CLAIMS:

GENERAL FUND: Midco, Phone/Video $1,064.22; SD Dept Of Legislative Audit, 2017 County Audit $30,140.00; SDML Workers’ Compensation Fund, 2019 Worker’s Comp Estimat $49,345.00; Election Systems & Software Inc, Ballot Faces/Audio/Layout $3,046.33; Ludens Inc, US Cargo Trailer $5,345.00; Beck, Pat, Grand Jury Proceedings $150.25; Osborn, Roxane, Transcripts $180.20; Rje, Inc, Grand Jury Transcript $183.50; Tyler Business Forms, Year End Forms-1095c $51.39; Thomson Reuters-West Publ Corp, Westlaw Database Charges $441.00; Headrick, Ronda, Reimburse-Postage $24.70; State Bar Of SD, 2019 Bar Dues $2,365.00; Sanford Health, Blood Draw $262.00; Avera Mckennan Hospital, Blood Draw $45.00; Pmb 0112, Executive Mgmt Fina Off, Network Tech Access Fee $99.00; Frantzen Reporting/Pgr8r Inc, Grnd Jry Prclds/Crt Svc/Trnscrpt $276.60; Test Point Medical, Blood Draws $1,440.00; Minnehaha County Jail, Blood Draws $700.00; Riverside County Sheriff, Serve Papers $40.00; Centurylink, courthouse Sensor $83.20; Rural Route 1 Services Inc, Mats/Mops/Towels $247.16; Menards-West, Ceramic Htr/Tensn Rod/Mrtnie Grey $270.46; Novak Sanitary Svc Corp, Garbage/Recycling-Crthse $195.09; Canton Home & Farm Supply, Cdx Ply/Bolts/Screws $359.08; Roto-Rooter, Old Jail Demolition Prep $245.00; Albers Electric LLC, Electrical Work-Doe/P&Z Of $4,425.52; Pro Flooring, Remove/Install Carpet-Doe $3,000.00; Bryant’s Lawn Care Service, LLC, Fritzlr & Weed Cont/Mow/Trim $340.00; Rombiesh, John, Travel-Mileage/Meals $217.72; Sturdevant’s Auto Parts, Battery/Mini Bulb $130.78; Britt, Shelly, Travel-Training $96.60; Internation Assoc Of Assess Off, Membership Dues-2019 $400.00; Pieske, Ethan, Mileage-Appointments $18.14; Usi Education And Gov’t Sales, Usi Opti Clear Gloss $93.90; Tyler Technologies Inc, Amdnt Prod Ste-Trng Vst/Exttime $4,750.00; Shi International Corp, Wndws Sfwre/Veeam Bac/Vsphere $10,079.50; Connecting Point Computer Cntr, Lenovo Thinkcenters $1,950.00; Graham Tire Co LLC-Corp, Tires- #16-2, 18-2, 18-1 $1,555.16; Lewis Drug, Inc, Prisoner Care/County Assistance $424.80; Yankton Co Sheriff’s Office, Boarding Fees/MI Serve Papers $2,780.00; Sioux Falls Area Humane Society, Contract/After Hrs/Mlge-Oc $831.71; Lauries Café, Prisoner Meals $45.00; Ultramax, Speer 40s&W Gdhp Lawmn $399.00; Charlie Mix Sheriff’s Office, Boarding Fees/Prison Care $9,070.00; Sanford Health, Prisoner Care $312.50; Iverson’s Body Shop, Repairs- #18-1 $3,995.70; Auto Dynamics Inc, Repairs-#16-2,18-3/Oil Change $543.90; Nobles Co Auditor-Treasurer, Boarding Fees/Prisoner Care $21,313.75; Transmission Risk & Alternative, Engine Search $25.00; Ims Innovative Monitoring Syst, Electronic Monitoring $884.00; Avera St Benedict Ctrc, Prisoner Care $250.36; James Drug, Prisoner Care $182.26; Autopros Tire & Service Center, Repairs- #15-1 $55.59; Thrifty White Pharmacy, Prisoner Care $1,252.73; Lyon County Sheriff’s Dept, Boarding Fees-Oct $12,876.00; Corner Rexamall Drugs, Prisoner Care $159.62; Satellite Tracking Of People, Blutag Active/Sobertrack $1,680.95; Sanford Health, Transports/Autopsy $2,950.00; Med-Star Paramedic Ambulance, Transport $800.00; Minnehaha Co Regional Jdc, Child Care/Comm Srvsn/Physical $20,885.00; Lutheran Social Services Corp, Shelter Care $14,994.40; Sanford Health Care (Vna), Public Hlth Svc-Nov $1,250.00; Minnehaha Co Auditor, MI Investigators $2,559.05; Southeastern Behavioral Hlthc, Mobile Crisis-Oct $453.75; Minnehaha Co Regional Jdc, MI Hold $673.20; Lewis & Clark Behavior Hlthc Svc, MI Intake $165.00; Nadasolk, Michael, Mileage-MI Hearing $50.00; Kennedy Pier & Knofl LLP, MI Crt Appt Attny $228.60; Frieberg Nelson & Ask Llp, MI Board-Oct $2,250.70; Poppens, Janae, MI Hearing $88.00; Johnson Pllc, Katie, MI Board $3,908.55; Peterson, Stuart,Rumpca & Rasm, MI Pdo Crt Appt Attny $559.70; Loving, Philip, MI Elves $3,622.50; Lenwo Law Office, Lucy M Lewno, MI Board $191.47; Koletzky Law Office Prof LLC, MI Crt Appt Attny $318.20; Katterhagen, Mark, MI Hearing $22.50; Avera, MI Hold $103.03; Kch Law, MI Crt Appt Attny $250.66; Iosty, James, MI Board $470.00; Dover, Sena, MI Elves $607.50; Heirigs, Mary Ellen, MI Hearings $64.00; Lockwood, Darcy, MI Hearing $22.50; Wernke, Laurie A, MI Hearing $128.00; Johnson, Erin M, MI Board-Training & Statue $14.20; Miller, Francie, MI Hearing $64.00; Kludt, Megan, Mileage/Supply/Stamp $159.23

