

DAY COUNTY COMMISSION
WEBSTER, SOUTH DAKOTA
October 22, 2019
(unapproved)

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday October 22, 2019 in the Commissioners Chambers in the Day County Courthouse. Meeting called to order by Chairman Tompkins. Members present: Commissioners James, Tobin, Sinner and Walters. Others: Amanda Fanger-R&F and Glenn Gebur.

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

CORRESPONDENCE: None.

PUBLIC COMMENTS: None.

MINUTES: Moved by Sinner, seconded by Tobin to approve the minutes for October 8, 2019 regular commission meeting. Motion carried.

PAYROLL: Moved by Tobin, seconded by James to approve and authorize the chairman to sign the payroll period ending October 12, 2019. Motion carried.

Auditor's Office 4,950.21; Treasurer's Office 4,719.20; Register of Deeds 3,487.21; State's Attorney 2,056.00; Sheriff's Office 8,644.66; Jailors 6,056.75; Assessor's Office 4,536.70; Commissioners 2,706.92; Home Health 768.75; WIC 281.25; Veteran's Service 1,617.74; Maintenance 2,331.25; Extension 1,078.00; Welfare 77.00; Drainage 98.08; Planning & Zoning 290.58; OEM 710.00; 911 355.00; Weed 788.15; Highway 20,802.07; Social Security 4,022.05; Medicare 940.63; Health Insurance 24,981.97; Retirement 3,369.27 for a total of 99,669.44.

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

SERVICES: Aramark Uniform Services/Ameripride 91.67, Century Business Products 221.39, Darcy Lockwood 15.00, Dean Schaefer Court Reporting 156.00, Ameripride 203.27, Mark Katterhagen 15.00, Kone Inc. 223.08, Lewis and Clark Mental Health 356.00, Lucy Lewno 166.50, Minn-Dak Fire & Safety 447.65, Ramkota Inn 192.00, Sanford Health 2,245.00, Scantron Corp. 1,689.09, SDACO M&P Fund 288.00, The Lodge at Deadwood 59.00, Xerox Corp. 81.79, Yankton Co. Sheriff's Office 50.00, Yankton County Treasurer 230.50,

SUPPLIES: Blue360 Media 163.54, Colonial Research 147.43, Computer CPR 855.04, National 4-H Council 164.09, Partners Funding Inc. 523.07, RDO Equipment 125.71, Ryan's Candy 36.50, Subway 80.00, TrueNorth Steel 1,787.52, Valley Office Products 224.17,

REPAIRS: Butler Machinery 81.52,

UTILITIES: Century Link 376.11, Dependable Sanitation 164.48, James Valley Telecommunications 139.40, Northwestern Energy 483.33, Ottertail Power Co. 23.79, Venture Communication Inc. 264.69,

PER DIEM: Jennifer Moos 45.00,

RENTAL: Hanlon Bros. 2,087.40,

MANUAL CHECKS: Louise Baumgarn 821.99, SD Dept. of Revenue 114,731.71, Day County Treasurer 125.77, Clay County Sheriff 52.15.

REPORTS: The Board noted the following reports:

In compliance with the law, I, Bonnie Fosheim hereby submit the following report of my examination of the cash and cash items in the hands of the Treasurer of this County as of October 1, 2019. Total amount of deposits in bank 217,572.77. Total amount of actual cash 3,099.50. Total amount of deposits and drafts in Treasurer's possession not exceeding three days 37,146.19. Itemized list of all items, checks and drafts, which have been in the Treasurer's possession over three days: CD'S 590,000.00; IMMA 6,018,604.11; Postage 307.64; Register of Deeds petty cash 85.00; Credit cards 162.00 for a total of \$6,866,977.21. Cash Balances: General Fund 2,059,771.85; Highway 4,287,159.82; E911 740.23; OEM 5,778.16; Domestic Abuse

434.00; 24/7 Fund 24,116.95; M & P Fund 42,614.94; 700 Accounts 446,276.26; equals \$6,866,892.21.

