

September 29, 2009

The Lincoln County Board of Commissioners met at 8:30 A.M. on September 29, 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 Weeldreyer and seconded by Melcher that the minutes of September 15, 2009 be approved. Motion carried.

The Clerk of Courts Report of Disbursement of Funds for month ending August 31, 2009 was presented as follows: State Fines \$17,311.43, State Costs \$1,390.00, State Forfeitures \$1,100.00, Cash Fees \$1,584.00, Law Library \$246.00, Petty Offense \$181.00, Court Appointed Attorney Repayments \$1,900.07, and Divorce Fees \$250.00.

The Clerk of Courts Report of Disbursement of Funds for mid-month ending September 15, 2009 was presented as follows: State Fines \$16,635.07, State Costs \$1,074.00, State Forfeitures \$500.00, Cash Fees \$1,471.00, Law Library \$245.00, Petty Offense \$550.00, Court Appointed Attorney Repayments \$2,539.03, and Divorce Fees \$250.00.

Motion by Schmidt and seconded by Weeldreyer to accept the proposal from Hoogendoorn Construction in the amount of \$40,700.00 for the sally-port enclosure. Motion carried.

Motion by Schmidt and seconded by Gillespie to replace the boiler in the courthouse annex building and to accept the proposal of Zomer Plumbing, Heating and Air Conditioning in the amount of \$13,413.00. Motion carried.

Motion by Gillespie and seconded by Schmidt to declare the south side courthouse flagpole surplus to be sold. Motion carried.

Motion by Schmidt and seconded by Melcher to appoint Dennis Weeldreyer, David Gillespie and Dale Long to appraise the south side courthouse flagpole. Motion carried.

The second reading of the amendment to the 2009 Revised Lincoln County Zoning Ordinance amending the permitted uses within the Tom Sawyer Planned Development District was held.

RESOLUTION: BE IT ORDAINED by Lincoln County, South Dakota: That Subsection (A)(1)(c) of Section 11.0603 of the 2009 Revised Zoning Ordinance for Lincoln County shall be amended to read as follows: "c. Conditional Uses: Contractor's shop and storage yard; Garage, public storage; Retail sales and trade, including new or used farm and livestock-related equipment, trailers and vehicles but only in Lots 1 and 2 of Block 1 of the Tom Sawyer Addition. Motion by Schmidt and seconded by Melcher. All Commissioners voted "Aye".

Bids were opened for the sale of the surplus 1997 Caterpillar 14H motor grader, 1998 International 4900 Tandem Diesel Dump Truck #27 and 1998 International 4900 Tandem Diesel Dump Truck #29: bid of \$80,000 from Butler Cat for the 1997 Caterpillar 14H motor grader; a bid of \$8,500.00 from South Lincoln Rural Water System and a bid of \$5,610.00 from Heiskell Construction for the 1998 International 4900 Tandem Diesel Dump Truck #27; a bid of \$4,610.00 from Heiskell Construction for the 1998 International 4900 Tandem Diesel Dump Truck #29.

Motion by Gillespie and seconded by Melcher to appoint Dale Long and David Gillespie to appraise the 1997 Caterpillar 14H motor grader, 1998 International 4900 Tandem Diesel Dump Truck #27 and 1998 International 4900 Tandem Diesel Dump Truck #29. Motion carried.

Motion by Weeldreyer and seconded by Gillespie to table the bids on the 1997 Caterpillar 14H motor grader, 1998 International 4900 Tandem Diesel Dump Truck #27 and 1998 International 4900 Tandem Diesel Dump Truck #29. Motion carried.

The Hearing on the Airport Lease Site P – FBO Building was held as published.

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute a twelve month lease including the terms recommended by the Airport Advisory Board with Quest Aviation with a monthly lease payment of \$1500.00 for Lease Site P at the Lincoln County Marv Skie Airport. Motion by Schmidt and seconded by Melcher. All Commissioners voted "Aye".

Motion by Weeldreyer and seconded by Gillespie to approve the application for an entrance from a Lincoln County Highway submitted by Kaia Kloster for an entrance onto Lincoln County Highway No. 135 in Lincoln County, South Dakota located in the Southwest Quarter (SW1/4) of Section 7, Township 96 North, Range 48 West of the 5th P.M. Motion carried.

