

THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by the Chair, Tiffani Landeen, at 8:30 a.m. on October 26, 2021, with Commissioners Joel Arends, Jim C. Jibben, Michael Poppens, and Jim Schmidt present. Deputy Auditor Shaun Feilmeier served as Clerk of the Board. Chief Civil Deputy State's Attorney, William Golden, was also present.

### **ROUTINE BUSINESS:**

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

Claims: \$1,139,010.08

GENERAL FUND: Cadwell Sanford, Public Records Request \$514.56; United Healthcare, Cobra Health Ins \$835.69; Metlife, Employee Life Ins \$334.73; Independent Publishing, Publishing \$2,323.09; Sioux Valley News, Publishing \$2,363.25; Star Publishing, Publishing \$2,592.15; Election Workers, 2021 October Special Election \$20,473.29; Reschly, Daniel, Adaptive Behavior \$1,575.00; Eich Law Office, Crt Appt Atty- Ivc \$2,472.55; Laughlin, Nicole, Crt Appt Atty \$1,344.30; Wilka, Welter, Crt Appt Atty \$1,482.01; Walter, Max, Crt Appt Atty \$562.64; De Castro Law Office, Crt Appt Atty \$5,122.00; Carper, Nichole, Crt Appt Atty-Juv \$504.90; Vuong Law, Crt Appt Atty \$643.50; A To Z World Language, Interpreter \$180.00; Isi, Llc, Interpreter \$80.00; Metro Communication, Audio Request \$40.00; Price Phd, Thomas, Competency Eval \$3,600.00; Dakota Psychology, Psychosexual Eval \$6,000.00; Computer Forensic, Forensic Expert \$1,180.00; Beck, Pat, Grand Jury Transcripts \$81.75; Frantzen Reporting, Grand Jury Transcripts \$136.00; Jurors, Fees, Mileage \$679.20; Century Business, Copier Maint \$223.75; Mcleod's Printing, Receipt Books \$298.90; Cassel Meyer, Mary Anne, Transcripts \$270.00; Lembcke-Schildhauer, Terri, Transcripts \$36.00; Pmb 0112, Executive, Ntwrk Tech Acc/Mcgrphc Splcs \$811.77; Eckhoff, Carin, Transcripts \$500.00; Minnehaha County, Blood Draws \$425.00; Paragon Health & Wellness, Blood Draws \$1,800.00; Redwood Toxicology, Drug Test \$13.27; Sanford Health, Er Visits \$72.00; Thomson Reuters, Online/Sftwre Sprt/Books & Bnds \$586.23; Canton Pizza Ranch, Grand Jury Meals \$83.95; Interstate Office, Post-Its/Stamp/Chairs \$1,569.20; Sommervold, Jessica, Business Cards \$20.00; Riverside Technology, Supplies-Ink/Toner \$275.00; G & R Controls Inc, Preventative Maint \$4,587.25; Prochem Dynamics, Supplies-Wste Cntnr/Tissue Paper \$1,287.06; Cintas, Mats \$402.89; Batteries Plus, Batteries \$333.84; Zee Medical Service, 1st Aid Supplies \$144.95; Novak Sanitary Svc, Garbage/Recycling \$243.89; All Seasons Inc, Remove And Install, \$4,857.45; Aj's Automotive, Oil Changes, \$93.66; Sturdevant's Auto, Wiper Blades, \$21.58; Cadd/Engineering, Supplies-Ink & P, \$1,184.40; Uline Inc, Storage Rack, \$382.56; Optum Bank, Monthly Maint Fee \$30.25; Centralsquare Technology, Fields Ops Subscription, \$1,890.00; Sioux Falls Area Humane Society, Cont-Sept/Afr Hrs, \$968.63; Sioux Falls Ford, Speed Sensor \$634.40; B & E Autoworx Llc, 20-1 Durango Pat \$60.00; Fee, Don, Remove & Install Equip \$4,000.00; Applied Concepts, Antenna Cables \$880.00; Fed Ex, Evidence Return \$27.42; Ipma-Hr, Pma-Hr Test Pack \$1,755.00; Flanagan, Steve, Travel-Mileage \$65.52; Pennington Co Jail, Prisoner Transport \$292.09; Avera Surgical, Prisoner Care \$160.20; Avera Mckennan, Prisoner Care \$754.54; Anyglide, Llc, Truck Storage Box \$1,299.00; Minnehaha Co Regional, Child/Shelter Care/Comm Sprvs \$6,436.89; Dakotabilities, 10cl-Oct/Nov/Dec \$1,800.00; Southeastern Behavioral, Mobile Crisis-Sept \$306.79; Loving, Philip, Mi Evals \$1,494.19; Ver Beek Law, Mi Board- September \$2,125.53; Helseth, Ramona, Mi Hearing \$104.00; Salem Qmhp, Karla, Mi Evals \$1,870.00; Lewis & Clark Behavioral, Bmi Intake \$368.00; Anderson, Jennifer, Mi Evals \$1,512.46; Imeg Corp, Project Costs \$4,068.48; Albers Electric, Replaced Emergen \$569.01; Lennox Ace Hardware, Boiled Linseed Oil \$19.98; D & D Small Engine, Spring, Deck Idl \$10.02; Keipper Cooping, Coops \$2,462.22; Benco Products, Pump Primer Plug \$8.14; Napa Auto & Trucks, Supplies/Repairs \$43.08; Code Works, Plan Reviews \$2,717.77; Billion Southtown, Oil Change \$47.49; Hogan, Wendi, Mileage 10182021 \$13.19;

