

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Vice Chair, Jim Schmidt, at 8:30 a.m. on April 9, 2024, with Commissioners, Joel Arends, Tiffani Landeen, and Michael Poppens present, James C. Jibben joined via phone. Cristen Standley served as Clerk to the Board. Drew DeGroot, Chief Civil Deputy State's Attorney and Steve Rasmussen, Commission Administrative Officer, also present.

ROUTINE BUSINESS:

MOTION by Landeen and seconded by Poppens to approve the agenda with switching around items two (2) and three (3) on regular business. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

Reports:

Mileage Reports Presented: March 2024 Emergency Management, March 2024 Buildings & Grounds, March 2024 Patrol Mileage.

April 2024 Register of Deeds report totaling \$70,088.30.

FEMA Conditional Letter of Map Revision (CLOMR) to potential revisions to Flood Insurance Study and Flood Insurance Rate Map in City of Tea.

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

CONSENT AGENDA:

MOTION by Poppens and seconded by Landeen to approve County Commission Minutes: 4.02.2024. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve Lincoln County Claims for 04.09.2024 in the amount of \$2,598,733.22. GENERAL: A & B Pure Water Online Corp, Drinking Water Rental Contract - April \$207.80; Accurate Reporting, Inc, Transcripts \$70.00; Ace Hardware Tea, Hardware \$20.95; Aj's Automotive Llc, 23-2 Tire Repair \$25.75; All Nations Interpreters, Inc, Interpreter \$1,022.50; Anderson, Jennifer Marie, Mi Evals \$3,813.22; Argus Leader/Multimedia Holding Inc., Publishing \$105.98; Auto Dynamics Inc, Vehicle Service \$2,113.87; Baloun Law, Pc, Crt Appt Atty – Juv \$72.85; Beck Law, Crt Appt Atty \$4,985.30; Beck, Pat, Transcript/Grand Jury \$475.50; Benco Products Inc, Supplies \$110.35; Boots, Todd, P&Z Board Mileage \$47.54; Canton Home & Farm Supply, Sheriff's Reception Office/Engraver \$1,182.97; Centralsquare Technologies, Annual Maintenance (June) \$20,142.67; Century Business Products, Copier Maint \$721.41; Cintas, Rug Cleaning And Exchange \$278.58; City Of Canton, Water Utilities – Ch \$425.62; City Of Harrisburg, 2/1-2/29/24 Fuel \$5,362.92; Dakotabilities Inc, 6 Cl - Apr/May/June 2024 \$1,080.00; Davison County Sheriff's Office, Feb. Prisoner Housing \$315.00; De Castro Law Office, Pllc, Crt Appt Atty \$3,490.90; Dean Schaefer Court Reporting, Court Reporting – Mi \$138.00; Diverse Lawn & Landscaping Llc, Turf Repair From Snow Removal Damage \$200.00; Eich Law Office Prof Llc, Crt Appt Atty \$2,162.00; Elite Unmanned Llc, Drone Equipment \$2,175.00; Enstad, Collin, P&Z Board Mileage \$44.06; Family Services Inc, Eap \$70.00; Fee, Don, 23-1 Conversion \$2,150.00; First Step Counseling Services, Inc, Ivc Eval \$200.00; Fox Law Firm Pllc, Mi Hearing-Yankton \$182.14; Frantzen Reporting/Pgr8r Inc, March Reports \$97.50; G & R Controls Inc, Repair To One Of The Main Hot Water Boiler Pumps. \$2,096.86; Genesis Autoworks, 17-3 Water Leak \$210.00; Glock Professional Inc, Training \$250.00; Graham Tire Co Llc-Corp, 21-7 Tires \$720.00; Grainger, Custodial Supplies And Hardware \$347.05; Griesse Law Firm, Pc, Crt Appt Atty \$1,914.10; Guzman, Sandra, Interpreter \$90.00; Harrisburg Ace Hardware, March Statement \$254.93; Heidepriem, Purtell & Siegel, Llp, Crt Appt Atty \$543.08; Hillyard/Sioux Falls, Replacement Vacuums – Cordless \$1,274.74; Jack's Uniforms & Equipment, Partial March Statement \$257.77; Johnson Pllc, Erin M, Mi

