THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by Chairman David Gillespie, at 8:30 a.m. on September 4, 2018 with Commissioners Jim Schmidt, Dale Long, and Dan King present. Commissioner Michael Poppens was absent. Deputy Auditor Celeste Saylor served as Clerk of the Board. Chief Civil Deputy State’s Attorney Michael Nadolski was also present.

ROUTINE BUSINESS:


LONGEVITY:
Weed Control $550.00; FICA 34.10, Medicare 7.98, SDRS 33.00

REPORTS:
No reports were submitted.

PERSONNEL ACTIONS:
COMMISSIONER BRIEFING: Julia Disburg, Human Resources, presented information for a new hire in the Department of Equalization and a step increase for the Sheriff’s Office. Disburg also discussed necessary updates to the employee handbook. There is one correction regarding the hire date deadline for eligibility for raises and two instances where current practice requires policy be put in place to reflect the same.


MOTION by King and seconded by Long to approve a step increase for Michael Meinzer, Deputy Sheriff in the Sheriff’s Office to SO 1, Step 4 at $22.16 per hour, effective the first day of the biweekly period following 9/7/2018. Long: “Aye” King: “Aye” Schmidt: “Aye” Gillespie: “Aye”. Motion carried.

MOTION by King and seconded by Long to approve changes to the Lincoln County Employee Handbook as follows:

8.5 Step Increases
Employees are eligible to advance one step each year if funding is approved by the County Commission. Step increases are also contingent upon the employee’s satisfactory performance as indicated by the department head on the annual performance evaluation and approval by the department head. When approved, step increases are generally effective on the first day of the year. Employees must have been employed on or before August 31st of each year in order to be eligible for a step increase for the upcoming year.

Department heads may delay step increases due to performance concerns until performance improves to a satisfactory level. In these cases, the effective date of the step increase is the date the department head indicates that satisfactory performance has been maintained for an appropriate period of time.

8.12 Overtime and Compensatory Time
…

In recognition of work circumstances, a time and a half rate will be paid regardless of hours physically worked in the following limited situations:

Highway and Facilities employees required to work over 8 hours in a day or on Saturday or Sunday due to weather emergencies only (e.g. snow, ice, flooding).

8.13 Shift Differential
Certain positions may be required to consistently work outside of the regular business hours. In recognition of the staffing impact of these hours, at times the County will pay a shift differential to full-time, overtime eligible employees for night, weekend, or holiday shifts.

The following shift differential applies to Communication Dispatchers: $.50 per hour for all hours between 12:01 a.m. to the 8:00 a.m. or weekend hours beginning Saturday and Sunday 12:01 a.m. to 12:00 p.m. An additional amount of $.25 per hour shall be allowed for Saturday and Sunday 12:01 a.m. to 8:00 a.m. If an overtime eligible employee receives shift premium, his or her regular rate of pay includes that premium.

Due to weather emergencies in the winter months, the Highway Superintendent may assign up to 3 employees at any given time to work a night shift. Night shifts are any work shifts during winter months that begin at 2 p.m. or later. Employees assigned to the night shift by Highway Superintendent will receive a .50/hour shift differential for all hours worked after 2 p.m. Employees assigned to the night shift who are unable to work the shift for any reason must find a replacement, and this replacement must be approved by the Highway Superintendent. In these cases, the individual substituting on the shift will receive .50/hour shift differential.

NOTICES & REQUESTS:
COMMISSIONER BRIEFING: Chief Civil Deputy State’s Attorney Mike Nadolski informed the Commission there has been interest in purchasing the Optimist Building. Nadolski advised the Board of options to sell the property.

MOTION by Long and seconded by Schmidt to surplus the Optimist Building for sale at public auction with a reserve price of $55,000. The Auditor will act as auctioneer with the sale to be held on the Courthouse steps. Long: “Aye” King: “Aye” Schmidt: “Aye” Gillespie: “Aye”. Motion carried.

MOTION by Schmidt and seconded by King to authorize Auditor to set time and date for sale and to publish notice as required. Long: “Aye” King: “Aye” Schmidt: “Aye” Gillespie: “Aye”. Motion carried.

PUBLIC COMMENT:
Faith Kinkner, Tony Ventura, Ernest Straatmeyer, Larry Kinkner, Cindy Thomas, and Don Abbas all spoke about adverse effects of additional CAFOs. The Kinkners live half a mile from the proposed building site. Mrs. Kinkner has concerns about her health declining if more operations are allowed in the area. Mr. Straatmeyer raised concerns about what happens with deceased animals. Mr. Ventura and Ms. Thomas displayed a map showing all current animal operations in the area, both confinements and open lots. They addressed the need to look at the cumulative effect of all animal locations. Mr. Abbas presented information from SDSU regarding setbacks and shelterbelts as well as safety signage. He suggested a moratorium of at least a year on approval of new CAFOs until better rules are established.

Commissioner Schmidt mentioned he attended an open house for the new hog operation opened by Brock Hoogestraat. Schmidt thanked the speakers for being engaged citizens.

