

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on December 26, 2023, with Commissioners Joel Arends, James C. Jibben, Michael Poppens, present, Jim Schmidt via phone. Deputy Auditor Cristen Standley served as Clerk to the Board. Drew DeGroot, Chief Civil Deputy State's Attorney and Steve Rasmussen, Commission Administrative Officer, were also present.

ROUTINE BUSINESS:

MOTION by Poppens and seconded by Arends to amend the Consent Agenda by removing item #9 and moving it to the end of Regular Business. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Payroll: \$417,856.06

Commissioner's \$10,637.00; FICA 584.25, Medicare 136.65, SDRS 302.50

Auditor's \$13,240.92; FICA 723.33, Medicare 169.18, SDRS 793.26

Treasurer's \$19,353.33; FICA 1,092.04, Medicare 255.39, SDRS 1,159.99

States Attorney's \$68,929.83; FICA 3,957.21, Medicare 925.49, SDRS 4,057.12

Gen Gov Bldg \$17,428.68; FICA 955.08, Medicare 223.35, SDRS 1,044.52

DOE \$38,692.98; FICA 2,195.42, Medicare 513.44, SDRS 2,270.85

ROD \$7,735.37; FICA 410.73, Medicare 96.06, SDRS 456.91

VSO \$2,635.40; FICA 135.02, Medicare 31.58, SDRS 156.92

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

IT \$9,965.40; FICA 595.79, Medicare 139.33, SDRS 596.72

HR \$5,464.20; FICA 305.10, Medicare 71.36, SDRS 326.65

Sheriff's \$100,478.37; FICA 5,920.92, Medicare 1,384.71, SDRS 7,513.61

Jail \$18,889.94; FICA 1,163.30, Medicare 272.06, SDRS 1,205.22

WIC \$402.88; FICA 24.98, Medicare 5.84

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

Weeds \$900.00; FICA 55.80, Medicare 13.06

P & Z \$9,617.00; FICA 594.56, Medicare 139.07, SDRS 559.02

Highway \$46,694.51; FICA 2,689.70, Medicare 629.04 SDRS 2,649.22

Communications \$29,291.40; FICA 1,669.14, Medicare 390.35, SDRS 1,756.27

EM MGMT \$3,710.40; FICA 210.90, Medicare 49.32, SDRS 221.42

Airport \$2,612.00; FICA 161.94, Medicare 37.87, SDRS 156.72

24/7 \$2,609.65; FICA 160.35, Medicare 37.50, SDRS 208.77

Claims: \$4,242,683.71

GENERAL: Symetra Select Benefits, Life Insurance \$212.40; Sd Dept Of Legislative Audit, County Audit \$36,668.00; Schmidt, Jim, Quarterly Mileage \$1,011.90; Midco, Internet/Video/Voice Services \$2,709.81; Tschetter & Adams Law Office, Pc, Crt Appt Atty \$8,486.43; Myers Billion, Llp, Indigent Persons Contract \$79,000.00; Knecht, Andrew J, Indigent Persons Contract \$20,315.50; Johnson, Richard L, Crt Appt Atty \$6,244.55; Resolute Law Firm Pc, Crt Appt Atty \$1,099.20; Ash Law Office, Pllc, Crt Appt Atty \$1,085.58; All Nations Interpreters, Inc, Interpreter \$843.75; Certified Languages International, Interpreter \$19.80; Guzman, Sandra, Interpreter \$120.00; A To Z World Languages Inc, Interpreter \$80.00; Redstone Law Firm Llp, Crt Appt Atty – Juv \$1,154.20; Walton, Marcus L, Crt Appt Atty - A&N \$952.30; Beck, Pat, Grand Jury \$757.65; Jurors, Fees/Mileage \$2,583.10; Cole Paper, Paper \$1,533.17; Delta Dental, Cobra Dental Insurance \$46.82; Pmb 0112, Executive Mgmt Finance Office, Access Fees \$93.00; Sd Dept Of Health, Lab Testing \$40.00; Lundquist, Elizabeth H, Grand Jury/ Transcripts \$842.50; Paragon Health & Wellness, Blood Draws \$2,400.00; Skorczewski, Jena, Transcript

