

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair James C. Jibben, at 8:30 a.m. on December 24, 2024, with Commissioners Joel Arends, Jim Schmidt, Michael Poppens and Tiffani Landeen present. Alicia Cafaro, Deputy Auditor, served as Clerk of the Board. Chief Civil Deputy State's Attorney Drew DeGroot was also present.

ROUTINE BUSINESS:

Commission Clerk noted a discrepancy on the Commission Report (Consent #2). Corrected report will be published in Reports section of January 7, 2025 agenda.

MOTION by Poppens and seconded by Schmidt to move regular agenda items 5-10 to the beginning of regular business and to approve the agenda. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

Payroll: \$455,101.11

Commissioner's \$8,364.23; FICA 491.34, Medicare 114.91, SDRS 153.21
Auditor's \$15,457.37; FICA 886.09, Medicare 207.23, SDRS 920.24
Treasurer's \$20,472.37; FICA 1,131.94, Medicare 264.73, SDRS 1,219.65
States Attorney's \$76,200.67; FICA 4,388.92, Medicare 1,026.44, SDRS 4,494.97
Gen Gov Bldg \$18,778.76; FICA 1,027.48, Medicare 240.30, SDRS 1,113.47
DOE \$41,684.34; FICA 2,376.89, Medicare 555.89, SDRS 2,431.07
ROD \$9,024.88; FICA 490.40, Medicare 114.69, SDRS 536.54
VSO \$2,518.72; FICA 147.79, Medicare 34.56, SDRS 151.12
GIS \$6,823.93; FICA 360.20, Medicare 84.24, SDRS 405.24
IT \$10,774.93; FICA 623.61 Medicare 145.84, SDRS 640.80
HR \$4,936.40; FICA 267.70, Medicare 62.61, SDRS 293.48
Sheriff's \$103,811.20; FICA 6,022.19, Medicare 1,408.41, SDRS 7,713.79
Jail \$18,542.06; FICA 1,128.07, Medicare 263.82, SDRS 1,219.50
County 4-H \$4,392.74; FICA 262.74, Medicare 61.45, SDRS 262.36
Weeds \$1,581.91; FICA 98.08, Medicare 22.94, SDRS 79.92
P & Z \$12,756.33; FICA 783.99, Medicare 183.35, SDRS 762.38
Highway \$57,563.13; FICA 3,349.08, Medicare 783.25, SDRS 3,258.60
Communications \$31,942.12; FICA 1,833.53, Medicare 428.81, SDRS 1,912.33
EM MGMT \$4,024.80; FICA 227.34, Medicare 53.17, SDRS 238.85
Airport \$2,826.32; FICA 175.23, Medicare 40.98, SDRS 169.58
24/7 \$2,623.90; FICA 162.68, Medicare 38.05, SDRS 209.92

Reports:

Mileage Reports: Sheriff's Office Civil Fee – November 2024
Cover Letter – May, Adam, Gerdes & Thompson LLP; RE: Application for Pipeline Permit by SCS
Carbon Transport LLC
November 2024 – Auditor Account with the County Treasurer report and financial reports

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

CONSENT AGENDA:

