THE LINCOLN COUNTY BOARD OF COMMISSIONERS was brought to order by Chairman David Gillespie, at 8:30 a.m. on October 9, 2018 with Commissioners Jim Schmidt, Michael Poppens, Dale Long, and Dan King present. Deputy Auditor Celeste Saylor served as Clerk of the Board. Chief Civil Deputy State’s Attorney Michael Nadolski was also present.

ROUTINE BUSINESS:


PUBLIC COMMENT:
Tony Ventura pointed out that according to SDCL §10-6-31-1, CAFOs do not fit the agricultural requirements stated therein.

CLAIMS:
GENERAL FUND: Independent Publishing LLC, Minutes/Notices $1,311.56; Sioux Valley News Inc, Minutes/Notices $692.51; A & B Pure Water Online Corp, Water $59.06; Americinn Fort Pierre, Travel-Lodging $281.97; McLeod's Printing, Overseas Absentee Voting $78.15; US Bank, Supplies-Envls/Paper/Pens $429.98; Frieberg Nelson & Ask LLP, Crt Atty Atty $535.80; Peterson,Stuart,Rumpca & Rasm, Public Defender Cont-Sept $54,166.66; Strange, Farrell, Johnson & Bre, Crt Atty Atty $458.92; Century Business Products, Copier Maint $882.44; Midco, Internet/Data Svc-Hrsbg $695.33; Quill, Legal Paper $59.84; Us Bank, Supplies-Envls/Paper/Pens/Stage $1,995.21; McLeod's Printing, Supplies-Calendar Refills $69.90; Verizon Wireless, Mobile Internet $31.07; Interstate Office Products, Supplies-Office $451.90; Sd State Treasurer, Blood Draws/Mentally Ill $740.00; Pennington Co Sheriff's Office, Serve Papers $55.16; Us Bank, Sales Tax Credit/Audible Book $17.80; Sanford Health, Blood Draw $34.00; Avera McKennan Hospital, Blood Draw/MI Hold $748.00; Pnb 0112, Exec Mgmt Fin Off, Network Tech Access Fee $99.00; Franzen Reporting/Pgr8r Inc, Grand Jury/Transcripts $348.10; City Of Canton, Water/Sewer $1,255.22; Midamerican Energy Co, Monthly Gas Usage $1,039.70; Rural Route 1 Services Inc, Mats/Dust Mop/Microfiber T $239.70; Xcel Energy, Electricity/County Assistance $13,138.99; Us Bank, Supplies-Desolv It Soluto $43.99; Automatic Security Company Inc, Replaced Bad Connector $125.00; Otis Elevator, Cont Cjfg 10/1-12/ $201.51; Novak Sanitary Svc Corp, Garbage/Recycling-Crthse $195.09; G & R Controls Inc, Replace Rbi Control Board $2,830.00; Bomgaard's, Screwdrivers/Piks/stk $62.83; Bryant's Lawn Care Service, LLC, Weed Control Application $100.00; Brian Eich Engineering LLC, LLC, Repairs- Wall Hung Toilets $1,075.18; Us Bank, Travel-Fuel/Car Wash $117.57; Nagel, Matthew, Travel-Meals $141.00; Vanguard Appraisals Inc, Service Fees $6,650.00; Clubhouse Hotel & Suites Pierre, Travel-Lodging $151.00; At&T Mobility, Mobile Internet $525.62; Golden, Donelda, Travel-Meals $141.00; Heiliger, Ethan T, Travel-Meals $141.00; Preheim, Austin, Travel-Meals $141.00; Holter, Keith, Travel-Meals $141.00; Irons, Susan, Nvs Training Registration $350.00; Peters, Jon, Travel-Fuel $11.50; Us Bank, Cble/Adptr/ Switch/Kybrdr $1,155.03; Connecting Point Computer Ctr, Desktops $25,035.00; Riverside Technologies Inc, Veeam Cloud