

**DAY COUNTY COMMISSION**  
**WEBSTER, SOUTH DAKOTA**  
**July 19, 2022**

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday July 19, 2022 in the Commissioner Chambers in the Day County Courthouse. Meeting called to order by Chairman Walters. Members present: Commissioners Tobin, Sinner, Walter, and Tompkins. Others: Amanda Fanger R&F, Glenn Gebur, Christina Hanson, Shonda Holscher, Chris Barse, Harvey Opitz, Larry Baumgarn, and Monica Fischer.

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

**CORRESPONDENCE:** Senior Companions Invitation and Museum of Wildlife, Science, and Industry Thank-You, Reporter and Farmer Media Request.

**PUBLIC COMMENTS:** Glenn Gebur suggested that during budget time the Board looks at increasing the Highway Budget. Gebur stated he feels other roads are being neglected due to flooding in other parts of the county. Monica Fischer reported that people are violating the 5-ton weight limit on the Bridge on County Road One. If this keeps up, the bridge will not last as there are large campers, livestock trailers, and construction trailers crossing the bridge.

**MINUTES:** Moved by Tompkins, seconded by Sinner to approve the minutes from July 5, 2022 regular commissioner meeting. Motion carried.

**PAYROLL:** Moved by Sinner, seconded by Tobin to approve and authorize the chairman to sign the payroll period ending July 2, 2022. Motion carried.

Auditor's Office 5,173.20; Treasurer's Office 5,643.20; Register of Deeds 5,005.70; State's Attorney 2,752.80; Sheriff's Office 9,966.75; Jailors 9,941.70; Assessor's Office 5,357.20; Commissioners 2,706.92; Home Health 332.10; WIC 219.35; Veteran's Service 1,576.75; Maintenance 1,848.00; Extension 1,190.00; Welfare 410.00; Ambulance 2,307.70; Drainage 98.08; Planning & Zoning 268.08; OEM 531.25; 911 212.50; Weed 706.15; Highway 21,102.41; Social Security 4,697.09; Medicare 1,098.52; Health Insurance 0; Life Insurance 208.93; Dental Insurance 501.01; SD Retirement 4,401.34 for a total of 88,256.73.

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

**SERVICES:** A&B Business 140.14, Aramark 667.30, Bituminous Paving Inc 98,313.40, Ben Braaten 40.00, Century Business Products 19.79, Christensen Ambulance 4,200.00, City of Watertown 4,661.98, Judy Cleveland 175.00, Dean Schaeffer Court Reporting 12.00, Dependable Sanitation 24.00, Election Systems & Software 2,627.07, IMEG Corp 10,869.38, John Knight 4,100.00, Kevin's Service 112.50, Kone Inc 246.27, Lewis and Clark Mental Health 184.00, Microfilm Imaging Systems 95.00, Scantron Corporation 1,888.81, SD Public Health Laboratory 200.00, SDACO M & P Fund 270.00, Sioux Valley Cooperative 34,936.45, Xerox Corporation 359.89, Xerox Financial Services 231.68, Yankton County Treasurer 97.20,

**SUPPLIES:** Ace 322.73, Cole Papers, Inc. 204.36, Kwasniewski Enterprises Inc. 22.00, CWD Distributing 740.41, Mike's Jack and Jill 373.49, National 4-H Council Shop 68.90, Thompson Reuters-West Group 1,477.80, Tri State Water Inc 29.20, Truenorth Steel 3,118.75, Valley Office Products 127.60, West Central Communications 933.01,

**UTILITIES:** City of Webster 527.49, ITC Telecom 1,642.51, James Valley Telecommunication 139.40, Northwestern Energy 3,085.14, Ottertail Power Co. 23.05, RC Technologies 50.00, Venture Communication Inc. 264.69,

**REPAIR:** Bullert Automotive LLC 879.36, Butler Machinery 20,141.50, Dave Hahler Automotive 24,204.50, Diamond Mowers Inc. 100.16, Snaza Implement LLC 84.40, Transource Trucking Equipment 277.36, Webster Auto Care Inc. 151.67, Webster Tire Inc. 67.95,

**PER DIEM:** Jennifer Ringkob 118.83,

**DUES:** SDACC-Clerp 466.00,

**MANUAL CHECKS:** SD State Treasurer 534.15, SD Dept of Revenue 160,324.24, Cardmember Services 3,851.09.

**REPORTS:** The Board noted the following reports:

In compliance with the law, I, Karli Zimmerman 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 July 1, 2022. Total amount of deposits in bank 92,286.19. Total amount of actual cash 1,409.27. Total amount of deposits and drafts in Treasurer's possession not exceeding three days 12,980.66. 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 7,721,812.66; Postage 149.30; Register of Deeds petty cash 200.00; Sheriff 596.00; Credit cards 3,302.82 for a total of \$8,422,736.90. Cash Balances: General Fund 3,917,984.16; Highway 2,901,654.15; E911 17,424.13; OEM 13,542.54; Domestic Abuse 364.00; 24/7 Fund 34,157.78; M & P Fund 55,155.94; ARP 1,051,548.00; Highway Rural Access 48,934.47; 700 Accounts 381,866.73; equals \$8,422,631.90.

