would be collected. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Harold Timmerman, Emergency Management, brought forth to the board proposed draft legislation 239 that came from the 2023 Summer Study. None spoke in favor nor opposition.

COMMISSIONER BRIEFING: Traci Humphrey, Human Resources Director, presented the Board with revisions to the employee handbook. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve the presented updates to the employee handbook. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Toby Brown, Planning & Zoning Director, presented the necessary facts regarding the agreement between Lincoln County and South Eastern Council of Governments. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the Sub-Recipient Agreement between Lincoln County and South Eastern Council of Governments for the Calendar Year 2024 Sioux Falls Metropolitan Planning Organization (MPO) Unified Planning Work Program.

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

COMMISSIONER BRIEFING: John Rombough, Building & Grounds Superintendent requested the Board to authorize the purchase of a 2023 Ford F-350, it is budgeted since a budgeted project has been moved to 2024. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to authorize the Building and Grounds Superintendent to purchase a 2023 Ford F-350 from Lamb's Motors from their state bid contract for the amount of \$49,578. MOTION by Poppens and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Public input was heard regarding the moving of consent item number two. The applicant also briefly spoke regarding the renewal.

RESOLUTION: BE IT RESOLVED to approve the 2023-2025 renewal of Medical Cannabis Application for Ned Horsted (605 Cannabis LLC) on the property legally described as E1/2SE1/4 *EX LOTS H-1-2-3 & SINNING TRS & COMMERCE PARK ADD* 18-98-50, a/k/a parcel number

098.50.18.4010. MOTION by Arends and seconded by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

No public comments were given.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner reports were given.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 9:37 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.

Commissioner Arends did not return after Executive Session.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:15 a.m. MOTION by Schmidt and seconded by Poppens. Arends: "Absent" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

ADJOURNMENT:

MOTION by Jibben and seconded by Poppens to adjourn at 10:15 a.m. until 8:30 a.m. on December 26, 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 26, 2023
Please publish the week of January 1, 2024