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 of Hoffman's Addition in the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 2, 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 Gillespie and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Lot No. 2 in the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section 12, 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 Gillespie and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Lot 1 in Block 4 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 Gillespie and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1, 2 and 3 in Esche's Second Addition in the West Half of the Southwest Quarter (W1/2SW1.4) of Section 16, 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 Gillespie and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 1 and 2 Mathison's Addition in the West Half of the Southeast Quarter (W1/2SE1/4) in Gov't Lot 3 Section 36, 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 Gillespie and seconded by Schmidt. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the plat of Tract 3A of Thormodsgaard's Addition in the Northwest Quarter (NW1/4) of Section 33, 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 Gillespie and seconded by Schmidt. All Commissioners voted "Aye".

The following changes were made to the 2010 Provisional Budget of Lincoln County: General Government Expenditures: General Fund: Commissioners \$162,597; Auditor \$312,975, Treasurer \$459,613; Data Processing \$154,109; States Attorney \$686,678; General Government Buildings \$426,263; Director of Equalization \$493,632; Register of Deeds \$209,545; Insurance \$50,000; GIS \$88,790; Total General Government \$4,011,261; General Fund: Public Safety: Sheriff \$1,738,612; Coroner \$15,000; Juvenile Detention \$120,000; Total Public Safety General Fund: \$1,922,602; Emergency Management Fund: Emergency Management \$107,680; Total Public Safety – Emergency Management \$107,680; Public Works: Road and Bridge Fund: Road and Bridge \$5,497,805, Solid Waste Fund: Solid Waste \$417,168, Airport Fund: Airport \$127,380; Total Public Works: Road and Bridge \$5,497,805, Solid Waste \$417,168, Airport \$127,380; Health and Welfare: General Fund: Support of Poor \$250,000, Public Welfare \$300 Total Health and Welfare, General Fund: \$418,737; Culture and Recreation: General Fund: Ag Buildings \$7,500; Total Culture and Recreation – General Fund: \$69,300; Conservation of Natural Resources: General Fund: County Extension \$114,143, Weed Control \$148,783 Total Conservation of Natural Resources – General Fund: \$282,926; Urban and Economic Development: General Fund: Planning and Zoning \$222,183; Total Urban and Economic Development General Fund: \$229,683; Total Operating Transfer Out General Fund: \$3,490,284 Total Expended Appropriations General Fund: \$10,375,803, Road and Bridge Fund: \$5,497,805; Emergency Management Fund: \$107,680; Solid Waste Fund: \$417,168, Airport Fund: \$127,380; General Fund: Current Property Taxes \$7,695,129, Net Total Taxes \$7,783,079, Subtotal \$10,921,898, Less 5% -\$546,095, Cash Balance Applied \$1,775,739, Net Means of Finance \$10,375,803, Other Finance: Road and Bridge Fund: \$2,932,105, Emergency Management Fund: \$77,680, Solid Waste Fund: \$149,868; Airport Fund: \$83,380; Road and Bridge Fund: Subtotal \$5,497,805, Net Means of Finance \$5,497,805 Total Appropriations \$5,497,805; Emergency Management Fund: Subtotal \$107,680, Total Means Finance \$107,680, Total Appropriations \$107,680; Solid Waste Fund: Subtotal \$417,168 Net Means Finance \$417,168 Total Appropriations \$417,168; Airport Fund: Subtotal \$127,380 Net Means Finance \$127,380 Total Appropriations \$127,380.

RESOLUTION: Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and, Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto. NOW, THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR LINCOLN County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2010 and ending December 31, 2010 and the same is hereby approved and adopted by the Board of County Commissioners of Lincoln County, South Dakota this 29th Day of

September, 2009. The annual budget so adopted is available for public inspection during normal business hours at the office of the Lincoln County Auditor. Canton, South Dakota. The accompanying taxes (General County Purposes 7,695,129 mil levy 2.050; Courthouse Bldg. Debt Service 698,613 mil levy .186; Rural Fire Protection 65,000 mil levy .052) are levied by Lincoln County for the year January 1, 2010 through December 31, 2010. Motion by Weeldreyer and seconded by Gillespie. All Commissioners voted "Aye".

