

December 27, 2005

The Lincoln County Board of Commissioners met at 8:30 A.M. on December 27, 2005 with members Michael Poppens, Otto Hagedorn, Jim Schmidt, Burdell Coplan 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 Hagedorn and seconded by Weeldreyer that the minutes of December 13, 2005 be approved. Motion carried.

A motion by Poppens and seconded by Hagedorn that the minutes of December 20, 2005 be approved. Motion carried.

The Clerk of Courts report of disbursement of Funds for month ending November 30, 2005 was presented as follows: State Fines \$8,416.84, Penalties \$.00; State Costs \$190.00, State Forfeiture \$538.00, Cash Fees \$1,439.60, Law Library \$222.00, Petty Offense \$120.00 Divorce Fees \$300.00, Court Appointed Attorney Repayments \$719.00.

The Sheriff's mileage report for the month of November 2005 was presented.

RESOLUTION: BE IT RESOLVED that the contract for law enforcement by and between Lincoln County and the City of Harrisburg be offered for renewal to the City of Harrisburg with a 2% increase payable to Lincoln County. Motion by Poppens and seconded by Weeldreyer. Commissioners Poppens, Hagedorn and Schmidt voted "Aye". Commissioners Coplan and Weeldreyer voted "Nay". Motion carried.

RESOLUTION: BE IT RESOLVED to approve the application for a temporary malt beverage license submitted by the Harrisburg Fire Department for a fundraiser to be held on January 28, 2006. Motion by Hagedorn and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: WHEREAS a Notice of Hearing for the purpose of supplementing the Sheriff's Budget in the amount of \$25,000 was published and WHEREAS said Hearing was held at 8:45 A.M. on December 27, 2005, NOW THEREFORE BE IT RESOLVED that the supplement of \$25,000 be hereby approved. Motion by Poppens and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the Plat of Landmark Industrial Park Addition in the Southwest One Quarter (SW1/4) of Section 30, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota prepared by Gary L. Andersh, a Licensed Land Surveyor, in and for the State of 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 Weeldreyer and seconded by Poppens. All Commissioners voted "Aye".

The Hearing and first reading of an Ordinance amending Article 11, Section 1111 of the 1995 Revised Zoning Ordinance of Lincoln County, South Dakota was held. The proposed amendment would treat sales barns as Class C.

The Hearing and first reading of an Ordinance amending the 1995 Revised Zoning Ordinance of Lincoln County, South Dakota, by rezoning the following described property from the "A" Agricultural – Public Use District to the "PD" Planned Development District and providing regulations for the 18/29 Commerce Park Planned Development District was held: The East One Half of the Southeast One Quarter (E1/2SE1/4) except lot H-1 and Sinning Tract 1, of Section Eighteen (18), Township Ninety-Eight (98) North, Range Fifty (50) West of the 5th P.M., in Lincoln County, South Dakota ("Parcel A"), and Sinning Tract 1, in the East One Half of the Southeast One Quarter (E1/2SE1/4) of Section Eighteen (18), Township Ninety-Eight (98), North, Range Fifty (50) West of the 5th P.M., in Lincoln County, South Dakota ("Parcel B"). The following topics were discussed: Site Plan, Economic impact, types and number of animals, nutrient management and waste disposal, odor management, pest control, drainage, sewer, and water. Questions were raised about lagoons not being included in the odor study and whether the study was based on Class C criteria. The study was based on feedlot criteria. Questions were also raised about the impact of truck traffic and waste disposal during the months of May through December. Motion by Coplan and seconded by Hagedorn to have the second reading of the amendment on January 10, 2006. Motion carried.

RESOLUTION: WHEREAS a Notice of Hearing was published for the Petition of Record Owners for the Vacation of a Portion of a Recorded Plat and WHEREAS the plat of Tracts 1 Thru 9 (Inclusive) Pinewood Addition was filed for record with the office of the Register of Deeds in and for Lincoln County, South Dakota on the 10th day of January, 1996, and WHEREAS the petitioners are seeking to vacate that

portion of the street comprising the East 33' of the row of Brande Avenue and WHEREAS said Hearing was held as published NOW THEREFORE BE IT RESOLVED that the Lincoln County Board of Commissioners will review the information submitted at said Hearing and will take under advisement the information presented and table the decision on the Petition until January 24, 2006. Motion by Weeldreyer and seconded by Hagedorn. All Commissioners voted "Aye".