Connect/Backup $524.00; Minnehaha Co Hr Treasurer, Monthly Contract-Sept $6,247.00; Elite Leadership Consulting, Training- Custom $675.92; Sioux Falls Two-Way Radio Inc, Windport Mic $79.99; SD Sheriff's Association, Sds Conference Registri $170.00; Laurries Cafe’, Prisoner Meal $22.00; Countryside Convenience, Fuel $78.68; Voyager Fleet Systems Inc, Fuel Statement-Sept $642.08; US Bank, Training $25.00; Evident Inc, Swabs/Test Sprays/Toilet Paper $178.20; Auto Dynamics Inc, Oil Change/Rotate #3 18 $138.84; Bomgaard's, Staple Gun & Staples $20.98; Transunion Risk & Alternative, Search Engine $25.00; Yankton Rexall Drug, Prisoner Care $30.97; Duntzen, Dave, Travel-Transport Fuel $46.39; AutoPros Tire & Service Center, Oil Change #17-3, 07-3 $188.19; Murphy Family Dentistry, Prisoner Care $283.38; Lyon Co Ambulance, Prisoner Care $455.98; Biswell, Rick, Em Deposit Refund $20.00; Jacobson, Tasya, Em Deposit Refund/Ovwrpmnt $120.00; Bamsey, Logan, Em Deposit Refund $20.00; Satellite Tracking Of People, Blutag Active $780.00; Sanford Health Pathology Clinic, Coroner Calls-Sept $900.00; Us Bank, Travel-Flight/Ca Rental $963.43; Us Geological Survey, High Reso Hydrographic Map $15,000.00; Inter-Lakes Comm Action Prtrns, 2018 Budget Allocation-Oct $496.67; Southeastern Electric Co-op Inc, County Assistance $118.42; Riverview Apartments LLC, County Assistance $600.00; Minnehaha Co Auditor, Ml Hearings/Investigators $633.09; John Pier & Knoff LLP, Ml Crt Atty Atty $201.40; Loving, Philip, Ml Hearing $2,032.50; Istory, James, Ml Board $423.00; Peterson Law Office PC, Ml Board $1,133.10; Johnson, Patricia R, Ml Evalu $787.50; Hazel Farms & Feedyards LLC, Fence Panels/Posts $230.00; Northern Plains Lumber, Red Cedar/Power Bldg Ext Sc $486.97; Us Bank, Supplies-Glue $18.94; Canton Home & Farm Supply, Supplies-Shop/Weeds $97.98; Eneboe, Eric, Mileage-8/31-9/25 $424.62; Clark Engineering Corp, Project # X18002 $250.00; Preferred Printing Inc, Supplies- Bldg Permit Signs $26.25; Doss, Joan, Travel-Post Signs For Meet $10.42; Beresford Chamber Of Commerce, Beresford Website $1,500.00; Pinney Bowes, Supplies-Red Ink $468.32; Pinney Bowes-Auto Withdraw, Postage-Auto Withdrawal $2,000.00; A-Ox Welding Supply Inc, Argon Size/Materials $298.16; Diesel Machinery Inc, Cutting Edges/Snowplow $53,211.60; Graham Tire Co LLC-Corp, Repairs- #23, #27 $7,205.92; Sturdevant's Auto Parts, Fluid/On/Off/Metal/Mini Bu $324.34; Lawson Products Inc, Slip Hook/Grab Hook $225.45; The Fillin' Station, Tire/Water Valve Stem $1,236.95; True north Steel, Bolts/Straps/Nuts $245.00; Allied Oil & Tire Inc, Repairs- #16, #11 $7,226.96; Dakota Fluid Power Inc, Repairs- #35 $23.34; Jfi Inc, Propane $45.08; South Lincoln Rural Water, Water-Hwy $115.20; Sturdevant's Auto Parts, Hex Nuts $2.48; Boyer Trucks Corp, Repairs- #23 $788.42; Malloy Electric, Repairs- #69 $337.30; Southeastern Electric Co-op Inc, Electricity-Hwy $1,482.96

