

March 24, 2009

The Lincoln County Board of Commissioners met at 8:30 A.M. on March 24, 2009 with members Jim Schmidt, Jason Melcher, David Gillespie and Dennis Weeldreyer present. Dale Long was absent. The meeting was called to order by Vice-Chairman Schmidt, with the Pledge of Allegiance to the Flag. The Deputy Auditor was clerk of the Board.

A motion by Weeldreyer and seconded by Melcher that the minutes of March 10, 2009 and March 17, 2009 be approved. Motion carried.

The Sheriff's mileage log and Sheriff Civil fee mileage report were presented for the month of February 2009.

The Human Services Statistical Report for the month of February 2009 was presented

The Clerk of Courts report of disbursement of Funds for month ending February 28, 2009 was presented as follows: State Fines \$14,498.03, State Penalties \$.00; State Costs \$965.60, Cash Fees \$1,074.80, Law Library \$175.00, State Forfeiture \$200.00, Petty Offense \$705.00, Divorce Fees \$100.00, Court Appointed Attorney Repayments \$3,941.92.

The Clerk of Courts report of disbursement of Funds for mid-month ending March 16, 2009 was presented as follows: State Fines \$14,749.23, State Penalties \$.00, State Costs \$897.50, Cash Fees \$1,619.40, Law Library \$252.00, State Forfeiture \$310.00, Petty Offense \$595.00, Divorce Fees \$350.00, Court Appointed Attorney Repayments \$4,664.76.

RESOLUTION: BE IT RESOLVED that the County Treasurer is authorized to accept down payment of \$600.00 and partial payments of \$380.00 a month for prior taxes of \$1741.33 on parcel no. 200.39.00.001 until paid in full. Motion by Gillespie and seconded by Weeldreyer. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the chairman is hereby authorized to execute the request for State Aid for Salary of County Veterans Service Officer for the period of January 1, 2009 to December 31, 2009. BE IT FURTHER RESOLVED that the annual salary of Dick Lien be increased to \$17,500.00. Motion by Weeldreyer and seconded by Melcher. All Commissioner present voted "Aye".

The first reading and public hearing of the 2009 Revised Zoning Ordinance was held as published. There was no input from the public.

Motion by Melcher and seconded by Gillespie to hold the second reading of the 2009 Revised Zoning Ordinance on April 7, 2009 at 9:30 am. Motion carried.

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to publish "Notice of Hearing" on the petitions presented to prohibit the operation of off-road vehicles in ditches along County Road 110 from SD Highway 11 to County Highway 117. Said Hearing to be held at 9:00 a.m. on April 14, 2009 Motion by Gillespie and seconded by Weeldreyer. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Agreement for Professional Services for Lincoln County Airport Project No. A.I.P. 3-46-0078-009-2009. Motion by Gillespie and seconded by Weeldreyer. All Commissioners present voted "Aye".

Motion by Weeldreyer and seconded by Gillespie to approve out of county travel for Harold Timmerman to travel to Chamberlain, SD for a LEOP workshop on April 1 and 2, 2009. Motion carried.

Motion by Weeldreyer and seconded by Gillespie that the following township bonds be approved: Eden Twp Treasurer bond; Perry Twp. Clerk & Treasurer bonds. Motion carried.

Motion by Melcher and seconded by Gillespie to remove from the table the petition to rezone from the "A" Agricultural and Public Use District to the "I" Industrial District Lot B in the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 18, Township 98 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota. Motion carried.

Motion by Gillespie and seconded by Melcher to retable the petition to rezone from the "A" Agricultural and Public Use District to the "I" Industrial District Lot B in the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 18, Township 98 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota until April 7, 2009 at 10:00 am. Motion carried.

RESOLUTION: BE IT RESOLVED that the former Extension/States Attorney building located at 200 E Fifth St., Canton, SD, is no longer suitable to fit the needs of the County. BE IT FURTHER RESOVLED that the building be declared surplus to be sold. Motion by Weeldreyer and seconded by Gillespie. All Commissioners present voted "Aye".