In compliance with the law, I, Jodi Berger hereby report the fees of the Office of Register of Deeds for the month of September 2019. Births (12) 180.00; Deaths (16) 240.00; Marriages (2) 80.00; Transfer fees 2,876.00; Recordings 4,440.00; Copies 427.35; Sales Tax 1.65 for a total of \$8,245.00.

In compliance with the law, I, Ryan Rucktaeschel hereby submit the following report of all fees received by me as Sheriff within and for the County for the month of September 2019: Accidents 24.00; Phone cards 240.00; Phone Commission 260.68; Remote Breath Tests 60.00; Fees 1,110.26; Finger Prints 130.00; Misc. Income 5.00; PBT's 411.00; Pistol Permits 27.00; Out of County Prisoners 4,130.00; UA Fees 110.00; Work Release 2,750.00 for a total of \$9,257.94.

COMMUNITY HEALTH NURSE: Community Health Nurse Aadland gave her quarterly report for April-September 2019.

FLU SHOTS: Motion by Walters, seconded by James to allow the Community Health Nurse to give County employees flu shots and to bill their health insurance for the cost. The County will pay any balance after insurance. Motion carried.

PLANNING/ZONING: Moved by James, seconded by Tobin to recess the regular session at 9:15 AM, to convene as Planning, Zoning and Drainage Board. Motion carried. Chairman Tompkins reconvened the regular session at 9:40 AM.

DOG CATCHER FEES: Sheriff Rucktaeschel discussed with the board the need to use Steve Hargis, Webster City dog catcher, as needed for county purposes. Moved by James, seconded by Sinner to approve the Sheriff to contact Steve Hargis as needed for dog catching. Motion carried.

TRAVEL REQUEST: Mandy Bartelt was selected to be on a newly formed SD Law Enforcement Telecommunications System (SDLETS) Advisory Group. Moved by Walters, seconded by Sinner to approve travel expenses (as needed) for Mandy Bartelt to attend SDLETS Board meetings. Motion carried.

AGREEMENTS FOR HOUSING PRISONERS: Moved by Walters, seconded by James to authorize the chairman and auditor to sign the Brown County and Day County Agreements for housing prisoners. Motion carried.

RECESS: Chairman Tompkins declared a recess at 10:07 AM. Chairman Tompkins reconvened the regular session at 10:17 AM.

VETERAN'S PROCLAMATION: Moved by James, seconded by Sinner to approve the following proclamation in honor of veterans:

DAY COUNTY BOARD OF COMMISSIONERS PROCLAMATION

~LEST WE FORGET~

WHEREAS, the people of the County of Day have admiration and the upmost gratitude for all the men and women who have selflessly served their country and this community in the Armed Forces; and

WHEREAS, veterans have paid the high price of freedom by leaving their families and communities and placing themselves in harm's way for the good of all; and

WHEREAS, the contributions and sacrifices of the men and women from Day County who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, many men and women in uniform have given their lives while serving in the Armed Forces; and

WHEREAS, many citizens of our community have been awarded for their service while engaged in combat with an enemy force, construed as a singularly meritorious act of essential service; and

WHEREAS, November 1-14, 2019 has officially been designated as the days in Day County to remember and recognize veterans who have served.

NOW, THEREFORE, BE IT RESOVLED that Day County Board of Commissioners hereby honors the service and sacrifice of our nation's men and women in uniform while serving to protect the freedoms enjoyed by all Americans.

Dated this 22nd day of October 2019

Jim Tompkins, Commissioner Chairman

Bonnie Fosheim, Day County Auditor

Motion carried.

OEM: OEM Director Anderson and Randy Maddock, OEM Regional Coordinator, talked about the name change from State & Local Agreement (SLA) to Local Emergency Management Performance Grant (LEMPG) that will take place in 2020. Also discussed that OEM Anderson is compliant with SLA rules and working with NECOG to begin the process to renew the Pre Disaster Mitigation Plan.