In compliance with the law, I, Jodi Berger hereby report the fees of the Office of Register of Deeds for the month of June 2022. Births (8) 120.00; Deaths (11) 165.00; Marriages (4) 160.00; Transfer fees 2,338.50; Recordings 4,125.00; Copies 634.85; Sales Tax 1.36 for a total of \$7,544.71.

In compliance with the law, I, Jerred Schreur hereby submit the following report of all fees received by me as Sheriff within and for the County for the month of June 2022: Accident Reports 8.00; Phone cards 131.46; Phone Commission 341.22; Remote Breath Tests 21.00; Remote Breath Act/Deact 0.00; Sheriff's Fees 664.94; Fingerprints 46.95; Juvenile Care 0.00; Dispatch Services 0.00; PBT's 281.00; Pistol Permits 71.00; Prisoners-Out of Co. 12,040.00; UA Fees 240.00; Work Release 0.00; Sales Tax 11.59 for a total of 13,857.16.

**SOIL CONSERVATION:** Josh Wagner with Day County Soil Conservation presented 2021 profit loss statements and balance sheet. Wagner also presented a current activity report along with a budget request of \$10,000 for 2023. Wagner stated they would like to update the current vehicle fleet in 2023. Matt Hubers was also present with NRCS. Hubers reported that CRP is great for the pheasant habitat. Hubers said there were about 175 CRP contracts up for renewal and most were renewing their contract.

**PLANNING/ZONING:** Moved by Sinner, seconded by Tompkins to recess the regular session at 9:20 AM, to convene as Planning, Zoning and Drainage Board. Motion carried. Chairman Linda Walters reconvened the regular session at 9:38 AM.

**PLAT:** Upon recommendation of the Planning & Zoning Board, moved by Sinner, seconded by Walter to approve the following plat: 1) Douglas Block- Block Addition in Gov't Lot 4 & SWNW in 3.123.53. Motion carried.

**PE GRANT APPLICATION:** Moved by Tobin, seconded by Walter to approve Highway Supt. Braaten submit the PE Grant Application for structure 19-060-012. Motion carried.

**BRISTOL BRIDGE:** Highway Supt. Braaten reported that it is still unknown who owns the "Bristol Bridge". Braaten said it is important that someone applies for the Preliminary Engineering Grant. Braaten suggested that the City of Bristol apply for the grant and if it is decided that the county is actually the owner of the bridge, then the County would be responsible for paying for the PE Grant. Moved by Walter, seconded by Tobin to approve paying the PE Grant if it is determined that Day County owns the bridge. Motion carried.

**WEED BOARD:** Moved by Sinner, seconded by Walter to recess and convene as a Weed Board at 9:53 AM. Motion carried. Chairman Walters reconvened the regular meeting at 9:59 AM. Next Weed Board meeting will be Tuesday October 4, 2022 at 9:45 AM.

**FAIR BOARD/4-H WATERLINES:** On the June 9<sup>th</sup> Commissioner meeting the Board voted to approve the 4-H Leaders estimate and project of the waterlines at the fairgrounds. On June 21<sup>st</sup> the Fair Board presented their estimate to Board of Commissioner's. Fair Board and 4-H Leaders were then asked by the Board of County Commissioners at the June 21<sup>st</sup> meeting that the two boards meet and try to compromise a plan together for waterlines at the Day County Fairgrounds and report back. Chris Barse, Harvey Opitz, Shonda Holscher, and Christina Hanson were present on behalf of the Fair Board. Due to commitments, no one was able to attend on behalf of the 4-H Leaders. No quote or plan from the 4-H Leaders has been filed with the Auditor's Office to date as requested from the June 21<sup>st</sup> meeting. Chris Barse, President of the Fair Board said they proposed their water line project to the Leaders at their meeting. The Fair Board proposed going on the outside of the fairground's property and that the 4-

H Leaders donate \$10,000.00, Commissioners contribute \$10,000.00, and the Fair Board pay the remaining \$5,000-\$6,000.00 of the project. No motion was made by the 4-H Leaders to commit any funding at their meeting on July 12. Chairman Linda Walters stated she felt like after leaving the Leader's meeting, the Leaders were possibly waiting for a commitment first from the County before they made a motion to commit dollars towards the project. Moved by Tompkins, seconded by Sinner to approve the proposal of going on the outside of the fairgrounds and committing \$10,000.00 to the water line project. Roll call vote: Tompkins-yes; Sinner-yes; Tobin-yes; Walter-no; Walters-yes. Motion carried. Glenn Gebur questioned what if the 4-H Leaders decide not to contribute towards the project. Chairman Walters responded that we would then have to sit back down and see where to go from there. Walter asked that anytime the Fair Board has a meeting they contact the 4-H Leader's and that any time the 4-H Leader's have a meeting they contact the Fair Board.