Motion by Gillespie and seconded by Melcher to appoint a professional appraiser to appraise the former Extension/States Attorney building located at 200 E Fifth St., Canton, SD. Motion carried.

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the WIC Program County Contract Amendment. Motion by Gillespie and seconded by Melcher. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the following items be hereby declared surplus to be destroyed as they are no longer useful: States Attorney's office - computer #2138, computer #2331, computer #2135, printer #2332, 1 set of SDCL books-outdated and TV wall bracket from conference room #1928. Motion by Gillespie and seconded by Melcher. All Commissioners present voted "Aye".

Motion by Gillespie and seconded by Melcher to approve out of county travel to Allan Bonnema to attend an asphalt conference in Pierre, SD on April 8 and 9, 2009. Motion carried.

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the draft requesting the SD Department of Transportation to award the low bidder, Grangaard Construction Inc., of Watertown, SD, the Hudson Bridge project BRF 3103(01)PCN H077. Motion by Weeldreyer and seconded by Melcher. All Commissioners present voted "Aye".

Motion by Gillespie and seconded by Weeldreyer to approve the application for an entrance off of County Road #117, parcel 099.50.05.0400, submitted by New Day Church. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #134 in SE1/4 of 31- 98-50 to 1-97-50, submitted by Southeastern Electric. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #125 in NW1/4 of 31-98-49 to 36-98-50, submitted by Southeastern Electric. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #125 in NW1/4 of 31-98-49 to 36-98-50, submitted by Southeastern Electric. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #125 in NW1/4 of 30-98-49 to 25-98-50, submitted by Southeastern Electric. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #125 in NW1/4 of 19-98-49 to 24-98-50, submitted by Southeastern Electric. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #125 in NW1/4 of 19-98-49 to 24-98-50, submitted by Southeastern Electric. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #125 in SW1/4 of 31-98-49 to 36-98-50, submitted by Southeastern Electric. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Permit to bore in Right of Way of Lincoln County Highway #125 in SW1/4 of 36-98-50 to 36-98-50, submitted by Southeastern Electric. Motion carried.

RESOLUTION: BE IT RESOLVED that the Highway Superintendent is hereby authorized to advertise for bids on asphalt paving projects on County Roads 102, 106 and 111. Motion by Melcher and seconded by Gillespie. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Agreement for Casework Services for the term of April 1, 2009 through March 31, 2010. Motion by Weeldreyer and seconded by Gillespie. All Commissioners present voted "Aye".

Motion by Weeldreyer and seconded by Melcher to authorize the treatment plan as outlined by Dr. Carlson for Medical File #102 upon the following stipulations: (1) Amount of reimbursement for hospital services shall be consistent with SDCL 28-13-29; (2) County requires direct involvement and best efforts of applicant in following recommendations of attending physician; (3) Applicant shall execute a contract with County for repayment of financial assistance tendered by County; (4) Applicant shall verify application for Medicaid Benefits; (5) Applicant shall verify application for Social Security Benefits. Motion carried.

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Amendment to the 1993 Solid Waste Transfer Station Agreement with the City of Beresford. Motion by Gillespie and seconded by Weeldreyer. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the 2009 Emergency Management State and Local Agreement Addendum. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted "Aye".

Motion by Weeldreyer and seconded by Gillespie to approve the following amended applications for abatement of property taxes: 210.40.00.026 – Hudson Economic Development - \$39.78; 281.46.00.100 – Sapphire Investments LLC – Tax Exempt Entity – \$23.88; 280.50.15.009 – Twin Eagle LLC – Platted into lots

and blocks - \$398.50; 280.50.14.4010 – South Cliff Grasslands LLC – Purchased by City of Sioux Falls – \$1,306.76. Motion carried.

RESOLUTION: BE IT RESOLVED that the plat of Lots 2,3,5,6 and 7, inclusive in Block 1, and Lot 2, Lot 3 and Lot 4, inclusive in Block 2 of Arthur Estates an Addition in the West Half of the Northeast Quarter (W1/2NE1/4) of Section 32, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted “Aye”.

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Slack’s Addition in the North Half (N1/2) of Section 20, Township 99 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted “Aye”.