LOCAL EMERGENCY OPERATION PLAN: OEM Anderson informed the board that he is trying to keep the Local Emergency Operation Plan (LEOP) manual up to date with things pertaining to Day County.

LEPC GRANT FUNDS: Moved by James, seconded by Tobin to transfer LEPC grant money for computer software in the amount of \$855.04 from Restricted Fund Balance for LEPC (226-274.01) to Fund Balance Assigned for Emergency Management (226-276.05). Motion carried.

CASH TRANSFER: Moved by Sinner, seconded by James to transfer \$604,000.00 from General Fund 101-4-911 to Highway Fund 201-371 as budgeted for the 2019 budget. Motion carried.

OCCUPANCY ON ROW: Moved by James, seconded by Tobin to approve the Application for Occupancy on ROW on County Highway #10 for Bill Simonson. With the stipulation that an Application for Occupancy is not a permit to drain. Motion carried.

COURTHOUSE CLOSINGS: The Day County Courthouse and Highway Department will be closed November 11, 28, & 29, December 23, 24 & 25, 2019 and January 1, 2020 per Governor Noem.

RESOLUTION for MEANDERED WATER: Moved by James, seconded by Walters to approve signing Resolution # 2019-07. Motion carried.

RESOLUTION #2019-07

WHEREAS, Day County and its other political subdivisions depend very heavily upon property tax levies for support of its statutory responsibilities as well as discretionary functions; and

WHEREAS, Day County has found it difficult to find sufficient tax revenues to fund its roads, law enforcement/jail, etc.; and

WHEREAS, Day County has experienced extensive flooding which has necessitated rebuilding roads or closing roads and townships have had the same experience; and

WHEREAS, with the past flooding and the current flood situation which involves both meandered and non-meandered bodies of water and other bodies of water which some have stated reflects higher water levels than ever before; and

WHEREAS, a secondary consequence of flooding is that land inundated by water has resulted in Day County originally abating taxes because of flooded land and now reducing the valuation because of flooded lands; and

WHEREAS, Day County has reduced the valuations on Day County farmland as follows:

YEAR	VALUATION REDUCTION	ACRES
2014	\$16,184,328	26,690
2015	\$16,184,328	26,690
2016	\$16,184,328	26,690
2017	\$32,696,933	29,486
2018	<u>\$29,535,447</u>	22,358
Total	\$110,785,364	

The minimum valuation on flooded land that qualifies is \$300.00 per acre: and

WHEREAS, based upon the loss of valuation described above, Day County and its political subdivisions have a tax revenue loss on an estimated \$180,580.00 per year, or such revenues had to be generated by higher levies on other properties; and

WHEREAS, Day County and its political subdivisions as well as taxpayers have gotten no financial assistance or relief to offset the lost tax revenues and farm income meanwhile the public continued to enjoy the recreational value of the flooded lands; now therefore

BE IT RESOLVED that Day County and on behalf of its other local political subdivisions and taxpayers request that the South Dakota Legislature and South Dakota Association of County Commissioners explore what can be done to address the inequities of the above situation.

Dated this 22nd day of October 2019

James Tompkins, Day County Board of Commissioners Chairman

Bonnie Fosheim, Day County Auditor

COMMISSIONER MEETING DATE: Auditor Fosheim informed the board that if we need to advertise for a Formal Budget Supplement 10 days prior to the hearing, we would need to change the commissioner meeting date from December 17th to December 19th.

EXECUTIVE SESSION: Moved by Sinner, seconded by James to enter Executive Session at 11:12 AM for personnel and legal matters as per SDCL 1-25-2. Motion carried. Chairman Tompkins reconvened the regular session at 1:05 PM.

ADJOURNMENT: Moved by Tompkins, seconded by James to adjourn until 9:00 AM, Tuesday November 5, 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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