HIGHWAY: Midco, Internet $11.17; Quill, Supplies-Ink/Legal Paper $149.63; Clark Engineering Corp, Project Costs $34,105.68; Star Windshield Repair Ltd, Repairs-#16, 28, 26, 20 $285.00; Action Electric Inc, Bucket Truck/Labor $275.51; Us Bank, Travel-Fuel $41.51; Zee Medical Service, 1st Aid Kit-Hwy $144.45; L G Everist, Crush Quartzite $3,877.06; A & B Pure Water Online Corp, Water $0.84; Novak Sanitary Svc Corp, Garbage/Recycling-Hwy $65.40; Detco, Bulk 5 Gal Cube/Tagr 5 Gal $2,806.59; Fastenal Company, Supplies-Jobber #14.75; Canton Home & Farm Supply, Supplies-Shop/Weeds $248.84; Hot Steel Custom Fabrication, Motor Plate # 69 $40.00; Equipment Blades Inc, Snow Plow Blades/Straps $3,000.00; Vast Broadband, Phone/Internet $436.95; Country Pride Coop Inc, Fuel
$14,350.00; Prochem Dynamics LLC, Shop Scrubber $623.60; Americinn Fort Pierre, Travel-Lodging $93.99; Transource, Repairs- #44, 45 $18.00; Nebraska Salt & Grain Co, Ice Salt $22,638.68; Bx Civil & Construction Inc, Project # X10744 $69,264.00; Presto-X, Exterior Spray For Insects $250.00 911: Centurylink, Backup Lines $12.07; Xcel Energy, Electricity $9.00; Midco, Internet $22.34; Quill, Legal Paper $8.76; A & B Pure Water Online Corp, Water $29.95  
EMS: Secog. Predsaster Mitigation Pla $25,447.00; Sioux Falls Two-Way Radio Inc, Antenna $37.74; Verizon Wireless, Mobile Internet $42.61; Midco, Internet $11.16; Timmerman, Harold, Travel-Fuel $72.70; Scott's Automotive, Oil Change/Tire Rotation $78.44  
SOLID WASTE: Southeastern Electric Co-Op Inc, Electricity $261.20; Quill, Legal Paper $0.74; AT&T Mobility, Mobile Internet $43.65; Vast Broadband, Transfer Station $52.92  
AIRPORT: Southeastern Electric Co-Op Inc, Electricity $288.00; Clark Engineering Corp, Project X16003.001 $4,556.40; Lincoln Co Rural Water, Water-Airport $33.00; Vast Broadband, Airport $44.43; Hali-Brite Inc, Couplings To Reattach Wind $51.43 24/7: Us Bank, Supplies-Toner $99.92  
MODERN/PRESERV: Century Business Products, Copier Maint Rod $36.69; Us Bank, Ergonomic Optical Mouse $59.97  
LAW LIBRARY: Lexisnexis/Relx Inc, Law Library $280.00  
PAYROLL:  
Commissioner’s $4,478.00; FICA 224.12, Medicare 52.42  
Auditor’s $11,463.21; FICA 621.13, Medicare 145.26, SDRS 687.80  
Treasurer’s $16,796.80; FICA 942.86, Medicare 220.52, SDRS 1,007.83  
States Attorney’s $31,685.63; FICA 1,765.99, Medicare 412.99, SDRS 1,901.13  
Gen Gov Bldg $8,590.48; FICA 453.43, Medicare 106.06, SDRS 515.43  
DOE $29,340.53; FICA 1,714.68, Medicare 400.99, SDRS 1,726.75  
ROD $7,840.92; FICA 453.43, Medicare 106.06, SDRS 515.43  
SVO $1,024.40; FICA 63.51, Medicare 14.85, SDRS 61.46  
GIS $4,207.20; FICA 221.20, Medicare 51.74, SDRS 252.43  
IT $4,613.10; FICA 268.76, Medicare 62.85, SDRS 276.79  
WIC $137.12; FICA 8.50, Medicare 1.99  
Sheriff’s $52,662.32; FICA 3,110.09, Medicare 727.35, SDRS 3,112.62  
County 4-H $340.20; FICA 12.53, Medicare 2.93, SDRS 20.41  
Weed Control $4,113.44; FICA 212.63, Medicare 49.73, SDRS 236.06  
P & Z $9,389.38; FICA 554.02, Medicare 129.57, SDRS 687.80  
Highway $340.20; FICA 12.53, Medicare 2.93, SDRS 20.41  
Communications $19,573.45; FICA 1,104.62, Medicare 258.34, SDRS 1,174.39  
EM MGMT $2,569.00; FICA 139.21, Medicare 32.56, SDRS 154.14  
Transf. Station $4,055.46; FICA 212.63, Medicare 49.73, SDRS 236.06  
Airport $162.85; FICA 10.10, Medicare 2.36  
WIC $1,933.07; FICA 117.37, Medicare 27.45  
REPORTS:  
Mileage reports were presented for Emergency Management, Planning & Zoning, Highway, and Buildings & Grounds for September 2018 and for the Transfer Station for August/September 2018.  
The Register of Deeds Report for August 2018 was presented in the amount of $89,447.00.  
The Auditor’s Account with the County Treasurer for the month ending September 30, 2018 was presented as follows:  Total amount of deposits in bank, $3,753,572.93.  Total amount of actual cash, $10,894.26.  Total amount of checks and drafts in Treasurer’s possession not exceeding three days, $157,878.33.  Total cash items, $2,848.95.  Funds invested, $11,752,664.85.  Total cash, $15,677,859.32.  
PERSONNEL ACTIONS:  
COMMISSIONER BRIEFING: Julia Disburg, Human Resources, presented information for two new hires.  
NOTICES & REQUESTS:  
RESOLUTION: BE IT RESOLVED to declare surplus for the Sheriff’s Office the following for disposal: item #3495, #3494, #3499, #3500, Keyboard Trays; item #3592, Digital Ally Camera System; item #3711 Olympus Digital Voice Recorder (serial #110101337); item #4565 and
item #4717, Setina Push bumpers – Crown Vic; item #5104 1/3 Custom Cage for old Charger; item #4207 Point Blank KXP111A-4 body armor; item #5080 Forus PSV-U2 Cell phone recorder; item #2296 Olympus C750 Digital Camera; and declare surplus for transfer to the Tea Police Department the following: (no item #) Computer Docking Station (serial #0102-P110-2) and item #3618 Computer Docking Station (serial #X25531). MOTION by Long and seconded by Schmidt. Long: “Aye” King: “Aye” Schmidt: “Aye” Poppins: “Aye” Gillespie: “Aye”. Motion carried.