RESOLUTION: BE IT RESOLVED that the plat of Tract 1A and Tract 1B of Nagel’s Addition in the East Half of the Northwest Quarter (E1/2NW1/4) of Section 25, Township 97 North, Range 49 West of the 5th P.M. Lincoln County, South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted “Aye”.

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Oltmann’s Addition in the Southwest Quarter (SW1/4) of Section 21, Township 99 North, Range 51 West of the 5th P.M. Lincoln County South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted “Aye”.

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Hoogestraat’s Addition in the East Half of the Northeast Quarter (E1/2NE1/4) of Section 15, Township 98 North, Range 51 West of the 5th P.M. Lincoln County South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted “Aye”.

RESOLUTION: BE IT RESOLVED that the plat of Hill’s Tract, an Addition in Govt. Lot 2 of Section 6, Township 98 North, Range 48 West of the 5th P.M. Lincoln County South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted “Aye”.

RESOLUTION: BE IT RESOLVED that the plat of Tracts 2, 3 and 4 an Addition in part of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) and the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section 20, Township 97 North, Range 51 West of the 5th P.M. Lincoln County South Dakota was duly submitted to the Board of County Commissioners of Lincoln County, and that after due consideration of the same Board, approved said plat. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted “Aye”.

The following full-time payroll claims were approved: General Fund: Auditor’s Office Payroll \$18,718.21; Treasurer’s Office Payroll \$24,213.55; Computer/Data Processing Payroll \$3,628.93; Equalization Office Payroll \$29,956.01; States Attorney Office Payroll \$41,908.08; Register of Deeds Office Payroll \$9,952.01; GIS Office Payroll \$3,757.74; Custodians Payroll \$18,000.79; Sheriff’s Office Payroll \$56,442.71; Extension Office Payroll \$4,921.26; Weed Control Payroll \$1,073.13; Planning & Zoning Office Payroll \$9,670.85; FICA Match \$12,744.37; Medicare Match \$2,980.52; SDRS Match \$14,357.73; Group Health Insurance Match \$16,319.33. Road Fund: Payroll \$53,642.62; FICA Match \$3,058.93; Medicare Match \$715.40; SDRS Match \$3,218.56; Group Health Insurance Match \$4,962.18; Communications Fund: Payroll \$25,186.37; FICA Match \$1,433.66; Medicare Match \$335.28; SDRS Match \$1,511.17; Group Health Insurance Match \$1,873.27; Emergency Management Fund: Payroll \$3,833.24; FICA Match \$212.54; Medicare Match \$49.71; SDRS Match \$229.99; Group Health Insurance Match \$464.33. Solid Waste Fund: Payroll \$5,686.50; FICA Match \$331.32; Medicare Match \$77.48; SDRS Match \$341.19; Group Health Insurance Match \$210.16; Airport Fund: Payroll \$3,617.32; FICA Match \$213.47; Medicare Match \$49.93; SDRS Match \$217.04; Group Health Insurance Match \$210.16.

The following claims were approved:

General Fund: fees & mileage Abbas, Megan \$10.74; Aden, Curtis \$24.80; Ahrendt, Valorie \$24.80; Albers, Deann \$28.50; Andal, Ellsworth \$28.50; Bard, Jeffrey \$28.50; Bartlett, Cindy \$21.10; Baumgartner, Suzanne \$29.98; Beck, Richard \$64.80; Becker, Alma \$32.20; Benson, Charles \$24.80; Beukelman, Deborah \$27.02; Beukelman, Wendy \$24.80; Boon, David \$18.14; Bradford, David \$16.66; Brugger, Kaye \$24.80; Campbell, Dorothy \$24.80; Dancsisin, Adam \$24.80; Davis, William \$18.14; Dean-Putnam, Donna \$28.50; Dede, Cindra \$24.06; DeJong, Kelli \$12.22; Demore, Andrew \$21.10; Devos, Roxanne \$18.88; Drake, Christopher \$17.40; Dykstra, Dawn \$10.74; Eich, Mary \$28.50; Ferguson, Diana \$24.80; Fetzer, Casey \$29.98; Fink, Barbara \$21.10;