HIGHWAYS: Concrete Materials, Deicing Sand/Asphalt $34,690.97; Diesel Machinery Inc, Komatsu Excavator Rental $2,233.00; Lawson Products Inc, Pins/Nuts/Washers/Bit Set $131.32; Myroll & Roys Paving Inc, Material-3 Inch Well Stone $926.24; Northern Truck Equip Co, Repairs- #27, 22, 29, 28 $3,994.54; Butler Machinery Co, Repairs- #33 $606.34; Xcel Energy, Electricity-Hwy $96.56; Midco, Phone/Video $87.13; Micheal’s Purple Petunia, Pump Out Holding Tank $140.00; SDML Workers’ Compensation Fund, 2019 Worker’s Comp Estimat $29,259.00; Zabel Steel Co, Repairs- #22, 27, 29, 44 $276.75; American Engineering Testing, Material/Sand Cone/Rice Gr $710.00; Benco Products Inc, Repair- #11-28a $750.40; Autopros Tire & Service Center, Repairs- #9 $633.24; Transource, Repairs- #28, 26 $2,772.67; Networkfleet Inc, Monthly Service-Oct $434.77; Presto-X, Commercial Pest Maint Svc $540.00

111: Midco, Phone/Video $172.03; SDML Workers’ Compensation Fund, 2019 Worker’s Comp Estimat $1,258.00
EMS: Midco, Phone/Video $60.27; SDML Workers’ Compensation Fund, 2019 Worker’s Comp Estimat $1,105.00
SOLID WASTE: City Of Sf Public Works, License Permit Fee $100.00; Pomp's Tire Service Inc, Repair- New Trailer $192.50; Hanson, Jonathon, Travel-Meals $22.00; CHS Eastern Farmers, Fuel $776.44; SDML Workers' Compensation Fund, 2019 Worker's Comp Estimat $4,015.00

