

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on September 7, 2021, with Commissioners Joel Arends, Jim C. Jibben, Jim Schmidt, and Michael Poppens present. The Auditor, Sheri Lund, served as Clerk of the Board. Chief Civil Deputy State's Attorney, William Golden, was also present.

Commissioner Schmidt asked all to remain standing after the Pledge for a moment of silence in honor of the 13 service members killed in Afghanistan.

ROUTINE BUSINESS:

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

Reports:

The August 2021 Highway, and the August 2021 Emergency Management mileage reports were presented.

The August 2021 Register of Deeds report was presented totaling \$188,610.00.

A letter from the Department of Agriculture and Natural Resources concerning recommendation of 3 solid waste general permits was presented.

A letter from the Department of Agriculture and Natural Resources concerning general permit termination of Glenn Vande Vegte was presented.

Claims: \$8,071.71

GENERAL: Us Bank, Tape/post-its/hanging strips, colored paper, hlp wantd \$268.21; Us Bank, Summons & notice of hearing/harbor freight/argus subscription \$179.17; Us Bank, Supplies-Office/usb drive/wlrss kybrd/mouse \$258.65; Us Bank, Dsktp Mngr Entrpse/Single Mntr Mnt/State Shrm Registration \$4,982.94; Us Bank, Mnthly Svc/mgzne/Warrior HD/Wrlss Thermometer \$1,594.45; Us Bank, Portable A/C/Ceiling duct/Po Box Fee \$436.05

ROAD AND BRIDGE: Us Bank, Supplies-office/leaf slipper/travel-fuel \$352.24

Payroll: \$294,404.53

Commissioner's \$4,664.00; FICA 273.52, Medicare 63.98

Auditor's \$10,487.20; FICA 552.93, Medicare 129.31, SDRS 629.23

Treasurer's \$15,112.39; FICA 871.03, Medicare 203.71, SDRS 906.75

States Attorney's \$42,674.61; FICA 2,374.87, Medicare 555.39, SDRS 2,501.71

Gen Gov Bldg \$13,462.85; FICA 704.70, Medicare 164.81, SDRS 791.94

DOE \$30,058.04 FICA 1,695.98, Medicare 396.63, SDRS 1,778.92

ROD \$7,827.86; FICA 409.06, Medicare 95.67, SDRS 429.84

VSO \$2,033.61; FICA 102.97, Medicare 24.08, SDRS 122.02

GIS \$4,902.40; FICA 273.76, Medicare 64.02, SDRS 294.14

IT \$7,768.80; FICA 460.57, Medicare 107.71, SDRS 466.13

HR \$4,507.20; FICA 263.26, Medicare 61.57, SDRS 270.43

Sheriff's \$76,191.95; FICA 4,432.79, Medicare 1,036.69, SDRS 5,443.11

WIC \$316.48; FICA 19.62, Medicare 4.59

County 4-H \$3,128.80; FICA 186.68, Medicare 43.66, SDRS 187.73

Weed Control \$4,188.00; FICA 259.65, Medicare 60.72, SDRS 251.28

P & Z \$8,826.70; FICA 532.65, Medicare 124.57, SDRS 529.60

Highway \$30,814.67; FICA 1,723.46, Medicare 403.07, SDRS 1,845.44

Communications \$22,921.37; FICA 1,311.32, Medicare 306.68, SDRS 1,375.27

EM MGMT \$2,918.40; FICA 160.06, Medicare 37.43, SDRS 176.90
24/7 \$1,599.20; FICA 92.31, Medicare 21.59, SDRS 127.94

Longevity: \$600.00

Communications \$600.00; FICA 37.20, Medicare 8.70, SDRS 36.00

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

CONSENT AGENDA:

MOTION by Schmidt and seconded by Poppens to approve Commission Minutes: 8/24/2021. Arends: "Aye" Jibben: "Aye" Poppens: "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 08/21/2021: Aaron Bartscher - Sergeant – SO 2 Step 12 - \$32.54/hour. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to designate Deputy Evan Olson as a Field Training Officer and apply adjustment of \$.50/hour to hourly wage effective 8.10.2021. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to execute the amendment to the 2022 County Clerical Contract with the South Dakota Department of Health. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set PUBLIC HEARING for Temporary Malt Beverage License for Lennox Athletic Booster to occur on the 28th day of September 2021, between 8:35 A.M. and adjournment of said meeting date, at the Lincoln County Courthouse in the County Commissioners' Meeting Room for a fundraising event on October 8, 2021. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

A resident from the Tea area commented on an email they sent to the Board and the Highway Superintendent at 7:19 a.m. the day of this meeting regarding the Tebbens Corner.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Jibben reported on an open house that he had attend by the Civil Air Patrol at the Marv Skie Airport on August 31, 2021.

Commissioner Schmidt discussed that the Executive Director of the South Dakota Association of County Officials and he had participated in a tour on September 3, 2021, of the facility in Flandreau for medical cannabis and would encourage all elected officials to tour the facility.

Commissioner Arends reported attending the Harrisburg Economic Development meeting on September 1, 2021, regarding future meetings and discussions at the meeting.

REGULAR BUSINESS:

BIDS for surplus County vehicle, 2018 Dodge Charger, were read as follows: Paul Iverson \$6,450.00; Ringwood Motors \$6,388.00; Bayridge Motors \$4,377.00; Tim and Jynna Gustafson \$4,001.00; Ken O'Brien \$2,551.00. RESOLUTION: BE IT RESOLVED to award the bid for the surplus 2018 Dodge Charger, 2C3CDXKT2JH297937, to the highest bidder: Paul Iverson for \$6,450.00. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Chief Civil Deputy William Golden informed the Board of the necessary facts regarding the request for proposals lease for the courthouse space indicating that there was one proposal submitted to the Auditor's office.

RESOLUTION: BE IT RESOLVED to accept the only offer submitted which was from Lincoln Development Services and to enter into negotiations for courthouse space. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Deborah Block, Treasurer, revisited the tabled item from the meeting that was held on August 24, 2021, in regard to charging an administrative fee for title work done entirely through the mail.

RESOLUTION FOR THE ESTABLISHMENT OF AN ADMINISTRATIVE FEE FOR CERTAIN TITLE AND REGISTRATION SERVICES WHEREAS South Dakota Allows out-of-state and resident applicants to title motor vehicles entirely by mail; and WHEREAS any application for a certificate of title, under SDCL Chpt. 32-3 processed entirely by mail requires additional staff time resulting in higher administrative expenses and allocation of staff time; and WHEREAS SDCL 32-3-18.1 allows counties to charge an administrative fee for processing and application for certificate of title received and processed entirely by mail; and WHEREAS any application for a certificate of title for a large boat, under SDCL Chpt. 32-3A, processed entirely by mail also requires additional staff time which results in higher administrative expenses and allocation of time; and WHEREAS SDCL 32-3A-21.1 allows counties to charge an administrative fee for processing an application for certificate of title received and process entirely by mail; and NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Lincoln County, South Dakota, that as of September 1, 2021, the Lincoln County Treasurers' Office will charge an administrative fee of Twenty-Five Dollars (\$25.00) for any application made to the Lincoln County Treasurer, under SDCL Chpt. 32- 3 or SDCL Chpt. 32-3A, for a certificate of title that is received and processed entirely by mail. Motion by Schmidt and seconded by Poppens. Arends: "Nay" Jibben: "Nay" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Commissioner Jim Schmidt gave a briefing of the newly released 2020 census information in regard to Lincoln County. This information can be found by going to www.census.gov/quickfacts/lincolncountysouthdakota

