

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair James C. Jibben, at 8:30 a.m. on October 8, 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 Poppens to move the Executive Session after the public hearings and approve the agenda. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

Reports:

Mileage Reports – Aug/Sept 2024: Assessor's Office, Emergency Management
September 2024 Register of Deeds totaling \$103,303.00
American Recovery Plan Act (ARPA) 3rd Quarter Spending Report

MOTION by Schmidt and seconded by Poppens 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 Poppens to approve County Commission minutes for 10.01.2024. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve Lincoln County claims for 10.08.2024 in the amount of \$4,154,131.15; General Fund: 4-H Club Leaders, Premium Money 3,127.50; Abc Rentals, Portable Air Conditioner 847.00; Ace Hardware-Lennox, Sump Pump 162.97; All Nations Interpreters, Interpreters 834.00; Jennifer M. Anderson, Mi Evals 1,310.82; Angel Law Prof Llc, Crt Appt Atty 1,011.00; Applied Concepts Inc, Remote Cable Kit 110.00; Arrowwood Resort & Conference Center, Assessor School 2,858.00; At-Scene Llc, Crime Fighter Software 25,025.00; Auto Dynamics Inc, Repairs/Maint. 1,091.55; Automotive Doctors Llc, Repairs/Maint. 141.79; Avera Mckennan Hospital, Inmate Exam & Mi Holds 1,899.58; Beck Law Prof Llc, Crt Appt Atty 740.00; Brende & Meadors Llp, Crt Appt Atty 820.10; Brian Eich Plumbing Llc, Repairs 317.59; Cadd Engineering Supply Of Sd Inc, Printer Supplies 1,525.00; Century Business Products, Printers/Copiers 803.10; Clay County Sheriff's Office, Inmate Transfer 80.00; Dakota Data Shred, Shredding 170.66; De Castro Law Office Pllc, Crt Appt Atty 9,316.00; Don Fee, Equipment Installation 5,250.00; Eich Law Office Prof Llc, Crt Appt Atty 483.00; Election Systems & Software Inc, Supplies 19,974.51; Elizabeth J. Koch, Mi Board 413.00; David Erdmann, Assessor School 186.00; Frantzen Reporting, Crt Reporting 259.50; G & R Controls Inc Parts For Boiler 80.30; Genesis Autoworks Inc, Repairs/Maint. 2,287.13; Glass Doctor Of Sf, Repairs/Maint. 70.00; Donelda Golden, Assessor School 271.26; Graham Tire Co, Tires 1,480.00; Harrisburg Ace Hardware, Supplies 148.89; Heidepriem Purtell Siegel Hinrichs & Tysdal Llp, Crt Appt Atty 1,946.77; Ethan Heiliger, Assessor School 186.00; Hillyard Sf, Custodial Supplies 47.17; Imeg Corp, Construction 1,705.00; Interstate Office Products, Supplies 343.90; Jack's Uniforms & Equipment, Uniforms 123.94; Kading, Kunstle & Goodhope Llp, Crt Appt Atty 724.50; Karla Salem Qmhp, Mi Evals 110.00; Katie Johnson Pllc, Mi Board 2,978.50; Kiesler Police Supply, Equipment 883.00; Lennox Independent Llc, Publishing 119.00; Lyle Signs Inc, Supplies 637.42; Jayda Maendel, Cleaning 120.00; Mills Aftermarket Accessories Inc, Supplies 1,310.95; Minnehaha Co Human Services, Poor Relief 7,447.36; Minnehaha County Jail, Prisoner Care 224,150.02; Myers Billion Llp, Indigent Persons Contract 17,500.00; Matthew Nagel, Assessor School 186.00; Northern Safety Technology Inc, Equipment 5,962.21; Nutrien Ag Solutions Inc, Supplies 9,380.00; Old Orchard Cafe And Catering Llc, Conference Meals 909.20; Olson

