

**DAY COUNTY COMMISSION**  
**WEBSTER, SOUTH DAKOTA**  
**May 19, 2020**  
**(unapproved)**

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday May 19, 2020 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: Auditor Fosheim, DOE Schlotte, Deputy DOE Block, Sheriff Rucktaeschel, Hwy. Supt. Braaten, States Attorney Smeins, OEM Anderson and Amanda Fanger -R&F.

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

**CORRESPONDENCE:** None

**PUBLIC COMMENTS:** None.

**MINUTES:** Moved by Sinner, seconded by Walters to approve the minutes for May 5, 2020 regular commissioner meeting. Motion carried. Moved by Sinner, seconded by James to approve the minutes for May 5, 2020 equalization meeting. Motion carried.

**PAYROLL:** Moved by Tobin, seconded by James to approve and authorize the chairman to sign the payroll period ending May 9, 2020. Motion carried.

Auditor's Office 5,034.64; Treasurer's Office 5,047.20; Register of Deeds 3,567.20; State's Attorney 2,096.00; Sheriff's Office 9,096.50; Jailors 6,295.88; Assessor's Office 4,969.70; Commissioners 2,706.92; Home Health 442.75; WIC 481.25; Veteran's Service 1,999.60; Maintenance 1,733.61; Extension 1,106.00; Welfare 494.00; Drainage 98.08; Planning & Zoning 295.58; OEM 766.50; 911 365.00; Weed 670.15; Highway 19,397.59; Social Security 3,955.81; Medicare 925.10; Health Insurance 28,521.10; SD Retirement 3,491.18 for a total of 103,557.34.

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

**SERVICES:** A&B Business Inc. 182.44, Aramark Uniform Services/Ameripride Services Inc. 293.42, Bantz Gosch Cremer Peterson & Sommers 1,806.92, Century Business Products 101.24, City of Watertown 4,676.00, Thomas J Cogley, Ronayne & Cogley PC 3,049.20, Dakota Counseling Group, LLC 1,800.00, GWorks 1,621.80, Ameripride 235.52, Law Office of Danny Smeins 4,773.09, Lincoln Co. Treasurer 57.00, Sanford Health 698.62, SDACC 150.00, SDACO M&P Fund 260.00, Storage Rentals 100.00, Tammy Stolle Court Reporting 954.85, Xerox Corp. 273.36,

**SUPPLIES:** ACE 17.51, Body Cams 150.00, Kwasniewski Enterprises Inc.-Cornwell Drug 86.00, Election Systems & Software 38.07, Johnson Lumber 448.44, McLeod's 1,063.67, Mike's Jack & Jill 50.42, Satellite Tracking of People LLC 104.00, SD Federal Property Agency 1,000.00, Sioux Valley Cooperative 8,594.08, Snaza Implement LLC 95.40, Spot on Printing 15.00, TrueNorth Steel 8,696.10, Valley Office Products 555.06,

**REPAIRS:** Butler Machinery 293.83, Dave Hahler Automotive 152.44, Horter Restoration and Repair 24.95, Rumpza Repair, Inc. 978.75 Safety Service Inc. 250.95, Sturdevant's Auto Parts 462.54, Transource Trucking Equipment Inc. 293.96, Webster Auto Care Inc. 45.55,

**UTILITIES:** City of Webster 30.00, Dependable Sanitation 146.48, ITC Telecom 520.87, James Valley Telecommunication 139.40, Northwestern Energy 3,177.99, Ottertail Power Co. 26.03, RC Technologies 50.00, Reliance Telephone Inc. 400.00, Venture Communication Inc. 264.69,

**MANUAL CHECKS:** Butler Township 456.70, Day County Treasurer 864.57, Koehn Bros Funeral Home 1,500.00, SD Dept. of Revenue 88,730.68.

**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 May 1, 2020. Total amount of deposits in bank 2,778,210.56. Total amount of actual cash 531.27. Total amount of deposits and drafts in treasurer's possession not exceeding three days 500,277.05. 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 6,892,388.47; Postage 711.77; Register of Deeds petty cash 200.00; Credit cards 5,252.25 for a total of \$10,767,571.37. Cash Balances: General Fund 3,452,458.59; Highway 3,482,270.25; E911 -5,266.76; OEM 1,363.46; Domestic Abuse 169.00; 24/7 Fund 26,940.45 M & P Fund 43,466.94; 700 Accounts 3,800,789.58; equals \$10,802,191.51.

