

May 10, 2011

The Lincoln County Board of Commissioners met at 8:30 A.M. on May 10, 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 Gillespie and seconded by Long to approve the agenda as presented. Motion carried.

A motion by Long and seconded by Gillespie that the minutes of May 3, 2011 and the Board of Equalization minutes of May 3, 2011 be approved. Motion carried.

Mileage logs for county vehicles were presented for April 2011.

The Auditor's Account with the County Treasurer for the month ending April 30, 2011 was presented as follows: Total amount of deposits in banks \$587,257.20, Total amount of actual cash \$10,394.51 total amount of checks and drafts in treasurer's possession not exceeding three days \$2,464,367.23, total cash items \$2,755.12, Funds invested \$18,478,957.90, Total cash \$21,543,731.96.

The Register of Deeds Report of Fees for the month of April 2011 was presented in the amount of \$44,114.43.

The Clerk of Courts report of Disbursement of Funds for month ending April 29, 2011 was presented as follows: State Fines \$10,427.74, State Penalties \$.00; State Costs \$786.00, Cash Fees \$11,490.20, Law Library \$253.00, State Forfeiture \$1,000.00, Petty Offense \$450.00, Divorce Fees \$200.00, Court Appointed Attorney Repayments \$3,539.47.

Motion by Long and seconded by Gillespie to authorize the County Auditor to transfer budgeted revenue in the amount of \$50,000.00 from the General Fund to the Emergency Management Fund. Motion carried.

Motion by Long and seconded by Gillespie to take off the table the bid on the Energy Efficiency HVAC Project. Motion carried.

RESOLUTION: BE IT RESOLVED that the low bid of G&R Controls, Inc. in the amount of \$98,151.00 be hereby awarded for the Energy Efficiency HVAC Project to G&R Controls, Inc. Motion by Gillespie and seconded by Long. All Commissioners present voted "Aye".

Motion by Long and seconded by Gillespie to authorize Tucker Halverson to travel to San Diego, CA July 11, 2011 through July 15, 2011 for an ESRI User Conference. Motion carried.

Motion by Gillespie and seconded by Melcher to authorize the advertising for bids for the mowing and baling of the hay ground at the Marv Skie Airport. Motion carried.

Motion by Melcher and seconded by Gillespie that a request for assistance in the removal of an airplane from the Marv Skie Airport using Sundowner for takeoff be hereby denied as adequate notice was given by the County that the Airport would be shut down for the runway rehabilitation project. Commissioners Gillespie, Melcher and Weeldreyer voted "Aye", Commissioner Long voted "Nay". Motion carried.

Motion by Gillespie and seconded by Long to approve the Highland Township Treasurer's Bond and the Highland Township Clerk's Bond. Motion carried.

The Sheriff's Mileage Report for the month of April 2011 was presented.

The Human Services Report for the month of April 2011 was presented.

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to publish "Notice of Hearing" for the renewal of Malt Beverage Licenses and the renewal of an Off Sale SD Wine License for the year 2011-2012. Said Hearing to be held June 7, 2011 at 10:00 am. Motion by Melcher and seconded by Long. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to publish "Notice of Hearing" on the Application for Transfer of the Retail (On-Sale) Liquor License from First Bank and Trust to Craig A. Olson. Said Hearing to be held June 7, 2011 at 10:15 am. Motion by Long and seconded by Gillespie. All Commissioners present voted "Aye".

RESOLUTION: A RESOLUTION ALLOWING FOR THE REIMBURSEMENT OF CERTAIN EXPENDITURES ASSOCIATED WITH THE CANTON INDUSTRIAL PARK TAX INCREMENT DISTRICT, LINCOLN COUNTY TAX INCREMENT DISTRICT #7

WHEREAS, Lincoln County, South Dakota and the City of Canton, South Dakota are planning for the design and construction of certain public improvements to be located in the City of Canton as a part of the Tax Increment Plan to be adopted for Lincoln County Tax Increment District #7; and

WHEREAS, Lincoln County intends to pay for said improvements through the issuance of Tax Increment Revenue Bonds in an aggregate sum not to exceed \$3,000,000.00; and

WHEREAS the Lincoln County will incur certain pre-project costs associated with the planning of said project which said costs shall be incurred prior to the issuance of Tax Increment Revenue Bonds;