Motion by Weeldreyer and seconded by Gillespie to grant a pay increase of 1.5% to Lincoln County employees for 2010 and to freeze the steps, not allowing step increases. Roll Call vote: Schmidt – "Nay", Melcher – "Nay", Gillespie – "Aye", Weeldreyer – "Aye", Long – "Aye". Motion carried.

Jason Melcher left the meeting at 3:30 pm.

RESOLUTION; BE IT RESOLVED that inventory item #2264 – Oki Microline 390 Turbo Printer and inventory item #2261 Epson Printer LQ 5703 be hereby declared surplus to be disposed of. Motion by Gillespie and seconded by Schmidt. All Commissioners present voted "Aye".

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized to transfer \$10.00 from the General Fund Unreserved Undesignated Balance to the Fund Balance Reserved for HAVA. Motion by Weeldreyer and seconded by Schmidt. All Commissioners present voted "Aye".

Motion by Schmidt and seconded by Weeldreyer to authorize an estimated expenditure of \$9,000 - \$15,000 for medically necessary surgery for Case #59624. Motion carried.

The following full-time payroll claims were approved:

General Fund: Auditor's Office Payroll \$18,718.21; Treasurer's Office Payroll \$24,222.94; Computer/Data Processing Payroll \$3,643.93; Equalization Office Payroll \$26,447.37; Veteran's Service Office Payroll \$1,458.33; States Attorney Office Payroll \$41,945.95; Register of Deeds Office Payroll \$12,394.49; GIS Office Payroll \$3,757.74; Custodians Payroll \$16,748.22; Sheriff's Office Payroll \$55,611.29; Extension Office Payroll \$4,921.26; Weed Control Payroll \$4,733.89; Planning & Zoning Office Payroll \$6,358.57; FICA Match \$12,652.72; Medicare Match \$2,959.07; SDRS Match \$14,155.85; Group Health Insurance Match \$16,268.26. Road Fund: Payroll \$50,979.25; FICA Match \$2,883.67; Medicare Match \$674.38; SDRS Match \$2,840.37; Group Health Insurance Match \$5,426.51; Communications Fund: Payroll \$26,088.06; FICA Match \$1,500.68; Medicare Match \$350.96; SDRS Match \$1,565.28; Group Health Insurance Match \$1,646.54; Emergency Management Fund: Payroll \$3,869.24; FICA Match \$214.16; Medicare Match \$50.09; SDRS Match \$232.15; Group Health Insurance Match \$464.33. Solid Waste Fund: Payroll \$6,189.56; FICA Match \$362.19; Medicare Match \$84.71; SDRS Match \$371.38; 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: A & B Pure Water Online, water \$26.96; Alcester Union & Hudsonite, subscription \$23.59; Craig Andersen, mileage \$18.50; Athey Court Reporting Serv, transcript \$37.20; Avera McKennan Hospital, mental health hold \$300; prisoner care \$62.72; subpoena/mileage \$225.85; Best Business Products, copier maint \$104; Brown & Saenger, supplies \$295.94; Bubba's Quality Auto Parts, supplies \$40.49; Don Burma, fuel/meals \$269.38; CDW-G Inc, battery backup/printer/memory upgrade \$709.12; Center for Family Medicine, prisoner care \$154.57; Century Business Products, copier lease/maint \$243.15; Chemco, supplies \$1,235.48; Chief Supply, supplies \$98.87; Clark Engineering, professional services \$14,977.70; Crop Production Services, supplies \$5,892; Eastgate Towing & Storage, towing \$100; Employee Data Form, leave record \$42.75; John Erpenbach RN/CNP, MI eval \$135; Express Attorney Services, serve papers \$72.50; Paula Feucht, travel expense \$35.50; Frieberg Nelson & Ask, crt appt atty \$492.30; Gempler's, supplies \$6.70; Haisch Pharmacy, supplies \$81.24; Jackie Harrison, fuel/meals \$201.68; Hefty Seed, chemical spray \$15,222.60; Interstate Office Products, supplies \$388.40; JD's House of Trophies, name badges \$42.50; LCM Pathologists, autopsy \$2,610.81; Lewis and Clark BHS, psych evals \$426; Lewis Drugs, county assistance \$25.58; prisoner meds \$510.13; LexisNexis, online charges \$328; LexisNexis Matthew Bender, publication \$200.96; Lincoln Financial Group, employee life ins \$249.56; Ross Lothrop, supplies \$36.02; Lyle Signs, signs \$220.05; Medical X-Ray Center, prisoner care \$148.43; Minnehaha Co Auditor, serve MI papers \$1,412.06; Minnehaha Co Human Services, monthly poor relief \$4,625; Minnehaha Co Treasurer, blood draws \$700; jail contract \$116,216; Charles Molstad, mileage \$3.33; Myrabo Law Office, MI board \$645; National 4-H Council, supplies \$89.80; Chad Nelson, mileage \$14.06; Novus Auto Glass, repairs \$80; June Nusz, mileage \$22.20; Office Elements, copier maint \$71.71; Paragon Publishing, help wanted ad \$26.70; Pitney Bowes, meter rental \$686.70; Pizza Ranch, grand jury meals \$54.46; Richard Portz, mileage \$17.76; Quill, supplies \$504.84; Tonya Rasmussen, meals \$130; Ringen Apartments, county assistance \$350; Rural Route 1 Service, mats \$76.50; SD State Treasurer, alcohol/drug tests \$1,472; Shepherd Reporting, MI hearing \$37.50; Sioux Empire Auto Serv, service vehicle \$637.51; Sioux Falls Two-Way Radio, radio repairs \$40.99; Darrel Sogn, mileage \$11.10; Staples Credit Plan, supplies \$16.98; The Voice-Tribune, legal ad \$172.50; Velvet Uniforms, patches \$2.98; West Central Tribune, legal ad \$94.35; Ross Wright, mileage \$29.60; Xcel Energy, county assistance \$167.22; Yahoo! Custodian of Records, info request \$20.44; Yankton Co Sheriff, serve MI papers \$25.