RESOLUTION: BE IT RESOLVED to declare surplus for the IT Department the following items, which are obsolete and will be recycled: item #5042, Galaxy Note 4 (serial #4836361414); item #5043, Galaxy Note 4 (serial #4536361497); item #5044, Galaxy Note 4 (serial #4836362248); item #5045, Galaxy Note 4 (serial #4836360226); Galaxy Note 5 (no item or serial #); Galaxy Note 5 (no item or serial #); HP USBNG41413 (serial #C8049A); and item #4023, HP Jetdirect 300x (serial #J3263G#ABA).

RESOLUTION: BE IT RESOLVED to authorize the Auditor to publish notice of hearing for a Temporary Alcoholic Beverage License for Harrisburg Community Fire Dept. Inc. for an event that will take place on November 17, 2018. The hearing will be held on November 8, 2018 at 9:00 a.m. MOTION by Poppins and seconded by King. Long: “Aye” King: “Aye” Schmidt: “Aye” Poppins: “Aye” Gillespie: “Aye”. Motion carried.

REGULAR BUSINESS:
COMMISSIONER BRIEFING: Karla Goosen, Director of Equalization, presented information about the Riparian Buffer. The Board now has the authority to expand the zone, which would give the Director of Equalization the authority to make a case by case determination. Russ Hanson from the SD Department of Revenue was available to answer questions as well. The land must be ag and has to be a tributary of an approved, existing waterway and must flow into (not out of) the existing waterway. DNR has given out maps to GIS departments. This would cause a 60% assessment reduction for landowners. GIS Director Jon Peters also gave some information regarding categorization of waterways by GF&P. Hanson stated several counties are considering adoption of similar resolutions. Commissioner Schmidt clarified that landowners are not required to apply for this program, but it gives them options.

MOTION by Long and seconded by Schmidt to authorize the Director of Equalization to determine eligibility on a case by case basis annually. Long: “Aye” King: “Aye” Schmidt: “Aye” Poppins: “Aye” Gillespie: “Aye”. Motion carried. Hanson advised a resolution will need to be presented and passed at the next meeting.

FIRST READING was held for an Ordinance of Lincoln County to rezone a portion (proposed Lot 1 Ponderosa Park 2nd Addition consisting of 5.8 acres +/-) of the property legally described as the Northwest quarter (NW1/4) (except Lots H-1 and H-4, Tower Estates Lots 1 through 8, Tract 1 Neeman’s Addition and Ponderosa Park Addition Lots 1, 2, 3A and 3C) of Section 6, Township 99 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota from the“A-1” Agricultural District to the “C” Commercial District. Planning & Zoning Director Toby Brown explained the site would be used to expand an RV sales business. The Planning Commission heard opposition at its Public Hearing from several residents to the north of the area. Brown mentioned the City of Tea has jurisdiction for site development. Planning Commission recommends approval 5-0. Second Reading and Public Hearing will be held on October 23, 2018 at 9:00 a.m.

COMMISSIONER BRIEFING: Planning & Zoning Director Toby Brown informed the Board he would like to form a Zoning Ordinance Committee to review the current ordinances and recommend possible revisions, as suggested at a recent CUP Public Hearing. Brown recommends a group of 10 people comprised of eight citizens and two Commissioners to be overseen by the Planning & Zoning Director. Request for letters of interest from citizens will be published and letters collected by the Auditor.

