

August 25, 2009

The Lincoln County Board of Commissioners met at 8:30 A.M. on August 25, 2009 with members Jason Melcher, David Gillespie, Dale Long, Jim Schmidt 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 August 11, 2009 be approved. Motion carried.

The Clerk of Courts Report of Disbursement of Funds for month ending July 31, 2009 was presented as follows: State Fines \$11,868.51, State Costs \$728.89, State Forfeitures \$900.00, Cash Fees \$1,704.00, Law Library \$268.00, Petty Offense \$545.00, Court Appointed Attorney Repayments \$3,988.01, and Divorce Fees \$300.00.

The Register of Deeds Statement of Fees collected for the month of July 2009 in the amount of \$72,586.50 was presented.

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

The Sheriff's July 2009 mileage report was presented.

Vehicle mileage logs for county vehicles were presented for the month of July 2009.

The Hearing on the application for Malt Beverage License for the licensing period 2009-2010 submitted by Truck Towne, Beresford, SD was held as published.

Motion by Weeldreyer and seconded by Schmidt to table the decision on the application for Retailer (On/Off Sale) Malt Beverage License for the 2009-2010 license period until someone is present to provide information about the business: Truck Towne, Beresford, SD, The South Half of the Southwest Quarter (S1/2SW1/4) of Section 31, Township 96 North, Range 50 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota. Motion carried.

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to publish "Notice of Hearing Upon Application for Temporary Malt Beverage and Temporary Wine License" presented by the Sioux Falls Area Humane Society for a Fundraiser to be held on October 10, 2009 at legal premises described as Fischenich Addition in the Southeast Quarter of Tract 3A, Section 15, Township 100, Range 50 West of the 5<sup>th</sup> P.M. Lincoln County, SD. Said Hearing to be held on September 15, 2009 at 9:00 am. Motion by Gillespie and seconded by Melcher. All Commissioners voted "Aye".

Motion by Schmidt and seconded by Melcher to continue the part-time employee status for Tucker Halverson in the GIS Department until December 11, 2009 with reallocation of funds budgeted for the GIS Department that will not be utilized for other budgeted purposes within that department. Roll call vote: Schmidt – Aye; Melcher – Aye; Long – Aye; Gillespie – Nay; Weeldreyer – Aye. Motion carried.

The first reading and hearing on the petition to rezone from "A" Agricultural District to "R" Rural Residential District property described as follows: Lots 21, 27, 28, 35, 40, and 45 of Springdale Estates, an Addition in the North Half of the Northwest Quarter (N1/2NW1/4) Section 26, Township 100 North, Range 50 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota was held as published.

Motion by Weeldreyer and seconded by Gillespie to set the second reading on the petition to rezone from "A" Agricultural District to "R" Rural Residential District property described as follows: Lots 21, 27, 28, 35, 40, and 45 of Springdale Estates, an Addition in the North Half of the Northwest Quarter (N1/2NW1/4) Section 26, Township 100 North, Range 50 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota for September 1, 2009 at 10:00 am. Motion carried.

RESOLUTION: WHEREAS an Application, Affidavit for Replacement Warrant has been presented by Bonnie Bertelson for warrant #44156 issued on August 14, 2007 in the amount of \$75.00 NOW THEREFORE BE IT RESOLVED that the County Auditor is hereby authorized and directed to issue a replacement warrant in the amount of \$75.00. Motion by Weeldreyer and seconded by Melcher. All Commissioners voted "Aye".

RESOLUTION: WHEREAS an appeal has been filed on the Conditional Use Permit 90-CUP-018 NOW THEREFORE BE IT RESOLVED that a Hearing be held on September 15, 2009 at 9:30 am. Motion by Schmidt and seconded by Gillespie. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to publish "Notice of Hearing" on the petition to expand the "C" Commercial Uses permitted within the Tom Sawyer Planned Development District: Lots 1 & 2, Block 1, Tom Sawyer Addition in the Northeast Quarter (NE1/4) of Section 34, Township 100 North, Range 50 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota. Said Hearing to be held on September 15, 2009 at 10:00 am. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the following be hereby declared surplus to be sold: 1998 International Tandem Dump Truck Unit No. 27 and 1998 International Tandem Dump Truck Unit No. 29. Motion by Weeldreyer and seconded by Gillespie. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the County Highway Superintendent is hereby authorized and directed to advertise for sealed bids to be accepted by 11:00 am on September 29, 2009 for the sale of a 1998 International Tandem Dump Truck Unit No. 27 and a 1998 International Tandem Dump Truck Unit No. 29 and a

1997 CAT Motor Grader #22K02637. Motion by Weeldreyer and seconded by Gillespie. All Commissioners voted "Aye".

Motion by Schmidt and seconded by Melcher that the permit submitted by East River Electric Power Coop for an entrance off of County Rd. 102 be hereby approved. Motion carried.