\$30.55; Argus Leader/Multimedia Holding Inc., Publications \$70.56; Canton Pizza Ranch, Grand Jury Meals \$56.97; Sd States Atty Assoc, 2024 Membership Dues \$3,250.00; Interstate Office Products, Supplies \$446.41; Graham Tire Co Llc-Corp, Tires \$2,568.00; Auto Dynamics Inc, Vehicle Repairs \$2,645.01; Olivia Heien, November Mileage \$108.83; Otis Elevator, Contracted Maintenance Service Main Elevators \$1,472.73; Fm Acoustical Tile Inc, Ceiling Grid Repair From Winter Roof Leaks \$446.00; Olson's Pest Technicians, Pest Control \$375.00; Hillyard/Sioux Falls, Custodial Supplies \$125.96; Cintas, Rug Cleaning And Replacement - Courthouse \$269.93; Lennox Ace Hardware, Custodial Supplies \$80.93; Geotek Engineering & Testing Services Inc, Projects \$3,012.60; Hander Inc., Heating Project For South Storage Building. \$6,235.00; Lamb Motor Co, Purchase Of A New Ford F-350 \$49,578.00; Mcleod's Printing, Name Plat \$19.78; Happy Fox Inc, Ticket System \$486.41; Rent-All Inc, Lift Rent \$941.00; Integrated Technology & Security, Security System \$82,679.83; Cdw-G Inc, Computers/Scanner/Software \$58,765.67; Riverside Technologies Inc, Smartnet Maintenance \$17,862.00; Tyler Technologies Inc, Erp Annual Maintenance \$26,483.67; Route 1, Camera Equipment \$13,843.20; Dell Marketing, Lp, Monitors \$3,788.77; Optum Bank, Has \$19.25; Workforce-South, Physical \$165.00; Frantzen Reporting/Pgr8r Inc, 5378-5383 \$276.50; Sioux Falls Area Humane Society, November Contract \$962.09; Transunion Risk & Alternative, November Monthly \$75.00; Aj's Automotive Llc, 2016 Ford Transit Oil Change \$55.57; Fee, Don, 21-2 Rear Lights \$150.00; Genesis Autoworks, 22-1 Back Bumper Cover \$502.27; City Of Harrisburg, November Monthly Fuel \$4,464.53; Voyager Fleet Systems Inc, November Monthly \$445.79; Harrisburg Ace Hardware, December Statement \$43.45; American Solutions For Business, Thermal Paper Rolls \$576.00; Bomgaars, Staples & Memory Card \$50.97; Sd Sheriff's Association, Patches \$209.55; Swenson, Steven, Training Reimbursement 12/3-9/2023 \$336.00; Brown, Chad, Training Reimbursement 12/3-9/2023 \$336.00; Verizon Wireless, Cellular Services \$279.30; Union Co Sheriff's Dept, November Room & Board \$2,405.00; Axon Enterprise Inc, Taser \$30,402.41; Streicher's, Helmets, Face Shields, First Responder Kits \$7,367.01; Silverstar Car Wash November Monthly \$309.69; Pheasantland Industries, Bond Reciepts \$246.70; Laurie's Café, Inmate Meal 11/3/23 \$19.40; Minnehaha County Jail, November Contract & Overage/Blood Draws/Pretrial Services Agreement \$174,102.67; Pennington Co Jail, November Transport \$795.53; Thrifty White Pharmacy, Prisoner Medical Care \$3.99; Surgical Institute Of Sd, 11.16.23- Prisoner Care \$159.00; Avera Mckennan Hospital, Prisoner Medical Care/Mi Hold \$10,542.16; Amg Dermatology Sioux Falls, Prisoner Medical Care \$160.04; Buddi Us Llc, Tagging Days \$1,396.00; Jack's Uniforms & Equipment, Wilcox, Swenson, Brown, Rodriquez, Lord \$4,057.58; Sanford Health Pathology Clinic, Coroner Calls \$1,050.00; Lennox Ambulance, Transport \$360.00; Minnehaha Co Regional Jdc, Housing \$28,194.71; Minnehaha Co Human Services, Monthly Poor Relief – December \$7,072.51; Sanford Health Home (Vna), Public Health Serv \$1,250.00; Miller, Francie, Mi Hearings \$128.00; Lewis & Clark Behavioral Health Services, Bmi Intake \$426.00; Anderson, Jennifer Marie, Mi Evals \$4,024.10; Southeastern Behavioral Healthcare, Mobile Crisis – November \$336.54; Loving, Philip, Mi Evals \$1,778.38; Ringing Shield, Nichole, Mi Evals \$165.00; Johnson Pllc, Erin M, Mi Board \$2,814.10; Ver Beek Law Prof Llc, Mi Board \$3,012.05; Amg Pyschiatry Sf, Mi Hold \$548.83; Denherder Law Office Pc, Crt Appt Atty \$172.36; Maendel, Jayda, Post Event Cleanup \$120.00; Sturdevant's Auto Parts, Treatment And Fuses For The Diesel Transfer Tank \$26.25; Cintas, Rug Exchange And Cleaning - 4-H Event Center/Courthouse \$368.97; City Of Sioux Falls Public Works, Old 4-H Grounds Clean Up \$20.06; Novak Sanitary Svc Corp, Garbage And Refuse Collection - 4-H Event Center And Courthouse \$576.98; Chs Eastern Farmers, Propane Gas - 4-H Event Center \$936.58; C&J Fencing Llc, Install Existing Panel Fencing At Fairgrounds \$3,065.10; Bomgaars, Fence Posts For Fencing Project \$105.97; Benco Products Inc, Supplies \$312.80; Canton Home & Farm Supply, Parts \$107.02; Benco Products Inc, Wo486 \$136.93; Assn Of Sd County Weed & Pest, Voting Membership \$75.00; Paulson, Paul, 2023 Wb Mileage \$84.86; Smit, Randy, 2023 Wb Mileage \$52.33; Hammer, Ralph, 2023 Wb Mileage \$52.63; Gillespie, Pam, 2023 Wb Mileage \$5.71; Simunek, Roger, 2023 Wb