MOTION by Schmidt and seconded by Arends to approve the 12.10.2024 Lincoln County Commissioner Meeting minutes. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve Lincoln County claims for 12.24.2024 in the amount of \$640,324.71; General Fund: A To Z World Languages Inc, Interpreter 300.00; All Nations Interpreters Inc, Interpreters 1,098.75; Lowell Anderson, Patches 26.13; Auto Dynamics Inc, Repairs/Maint 106.00; Automatic Security Company Inc, Service 135.00; Avera Mckennan Hospital, Poor Relief 39,481.80; Baloun Law Pc, Crt Appt Atty 622.30; Krista Bast, Travel 308.00; Beck Law Prof Llc, Crt Appt Atty 470.00; Ben Lord, Travel 498.24; Best Western Ramkota Hotel-Rapid City, Conference 2,481.60; Blue Light Investigations Llc, Fees 4,963.86; Bomgaars, Supplies 60.12; Todd Boots, Mileage 23.77; Boyce Law Firm Llp, Counsel 240.00; Buddi Us Llc, Monitoring Fees 1,592.00; Canton Home & Farm Supply, Supplies 19.76; Nichole Carper, Crt Appt Atty 2,935.50; Cdw-G Inc, Computers 55,198.90; Certified Languages International, Interpreter 16.50; Chs Eastern Farmers, Propane 1,024.64; Cintas Corp, Rugs/Towels/Uniforms 316.04 City Of Harrisburg, Fuel 5,502.60; Computer Forensic Resources Inc, Crt Appt Atty 950.00; Dave's Service & Repair, Repair/Maint 152.34; Davison County Sheriff's Office, Inmate Travel 210.00; Don Fee, Install Equip 1,725.00; Fed Ex, Shipping 38.14; Frantzen Reporting, Crt Reporting 339.00; Gannett South Dakota Localiq, Publishing 900.41; Pamela Gillespie, Mileage 5.63; Grainger, Hardware 148.82; Scott Green, Mileage 20.40; Griese Law Firm Pc, Crt Appt Atty 118.00; Ralph Hammer, Mileage 69.14; Healthpartners, Health Ins 2,831.08; Herc-U-Lift, Forklift Service 1,924.92; Jack's Uniforms & Equipment, Equipment 153.90; Jd's House Of Trophies, Recognition 183.10; Jerry Jongeling, Mileage 19.07; Ace Hardware Lennox, Hardware 18.98; Katie Johnson Pllc, Crt Appt Atty 966.00; Laughlin Law, Crt Appt Atty 2,419.60; Leadsonline Llc, Parts 2,644.00; Lennox Independent Llc, Publishing 298.00; Lewis & Clark Behavioral Health Services Inc, Bmi Intake 225.00; Marcus Walton Attorney At Law, Crt Appt Atty 1,736.50; Mcleod's Printing & Office Supply, Supplies 627.00; Med-Star Paramedic Ambulance Inc, Transport 530.00; Meierhenry Sargent Llp, Crt Appt Atty 667.00; Midamerican Energy Co, Gas Utilities 79.52; Minnehaha Co Regional Jdc, Housing 73,555.00; Minnehaha County, Inmate Care 425.00; Novak Sanitary Svc Corp, Garbage Utilities 720.00; Olson's Pest Technicians, Pest Control 375.00; Optum Financial Inc, Hsa Maint 16.50; Otis Elevator Company, Service 1,531.50; Paragon Health & Wellness, Inmate Care 2,400.00; Paul Paulson, Mileage 111.49; Pennington County Jail, Inmate Transfer 227.49; Sd Executive Mgmt Finance Office, Fees 130.00; Prochem Dynamics Llc, Janitorial Supplies 359.51; Pro-West & Associates Inc, Conference 3,150.00; Ramkota Hotel-Pierre, Conference 109.00; John Rombough, Travel 96.90; Route 1, Equipment 6,265.64; Sandra V. Guzman, Interpreter 420.00; Sanford Health Home, Public Health 1,250.00; Sanford Health Pathology Clinic, Coroner Calls 1,800.00; Jim Schmidt, Mileage 19.69; Scilawforensics Ltd, Forensic Expert 2,800.00; Erik Scott, Mileage 7.65; Sd Assoc Of Weed & Pest Supervisors, Membership 75.00; Sd Dept Of Health, Inmate Care 5,410.00; Sd Division Of Criminal Investigation, Background Checks 86.50; Sdacc, Legal Emergency Fund Special Assessment 21,106.00; Roger Simunek, Mileage 10.18; Sf Area Humane Society, Animal Control 3,544.23; Sioux Falls Ford, Repair/Maint 188.03; Randy Smit, Mileage 91.66; Southeastern Behavioral Healthcare, Mobile Health Crisis Project 366.48; Stantec Consulting Services Inc, Consulting 2,207.50; Stitches, Uniforms 438.00; Tracie Storo, Mileage 69.11; Strange Farrell Johnson & Brewers Pc, Crt Appt Atty 782.39; Symetra Life Insurance Company, Life Insurance 438.68; Thomas L Price Inc, Mi Evals 2,400.00; Tschetter & Adams Law Office Pc, Crt Appt Atty 7,003.82; Two Way Solutions Inc, Mobile Communications 350.00; Tyler Technologies Inc, Software Maint 35,613.18; Well365, Llc, Wellness Benefits 7,153.53; Witness/Jurors, Fees & Mileage 1,412.80; Workforce-South, Drug Testing/Flu Shots 180.00; Road & Bridge Fund: Benco Products Inc, Supplies 711.71; Bomgaars, Supplies 109.97; Butler Machinery Co, Parts/Maint 6,982.28; Canton Home & Farm Supply, Supplies 5.99; Cintas Corp, Rugs/Towels/Uniforms 259.93; Coles Petroleum Products Inc, Fuel 19,199.80; Custom Truck Equipment Inc, Equipment 110,290.00; Dakota Fluid Power Inc, Repair/Maint 618.26; Duininck Inc, Road Materials 2,431.80; Fastenal Company, Parts 344.43;