AIRPORT: Rural Route 1 Services Inc, Mat $11.25; Sioux International Inc, Replace Fuse Panel/Oil Cha $4,185.35; SDML Workers' Compensation Fund, 2019 Worker's Comp Estimat $244.00; Sioux Empire Auto Service, Inc, Pump Kit/Belts/Cooling Chn $598.28; Legacy Aviation LLC Corp, Airport Mgmt Fee-Nov $2,583.33; Sioux Falls Electric, Repair Lights Runway/Airpo $3,172.60

24/7: Midco, Phone/Video $38.48; Pharm Chem Inc, Sweat Patch Analysis $846.50

LAW LIBRARY: Thomson Reuters-West Publ Corp, Law Library $24.15

PAYROLL:
Commissioner’s $4,478.00; FICA 224.12, Medicare 52.42
Auditor’s $13,316.88; FICA 743.72, Medicare 173.93, SDRS 776.17
Treasurer’s $17,157.91; FICA 965.24, Medicare 225.76, SDRS 1,029.48
States Attorney’s $31,671.34; FICA 1,765.12, Medicare 412.79, SDRS 1,900.27
Gen Gov Bldg $9,480.02; FICA 508.60, Medicare 118.94, SDRS 568.81
DOE $29,469.00; FICA 1,716.50, Medicare 401.42, SDRS 1,734.46
ROD $7,780.36; FICA 404.49, Medicare 94.60, SDRS 435.94
VSO $1,140.05; FICA 70.68, Medicare 16.53, SDRS 68.40
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 $274.24; FICA 17.00, Medicare 3.98
Sheriff's $51,890.14; FICA 3,062.23, Medicare 713.71
County 4-H $810.37; FICA 41.68, Medicare 9.75, SDRS 48.62
Weed Control $4,060.02; FICA 251.73, Medicare 58.87, SDRS 243.61
P & Z $6,676.82; FICA 387.23, Medicare 90.57, SDRS 400.61
Highway $3,569.28; FICA 1,942.78, Medicare 454.38, SDRS 2,057.19
Communications $21,170.34; FICA 1,203.64, Medicare 281.49, SDRS 1,270.21
EM MGMT $2,569.00; FICA 139.21, Medicare 32.56, SDRS 154.14
Transfer Station $3,961.73; FICA 206.82, Medicare 48.37, SDRS 233.62
Airport $241.20; FICA 14.94, Medicare 3.51
24/7 $1,959.27; FICA 118.99, Medicare 27.83

REPORTS:
The Auditor’s Account with the County Treasurer for the month ending October 31, 2018 was presented as follows: Total amount of deposits in bank, $35,988,796.79. Total amount of actual cash, $8,571.79. Total amount of checks and drafts in Treasurer’s possession not exceeding three days, $1,014,555.77. Total cash items, $6,362.21. Funds invested, $11,758,227.51. Total cash, $48,776,514.07.

Lincoln County Clerk of Courts Disbursement of Fees for the month of October 2018 was presented as follows: County Cost $3,639.27, State Fines $26,474.99, State Forfeitures $65.00, Cash Fees $4,237.20, Divorce Fees $1,000.00, Law Library $703.00, Petty Offenses $1,083.90, Court Appointed Attorney Fees $10,588.77, State Penalties $118.86, Domestic Abuse Surcharge $50.00, DUI Cost $1,023.40.

PERSONNEL ACTIONS: None.

NOTICES & REQUESTS:
RESOLUTION: BE IT RESOLVED to approve transfer of the following items from Planning & Zoning: item #2488, HON 2 drawer file cabinet to Human Resources; and items #2487, #2485, #2610, #2609, and #2486, all HON 2 drawer file cabinets, to Department of Equalization. MOTION by Long and seconded by Schmidt. Long: “Aye” Schmidt: “Aye” Poppens “Aye” Gillespie: “Aye”. Motion carried.