In compliance with the law, I, Jodi Berger hereby report the fees of the Office of Register of Deeds for the month of April 2020. Births (4) 60.00; Deaths (23) 345.00; Marriages (0); Transfer fees 1,830.50; Recordings 3,913.00; Copies 396.00; Sales Tax .00 for a total of 6,544.50.

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 April 2020: Accident Reports 4.00; Phone cards 140.85; Phone Commission 180.34; Remote Breath Tests 290.00, Sheriff's Fees 608.27; Finger Prints 18.78; PBT's 147.00; Pistol Permits 103.00; Prisoners-Out of Co. 5,530.00; UA Fees 50.00; GPS Monitoring 484.00; Sales Tax 10.37 for a total of 7,566.61.

**VSO-LEASE COPIER/SCANNER/FAX:** Moved by James, seconded by Walters to approve VSO Bohn to lease a copier/scanner/fax from Anacon Leasing Inc. in Sioux Falls, SD. Motion carried.

**PLANNING/ZONING:** Moved by James, seconded by Sinner 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 9:30 AM.

**PLAT:** Upon recommendation of the Planning & Zoning Board, moved by James, seconded by Tobin to approve the following plats: 1) Martin's Platinum Bay Addition in Gov't Lot 1 (34.124.53), 2) Johnson's Outlot 4 in SE (26.122.58), 3) Aldrich Addition SE (26.122.56). Motion carried.

**DISTRESS WARRANT/TAX ABATEMENT:** Sheriff Rucktaeschel and Deputy Treasurer Zubke discussed with the board a distress warrant on a mobile home that was in E&K Park in Webster City. The mobile home was moved out and went to a dealer in Sioux Falls. ABATEMENT #2018-35: Moved by Walters, seconded by James to abate \$566.72 on parcel #78.61.0201A for SI Well Inc. (LS) due to the mobile was not in Webster City in 2018. Motion carried.

**GROW SD:** Teleconference with Katie Rasmus from GROW SD. She discussed the yearly report and programs that are available thru GROW SD.

**SHERIFF DEPT. DECLARE SURPLUS:** Upon recommendation from Sheriff Rucktaeschel, moved by James, seconded by Sinner to declare a 2013 Dodge pickup no longer useful for county purposes and will sell at a later date. Motion carried.

**SECURITY CAMERAS FOR JAIL AND COURTHOUSE:** Sheriff Rucktaeschel presented an estimate for security cameras for the jail and courthouse from Glacial Lakes Technology Services in Webster. Moved by James, seconded by Walters to approve the new security cameras for the jail and the courthouse. Motion carried.

**RESCUE BOAT:** Sheriff Rucktaeschel asked for approval to get the rescue boat serviced and ready for use if needed. Moved by James, seconded by Sinner to approve Sheriff Rucktaeschel to get the rescue boat serviced at a cost up to \$500.00. Motion carried.

**RECESS:** Chairman Tompkins declared a recess at 10:03 AM. Chairman Tompkins reconvened the regular session at 10:08 AM.

**OCCUPANCY ON ROW:** Moved by James, seconded by Walters to approve the Applications for Occupancy on ROW on County Highways #37 & #1 with LREA and to authorize the chairman to sign it. Motion carried.

**BRIDGE IMPROVEMENT:** Moved by James, seconded by Tobin to approve the DOT Bridge Improvement Grant Agreement for Replacement-Local Administration on Co. #2 and to authorize the chairman and auditor to sign it. Motion carried.

**SDDOT PROPOSED FUNCTIONAL CLASSIFICATION RESOLUTION:** Moved by James, seconded by Tobin to adopt the following Resolution # 2020-12. Motion carried.

## **DAY COUNTY**

### **RESOLUTION #2020-12**

#### **APPROVING THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION PROPOSED FUNCTIONAL CLASSIFICATION**

**WHEREAS,** there are identified specific types of roads and corresponding functions

of those roads, some of which have not been updated for several years; and

**WHEREAS**, the Federal Highway Administration (FHWA), has prescribed rules governing the functional classification of roadways within Day County; and

**WHEREAS**, the South Dakota Department of Transportation (SDDOT) has verified all roadway mileage for Day County; and

**WHEREAS**, SDDOT has recommended that changes be made to specific roadways based upon functional classification standards as prescribed by FHWA.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners hereby approve changing the following functional classifications in Day County:

**Rural Major Collector to a Rural Minor Collector**

126<sup>th</sup> St: From 435<sup>th</sup> Ave. east approximately 1.574 to 437<sup>th</sup> Ave.