The appeal on the CUP #09-CUP-013 was taken off of the table.

Motion by Schmidt and seconded by Weeldreyer to table the decision on the Appeal on CUP-#09-CUP-013 until October 6, 2009 at 9:00 am and to hold the Hearing on the Appeal for CUP #90-CUP-018 on October 6, 2009 at 10:00 am. Roll Call Vote: Weeldreyer – Aye; Gillespie – Nay; Long – Aye; Melcher – Nay; and Schmidt – Aye. Motion carried.

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

Motion by Weeldreyer and seconded by Gillespie to end executive session.

Motion by Schmidt and seconded by Weeldreyer to authorize the payment of COBRA premiums in the amount of \$339.66 a month for the months of September 2009 through December 2009 for Case #65499. Motion carried.

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the acceptance documents for the EEC Block Grant Award. Motion by Melcher and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Standard Form of Agreement for Engineering Services of Associated Consulting Engineering, Inc. by and between Lincoln County and Associated Consulting Engineering, Inc. for consulting services to be provided for the replacement of the heat system boiler at the Lincoln County Courthouse. Motion by Gillespie and seconded by Weeldreyer. All Commissioners voted "Aye".

The following full-time payroll claims were approved: The following full-time payroll claims were approved: General Fund: Auditor's Office Payroll \$18,718.21; Treasurer's Office Payroll \$24,203.35; Computer/Data Processing Payroll \$3,628.93; Equalization Office Payroll \$25,603.26; Veteran's Service Office Payroll \$1,458.33; States Attorney Office Payroll \$41,965.26; Register of Deeds Office Payroll \$12,394.49; GIS Office Payroll \$3,757.74; Custodians Payroll \$16,754.08; Sheriff's Office Payroll \$58,870.06; Extension Office Payroll \$5,110.71; Weed Control Payroll \$6,636.01; Planning & Zoning Office Payroll \$6,358.57; FICA Match \$12,931.51; Medicare Match \$3,024.28; SDRS Match \$14,376.69; Group Health Insurance Match \$16,041.53. Road Fund: Payroll \$67,990.58; FICA Match \$3,938.37; Medicare Match \$921.06; SDRS Match \$3,312.95; Group Health Insurance Match \$5,426.51; Communications Fund: Payroll \$28,158.26; FICA Match \$1,627.83; Medicare Match \$380.69; SDRS Match \$1,689.49; Group Health Insurance Match \$1,646.54; Emergency Management Fund: Payroll \$3,842.24; FICA Match \$212.49; Medicare Match \$49.69; SDRS Match \$230.53; Group Health Insurance Match \$464.33. Solid Waste Fund: Payroll \$6,359.44; FICA Match \$372.72; Medicare Match \$87.17; SDRS Match \$381.57; Group Health Insurance Match \$210.16; Airport Fund: Payroll \$3,617.32; FICA Match \$200.57; Medicare Match \$46.91; SDRS Match \$217.04; Group Health Insurance Match \$430.39.