Motion by Coplan and seconded by Hagedorn to have the second reading for consideration for rezoning the following described property from "A" Agricultural and Public Use District to "PD" Planned Development District: 10 acres in Tract 1 of Butzers Addition in the Northwest Quarter (NW1/4) of Section Twenty (20), Township One-Hundred (100) North, Range Fifty (50), Lincoln County, South Dakota on January 10, 2006. Motion carried.

RESOLUTION: BE IT ORDAINED by Lincoln County, that an Ordinance to amend certain provisions of the 1995 Revised Zoning Ordinance of Lincoln County, South Dakota (LC-0-95-01) relating to group homes be adopted as follows: That Article 3: Definitions, Section 301 be amended by adding the following definition: Group Home. A supervised living or counseling arrangement in a family home context providing for the care of children or adults. That Article 4: Regulations for the "A" Agriculture – Public Use District, Section 404 Conditional Uses, be amended by adding subsection (BB) Group Home. That Article 5: Regulations for the "C" Commercial – Service District, Section 502 Permissive Uses, subsection (C) be amended to read Group day care, day care center. That Article 5: Regulations for the "C" Commercial – Service District, Section 504 Conditional Uses be amended by adding subsection (Y) Group Home. Motion by Poppens and seconded by Coplan. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED to approve the Final Plan Phase I I-29 Exit 71 Business Park in the Northeast One Quarter (NE1/4) of Section 6, Township 99 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota prepared by Eric P. Willadsen, a duly registered professional engineer under the laws of the State of South Dakota. Motion by Poppens and seconded by Hagedorn. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the County Auditor is hereby authorized and directed to advertise for a Caseworker I position for Lincoln County with a closing date of January 20, 2006. Motion by Poppens and seconded by Hagedorn. All Commissioners voted "Aye".

Allan Bonnema met with the Board and presented a report of Highway expenditures for the month of November 2005.

RESOLUTION: BE IT RESOLVED that the expenditures be transferred from the Road Budget as follows: Planning & Zoning \$231.69, Weeds \$500.59, Courthouse Maintenance \$345.77, Sheriff \$5,052.26, Equalization \$651.96, Emergency Management \$621.49, Airport \$875.98, Communications \$24.86, Transfer Station \$17,395.26, and GIS \$43.12. BE IT FURTHER RESOLVED to transfer wheel tax allocation of 10% to Townships in the amount of \$5321.97 and 10% to Cities in the amount of \$5321.97. Motion by Coplan and seconded by Weeldreyer. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Animal Control Services and Impoundment Facility Operations Agreement by and between Lincoln County, South Dakota and the Sioux Falls Area Humane Society for the period of January 1, 2006 through December 31, 2006. Motion by Poppens and seconded by Coplan. All Commissioners voted "Aye".

RESOLUTION: BE IT RESOLVED that the Chairman is hereby authorized to execute the Agreement by and between the Board of Commissioners of Minnehaha County, South Dakota and Lincoln County, South Dakota, and Volunteers of America, Dakotas for detention services for juveniles for the period of January 1, 2006 through December 31, 2006. Motion by Poppens and seconded by Coplan. All Commissioners voted "Aye".

The following full-time payroll claims were approved:

General Fund: Auditor's Office Payroll \$9,701.39; Treasurer's Office Payroll \$16,782.50; Equalization Office Payroll \$18,628.36; States Attorney Office Payroll \$25,037.26; Register of Deeds Office Payroll \$10,262.47; Veteran's Service Office Payroll \$1,455.18; GIS Office Payroll \$2,916.35; Custodians Payroll \$6,349.39; Sheriff's Office Payroll \$44,044.61; Extension Office Payroll \$2,094.35; Weed Control Payroll \$900.00; Planning & Zoning Office Payroll \$2,916.35; FICA Match \$8,324.29; Medicare Match \$1,946.82; SDRS Match \$9,298.77; Group Health Insurance Match \$8,238.54. Road Fund: Payroll \$52,660.37; FICA Match \$3,065.59; Medicare Match \$716.95; SDRS Match \$2,937.75; Group Health Insurance Match \$4,373.70. Communications Fund: Payroll \$17,541.78; FICA Match \$1,013.49; Medicare Match \$237.03; SDRS Match \$1,052.51; Group Health Insurance Match \$1,646.28. Emergency Management Fund: Payroll \$3,045.08; FICA Match \$168.68; Medicare Match \$39.45; SDRS Match \$182.70; Group

Health Insurance Match \$445.49. Solid Waste Fund: Payroll \$5,773.11; FICA Match \$348.23; Medicare Match \$81.44; SDRS Match \$346.39; Group Health Insurance Match \$234.71.