437<sup>th</sup> Ave: From 126<sup>th</sup> St. northeasterly approximately 1.363 miles to 125<sup>th</sup> St.

125<sup>th</sup> St: From 437<sup>th</sup> Ave. east approximately 1.620 miles to SD 25.

Adopted this 19<sup>th</sup> Day of May, 2020.

James Tompkins, Chairman Day County Commission

ATTEST: Bonnie Fosheim, Day County Auditor

**AGREEMENTS FOR VOLUNTARY RIGHT OF WAY DONATION:** Moved by Sinner, seconded by Walters to approve two agreements for Voluntary Right Donation for ER6191(28) and to authorize the chairman and auditor to sign it. Motion carried.

**ROW ACQUISITION:** Moved by James, seconded by Tobin to approve ROW Acquisition by Established Payment for ER6191(28) and to authorize the chairman and auditor to sign it. Motion carried.

**UTILITY CERTIFICATE:** Moved by Sinner, seconded by Walters to approve the Utility Certificate for Project ER6191(28) and to authorize the chairman and auditor to sign it. Motion carried.

**ROW CERTIFICATE:** Moved by Walters, seconded by James to approve the ROW Certificate for Project ER6191(28) and to authorize the chairman and auditor to sign it. Motion carried.

**BRIDGE REPLACEMENT:** Moved by James, seconded by Tobin to approve the application for Local Federal Bridge Replacement Funds for Bridge 19-025-030 in Farmington Township and to authorize the chairman and auditor to sign it. Motion carried.

**CHANGE SPEED LIMIT:** Per Hwy Supt. Braaten's recommendation, moved by Tobin, seconded by Sinner to change the speed limit from 55mph to 45mph on County # 5 North of Grenville. Motion carried.

**ABATEMENT:** Auditor Fosheim presented the following abatement for Commission approval.

ABATEMENT #2020-14: Moved by Walters, seconded by Tobin to abate \$938.18 on parcel #77.01.1404 for Tamera Town due to the property is owned by Waubay City and is exempt from paying taxes. Motion carried.

**PIERPONT TOWN PROPERTY:** Upon recommendation from States Attorney, moved by Tobin seconded by James to accept the deed in lieu of taxes on parcel #75.06.1209 in Pierpont Town. Motion carried.

**COVID-19 COURTHOUSE GUIDELINES:** Discussion on when the courthouse will be open to the public. The commissioners decided to keep the courthouse closed with limited access until their June 16<sup>th</sup> commissioner meeting when they will review situation again.

**DRIVERS LICENSE BY APPOINTMENT:** The auditor was contacted by Matt Medford, Driver Licensing Area Supervisor, to see if the commissioners would allow the driver's license office in the courthouse to be open for appointments only. The commissioners decided to allow the driver's license office to be open for appointment only and follow the courthouse guidelines.

**DECLARE SURPLUS:** Moved by Walters, seconded by Sinner to declare the following items surplus and no longer useful for county purposes: two old non-working floor buffers, snow blower and a Lawn Boy push mower. Items that do not work can be disposed of and remaining items will be sold at a later date. Motion carried.

**MITIGATION FUNDING:** OEM Anderson discussed with the board two new requests for the 2019 Mitigation Funding.

**PRE-DISASTER MITIGATION PLAN:** Alison Kiez, Loan Fund Manager with NECOG, set up a ZOOM meeting to discuss the Pre-Disaster Mitigation Plan. The Day County Mitigation Plan activities for flooding hazards was discussed. The Mitigation Plan is posted on the county website for review.

**RECYCLING TRAILER:** Jennifer Moos contacted the auditor asking the commissioners to contribute to the Recycling Trailer Fund which is still short \$525.00. Moved by Sinner, seconded by Walters to donate \$525.00 to the Recycling Trailer Fund. Motion carried.

**ADJOURNMENT:** At 12:10 PM, moved by Tobin, seconded by James to adjourn until 9:00 AM, Thursday June 4, 2020 to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

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James Tompkins  
Chairman

ATTEST:

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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.