

May 26, 2009

The Lincoln County Board of Commissioners met at 8:30 A.M. on May 26, 2009 with members Jason Melcher, David Gillespie, Dale Long and Dennis Weeldreyer present. Jim Schmidt was absent. The meeting was called to order with the Pledge of Allegiance to the Flag. The Auditor was clerk of the Board.

A motion by Weeldreyer and seconded by Melcher that the minutes of May 12, 2009 be approved. Motion carried.

The Sheriff's April 2009 mileage report was presented.

A motion by Gillespie and seconded by Melcher to authorize Darwin Hazel, in concurrence with the SD Department of Transportation and the Township Board of Pleasant Township, to change the flow of water in Section 7, Township 96 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota by installing pipe to divert water into the road ditch to minimize environmental effects of Agricultural Waste Management System. Motion carried.

RESOLUTION: BE IT RESOLVED that the Lincoln County Investment Policy be hereby adopted as follows:
THE INVESTMENT POLICY OF LINCOLN COUNTY, SOUTH DAKOTA

1. POLICY

Pursuant to SDCL § 4-5-8, it is the policy of Lincoln County, South Dakota to invest idle public funds in a manner to meet the daily cash flow demands of Lincoln County with the primary objectives, in order of priority: a) Safety of Principal b) Liquidity and c) Return on Investments. This Investment Policy shall be reviewed by the County Board of Commissioners (hereinafter referred to as "County Board") on an annual basis and updated by the County Board, in consultation with the Lincoln County Auditor and Treasurer, as deemed necessary and prudent.

2. DELEGATION OF AUTHORITY

Authority to manage the investment program is hereby granted to the Lincoln County Treasurer, who shall refrain from personal business activity that could impair her ability to make impartial decisions. The Treasurer, acting in accordance with any written procedures, this Investment Policy, and exercising due diligence, shall be relieved of personal responsibility for an individual investment's credit risk or market price changes, provided deviations from expectations are reported to the County Board in a timely fashion, and the liquidity and the sale of investments are carried out in accordance with the terms of this policy. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. In the event of an extended leave of absence taken by the Treasurer, the County Board hereby appoints and authorizes the Deputy Treasurer to invest public funds in accordance with this policy.

3. AUTHORIZED FINANCIAL DEALER AND INSTITUTION

The County Board hereby authorizes the placement of cash resources in the following financial institutions:

- Farmers State Bank, Canton, SD
- Farmers State Bank, Tea, SD
- First Bank & Trust, Canton, SD
- First National Bank, Harrisburg, SD
- First National Bank, Sioux Falls, SD
- Frontier Bank, Sioux Falls, SD
- Great Western Bank, Sioux Falls, SD
- Home Federal Bank, Canton, SD
- Minnwest Bank, Sioux Falls, SD
- Premier Bank, Hudson, SD
- US Bank, Sioux Falls, SD
- Valley Exchange Bank, Lennox, SD
- Wells Fargo Bank, Beresford, SD
- South Dakota Public Funds Investment Trust (FIT)

4. AUTHORIZED AND SUITABLE INVESTMENTS

Lincoln County is empowered by statute to invest in the following instruments:

- Interest bearing checking accounts

- Savings accounts
- Certificates of Deposit (CDs) (SDCL ch. 7-20)
Certificates of Deposit (CDs) purchased through CDARS® (Certificate of Deposit Account Registry Service) (SDCL § 4-5-6.1)
- Local Government Investment Pool (SD FIT)

When investing in Certificates of Deposit (CDs), public funds will be invested at the highest rate of interest possible after attempting to secure three (3) quotes. The above listed authorized deposits shall be kept in banks in South Dakota as required by SDCL § 7-20-1. The Treasurer shall deposit and at all times keep on deposit the money in her possession as County Treasurer in state or national banks within Lincoln County. In the event that such deposits exceed the limit prescribed in SDCL § 7- 20-10, or if there is but one bank located within the County, then such deposits may be made in other banks or branch banks within an adjacent county of this state having an approved and responsible financial standing. (SDCL § 7-20-1)