Law Firm Pllc, Crt Appt Atty 1,116.79; Otis Elevator Company, Service Contracts 1,531.50; Pat Beck, Crt Reporting 270.00; Pennington County Jail, Prisoner Transport 188.05; Peterson Stuart & Klentz Prof Llc, Public Defender/Crt Appt Atty 74,039.61 Pheasantland Industries, Supplies 180.00; Phillip Loving, Mi Evals 2,374.21; Ethan Pieske, Assessor School 281.70; Sd Executive Mgmt Finance Office; Microfilm 669.57; Prochem Dynamics, Custodial Supplies 1,670.56; Quadient Finance Usa Inc, Prepaid Postage 12,000.00; Riverside Technologies Inc, Toner 544.00; Route 1, Equipment 16,161.48; Sandra V. Guzman, Interpreter 90.00; Sanford Health Pathology Clinic, Coroner Calls 1,350.00; Sanford Health, Decedent Transport 960.00; Sd State Treasurer, Mi Care 2,691.10; Silverstar Car Wash, Car Washes 299.70; Sioux Valley News Inc, Publishing 98.00; Southeastern Electric Co-Op Inc, Utilities 142.00; Streicher's, Equipment 1,848.90; Sturdevant's Auto Value, Supplies 11.99; Thomas L. Price, Competency Eval 600.00; Thomson Reuters-West Publ Corp, Law Library 19.10; Transunion Risk & Alternative Data Sololutions Inc, Insurance 75.00; Two Way Solutions Inc, Mobile Communications 642.75; Becky Vanderbroek, Convention Meals 60.00; Ver Beek Law Prof Llc, Crt Appt Atty 4,069.85; Well365 Llc, Wellness 2,782.20; Witnesses/Jury, Fees & Milage 155.10; Road & Bridge Fund: Agc Of Sd, Training 665.00; A-Ox Welding Supply Inc, Supplies 188.28; Astech Corp, Road Work 810,139.10; Best Western Ramkota Hotel Rc, County Convention 312.00; Bluepeak, Internet 633.61; Building Sprinkler Inc, Fire Sprinkler Installation 27,600.00; Butler Machinery Co, Repairs/Maint. 594.53; Canton Home & Farm Supply, Supplies 73.98; Century Business Products, Printers/Copiers 59.91; Cintas Corp, Towels/Mats/Uniforms 253.62; Coles Petroleum Products Inc, Fuel 39,925.74; Culligan Water Conditioning Corp, Drinking Water 50.00; Dakota Alignment & Frame Service, Repairs/Maint. 950.80; Dakota Traffic Services Inc, Road Work 115,689.30; Equipment Blades Inc, Repairs/Maint. 2,324.79; Fastenal Company, Supplies 480.13; Terry Fluit, County Convention 46.00; Graham Tire Co, Tires 1,249.08; Imeg Corp, Construction 20,609.70; Johnson Feed Inc, Repairs/Maint. 40.90; Knife River Sd, Road Materials 2,534.60; Lg Everist Inc, Road Materials 9,719.52; Midamerican Energy Co, Utilities 15.51; Mitchell Repair Information Company Llc, Software 5,088.00; Myrl & Roys Paving Inc, Road Materials 895.79; Napa Auto & Truck Parts Of Sf, Parts 106.94; North Central Rental & Leasing Llc, Equipment Rental 10,994.00; Novak Sanitary Svc Corp, Trash Utilities 436.11; Sd Dept Of Transportation, Road Work 53,021.17; South Lincoln Rural Water System, Water Utilities 252.07; Southeastern Electric Co-Op Inc, Electric Utilities 1,740.68; Southeastern Electric Cooperative, Damage Repair 19,104.61; Sturdevant's Auto Value, Parts 110.62; Transource Truck & Equipment Inc, Repairs/Maint. 123.58; Transwest Trucks Of Sioux Falls, Repairs/Maint. 976.91; Verizon Connect Fleet Usa Llc, Mobile Communications 886.55; Well365 Llc, Training 300.00; Xcel Energy, Electric Utilities 114.08; Zabel Steel Co, Repairs/Maint. 129.35; E911 Communications Fund: Bluepeak, Internet 979.24; Century Business Products, Printers//Copiers 36.32; Airport Fund: Helms & Associates, Construction 24,858.34; Soukup Construction Inc, Construction 395,981.59; Southeastern Electric Co-Op Inc, Electric Utilities 121.52; 24/7 Sobriety Fund: Kolin Kneip, Refund 174.00; Modern/Preserv/Relief Fund: Century Business Products, Copiers/Printers 30.18; Raif Fund: Highland Township, Construction Reimbursement 32,000.00; Justice Center Fund: Big Top Tent Rentals Llc, Tent Rental 799.00; Geotek Engineering & Testing Services Inc, Inspections 2,835.00; Henry Carlson Contruction Llc, Construction 391,799.00; Jlg Architects, Construction 43,330.60; Spielman Excavating Llc, Demolition 11,900.00; Stockwell Engineers Inc, Construction 2,750.50; Tegra Group, Construction 32,383.69; Statewide Sobriety Fund: Sd Attorney General's Office, Monthly Funds 11,380.00; Modern/Preserv/Relief Rod Fund: Sdaco, State M&P Funds 1,778.00; State Motor Vehicle Fund: Sd State Treasurer, Monthly Funds 437,705.28; Sales Tax Fund: Sd State Treasurer, Monthly Funds 1,147,392.98; Births Deaths & Titles Fund: Sd State Treasurer, Monthly Funds 670.00; MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to sign Periodic Payment Estimate #2 for the Lincoln County South Apron Reconstruction Project in the amount of \$235,746.51.

