

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair James C. Jibben, at 8:30 a.m. on October 1, 2024, with Commissioners Joel Arends, Jim Schmidt, Tiffani Landeen, and Micheal Poppens present. Alicia Cafaro, Deputy Auditor, served as Clerk of the Board. Chief Civil Deputy State's Attorney Drew DeGroot was also present.

ROUTINE BUSINESS:

MOTION by Landeen and seconded by Schmidt to flip order of Regular Business #8 and #9 and approve the agenda. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

Payroll: \$446,748.74

Commissioner's \$8,374.25; FICA 465.44, Medicare 108.85, SDRS 153.22
Elections \$1,695.00; FICA 105.09, Medicare 24.58
Auditor's \$15,457.51; FICA 888.89, Medicare 207.89, SDRS 920.25
Treasurer's \$19,667.56; FICA 1,096.20, Medicare 256.37, SDRS 1,171.36
States Attorney's \$67,769.02; FICA 3,927.96, Medicare 918.63, SDRS 3,977.21
Gen Gov Bldg \$23,219.85; FICA 867.85, Medicare 202.97, SDRS 926.77
DOE \$41,382.87; FICA 2,364.20, Medicare 552.92, SDRS 2,412.99
ROD \$9,411.12; FICA 491.19, Medicare 114.88, SDRS 558.96
VSO \$2,518.72; FICA 148.28, Medicare 34.68, SDRS 151.12
GIS \$6,823.92; FICA 367.35, Medicare 85.91, SDRS 405.24
IT \$10,788.22; FICA 637.64, Medicare 149.13, SDRS 641.60
HR \$5,431.38; FICA 300.10, Medicare 70.19, SDRS 323.18
Sheriff's \$103,455.33; FICA 6,060.95, Medicare 1,417.48, SDRS 7,662.69
Jail \$19,031.34; FICA 1,159.06, Medicare 271.07, SDRS 1,289.12
County 4-H \$4,326.40; FICA 260.56, Medicare 60.94, SDRS 258.38
Weeds \$7,230.79; FICA 445.34, Medicare 104.15, SDRS 465.65
P & Z \$13,986.10; FICA 862.03, Medicare 201.60, SDRS 800.17
Highway \$45,985.52; FICA 2,642.80, Medicare 618.07, SDRS 2,676.61
Communications \$30,665.38; FICA 1,763.53, Medicare 412.44, SDRS 1,835.73
EM MGMT \$4,030.80; FICA 228.91, Medicare 53.53, SDRS 238.85
Airport \$2,826.32; FICA 175.23, Medicare 40.98, SDRS 169.58
24/7 \$2,671.34; FICA 165.62, Medicare 38.73, SDRS 213.71

Reports:

October Human Resources Report

Joint Public Notice of Permit Application, U.S. Army Corps of Engineers and South Dakota
Department of Agriculture and Natural Resources

Recognition of significant anniversaries: October 2024

Lori Nelson, Treasurer's Office – 19 Years

Joe Carlson, Sheriff's Dept – 17 Years

Tim Lems, Highway Dept – 11 Years

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

CONSENT AGENDA:

MOTION by Schmidt and seconded by Landeen to approve County Commission minutes for 09.24.2024. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the chair to execute an agreement with Quadient Leasing USA Inc. for \$23,215.80 over a 5-year term. MOTION by Schmidt and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus and remove from inventory from the Highway department a 2006 950H Cat wheel loader ser# CAT0950HTK5K00923 for salvage to EMC insurance. MOTION by Schmidt and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED 1. Declare as surplus and remove from inventory the following item from the State's Attorney's Office: 5110, 2007 Chevy Tahoe, VIN 1GNFK13017J309817, 148,250 miles 2. Appoint Lincoln County landowners Steve Swenson, Chad Brown and Joel Arends as Appraisal Committee for the 2007 Chevy Tahoe, VIN 1GNFK13017J309817. 3. Authorize the Auditor to advertise and proceed with the online auction of a 2007 Chevy Tahoe, VIN 1GNFK13017J309817, 148,250 miles. MOTION by Schmidt and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED 1. Declare as surplus and remove from inventory the following item from the Sheriff's Office: #6717, 2020 Dodge Durango, VIN 1C4SDJFT7LC366478, 86,854 miles. 2. Appoint Lincoln County landowners Steve Swenson, Chad Brown and Joel Arends as Appraisal Committee for the #6717, 2020 Dodge Durango, VIN 1C4SDJFT7LC366478. 3. Authorize the Auditor to advertise and proceed with the online auction of a 2020 Dodge Durango, VIN 1C4SDJFT7LC366478. MOTION by Schmidt and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to declare as surplus, remove from inventory and dispose of the following items from the Sheriff's Department: Item 4951, Panasonic Arbitrator Camera System, Serial# NAA00255; Item 5895, Panasonic Arbitrator Camera System, Serial# QKA00269; Item 6604, Panasonic Arbitrator Camera System, Serial# TCA00162; Item 5750, Panasonic Arbitrator Camera System, Serial# QIA00081; Item 5751, Panasonic Arbitrator Camera System, Serial# QIA00034; Item 6792, Panasonic Arbitrator Camera System, Serial# TGA00446; Item 6353, Panasonic Arbitrator Camera System, Serial# SHA00048; Item 6791, Panasonic Arbitrator Camera System, Serial# TFA00273; Item 4859, Panasonic Arbitrator Camera System, Serial# NAA00242; Item 4858, Panasonic Arbitrator Camera System, Serial# NAA00281; Item 5119, Panasonic Arbitrator Camera System, Serial# NAA00533; Item 4950, Panasonic Arbitrator Camera System, Serial# 00334; Item 6984, Panasonic Arbitrator Camera System, Serial# TGA00327; Item 5236, Panasonic Arbitrator Camera System, Serial# PAA00018. MOTION by Schmidt and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

REGULAR BUSINESS:

PUBLIC HEARING was held as advertised to consider an application for a temporary on-sale liquor license to operate outside the municipality for David Derschan, 57015 Bar LLC (Chancellor Bar) for an event to occur on October 5, 2024, located at Prosper Country Warehouse & Event Hall, 46620 278th St., Lennox, SD 57039 (Tract 3A of Poppenga's addition in the SW Quarter of Section 28, Township 99 N

Range 51 West of the 5th principal meridian Lincoln County, SD.) The applicant was present to answer questions, no public input was heard.

RESOLUTION: BE IT RESOLVED to approve the application for a temporary on-sale liquor license to operate outside the municipality for David Derschan, 57015 Bar LLC (Chancellor Bar) for a special event to occur on October 5th, 2024, located at Prosper Country Warehouse & Event Hall, 46620 278th St., Lennox, SD 57039 (Tract 3A of Poppenga's addition in the SW Quarter of Section 28, Township 99 N Range 51 West of the 5th principal meridian Lincoln County, SD.) MOTION by Arends and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

PUBLIC MEETING was held as advertised for the Lincoln County Highway and Bridge 5- year Plan 2025-2029. Terry Fluit, Highway Superintendent, presented the plan. Public input was heard.

Commissioner Poppens left the meeting at 8:59AM.

RESOLUTION: BE IT RESOLVED to approve the Lincoln County Highway and Bridge 5-Year Plan 2025-2029. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Terry Fluit, Highway Superintendent, requested board action to approve a change order for structure #42-007-040 PCN08XA in the amount of \$29,545. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve a change order for structure #42-007-040 PCN08XA in the amount of \$29,545. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Jared Narum, Assistant Highway Superintendent, requested board action to approve the Highway Department to purchase a replacement wheel loader from Butler Cat in the amount of \$350,021.73 from the Sourcewell contract. No public input was heard.