Mileage \$5.81; Jibben, Jim, 2023 Wb Mileage \$45.90 Sweeter, Marlene, P&Z Board Mileage - 12/13/23 Mtg \$8.47; Boots, Todd, P&Z Board Mileage - 12/13/23 Mtg \$47.54; Green, Scott, P&Z Board Mileage - 12/13/23 Mtg \$40.80; Scott, Erik, P&Z Board Mileage - 12/13/23 Mtg \$15.30; Jongeling, Jerry, P&Z Board Mileage - 12/18/23 Mtg \$19.07; Poppens, Michael, P&Z Board Mileage - 12/18/23 Mtg \$18.97; Enstad, Collin, P&Z Board Mileage - 12/18/23 Mtg \$22.03; Quadient Finance Usa, Inc, Prepay Postage \$12,000.00; ROAD AND BRIDGE: Symetra Select Benefits, Life Insurance \$30.60; Healthpartners, Cobra Health Insurance \$806.76; Autopros Tire & Service Center, Wo482 \$1,193.28; Justice Fire & Safety Inc, Fire Extinguisher Inspection \$3,776.00; Graham Tire Co Llc-Corp, Wo511/Wo510/Tires \$3,766.82; Avera Occupational Medicine-Mitchell, Drug/Alcohol Services \$320.00; Cole Paper, Paper \$91.26; Varitech Industries Inc, Wo500 \$2,018.74; Fastenal Company, Supplies \$6.76; Deans distributing, Supplies \$3,331.34; Force America Distributing Llc, Wo500 \$2,223.51; Midco, Internet/Video/Voice Services \$25.73; Presto-X, Pest Control \$176.51; Geotek Engineering & Testing Services Inc, 2023 Surfacing Ca \$8,174.00; Bx Civil & Construction Inc, Pay App 4 (Final) 42-148-050 08xa \$501,370.06; Central Specialties Inc, Pay App 2 (Final) 2023 Surfacing \$2,756,051.89; 911: Symetra Select Benefits, Life Insurance \$21.60; Cole Paper, Paper \$200.77; Midco, Internet/Video/Voice Services \$147.23; Centurylink, November Monthly \$167.46; Two Way Solutions Inc, November Monthly \$144.50; EMERGENCY AND DISASTER: Symetra Select Benefits, Life Insurance \$1.80; Midco, Internet/Video/Voice Services \$83.27; Verizon Wireless, Cellular Services \$40.01; AIRPORT: Symetra Select Benefits, Life Insurance \$1.80; Jensen Ins Agency, Annual Premium For Airport Policy \$4,574.00; Menards-West, Supplies – Airport \$55.14; Lincoln Co Rural Water, Water \$45.50; Bluepeak, Internet – Airport \$22.82; 24/7: 24/7, 24/ Refund \$60.00; Symetra Select Benefits, Life Insurance \$1.80; Pharm Chem Inc, November Monthly \$319.50; Redwood Toxicology Laboratory, Inv 814067 Minus Account Credit \$86.46; Midco, Internet/Video/Voice Services \$32.07; JUSTICE CENTER: Jlg Architects, Project 21030-17r \$100,113.24; Tegra Group, December 2023 Installment - 436.1223 \$33,418.67; Meierhenry Sargent Llp, Justice Center \$910.00; TIF #7: First Bank & Trust, Attn: Wealth Management, Debt Service Tif #7 \$53,178.02; TIF #8: City Of Harrisburg, Tif #8 Disbursement - November \$7,438.75; TIF #9: City Of Lennox, Tif #9 Disbursement – November \$3,378.02