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

RESOLUTION: BE IT RESOLVED Declare as surplus and remove from inventory the following item from the Information Technology Office: 5816 Interview room computer system to recycle. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the third quarter 2024 Highway Fund Transfer Request-fuel cost transferred to the Highway Fund from and in the amounts as follows: Buildings & Grounds \$1,886.16; Emergency Management \$595.84; Equalization \$1,372.04; Planning and Zoning \$679.58; Sheriff \$15,491.22; State's Attorney Office \$275.79; Treasurer \$31.48; Weed Control \$1,191.40 Totaling \$21,523.51. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the agreement with the State of South Dakota Department of Transportation and Lincoln County for project 3-46-0078-23-2024 at Marv Skie Airport. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

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

RESOLUTION: BE IT RESOLVED to set the date and time for a joint public hearing with the Sioux Falls City Council to occur October 22, 2024, at the Lincoln County Courthouse, 104 N. Main St., Canton, SD at 7:00 p.m. for an appeal on a decision by the Lincoln County Planning Commission and the City of Sioux Falls Planning Commission to approve Conditional Use Permit #USE-0050-2024 to allow a stable on the property described as N1/2 NE1/4 (Except Lots 1 and 2, Block 1, Hanson Family Foundation Addition), Section 19-T100N-R49W Springdale Township. The Lincoln County Planning Commission and the City of Sioux Falls Planning Commission both approved the application unanimously. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set the date and time for a joint public hearing with the Sioux Falls City Council to occur October 22, 2024, at the Lincoln County Courthouse, 104 N. Main St., Canton, SD at 7:00 p.m. for an appeal on a decision by the Lincoln County Planning Commission and the City of Sioux Falls Planning Commission to not approve Conditional Use Permit #USE-0065-2024 to allow a kennel on the property described as N1/2 NE1/4 (Except Lots 1 and 2, Block 1, Hanson Family Foundation Addition), Section 19-T100N-R49W Springdale Township. The Lincoln County Planning Commission and the City of Sioux Falls Planning Commission both unanimously did not approve (on affirmative motion) the application. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to hire Jorge Carrasco, as Investigator, in the State's Attorney's Office, effective 10/8/24, 109/4, at \$31.34/hr. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to hire Franklyn Powell, as Building Maintenance Technician, in the Buildings and Grounds Department, effective 10/15/24, 109/4, at \$31.34/hr. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to hire Justin Umthun, as a Deputy Sheriff, in the Sheriff's Office, effective 10/15/24, SO1/5, at \$32.51/hr. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to hire Mariah Mayer, as Victim Witness Legal Assistant, in the State's Attorney's Office, effective 10/28/24, 108/2, at \$27.88/hr. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a step increase for Ethan Heiliger, Appraiser, in the Department of Equalization, effective the first day of the biweekly pay period following 9/28/24, 108/9, at \$33.14/hr. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a step increase for Joseph Mattson, Deputy State's Attorney, in the State's Attorney's Office, effective the first day of the biweekly pay period following 9/14/24, 114/5, at \$3,953.55/biweekly. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to authorize the Sheriff to Order six (6) Chevrolet Tahoe from Karl Chevrolet in the amount of \$52,714.20 per vehicle. MOTION by Schmidt and seconded by Poppens. 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 the transfer of a Retail (On sale) Liquor License to operate outside a municipality from Land-Lar, LLC to Raj & Son Fuel, LLC., at Carlson Tract 2 in the S 1/2 of the SW 1/4, 31-96N-50, 46016 SD Hwy 46, Beresford, Lincoln County, SD 57004. Applicant and license holder were not present. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve an application for the transfer of a Retail (On sale) Liquor License to operate outside a municipality from Land-Lar, LLC to Raj & Son Fuel, LLC., at Carlson Tract 2 in the S 1/2 of the SW 1/4, 31-96N-50, 46016 SD Hwy 46, Beresford, Lincoln County, SD 57004. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

PUBLIC HEARING was held as advertised pursuant to SDCL 7-21-22, for the purpose of adopting the following supplements to the 2024 Budget: A supplement adding to the Information Technology budget \$5,170.00 due to resolution 2312-44 passed on 12.26.2023 change in step increases and change in insurance coverage; increase in Treasurer budget in the amount of 7,837.00 due to resolution 2312-44 passed on 12.26.2023 change in step increases; increase in the Sheriff budget in the amount of 81,775.00, due to resolution 2407-45 approved on 07.23.2024 for a vehicle replacement; increase to the Airport budget in the amount of \$576,222.77 to revenue and \$236,374.07 for expenditures for un-budgeted Airport improvements. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve adopting the following supplements to the 2024 Budget: A supplement adding to the Information Technology budget \$5,170.00 due to resolution 2312-44 passed on 12.26.2023 change in step increases and change in insurance coverage; increase in Treasurer budget in the amount of 7,837.00 due to resolution 2312-44 passed on 12.26.2023 change in step increases; increase in the Sheriff budget in the amount of 81,775.00, due to resolution 2407-45 approved on 07.23.2024 for a vehicle replacement; increase to the Airport budget in the amount of \$576,222.77 to revenue and \$236,374.07 for expenditures for un-budgeted Airport improvements. MOTION by Landeen and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens: "Aye" Jibben: "Aye". Motion carried.

