

DAY COUNTY COMMISSION
WEBSTER, SOUTH DAKOTA
March 23, 2021
(unapproved)

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday March 23, 2021 in the Commissioners Chambers in the Day County Courthouse. Meeting called to order by Chairman Linda Walters. Members present: Commissioners Tompkins, Sinner, Tobin, and Jim Walter. Others: Amanda Fanger-R&F, Glenn Gebur and Sheriff Rucktaeschel.

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

CORRESPONDENCE: None.

PUBLIC COMMENTS: Derek Sinner said he's been questioned when the mask mandate will be lifted at the courthouse. Chairman Linda Walters said it will be put on the April 6, 2021 agenda.

MINUTES: Moved by Tompkins, seconded by Sinner to approve the minutes for February 9, 2021 regular commissioner meeting. Motion carried.

PAYROLL: Moved by Sinner, seconded by Jim Walter to approve and authorize the chairman to sign the payroll period ending March 13, 2021. Motion carried.

Auditor's Office 5,906.21; Treasurer's Office 5,119.70; Register of Deeds 4,584.70; State's Attorney 2,136.00; Sheriff's Office 9,659.13; Jailors 8,444.82; Assessor's Office 5,125.22; Commissioners 2,706.92; Home Health 503.63; WIC 434.50; Veteran's Service 931.35; Maintenance 2,309.44; Extension 1,134.00; Welfare 861.00; Drainage 98.08; Planning & Zoning 260.08; OEM 750.00; 911 375.00; Weed 682.15; Highway 20,370.72; Social Security 4,362.08; Medicare 1,020.16; Health Insurance 25,365.27; SD Retirement 3,895.98 for a total of 107,036.14.

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

SERVICES: Aramark Uniform Services/Ameripride Services Inc. 63.30, Darcy Lockwood 18.00, Day County Community Health Office 30.00, Foerster Testing Limited 1,400.00, Ameripride 201.67, Judy Williams 30.00, Mark Katterhagen 18.00, Law Office of Danny Smeins 5,141.16, Lucy Lewno 176.51, Sanford Health 5,535.06, SDACO M&P Fund 292.00, Taliaferro Law Firm 292.10, Tyler Technologies Inc. 3,309.50, Xerox Corp. 91.35,

SUPPLIES: ACE 57.98, Kwasniewski Enterprises Inc.-Cornwell Drug 117.00, Lexisnexis 68.08, Valley Office Products 62.22,

BUILDING MAINTENANCE: C&S Concrete 958.80, Muth Electric 93,296.85, NorthStar Mechanical Inc. 2,568.53,

DONATIONS: Ag & Biosystems Engineering 2,000.00, Area IV Senior Nutrition 5,000.00, Aspire Inc. 4,320.00, Center for Independence 720.00, Community Transit Inc. 4,250.00, Day Co. Conservation District 10,000.00, Day Co Fair 10,000.00, Glacial Lakes Tourism 626.00, Live, Inc. 720.00, NESDCAP 5,000.00, Northeastern Mental Health Center 5,000.00, Safe Harbor 500.00, Waubay Senior Citizens 1,947.50, Webster Area Development Corp. 11,000.00, Webster Golden Age Club 2,802.50,

ELECTION: Election Systems & Software 284.40,

INSURANCE: SDML Workers' Compensation Fund 270.00,

PER DIEM: Jodi Berger 59.51, Rhonda Zubke 242.12,

REPAIRS: Dakota Fluid Power, Inc. 198.75, Diesel Machinery 367.82, Northland Auto Center Inc. 44.21,

UTILITIES: Dependable Sanitation 146.48, James Valley Telecommunication 139.40, Northwestern Energy 4,494.10, Otter Tail Power Co. 31.95, Venture Communication Inc. 264.69,

MANUAL CHECKS: SD Dept. of Revenue 119,227.64, Day Co Treasurer 44.74, Day Co Sheriff's Assoc. 230.00,

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 March 1, 2021. Total amount of deposits in bank 436,805.01. Total amount of actual cash 2,346.60. Total amount of deposits and drafts in treasurer's possession not exceeding three days 58,468.94. 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 6,902,118.15; Postage 148.40; Register of Deeds petty cash 200.00; Sheriff 437.00; Credit cards 1,726.18 for a total of \$7,992,250.28. Cash Balances: General Fund 2,980,714.02; Highway 4,284,273.82; E911 12,307.76; OEM 5,016.09; Domestic Abuse 179.00; 24/7 Fund 30,223.98; M & P Fund 44,190.59; 700 Accounts 635,102.02; equals \$7,992,007.28.

In compliance with the law, I, Jodi Berger hereby report the fees of the Office of Register of Deeds for the month of February 2021. Births (12) 180.00; Deaths (24) 360.00; Marriages (2) 80.00; Transfer fees 1,859.00; Recordings 4,470.00; Copies 454.15; Sales Tax .21 for a total of 7,403.36.

