

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on September 21, 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.

ROUTINE BUSINESS:

Changes to the agenda order under routine business were presented moving item 3 to number 1 and item 6 and 7 up, and item 12 earlier in the agenda.

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

Claims: \$1,631,431.58

GENERAL: Metlife, Employee Life Ins \$ 321.72; United Healthcare, Employee Health \$835.69; Independent Publishing, Mins/Ntces/Sld Bids/Hlp Wntd \$4,314.58; Best Western Ramkota, Travel-Lodging \$505.00; Midco, Phone/Video \$1,153.25; Election Systems, Media/Tbltr/Layout \$1,212.40; Sentencing Advocacy Group, Mitigation Specialist \$43,953.31; Computer Forensic Resource, Forensic Expert \$2,580.00; Watson Ph.D, Dale, Forensic Neuropsychologist \$600.00; Knecht, Andrew J, Crt Appt Atty \$977.00; Jeff Larson Law, Crt Appt Atty \$3,153.39; Eich Law Office, Crt Appt Atty- Ivc \$2,212.70; Walter, Max, Crt Appt Atty \$1,079.75; Tschetter & Adam Law Off, Crt Appt Atty \$4,999.10; Hanson, Michael, Crt Appt Atty \$1,490.30; Vuong Law, Crt Appt Atty-Juv \$643.50; Wilka, Welter & Ash, Llp, Crt Appt Atty- Juv \$1,645.50; Dakota Psychological Service, Psychosexual Eval \$2,000.00; Dept Of Social Services, Psych Eval/Prisoner Care \$684.00; Avera Med Group, Competency Eval/Mi Hold \$3,823.76; Price Phd, Thomas, Competency/Psych Eval \$1,500.00; Metro Communications Ag, Audio Request \$80.00; Isi, Llc, Interpreters \$160.00; A To Z World Languages Inc, Interpreter \$28.00; Kading, Kunstle & Goodho, Crt Appt Atty- A&N \$776.90; Dakota Law Firm, Crt Appt Atty A&N \$533.50; Hoekstra, Denise, Transcript \$105.00; Beck, Pat, Transcripts/Grand Jury Proceedings \$314.00; Frantzen Reporting, Grand Jury Transcripts/Proceedings \$702.50; Jurors, Fees,Mileage \$614.64; Century Business, Copier Maint \$542.45; Avera Mckennan Hospital, Er Lab/Visit/Mi Hold \$3,846.82; Redwood Toxicology, Drug Tests \$199.05; Canton Pizza Ranch, Grand Jury Meals \$48.97; Jensen Ins Agency, Notary Bonds \$100.00; Sd Secretary Of State, Notary Public App \$60.00; Blue360 Media, Criminal & Traffic Books \$464.10; Otis Elevator, Cont Cjf65011j Svc \$222.03; Bomgaars, Cowhide Driver \$19.98; Cintas, Mats \$265.95; Prochem Dynamics, Stnlss Steel Plsh/Sples-Cleaning \$2,201.36; Zee Medical Service, 1st Aid Supplies \$223.40; Central Plains Bat Removal, Attic/Topical Clean-Up \$8,312.00; Goossen, Karla, Travel-Lodging/Meals \$479.76; Tyler Technology, Cis/Crm Implementation \$2,400.00; Shi Internationa, Kiteworks Platforms \$2,000.00; Optum Bank, Hsa Monthly Maint \$30.25; Sioux Falls Area Humane, Contract/Aftr Hr \$750.60; Auto Dynamics Inc, Repairs #15-3 \$49.61; B & E Autoworx Llc, Oil Change- #21- \$42.95; Plymouth Township Police, Fed Ex Package Reimburse \$91.19; Minnehaha County, Prisoner Care \$6,860.47; Amg Orthopedics, Prisoner Care \$116.98; Sanford Health Home (Vna), Public Health Svc \$1,250.00; Helseth, Ramona, Mi Hearing \$24.00; Anderson, Jennifer, Mi Evals \$5,949.00; Loving, Philip, Mi Evals \$3,822.56; Salem Qmhp, Karla, Mi Evals \$1,375.00; Johnson Pllc, Katie, Mi Board- August \$5,385.60; Ver Beek Law Prof, Mi Board- July/August \$5,791.50; Johnson Pllc, Erin, Mi Board-July \$3,405.60; Yankton Co Treasurer, Mi Served Papers \$220.30; Katterhagen, Mark, Mi Hearing \$15.00; Lewno Law Office, Mi Board- Yankton \$186.51; Yankton Co Sheriff, Mi Served Papers \$100.00; Southeastern Behavioral, Mobile Crisis-Aug \$301.64; Lockwood, Darcy, Mi Hearing- Yankton \$15.00; Wernke, Laurie A, Mi Hearing \$64.00; Lennox Ace Hardware, Threadlocker/Hil \$6.24; Nexstar Broadcasting, Help Wanted-Plan \$601.00; Hogan, Wendi, Mileage 09202021 \$13.19;