Healthpartners, Health Ins 832.73; Johnson Feed Inc, Propane 81.81; Kimball Midwest Motor, Supplies 203.86; Midwest Petroleum Equipment, Supplies 314.25; Napa Auto & Truck Parts Of Sf, Parts 442.86; Presto-X, Pest Control 194.16; Sd Public Assurance Alliance, Liability Insurance 1,043.16; Symetra Life Insurance Company, Life Ins 72.00; Transource Truck & Equipment Inc Repairs/Maint 677.02; E911 Communications Fund: Symetra Life Insurance Company, Life Ins 43.20; Emergency & Disaster Fund: I-29 Fuels Inc, Fuel For Generators 1,020.35; Symetra Life Insurance Company, Life Ins 1.10; Uline Inc, Hazmat Spill Kit 2,678.34; Airport Fund: A-1 Pumping & Excavating Inc, Sewer Utilities 287.50; Symetra Life Insurance Company, Life Ins 3.60; 24/7 Sobriety Fund: James Mulbah, Refund 12.00; Symetra Life Insurance Company, Life Ins 3.60; Debt Service Tif #8 Fund: City Of Harrisburg, Disbursement 57,353.80; Debt Service Tif #9 Fund: City Of Lennox, Disbursement 5,153.30. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve refund of taxes for 2023 payable in 2024 on a parcel in the Township of Dayton, parcel 099.49.08.E10A, in the amount of \$516.12 due to fire destroying structure on 12/01/2023. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve abatement of taxes for 2023 payable in 2024 on a parcel in the City of Sioux Falls, parcel 280.85.05.006, in the amount of \$2,032.75 due to it being dealer sales inventory since 7.6.2022. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve 2025 Commercial Garbage Hauler/Recycling Collection Licenses for the following entities: A-OK Sanitary Service, Herm's Sanitation, Novak Sanitary Service, JSP Sanitation - Roo's Sanitation, and Waste Management. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED Approve out-of-state travel for an employee of the Lincoln County Auditor's Office to travel to Washington DC, 02.28.2025 to 03.05.2025, for the National Association of County Officials (NACO). MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to Approve and authorize the Chair to execute agreements with Eagleview in the amount of \$44,070.00 for 6 years. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Application Affidavit of Replacement Warrant submitted by Rhonda Reiners for the amount of \$135.00, original warrant number 123992 issued 11/26/2024. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

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 2025 Sioux Falls Metropolitan Planning Organization (MPO) Unified Planning Work Program. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

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 services from 01-01-2025 to 12-

