

June 28, 2011

The Lincoln County Board of Commissioners met at 8:30 A.M. on June 28, 2011 with members, David Gillespie, Dennis Weeldreyer, Jim Schmidt, Jason Melcher and Dale Long 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 Long and seconded by Melcher to approve the agenda as presented. Motion carried.

A motion by Gillespie and seconded by Melcher that the minutes of June 14, 2011 and the minutes of June 28, 2011 be approved. Motion carried.

The Clerk of Courts report of Disbursement of Funds for month ending May 31, 2011 was presented as follows: State Fines \$9,552.47, State Penalties \$.00; State Costs \$764.97, Cash Fees \$1,492.00, Law Library \$239.00, State Forfeiture \$500.00, Petty Offense \$375.00, Divorce Fees \$300.00, Court Appointed Attorney Repayments \$3,192.71.

The Clerk of Courts report of Disbursement of Funds for mid-month ending June 15, 2011 was presented as follows: State Fines \$8,671.97, State Penalties \$.00; State Costs \$948.03, Cash Fees \$2,007.20, Law Library \$314.00, State Forfeiture \$1,450.00, Petty Offense \$600.00, Divorce Fees \$300.00, Court Appointed Attorney Repayments \$3,139.76.

The Sheriff's Civil Fee Mileage Report for the month of May 2011 was presented.

Motion by Schmidt and seconded by Gillespie that the Chairman is hereby authorized to execute the change order submitted by D&G Concrete for the Runway Rehabilitation Project at the Marv Skie Airport in the amount of \$41,937.35. Motion carried.

Motion by Long and seconded by Schmidt to grant an extension on the completion of the Runway Rehabilitation Project at the Marv Skie Airport to July 21, 2011. Motion carried.

Motion by Melcher and seconded by Gillespie to take under advisement the employee parking situation on the East side of the Courthouse addressed in the letter received from Thomas Raymon. Motion carried.

The second reading was held on An Ordinance Amending The 2009 Revised Zoning Ordinance Of Lincoln County By Rezoning Certain Property Located At 47089 Smith Circle, Harrisburg, South Dakota From The C-Commercial District To The R-Rural Residential District.

RESOLUTION: BE IT ORDAINED that the 2009 Revised Zoning Ordinance of Lincoln County (Ordinance No. 0904-05) is hereby amended as follows: That approximately 1.02 acres platted and known as Lot 5, Block 3, Smith's Second Addition, located in the SE1/4 of Section 31, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota (47089 Smith Circle, Harrisburg, South Dakota) is hereby rezoned from the C-Commercial District to the R-Rural Residential District and the official zoning map referenced in Section 2.03(A) of the 2009 Revised Zoning Ordinance of Lincoln County is hereby amended to include the above-described property in such Rural Residential District. Motion by Melcher and seconded by Gillespie. All Commissioners voted Aye.

RESOLUTION: RESOLUTION OF THE COUNTY OF LINCOLN, SOUTH DAKOTA ESTABLISHING LICENSE COSTS FOR TEMPORARY MALT BEVERAGE LICENSE AND TEMPORARY LIQUOR LICENSES SDCL 35-4-124/35-4-125 WHEREAS, pursuant to South Dakota Law, the County of Lincoln, South Dakota, shall by resolution establish rules for regulating and restricting the issuance of special licenses for temporary malt beverage and temporary liquor licenses and; WHEREAS, the County of Lincoln, South Dakota, wishes to comply with state law concerning operation of the special licenses, and to provide for the issuance of such licenses; NOW, THEREFORE, BE IT RESOLVED by the County of Lincoln, South Dakota, as follows: (1) A temporary special malt beverage retailers license may be issued in conjunction with a special event within the county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(6) (on-sale), or (16) (malt beverage retailers) in addition to any other licenses held by the special events license applicant; (2) A temporary special on-sale wine retailers license may be issued in conjunction with a special event within the county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(6) (on-sale), or (12) (malt beverage retailers) or chapter 35-12 (farm wineries) in addition to any other licenses held by the special events license applicant; (3) A temporary special on-sale license may be issued in conjunction with a special event within the county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2 or (6) (on-sale) in addition to any other licenses held by the special events license applicant; or (4) A temporary special off-sale package wine dealers license in conjunction with a special event within the county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2 (12) (wine retailers), (17A) (farm malt beverage or wineries), or