RESOLUTION: BE IT RESOLVED for the Highway Department to purchase a replacement wheel loader from Butler Cat for the amount of \$350,021.73 from the Sourcewell contract. MOTION by Landeen and seconded by Schmidt. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Traci Humphrey, HR Director, introduced Sean Arnett, Brown & Brown, presented a detailed report for the 2025 Employee Health Benefits Renewal. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve the 2025 Employee Health Benefits Renewal Presentation with a 6.95% health insurance increase and dental insurance increase of 4%, to end County coverage with Optum Health to switch to TASC for employee Health Savings Accounts, add TASC as the County COBRA administrator, and end payroll deductions with AFLAC effective January 1, 2025. MOTION by Schmidt and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Traci Humphrey, HR Director, presented updates to the Employee Handbook regarding extended sick leave. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve Employee Handbook Update option #1 regarding no additional waiting period: All ESL requests for leave must be approved by the department head and may need to be supported by FMLA paperwork (including a certification from a health care provider as necessary). Employees must satisfy a waiting period before using ESL. The waiting period is the first 24 hours of scheduled work that the employee is absent. PTO, compensatory time, or unpaid leave will be used in this order to satisfy the waiting period. Intermittent leave under FMLA will only require one waiting period per year for each documented FMLA leave period. **FMLA approved situations that are recertified annually will not require a new 24-hour waiting period at the time of recertification as there is no gap in the FMLA coverage and the nature of the type of leave does not change.** All ESL use for Bereavement purposes as laid out in the criteria above, may waive the mandatory waiting period. MOTION by Arends and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Sheri Lund, County Auditor, presented information to approve the South Dakotas Public Assurance Alliance as the County's property and liability coverage carrier. Board discussion was held regarding retroactive or extended coverage, and possibly retaining Jensen Insurance as an agent. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve the South Dakotas Public Assurance Alliance as the County's property and liability coverage carrier and authorize the Chair to execute the Intergovernmental Contract with the Alliance. MOTION by Landeen and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

MOTION by Landeen purchase Retroactive Coverage through SDPAA for a term of five (5) years at a cost of \$48,790.82. MOTION withdrawn.

RESOLUTION: BE IT RESOLVED to select Extended Reporting Coverage from Jensen Insurance with a reporting period of 3 years for a cost of \$56,438. MOTION by Landeen and seconded by Schmidt. Arends: "Nay" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and execute a contract to retain Jensen Insurance as property and liability agent at a 3% of the premium from the South Dakota Public Assurance Alliance (SDPAA). MOTION by Landeen and seconded by Arends. Arends: "Nay" Schmidt: "Aye" Landeen: "Nay" Jibben: "Nay". Motion failed.

COMMISSION BRIEFING: Sheri Lund, County Auditor, presented information and options to establish a committee which will study the possible creation of a Lincoln County Public Defender office. No public input was heard.

RESOLUTION: BE IT RESOLVED to appoint Lincoln County Commissioner Tiffani Landeen, Minnehaha County Commissioner Joe Kippley, Chief Civil Deputy State Attorney Drew De Groot, Lincoln County Auditor Sheri Lund, Lincoln County Human Resource Director Traci Humprey, Judge Rachel Rassmussen. MOTION by Schmidt and seconded by Landeen.

MOTION by Arends to make amendment and add Traci Smith, Minnehaha County Public Defender, to committee, seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to appoint Lincoln County Commissioner Tiffani Landeen, Minnehaha County Commissioner Joe Kippley, Chief Civil Deputy State Attorney Drew De Groot,

Lincoln County Auditor Sheri Lund, Lincoln County Human Resource Director Traci Humprey, Judge Rachel Rassmussen and Minnehaha County Public Defender Traci Smith. MOTION by Schmidt and seconded by Landeen. Arends: “Aye” Schmidt: “Aye” Landeen: “Aye” Jibben: “Aye”. Motion carried.

COMMISSION BRIEFING: Sheri Lund, County Auditor, presented information to establish a committee to review and submit recommendations for the budget process. No public input was heard.

RESOLUTION: BE IT RESOLVED to establish a 7- person committee of Lincoln County Commissioner Jim Schmidt, Commission administrative assistant Paul Anderson, Lincoln County Auditor Sheri Lund, Finance Manager Amy Cravaack, Information Technology Director Jake Oakland, one additional Lincoln County Department Head and a person outside of the County. MOTION by Landeen and seconded by Arends. Arends: “Aye” Schmidt: “Aye” Landeen: “Aye” Jibben: “Aye”. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

Public comments were heard.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner reports were given.

ADJOURNMENT:

MOTION by Arends and seconded by Schmidt to adjourn at 10:24 a.m. until 8:30 a.m. on October 8, 2024. Arends: “Aye” Schmidt: “Aye” Landeen: “Aye” Poppens: “Aye” Jibben: “Aye”. Motion carried.

Lincoln County Board of Commissioners

James C. Jibben, Lincoln County Chair

Attest: _____
Alicia Cafaro, Lincoln County Deputy Auditor

Approved: October 8, 2024

Please publish the week of October 14, 2024