The following claims were approved:

General Fund: Witness & Jurors, fee & mileage, A. K. \$34.72; A. P. \$36; B. M. \$36; Rex Bishman \$59.60; Brian Carlson \$47.04; Grace Christianson \$32.16; D. W. \$29.60; Sara Doyle \$51.92; David Glover \$36; Sarah Gunlicks \$25.12; William Horgen \$36; John Jenkins \$36.64; Alahna Johnson \$66; K. S. \$36; Coni Kangley \$36; Leeann Karbo \$20.64; Tiffany Lokken \$42.40; Christine Lynch \$68; M. C. \$39.20; Dejae Mikkelsen \$36; Amy Mitchell \$36; Nicklaus McDonald \$39.20; Douglas Okeson \$30.24; Lynay Okeson \$30.24; Melanie Olson \$50.64; Jean Osthus \$59.60; Michael Rainey \$36; Casey Reindl \$20.64; S. F. \$36; S. N. \$39.20; Pamela Schmidt \$36.64; Rhonda Sherman \$69.20; Cassandra Skjonsberg \$45.60; Renae Skjonsberg \$45.60; Brian Solem \$20.64; Joshua Tyrrell \$20.64; Carol Wulf \$62.80. 4-H Club Leaders, 2005 trophy sponsorship \$26.30; ADT Security Systems, annual service \$367.74; American Stamp & Marking, stamp/ink \$22.85; Anderson Funeral Home, county assistance \$2,500; Angus Journal, subscription \$100; Architecture Inc, architectural/engineering \$10,015; Avera McKennan Hospital, prisoner care lab fees \$14.66; mental health hold \$1160; Avera McKennan University, mental health hold \$393.85; Donna Barber, mileage \$34.56; Best Western Ramkota Inn, rooms \$300; Bexar Co Forensic Science, toxicology/trace evidence \$640; CADD/Engineering Supply, scanning/supplies \$286.25; Century Business Leasing, copier lease \$147.07; Century Business Product, copier maintenance \$19.07; Chase, gas \$351.38; Cole Papers, paper \$42.20; Colorado Chapter ICBO Ed, course registration \$260; Donna Dietrich, mi evaluation \$70.47; Steve Dresbach, mi evaluations \$225; Elite Business Systems, annual maint agreement \$650; EMC Insurance Co, deductible \$2,998.83; Robert Evanson, mileage \$9.60; Paula Feucht, travel expense \$52; Dick Fossum, mileage \$8; Erma Fossum, mileage \$15.36; GIS Workshop, assessor editing tools \$630; The Glory House, electronic monitoring \$257.96; Great Plains Psychological, evaluation \$1,305; Hiawatha Country Club, employee appreciation banquet \$943; Harvey Hoffman, mileage \$9.60; HSBC Business Solutions, supplies \$1091.43; IOS Office Solutions, supplies \$1,248.98; Mike Kuzepa, mileage \$12.48; Henry W Lahmeyer MDSC, travel expense \$5,079.83; Lauries Café, prisoner meals \$10.10; Wendy Lawrenson, mileage \$48; Lewis Drugs, prisoner meds \$1,998.02; LexisNexis, online charges \$116; Lincoln County Treasurer, tax sale redemption certf \$11,897.48; Jeff Lounsbery, travel expense \$221.76; MacArthur Estates, county assistance \$100; Martech Systems Inc, software upgrade & support \$179; McLeod's Printing, printed supplies \$235.11; Menards, supplies \$87.34; MidAmerican Energy Co, utilities \$3,171.12; MidContinent Communication, internet \$190; Mikelson Law Office, mi evaluation \$37; Charles Molstad, mileage \$3.20; Carol Mulder, employee appreciation banquet \$345.82; mileage \$66.88; June Nusz, mileage \$9.60; Peltier's Collision Ctr, service/repairs \$50.45; Pennington County Jail, prisoner transport \$209.66; Jon Peters, supplies \$50.16; mileage \$16; Pitney Bowes, postage \$200; quarterly charges \$579; Pizza Ranch, grand jury lunch \$108.12; Michael Poppens, mileage \$647.04; Ron Poppens, mileage \$10.88; Richard Portz, mileage \$16.64; Prairie Publications, publishing \$855.93; Quill, supplies \$342.32; Qwest, utilities, tower rent \$503.23; Mark Rowen, travel expense \$72; supplies \$60.24; SD State Treasurer, drug & alcohol tests \$1,185; Sign-A-Rama, vinyl graphics \$61.40; Sioux Valley News, subscription \$21; Sioux Valley Visiting Nurses, medicaid office/rent \$411; Marlene Sweeter, travel expenses \$216.64; The Elm Apartments, county assistance \$204; Toby's, service/repairs \$466.50; Vantek Communications, paging \$42; Velvet Uniforms, body armor \$1,326.80; Volunteers of America, shelter care beds \$1,350; Bev Winterboer, mileage \$36.48; Xcel Energy, county assistance \$390.18; Marsha Young, mileage \$15.04.