Enstad, Collin, Mileage 10182021 \$18.14; Jongeling, Jerry, Mileage 10182021 \$15.71; Scott, Erik, Mileage 10182021 \$6.30; Poppens, Michael, Mileage 10182021 \$19.32  
ROAD AND BRIDGE FUND: Metlife, Employee Life Ins \$47.84; G & K Supreme Auto, Install Door Glass \$135.00; Overhead Door, Repair Electric \$270.15; Avera Occupational, Remote Drug Test \$91.00; Independent Publishing, Publishing \$64.58; Sioux Valley News, Publishing \$34.92; Star Publishing, Publishing \$60.00; Blackstrap, Inc, Road Salt \$2,006.25; Nexstar Broadcast, Retargeting/Help \$610.00; Workforce-South, Wf Dot Uds \$45.00; Canton Home & Farm, Rope/Tiedown/Wd-40 \$38.97; Cintas, Mats/Towels/Towel Cans \$68.04; Deans Distributing, Bulk Oil/Powerguard \$2,340.28; Jfi Inc, Propane \$22.54; Napa Auto & Trucks, Supplies/Repairs \$901.33; Prochem Dynamics, Supplies-Cleaner \$364.55; Transource, Fuel Filters \$79.88; Brock White, Detack Crafcro \$345.00; Capital One Trade, Supplies \$6.36; Diamond Mowers, Chain/Cover Coup \$134.55; Diamond Mowers, Chain Drive Asse \$1,768.13; Diesel Machinery, Filters \$129.16; Zee Medical Services, 1st Aid Supplies \$77.90; Novak Sanitary Svc, Garbage/Recycling \$251.24; Verizon Connect, Monthly Service-Sept \$485.70; Xcel Energy, Electricity-Hwy \$59.63; Imeg Corp, Project Costs \$5,987.45; L G Everist, Class A Riprap C \$1,603.65; Myrl & Roys Paving, G2 Rap 58-28 \$164.40  
911: Metlife, Employee Life Ins \$32.89; Centurylink, Backup Lines \$153.34; Language Line, Interpreters \$100.00; Powerphone Inc, Online Training \$4,485.00; Sd911 Consulting, 911 Consulting Svc \$3,600.00; Innovative Office, Batteries/Labels \$148.15; Vast Broadband, 911 Circuits \$960.32  
EMS: Metlife, Employee Life Ins \$0.45; Timmerman, Harold, Travel-Fuel \$112.44  
24/7: Juhl, Jaicia Joi, Cam Refund \$14.00; Metlife, Employee Life Ins \$2.99; Pharm Chem Inc, Sweat Patch Analysis \$314.05  
DEBT SERVICE-COURTHOUSE: Us Bank St. Paul, Part Cert Series \$555,000.00; Us Bank St. Paul, Part Cert Series \$33,241.25  
DEBT SERVICE-HWY BUILDING: Us Bank St. Paul, Part Cert Series \$325,000.00; Us Bank St. Paul, Part Cert Series \$83,050.63  
STATEWIDE SOBRIETY: Juhl, Jaicia Joi, Cam Refund \$70.00; Vanburen, Janet, Cam Refund \$32.00

