

DAY COUNTY COMMISSION
WEBSTER, SOUTH DAKOTA
January 8, 2019
(unapproved)

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday, January 8, 2019 in the Commissioners Chambers in the Day County Courthouse. Meeting called to order by Chairman Tompkins. Members present: Commissioners James, Tobin, and Walters. Others: Amanda Fanger-R&F and Glenn Gebur. Absent: Hesla.

PLEDGE: Chairman Tompkins led the members in reciting the Pledge of Allegiance.

OLD BUSINESS: Chairman Tompkins called for any old business. Moved by Walters, seconded by James to put "Accept Resignation and Approve Agreement" under new business. Motion carried.

CLOSE FY2018: There being no further business for 2018, moved by Walters, seconded by Tobin to adjourn the 2018 commission. Motion carried.

OATHS OF OFFICE: Linda Walters, Derek Sinner and Rick Tobin were administered and signed oaths of office by Auditor Bonnie Fosheim. Newly elected Commissioner Derek Sinner then joined the commission for rest of the meeting. Auditor Fosheim administered the oaths of office to the following on January 7, 2019: Sheriff Ryan Rucktaeschel and his deputies, Register of Deeds Jodi Berger and her deputy.

NOMINATION FOR 2019 CHAIRMAN: Auditor Fosheim called for nominations for Chairman of the Day County Board of Commissioners for 2019. Moved by Walters, seconded by James to nominate Commissioner Tompkins as Chairman for 2019 and that nominations cease. Unanimous vote was cast. Motion carried. Commissioner Tompkins took his place as Chairman.

Chairman Tompkins called for nominations for Vice Chairman of the Day County Board of Commissioners for 2019. Moved by Tompkins, seconded by James to nominate Commissioner Walters as Vice Chairman and that nominations cease. Unanimous vote was cast. Motion carried. Commissioner Walters took her place as Vice Chairman.

CORRESPONDENCE: None

PUBLIC COMMENTS: None.

BOARD APPOINTMENTS FOR 2019:

NORTHEAST COUNCIL OF GOVERNMENTS: Commissioners Tompkins and Walters.

WEED BOARD: Commissioners, Daniel Grode, Paul McCarlson, Ben Braaten, Weed Supervisor and Laura Kuecker, Secretary.

SAFETY COMMITTEE: Commissioner Sinner, Ben Braaten, Dari Schlotte, Ryan Rucktaeschel and Darrel Waddle.

COMMUNITY ACTION PROGRAM (GrowSD): The commissioners will appoint if needed at a later date.

LOCAL EMERGENCY PLANNING COMMITTEE: List of names as presented by Bryan Anderson OEM Director.

AMERICAN DISABILITIES ACT: Commissioner Tompkins and Veteran's Service Officer Bohn.

DEPARTMENTS:

DIRECTOR OF EQUALIZATION: Commissioner Tobin.

WELFARE DIRECTOR: Chairman Tompkins and Commissioners as to indigent districts.

DAY COUNTY PUBLIC WORKS DEPARTMENT: Commissioners Tompkins & Walters.

CUSTODIAN: Commissioner Walters.

COUNTY DETENTION CENTER: Commissioner Sinner.

LEGAL NEWSPAPERS FOR 2019

The Board designated the Reporter and Farmer and the Waubay Clipper as the legal newspapers for Day County.

OFFICIAL DEPOSITORIES

The Board designated the following savings depositories for Day County for year 2019. First Savings Bank, Bristol, SD; First Savings Bank, Waubay, SD; Cortrust Bank, Pierpont, SD; Cortrust Bank, Webster, SD; Dacotah Bank, Roslyn, SD; Dacotah Bank, Webster, SD; Great Western Bank, Webster, SD.

The Board designated Dacotah Bank, Webster, SD, as the official checking depository for Day County.

CHATTEL MORTGAGE

The Board designated all sales are to be held at the front door of the Day County Courthouse.

TRAVEL ALLOWANCE

AND

MEAL REIMBURSEMENT

Employees will need to submit meal receipts before receiving reimbursement for day and overnight meetings. Meal expense will be reimbursed at a flat rate not to exceed \$30.00 per day if traveling in-state and not to exceed \$36.00 per day if traveling out-of-state. No meal expense will be reimbursed unless a duly executed voucher is prepared and submitted to the Board of County Commissioners. Meal reimbursement for non-overnight travel will be reimbursed and added to gross payroll up to the maximum amounts as listed above. Mileage: \$.45 per mile for personal vehicle.