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 February 2021: Accident Reports 4.00; Phone cards 187.80; Phone Commission 497.74; Remote Breath Tests 89.00; Sheriff's Fees 643.06; Fingerprints 28.17; Dispatch Services 9,500.00; PBT's 221.00; Pistol Permits 265.00; Prisoners-Out of Co. 6,980.00; UA Fees 230.00; Sales Tax 14.03 for a total of 18,659.80.

PLANNING/ZONING: Moved by Sinner, seconded by Jim Walter to recess the regular session at 9:17 AM, to convene as Planning, Zoning and Drainage Board. Motion carried. Chairman Linda Walters reconvened the regular session at 9:37 AM.

PLAT: Upon recommendation of the Planning & Zoning Board, moved by Jim Walter, seconded by Tompkins to approve the following plats: 1) Eric Hanson-Hanson Addn in Gov't Lot 5 in NW 6.122.55; 2) Block Legacy SubDiv in Gov't Lots 1, 2 & NWNE 18.123.54; 3) Jerome Michlitsch-Michlitsch 1st SubDiv in SE 36.124.56. Motion carried.

APPLICATION and RESOLUTION FOR LOCAL FEDERAL BRIDGE

REPLACEMENT: Moved by Tobin, seconded by Sinner to authorize the chairman to sign the Federal Aid Bridge Program Resolution for County and Urban Projects and to adopt the following Resolution. Motion carried.

RESOLUTION #2021-03

WHEREAS, Day County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: 19-060-012; 4.8 N & 1.0 W of Pierpont

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT (NAMES & ADDRESSES):

James Valley Farms %Richard Smeins-12619 418th Ave.-Langford, SD 57454.

AND WHEREAS, Day County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Day County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Federal Bridge Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

1. The condition rating is Poor.
2. For Replacement project the bridge is not located on a County or Township designated No Maintenance or Minimum Maintenance Road.
3. For Removal project the bridge location will not be eligible for federal or state funds in the event that a bridge is reconstructed. The owner agrees to submit a separate resolution to delete the structure from the National Bridge Inventory upon completion of the project.
4. The bridge is located on a mail route and a field to farm to market route.
5. The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$581,400.00; Federal Share (81.95%): \$476,457.00; Local Share (18.05%): \$104,943.00.

Vote of Commissioners: Yes 5 No 0

Dated at Webster, SD, this 23rd day of March, 2021

Signed: Linda M. Walters, Chairman

ATTEST: Bonnie Fosheim-County Auditor

BRIDGE REINSPECTION PROGRAM RESOLUTION: Moved by Tompkins, seconded by Sinner to authorize the chairman to sign the Bridge Reinspection Program Resolution for use with SDDOT Retainer Contracts and to adopt the following Resolution. Motion carried.

RESOLUTION #2021-04

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Day County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds. The County requests SDDOT to hire Clark Engineering (IMEG) (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 23rd day of March, 2021, at Webster, South Dakota

Signed: Linda M. Walters, Chairman of the Board of Day County Commissioners

ATTEST: Bonnie Fosheim-County Auditor

ADVERTISING AND BID LETTING FOR STRUCTURE 19-013-020: Moved by Tobin, seconded by Jim Walter, to authorize and approve Hwy Supt. Braaten to advertise and set the Bid Letting for Structure 19-013-020 for Friday April 16th, 2021 at 10:00 AM. Present will be Hwy Supt., Auditor Zimmerman, and Clark Engineering. Motion carried. Commissioner approval of the bid will be at the April 20th commissioner meeting.

RECESS: Moved by Sinner, seconded by Tobin to recess the regular meeting at 9:55 AM and conduct the County Tax Sale. Motion carried.

COUNTY TAX SALE: At 10:00 AM, March 23, 2021, this being the time and place set to offer the following county property for sale to the highest responsible bidder. Chairman Linda Walters reconvened the regular meeting at 10:06 AM. Moved by Tobin, seconded by Sinner to approve the bids on the following parcels, abate the taxes and issue Quit Claims Deeds. Motion carried.

Parcel #23.26.1000 Sold to Shane Hurley (Audrey Johnson-Representative) for \$5,200.00.

Parcel #75.06.1209 Sold to Richard Kroll and Jacob Zimmerman for \$100.00.

TRAVEL REQUEST: Moved by Sinner, seconded by Tompkins to approve the following travel expenses for the DOE office: 1) SDAAO Conference in Hot Springs, SD May 25-28, 2021 for Barbra Block; 2) SDAAO Assessor School in Pierre, SD Sept. 19-24, 2021 for Barbra Block; 3) DOE District Meeting in Aberdeen, SD April 1, 2021 for Dari Schlotte and Barbra Block. Motion carried.

NOTICE AND ADMISSION OF SERVICE OF SUMMONS AND COMPLAINT: Moved by Tobin, seconded by Tompkins to authorize the chairman to sign the Notice and Admission of Service of Summons and Complaint from Bantz, Gosch & Cremer, LLC. Motion carried.

ADJOURNMENT: Moved by Sinner, seconded by Tompkins to adjourn until 9:00 AM, Tuesday April 6, 2021 to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

Linda M. Walters
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.