Board \$2,737.00; Jongeling, Jerry, P&Z Board Mileage \$38.14; Jurors, Fee/Mileage \$908.84; Katterhagen, Mark, Mi Hearing – Yankton \$21.00; Knecht, Andrew J, Crt Appt Atty \$4,455.10; Larson, Valerie, Mi Hearing – Yankton \$21.00; Laughlin, Nicole, Crt Appt Atty-Juv \$2,525.30; Lembcke-Schildhauer, Terri, Grand Jury \$500.00; Lennox Independent Llc, Publishing \$2,535.04; Lincoln Co Title Report Fee, \$150.00; Lookout Plan & Code Consulting Llc, Fees And Contracts \$3,105.74; Loving, Philip, Mi Evals \$2,970.04; Maendel, Jayda, Post Event Cleanup \$120.00; Matthew Bender & Co., Inc, Publications \$98.08; Maxine Risty Court Reporting, Transcript \$39.20; Mcleod's Printing, Voter Posters \$599.60; Med-Star Paramedic Ambulance Inc, Transport \$1,136.56; Michaels Fence & Supply, Realignment & Repair To The Drive-In Security Gate \$326.53; Miller, Francie, Mi Hearings \$160.00; Minnehaha Co Regional Jdc, Juvenile Housing \$22,652.75; Minnehaha County Jail, March Contract, Overage, Medical \$175,386.17; Myers Billion, Llp, Indigent Persons Contract - April 2024 \$17,500.00; New Century Press, Publishing \$39.76; Novak Sanitary Svc Corp, Garbage And Refuse Collection \$482.23; Octane Ink Llc, 23-3 Replacement Graphics \$400.00; Optum Bank, Hsa Maintenance Fee \$13.75; Osborn, Roxane, Transcript \$53.90; Peterson, Stuart & Klentz, Prof Llc, Public Defender Contract – March \$73,489.41; Pmb 0112, Executive Mgmt Finance Office, Access Fees/Microfilm \$1,336.04; Price Phd, Thomas L, Competency Eval \$3,600.00; Prochem Dynamics Llc, Custodial Suppies – Ec \$172.95; Ramkota Hotel-Pierre, Travel - Election School \$263.00; Resolute Law Firm Pc, Crt Appt Atty \$2,739.20; Ringing Shield, Nichole, Mi Evals \$385.00; Riverside Technologies Inc, Servers \$90,828.00; Roto-Rooter, Drain Flush And Cleaning Of 6 Slow Sinks \$675.00; Salem Qmhp, Karla, Mi Evals \$1,650.00; Sanford Health Pathology Clinic, Coroner Calls – March \$900.00; Schaefer, William, Mi Hearing – Yankton \$18.00; Schmidt, Jim, P&Z Board Mileage \$39.38; Scott, Erik, P&Z Board Mileage \$15.30; Sd Dept Of Health, Lab Testing \$3,105.00; Sd Div Of Criminal Investigation, Background Checks X2 \$43.25; Sd State Treasurer, Sd State Treasurer \$-15.00; Sdml Workers' Compensation Fund, Worker's Comp \$26,239.00; Sioux Valley News Inc, Publishing \$1,580.38; Sisson Printing, Inc, Violations Pocket Book \$210.50; Skorczewski, Jena, Transcripts \$127.40; South Lincoln Rural Water, Water Utilities - Ec And Fg \$199.14; Strange, Farrell, Johnson & Brewers Pc, Crt Appt Atty \$1,660.70; Sweeter, Marlene, P&Z Board Mileage \$10.40; The Meadows On Graystone, Poor Relief – Rent \$600.00; Thomson Reuters-West Publ Corp, Library Plan Charges \$18.37; Transunion Risk & Alternative, March Monthly \$75.00; Tschetter & Adams Law Office, Pc, Crt Appt Atty-Juv \$1,220.09; Two Way Solutions Inc, Programming (10) \$1,500.00; Tyler Technologies Inc, Training \$250.00; Us Bank, Us Bank Statement – March \$12,296.44; Verizon Connect Fleet Usa Llc, April Statement \$199.28; Wegner Auto, 24-1 \$43,316.00; Well365, Llc, Wellness \$2,417.90; Wernke, Laurie A, Mi Hearings \$27.73; Xcel Energy, Electrical Utilities/Poor Relief \$7,256.15; ROAD AND BRIDGE: Albers Electric Llc, Repair \$447.93; A-Ox Welding Supply Inc, Welding Rental \$345.05; Arrowwood Resort & Conference Center, 2024 Asphalt Conference \$217.84; Bartlett Tools In Tools, \$720.40; Bierschbach Equipment, Supplies \$216.00; Bluepeak, Apr \$630.61; Bomgaars, Supplies \$108.80; Butler Machinery Co, Parts \$2,947.43; Cintas, Mats/Towels/Uniform \$287.82; Culligan Water Conditioning Corp, Apr \$50.00; Fastenal Company, Supplies \$422.61; Fluit, Terry, Meals - Short Course \$88.00; Imeg Corp, Projects \$2,403.65; Istate Truck Center, Wo637 \$849.64; Midamerican Energy Co, Mar \$1,445.09; Midwest Petroleum Equipment, Fuel Pump Repair \$205.25; Napa Auto & Truck Parts Of Sioux Falls, Parts/Supplies \$679.34; Narum, Jared, Meals - Short Course \$48.00; Novak Sanitary Svc Corp, Mar \$406.34; Roto-Rooter, Repair \$275.00; Sd Dept Of Transportation, Projects \$8,120.25; Sdml Workers' Compensation Fund, Worker's Comp \$13,091.00; South Lincoln Rural Water, Mar \$233.76; Southeastern Electric Co-Op Inc, Mar \$2,071.85; State Steel Of South Dakota, Wo500/Wo501 \$2,231.20; Sturdevant's Auto Value, Wo653 \$130.30; Team Lab, 2024 Fdr Base One \$56,650.00; Transwest, Wo651 \$1,799.95; Tri-State Ready Mix Inc, Materials \$1,248.00; Us Bank, Supplies \$335.53; Verizon Connect Fleet Usa Llc, Apr \$886.55; White Cap Lp, Materials \$63,060.24; 911: Sdml Workers' Compensation Fund, Worker's Comp \$386.00; Centralsquare Technologies, Annual Maintenance (June) \$15,000.00; Century Business Products, Dispatch & So Monthly \$36.32; Bluepeak,