Road Fund: A & B Pure Water Online, water \$2.99; Avera Queen of Peace Health Service, drug & alcohol test \$153; Bierschbach Equip, rent saw \$44; Allan Bonnema, fuel \$40.87; Brown & Saenger, supplies \$13.74; Concrete Materials, asphalt \$26,733.49; Dakota Alignment/Frame Serv, repair vehicle \$225.25; Dave's Service & Repair, repair vehicle \$82.99; Graham Tire, tires \$406.20; JD Evans Equipment, repairs \$152.80; Lincoln Financial Group, employee life ins \$52.95; Lyle Signs, signs \$82.85; Paul's Auto Repair, repairs \$80; Pedersen Machines, repairs \$39.20; Servall Towel & Linen, towel service \$17.47; Sioux Falls Two-Way Radio, repairs \$286.58; Steve Williams, CDL \$25; Xcel Energy, electricity \$29.72; Zep Manufacturing, supplies \$224.79.

E911 Communications Fund: Knology, tower rent \$100; Lincoln Financial Group, employee life ins \$24.71; Qwest, tower rent/fax line \$1,779.54.

Emergency Management Fund: Lincoln Financial Group, employee life ins \$3.53;

Solid Waste Fund: Lincoln Financial Group, employee life ins \$7.06;

Airport Fund: EAA Chapter 289, rent \$167.46; Dakota Millwork, repairs \$208.49; Knology, internet \$52.95; Lincoln Financial Group, employee life ins \$3.53; Menards, supplies \$9.84; Sinclair Oil, fuel \$106.68.

24/7 Sobriety Fund: Pharm Chem, supplies \$180; Redwood Biotech, supplies \$66.50.

Courthouse Building Fund: Schoeneman Bros, supplies \$1,085.42.

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

The Board adjourned until 8:30 A.M. on October 6, 2009.

Lincoln County Board of Commissioners

Dale Long, Chairman

Attest: _____
Paula Feucht, Auditor

Approved _____