REGULAR BUSINESS:
COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, requested approval for Change Order #7 from Architecture Incorporated for work on the brine building. Commissioner King questioned whether he needed approval due to the dollar amount. Fluit responded he wanted to be sure everything was properly approved since the project is near completion. Long: “Aye” King: “Aye” Schmidt: “Aye” Gillespie: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Toby Brown, Planning & Zoning Director, addressed the Commission regarding setting the date and time for the Public Hearing regarding 17-REZ-014. Date and time was set for a Public Hearing for an Ordinance of Lincoln County to rezone a portion of the property legally described as the Southeast quarter (SE1/4) except Lot H-1 of Section 34, Township 100 North, Range 49 West of the 5th Principal Meridian, Lincoln County, South Dakota from the “A-1” Agricultural District and “RC” Recreation/Conservation District to “RR” Rural Residential District. NOW THEREFORE BE IT RESOLVED that pursuant to SDCL 31-3-6 the Auditor is hereby authorized and directed to publish Notice of Hearing for the purpose of receiving public testimony about the action proposed. Said hearing to be held on September 25, 2018 at 9:00 a.m.  MOTION by King and seconded by Long. Long: “Aye” King: “Aye” Schmidt: “Aye” Gillespie: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Harold Timmerman, Emergency Management Director, requested the Chair execute the 2019 State and Local Agreement and presented the Lincoln County Drone Policy for approval. Timmerman explained the policy outlines operators, weather conditions, etc. The policy has been reviewed by Chief Civil Deputy State’s Attorney Nadolski. Commissioner King asked whether anyone had consulted with the FAA regarding proper insurance and licensing. Timmerman advised the drone is licensed, he is a licensed drone operator, and all necessary insurance is in place.


LINCOLN COUNTY DRONE POLICY
Purpose:
Lincoln County Emergency Management in cooperation with The Lincoln County Sheriff’s Office purchased a drone with color and flir camera capabilities to aid in search and rescue missions, damage assessment, and other possible missions approved by emergency management and the sheriff’s office.

Operators:
Only trained and authorized persons may operate the drone. Those authorized are:
Harold Timmerman – Lincoln County Emergency Management Coordinator
Chad Brown – Chief Deputy Lincoln County Sheriff’s Office
Lt. Dave Schrank – Lincoln County Sheriff’s Office
Deployment:
All requests for deployment shall be reviewed and approved by two of the authorized operators of the drone. Life Safety will be a major consideration for deployment.

Restrictions:
- The drone may not be launched or landed in state or federal parks without prior approval of the park ranger or controlling officer.
- Should the drone need to be deployed in controlled air space (ie. Regional airports or small airports) prior approval from the control tower or airport manager must be obtained.
- If unfavorable weather conditions exist (wind over 20 mph, rain, snow, etc.) the operators may choose not to launch the drone.
- The drone may not be operated directly over large crowds of people, but can view an incident from the perimeter.
- When deployed, the drone will be accompanied by two trained pilots, one being the safety officer. Exceptions granted only by two authorized pilots.

Damage Assessment:
Should the drone be requested for damage assessment, after storms, or disasters, private land owners will be contacted as much as possible to obtain permission to fly over their property.
Lincoln County has no fees for drone deployment. The County would accept mileage compensation should it be offered.

LONGEVITY RECOGNITION: Gregg Thompson, Weed Control, 11 years.

Discussion was held regarding the proposed Lincoln County Public Comment Policy. Commissioner Poppens previously raised a question as to whether there should be a set time for Public Comment. Commissioners discussed and decided time will be set aside immediately following items #1 and #2 under Routine Business at each meeting. Commissioner Schmidt suggested also setting a time limit for Public Hearings, allocating equal time for opponents and proponents to speak.

PUBLIC HEARING was held as published at 10:00 a.m. on the 2019 Provisional Budget. Auditor Marlene Sweeter presented the Budget and reviewed adjustments made so far. She reminded the Commission the final Budget needs to be adopted by 9/25/2018 and turned into the State by 10/1/2018. Concerns have been raised to Sweeter and Commissioners regarding removal of $125,000 for an additional Deputy Sheriff. Commissioner Schmidt stated he would like to see the deputy added back in as this is a public safety issue. Commissioner Long advised he spoke with Sheriff Johnson and was told this is definitely a need, not a want for the department.


Questions were raised as to employees who have “topped out” of the pay matrix. Department heads have asked for a way to compensate employees (a bonus or some other increase) for those who have reached the top step on the scale. These employees do receive cost of living increases (generally 2%), but no longer receive merit increases. Right now the only additional compensation in place is longevity. Commissioners suggested giving department heads discretionary money that can be distributed as incentive pay. Commissioner Schmidt agreed incentive or bonus pay is a great idea. He mentioned it would be nice if Commissioners could also have a pot from which they could give a bonus to department heads who go above and beyond. Auditor Sweeter thought it is too late to add line items to the 2019 Budget, but will definitely look at adding this in 2020. More specific details will be decided when preparing the 2020 Budget.

The Board recessed to convene as the Lincoln County Drainage Board.

The Board reconvened as the Board of County Commissioners.

MOTION by Schmidt and seconded by King to adjourn until 8:30 a.m. on September 12, 2018. King: “Aye” Schmidt: “Aye” Gillespie: “Aye”. Motion carried.

Lincoln County Board of Commissioners

Attest: ______________________
Celeste Saylor, Deputy Auditor

Approved ______________________

Please publish the week of September 17, 2018.