(19) or chapter 35-12 (farm wineries) in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12. (5) Any license issued pursuant to this Resolution may be issued for no longer than fifteen (15) consecutive days. (6) The maximum number of licenses that may be issued pursuant to this Resolution to any person within any calendar year is six (6). (7) Any license issued pursuant to this Resolution shall be issued only to the specific person and for the specific location specified on the application (8) The fees for licenses issued pursuant to this Resolution shall be as follows A temporary special malt beverage retailer's license \$25.00 per day. A temporary special on-sale wine retailer's license \$25.00 per day. A temporary special on-sale license may be issued \$50.00 per day. A temporary special off-sale package wine dealers license \$25.00 per day. A \$100.00 publishing fee for each application shall be required. Any application brought pursuant to this Resolution shall be accompanied by the license fee and publishing fee at the time of submission to the County Auditor. The fees for licenses issued pursuant to this Resolution shall be placed in the County's general fund. (9) Temporary licenses issued pursuant to this Resolution may allow the sale of alcoholic beverages on public property or property owned by a nonprofit corporation during a special event. Motion by Melcher and seconded by Schmidt. All Commissioners voted ~~Y~~aye+.

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to publish ~~Notice of Hearing~~+for an Ordinance Providing for Instances in which On/Off Sale Alcoholic Beverage Services are Prohibited. Said Hearing to be held July 26, 2011 at 9:00 a.m. Motion by Melcher and seconded by Gillespie. All Commissioners voted ~~Y~~aye+.

Motion by Schmidt and seconded by Gillespie to declare surplus to be sold a 2002 Chevy Impala VIN 2G1WF55KX29298185 Item #1540. Motion carried.

Motion by Schmidt and seconded by Gillespie to declare surplus for trade-in purposes a Heliobe light bar #1127. Motion carried.

Motion by Schmidt and seconded by Gillespie to declare surplus for disposal a Staples shredder, Model Spl. 1524CP #2579. Motion carried.

Motion by Gillespie and seconded by Long to approve the Application for Abatement on parcel no. 200.10.02.003A in the amount of \$610.86 as the house was torn down on March 31, 2010. Motion carried.

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Agreement by and between Lincoln County and Double H Paving, Inc. for the 2011 Asphalt Paving Project. Motion by Schmidt and seconded by Melcher. All Commissioners voted ~~Y~~aye+.

Motion by Gillespie and seconded by Melcher to approve the Application for Permit submitted by Xcel Energy to locate in the County Right of Way of Lincoln County Highway 106. Motion carried.

Motion by Long and seconded by Gillespie to authorize the Chairman to execute the credentials for Jim Schmidt attending the NACO Conference in Portland, OR in July 2011. Motion carried.

Motion by Melcher and seconded by Schmidt to appoint the Tea weekly paper as a legal newspaper for Lincoln County. Motion carried.

Motion by Long and seconded by Gillespie to deny the request from Randy Smit to install a permanent fence in the County Right of Way of Lincoln County Highway 105 but to allow a temporary fence until December 1, 2011. Motion carried.

The Board met with Lincoln County Departments on budget requests for 2012.

The following full-time payroll claims were approved: General Fund: Auditor's Office Payroll \$16,212.15; Treasurer's Office Payroll \$26,442.99; Computer/Data Processing Payroll \$5,905.06; States Attorney Office Payroll \$39,056.25; Custodians Payroll \$16,107.43; Equalization Office Payroll \$28,664.93; Register of Deeds Office Payroll \$12,132.17; Veterans' Service Office Payroll \$1,480.21; GIS Office Payroll \$6,593.67; Sheriff's Office Payroll \$57,828.13; Extension Office \$5,140.63; Weed Control \$6,634.54; Planning & Zoning Payroll \$6,499.14; FICA Match \$13,006.03; Medicare Match \$3,041.72; SDRS Match \$14,106.97; Group Health Insurance Match \$18,695.89. Road Fund: Payroll \$64,845.53; FICA Match \$3,668.17; Medicare Match \$857.89; SDRS Match \$3,453.02; Group Health Insurance Match \$7,315.16; Communications Fund: Payroll \$29,007.92; FICA Match \$1,642.16; Medicare Match \$384.05; SDRS Match \$1,740.47; Group Health Insurance Match \$2,353.60; Emergency Management Fund: Payroll \$4,099.39; FICA Match \$220.82; Medicare Match \$51.64; SDRS Match \$245.96; Group Health Insurance Match \$631.30. Solid Waste Fund: Payroll \$6,252.63; FICA Match \$364.48; Medicare Match \$85.24; SDRS Match \$375.16; Group Health Insurance \$308.25. Airport Fund: Payroll \$3,802.95; FICA Match \$235.78; Medicare Match \$55.14; SDRS Match \$228.18.