COMMISSIONER BRIEFING: Treasurer Deb Turner informed the Board of a tax payment plan request and requested direction on a previously discussed tax deed property.


RESOLUTION: BE IT RESOLVED to accept the payment of $2,500 from Shelly Smit and place said funds in tax trust for Parcel No. 098.51.08.4010. Chief Civil Deputy State's Attorney Michael Nadolski will proceed with the tax deed action to be filed 12/10/2018. Smit will be given until 12/31/2019 to pay all taxes in full, and at such time as payment in full is made, the title may be conveyed back to her. The Board will revisit this matter at the May 28, 2019 meeting. MOTION by Long and seconded by Schmidt. Long: “Aye” Schmidt: “Aye” Poppens “No” Gillespie: “Aye”. Motion carried.
COMMISSIONER BRIEFING: Director of Equalization Karla Goossen discussed an Application for Abatement.

RESOLUTION: BE IT RESOLVED to approve the Application for Abatement on Parcel No. 250.40.32.029 for real property described as the East 487 Feet of the West 800.5’ of the South 625 Feet, and the North 49.5 Feet of the South 674.5 Feet of the East 718 Feet of the West 751 Feet, (except the East 46.97 Feet of the East 487 Feet of the West 800.5 Feet of the South 625 Feet), all in the Southwest Quarter of the Northeast Quarter (SW1/4 SE1/4) of Section Thirty-two (32), Township Ninety-nine (99) Range Fifty-one (51), West of the 5th P.M., Lincoln County, South Dakota, according to the Government Survey thereof, containing 6.80 Acres more or less, and transferred from Lennox Properties, LLC to City of Lennox. Abatement in the amount of $1,970.40 is made because the property was transferred to a tax exempt entity. MOTION by Poppens and seconded by Schmidt. Long: “Aye” Schmidt: “Aye” Poppens “Aye” Gillespie: “Aye”. Motion carried.

REGULAR BUSINESS:
COMMISSIONER BRIEFING: Sheriff Dennis Johnson advised the Board that it will be necessary to replace the fingerprint machine in the Sheriff’s Office. Replacement cost will be approximately $20,000 which will come from the Sheriff budget.

COMMISSIONER BRIEFING: Appeal of 15-CUP-019, tabled at the 11/8/2018 meeting, was revisited. Planning & Zoning Director Toby Brown displayed photos taken at the site yesterday afternoon. Brown stated the area has been cleaned up and much improved. He did advise pavement work still needs to be completed. Applicant Doug Tinklenberg was present and told the Board he appreciates the extra time given. He believes the pavement could be done next spring.

RESOLUTION: BE IT RESOLVED to table the decision on 15-CUP-019 to allow a contractor shop and storage yard at 47906 276th Street, Harrisburg until the meeting on 6/4/2019 at 8:45 a.m. to allow Applicant time to complete all necessary work. MOTION by Poppens and seconded by Schmidt. Long: “Aye” Schmidt: “Aye” Poppens “Aye” Gillespie: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Chief Civil Deputy State's Attorney Michael Nadolski presented information for the Lease Agreements associated with Airport Site L-1.


PUBLIC HEARING and SECOND READING was held as published at 9:00 a.m. for an Ordinance of Lincoln County to rezone from the “A-1” Agricultural District to the Legends of Gold Planned Development District the following properties legally described as: Tract 2A Woodfield Tracts in the North half (N1/2) of Section 33, Township 96 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota; Bethesda Tract 1 in the Northwest quarter (NW1/4) of the Southeast quarter (SE1/4) and Southwest quarter (SW1/4) of the Southeast quarter (SE1/4) of Section 33, Township 96 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota; and North 303’ of East 88.1’ of West 660’ of Lot 2 of Burn’s Subdivision & North 243’ of West 40’ of Lot 3 of Burn’s Subdivision of Section 33, Township 96 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota from the “A-1” Agricultural District to the Legends of Gold Planned Development District. Planning Commission recommends approval (7-0). Planning & Zoning Director Toby Brown explained the mixed uses happening at this property at present time and plans for future expansion. Applicant Terry Pack explained the property is used as a training camp for top U.S. Olympic wrestlers. This expansion will include another building on the property to provide space for more mats and will give the ability to host tournaments as well as work with the community to offer private lessons for basketball and volleyball. Neighbors Russell Grant and Dave Zweifel brought up questions regarding the notification procedure and whether right-of-way would be affected. No one spoke in opposition.