2/24-3/23 & 3/24-4/23 Dispatch \$1,961.40; Jack's Uniforms & Equipment, Partial March Statement \$1,126.37; EMS: Sdml Workers' Compensation Fund, Worker's Comp \$513.00; Us Bank, Cellular Services/Supplies/Software \$10.66; AIRPORT: Sdml Workers' Compensation Fund, Worker's Comp \$841.00; Us Bank, Cellular Services/Supplies/Software \$145.61; Lincoln Co Rural Water, Water Bill \$54.00; Southeastern Electric Co-Op Inc, Electric Bill- Airport \$116.39; 24/7 SOBRIETY: Sdml Workers' Compensation Fund, Worker's Comp \$-165.00; Redwood Toxicology Laboratory, Test Kit & Containers \$50.00; Pharm Chem Inc, March Patches \$479.25; JUSTICE CENTER: Bbg Construction Law, Courthouse Project Legal Fees \$1,097.50; STATE SOBRIETY: Sd Attorney General's Office, March 2024 24/7 State Fees \$11,387.00; Huber, Alyssa, Cam Refund \$4.00; MODERN/PRESERV: Sd Attorney General's Office, March 2024 24/7 State Fees \$9,087.00; STATE MOTOR: Sd State Treasurer, Sd State Treasurer \$546,629.78; SALES TAX: Sd State Treasurer, Sd State Treasurer \$1,275,432.86; BIRTHS/DEATHS/TITLES: Sd State Treasurer, March Birth/Death Vital Portion To State \$910.00. MOTION by Poppens and seconded by Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED approve and authorize the Chair and Auditor to execute the second quarter single signature sheet for the Local Emergency Management Performance Grant. MOTION by Poppens and seconded by Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Clerk and Treasurer oaths and bonds for the following Townships: Canton, Dayton, Delapre, Eden, Fairview, Grant, Highland, Lavalley, Lincoln, Lynn, Norway, Perry, Pleasant, Springdale. MOTION by Poppens and seconded by Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve abatement of taxes for 2023 payable in 2024 in the amount of \$5.64, on a property within the City of Harrisburg, parcel 270.63.75.C100. The value was placed on parcel in error. MOTION by Poppens and seconded by Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the first quarter 2024 Highway Fund Transfer Request-fuel cost transferred to the Highway Fund from and in the amounts as follows: Buildings & Grounds \$1,795.25; Emergency Management \$552.43; Equalization \$107.74; Planning and Zoning \$479.84; Sheriff \$15,190.16; State's Attorney Office \$385.55; Treasurer \$43.38; Weed Control \$105.56 Totaling \$21,437.98. MOTION by Poppens and seconded by Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to hire Temothy Rodriguez-Gomez as full-time Deputy Sheriff, in the Sheriff's Office, at \$29.46 at SO1/1 effective 05.20.24. MOTION by Poppens and seconded by Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a step increase for Kayla Delfs, Deputy Auditor, in the Auditor's Office, effective the first day of the biweekly pay period following 3/27/2024, 107/5, \$28.05/hr. MOTION by Poppens and seconded by Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a step increase for Jarid Espland, Lieutenant, in the Sheriff's Office, effective the first day of the biweekly pay period following 4/13/2024, SO3/6

