

December 22, 2009

The Lincoln County Board of Commissioners met at 8:30 A.M. on December 22, 2009 with members Jason Melcher, David Gillespie, Dale Long, Jim Schmidt, and Dennis Weeldreyer present. The meeting was called to order with the Pledge of Allegiance to the Flag. The Auditor was clerk of the Board.

A motion by Weeldreyer and seconded by Gillespie that the minutes of December 15, 2009 be approved. Motion carried.

The Clerk of Courts Report of Disbursement of Funds for mid-month ending December 15, 2009 was presented as follows: State Fines \$13,101.00, State Costs \$798.00, State Forfeitures \$.00, Cash Fees \$2,307.60, Law Library \$419.00, Petty Offense \$595.00, Court Appointed Attorney Repayments \$2,248.00, and Divorce Fees \$400.00.

Motion by Schmidt and seconded by Weeldreyer to approve the carry over of 96 excess accrued vacation hours into 2010 for Don Schultz. Motion carried.

Projected travel outside of Lincoln County for the month of January 2010 was presented and approved for Mark Rowen.

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Agreement by and between Lincoln County and the Second Chance Rescue Center for providing animal control for the period January 1, 2010 through December 31, 2010. Motion by Gillespie and seconded by Melcher. All Commissioners voted "Aye".

Tom Wollman presented the resignation of Laurie Gates in the Lincoln County States Attorney's office.

Motion by Schmidt and seconded by Gillespie to authorize the re-classification of Ronda Headrick to Senior Paralegal and Sue Doherty to the Victim Witness Position vacated by Ronda Headrick and to further authorize the States Attorney to advertise for a paralegal position vacated by Sue Doherty. Motion carried.

RESOLUTION: BE IT RESOLVED that the plat of Lot 4 of Tract 1 of Superior Addition in the Southeast Quarter (SE1/4) of Section 18, Township 97, Range 50 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat with the stipulation that the plat presented will meet the specifications of the work copy. Motion by Melcher and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Lot 20A of Baker Park Estates in Section 11, 12, 13, and 14, Township 100, Range 49 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Lot A in Tract 2 of Kollis' Addition in the Southwest Quarter (SW1/4) of Section 35, Township 98, Range 49 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1A of Ulrikson Addition in Government Lot 1 of the Northwest Quarter (NW1/4) of Section 2, Township 97, Range 49 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tracts B1 and B2, Westland Easement in the Northeast Quarter (NE1/4) of Section 16, Township 99, Range 50 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tracts 1 and 2, Ackerman Addition in the North Half (N1/2) of the Northeast Quarter (NE1/4) of Section 16, Township 99, Range 50 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

Motion by Gillespie and seconded by Melcher to approve the Application for Commercial Garbage hauler/Recycling Collection License submitted by Sioux Falls Sanitation for the year 2010. Motion carried.

The Register of Deeds Statement of Fees Collected for the month of November 2009 was presented in the amount of \$54,459.30.

The Sheriff's mileage log for the month of November 2009 was presented.

The Hearing was held as published for the renewal of the alcoholic beverage license for Truck Towne Inc., Beresford, SD.

RESOLUTION: WHEREAS, Notice of Hearing Upon Application for Renewal of License for Sale of Alcoholic Beverages for 2010 was published in the legal newspapers for Lincoln County on which publication was more than seven days prior to the hearing date and WHEREAS, the Board of County Commissioners have considered the application and facts given to them, NOW THEREFORE BE IT RESOLVED that the application for renewal of Alcoholic Beverage License for 2010 be approved for the structure only for the following: Truck Towne Inc. , Lot One (1) of Carlson Tract 2 in the South Half of the Southwest Quarter (S1/2SW1/4) of Section Thirty-One (3`), Township Ninety-Six (96) North, Range Fifty (205) West of the 5th P.M., Lincoln County, South Dakota Motion by Schmidt and seconded by Melcher. All Commissioners voted "Aye".

The Hearing was held as published on the petition to vacate platted property described as 6.48 acres in Tract One of DeJong Addition in the North Half of the Southwest Quarter (N1/2SW1/4) of Section 1, Township 99, Range 51 West of the 5th P.M., Lincoln County, South Dakota.

RESOLUTION: WHEREAS pursuant to SDCL 11-3-21.1 a Hearing was held as published on the Petition to Vacate a Plat for property described as: 6.48 acres in Tract One of DeJong Addition in the North Half of the Southwest Quarter (N1/2SW1/4) of Section 1, Township 99, Range 51 West of the 5th P.M., Lincoln County, South Dakota AND WHEREAS the Board of Commissioners have considered the facts presented at such Hearing NOW THEREFORE BE IT RESOLVED to approve the vacation of said plat.. Motion by Schmidt and seconded by Melcher. All Commissioners voted "Aye".