5. COLLATERALIZATION

In accordance with the SDCL ch. 4-6A and § 51A-10-9, Qualified Public Depositories will furnish collateral in the sum equal to one hundred percent (100%) of the public deposit accounts that exceed deposit insurance. The financial institution shall submit a copy of their collateralization report to the County Treasurer. SDCL § 4-6A-3 requires that collateral be segregated by each depository in such manner as approved by the South Dakota Public Deposit Protection Commission. Collateral may not be held in any safety deposit vault owned or controlled either directly or indirectly by the pledging financial institution but must be deposited for safekeeping in a financial institution that is a member of the Federal Reserve.

6. REPORTING

The County Treasurer shall prepare an investment report not less than annually that provides a clear picture of the status of the current investments.

7. INTEREST EARNED

The interest earned from investments shall be credited to the respective fund, except Agency funds. (SDCL § 4-5-9) Motion by Gillespie and seconded by Melcher. All Commissioners present voted "Aye".

Motion by Gillespie and seconded by Melcher to approve the Application for Abatement of Taxes presented by United Methodist Church, parcel no. 200.67.04.007 in the amount of \$336.36 as the property is tax exempt. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to approve the Application for Abatement of Taxes presented by Paul T. and Kamie Johnson, parcel no. 100.49.27.G10A, in the amount of \$474.99 for the second half and a refund in the amount of \$474.99 for the first half as the house was moved to Minnehaha County and is on their assessment roll Motion carried.

Motion by Gillespie and seconded by Weeldreyer to purchase a half page ad in the Lennox Community Guide at a cost of \$155.00. Motion carried.

RESOLUTION: WHEREAS, SDCL 13-6-85 and 13-6-86 allow for school district minor boundary changes when all statutory and factual requirements are met; and the Tea Area School District No. 41-5 and the Sioux Falls School District No. 49-5 received a petition for minor boundary change involving the property located in western Sioux Falls, Minnehaha County, South Dakota, originally assigned to the Tea Area School District and seeking to be changed to the Sioux Falls School District; and WHEREAS, by Action 35366, adopted May 11, 2009, the Sioux Falls School District approved the Petition to Make a Minor Boundary Change to transfer the area to the Sioux Falls School District; and WHEREAS, by Action 080509, adopted May 11, 2009, the Tea Area School District approved the Petition to Make a Minor Boundary Change to transfer the area to the Sioux Falls School District; and WHEREAS, pursuant to SDCL 13-6-86.1 and SDCL 13-6-87, the county commissions of Minnehaha County and Lincoln County, the counties with property affected by the boundary change, are required to set the effective date of the boundary change for tax allocation purposes, as well as school district voting purposes; now **THEREFORE BE IT RESOLVED**, by the Lincoln County Board of Commissioners that the minor boundary change approved by the Sioux Falls School District and Tea Area School District transferring the property in western Sioux Falls, Minnehaha County, South Dakota, legally described as Lots 18, 19 and 20 Block 3, Westwood Valley Addition, City of Sioux Falls; Lots 1, 2, and 3, Block 5, Westwood Valley Addition, City of Sioux Falls; and Lots 4, 5, and 6, Block 4, Westwood Valley Addition, City of Sioux Falls from the Teas Area School District No. 41-5 to the Sioux Falls School District No. 49-5 shall be effective June 1, 2009. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to publish "Notice of Surplus Auction" to be held on June 27, 2009 at 10:00 a.m. at the Lincoln County Fairgrounds. Motion by Gillespie and seconded by Melcher. All Commissioners present voted "Aye".