The following claims were presented and approved:

General Fund: 4-H Club Leaders, storage \$207; A & B Pure Water Online, coffee \$306.61; Ron Albers, mileage \$17.76; Craig Andersen, mileage \$18.50; Avera McKennan Hospital, mental health hold \$998; David Bergendahl, transcripts \$168; Brown & Saenger, supplies \$211.42; Chad Brown, travel expense \$694.15; Builders Supply, locks \$438.53; C & R Supply, parts \$113.80; Cartridge World, supplies \$57.57; Century

Business Products, copier lease/maint \$292.82; Chemco, supplies \$85.69; Don Cole, mowing fairgrounds \$300; Farmers State Bank, coin sets \$286.13; David Gillespie, mileage \$8.73; Grand Jury, fees & mileage \$68.50; Great Plains Psych Serv, crt ordered psych eval \$1,155; Marie Ann Heimdal, transcript \$167.20; Institutional Eye Care, prisoner care \$98.10; Interstate Office Products, shredder \$388.50; Jensen Ins Agency, vehicle ins \$212; Katie Johnson PLLC, MI board \$786.25; Ronald Larson, mileage \$3.70; LCM Pathologists, autopsy \$2,471.08; Lewis Drug, prisoner meds \$2,213.10; LexisNexis, online charges \$210.00; Lincoln Financial Group, employee life ins \$250.80; Midcontinent Communications, internet \$174.20; Minnehaha Co Treasurer, blood draws \$550; Mitel Technologies, computer \$883.96; Morphotrak, maint/support agreement \$234; Chad Nelson, mileage \$14.06; Irene Ness, supplies \$16.17; Neve's Uniforms, uniforms \$45.90; June Nusz, mileage \$11.10; Roxane Osborn, transcript \$193.80; Otis Elevator, service contract \$225.87; Pitney Bowes, rent \$512.19; Quill, supplies \$373.06; Rural Metro Med Serv, transport \$200; Rural Route 1 Services, mats \$84.45; Sanford Health, county assistance \$2,886.46; SDAAO, tuition \$1,000; Second Chance Rescue, animal care \$1,295.44; Sioux Empire Auto Serv, vehicle maint \$463; Sioux Falls Area Humane Society, animal care \$763.42; Darrel Sogn, mileage \$11.10; Southridge Apts, county assistance \$500; State Flag Account, flags \$140.59; Sunshine Foods, supplies \$42.96; Super 8 Pierre, lodging \$46.50; VanDiest Supply, chemicals \$938.40; West Payment Center, publications \$525.25; Xcel Energy, county assistance \$144.53; Yankton Co Sheriff's Dept, MI serve papers \$50; Yankton Co Treasurer, MI hearings \$207.50.

Road Fund: A & B Pure Water Online, coffee \$11.79; Allan Bonnema, gas \$81.02; Boyer Trucks, repairs \$885.34; Brock White Const Materials, rentals \$1,500; Concrete Materials, asphalt \$1,596.58; Dakota Supply Group, PVC pipe \$1,168.80; Double H Paving, road repair \$1,951.95; Lincoln Financial Group, employee life ins \$52.95; Mac's, supplies \$11.90; Midcontinent Communications, internet \$5.20; Quill, supplies \$2.23; Share Corporation, rust converter \$424.95; Xcel Energy, utilities \$28.26.

E911 Communications Fund: Language Line Services, interpreter contract \$100; Lincoln Financial Group, employee life ins \$28.24; Midcontinent Communications, internet \$13; Qwest, backup lines \$114.64; trunk rent \$1,752.64.

Emergency Mgmt Fund: Lincoln Financial Group, employee life ins \$3.53; Midcontinent Communications, internet \$2.60.

Home Health Fund: Sanford Home Health, 1st half 2011 contract \$7,750.

Solid Waste Fund: Lincoln Financial Group, employee life ins \$7.06.

Airport Fund: Bierschbach Equipment, supplies \$31; Cartridge World, supplies \$58.79; Clark-Schaff Airport Team, runway rehab \$29,626.99; D & G Concrete Const, runway rehab \$395,884.04; Knology, internet \$52.95; Lincoln Financial Group, employee life ins \$3.53; Pfeifer's Implement, service mower \$346.38; Sinclair Oil, gas \$145.44; Steve's Auto Repair, check repair codes \$130.05.

24/7 Sobriety Fund: Pharm Chem, sweat patch analysis \$252.

Employee Group Health Ins Fund: Coventry Health & Life Ins, employee health ins \$51,719.31.

The Board adjourned until 8:30 a.m. on July 5, 2011.

Lincoln County Board of Commissioners

Dennis Weeldreyer

Attest: _____
Paula Feucht, Auditor

Approved _____