The following claims were approved: General Fund: Jurors, fees & mileage Valorie Ahrendt \$194.40; Elias Alhanoun \$28.50; Patricia Auch \$18.88; James Baker \$32.20; Kathleen Barrett \$68.50; Willow Bauerle \$57.40; Briana Blair \$28.50; Glenn Brueske \$64.80; Jason Bultena \$24.80; Nathan Crumb \$63.32; Lee Daggett \$137; James Delay \$24.80; Andrew Demore \$122.20; Roxanne Devos \$117.76; Jeffrey Edman \$64.80; Lisa Freiberg \$189.96; Tyler Fuerst \$27.02; Gina Glasoe \$198.84; Amy Goembel \$123.68; Michelle Grotjohn \$64.06; Denice Gustafson \$24.80; Gary Hitt \$27.02; Willis Hoff \$26.28; Gale Horan \$57.40; Joan Huber \$11.48; Diane Hurley \$129.60; Bradley Jamison \$32.20; Nicole Johnson \$65.54; Angela Kaufman \$10.74; Abigail Klemisch \$205.50; Mary Labesky \$28.50; Cheryl Ladassor \$18.88; Leah Larson \$58.88; Shawn Lusk \$129.60; Dianne McGraw \$137; Crystal Moret \$69.98; Anna Person \$24.80; Jeffrey Peterson \$137; Kristen Peterson \$64.80; Letitia Plimpton \$28.50; Donna Plucker \$202.96; Monica Poppens \$18.88; Zachary Quien \$21.10; Peter Rauen \$66.28; Diane Roth \$27.76; Francis Schneider \$274; Jolynn Sorum \$18.88; Thomas Spears \$61.10; Renae Weber \$131.08; Scott Wick \$21.84; Kenneth Wiczorek \$163.32; Shari Wilson \$64.80. 4-H & Open Class, judging fees Barbara Anderson \$50; Michelle Andrews \$50; Anthony Bly \$60; Sharon Bruns \$50; Dawn Coggins \$50; Jan DeJong \$50; Norma Ende \$50; Sarah Fenske \$30; Edna Fillingsness \$50; Erma Fossum \$50; Bob Freese \$50; Pam Gillespie \$50; Linda Hagedorn \$100; Arlis Hentges \$50; Teresa Huffman \$50; Meggan Johnson \$25; Melissa Jungemann \$50; Arlene Kasten \$50; Matt Knock \$25; Roxanne Knock \$300; Dale Knode \$90; Gregg Koerner \$25; Reynold Loecker \$100; Bill Mueller \$125; Steve Peterman \$50; Jana Reiss \$50; Shirley Renken \$50; Steve Schmeichel \$150; Jay Schoenwald \$40; Ann Seely \$110; Sherrie Sherard \$100; Arden Shields \$50; June Shields \$100; Carol Shubeck \$50; Ken Starkenburg \$100; Joyce Stratmeyer \$50; Lorraine Swee \$50; Marlene Sweeter \$50; Wendy Sweeter \$50; Jan Tipton \$50; Ann Tornberg \$100; Kit Tornberg \$25; Bridget Twedt \$25; Carol VanderLaan \$50; Dorothy Verhey \$50; Katie Westra \$50; Gladys Wiebers \$50; Bev Winterboer \$50; Brad Winterboer \$50. A & B Pure Water Online, coffee \$159.20; Craig Andersen, mileage \$37; Argus Leader, legal notice \$70.79; Athey Court Reporting, transcripts \$124; Avera McKennan Hospital, blood draws \$110; MI holds \$1,996; prisoner care \$4.37; Avera University Psychiatry, MI hospital admits \$634.06; Aaron Bartscher, fuel \$34.17; Brown & Saenger, supplies \$53.64; Louise Burns, mileage \$11.84; Cartridge World, supplies \$118.28;