Payroll: \$304,109.82

Commissioner's \$4,664.00; FICA 273.52, Medicare 63.98  
Auditor's \$10,779.60; FICA 571.05, Medicare 133.56, SDRS 646.77  
Treasurer's \$15,245.61; FICA 879.28, Medicare 205.64, SDRS 914.73  
States Attorney's \$44,201.21; FICA 2,452.03, Medicare 573.43, SDRS 2,593.31  
Gen Gov Bldg \$13,353.29; FICA 697.91, Medicare 163.23 SDRS 785.37  
DOE \$30,467.22; FICA 1,721.36, Medicare 402.57, SDRS 1,778.92  
ROD \$7,827.87; FICA 409.07, Medicare 95.67, SDRS 429.84  
VSO \$2,033.60; 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 \$82,035.10; FICA 4,954.09, Medicare 1,158.60, SDRS 5,570.67  
WIC \$316.48; FICA 19.62, Medicare 4.59  
County 4-H \$3,128.81; FICA 186.68, Medicare 43.66, SDRS 187.73  
Weed Control \$4,188.01; FICA 259.66, Medicare 60.72, SDRS 251.28  
P & Z \$8,894.41; FICA 536.85, Medicare 125.55, SDRS 533.66  
Highway \$31,745.65; FICA 1,691.52, Medicare 395.60, SDRS 1,907.44  
Communications \$23,532.95; FICA 1,349.24, Medicare 315.55, SDRS 1,411.97  
EM MGMT \$2,918.40; FICA 159.32, Medicare 37.26, SDRS 176.18  
24/7 \$1,599.21; FICA 92.31, Medicare 21.59, SDRS 127.94

**Reports:**

Mileage reports were presented as follows: September 2021 Sheriff's Office patrol mileage report, September 2021 Buildings & Grounds mileage report, September 2021 Sheriff's Office civil fee mileage report.

The Hearing Notice pertaining to a use permit for a manufactured home in Kroger's Addition was presented.

Two handouts from 10/12/2021 meeting's Opportunity for Public Comment were presented.

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

**CONSENT AGENDA:**

MOTION by Schmidt and seconded Arends to approve Commission Minutes: 10/12/2021. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the Third Quarter 2021 Fund Transfer Request to the Highway Department as follows: Elections \$1,775.13; Courthouse \$1,243.11; Emergency Management \$522.62; Equalization \$967.10; Planning & Zoning \$430.16; State's Attorney Office \$339.86; Sheriff \$16,260.00. MOTION by Schmidt and seconded Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the transfer of Wheel Tax from the Road & Bridge fund as follows: 10% to Townships, \$45,282.63; 5% to Cities, \$22,641.32; Totaling \$67,923.95. MOTION by Schmidt and seconded Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to set PUBLIC HEARING on November 23, 2021, between 8:35 a.m. and adjournment, pursuant to SDCL 7-21-22, for the purpose of adopting the following supplements to the 2021 Budget: A supplement adding \$58,000 to Election for two referendum elections; \$60,000 to Support of Poor for large hospital claims paid in July; \$140,000 to Intergovernmental-Wheel Tax to Cities due to increase in Wheel Tax collections; \$435,000 to 911 Communications due to remodel in the dispatch center; \$23,500 to Domestic Abuse due to new policy to transfer all the funds in that account. MOTION by Schmidt and seconded Arends. 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 10.12.2021: Joseph Carlson - Deputy Sheriff - SO1/Step 12 - \$29.58. MOTION by Schmidt and seconded Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to end the seasonal, temporary employment of Richard Bietzel, Seasonal Highway Worker, effective 8.16.2021. MOTION by Schmidt and seconded Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