\$4,009.50/biweekly. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a wage correction for Ryan Wiese, Senior Deputy State’s Attorney, in the State’s Attorney’s Office, 114/10, \$4,472.67/biweekly effective the pay period following 1/10/24 with retroactive pay of \$331.23. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a wage correction for Amanda Eden, Senior Deputy State’s Attorney, in the State’s Attorney’s Office, 114/10, \$4,472.67/biweekly effective the pay period following 1/10/24 with retroactive pay of \$552.05. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a wage correction for Nichole Matzen, Victim Witness Legal Assistant, in the State’s Attorney’s Office, 108/6, \$30.79/hr. effective the first day of the biweekly pay period following 1/24/24 with retroactive pay of \$246.37. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a wage correction for Jake Oakland, IT Director, in the IT Department, 116/7, \$5,023.93/biweekly, effective the first day of the biweekly pay period following 2/14/24 with retroactive pay of \$243.90. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a wage correction for Sonny Larson, Equipment Operator, in the Highway Department, 106/8 \$28.23/hr. effective the first day of the biweekly pay period following 1/26/24 with retroactive pay of \$222.13. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a wage correction for Chad Brown, Chief Deputy, in the Sheriff’s Office, SO4/11, \$4,991.34 biweekly effective the first day of the biweekly pay period following 03/24/24, with pay back of \$246.54. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to approve a wage correction for Carrie Draeger, Correctional Office, in the Sheriff’s Office, 106/9, \$28.94 effective the first day of the biweekly pay period following 7/8/24, with pay back of \$56.80. MOTION by Poppens and seconded by Landeen. Arends: “Aye” Landeen: “Aye” Poppens: “Aye” Schmidt: “Aye” Jibben: “Aye”. Motion carried.

REGULAR BUSINESS:

FIRST READING occurred for an Ordinance of Lincoln County, SD, rezoning a portion (approximately 7 acres) of the property legally described as SE1/4 including Lot 7 in SE1/4 SE1/4 (Ex. Parts Sold), Section 20-T100N-R49W Springdale Township from the A-1 (Agricultural) District to the C (Commercial) District, and amending the Official Zoning Map of the Lincoln County and the City of Sioux Falls Joint Jurisdiction Area. No public input was heard.

COMMISSIONER BRIEFING: Drew DeGroot, Chief Civil Deputy State’s Attorney, introduced, Todd Meierhenry, from Meierhenry Sargent LLP, to speak on Tax Increment Financing (TIF) to fund the 85th Street and Interstate 29 Interchange with action to follow. No public input was heard.

RESOLUTION: BE IT RESOLVED to authorize staff to investigate Tax Increment Financing (TIF) and referral to the Planning Commission. MOTION by Landeen and seconded by Poppens. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

COMMISSIONER BRIEFING: David Myers, Airport Manager, introduced Brooke Edgar, via phone, from Helms Engineering on the progress of the South Apron Construction Project and requested board approval to pursue grants and funding. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve staff to pursue grants and funding opportunities. MOTION by Poppens and seconded by Arends. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, presented the necessary information regarding a contract with ASTECH Corp. for the 2024 micro surfacing project for the amount of \$847,188.90. This is a budgeted item. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute a contract with ASTECH Corp. for the 2024 micro surfacing project for the amount of \$847,188.90. MOTION by Landeen and seconded by Poppens. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, requested Board action to seek bids for the office additions at the Highway Shop building. This is a budgeted item with an anticipated cost of \$435,000. The addition would entail about 1700 sq. ft. of new space and remodeling about 750 sq. ft. of existing space. There will be a pre-bid conference on April 24th at 3PM at the Highway Shop. Public input was heard.

RESOLUTION: BE IT RESOLVED to request bids for the new office additions at the Highway Shop. MOTION by Landeen and seconded by Poppens. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, is seeking approval to request bids for surfacing gravel for the Highway Department. This is a budgeted item in 2024, up to \$210,000. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve the Highway Superintendent to request bids for surfacing gravel. MOTION by Landeen and seconded by Arends. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

Public comments were heard.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

No commissioner reports were given.

Motion by Landeen and seconded by Arends to recess Board of Commission and enter into Board of Equalization at 9:10 a.m. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

Motion by Landeen and seconded by Arends to recess from Board of Equalization at 9:11 a.m. and enter back into Board of Commission. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to enter into Executive Session at 9:12 a.m. For the following purposes: 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 Landeen. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion passed.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:34 a.m. MOTION by Jibben and seconded by Poppens. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion passed.

ADJOURNMENT:

MOTION by Landeen and seconded by Jibben to adjourn at 9:35 a.m. until 8:30 a.m. on April 23, 2024. Arends: "Aye" Landeen: "Aye" Poppens: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion passed.

Lincoln County Board of Commissioners

Jim Schmidt, Lincoln County Chair

Attest: _____
Cristen Standley, Deputy Auditor

Approved: April 23, 2024
Please publish the week of April 29, 2024