

July 27, 2010

The Lincoln County Board of Commissioners met at 8:30 A.M. on July 27, 2010 with members Dennis Weeldreyer, Jason Melcher, Dale Long, Jim Schmidt and David Gillespie present. The meeting was called to order with the Pledge of Allegiance to the Flag. The Auditor was clerk of the Board.

Motion by Long and seconded by Weeldreyer that the minutes of July 13, 2010 and July 20, 2010 be hereby approved. Motion carried.

The Register of Deeds Report of Fees was presented in the amount of \$61,510.70.

Motion by Long and seconded by Weeldreyer to approve the Application for a Fireworks Public Display Permit submitted by John Steever for July 29, 2010 at 46850 276th St., Lennox, SD. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application, Affidavit for Replacement Warrant pursuant to SDCL 4-9-22 for warrant number 56727 issued on 5/25/2010 in the amount of \$28,797.95 as the warrant was lost. Motion carried.

Motion by Long and seconded by Weeldreyer to declare surplus three Rubbermaid desk mats items #2913, 2914, and 2915 to be disposed of. Motion carried.

Motion by Gillespie and seconded by Long to approve out of county travel for the month of July 2010 for Jeff Lounsbery. Motion carried.

Motion by Melcher and seconded by Gillespie to authorize the Chairman to execute the Unclaimed Property Report to be remitted to the State of California in the amount of \$77.00. Motion carried.

RESOLUTION: BE IT RESOLVED that the Plat of Timm's Addition in the East Half (E1/2) of the Southeast Quarter (SE1/4) of Section 19, Township 99, 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 Melcher and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the Plat of Tract 1 of Poppens Addition in the Southeast Quarter (SE1/4) of Section 19, Township 100 North, Range 51 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 Melcher and seconded by Weeldreyer. All Commissioners voted "Aye".

The Clerk of Courts report of Disbursement of Funds for month ending June 30, 2010 was presented as follows: State Fines \$10,838.00, State Penalties \$.00; State Costs \$904.00, Cash Fees \$1,088.80, Law Library \$208.00, State Forfeiture \$170.00, Petty Offense \$595.00 Divorce Fees \$300.00, Court Appointed Attorney Repayments \$3,044.00.

The Clerk of Courts report of Disbursement of Funds for mid-month ending July 15, 2010 was presented as follows: State Fines \$11,012.07, State Penalties \$.00; State Costs \$623.00, Cash Fees \$1,782.20, Law Library \$299.00, State Forfeiture \$.00, Petty Offense \$224.00 Divorce Fees \$500.00, Court Appointed Attorney Repayments \$3,444.07.

Richard Osvog met with the Board and expressed concerns about safety and road issues with Life Light.

Nancy Surprenant with SECOG met with the Board and discussed a draft of 2011-2015 transportation improvements.

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized to publish "Notice of Joint Hearing" for an application to rezone from the A-1 Agricultural District to the Zenobi Planned Development District property described as Tract One (1) of Bolte's Addition, an Addition in the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 12, Township 100, Range 50, Lincoln County, South Dakota. Said Hearing to be held on August 23, 2010 at 7:00 pm. BE IT FURTHER RESOLVED that the first reading of the petition to rezone be held on August 3, 2010 at 9:15 am. Motion by Long and seconded by Gillespie. All Commissioners voted "Aye".

Motion by Melcher and seconded by Gillespie to set a Hearing date of August 3, 2010 at 8:45 am for the first reading of the Criminal Background Check Ordinance. Motion carried.

Mark Rowan met with the Board on the County Extension, Ag Building and County Fair budgets.

Motion by Melcher and seconded by Long to authorize the IT Department to purchase a new server in the amount of \$21,000. 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 \$271.43; Sheriff \$14,526.88; Airport \$564.02; Equalization \$973.01; Emergency Management \$873.39; General Government Building \$1,212.42; GIS \$77.59; Election \$2,390.97; 4-H Grounds \$556.51; Transfer Station \$109.94; Weeds \$2,173.52 BE IT FURTHER RESOLVED that the quarterly transfer of wheel tax be hereby approved as follows: \$21,096.95 to townships and \$21,096.95 to cities. Motion by Melcher and seconded by Weeldreyer. All Commissioners voted "Aye".

Motion by Gillespie and seconded by Melcher to approve the Applications for Permit to locate within the County right-of-way submitted by SDN Communications and Midcontinent Communications.. Motion carried.

Diesel fuel and ethanol quotes were presented as follows with fuel purchased from low quote of Stern Oil - Freeman: Ethanol – Eastern Farmers Co-op \$2.335 per gallon; Stern Oil Co. – Freeman \$2.306 per gallon; Cole Petroleum \$2.3314 per gallon, Diesel Fuel – Stern Oil Co. \$2.19 per gallon; Cole Petroleum \$2.2145 per gallon.

Motion by Gillespie and seconded by Long to enter executive session on a personnel issue. Motion carried.

Motion by Melcher and seconded by Gillespie to end executive session. Motion carried.