WEED BOARD PER DIEM:

Commissioner's \$300.00/yr.; Daniel Grode and Paul McCarlson \$65.00/meeting plus mileage.

GUARD/MATRON FEES

Regular guard at \$15.00/hour and the Armed Guard at \$18.00/hour.

PLANNING, ZONING, AND DRAINAGE

The Board appointed Dari Schlotte as Planning, Zoning and Drainage Officer and Barbra Block as Secretary for 2019, and Commissioners will represent their districts.

INDIGENT BURIAL

For those county residents who die in a state of indigence or who otherwise qualify under SDCL 28-17, the Community Service Director shall allow burial and funeral expenses as followed:

| | |
|---|----------------|
| (A) Embalming, casket and services (adult) | \$3,000.00 |
| (B) Cremation, including urn and services | \$2,000.00 |
| (C) Cremation without services | \$1,500.00 |
| (D) Invoice cost of the outer container (grave liner/vault) plus delivery cost and set-up, equipment charges | \$invoice cost |
| (E) Opening and closing of grave/burial lot | \$550.00 |
| (F) Mileage | \$400.00 |
| (G) Other Services paid to other providers when death occurs out of area and other funeral homes must do removal and preparation services | \$800.00 |

All county funerals must be approved in advance by the Welfare Director or County Auditor. The Board reappointed Karli Zimmerman as Welfare Director.

Moved by Walters, seconded by Tobin to approve the preceding appointments.
Motion carried.

CREDIT CARD AUTHORIZATION: Moved by Sinner, seconded by Walters to authorize the following staff for county credit card usage. No meals may be charged to the county credit card. Any of the persons named below, so long as they act in a representative capacity as agents of Day County, are authorized to use the credit card. If indicated, any person listed below (subject to any expressed restrictions) is authorized to use the credit card: A.) Dari Schlotte, B.) Jodi Berger, C.) Bonnie Fosheim, D.) Connie L. Wagner, E.) Ryan Rucktaeschel, F.) Ben Braaten, G.) Kevin Bohn, H.) Jennifer Ringkob, I) Bryan Anderson, J) Josh Hoven, K) Jerred Schreur. Motion carried.

MINUTES: Moved by James, seconded by Tompkins to approve the minutes for the December 28, 2018 regular commission meeting. Motion carried.

CLAIMS: Moved by Walters, seconded by James to approve and authorize the chairman to sign the following audited claims. Motion carried.

SERVICES: A-1 Computer Solutions 244.97, Ameripride Services Inc. 267.62, Dakota Electronics 50.00, Dean Schaefer Court Reporting 30.00, HR One Stop 250.00, Lincoln County Treasurer 180.00, Microfilm Imaging Systems Inc. 65.00, Sanford Health 695.75, Satellite Tracking of People 136.50, Scantron Corp. 1,499.65, Towing Plus 225.00, Transource Trucking Equipment 8.40, Xerox Corp. 237.86,

SUPPLIES: A & S Hardware 546.09, Amanda Bartelt 144.38, Blue360 Media 156.24, Cardmember Service 3,251.13, Day County Treasurer 195.37, Equipment Blades Inc. 544.00, Mike's Jack & Jill 469.62, Partners Funding, Inc. 523.13, SD Dept. of Revenue 10.50, Twin Valley Tire 2,156.95, Valley Office Products 612.99,

REPAIRS: Little Falls Machine Inc. 95.79, Webster Tire Inc. 20.00,

PUBLICATIONS: Reporter & Farmer 1,091.68,

UTILITIES: City of Webster 247.34, ITC Telecom 1,148.27, Midcontinent Communications 280.41, RC Communications Inc. 50.00,

PER DIEM: Frank James 79.20, Rick Tobin 62.10,

DONATION: Safe Harbor 160.00,

DUES: Mid-States Organized Crime Info Center 100.00, Northeast Council of Government 9,385.82,

UNEMPLOYMENT: SD Dept of Labor 255.00,

MANUAL CHECKS: City of Webster 73.04, Law Office of Danny Smeins 4,823.01.