NOW THEREFORE BE IT RESOLVED that Lincoln County shall reimburse itself for expenditures made prior to the issuance of said Tax Increment Revenue Bonds, which said bonds shall be issued in the principal amount that shall not exceed \$3,000,000.00. BE IT FURTHER RESOLVED that this Resolution shall act as the Official Intent of Lincoln County for reimbursement as required under Internal Revenue Service Regulation (Regulations) Section 1.150-2, provided however, said reimbursement shall not apply (i) with respect to certain de minimis expenditures, if any, meeting the requirements of Section 1.150-2(f)(2) of the Regulations, or (ii) with respect to "preliminary expenditures" as defined in Section 1.150-2(f)(2) of the Regulations, including engineering or architectural expenses and similar preparatory expenses, which in the aggregate do not exceed 20% of the "issue price" of the Tax Increment Revenue Bonds. Motion by Gillespie and seconded by Long. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Partial Release of Public Defender's Lien pursuant to SDCL 23A-40-14 on property described as: Lot Two (2) in Block Five (5) of Platinum Valley II Addition in the City of Sioux Falls, Lincoln County, South Dakota and upon payment of \$150.00 the Partial Release of Public Defender's Lien be filed with the Lincoln County Register of Deeds. BE IT FURTHER RESOLVED that the Public Defender's Lien #4133 remains in place as to all other real or personal property as provided by SDCL 23A-40. Motion by Melcher and seconded by Long. All Commissioners present voted "Aye".

Jim Schmidt joined the Board at 11:09 a.m.

Motion by Gillespie and seconded by Long to approve the Application for Drain Tile Discharge presented by Anton Kampen along County Highway 135 located in the Southeast Quarter (SE1/4) of Section 24, Township 97 North, Range 49 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota. Motion carried.

Motion by Gillespie and seconded by Long to approve the Application for Drain Tile Discharge presented by Doug Henderson along County Highway 105 located in the Northwest Quarter (NW1/4) of Section 33, Township 96 North, Range 51 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota. Motion carried.

Motion by Long and seconded by Gillespie to approve entering into a Joint Powers Agreement with the City of Hudson for the paving of certain city streets. Motion carried.

Motion by Schmidt and seconded by Long to approve the new hire of Jared Narum as Highway Crew Maintenance worker effective May 23, 2011 at a starting wage of \$15.34 an hour – starting wage of B23 classification on the job classification schedule. Motion carried.

The following claims were presented and approved:

General Fund: 4-H Club Leaders, storage \$336; A & B Pure Water Online, coffee/water \$335.20; Alco, supplies \$75.26; American Auto Awards, name plate \$8.20; ASFPM, app fee \$100; Avera Queen of Peace, exam \$1,981.59; Avera University Psych, MI hosp admit/dischrg \$178.16; David L Bergendahl, GJ transcripts \$143.20; Berreau Law Office, pub def contract/fees \$21,238; Best Business Products, copier maint contract \$124.70; Black Book, cars/particular interest \$67; Brown & Saenger, supplies \$19.96; Builders Supply, keys \$25.60; City of Canton, county assistance \$139.85; utilities \$267.38; Canton Public Library, 2011 budget allocation \$4,900; Lisa Carlson RPR, transcripts \$72.20; Cartridge World, supplies \$142.58; Century Business Products, lease pymt/maint contract \$394.09; Chemco, extractor/supplies \$3,096.84; Denise Cody, MI board \$30; Carla F Coeey, transcripts \$465; Countryside Convenience, gas \$90.16; Culligan Water Conditioning, softener tank service \$21.25; Dave's Service & Repair, vehicle maint \$63.70; DialNet, replaced phone \$189; Donna K Dietrich, MI board \$131.30; Digital Ally, antenna \$ 37.47; Election Systems & Software, maint/support \$468; Eric Eneboe, mileage \$190.01; Frieberg Nelson & Ask, crt appt atty \$589.71; John Frislie, mileage \$18.50; David Gillespie, mileage \$96.34; Holiday Inn City Centre, lodging \$77; Independent Publishing, publishing \$532.86; Inter-Lakes CAP, budget allocation \$340.45; Interstate Office Products, supplies \$137.06; KB's True Value, supplies \$21.35; KELO-TV, job posting \$109; Knology, telephone/internet service \$1,326.85; Dale Long, mileage \$398.86; Michael McGrath PHD, MI evals \$252; MCPC Inc, supplies \$240.24; Jason Melcher, mileage \$170.20; Metro Communications Agency, audio requests \$62; Minnehaha Co Human Serv, monthly poor relief \$5,098; Minnehaha Co Regional JDC, child care \$3,220; Mitel Technologies, computer/monitor \$905.58; Myers & Billion, MI board \$17; Irene Ness, mileage \$31.82; Novak Sanitary Service, garbage/recycling \$128.88; Roxane Osborn, GJ transcripts \$83.60; Otis Elevator, service agreement \$1,082.13; Paragon Publishing, publishing \$37.60; PCS Mobile, radio repairs \$107; Peltier's Collision Ctr, vehicle maint \$1,046.90; Jon Peters, membership fee \$100; Peterson Law Office, MI board \$946.24; Peterson, Stuart, Rumpca & Rasmussen, public defender contract \$8,000; Pitney Bowes, postage \$2,000; Pump'n Pak, gas \$101.41; Cathy Refuss, MI board \$30; Rural Route 1 Services, mats \$84.45; Sam's Club, membership fee \$35; Dave Schrank, gas \$61; SD Federal Property Agency, pallet jack/supplies