RESOLUTION: WHEREAS, SDCL 31-12A-21(6), in pertinent part, provides that the board of trustees of a county road district may establish speed limits on roads under the road district's jurisdiction in accordance with SDCL 32-25-9.1; and WHEREAS, SDCL 32-25-9.1, in pertinent part, provides that any board of county commissioners may determine and establish speed limits on the request of and after any road district having charge of the maintenance of the highway has declared its intention to post speed zones; and WHEREAS, the Kerslake Road District Board of Trustees has requested that a maximum speed limit of 25 miles per hour be established upon all roads within the jurisdiction of the Kerslake Road District; NOW THEREFORE, BE IT RESOLVED that after due consideration of such request, the Lincoln County Board of Commissioners, pursuant SDCL 32-25-9.1, finds it advisable and proper to establish a maximum speed limit of 25 miles per hour upon all roads within the jurisdiction of the Kerslake Road District; BE IT FURTHER RESOLVED that the Kerslake Road District, having charge of the maintenance of all roads within its jurisdiction, shall be responsible for the purchase, placement and maintenance of all speed zone signs. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Plucker's Addition in the Northwest Quarter (NW1/4) of Section 20, 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 Lot 2B of Ruckelshausen's 5th Addition in Government Lot 3 of Section 11, Township 100 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 seconded by Weeldreyer. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that Item #2962, 47" Phillips Monitor TV for 911 be hereby declared surplus as this is no longer operable and is being returned to dealer. Motion by Melcher and seconded by Weeldreyer. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Termination of Ground Lease Agreement by and between Lincoln County and Tallyho Enterprises, LLC for Lease Site K4 at the Marv Skie Airport. Motion by Weeldreyer and seconded by Gillespie. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Gound Lease Agreement by and between Lincoln County and Gregory Lair for Lease Site K4 at the Marv Skie Airport. All Commissioners present voted "Aye"

Proposals were presented from Muth Electric \$7,500.00 and All Phase Electric \$4,728.00 to remove and replace four foundations on the PAPI system located on runway 16 at the Marv Skie Airport.

RESOLUTION: BE IT RESOLVED to accept the proposal of All Phase Electric in the amount of \$4,728.00 to remove and replace four foundations on the PAPI system located on runway 16 at the Lincoln County airport in Tea, SD. Motion by Gillespie and seconded by Weeldreyer. All Commissioners present voted "Aye".

Motion by Gillespie and seconded by Melcher to approve the application for an entrance off of Lincoln County Highway 105 submitted by Jennifer Slack. Motion carried.

Motion by Weeldreyer and seconded by Melcher to approve the Application for Permit submitted by South Lincoln Rural Water System for a permit to locate in the right of way of Lincoln County Highway No. 148 between the Northwest Quarter (NW1/4) of Section 7, Township 96 North, Range 49 West of the 5th P.M. and the Southwest Quarter (SW1/4) of Section 6, Township 96 North, Range 49 West of the 5th P.M. Lincoln County, South Dakota. Motion carried.

Motion by Gillespie and seconded by Melcher to approve the Application for Utility Permit submitted by Lewis & Clark Regional Water System, Inc. for a permit to locate across the right of way of Lincoln County Highway No. 105 between Section 20 and Section 21, Township 96 North, Range 51 West of the 5th P.M., Lincoln County, South Dakota. Motion carried.

The following full-time payroll claims were approved: General Fund: Auditor's Office Payroll \$18,718.21; Treasurer's Office Payroll \$24,480.93; 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 \$41,930.95; Register of Deeds Office Payroll \$9,952.01; GIS Office Payroll \$3,757.74; Custodians Payroll \$16,921.36; Sheriff's Office Payroll \$58,278.57; Extension Office Payroll \$4,921.26; Weed Control Payroll \$5,082.37; Planning & Zoning Office Payroll \$6,358.57; FICA Match \$12,874.84; Medicare Match \$2,996.85; SDRS Match \$14,321.26; Group Health Insurance Match \$15,578.44. Road Fund: Payroll \$54,591.67; FICA Match \$3,098.59; Medicare Match \$724.66; SDRS Match \$3,165.89; Group Health Insurance Match \$5,426.51; Communications Fund: Payroll