Motion by Gillespie and seconded by Melcher to suspend without pay for three days a Lincoln County Highway employee. Motion carried.

Motion by Weeldreyer and seconded by Long to approve the Affidavit in Support of Application for Waiver of Poor Relief Lien submitted on Med Case #104. Motion carried.

RESOLUTION: WHEREAS an appraisal has been filed in the amount of \$495 for surplus property described as a strip of land approximately 33' wide by 2640' long, specifically beginning at the Northwest corner of the Southeast Quarter of Section 25, Township 96 North, Range 48 West of the 5th P.M., Lincoln County, South Dakota NOW THEREFORE BE IT RESOLVED that the property be offered for sale to the adjoining landowners in the amount of \$495.00. Motion by Weeldreyer and seconded by Gillespie. All Commissioners voted "Aye".

Motion by Melcher and seconded by Long to request that a project be added to the 2015 TIP, specifically, engineering and design for reconstruction of County Highway 106 from County Highway 111 to I-29 with projected County participation of \$250,000. Motion carried.

Motion by Long and seconded by Weeldreyer to authorize the Deputy States Attorney to offer to Avera McKennan payment of \$40,000 on Med File 76 in exchange for the dismissal of Med File 78. Motion carried.

Motion by Long and seconded by Melcher to make the following changes to budget requests presented by Lincoln County departments: reduce the Auditor's budget request by \$45,839; reduce the General Government Buildings budget request by \$92,019; reduce the Register of Deed's budget request by \$32,376; reduce the GIS budget request by \$14,475; reduce the Planning and Zoning's budget request by \$8,100; reduce the Road & Bridge budget request by \$255,000; reduce the 911 Communications budget request by \$15,000; and reduce the Transfer Station budget request by \$21,259. Commissioners Melcher, Long, Weeldreyer and Schmidt voted "Aye". Commissioner Gillespie voted "Nay". Motion carried.

The following full-time payroll claims were approved: General Fund: Auditor's Office Payroll \$19,591.21; Treasurer's Office Payroll \$24,579.51; Computer/Data Processing Payroll \$3,698.36; Equalization Office Payroll \$28,202.92; Veteran's Service Office Payroll \$1,480.21; States Attorney Office Payroll \$37,577.97; Register of Deeds Office Payroll \$12,580.41; GIS Office Payroll 6,472.32; Custodians Payroll \$11,712.93; Sheriff's Office Payroll \$61,573.20; Extension Office \$4,995.07; Weed Control \$6,853.43; Planning & Zoning Payroll \$6,450.15; FICA Match \$12,708.70; Medicare Match \$2,972.21; SDRS Match \$14,439.08; Group Health Insurance Match \$20,296.40. Road Fund: Payroll \$65,544.41; FICA Match \$3,730.38; Medicare Match \$872.42; SDRS Match \$3,201.05; Group Health Insurance Match \$6,666.02; Communications Fund: Payroll \$27,343.33; FICA Match \$1,532.37; Medicare Match \$358.38; SDRS Match \$1,640.60; Group Health Insurance Match \$2,535.36; Emergency Management Fund: Payroll \$4,018.59; FICA Match \$218.94; Medicare Match \$51.20; SDRS Match \$241.12; Group Health Insurance Match \$572.81. Solid Waste Fund: Payroll \$6,657.96; FICA Match \$387.81; Medicare Match \$90.69; SDRS Match \$399.47; Group Health Insurance Match \$293.11; Airport Fund: Payroll \$3,671.58; FICA Match \$198.10; Medicare Match \$46.33; SDRS Match \$220.29; Group Health Insurance Match \$600.28.

The following claims were approved:

General Fund: A & B Pure Water Online, coffee \$153.08; Active Data Systems, microfilming \$224.48; Valorie Ahrendt, fees/mileage \$64.80; Craig Andersen, mileage \$37; Anesthesia Physicians, county assistance \$303.25; Avera McKennan Hospital, prisoner care \$4.37; Avera University Psychiatry, MI hosp admits \$366.82; Brown & Saenger, supplies \$15.33; C & R Supply, parts \$50.74; Joe Carlson, prisoner transport \$61.96; Cartridge World, supplies \$180.99; Century Business Products, copier maint \$75.67; Chemco, supplies \$621.57; City of Harrisburg, county assistance \$400; Community Health Clinic, prisoner care \$78; Dindot-Klusmann Funeral Home, county assistance \$2,500; John Erpenbach QMHP, MI eval \$90; Express Attorney Services, serve papers \$60.50; Paula Feucht, mileage \$8.88; Edna Fillingsness, 4H judge \$75; Frieberg Nelson & Ask, crt appt atty \$131.20; Gall's, supplies \$48.97; Gina Glasoe, fees/mileage \$66.28; Great Plains Psych Serv, crt ordered eval \$1,755; Arlis Hentges, 4H judge \$50; Jurgens Printing/Copy Center, fair books \$100.21; Kevin Kappenman, ship computer \$74; Tracy Kern, 4H judge \$50; Rozann Kiewel, 4H judge \$50; Abigail