\$153; SD Sheriff's Assoc, conference \$60; SD State Treasurer, alcohol/drug tests \$1,751; mentally ill \$1,509.20; SDACC, CLERP \$12,278.35; Security Labs, web site property tax \$499; Jena Skorczewski, transcripts \$57; Star Publishing, publishing \$412.45; Vantek Communications, repairs \$123.52; Verizon Wireless, mobile internet \$215.05; Volunteers of America, shelter care beds \$1,980; Voyager Fleet Systems, gas \$324.10; Workplace Technology, MSP mail service \$64.75; Xcel Energy, utilities \$4,302.44; Yankton Co Sheriff's Dept, MI serve papers \$25; Yankton Co Treasurer, MI hearings \$207.50; Zomer Plumbing, Heating & A/C, heating unit repairs \$111.44.

Road Fund: A & B Pure Water Online, coffee/water \$13.15; Allied Oil & Supply, repairs \$22; Bierschbach Equipment, paint \$149.40; Bubba's Quality Auto Parts, parts/supplies \$355.90; Butler Machinery, Cat 30' leveler \$3,080; City Of Canton, utilities \$183.59; Graham Tire, tires \$253.48; Independent Publishing, publishing \$48; KB's True Value, supplies \$2.94; Knology, telephone/internet service \$164.28; Lawson Products, parts \$219.32; Lyle Signs, signs \$6,096.85; Mac's, parts \$89.37; Menards, supplies \$ 19.84; Michael Todd & Co, materials \$70.95; MidAmerican Energy, utilities \$109.91; Novak Sanitary Service, garbage/recycling \$51; Paul's Storage, repairs \$138.99; SD Dept of Trans, hwy work \$50.28; SDACHS, meeting reg \$30; Sheehan Mack Sales & Equip, parts \$356.07; Star Publishing, publishing \$57; Sturdevant's Auto Parts, parts/supplies \$195.55; Xcel Energy, utilities \$316.92; Zomer Plumbing, Heating & A/C, plumbing \$640.15.

E911 Communication Fund: Ecowater, water/supplies/rent \$66.15; Knology, telephone/internet service \$145.48; Xcel Energy, radio repeater \$13.21.

Emergency Mgmt Fund: Jerry's Auto Sales, vehicle maint \$10.90; Knology, telephone/internet service \$73.05; Timmerman, Harold, gas/supplies \$156.78; Verizon Wireless, mobile internet \$43.01.

Solid Waste Fund: Knology, telephone services \$48.40; South Lincoln Rural Water, utilities \$33; Southeastern Electric, utilities \$264.68; Verizon Wireless, mobile internet \$45.17.

Airport Fund: EAA Chapter 289, rent \$337.72; Knology, telephone/internet service \$.61; Lincoln Co Rural Water, utilities \$22; Dale Long, mileage \$14.80; Potomac Aviation Tech, monitoring fees \$250; Southeastern Electric, utilities \$317.38; Telvent DTN, weather service \$391.50.

24/7 Sobriety Fund: Pharm Chem, supplies \$567.50.

Debt Service-TIF #1: First Nat'l Bank in SF, TIF #1-interest \$13,116.25.

Debt Service-TIF #3: First Nat'l Bank in SF, TIF #3-interest \$34,865; agents fee \$500.

Debt Service-Courthouse: First Nat'l Bank in SF, Courthouse-interest \$159,240.63.

Debt Service-TIF #4: Louise E Persinger Trust, TIF #4-interest \$12,500.

Law Library Fund: West Payment Center, publications \$797.

The Board adjourned until 8:30 a.m. on May 24, 2011.

Lincoln County Board of Commissioners

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Dennis Weeldreyer

Attest: \_\_\_\_\_  
Paula Feucht, Auditor

Approved \_\_\_\_\_