\$27,005.05; FICA Match \$1,546.41; Medicare Match \$361.65; SDRS Match \$1,620.30; Group Health Insurance Match \$1,873.27; Emergency Management Fund: Payroll \$3,842.24; FICA Match \$213.10; Medicare Match \$49.84; SDRS Match \$230.53; Group Health Insurance Match \$464.33. Solid Waste Fund: Payroll \$6,024.26; FICA Match \$352.25; Medicare Match \$82.39; SDRS Match \$361.46; 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 Johnson, Jeanne \$32.20, Ahrendt, Valorie \$64.80, Demore, Andrew \$61.10, Devos, Roxanne \$58.88, Freiberg, Lisa \$63.32, Glasoe, Gina \$66.28, Klemisch, Abigail \$68.50, Schneider, Francis \$68.50, Wiczorek, Kenneth \$54.44, Abrahamson, Victoria \$10.74, Bachtell, Ladene \$26.28, Beuckens, Marvin \$72.20, Blotske, Chelsea \$69.98, Bourassa, Aranda \$21.10, Bunjer, Sharen \$24.06, Cross, Peggy \$24.80, Dahl, Lavonne \$50.74, Delong, Colleen \$27.02, Dickson, Jamey \$28.50, Engbers, Wesley \$53.70, Gorecki, Luke \$68.50, Hardy, Karla \$15.92, Hartman, Amy \$21.10, Jahn, Teresa \$10.74, Johnson, Janyce \$10.74, Johnson, Ronald \$10.74, Kennedy, Terri \$66.28, Luecke, Teresa \$24.80, Mcinerney, Michael \$21.10, Moore, Barbara \$57.40, Mutschelknaus, Karen \$26.28, Nelson, Charles \$22.58, Parsons, Laura \$21.10, Patrick, Jesse \$68.50, Plank, Kevin \$64.06, Plucker, Donna, \$50.74, Richardson, Allen \$10.74, Rosenbrook, Carol \$70.72, Schaunaman, Troy \$32.20, Schroeder, Jenna \$29.24, Slocum, Heather \$64.80, Sorum, Clair \$28.50, Stahl, Todd \$13.70, Thranum, Michelle \$24.80, Torguson, Charity \$24.06, Vanhorssen, Scott \$24.80, Vannoort, Duane \$24.80, Waltjer, Rodney \$68.50, Ward, Logan \$17.40, Wood, Constance \$61.84. Active Data Systems Inc, supplies \$510.06; Andersen, Craig, mileage \$37.00; Athey Court Reporting, transcripts \$27.90; Avera Midwest Psychi Med, MI hospital admit \$89.08; Beck Motors Inc, delivery \$280.00; Beck, Pat, transcripts \$62.50; Beresford Public Library, 2009 Budget Allocation \$4,100.00; Best Western Ramkota Inn, lodging \$316.00; Brown & Saenger, supplies \$381.61; C & R Supply Inc, parts \$46.64; Century Business Products, copier lease/maint \$166.41; Cody, Denise, MI hearing \$15.00; Cole, Don, mowing \$75.00; CSD -Comm For The Deaf, interpreter \$59.00; Dietrich, Donna K, MI hearing \$136.12; Erpenbach Rn/Cnp, John, MI evals \$382.50; Evanson, Robert, mileage \$11.10; Express Attorney Services, serve papers \$64.00; Feucht, Paula, meals \$33.00; Gillespie, David, mileage \$8.73; Governors Inn, lodging \$150.00; Hill, Kathleen, mileage/meals \$236.18; Interstate Office, supplies \$28.28; KB's True Value, supplies \$15.77; Lewis And Clark BHS, MI hearings \$284.00; Lewis Drugs, prisoner meds \$1,109.67; LexisNexis, online charges \$312.00; Lincoln Co Treasurer, title transfers \$12.00; Lincoln Financial Group, Empl Life Ins \$246.03; Mcneil, Justen, county assistance \$360.00; MCPC Inc, supplies \$34.20; Med-Tech Resource Inc, supplies \$124.75; Melcher, Jason, mileage \$17.02; Menards-West, supplies \$45.31; Midamerican Energy Co, utilities \$823.31; Midcontinent Communications internet \$173.34; NADA, appraisal guides \$112.00; Nusz, June, mileage \$22.20; Orthopedic Institute, county assistance \$2,567.71; Palmer Qmhp, Barbara, MI Evals \$2,137.50; Pennington County Jail, prisoner transports \$274.35; Pitney Bowes, postage \$2,000.00; Pizza Ranch, grand jury meals \$128.35; Portz, Richard, mileage \$17.76; Powell, Laurie, supplies \$41.69; Quill, supplies \$64.26; Qwest, utilities \$80.00; Rehfuss, Cathy, MI Hearing \$15.00; Rural Route 1 Service, mats \$76.50; Schelling Qmhp, Sheldon, MI Eval \$135.00; SD Dept Of Labor, Unemployment Benefits \$931.00; SD Human Services Center, psych eval \$500.00; Sioux Empire Auto Serv, repairs \$1,023.28; Sioux Falls Area Humane Soc, may contract/april service \$914.72; Sogn, Darrel, mileage \$22.20; Star Publishing, newspaper ad \$72.00; Star Publishing, subscription \$27.50; Turner, Deb, mileage \$96.20; Turner, Deb, mileage/meals \$139.20; US Bank, lodging \$93.00; USDA Rural Development, county assistance \$469.00; Velvet Uniforms Inc, shirt/patches \$72.94; Verizon Wireless, text content \$50.00; Yankton Co Treasurer, serve papers \$103.75.

