

April 28, 2009

The Lincoln County Board of Commissioners met at 8:30 A.M. on April 28, 2009 with members Jim Schmidt, Jason Melcher, David Gillespie, Dale Long and Dennis Weeldreyer 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 Schmidt and seconded by Melcher that the minutes of April 14, 2009 and the minutes of the Board of Equalization of April 21, 2009 be approved. Motion carried.

The Clerk of Courts report of disbursement of Funds for mid-month ending April 15, 2009 was presented as follows: State Fines \$10,347.70, State Penalties \$.00; State Costs \$385.00, Cash Fees \$1,638.40, Law Library \$269.00, State Forfeiture \$150.00, Petty Offense \$574.00, Divorce Fees \$400.00, Court Appointed Attorney Repayments \$1,772.30.

Motion by Schmidt and seconded by Melcher to authorize the Sheriff to hire Jessica Castelluzzo at a starting salary \$32,161.82 effective May 4, 2009. Motion carried.

RESOLUTION: BE IT RESOLVED that the County of Lincoln hereby take action to include any official of the County of Lincoln whether elected or appointed for a regular term of office or to complete the unexpired portion of any such term, hereby elect to treat such officials as employees for the purposes of including said officials for workers compensation coverage per SDCL 62-1-3(4). Motion by Weeldreyer and seconded by Gillespie. All Commissioners voted "Aye".

Motion by Gillespie and seconded by Melcher that the following township bonds be approved: Pleasant Township Clerk & Treasurer's bonds; Brooklyn Township Clerk & Treasurer's bonds, Fairview Township Clerk and Treasurer's bonds, LaValley Township Clerk and Treasurer's bonds and Highland Township Clerk & Treasurer bond's. Motion carried.

RESOLUTION: WHEREAS, Springdale Lutheran Church has requested use of County Highway #135 north of the Springdale Lutheran Church for a landing strip for a Fly-in on June 7, 2009; BE IT RESOLVED that upon stipulation that the requirements of posting and flagging required by South Dakota Regulations are met, the request is hereby approved. Motion by Gillespie and seconded by Melcher. All Commissioners voted "Aye".

Motion by Weeldreyer and seconded by Melcher to approve out of County travel for Shelly Britt for a mandatory USPSP course in Pierre June 14, 2009 through June 16, 2009. Motion carried.

Motion by Schmidt and seconded by Weeldreyer to approve the Application for Abatement of Taxes presented by First English Lutheran Church, Lennox, SD parcel no. 250.10.07.004 in the amount of \$53.97 as the property purchased on 10/03/08 was purchased by a tax exempt entity. Motion carried.

Motion by Schmidt and seconded by Gillespie to approve the Application for Abatement of Taxes presented by Alan G. Kingsley, Sioux Falls, SD parcel no. 280.36.00.A101 in the amount of \$1,505.02 as pursuant to SDCL 10-18-2 the complainant qualifies for the Disabled Veteran Exemption. Motion carried.

The County Auditor requested executive session on a personnel matter as authorized by SDCL 1-25-2.

Motion by Gillespie and seconded by Weeldreyer to enter executive session on a personnel matter. Motion carried.

Motion by Melcher and seconded by Gillespie to end executive session. Motion carried.