Fuel quotations were presented for December 9, 2009. The only quote received was from Cole Petroleum in the amount of \$2.1379 per gallon for summer diesel.

Motion by Melcher and seconded by Schmidt to approve the Application for Entrance from a Lincoln County Highway for an entrance onto Lincoln County Highway No. 110 submitted by Dale Hansen. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Occupancy on the Right of Way of County Highways for a cable occupancy of County Highway No. 110 in Section 4 and 3 of Township 99 North, Range 49 West of the 5th P.M., Lincoln County, SD submitted by Qwest. Motion carried.

RESOLUTION: BE IT RESOLVED that the following quarterly transfers be hereby approved for expenses incurred by the Road and Bridge fund for other departments: Planning and Zoning \$189.27; Sheriff \$9,786.67; Airport \$862.75; Weeds \$74.48; Equalization \$761.48; Emergency Management \$369.79; General Government Building \$70.52; 911 Communications \$432.91 BE IT FURTHER RESOLVED that the quarterly transfer of wheel tax be hereby approved as follows: \$13,956.41 to townships and \$13,956.41 to cities. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

Motion by Melcher and seconded by Gillespie to approve the settlement of Med Case #83 with Sanford Medical Center in the amount of \$44,126.03 and Med Case #107 with Sanford Medical Center in the amount of \$47,026.87. Motion carried.

The following full-time payroll claims were approved:

The following claims were approved:

General Fund: 4-H Club Leaders, storage \$625.50; A & B Business Equip, supplies \$157.98; A & B Pure Water, water \$26.96; Action Electric, light bulbs/repairs \$900.19; Angus Journal, subscription \$100; Avera McKennan Hospital, mental health holds \$900; prisoner care \$411.33; Avera University Psychiatry, MI health \$366.82; Donna Barber, mileage \$65.49; Brown & Saenger, supplies \$178.20; CADD/Engineering, maint \$222.95; Century Business Products, copier lease \$162.52; Chemco, supplies \$1,200.52; Clark Engineering, professional services \$17,709.95; Culligan Water Conditioning, service \$20.25; Corky DeJong, mileage \$5.55; Dell Marketing, computer equip \$5,418.90; Dependable Roofing, new roof \$2,640.59; Elite Business Systems, copier maint \$750; Steve Enger, mileage \$25.16; John Erpenbach QMHP, MI evals \$247.50; ESRI, license \$19,156.08; Express Attorney Services, serve papers \$43.50; Dick Fossum, mileage \$35.52; Erma Fossum, mileage \$59.20; Galland Law Firm, MI board \$1,003; David Gillespie, mileage \$91.46; Great Plains Psych Serv, crt ordered therapy \$4,610; Hander Plumbing & Heating, boiler \$1,448.37; Interstate Office, supplies \$197.34; Intoximeters, supplies \$55.50; Johnson Controls, service agrmnt/repairs/maint \$8,960.85; Kelley Kruger, travel expense \$82.89; Wendy Lawrenson, mileage \$37; Lewis Drugs, county assistance \$232.45; prisoner meds \$1,230.12; LexisNexis, online charges \$328; Lincoln Co ROD, checks \$76; Lincoln Financial Group, employee life ins \$253.09; Lite Electric, electrical work \$1,080.65; Jeff Lounsbery, travel expense \$538.23; Lyle Signs, signs \$215; Lynn Peavey Co, supplies \$120.50; Michael McGrath QMHP, MI eval \$153; McLeod's Printing, supplies \$480.20; MCPC Inc, supplies \$143.98; Menards, materials \$52.76; Microfirm Software Corp, upgrade programming \$500; MidAmerican Energy, utilities \$2,404.60; Midcontinent, internet \$173.33; Minnehaha Co Regional JDC, child care \$1,620; Minnehaha Co Trs, blood draws \$525; boarding fees \$22,674.24; Minnehaha Co Trs, qtrly contract \$79,935; Myrabo Law, MI board \$8,520.92; Irene Ness, travel expense \$52.18; Overhead Door, repairs \$372.45; Barbara Palmer QMHP, MI evals \$2,070; Paragon Publishing, ad \$17.80; Paul's Auto Repair, service vehicle \$259.46; Paul Paulson, mileage \$44.40; Pennington County Jail, prisoner transports \$174; Pheasantland Industries, MH decals \$54.42; Pitney Bowes, postage \$2,000; Pizza Ranch, grand jury meals \$38.90; Ron Poppens, mileage \$25.16; Quill, furniture/supplies \$1,190.42; Qwest, sensor \$80; Mark Rowen, travel expense \$262.64; Rural Route 1 Service, mats \$76.50; Sanford Home Health (VNA), hepatitis B shots