RESOLUTION: BE IT RESOLVED to approve formation of a Zoning Ordinance Committee to be comprised of eight citizens and two Commissioners which will be managed by the Planning & Zoning Director, and to authorize Auditor to publish request for letters of interest from citizens. MOTION by Schmidt and seconded by King. Long: “Aye” King: “Aye” Schmidt: “Aye” Poppins: “Aye” Gillespie: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Harold Timmerman, Emergency Management Director, presented the SLA Quarterly Activity Report for FY2018 4th Quarter and Daily Timekeeping Records for the Chair’s signature. He also mentioned a claim included for payment to SECOG. Timmerman stated he hopes to submit the same to Pierre for reimbursement before the end of the year.


COMMISSIONER BRIEFING: Buildings & Grounds Superintendent John Rombough asked that the Chair be authorized to execute the contract with Mid-States for asbestos removal in the old jail. He updated the Board on the demolition of the old jail and south Courthouse entry/vestibule and timeline for the Canton City Police. Rombough is still checking as to whether the demolition can be combined into one job. He requested approval to advertise for bids for demolition.


COMMISSIONER BRIEFING: Terry Fluit, Highway Superintendent, requested approval to rent an excavator at $6,500 per month to clean up ditches around the county. He also informed the Board of an upcoming bridge project on 287th Street near 468th Avenue which will be bid soon for work to be done next year.

RESOLUTION: BE IT RESOLVED to approve rental of an excavator to clean up ditches for the Highway Department for 60 days at $6,500.00 per month from DMI Rental. MOTION by Schmidt and seconded by King. Long: “Aye” King: “Aye” Schmidt: “Aye” Poppens: “Aye” Gillespie: “Aye”. Motion carried.


COMMISSIONER BRIEFING: Chief Civil Deputy State's Attorney Michael Nadolski advised the Board of two new lay members to be appointed to the Joint Minnehaha-Lincoln County Mental Illness Board.

RESOLUTION: BE IT RESOLVED to appoint Laurie Wernke to the Minnehaha-Lincoln County Board of Mental Illness as a lay board member, such appointment to be made for a term of three years and deemed effective immediately; and to appoint Candice Gearman to the Minnehaha-Lincoln County Board of Mental Illness as a lay board member, such appointment to be for a term of three years and deemed effective immediately. Motion by Poppens and seconded by King. Long: “Aye” King: “Aye” Schmidt: “Aye” Poppens: “Aye” Gillespie: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Auditor Marlene Sweeter asked the Board to approve transfer of funds in the amount of $1,100,000 from General Fund Cash to Airport. She brought up the possibility of buying an enclosed trailer so election equipment can be rolled in and out of the trailer easier when transported to the polling places. Sweeter has discussed this with Rombough who indicated he would find the trailer useful as well. Commissioner King recommended checking out the SnoPro brand and making sure to add racks and clips to secure the carts.


Commissioner Schmidt informed the Board of his appointment as Chair of the NACo Rural Action Caucus. He will be attending the conference in San Diego over the next several days.

Commissioner King inquired about the maintenance of the county’s gravel roads during the current construction projects given the amount of rain received over the last couple weeks.

PUBLIC INFORMATION MEETING was held as published at 10:30 a.m. for the Lincoln County Five Year County Highway & Bridge Improvement Plan. Highway Superintendent Terry Fluit handed out packets with detailed information about projects planned for 2019-2023. Two enlarged maps were also displayed. Several residents were in the audience. Public Comment was taken with input from the following: Jonathan Hagena, Grant Township Supervisor, has concerns with weight limits on bridges in his area; Ron Albers, Delapre Township, had questions about the 85th Street overpass and whether there are plans to blacktop Tallgrass and Sundowner, as well as the importance of planning for the future with development the way it is; Craig Anderson, Delaware Township, also has concerns about bridges in his area; Gordon Hagena lives in the current construction zone of Highway 18 and wanted the Board to be aware of the difficulty with harvest. Fluit advised the Five Year Plan may be adjusted according to the findings of the Master Transportation Plan assessments.


Lincoln County Board of Commissioners

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David Gillespie, Lincoln County Chairman

Attest: ____________________________
Celeste Saylor, Deputy Auditor

Approved __________________________

Please publish the week of October 29, 2018.