**OPPORTUNITY FOR PUBLIC COMMENT:**

No member of the public offered comment to the Board at this time.

## **COMMISSIONER REPORT (INFORMATIONAL ONLY):**

Commissioner Jibben commented on the redistricting meeting in Sioux Falls he attended and all the good public input that occurred there.

Commissioner Schmidt also commented on the same redistricting meeting. Schmidt also commented on Lincoln County's 2021 safety awards from the South Dakota Municipal League, the recent Department of Transportation conference he attended, and the potential release of American Rescue Plan Act funds for less restrictive use.

## **REGULAR BUSINESS:**

**SECOND READING & PUBLIC HEARING** for an Ordinance of Lincoln County, SD, rezoning the property legally described as Lot 1, Hoffman's Addition, SW1/4 SW1/4, Section 31-T100N-R50W from the A-1, Agricultural District to the C, Commercial District and amending the Official Zoning Map of Lincoln County. Location: Parcel ID 100.50.31.J001. Toby Brown, Planning & Zoning Director, introduced the ordinance, explained the application, and answered questions. The applicant was present and described his plans for the property. No one else present spoke in favor of the ordinance but the applicant himself. Those in opposition comprised of neighbors to the property in question who spoke of road safety concerns, lack of transparency on the applicant's part, air quality concerns, premature development claims, confidence in Lincoln County's Planning Commission's denial, and the close proximity of Rural Residential properties. Board discussion focused on the timing of the change of use.

**RESOLUTION:** BE IT RESOLVED to deny the Ordinance of Lincoln County, SD, rezoning the property legally described as Lot 1, Hoffman's Addition, SW1/4 SW1/4, Section 31-T100N-R50W from the A-1, Agricultural District to the C, Commercial District and amending the Official Zoning Map of Lincoln County. **MOTION** by Arends and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

**COMMISSIONER BRIEFING:** Karla Goossen, Director of Equalization, informed the Board of the necessary facts pertaining to the abatement request before them per SDCL 10-18-1.

**RESOLUTION:** BE IT RESOLVED to approve Application for Abatement of Property Taxes submitted by Ross & Brittany Trujillo for parcel number 281.94.08.028 legally described as SF-West Pointe Estates Add-Lot 28-Blk 8 in the amount of \$1,046.58 in 2020 payable 2021 due to Owner Occupied eligibility in the 2020 assessment year. **MOTION** by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

**COMMISSIONER BRIEFING:** Harold Timmerman, Emergency Manager, informed the Board of the necessary facts pertaining to the grant signature sheet before them.

**RESOLUTION:** BE IT RESOLVED to approve and Authorize the Chair and Auditor to execute the 4th quarter LEMPG single signature sheet for the 2021 grant. **MOTION** by Arends and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

**COMMISSIONER BRIEFING:** Shaun Feilmeier, Deputy Auditor, informed the Board of the necessary information pertaining to a Pre-application check list for an airport grant. Feilmeier also read the highest bids received as advertised for the surplus Transfer Station equipment.