Reports:

Mileage Reports were presented as follows: November and December 2023 Assessor's Office and November 2023 Sheriff Civil Fee

Lincoln County Calendar Year 2022 Audit Report

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

American Recovery Plan Act (ARPA) 4th Quarter Spending Report

Letter from Department of Agriculture and Natural Resources regarding Dakota Plains Dairy Site #2 East Proposed Modifications Plans and Specification Review

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

CONSENT AGENDA:

MOTION by Arends and seconded by Schmidt to approve County Commission Minutes: 12.12.2023 & 12.15.2023. 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 12.27.2023: Chris Hogan – Deputy Sheriff – SO1/Step 7 - \$34.17/hr; Civil Deputy pay of \$1.20 per hour. MOTION by Arends and

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

RESOLUTION: BE IT RESOLVED to authorize Auditor to execute the Application for Replacement Warrant submitted by SD Attorney General's Office for the amount of \$9,570.00; original warrant number 119036 issued 11.14.2023. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve 2024 Commercial Garbage Hauler/Recycling Collection Licenses for the following entities: A-OK Sanitary Service, Bolte's Sunrise Sanitary Service Inc, Herm's Sanitation, Novak Sanitary Service, RBS Sanitation Inc., and Waste Management. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize Auditor to execute the Application for Replacement Warrant submitted by Hudson Rural Fire Assoc for the amount of \$5,157.63; original warrant number 116871 issued 06.13.2023. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve personal use benefit of County vehicle to Assistant Highway Superintendent per section 14.1 in the Lincoln County Employee Handbook. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve cell phone stipend for Assistant Highway Superintendent position. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve retroactively giving year five employees hours of PTO due to Handbook update. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the 2023-2024 renewal of Uniform Alcoholic Beverage Applications to Spring Creek Country Club (RL5893) at NW ¼ NW ¼ 26-100-49. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

REGULAR BUSINESS:

COMMISSIONER BRIEFING: Sheri Lund, Auditor, presented the facts regarding an application for a county aid lien compromise settlement. The applicant was not present. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to correct the accounts receivable balance of account 01-06258 in the amount of \$408.50. MOTION by Poppens and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

FIRST READING occurred 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).