RESOLUTION: BE IT RESOLVED to approve application 18-REZ-004 requesting to rezone from the “A-1” Agricultural District to the Legends of Gold Planned Development District the following properties legally described as: Tract 2A Woodfield Tracts in the North half (N1/2) of Section 33, Township 96 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota; Bethesda Tract 1 in the Northwest quarter (NW1/4) of the Southeast quarter (SE1/4) and Southwest quarter (SW1/4) of the Southeast quarter (SE1/4) of Section 33, Township 96 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota; and North 303’ of East 88.1’ of West 660’ of Lot 2 of Burn’s Subdivision & North 243’ of West 40’ of Lot 3 of Burn’s Subdivision of Section 33, Township 96 North, Range 50 West of the 5th Principal Meridian, Lincoln County, South Dakota from the“A-1” Agricultural District to the Legends of Gold Planned Development District. MOTION by Schmidt and seconded by Long. Long: “Aye” Schmidt: “Aye” Poppens “Aye” Gillespie: “Aye”. Motion carried.

COMMISSIONER BRIEFING: Highway Superintendent Terry Fluit presented an application from Robert Sandnes for a drain tile boring permit. Fluit advised this is an incomplete application as the downstream landowner passed away, so applicant was unable to obtain signature and that land will soon be up for auction. He continued to explain the applicant had done drain tile work without a permit and ultimately drained into the ditch. Discussion was held amongst the Commissioners as to how this right-of-way issue compares to utilities which are allowed in right-of-way.

Further discussion was held as to next steps since the permit was denied. Fluit does not believe it will be necessary for applicant to completely tear out the tile, but just cap it on each end.

PUBLIC HEARING was held as published at 9:30 a.m. for an Appeal of the Planning Commission’s decision rendered on Conditional Use Permit 18-CUP-037: Conditional Use Permit proposing to allow the operation of a Class 1 Major Home Occupation. The property is legally described as Kuhle Tracts 7 & 18, in the Northwest quarter (NW1/4) of Section 15, Township 100 North, Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota. Location: 26932 467th Avenue – Sioux Falls. Planning Commission approved (6-1). Planning & Zoning Director Toby Brown explained the applicant has been and would like to continue to use this property as an Airbnb rental. He noted there have been complaints received from neighbors. The rental property seems to also be used for a plumbing/contracting business. This parcel has two separate lots/dwellings. Brown outlined the Conditions of Approval drafted by his office and pointed out #16-18 were added after input at the Planning Commission’s public hearing. After the Planning Commission’s approval, three appeals were filed. Commissioner Poppens raised questions as to when the house was built, when the accessory building was built, and why there is no record of permits for the accessory building. Three neighbors spoke in opposition to this CUP. David Carey raised concerns about the commercial aspect of the property along with increasing outdoor storage. He also questions the septic system currently in use and whether it is approved. Carey commented that he went through all the proper avenues when his house was built and wonders why this property has not followed the same rules. He is concerned about enforcement of the conditions as well. John Cairns has all the same concerns as Carey along with garbage being burned and blowing around the yard and nearby fields. He also has huge concerns about the transient population associated with this type of rental. Mark Loe lives directly south of the property. He advised the “shed” was originally a horse barn which was built a couple years after the house, which was built in 1993. Since his bedroom is on the north side of his house, lights from traffic to and from the property shine directly in his window and he hears the noise from parties. Loe believes ordinances need to be established before this type of use is approved. Applicant Michael Matzen moved to the property approximately six years ago. He originally finished the barn with the idea he could live in it and rent the main house if necessary. No plumbing or electrical inspections have been conducted. The current septic system is a holding tank which is pumped as needed. Commissioner Long suggested focusing on the contractor shop aspect for now. Commissioner Poppens stated extensive inspections would be necessary before even discussing the rental aspect. Commissioner Schmidt advised he visited the area and spoke with other residents. He stated the accessory building and Airbnb was completely an afterthought. Based on what he saw and heard, he would recommend shutting everything down. Schmidt suggests this issue be tabled until further work is completed on the contractor shop to include cleaning up and installing a culvert.