Road and Bridge Fund: Beckman Implement, JD 7320 tractor \$59,795; Allan Bonnema, plaque \$74.62; Boyer Trucks, repairs \$379.49; Butler Machinery, parts/supplies \$53.98; Century Business Leasing, copier lease \$25.95; Century Business Product, copier maintenance \$3.37; Chemco, supplies \$107.90; Clark Drew Construction, asphalt paving project \$9,644.96; Concrete Materials, deicing sand \$22,826.17; D-Ware Inc, software maint/support \$685; Diamond Mowers, mower \$17,200; G & K Supreme Auto Sales, replace windshields \$1,640; Great Plains Int'l Inc, winter front \$33.02; Johnson Feed Inc, tire repair \$28.85; KB's True Value, supplies \$329.40; Malloy Electric, parts \$122.14; Menards, small tools \$99.99; MidAmerican Energy Co, utilities \$1,459.58; William Sanchez Jr, replace mailbox \$59.33; Sioux Falls Two-Way Radio, mobile radios \$2,197; Xcel Energy, utilities \$31.19.

E-911 Communications: Brown & Saenger, supplies \$92.74; PrairieWave, tower rent \$106; Qwest, tower rent \$809.86; Sioux Falls Two-Way Radio, recorder modules/program \$4,063.

Rural Fire Protection Fund: Alcester Rural Fire Assoc, \$1,125; Beresford Rural Fire Assoc, \$2,250; Canton Rural Fire Assoc, \$2,250; Centerville Rural Fire Assoc, \$1,125; Fairview Rural Fire Assoc,

\$2,250; Harrisburg Rural Fire Assoc, \$2,250; Hudson Rural Fire Assoc, \$2,250; Lennox Rural Fire Assoc, \$2,250; Tea Rural Fire Assoc, \$2,250; Worthing Rural Fire Assoc, \$2,250.

Emergency and Disaster Fund: Control Screening, x-ray machine \$23,500; Dave's Service & Repair, gas \$54.80; Fireguard, MSA hud receiver \$2,484.90; Jensen Ins Agency, comp/collsn 2006 Pace trlr \$387; Motorola, digital portable radios \$11,018.75; Sioux Falls Two-Way Radio, program radios \$625; W S Darley & Co, Fairview siren \$10,700.37.

WIC Fund: Sioux Valley Visiting Nurses, pub health office rent \$1,100.

Solid Waste Fund: Overhead Door of Sioux Falls, annual service/repairs \$423.47; City of Sioux Falls, tipping fees \$10,805.25.

Airport Fund: Scott Heim, snowplow parts/supplies \$70.65; Larry's I-29 Truck Stop, diesel/gas/additives \$260; Shaykett Appraisal Co Inc, appraisals \$6,000.

Employee Group Health Insurance Trust Fund: Union Security Insurance, employee life insurance \$250.64; Wellmark Blue Cross/Blue Shield, employee health insurance \$26,946.52.

The Board adjourned until 8:30 a.m. December 30, 2005.

Lincoln County Board of Commissioners

Jim Schmidt, Chairman

Attest: _____
Paula Feucht, Auditor

Approved _____