SALARY SCHEDULE FOR 2019: Moved by Tobin, seconded by James to publish pursuant to SDCL 6-1-10 a complete list of all salaries of all officers and employees of Day County; Longevity in parenthesis. Motion carried. Commission wages includes Commission, Planning and Zoning, Drainage, and Weed Boards for Chairman James Tompkins 14,796.08, Commissioners: Derek Sinner, Frank James, Rick Tobin, and Linda M. Walters 13,896.08 each, Drainage: Dari Schlotte Drainage, 2,550 per year, P&Z, Dari Schlotte 2,550 per year, Barbra Block P & Z Secretary 19.25 per hour, Bonnie Fosheim 50,627.20 (100.00), Connie Wagner 50,627.20 (750.00), Jodi Berger 50,627.20 (100.00), Danny Smeins 53,456.00, Ryan Rucktaeschel 54,080.00, Josh Hoven 41,080.00 (100.00), Jerred Schreur 41,480.00 (100.00), Mark Christensen, Coroner 58.00/trip, Director of Equalization Dari Schlotte 49,067.20 (750.00), Emergency & Disaster and E911 Director Bryan Anderson 17.75 per hour @ 1040 hrs./yr., Hwy. Supt. Ben Braaten 52,790.40 (100.00), and Weed Supervisor, Braaten 5,100.00/year. Hourly rates: Janet Marx 19.25 (100.00), Karli Zimmerman 19.25 (100.00), Tanya Nilson 19.25, Rhonda Zubke 19.25, (160.00), Joy Voss 19.25, Laura Kuecker 19.25 (100.00), Barbra Block 20.25, (350.00), Stephanie Williams 19.25 (80.00), Marla Wicklund-Storlien 18.75, Kevin Bohn 19.25, Marcia Solberg 17.89, Amanda Bartelt 19.25 (100.00), Wayne

Klungseth 15.25, Randy Gronke 16.75, Amy Fischer 14.75, Joe Bury 15.00, Jami Hubsch 14.75, Lauren Jones 15.00, Darrel Waddle 21.17 (550.00), Daryl Valsvig 16.35, Selma Howe 19.73 (350.00), Ernest Gronke, Jr. 20.48 (750.00), Isaac Waldner 20.48 (1000.00), Scott Gruby 20.48 (200.00), Darrell Wik 19.73 (200.00), James Pearson 19.73 (100.00), Gary Youell 19.73, William Dylla 19.73 (100.00), Matt Halbkat 19.73 (100.00), Lynn Grimes 19.73, Charles Lesner 19.73, Leo German 19.73.

WEBSTER HOUSING AND REDEVELOPMENT COMMISSION: Moved by Walters, seconded by James to appoint Jim Tompkins to serve, if needed, on the Webster Housing and Redevelopment Commission. Motion carried.

AUTHORIZATION: Moved by James, seconded by Sinner to authorize the Auditor to process special bill runs between commission meetings to prevent late fees. Motion carried.

PAYROLL: The January 5, 2019 payroll will be approved at the January 22, 2019 commissioner meeting.

INVESTMENT POLICY: Moved by James, seconded by Sinner to approve the 2019 Investment Policy as presented by Treasurer Wagner. Motion carried.

NECOG: Jennifer Sietsema and Eric Senger met with the board about a previous FEMA payment for Nathan Johnson. Jennifer informed the board that the grant is closed and there is no more money available.

Public Hearing on Rail Crossing. Pursuant to published notice of hearing, the hearing was conducted before the Day County Commissioners on January 8, 2019, at 10:00 a.m. The Chairman called the public hearing to order and a number of people were present to provide information and objections to the proposed railroad crossings. No one appeared, however, in opposition to the Commissioner's proposed action and the Kidder Township's and Bristol Township's proposed actions on the closing of the crossings in Bristol Township and Kidder Township.