Johnson, Mark, Mileage 09202021 \$9.83; Jongeling, Jerry, Mileage 09202021 \$15.71; Poppens, Michael, Mileage 09202021 \$19.32; Quadient Finance, Postage \$4,000.00
ROAD AND BRIDGE: Metlife, Employee Life In \$41.86; Diesel Machinery, Takeuchi Excavator \$1,600.00; Century Business, Copier Maint-Hwy \$49.50; Sd Div Of Criminal, Background Check \$86.50; Bartlett Tools Inc, Hyper-Step Drill \$524.85; Bomgaars, Anchor Shackle/C \$38.06; Butler Machinery, Gasket/Seal \$1,014.29; Diamond Mowers Inc, Lift Cable Stand \$128.96; Fastenal Company, Supplies \$94.45; Transource, Oil Filters \$52.76; Sdltap, Road Conference \$100.00; Midco, Phone/Video \$71.91; Astech Corp, Project Costs \$1,321,243.03; Sign Solutions Usa, Solar Blinkerbea \$6,041.62; Truenorth Steel, Helical/Band Gal \$5,348.76; Cw Suter & Son Inc, Replace Control \$12,146.08
911: Metlife, Employee Life In \$32.89; Midco, Phone/Video \$149.66
EMS: Metlife, Employee Life In \$0.45; Midco, Phone/Video \$59.57
AIRPORT: Menards-West, Bungees/Tarps \$20.93
24/7: Metlife, Employee Life In \$2.99; Midco, Phone/Video \$17.09
MODERN/PRESERV: Century Business, Copier Maint-Rod \$33.52
EMPLOYEE GRP HEALTH: United Healthcare, Employee Health \$133,979.32

Reports:

Letter from the Department of Agriculture and Natural Resources-complaint inspection part of Southwest 1/4, section 8, Township 98 North Range 48 West in Lincoln County-Vandekieft.
The report for August 2021 Sheriff Civil Fee mileage was presented.
The August 2021 Veterans Services Officer report was presented.

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

CONSENT AGENDA:

MOTION by Schmidt and seconded by Jibben to approve Commission Minutes: 9/21/2021. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the resignation of Tim Ralfs, Heavy Equipment Specialist, effective 9.17.2021. MOTION by Schmidt and seconded by Jibben to approve Consent Agenda. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the following Attorney's Subcontractors for the Public Defenders contract Shane Vogt and Galvan Pocchop. MOTION by Schmidt and seconded by Jibben to approve Consent Agenda. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize Chair to execute agreements with Precision Dirt Works for the Lennox 4-H Site Grading Improvements. MOTION by Schmidt and seconded by Jibben to approve Consent Agenda. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT:

A Lincoln County resident made comments regarding the Courthouse Committee and recommended additional steps should be taken when implementing tax increases.

COMMISSIONER REPORT (INFORMATIONAL ONLY):

Commissioner Jibben thanked Jesse Fonkert and Sioux Metro Alliance for the tour they held on Tuesday.

Commissioner Arends spoke on statistics regarding one of the destinations on the tour.

Commissioner Schmidt informed the public of the groundbreaking at the Lincoln County 4-H Grounds.

REGULAR BUSINESS:

PUBLIC HEARING was held to consider the following application for Temporary On-Sale Malt beverage license to operate outside of a municipality for Lennox Athletic Booster on property legally described as Lots H-1 Olsen Trail 1-NE ¼ NW 1/419-19-98-50 for a fundraising event on October 8, 2021. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: William Golden, Chief Civil informed the Board of the necessary facts pertaining to the update on lease negotiations for purpose of the 2022 budget preparation and consider recommendations from the courthouse committee. And the Memorandum of Understanding with Lincoln County Development, LLC. Members of the Courthouse committee also addressed the Board.