\$684; Sheldon Schelling QMHP, MI evals \$360; SD State's Attorney Assoc, dues \$1,224; Security Labs, website \$1,249; Arden Shields, mileage \$26.64; Sioux County Sheriffs Office, serve papers \$45.42; Sioux Empire Auto Serv, service & repair \$766.96; State Bar of SD, dues \$1,950; TASC, admin fee \$1,119.92; Tea Events Hall, employee appreciation banquet \$1,749; Deb Turner, mileage \$70.30; Herb Ulrikson, mileage \$17.92; Walgreen Co, county assistance \$677.57; West Payment Center, publications \$111.50; Xcel Energy, utilities \$4,268.36.

Road Fund: A & B Pure Water Online, water \$2.99; Avera Queen of Peace, drug test \$49.50; Boyer Trucks, repairs \$239.25; Butler Machinery, parts \$80.20; Cole's Petroleum, fuel \$14,965.30; Lincoln Financial Group, employee life ins \$52.95; Lyle Signs, signs \$1,212; MD Products, supplies \$969.22; Menards, supplies \$228.47; MidAmerican Energy, highway \$531.69; MidContinent, internet \$5.42; Paul's Auto Repair, repairs \$430.26; Pump'n Pak, fuel \$271.92; Sanitation Products, supplies \$318.58; SD Dept of Trans, striping \$39,540.18; bridge work \$7,018.72; Sioux Equipment, parts \$472.13; Sturdevant's Auto Parts, supplies \$22.47; TASC, admin fee \$319.99; Tractor Supply, supplies \$339.98; Xcel Energy, utilities \$358.61.

E911 Communication Fund: Brown & Saenger, supplies \$117.88; Bullberry Systems, annual service contract \$1,500; Century Business Products, copier contract \$82.80; Knology, tower rent \$100; Lincoln Financial Group, employee life ins \$28.24; Midcontinent, internet \$13.54; Qwest, tower rent \$1,684.53; Sioux Falls Two-Way Radio, fire repeaters \$20,848; Repairs \$145; TASC, admin fee \$159.98; Xcel Energy, radio repeater \$9.84.

Emergency Management Fund: Dave's Service & Repair, fuel \$61.47; I-29 Fuels, fuel \$418.35; Lincoln Financial Group, employee life ins \$3.53; Midcontinent, internet \$2.71.

Solid Waste Fund: A-B Propane, kerosene \$39.89; Countryside Convenience, fuel \$100.22; Eastern Farmers, fuel \$723.36; Farm Gas, propane \$488; Knology, telephone services \$51.14; Lincoln Financial Group, employee life ins \$7.06; Sanford Home Health (VNA), hepatitis B shots \$228; City of Sioux Falls, tipping fees \$15,253.92; Southeastern Electric, electricity \$407.38; Sturdevant's Auto Parts, supplies \$35.98; TASC, admin fee \$79.99; Tri State Garage Door, repairs \$329.05.

Airport Fund: Clark-Schaff Airport Team, planning grant \$11,684.18; EAA Chapter 289, rent \$298.59; Knology, internet \$52.95; Lincoln Co Rural Water, water \$22; Lincoln Financial Group, employee life ins \$3.53; Sinclair Oil Corp, fuel \$16.20; Sioux Falls Area Chamber, chamber membership \$160; Southeastern Electric, electricity \$325.53; Tractor Salvage & Welding, replace snow plow edge \$588.80.

24/7 Sobriety Fund: Pharm Chem, sweat patch analysis \$200.

Courthouse Building Fund: Action Electric, courtroom lights \$14,670; Brown & Saenger, railings \$699.86; Hander Plumbing & Heating, boiler \$3,983.63; Midwestern Mechanical, sprinkler system \$19,960; Safe-n-Secure, card readers \$1,391.56.

Employee Group Health Fund: Wellmark Blue Cross/Blue Shield, employee health ins \$53,179.67.

The Board adjourned until 8:30 A.M. on December 29, 2009.

Lincoln County Board of Commissioners

Dale Long, Chairman

Attest: _____
Paula Feucht, Auditor

Approved _____