Klemisch, fees/mileage \$68.50; Ronald Larson, mileage \$7.40; Lennox Independent School, 4H rent \$25; Lennox Life Enrichment, budget allocation \$5,000; Lewis Drug, prisoner care \$942.80; LexisNexis, online charges \$134; Lincoln Financial Group, employees life ins \$255.21; Lite Electric, electrical work \$615.18; Dale Long, mileage \$122.10; Jeff Lounsbery, travel expense \$1,042.08; Eric A Lovro, crt appt atty \$1,239.74; McLeod's Printing, supplies \$333.42; Jason Melcher, mileage \$34.04; Menards, supplies \$35.58; MidAmerican Energy, county assistance \$203.07; utilities \$14.33; Midcontinent Communications, internet \$173.33; Minnehaha Co Treasurer, contract/boarding \$110,011; Myrabo Law Office, MI board \$16,185.50; Chad Nelson, mileage \$14.06; Irene Ness, supplies \$48.84; June Nusz, mileage \$22.20; Office Elements, maint contract \$137.12; Otis Elevator, service agreement \$1,023.24; Barbara Palmer QMHP, MI eval \$3,217.50; Peltier's Collision Ctr, service vehicles \$435.97; Pennington County Jail, prisoner transport \$698.90; Peterson Law Office, MI board \$921.70; Pitney Bowes, postage \$2,000; Donna Plucker, fees/mileage \$50.74; Richard Portz, mileage \$35.52; Progressive Microtechnology, supplies \$98.25; Quill, supplies \$67.43; Qwest, utilities \$80; Rural Route 1 Services, mats \$84.45; Sheldon Schelling QMHP, MI evals \$472.50; Second Chance Rescue Center, trip chg/mileage \$51.04; Senior Companions, budget allocation \$3,300; Sioux Empire Auto, service vehicles \$730; Darrel Sogn, mileage \$22.20; Southeastern Behavioral Hlth, semi annual allotment \$12,065.50; Southeastern Electric, county assistance \$200.86; Star Publishing, resolution \$63.87; Telvent DTN, online subscription \$279; The Garden Of Eat'n, 4H judges lunch \$39.30; Jacob VanEgdom, fees/mileage \$64.80; Debra M Voigt, crt appt atty \$3,993.80; West Payment Center, codified laws pocket parts \$170; Wheelchair Express, MI transport \$225; Kenneth Wieczorek, fees/mileage \$54.44; Wizard Car Wash, car care \$193.87; Yankton Co Sheriff's Dept, MI serve papers \$25; Zomer Plumbing, Htng & A/C, repairs \$162.19.

Road Fund: A & B Pure Water Online, coffee \$6.12; Boyer Trucks, repairs \$566.09; CDW-G Inc, printer \$117.09; Concrete Materials, asphalt \$116,719.40; Diamond Mowers, repairs \$283.47; Diesel Machinery, equipment rental \$3,700; G & K Supreme Auto Sales, repairs \$52; Graham Tire, tires \$466.40; Jebro, asphalt \$6,911.03; JFI, repairs/supplies \$327.12; Lincoln Financial Group, employees life ins \$52.95; Lyle Signs, signs \$60.73; Midcontinent Communications, internet \$5.42; Myrl & Roys Paving, paving project \$589,199.75; Northern Truck Equip, parts/repairs \$331.68; Sioux Falls Two-Way Radio, repairs \$21.24; Stern Oil, diesel fuel \$15,330; Tetra Tech, professional services \$393.50; Wheelco Truck/Trlr Parts, repairs \$174.13; Xcel Energy, electricity \$31.70.

E911 Communications Fund: Brown & Saenger, supplies \$389.86; Century Business Products, copier maint \$70.61; Knology, tower rental \$100; Lincoln Financial Group, employees life ins \$28.24; Midcontinent Communications, internet \$13.54; Qwest, trunk rent \$1,686.45; Sioux Falls Two-Way Radio, battery pack \$3,822.90.

Emergency Management Fund: Lincoln Financial Group, employees life ins \$3.53; Midcontinent Communications, internet \$2.71; Harold Timmerman, travel expense \$99.81.

Solid Waste Fund: Avera Queen of Peace Hlth, drug tests \$49.50; Eastern Farmers, fuel \$946.39; Lincoln Financial Group, employees life ins \$7.06; City Of Sioux Falls, tipping fees \$24,218.70.

Airport Fund: A-1 Septic Tank, pump septic tanks \$335; J & M Aircraft Supply, supplies \$71.77; Knology, internet \$52.95; Lincoln Financial Group, employees life ins \$3.53; Sinclair Oil Corp, gas \$63.

24/7 Sobriety Fund: Pharm Chem Inc, sweat patch analysis \$300.

Law Library Fund: West Payment Center: publications \$845.

Employee Group Health Ins Fund: Wellmark Blue Cross/Blue Shield, employee health ins \$54,692.76.

The Board adjourned until 8:30 A.M. on August 3, 2010.

Lincoln County Board of Commissioners

Attest: _____

Paula Feucht, Auditor

Approved _____

Jim Schmidt, Chairman