RESOLUTION: BE IT RESOLVED to overturn the decision of the Planning Commission on 18-CUP-037 and deny the operation of a Class 1 Major Home Occupation at the property legally described as Kuhle Tracts 7 & 18, in the Northwest quarter (NW1/4) of Section 15, Township 100 North, Range 51 West of the 5th Principal Meridian, Lincoln County, South Dakota. MOTION by Schmidt and seconded by Poppens. Long: “No” Schmidt: “Aye” Poppens “Aye” Gillespie: “Aye”. Motion carried.

Commissioner Poppens encouraged Matzen to reapply after inspections and necessary improvements have been made.

COMMISSIONER BRIEFING: Planning & Zoning Director Toby Brown introduced new Planning & Zoning staff member Joel Carlson and gave an update on the Tower Estates Neighborhood meeting. Brown would like to schedule another public hearing on 18-REZ-003 in the near future.

COMMISSIONER BRIEFING: Highway Superintendent Terry Fluit presented an application from Robert Sandnes for a drain tile boring permit. Fluit also requested approval for the purchase of new equipment and gave an update on bridge projects. One bridge did not get completed this year due to the flooding in October. Fluit advised the contractor on the Highways 106 & 117 roundabout requested the remaining portion of that project be put on hold until spring since the ground is now frozen. Fluit mentioned the electric box needs to be set now because currently it is running off one of the adjacent landowner’s home. Commissioner Poppens recommends contacting an electrician to have on standby if the contractor does not move on it so that work is completed before it is too late.

RESOLUTION: BE IT RESOLVED to approve the purchase of new equipment for the Highway Department as follows: Dodge Ram 1500 to be purchased from Wegner Auto at the cost of $27,052; 2 Ford F250s to be purchased from Lamb Motors at the cost of $31,742 each ($63,484 total); and Ford F550 from Lamb Motors at the cost of $52,800. Said equipment will be purchased with Highway Department budget funds. MOTION by Schmidt and seconded by Poppens. Long: “Aye” Schmidt: “Aye” Poppens “Aye” Gillespie: “Aye”. Motion carried.


COMMISSIONER BRIEFING: Auditor Marlene Sweeter advised of a correction to the 2019 Budget by omitting $10,000 from line item 750, Intergovernmental Expenditures. The State Department of Revenue notified the Lincoln County Auditor that the $10,000 was not added to the total Budget and will therefore be removed. Sweeter also discussed surplus procedures. There will be several surplus items after the second floor renovation is complete and people have expressed interest in buying some items. Sweeter received word from Legislative Audit that the Board may determine how to part with those items. Buildings & Grounds Superintendent John Rombough advised there may be a similar situation with removal of items from the old jail and IT Director Jake Oakland stated he has old computers, etc. from time to time as well. It was determined a silent auction would be used with pictures of available items and bid sheets posted in the breakroom to offer items to employees.


Lincoln County Board of Commissioners

____________________________
David Gillespie, Lincoln County Chairman

Attest: ______________________
Celeste Saylor, Deputy Auditor

Approved ______________________

Please publish the week of December 3, 2018.