RESOLUTION: BE IT RESOLVED that the County Treasurer is hereby authorized to accept partial payments of taxes owing for the second half of 2007 in the amount of \$885.82 and 2008 taxes in the amount of \$1,650.48 on parcel no. 280.30.05.010 with \$700.00 paid on May 1, 2009 and \$185.52 by May 31, 2009 and \$200.00 per month which payment shall be due on the 20th day of each month beginning June 20, 2009 and continuing on the same day of each month thereafter until the balance due and owing Lincoln County, together with the accrued interest, is paid in full. Motion by Gillespie and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: WHEREAS an appeal has been filed on the decision of the Planning and Zoning Board on the Conditional Use Permit #09-CUP-006 which application was to amend the conditions of Conditional Use Permit 04-CUP-099; specifically the condition restricting the expansion of buildings on property located at Lot 1A of Tr1 of VanBeck's Addition, in the East One Half of the Northeast One Quarter (E1/2NE1/4) of Section 31, Township 97, Range 49, Lincoln County, SD. NOW THEREFORE BE IT RESOLVED that a Hearing be held on June 9, 2009 at 9:00 am. Motion by Gillespie and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Ulrikson Addition in Government Lot 1 of the Northwest Quarter (NW1/4) of Section 2, 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 Schmidt and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Zweifel Addition in the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 32, Township 96 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 Schmidt seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 and Tract 2 of Oppold's Addition in the Northeast Quarter (NE1/4) of Section 3, Township 98 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 Schmidt and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tracts 1, 2, 3 & 4 of Jacobs Addition in the Southwest Quarter (SW1/4) of Section 27, Township 99 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 Schmidt and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1A and Tract 1B of Buse's Addition, an Addition in the Northwest Quarter (NW1/4) of Section 20, Township 99 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 Schmidt and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Decker's Addition in the Northwest Quarter (NW1/4) of Section 30, 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 Schmidt and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Meister Addition in the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section 21, Township 99 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 Schmidt and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 2A and Tract 3 of Woodfield Tracts, an Addition in the North Half (N1/2) of Section 33, Township 96 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 Schmidt and seconded by Melcher. All Commissioners voted "Aye".

Motion by Schmidt and seconded by Gillespie to approve the purchase of additional panic buttons and card readers using Homeland Security Grant funds administered by Minnehaha County. Motion carried.

Proposals were presented from Sweeter Auction and Souvignier Auctions for a county surplus auction to be held in 2009. Sweeter Auction submitted a proposal of 2% commission and Souvignier Auction submitted a proposal of 10% commission with a \$400 minimum with a reduced commission of 8% if the total sale amount reached \$8,000 and a reduced commission of 7% if the total sale exceeded \$15,000.

Motion by Gillespie and seconded by Schmidt to accept the lowest proposal of 2% commission submitted by Sweeter Auction to conduct the county surplus auction to be held in 2009. Motion carried.

RESOLUTION: BE IT RESOLVED that Item #649, desk be hereby declared surplus to be sold. Motion by Gillespie and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that Jason Melcher, Jim Schmidt and Dale Long are hereby appointed to appraise surplus desk, Item #649 and BE IT FURTHER RESOLVED that if the surplus desk, Item #649 is appraised at a value less than \$500.00 the sale of the surplus desk, Item #649 is hereby approved. Motion by Weeldreyer and seconded by Gillespie. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the following quarterly transfers be hereby approved for expenses incurred by the Road and Bridge fund for other departments: Planning and Zoning \$491.55; Sheriff \$793.54; Equalization \$1,166.22; Emergency Management \$1,101.32; GIS \$35.34; General Government Building \$548.61; Treasurer \$115.98 BE IT FURTHER RESOLVED that the quarterly transfer of wheel tax be hereby approved as follows: \$24,230.88 to townships and \$24,230.88 to cities. Motion by Weeldreyer and seconded by Schmidt. All Commissioners voted "Aye".

Motion by Gillespie and seconded by Melcher to approve the Applications for permit to locate in the right of way of Lincoln County Highway No. 272nd St. in the Southeast Quarter (SE1/4) of Section 29, Township 100 Range 50 West of the 5th P.M.; 467th Ave. in the Northeast Quarter (NE1/4) of Section 9, Township 99, Range 51 West of the 5th P.M. and the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section 10, Township 99, Range 51 West of the 5th P.M.; County Highway 106 in the Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4) of Section 24, Township 100, Range 51 West of the 5th P.M. and 274th Street in the Southwest

Quarter (SW1/4) and the Southeast Quarter (SE1/4) of Section 1, Township 99, Range 50 West of the 5th P.M. Motion carried.