**RESOLUTION:** BE IT RESOLVED to award the following surplus equipment to highest bidders who are as follows: 2001 Spec Tec refuse trailer, serial number 1S9ES45211S188350 to Roo's Sanitation for

\$12,000.00; 2013 Spec Tec refuse trailer, serial number 1S9ES453Xds188652 to Roo's Sanitation for \$5,000.00; 2002 Sterling LT9500 semi-tractor truck, serial number 2FWNAZASX2AJ84748 to Jerry Dean Miller for \$2,550.00; 2000 Freightliner semi-tractor, serial number 1FUY3MDB4YDF37659 to Roo's Sanitation for \$10,000.00; 1983 Ford LNT8000 garbage truck, serial number 1FYDYW80U8DVA43783 to Roo's Sanitation for \$1,000.00; Two Arco lawn mowers/tractors serial numbers 00090 and 00318 sold as a pair with 3 mowing decks to Waylon Wellman for \$700.00. MOTION by Schmidt and seconded by Jibben. 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 2022 Pre-Application Checklist for Marv Skie Lincoln County Airport. MOTION by Poppens and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Auditor Sheri Lund informed the Board of the necessary facts pertaining to several items starting with the third quarter adjustments to the 2021 Budget. Lund continued by requesting the Board to rescind resolution #2110-29 which table the purchase of electronic poll pads until the first meeting in November; Lund explained that she would like a significantly longer timeframe to decide their usefulness for Lincoln County and may not bring the item back to the Board at all. Lund's last item was to describe and discuss in detail the timeline for and public meetings leading up to the redistricting resolution required on February 1, 2022.

RESOLUTION: BE IT RESOLVED to approve the following adjustments to the 2021 Budget. Transfer budgeted cash to Highway from General fund: 101-4911-00000 \$1,300,000 & 201-4311-37100 \$1,300,000. Transfer budgeted cash to 911 from General fund: 101-4911-00000 \$250,000 & 207-4215-33400 \$250,000. MOTION by Poppens and seconded by Jibben. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the following automatic supplements to the 2021 Budget. 911 grant to update furniture and fixtures: 207-4215-33400 \$71,364.25 & 207-4215-435000 \$71,364.25. RAIF funds (will allow for payments to be made when inventory finished): 295-0000-33400 \$52,328.81 & 295-4311-422000 \$52,328.81. MOTION by Schmidt and seconded by Arends. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to approve and authorize the payment of Domestic Abuse Funds as follows in order to prevent that account from retaining a balance: Children's Inn \$1,190.00; The Compass Center \$1,190.00; Lincoln County (Administrative Fee) \$264.47. MOTION by Schmidt and seconded by Poppens. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

RESOLUTION: BE IT RESOLVED to hereby rescind the Following Resolution: "2110-29  
RESOLUTION: BE IT RESOLVED to table until the November 2nd Commission meeting the agenda item: Agreement for Poll Pads with Knoink. MOTION by Poppens and seconded by Schmidt. Arends: "Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried." MOTION by Arends and seconded by Schmidt.: "Arends Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

COMMISSIONER BRIEFING: Auditor Sheri Lund informed the Board of the necessary facts pertaining to the County net position, the County Audit reports and the establishment of a Financial Action Network (FAN).

COMMISSIONER DISCUSSION: Discussion was held for the recruitment of a grant writer to manage the American Recovery Plan Act funds (ARPA).

RESOLUTION: BE IT RESOLVED to direct Civil Deputy States Attorney William Golden and Commissioner Landeen to prepare a request for proposal for a grant administrator. MOTION by Poppens and seconded by Jibben. "Arends Aye" Jibben: "Aye" Poppens: "Aye" Schmidt: "Aye" Landeen: "Aye". Motion carried.

MOTION by Poppens and seconded by Jibben to adjourn at 10:06 a.m. until 8:30 a.m. on November 2, 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/  
Shaun Feilmeier, Deputy Auditor

Approved November 2, 2021  
*Please publish the week of November 8, 2021.*