EXECUTIVE SESSION:

RESOLUTION: BE IT RESOLVED to enter Executive Session at 08:36 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) and preparing for contract negotiations or negotiating with employees or employee representatives, SDCL 1-25-2(4) ... MOTION by Landeen and seconded by Schmidt. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 09:10 a.m. MOTION by Landeen and seconded by Poppens. Arends: "Aye" Schmidt: "Aye" Landeen: "Aye" Poppens "Aye" Jibben: "Aye". Motion carried.

COMMISSIONER DISCUSSION: Paul Anderson, Assistant Commission Administrative Officer, informed the Board of the necessary facts pertaining to a notice of Intent to Conduct a Raffle as follows: Name of Organization: Midwest Dance Center Booster Club; Purpose/Benefit of the Raffle: proceeds earned will go to assist our dancers to attend competitions and conventions in the upcoming 2024-2025 dance season; Location of Raffle: Squealers Restaurant, 840 Gateway Lane, Tea SD 57064; Start & End Date of Ticket Sales: November 1, 2024 from 6pm to 9pm; Cost of Tickets:; Grand Prize 50/50 Drawing- \$5 a ticket, 5 tickets for \$20 and \$40 for an arm's length; Number of Tickets: 1 Grand Prize winner will get half of the ticket sales; Number of Drawings & Date of Drawing: 1 November 1, 2024; List of Prizes & Value: Grand Prize 50/50 (based on number of tickets sold.)

COMMISSIONER DISCUSSION: Paul Anderson, Assistant Commission Administrative Officer, informed the Board of the necessary facts pertaining to a notice of Intent to Conduct a Raffle as follows: Name of Organization: South Dakota Freedom Caucus PAC; Purpose/Benefit of the Raffle: Helping candidates during campaign season.; Location of Raffle: 423 Andrew Avenue, Harrisburg, SD 57032; Start & End Date of Ticket Sales: November 11, 2024 to March 8, 2025; Cost of Tickets: \$50.00; Number of Tickets: 1 Grand Prize winner will get half of the ticket sales Number of Drawings & Date of Drawing: 3; March 15, 2025; List of Prizes & Value: Stag Arms 15 Tactical 15 5.56 - \$2,000, 500 Rounds of 9mm ammunition - \$140, 70 rounds of 5.56 ammunition - \$60.

COMMISSIONER BRIEFING: Sheri Lund, Auditor, presented to the Board information regarding an increase in mileage reimbursements. Effective October 1, 2024 the State has increased the rate of reimbursement for mileage. This resolution would align the County with the State rates. This will become important for grant reimbursements. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve the mileage reimbursement rate as follows: \$.30/ mile when a personal vehicle is used, and County vehicles are available; \$.67/ mile when a personal vehicle is

used, and County vehicles are not available. MOTION by Poppens and seconded by Arends. Arends: “Aye” Schmidt: “Aye” Landeen: “Aye” Poppens: “Aye” Jibben: “Aye”. Motion carried.

COMMISSIONER BRIEFING: John Rombough, Buildings and Grounds Superintendent, reviewed with the Board three quotes for the County Courthouse Recaulk project. No public input was heard.

RESOLUTION: BE IT RESOLVED to approve County Courthouse Recaulk Project and accept the quote from Midland Restoration Co. for \$23,000.00. MOTION by Landeen and seconded by Arends. Arends: “Aye” Schmidt: “Aye” Landeen: “Aye” Poppens: “Aye” Jibben: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Terry Fluit, Highway Department Superintendent, presented offers from 2 consultants that submitted request for proposals for the Lincoln County Comprehensive Safety Plan. No public input was heard.

RESOLUTION: BE IT RESOLVED to select Houston Engineering Inc. as the consultant for the Lincoln County Comprehensive Safety Plan. MOTION by Landeen and seconded by Schmidt. Arends: “Aye” Schmidt: “Aye” Landeen: “Aye” Poppens: “Aye” Jibben: “Aye”. Motion carried.

Commissioner Landeen left meeting at 9:28 AM.

OPPORTUNITY FOR PUBLIC COMMENT:

No Public comments were heard.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner reports were given.

ADJOURNMENT:

MOTION by Arends and seconded by Poppens to adjourn at 09:34 a.m. until 8:30 a.m. on October 22, 2024. Arends: “Aye” Schmidt: “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 22, 2024

Please publish the week of October 28, 2024