Motion by Schmidt and seconded by Gillespie to authorize the Highway Superintendent to hire four additional employees for temporary summer help at a starting wage of \$11.42 an hour and to hire Joe Kennedy for the Weeds Department at a wage of \$14.52 an hour. Motion carried.

RESOLUTION: BE IT RESOLVED that the following items be hereby declared surplus to be sold: 1990 Ford F-150 4x4 pickup serial no. 1FTEX14N3MKA73953 and 1980 Ford F-250 4x4 pickup serial no. F26EPGD5285. Motion by Gillespie and seconded by Melcher. All Commissioners voted "Aye".

The following full-time payroll claims were approved: General Fund: Auditor's Office Payroll \$18,780.17; Treasurer's Office Payroll \$24,265.17; Computer/Data Processing Payroll \$3,628.93; Equalization Office Payroll \$27,688.81; Veteran's Service Office Payroll \$1,458.33; States Attorney Office Payroll \$41,908.08; Register of Deeds Office Payroll \$9,952.01; GIS Office Payroll \$3,757.74; Custodians Payroll \$17,536.94; Sheriff's Office Payroll \$55,240.19; Extension Office Payroll \$4,921.26; Weed Control Payroll \$1,073.13; Planning & Zoning Office Payroll \$9,670.85; FICA Match \$12,607.74; Medicare Match \$2,948.59; SDRS Match \$14,104.52; Group Health Insurance Match \$16,081.84. Road Fund: Payroll \$51,935.47; FICA Match \$2,953.09; Medicare Match \$690.66; SDRS Match \$3,116.12; Group Health Insurance Match \$4,962.18; Communications Fund: Payroll \$28,133.23; FICA Match \$1,616.34; Medicare Match \$378.02; SDRS Match \$1,687.99; Group Health Insurance Match \$1,873.27; Emergency Management Fund: Payroll \$3,839.24; FICA Match \$212.92; Medicare Match \$49.79; SDRS Match \$230.35; Group Health Insurance Match \$464.33. Solid Waste Fund: Payroll \$6,047.34; FICA Match \$353.69; Medicare Match \$82.71; SDRS Match \$362.84; 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: A & B Pure Water Online, water/coffee \$186.16; Active Data Systems, maint/supplies \$773.87; Alco, supplies \$6.98; Craig Andersen, mileage \$18.50; Norma Andersen, MI evals \$15; Apex Software, maint renewal \$250; Athey Court Reporting Service, grand jury proceedings \$117.80; Avera McKennan Hospital, prisoner care \$68.86; Beck Motors, 2 Chevy Impalas \$39,352; Black Book, CPI book \$54; Brown & Saenger, supplies \$225.92; Joe Carlson, meals \$69; Cattle Business Weekly, subscription \$50; Century Business Products, copier lease/maint \$294.46; Chemco, supplies \$2,084.46; Chief Industries, keys \$148; Clark Engineering, professional services \$1,001; Cody Croatt, temp help \$35; DialNet, jack for ATM \$132.65; Donna K Dietrich, MI evals \$138.62; DTN, online subscription \$267; Elite Business Systems, supplies \$118.61; John Erpenbach RN/CNP, MI evals \$360; Gall's Inc, shotgun locks \$174.97; Garratt-Callahan Co, hand held tester \$250; Interstate Office Products, supplies \$227.27; Intoximeters Inc, breathalyzers \$798; Nelva Kooistra, MI evals \$15; Tanner Larson, temp help \$35; Lewis Drugs, prisoner meds \$1,248.64; LexisNexis, online charges \$312; Lincoln Financial Group, employee life ins \$240.69; McLeod's Printing, supplies \$112.22; Medical X-Ray Center, prisoner care \$81.69; Jason Melcher, mileage \$17.02; Metabank, firewall support \$212.50; MidAmerican Energy, county assistance \$312.93; utilities \$1,889.52; Midcontinent Communications, internet usage \$173.34; Minnehaha Co Trs, Jnt Pwrs Agrmt \$7,006.40; blood draws \$1,025; Mobile Mini Inc, 40' container \$135; Chad Nelson, mileage \$14.06; June Nusz, mileage \$11.10; Officemax, supplies \$71.09; Otis Elevator, maint \$930; Pacer Service Center, records \$22.56; Barbara Palmer QMHP, MI evals \$2,925; Paul's Auto Repair, service vehicle \$921.36; Pennington County Jail, prisoner transports \$447.85; Pizza Ranch, grand jury meals \$52.85; Richard Portz, mileage \$17.76; Pump'n Pak, gas \$134; Quill, supplies \$118.56; Rural Route 1 Service, mats \$76.50; SDACC, CLERP \$22,117.56; Security Labs, website \$499; Sheldon Schelling QMHP, MI evals \$675; Sioux Empire Auto Service, tires/service \$968.94; Sioux Falls Two-Way Radio, repairs \$70; Darrel Sogn, mileage \$11.10; Southeastern Electric, county assistance \$800; Star Publishing, publishing \$1,017.20; Steve's Auto Repair, service vehicle \$37.91; The Eye Doctors, prisoner care \$211; Timmerman, Harold, use of truck \$200; Ron & Donna Toay, county assistance \$500; US Bank, lodging \$89.88; Velvet Uniforms, uniforms \$164; Workplace Technology Center, MSP mail services \$64.75; Xcel Energy, county assistance \$400.