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, submitted the following requests to the board: approve a joint powers and funding agreement with SD DOT for the replacement of structure 42-120-158, removal of structure 42-010-265, deletion of structure 42-001-220 from the National Bridge Inventory, permission to apply for a Bridge Improvement Grant through the SD DOT, the termination of an agreement with the SD DOT, execute a preservation grant application for structure 42-244-255 through the SD DOT and to approve and award a bid to Custom Truck and Equipment for a service body for the new sign truck in the amount of \$110,290. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve a joint powers and funding agreement with SD DOT for the replacement of structure 42-120-158, BRO-B 8042 (53), PCN 09MH. MOTION by Jibben and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a joint powers and funding agreement with SD DOT for the removal of structure 42-010-265, BRO-B 8042 (54), PCN 09M3. MOTION by Jibben and seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the deletion of structure 42-001-220 from the National Bridge Inventory. The Lincoln County Board of Commissioners is in agreement with SD DOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s): STRUCTURE ID, LOCATION and REASON FOR DELETION: 42-001-220 11S & 1.9W of Lennox Structure and roadway have been vacated and turned over to adjacent landowner. The Commission is aware of the following stipulations once a structure is deleted from the NBI: 1. Federal and State Bridge funds will not be available for structure replacement or rehabilitation and 2. The structure will only be added to the Inventory following replacement, using County funds. Upon receipt of this resolution, the above structure(s) will be deleted from inventory. 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 apply for Bridge Improvement Grants (replacement and preservation) through the South Dakota Department of Transportation for the following: Whereas, Lincoln County wishes to submit an application for consideration of award for the Bridge Improvement Grant Program. Structure Number and Location: Replacement Grants: 42-120-283 located on CR125, 42-200-226 located on CR139, 42-200-249 located on CR139. Preservation grants: 42-175-153 located on CR135 (Beloit Bridge), 42-020-201 located CR105. And Whereas, Lincoln County certifies that the project is listed in the county's Five-Year County Highway and Bridge Improvement Plan; And Whereas Lincoln County agrees to pay the 20% match on the Bridge Improvement Grant funds; And whereas, Lincoln County hereby authorizes the Bridge Improvement Grant application and any required funding commitments. NOW THEREFORE BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application. MOTION by Arends and seconded by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to sign the termination agreement for the Bridge Improvement Grant, Project Number BRF 3103 (00) 23-5, PCN #09GG, Structure Number 42-244-255, Agreement Number 718316, between Lincoln County and the South Dakota Department of Transportation and Lincoln County, South Dakota. MOTION by Jibben and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED Whereas, Lincoln County wishes to submit an application for consideration of award for the Bridge Improvement Grant Program: Structure Number and Location: 42-244-255 on the State Line east of Hudson SD and Whereas, Lincoln County certifies that the project is listed in the county's Five Year County Highway and Bridge Improvement Plan; and Whereas, Lincoln County agrees to pay the 20% match on the Bridge Improvement Grant funds; and Whereas, Lincoln County hereby authorizes the Bridge Improvement Grant application and any required funding commitments. MOTION by Poppens and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and award a bid to Custom Truck and Equipment in the amount of \$110,290 for a service body for the new sign truck. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Traci Humphrey, Human Resources Director, via phone, introduced the following changes in payroll compensation for 2024: Modify employee performance evaluations, presented the Pay Matrix and Pay Grade Listing and presented information regarding compensation. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve a modification in employee performance evaluations by giving employee performance evaluations and wage step increases during the month of the employment anniversary effective 1.1.2024. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Poppens: "Nay" Jibben: "Nay" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a 3% matrix adjustment for 2024 for all employees on the pay matrix. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Nay" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the elected official compensation for 2023 as follows: State's Attorney \$164,030.72; Sheriff \$143,417.30; Auditor \$109,654.87; Treasurer \$97,200.04; Register of Deeds \$94,832.34. MOTION by Arends and seconded by Jibben. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, requested Board action on the following items: 2023 Contingency transfers, budgeted cash transfer from the general fund and to assign 2023 general fund cash. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve the following contingency transfers: Judicial 101-4130-422100 -88,218.17; Insurance 101-4167-421000-23,934.00; Flood Plain Management 101-4223-422500 -81.93; Mental Ill, Medical 101-4441-429200- 9,489.06; Airport 236-4331-37100-45,000. MOTION by Arends and seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to complete a budgeted cash transfer from the general fund to the Highway Fund in the amount of \$3,000,000 and to the Airport fund in the amount of \$90,000. MOTION by Poppens and seconded by Jibben. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to assign general fund cash to be used for the following purposes: 101-276010- Assigned F/B Sub Years Budget 7,390,778.00, 101-276030- Assigned for Road Purposes 3,056,435.00, 101-276970- Assigned for ARPA expenditures 1,552,787.00, 101-276980- Assigned for Building Purposes 2,000,000.00 MOTION by Arends and seconded by Jibben. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: John Rombough, Building & Grounds Superintendent, requested the approval from the Board to purchase a snowplow.