CDW-G Inc, equip/monitor \$422.22; Century Business Products, copier maint/lease \$400.12; Chief Industries, supplies \$183.86; Clark Engineering, professional services \$2,149.75; CSD-Communications for the Deaf, interpreter \$141; Donna K Dietrich, MI hearings \$231.28; John Erpenbach RN/CNP, MI eval \$157.50; Express Attorney Services, serve papers \$69; Ford Signs, signs \$179.50; Frieberg Nelson & Ask, crt appt atty fees \$2,939.07; Governors Inn, lodging \$160; Great Plains Psychological Service, psych evaluation \$2,605; Haisch Pharmacy, supplies \$67.70; Highpointe Townhomes, county assistance \$500; Hunters Gate Townhomes, county assistance \$500; Interstate Office Products, supplies \$297.87; Johnson, Heidepriem, Abdallah & Johnson, crt appt atty fees \$928.45; Jack's Uniforms & Equip, uniforms & equip \$91.90; Kandiyohi County Sheriff, serve papers \$43.20; KB's True Value, supplies \$160.08; Kennedy Rokahr Pier & Knoff, MI hearing \$373; Lab Safety Supply, supplies \$353.17; Lewis and Clark BHS, MI hearings \$426; Lewis Drugs, prisoner meds \$598.12; LexisNexis, online charges \$328; Lincoln Co Conservation Dist, budget allocation \$10,000; Lincoln Co Open Class, annual fee \$65; Lincoln Financial Group, life ins \$249.56; Lite Electric, repairs \$1,730.81; Jeff Lounsbery, travel & expenses \$754.27; Monica Mattson, crt appt atty fees \$1,196; McLeod's Printing, supplies \$97.09; MCPC Inc, supplies \$210.36; Jason Melcher, mileage \$17.02; MidAmerican Energy, utilities \$258.38; Midcontinent, internet \$173.33; Mikelson Law Office, MI hearings \$65.60; Minnehaha Co Human Services, poor relief services \$4,625; Charles Molstad, mileage \$3.33; Myrabo Law Office, MI board \$2,756; Chad Nelson, mileage \$14.06; Irene Ness, mileage \$28.86; June Nusz, mileage \$22.20; Peltier's Collision Ctr, service & repair vehicles \$1,396.80; Pitney Bowes, postage \$2,000; Pizza Ranch, grand jury meals \$62.24; Richard Portz, mileage \$17.76; Quill, supplies \$249.26; Qwest, utilities \$80; Cathy Reh fuss, MI hearings \$39; Mark Rowen, meals/supplies \$63.63; Rural Route 1 Service, mats \$76.50; Scull Studios, calendars \$17.80; SDAAO, workshop \$200; SDACC, convention \$1,280; SDSU Extension Service, rental \$92.08; SECOG, professional services \$337.50; Sioux Empire Automotive Service, service & repair vehicles \$366.98; Sioux Falls Music, PA & keyboard rental \$250; Sioux Falls Rubber Stamp, supplies \$159.25; Darrel Sogn, mileage \$11.10; Southcliff Falls Apartments, county assistance \$500; Surefire, supplies \$100.68; Karen Swanda, MI hearings \$39; The Voice-Tribune, legal notice \$517.50; United Rentals Northwest, drum fan rental \$183.16; Vantek Communications, program radios \$98.20; Velvet Uniforms, uniforms \$188.42; Debra M Voight, crt appt atty fees \$3,012.33; Jerica Westra, mileage \$16.28; Thomas Wollman, mileage \$177.60; Workplace Technology Center, MSP mail services \$64.75; Xcel Energy, county assistance \$326.58; Yankton Co Treasurer, MI hearings \$207.50; Zee Medical Service, first aid cabinets \$413.26

Road Fund: Boyer Trucks, parts \$15.56; Cole Petroleum, fuel \$14,480.17; Concrete Materials, asphalt \$644.26; Diamond Mowers, parts \$674.76; Diesel Machinery Inc, rent & repairs \$3,045.50; G & K Supreme Auto Sales, vehicle repairs \$1,387.36; Jebro, asphalt \$219,342.72; Lincoln Financial Group, life ins \$52.95; MidAmerican Energy, utilities \$8; Midcontinent, internet \$5.42; Paul's Auto Repair, vehicle repairs \$1,474.32; Quill, supplies \$41.99; Saddle Creek Excavating, excavating \$271.16; SDACC, convention \$160; Servall Towel & Linen, towel service \$28.91; Sioux Equipment, repairs \$192.30; Xcel Energy, utilities \$27.66; Zep Manufacturing, supplies \$1,383.86.

E-911 Communication Fund: Canton Fire Dept, copy cat repeater \$600; Century Business Products, copier maint \$90; Ecowater, water/supplies \$46.70; Knology, tower rent \$100; Lincoln Financial Group, life ins \$28.24; Midcontinent, internet \$13.54; Qwest, tower rent \$1,685.74; Sioux Falls Two-Way Radio, install/equip \$1,741.94.

Emergency Management Fund: Cartridge World, supplies \$23.59; Jerry's Auto Sales, repairs \$178.30; Lincoln Financial Group, life ins \$3.53; Midcontinent, internet \$2.71; SD Div of Motor Vehicle, duplicate plate \$9; Harold Timmerman, fuel \$164.30.

Solid Waste Fund: Eastern Farmers, diesel fuel \$468.34; KB's True Value, supplies \$29.97; Lincoln Financial Group, life ins \$7.06; City of Sioux Falls, tipping fees \$12,710.61.

Airport Fund: Knology, internet service \$52.95; Lincoln Financial Group, life ins \$3.53; Pfeifer's Implement, lawnmower service \$294.95; Sinclair Oil Corp, fuel \$40.14.

24/7 Sobriety Fund: Intoximeters Inc, supplies \$600; Pharm Chem Inc, sweat patch analysis \$200.

Employee Group Health Fund: Wellmark Blue Cross/Blue Shield, employee health ins \$42,566.86.

The Board adjourned until 8:30 A.M. on September 1, 2009.

Lincoln County Board of Commissioners

\_\_\_\_\_  
Dale Long, Chairman

Attest: \_\_\_\_\_  
Paula Feucht, Auditor

Approved \_\_\_\_\_