Road Fund: A & B Pure Water Online, water \$2.99; Best Western Ramkota Inn, lodging \$82; Allan Bonnema, fuel/meals \$50; Brock White Co, crack sealant \$5,321.25; Chemco, supplies \$67.13; Clark Engineering, professional services \$3,737.08; Lincoln Financial Group, employee life ins \$52.95; MidAmerican Energy, utilities \$558.74; Midcontinent Communications, internet usage \$5.42; Servall Towel & Linen, towels/mats \$30.63; Star Publishing, notices \$34.81; Sunshine Foods, supplies \$25.14; Xcel Energy, utilities \$28.96.

E911 Communication Fund: Brown & Saenger, supplies \$77.61; Cartridge World, printer/supplies \$166.52; Century Business Products, copier maint \$45.77; Knology, tower rent \$100; Lincoln Financial Group, employee life ins \$28.24; Midcontinent Communications, internet usage \$13.54; Qwest, tower rent/fax \$1,781.42; Sioux Falls Two-Way Radio, battery backup/repairs \$566.

Emergency Mgmt Fund: Jensen Ins Agency, weather system \$184; Lincoln Financial Group, employee life ins \$3.53; Midcontinent Communications, internet usage \$2.70.

Solid Waste Fund: Lincoln Financial Group, employee life ins \$7.06; City of Sioux Falls, tipping fees \$10,923.66; Sunshine Foods, paper supplies \$21.43.

Airport Fund: EAA Chapter 289, rent \$267.56; Howe Electric, repairs \$1,233.68; Knology, internet service, 52.95; Lincoln Financial Group, employee life ins \$3.53; Meteorlogix, weather service \$492; Overhead Door of SF, service & repair \$609.18; Sinclair Oil Corp, fuel \$28.25.

24/7 Sobriety Fund: Pharm Chem Inc, sweat patch analysis \$240.

Debt Service-TIF #4 Fund: C. Wilson Persinger Trust, interest on TIF #4 bonds \$16,458.33.

Employee Group Health Fund: Wellmark Blue Cross/Blue Shield, employees health insurance \$41,493.05

The Board adjourned until 8:30 A.M. on May 5, 2009.

Lincoln County Board of Commissioners

Dale Long, Chairman

Attest: _____
Paula Feucht, Auditor

Approved _____