RESOLUTION: BE IT RESOLVED to authorize the building superintendent to purchase a snowplow for the 2023 Ford F-350 from Christensen Radiator and Repair in the amount of \$10,480.40. MOTION by Schmidt and seconded by Poppens. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 9:15 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 9:46 a.m. MOTION by Arends and seconded by Jibben. Arends: “Absent” Poppens: “Aye” Jibben: “Aye” Schmidt: “Absent” Landeen: “Aye”. Motion carried.

Commissioner Schmidt rejoined via phone at 9:48 a.m.

COMMISSIONER BRIEFING: Drew DeGroot, Chief Civil Deputy State’s Attorney, offered details regarding the advertised proposal request for building demolition. Proposals were received from: 605 Companies, ASCO, Soukup Construction, Spielman Excavating, Runge Enterprises and Stone Hill Excavation. Spielman’s Excavating LLC was chosen from the submitted proposals. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to AWARD bid for Building Demolition Services. MOTION by Schmidt and seconded by Poppens. Arends: “Aye” Poppens: “Aye” Jibben: “Aye” Schmidt: “Aye” Landeen: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Commissioner Joel Arends asked for discussion from the Board to authorize the State’s Attorney office to file an amicus brief with the Second Judicial Circuit on behalf of the County of Commission supporting the landowner Plaintiffs’ legal position and asserting the county’s interest in NOPE-Lincoln County, Inc., et al v. State of South Dakota, et al. Several spoke in favor.

RESOLUTION: BE IT RESOLVED to authorize the State's Attorney's office to file an amicus brief with the Second Judicial Circuit Court on behalf of the County Commission supporting the landowner Plaintiffs' legal position and asserting the county's interest in 41CIV23-877, NOPE-Lincoln County, Inc., et al. v. State of South Dakota, et al. MOTION by Arends and seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Absent" Landeen: "Nay". Motion carried.

Commissioner Schmidt was no longer available via phone.

COMMISSIONER BRIEFING: Toby Brown, Planning & Zoning Director, submitted an agreement with Lookout Plan + Code Consulting. None spoke in favor nor opposition.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute an agreement with Lookout Plan + Code Consulting for plan reviews and code consulting. MOTION by Arends and seconded by Poppens. Arends: "Aye" Poppens: "Aye" Jibben: "Aye" Schmidt: "Absent" Landeen: "Nay". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

No public comments were given.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

No commissioner reports were given.

ADJOURNMENT:

MOTION by Jibben and seconded by Poppens to adjourn at 10:55 a.m. until 8:30 a.m. on January 2, 2024. 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: January 2, 2024

Please publish the week of January 8, 2024