RESOLUTION: BE IT RESOLVED to approve and authorize the Chair to Execute the Memorandum of Understanding with Lincoln County Development, LLC. MOTION by Arends and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

COMMISSION BRIEFING: Dan Lederman, Summit Carbon Solutions presented information regarding a carbon capture project from ethanol plants in the state.

COMMISSIONER BRIEFING: John Lawler, Tea Mayor spoke to the Board regarding American Rescue Plan Act Funds.

COMMISSIONER BRIEFING: Commissioner Poppens revisited the tabled item from August 10, 2021, meeting discussing the proposals submitted by NAI Sioux Falls, Bender Commercial, Joel Westra.

RESOLUTION: BE IT RESOLVED to accept the proposal from NAI Sioux Falls to sell 153 acres of County-owned property at parcel number 240.28.76.1000. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

PUBLIC HEARING was held for a Resolution of Lincoln County approving the Preliminary Subdivision Plan of Peter's Addition. Location: Parcel ID: 100.50.73.2021. Toby Brown, Planning and Zoning Director, introduced the plan and answered questions. The applicant spoke to the plan and answered questions. None spoke in opposition to the resolution. None spoke in favor of the resolution.

RESOLUTION: BE IT RESOLVED to approve the Preliminary Subdivision Plan of Peter's Addition. Location: Parcel ID: 100.50.73.2021. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Steve Swenson, Lincoln County Sheriff presented the necessary facts pertaining to the purchase of a command post trailer.

RESOLUTION: BE IT RESOLVED to approve the purchase of a command post trailer using Homeland Security grant funds in the amount of \$93,000.00 and general funds in the amount of \$14,500.00. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED TO ENTER Executive Session at 9:39 A.M. for the purpose of 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 Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to exit Executive Session at 10:28 a.m. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Julia Disburg, Human Resources Director informed the Board of the necessary facts pertaining to sick leave assistance program application # 2006.

RESOLUTION: BE IT RESOLVED to approve the application for sick leave assistance program application #2006. MOTION by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Sheri Lund, Auditor informed the Board of the necessary facts pertaining to the appraisal and notice and sale of Transfer Station surplus equipment.

RESOLUTION: BE IT RESOLVED to appoint John Rombough, Jon Hanson and Jim Schmidt to the appraisal committee for the surplus Transfer Station equipment and to authorize the Auditor to advertise for sealed bids to be due on October 22, 2021, by 10:00 a.m. MOTION by Poppens and seconded by Arends. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Aye" Landeen: "Aye". Motion carried.

SECOND PUBLIC HEARING for the 2022 budget started.

COMMISSIONER BRIEFING: The 2022 Budget was altered based on the resolutions from the September 7th meeting and was available for the Board and public to review. The Auditor asked that the information included in the budget regarding the Highway and Road Levy be taken out of the budget with changes the appropriations in the Highway Fund lowered to \$8,390,793, and the cash applied lowered to \$920,805, the Board approved using the recommendations from the Auditor. David Gillespie was present from the Soil Conservation District and offered a reduction in the request from the district.

RESOLUTION: BE IT RESOLVED to reduce the Soil Conservation District budget in the amount of \$4,000.00. Motion by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Schmidt: "Aye" Poppens: "Nay" Landeen: "Aye". MOTION carried.

SECOND PUBLIC HEARING was recessed for agenda items schedule at 11:00 a.m.

COMMISSIONER BRIEFING: Susan Irons, Veterans Service Officer informed the Board of the necessary facts pertaining to Purple Heart Medal County and Community Recognition Ceremony.

PROCLAMATION IN HONOR OF THE MILITARY ORDER OF THE PURPLE HEART

WHEREAS, the Purple Heart Medal is the oldest military decoration still in present use and was initially created by George Washington in 1782, as the “Badge of Military Merit”, and

WHEREAS, the Purple Heart Medal was the first American Service Award or Decoration made available to the common soldier and is specifically awarded to any member of the United States Armed Service wounded or killed in combat with a declared enemy of the United States; and,

WHEREAS, the mission of the Military Order of the Purple Heart, chartered by an act of Congress in 1958, is to foster an environment of goodwill among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly, make sure we never forget the sacrifices made by those so decorated: and

WHEREAS, Lincoln County appreciates the sacrifices our Purple Heart Medal recipients made in defending our freedoms and believe it is important that we acknowledge them for their courage and show them the honor and support they have earned.

WHEREAS, people of Lincoln County have great admiration and the utmost gratitude for the men and women who have selflessly served their Country and fellow citizens.