31-2025. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve step increase for Derek Fischer, Deputy Sheriff, in the Sheriff's Office, effective the first date of the biweekly pay period following 12/09/2024, SOI/8 at \$37.76/hr. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the correction to previously posted salary for Waylon Wellman at \$39.97/hr. shall be \$41.17 per the 2025 Pay Matrix approved on November 12, 2024. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the correction to previously posted salary for Ryan Buckneberg at \$32.93/hr. shall be \$34.55/hr. per the 2025 Pay Matrix approved on November 12, 2024. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the correction to previously posted salary for Taylor Kirkeby at \$22.00/hr. shall be \$22.66/hr. per the 2025 Pay Matrix approved on November 12, 2024. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

REGULAR BUSINESS:

PUBLIC HEARING was held as advertised pursuant to SDCL Chapter 11-2 for the purpose of adopting the Connecting Lincoln County 2050 Comprehensive Plan. Toby Brown, Planning & Zoning Department presented the plan along with Tom Berry, Senior Partner with Stantec via phone. Public input was heard.

A RESOLUTION ADOPTING THE CONNECTING LINCOLN COUNTY 2050 COMPREHENSIVE PLAN AS PROVIDED FOR IN SDCL CHAPTER 11-2. WHEREAS, Chapter 11-2 of South Dakota Codified Law has empowered the Planning Commission and Board of Commissioners of Lincoln County to prepare a Comprehensive Plan for the development of the non-incorporated areas of the County; and WHEREAS, the Lincoln County Planning Commission has developed the Connecting Lincoln County 2050 Comprehensive Plan for the future land development of Lincoln County, has held the required Public Hearing, and has made a recommendation for adoption of the Plan to the Board of Commissioners; and WHEREAS, the Lincoln County Board of Commissioners has received the recommendation of the Planning Commission and has held the required Public Hearing; and WHEREAS, the adoption of the Connecting Lincoln County 2050 Comprehensive Plan would enhance the responsible development of Lincoln County. NOW THEREFORE, BE IT RESOLVED by Lincoln County, South Dakota that the Connecting Lincoln County 2050 Comprehensive Plan be hereby adopted and effective upon twenty days after publication of the notice of adoption, with said plan to supersede the 2005 – 2025 Lincoln County Comprehensive Plan adopted December 6, 2005. MOTION by Arends and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSIONER BRIEFING: Drew DeGroot, Chief Civil Deputy State's Attorney, requested that the Board surplus parcel 240.28.76.1000 pursuant to SDCL Chapter 6-13. The parcel purchased for the purposes of a county detention facility has been split. The remaining parcel (240.28.76.1000) is no longer necessary, useful, or suitable for the purpose for which it was acquired. Public input was not heard. Mr.

DeGroot also brought before the Board a Memorandum Agreement with the City of Tea for the transfer of parcel 240.28.76.1000. Public input was not heard.

RESOLUTION: BE IT RESOLVED to surplus parcel 240.28.76.1000 pursuant to SDCL Chapter 6-13. MOTION by Landeen and seconded by Schmidt. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve a Memorandum Agreement with the City of Tea for the transfer of parcel 240.28.76.1000. MOTION by Landeen and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: Sheri Lund, County Auditor, asked for board action to approve the following contingency transfers; Intergovernmental 407-4750-429900 \$61,299.74 and Principal 408-4800-441000 \$15,666.98. Public input was not heard. Ms. Lund also asked for board action regarding the assignment of general cash funds in the amount of \$3,000,000 to be to the following purposes; 101-276030 Assigned for Road Purposes \$1,500,000, 101-276980 Assigned for Building Purposes \$1,500,000. Public input was not heard.