RESOLUTION: WHEREAS, Lincoln county is the third largest county in South Dakota in terms of population, and WHEREAS, prior to 2011, for 20 years Lincoln County had not had a legislative district entirely within the boundaries of the county, and WHEREAS, in 2011, the legislature did create a legislative district entirely within the boundaries of Lincoln County, and WHEREAS, we believe that effective legislative representation is enhanced by a legislative district or districts entirely within the

boundaries of our county, THEREFORE, BE IT RESOLVED that we as the Board of County Commissioners for Lincoln County do hereby ask the current house and senate committees of the legislature, entrusted with the duty of recommending new legislative boundaries, to establish at least one district entirely within the boundaries of Lincoln County. Motion by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Nay" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to convene as the Lincoln County Drainage Board. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: One Lincoln County resident questioned the study on Nine Mile Creek. The resident also read a letter that he and his neighbors had received from the City of Harrisburg. Commissioner Arends stated that he would have a discussion with the City of Harrisburg in regard to the letter and discussion. There was also a discussion regarding an easement dealing with Nine Mile Creek.

RESOLUTION: BE IT RESOLVED to re-convene as Lincoln County Board of Commissioners. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Chief Civil Deputy William Golden informed the Board of purchase offer agreements in regard to parcel 098.50.05.A100.

RESOLUTION: BE IT RESOLVED to enter Executive Session at 9:23 a.m. for the purposes of consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters. SDCL 1-25-2(3) MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 9:26 a.m. MOTION by Poppens and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Chief Civil Deputy William Golden presented the details of the offers for parcel 098.50.05.A100 indicating that the offer was for the full listed sale price, purchaser requested they have approval to reopen the site as a transfer station, Golden had discussion with the prospective purchaser indicating that the State had final permitting authority regarding opening the transfer station again the purchaser acknowledged the requirements.

RESOLUTION: BE IT RESOLVED to accept the offer for the purchase of parcel 098.50.05.A100 from DRP Properties, LLC in the amount of \$450,000.00. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

PUBLIC HEARING was held as advertised for the 2020 Provisional Budget, historical information was presented for previous budget years, and the Board spoke with the County department heads. There was no public input. After thorough discussions, the following adjustments were made to the 2022 Provisional Budget:

RESOLUTION: BE IT RESOLVED to reduce the Director of Equalizations budget in the amount of \$6,500.00. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the General Government Building budget in the amount of \$40,000.00. MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Nay" Schmidt: "Aye" Landeen: "Nay". Motion carried.

RESOLUTION: BE IT RESOLVED to cut the new position request from the Geographical Information Services reducing the budget in the amount of \$40,335.00. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the Flood Plain Management's budget in the amount of \$1,800.00. MOTION by Arends and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the Sheriff's budget in the amount of \$331,714.00 to include cutting the new correctional officer position. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the 24/7 budget in the amount of \$6,988.00. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the State's Attorney budget in the amount of \$88,014.00, to include cutting the new position request but including salary adjustments in the amount of \$30,000.00. MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Nay". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the Road and Bridge fund in the amount of \$1,136,000.00. MOTION by Arends and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Not present" Landeen: "Nay". Motion carried.

RESOLUTION: BE IT RESOLVED to increase the Treasurer's budget by \$17,000.00. MOTION by Poppens and seconded by Schmidt. Arends: "Nay" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the County 4-H's budget in the amount of \$2,480.00. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the Planning and Zoning budget in the amount \$44,335.00, to include the new position request. MOTION by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Nay" Schmidt: "Nay" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to reduce the Coroner's budget in the amount of \$1,500.00.

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

RESOLUTION: BE IT RESOLVED to authorize Auditor to advertise for PUBLIC HEARING for the provisional budget to occur on the 28th day of September 2021 between 8:35 A.M. and adjournment of said meeting date, at the Lincoln County Courthouse in the County Commissioners' Meeting Room.

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

MOTION by Schmidt and seconded by Arends to adjourn at 2:00 p.m. until 8:30 a.m. on September 21, 2021. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

Lincoln County Board of Commissioners

_____/s/
Tiffani Landeen, Lincoln County Chair

Attest: _____/s/
Sheri Lund, Auditor

Approved September 21, 2021.

Please publish the week of September 27, 2021.