NOW, THEREFORE BE IT PROCLAIMED, that Lincoln County, South Dakota by the affirmative action and declaration of it Board of County Commissioners does hereby bestow honor and gratitude upon the Military Order of the Purple Heart, Chapter 5355, and proudly supports the designation of Lincoln County as a **PURPLE HEART COUNTY, IN THE STATE OF SOUTH DAKOTA**.

Public input and discussion of the Lincoln County 5-Year Highway Road and Bridge Improvement Plan occurred. Terry Fluit, Highway Superintendent, presented the plan and answered questions. Public input included why isn't the roads taken over by the cities, denying growth to the rural areas. The Board choose to hold off making a motion on the 5-year plan until after the public hearing. MOTION by Schmidt and seconded by Poppens to table the approval of the 5-year plan until after the budget hearing. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Poppens: “Nay” Landeen: “Aye”. MOTION carried.

SECOND PUBLIC HEARING for the 2022 budget resumed. Discussions were held for possible reductions to the budget, department heads explained the possible ramifications of implementing an across-the-board reduction to the budget. Lincoln County residents gave input on solutions to the budget. With no motions presented Commissioner Landeen asked for a motion to approve the budget.

RESOLUTION: BE IT RESOLVED to approve the 2022 Lincoln County Provisional Budget as presented. With the reduction in the Soil District Budget and removing the Road and Bridge Levy impact on the Highway budget. MOTION by Schmidt and seconded by Poppens. Arends: “Nay” Jibben: “Nay” Schmidt: “Aye” Poppens: “Abstain” Landeen: “Aye”. MOTION failed.

Discussions continued for possible reductions and changes to the budget there were no other motions made.

RESOLUTION: BE IT RESOLVED to approve the 2022 Lincoln County Provisional Budget as presented. With the reduction in the Soil District Budget and removing the Road and Bridge Levy impact on the Highway budget. MOTION by Poppens and seconded by Schmidt. Arends: “Nay” Jibben: “Nay” Schmidt: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

ANNUAL BUDGET FOR LINCOLN COUNTY, SD

For the Year January 1, 2021 to December 31, 2021

Tax Levy In

RESOLUTION

COUNTY TAX LEVIES Dollars	\$'s/1,000	ADOPTION OF ANNUAL BUDGET FOR LINCOLN COUNTY, SD
WITHIN LIMITED LEVY: *General County Purposes (10-12-9) \$ 14,275,303	\$1.887	Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and, Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.
LIMITED LEVY (10-12-21)- SUB TOTAL: Courthouse Building (7-25-1) \$ 620,000 Highway Building \$518,401	\$ \$.082 \$.069	NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR LINCOLN COUNTY, SOUTH DAKOTA and all its institutions and agencies for calendar year beginning January 1, 2019 and ending December 31, 2019 and the same is hereby approved and adopted by the Board of County Commissioners of Lincoln County, South Dakota, this 24 ^d day of September, 2019 The annual budget so adopted is available for public inspection during normal business hours at the office of the county auditor Lincoln County, South Dakota. The accompanying taxes are levied by Lincoln County for the year January 1, 2020 through December 31, 2020
UNLIMITED LEVY – SUB TOTAL LIMITED AND UNLIMITED LEVY – SUB TOTAL OTHER SPECIAL LEVIES Fire Protection (34-31-3) \$91,546	\$ \$.046	BOARD OF COUNTY COMMISSIONERS OF Lincoln County, SD _____ Chairman _____ Commissioners _____ Commissioners _____ Commissioners _____ Commissioners ATTEST _____ County Auditor
TOTAL TAXES LEVIED BY COUNTY	\$ 15,505,250	

* These amounts include the 25% to be distributed to cities.

As of September 29, 2021 these levies are not approved by the Department of Revenue.

RESOLUTION: BE IT RESOLVED to approve the Lincoln County 2022-2026 5- year Highway plan.
MOTION by Schmidt and seconded by Poppens. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye”
Poppens: “Aye” Landeen: “Aye”. Motion carried.

MOTION by Poppens and seconded by Schmidt to adjourn at 12:54 p.m. until 8:30 a.m. on October 7,
2021. Arends: “Aye” Jibben: “Aye” Schmidt: “Aye” Poppens: “Aye” Landeen: “Aye”. Motion carried.

Lincoln County Board of Commissioners

_____/s/
Tiffani Landeen, Lincoln County Chair

Attest: _____/s/
Sheri Lund, Auditor

Approved October 7, 2021.
Please publish the week of October 11, 2021.