Two people did appear in opposition to the proposed rail crossing West of Waubay in Central Point Township. Arnie Beisch appeared as well as Bernie Gaikowski. Mr. Gaikowski informed the Board that if the crossing is closed he will have problems accessing land that he needs to access for agricultural purposes. Arnie Beisch, a member of the Central Point Township Board of Supervisors, appeared and on behalf of the Township expressed concern as to whether or not and what jurisdiction or authority the County had to close a road right-of-way that has been maintained by the Township. He indicated that the Township also has expended money on this right-of-way as well as receiving Federal FEMA funds in connection with this right-of-way. He didn't understand how, if the Township has assumed jurisdiction over this road right-of-way, how the Township has not been involved in the proceedings.

Day County State's Attorney Danny R. Smeins informed the board, which was confirmed by the Highway Superintendent, that the Department of Game, Fish and Parks has also expressed some concern regarding the road closing and right-of-way closing on whether or not it will preclude access to land owned by the Department of Game, Fish and Parks, which by statute there are some limitations on closing that if it provides access to public lands under SDCL 31-3-6.1.

Based upon the results of the public hearing it was moved by James and seconded by Walters to approve the written resolutions relating to the rail crossings in Bristol Township and the rail crossing in Kidder Township and that the crossing proposed resolution relating to the closing of the railroad right-of-way in Central Point Township would be deferred so that the matters raised at the public hearing concerning the interest of the Township and the landowner's objection, and concerns expressed by the Department of Game, Fish and Parks pursuant to SDCL 31-3-6.1 can be fully

investigated. A new hearing date or time for action on the resolution would be set at a later date. Motion carried.

HIGHWAY DEPARTMENT ACCEPT FUEL BID: Moved by Tobin, seconded by James, per Hwy Supt. Braaten's recommendation, to accept the fuel bid from Sioux Valley Coop @ \$.15 over invoice cost. The county receives a dividend check at the end of the year. Motion carried.

RECESS: Chairman Tompkins declared a recess at 10:42 AM. Chairman Tompkins reconvened the regular session at 10:49 AM.

WELFARE DEPT: Welfare Director Zimmerman and States Attorney Smeins discussed case 08-15 to approve or deny a claim to pay Avera. Moved by James, seconded by Sinner to deny the claim due to no application on file. Motion carried.

ABATEMENTS: Auditor Fosheim presented abatements for Commission approval.

ABATEMENT #2018-34: Moved by James, seconded by Walters to abate \$198.54 on parcel #78.80.0020 for Clayton & Opal Cussons (LS) % Jackson Cussons due to buildings were removed two years ago. Motion carried.

ABATEMENT #2019-01: Moved by James, seconded by Walters to abate \$204.50 on parcel #78.80.0020 for Clayton & Opal Cussons (LS) % Jackson Cussons due to buildings were removed two years ago. Motion carried.

ABATEMENT #2019-02: Moved by Walters, seconded by Tobin to abate \$342.00 special assessment on parcel #70.012.0141 for Leroy Severson/Grant Meyer due to special assessment was paid directly to the City of Andover. Motion carried.

TRAVEL REQUEST: Moved by Walters, seconded by Tobin to approve travel expenses for the Auditor's office employees to attend the Annual Report Workshop held in Mitchell, SD on January 24, 2019. Motion carried.

SHERIFF DEPT: Sheriff Rucktaeschel met with the board to get approval for the employee wage scale. Moved by James, seconded by Walters to approve the following: Josh Hoven and Jerred Schreur \$19.75/hour; Lauren Jones and Joseph Bury \$15.00/hour. The minimum starting pay for a new PT jailor/dispatcher at \$14.00/hour and existing PT jailor/dispatcher at \$14.75. Motion carried.

RESIGNATION: Moved by Walters, seconded by James to accept a letter of resignation, with thanks for many years of service to Day County, from Louise Baumgarn effective January 5, 2019. Moved by Walters, seconded by James to authorize the chairman to sign the Severance Agreement agreed to and signed by Louise Baumgarn. In the Severance Agreement the County agrees to pay Louise's COBRA insurance premiums up to the sum of \$15,000.00. Motion carried.

ADJOURNMENT: Moved by James, seconded by Walters to adjourn the meeting until 9:00 AM, Tuesday, January 22, 2019 to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

James Tompkins
Chairman

ATTEST:

Bonnie Fosheim
Day County Auditor

Day County does not discriminate on the basis of color, national origin, sex, religion, age, or disability in employment or the provision of service.

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