Road Fund: Clark Engineering, professional services \$409.99; Cole's Petroleum Inc, diesel \$11,062.48; Concrete Materials, washed chips \$7,472.78; JD Evans Equipment Co, repairs \$1,400.87; \$Jim's Digging Service, ditch work \$1,700.00; Lincoln Financial Group, empl life ins \$52.95; Midamerican Energy Co, utilities \$118.77; Midcontinent Communications, internet \$5.42; Myrl & Roys Paving, washed chips \$12,131.27; Northern Truck Equip Co, repairs \$276.08; Powell, Laurie, Supplies \$4.63; Chemco Inc, supplies \$59.00; Sioux Falls Auto Trim, repairs \$145.50; Tetra Tech Inc, supplies \$449.55; Wheelco, repairs \$2,294.74; Xcel Energy, utilities \$26.15; Z & S Dust Control Systems, mag-chloride \$32,438.90.

E911 Communications Fund: Bullberry Systems Inc, maint contract \$4,500.00; Century Business Products, copier lease \$30.00; Knology, tower rent/fax line \$196.65; Lincoln Financial Group, Empl Life Ins \$28.24; Midcontinent Communications, internet \$13.54; Qwest, tower rent \$1,684.79; Sioux Falls Two-Way Radio, Repeater Repair \$300.00;

Emergency Management Fund: Jerry's Auto Sales Of Lennox, vehicle repair \$136.85; Lincoln Financial Group, empl life ins \$3.53; Midcontinent Communications, internet \$2.70; Timmerman, Harold, gas \$30.57;

Law Library Fund: West Group Payment Center, publications \$985.00.

Employee Group Health Ins: Wellmark Blue Cross/Blue Shield, empl hlth ins \$42,266.94.

The Board adjourned until 8:30 A.M. on June 2, 2009.

Lincoln County Board of Commissioners

Dale Long, Chairman

Attest: _____
Paula Feucht, Auditor

Approved _____