Folkens, Kari \$20.36; Formey, Andre \$21.10; Fossum, Diana \$57.40; Fox, Sheryl \$24.80; Fox, Yvonne \$21.10; Freiberg, Lisa \$23.32; Glasoe, Gina \$26.28; Haas, Dale \$29.24; Hall, Vickie \$26.28; Hanselman, Steven \$25.54; Hansen, Mark \$32.20; Hattervig, Coralee \$24.80; Haugen, Pamela \$26.28; Headrick, Gary \$10.74; Headrick, Misti \$28.50; Hey, Donna \$24.80; Hofer, Mark \$28.50; Horlyk, Debra \$21.10; Jacobson, Michael \$24.80; Jelken, Janet \$25.54; Jervik, Lane \$23.32; Jorgensen, Leann \$21.10; Kapaska, Maryann \$24.80; Kelderman, Arnold \$53.70; Kieliszewski, Keith \$28.50; Kielman, Richard \$23.32; Kinghorn, Staci \$21.84; Kinner, Michelle \$27.02; Klemisch, Abigail \$28.50; Klinger, Lois \$26.28; Koller, Colette \$28.50; Krutsch, Bryon \$29.98; Kuchta, Kirstin \$28.50; Lange, Linda \$24.80; Larson, Rock \$21.84; Lewis, Joshua \$24.80; Lipscomb, Wanda \$24.80; Lloyd, Jeremy \$32.20; Lovaas, Richard \$28.50; Mathiason, Angela \$39.60; Meier, Vicky \$26.28; Miller, Amy \$25.54; Miller, Rhonda \$28.50; Neuroth, Joseph \$18.88; Nice, Shannon \$24.06; Nygard, Marshall \$60.36; O'Neill, Jaimie \$24.80; Oppold, Paul \$62.58; Osen, Lon \$21.10; Patel, Bhavesh \$28.50; Petersen, Jeremy \$10.74; Phelps, Christina \$21.10; Plucker, Donna \$10.74; Pulscher, Michael \$24.80; Reilly, Katherine \$21.84; Reiter, Rianna \$24.80; Robl, Maureen \$15.92; Rust, Sharon \$68.50; Schmuck, Judith \$24.80; Schneider, Francis \$28.50; Sehr, Cassandra \$10.74; harp, Tiffany \$26.28; Skjefte, Erica \$32.20; Smeenck, Norman \$18.88; Solem, Arlene \$19.62; Stansbury, Brent \$24.80; Steinwand, Daniel \$21.84; Stekl, James \$24.80; Stoffel, Debra \$24.80; Stroschein, Jennifer \$21.10; Stumpf, Ronald \$27.02; Thompson, Phyllis \$29.24; Thomsen, Ardis \$24.80; Tiede, Jodi \$29.98; Timmerman, Nicole \$28.50; Uptagrafft, Kristen \$68.50; Vandemore, Carlotta \$61.84; VanderWaerd, Brian \$18.14; VanRoekel, Nathan \$24.80; Voss, Gerald \$24.80; Weigandt, Christopher \$32.20; West, Sharla \$24.80; White, Benjamin \$24.80; Wiczorek, Kenneth \$14.44; Wipf, Duane \$24.80; Wolf, Stanley \$11.48; Zehendner, Cynthia \$20.36. A & B Business Equip, supplies \$157.98; Active Data Systems, supplies \$102.16; Avera McKennan Hospital, mental health hold \$300; prisoner care \$1,265.52; Avera Midwest Psych Med, crt ordered therapy \$73.92; Bennington Hill Apartments, county assistance \$500; Brown & Saenger, supplies \$257.81; Jeanne Bunkers, LCSW-PIP, crt ordered therapy \$110; CDW-G Inc, memory \$125; Charisma Property Management, county assistance \$371.50; Doug Chaulk, supplies \$2.12; Cuffs 4 Cops, supplies \$225.07; Dakota Dental, prisoner care \$806; Christine Ellis, LCSW-PIP, crt ordered therapy \$110; Express Attorney Services, serve papers \$96; Fred Pryor Seminars, excel training & tutorial \$183.90; Frieberg Nelson & Ask, crt appt atty \$2,624.73; Heimdal, Marie, transcripts \$136.80; Interstate Office Pro, supplies \$56.69; Iverson's Body Shop, vehicle repairs \$28; KB's True Value, supplies \$15.98; Laurie's Café, prisoner meals \$13.80; Lewis and Clark BHS, mi evals \$284; Lewis Drugs, prisoner care \$140.93; LexisNexis, online charges \$122; Lincoln Co Treasurer, taxes on parking lot \$133.42; Lincoln Financial Group, life ins \$246.03; McHoff, county assistance \$500; McLeod's Printing, supplies \$636.89; Medical X-Ray Center, prisoner care \$260.94; Menards, supplies \$45.82; MidAmerican Energy, utilities \$2,834.90; MidContinent Communications, internet \$173.34; Minnehaha Co Sheriff, blood draws \$900; boarding fees/contract \$88,550; Mobile Mini Inc, 40' containers \$270; Office Elements, service call \$31.25; Officemax, parts/supplies \$712.58; Olson, Bruce, travel expenses \$219.58; Omodt, Greg & Sandra, county assistance \$500; Peters, Scott, MI board \$335.50; Peterson Law Firm, public defender contract \$8,000; Pitney Bowes, quarterly charges \$579; Quill, supplies \$236.71; Qwest, utilities \$80; Rasmussen, Rachel, copies \$15; Rowen, Mark, supplies \$21.82; Rural Route 1 Service, mats \$76.50; SDAAO, conference \$300; SDACES, membership dues \$60; Sioux Falls Area Humane Society, contract \$765.40; Sioux Falls Two-Way Radio, installation \$287.46; Sunshine Foods, jury supplies \$87.07; The Glory House, electronic monitoring \$370; Tyler Works-Incode Div, AR conversion/training \$2,800; US Bank, lodging \$546.40; Vantek Communications, supplies \$73; Workplace Technology Center, supplies \$183.5; Yankton Co Sheriff's Dept, serve papers \$25; Yankton Co Treasurer, MI hearing \$215.70.