RESOLUTION: BE IT RESOLVED to approve the following contingency transfers: Intergovernmental 407-4750-429900 \$61,299.74 and Principal 408-4800-441000 \$15,666.98. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to assign general fund cash to be used for the following purposes: 101-276030 Assigned for Road Purposes \$1,500,000, 101-276980 Assigned for Building Purposes \$1,500,000. MOTION by Schmidt and seconded by Landeen. Arends: "Aye" Schmidt: "Aye" Poppens: "Nay" Landeen: "Aye" Jibben: "Aye". Motion carried.

COMMISSION BRIEFING: David Myers, Airport Manager, asked for board action to approve the purchase of a snowplow attachment for \$10,944.12. Ordering the snowplow now for delivery in 2025. This is a budgeted item in 2025 and will be purchased from Christensen Repair for \$10,944.12. Public input was not heard.

RESOLUTION: BE IT RESOLVED to approve the purchase of a snowplow attachment for \$10,944.12. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye" Jibben: "Aye". Motion carried.

Commissioner Landeen requested public comments regarding whether this public hearing should be tabled until the new Board of Commissioners is seated. Public input was heard.

MOTION by Landeen and seconded by Schmidt to table the Public Hearing until after the new year and the new Board of Commissioners is seated. Arends: "Nay" Schmidt: "Aye" Poppens: "Nay" Landeen: "Aye" Jibben: "Nay". Motion failed.

Commissioner Poppens exited the meeting at 9:45AM.

Commissioner Arends also requested that all four (4) Second Readings be done at once; there was no statutory issue with that. All four (4) Readings were done, and public comment was heard.

COMMISSION BRIEFING: Toby Brown, Planning and Zoning, presented information and answered questions regarding all four (4) ordinances for public hearings.

SECOND READING & PUBLIC HEARING was held as advertised for an Ordinance of Lincoln County, SD, amending the Code of Ordinances of the County by amending Chapter 154: Zoning, Section 154.021, Definitions; Section 154.056, Permissive Uses (A-1 Agricultural District); Section 154.058, Conditional Uses (A-1 Agricultural District); Section 154.176, Permissive Uses (RC Recreation/Conservation District); Section 154.178, Conditional Uses (RC Recreation/Conservation District); and Section 154.379(A)(1), Notification. Public input was heard.

SECOND READING & PUBLIC HEARING was held as advertised for an Ordinance of Lincoln County, SD, amending the Code of Ordinances of the County by amending Chapter 154: Zoning, Section 154.021, Definitions; Section 154.057, Permitted Special Uses (A-1 Agricultural District); Section 154.058, Conditional Uses (A-1 Agricultural District); Section 154.177, Permitted Special Uses (RC Recreation/Conservation District); Section 154.178, Conditional Uses (RC Recreation/Conservation District); and Section 154.379(A)(1), Notification. Public input was heard.

SECOND READING & PUBLIC HEARING was held as advertised for an Ordinance of Lincoln County, SD, amending the Code of Ordinances of the County by amending Chapter 154: Zoning, Section 154.021, Definitions; Section 154.058, Conditional Uses (A-1 Agricultural District); Section 154.178, Conditional Uses (RC Recreation/Conservation District); and Section 154.379(A)(1), Notification. Public input was heard.

SECOND READING & PUBLIC HEARING was held as advertised for an Ordinance of Lincoln County, SD, amending the Code of Ordinances of the County by amending Chapter 154: Zoning, Section 154.021, Definitions; and Section 154.136, Permissive Uses (I-1 Light Industrial District). Public input was heard.

MOTION by Landeen and seconded by Schmidt to send all four ordinances back to Planning and Zoning. Arends: "Nay" 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 Schmidt and seconded by Landeen to adjourn at 10:43AM until 8:30 AM on January 7, 2025. Arends: "Aye" Poppens: "Aye" Landeen: "Aye" Schmidt: "Aye" Jibben: "Aye". Motion carried.

Lincoln County Board of Commissioners

James C. Jibben, Lincoln County Chair

Attest: _____
Alicia Cafaro, Lincoln County Deputy Auditor

Approved: January 7, 202

Please publish the week of January 13, 2024