Road Fund: Brown & Saenger, supplies \$29.90; Concrete Materials, deicing sand \$23,742.57; MidAmerican Energy, utilities \$1,323.62; JD Evans Equipment, repairs \$1,257.31; Sturdevant's Auto Parts, parts \$12.99; Zomer Plumbing & Heating, repairs \$51; Xcel Energy, utilities \$32.72; MidContinent Communications, internet \$5.42; Cedar Shore Resort, lodging \$163.90; Bonnema, Allan, travel expense \$63; Linwelt, supplies \$39.75; Lincoln Financial Group, life ins \$52.95.

E911 Communication Fund: Qwest, tower rent \$1,683.93; Knology, tower rent \$100; MidContinent Communications, internet \$13.54; Lincoln Financial Group, life ins \$28.24.

Emergency Management Fund: SD Div of Motor Vehicle, license fees \$13; MidContinent Communications, internet \$2.70; Lincoln Financial Group, life ins \$3.53; Siouland Trailer Sales, reflective tape \$35.

Solid Waste Fund: City Of Sioux Falls, tipping fees \$12,974.94; KB's True Value, supplies \$11.58; Countryside Convenience, gas \$63; Avera Queen of Peace Hlth, drug test \$49.50; Lincoln Financial Group, life ins \$7.06.

Airport Fund: EAA Chapter 289, rent \$291.35; Lincoln Financial Group, life ins \$3.53.

24/7 Sobriety Fund: Pharm Chem Inc, supplies \$200.

Law Library Fund: West Group Payment Center, publications \$1,774.50.

Employee Group Health Fund: Wellmark Blue Cross/Blue Shield, employee health ins \$41,888.86.

The Board adjourned until 8:30 A.M. on April 7, 2009.

Lincoln County Board of Commissioners

Jim Schmidt, Vice Chairman

Attest: _____
Kathy Bonnema, Deputy Auditor

Approved _____