**RECESS:** Chairman Linda Walters declared a recess at 10:27AM. Chairman Linda Walters reconvened regular session at 10:35 AM.

**ALADTECH PROGRAM:** EMS Director Madsen requested purchasing an EMS program called Aladtech, which does scheduling, certification tracking, vehicle maintenance tracking, and inventory. The program would cost \$2,995.00 for a one-year subscription. Commissioner Sinner asked if excel could possibly work for the first year as the rev/exp is unknown. Commissioner Walter asked if the price goes up after the first year. Madsen said a new company bought the program and he thinks the price may go up 50%. Madsen said there is a free trial period. No action was taken, but the board recommended that Madsen try the free trial and see if he can lock in a price for multiple years.

**DODGE PICKUP:** EMS Director Madsen asked the 2015 Dodge Pick-up that the Sheriff will be surplus to be moved to his inventory. Madsen said the Pick-up would respond to the call and the ambulance would follow. Madsen said there are some wiring issues with the lights. No action was taken.

**EXECUTIVE SESSION:** Moved by Sinner, seconded by Tobin to enter into Executive Session at 11:07 AM for personnel matters as per SDCL 1-25-2. Motion carried. Chairman Linda Walters reconvened the regular session at 11:28 AM.

**CROWN VIC:** Sheriff Schreur said he repaired the rear axle in the Crown Vic. One Tahoe was down due to hitting a deer and Schreur stated he needed it fixed for a spare vehicle, so he did not have time to shop around and they were able to fix it the next day.

**2022 TAHOE LIGHTS:** Sheriff Schreur reported that Josh Atherton is supposed to be installing the lights on the new Tahoe. Schreur said that if the work does not begin by Friday, he would like to call Aberdeen to get on their list, so they can start utilizing the Tahoe.

**2013 TAHOE:** The 2013 Tahoe needed brakes repaired after hitting a deer. Sheriff Schreur reported that he fixed the brakes at Webster Auto Care.

**SURPLUS DODGE PICKUP:** Sheriff Schreur stated he would like to surplus the 2015 Dodge Pick-up as they no longer need it and the lights do not work. Schreur has no problem giving it to the Ambulance Department. No action was taken.

**DECALS FOR SHERIFF VEHICLES:** Sheriff Schreur has Sheriff vehicles scheduled to get new vehicle decals with Off the Wall Signs in Britton, SD.

**COFFEE MAKER:** Moved by Tompkins, seconded by Tobin to approve the jail to purchase a new industrial coffee maker for \$868.00. Motion carried.

**JAIL TOILETS:** Sheriff Schreur reported that there were 2 broken toilets in the jail. NorthStar Mechanical has checked them out and it was determined that it is a flush valve issue. Parts are on order and will be fixed. Schreur stated that he does have toilet repairs in his budget.

**BRISTOL CITY CONTRACT:** Sheriff Schreur met with Bristol City Council at their July meeting. Discussion was had on enforcing ordinances and codes. Auditor Zimmerman and Sheriff Schreur will determine a dollar figure to charge.

**24/7 TRAINING:** Sheriff Schreur reported that two of his employees attended 24/7 training in Sioux Falls.

**911 COMMUNICATION CENTER:** Discussion was held on phone line issues when needing to dial 911. Chairman Walters expressed her disappointment as this is a crucial service that needs to be fixed immediately. OEM Anderson, Sheriff Schreur, Chairman Walters have all been in contact with the 911 dispatch out of Watertown.

**AUTO-SUPPLEMENT SHERIFF'S BUDGET:** Moved by Sinner, seconded by Walter to approve the automatic budget supplement to the Sheriff's budget (101-4-211-425.7) \$24,004.49 from money received from insurance company to pay Hahler Automotive for the damages that occurred to the Sheriff's Tahoe from April 8, 2022 accident. Motion carried.

**EXECUTIVE SESSION:** Moved by Sinner, seconded by Tompkins to enter into Executive Session at 12:12 PM for personnel and legal matters as per SDCL 1-25-2. Walter opposed. Motion carried. Chairman Linda Walters reconvened the regular session at 12:37 PM.

**PANIC BUTTONS:** Custodian Brian Holland presented a quote for five new panic alarm buttons installed. The quote was from Electro Watchman, Inc for \$1,186.40. Moved by Sinner, seconded by Walter to approve purchasing and installing five new panic buttons. Motion carried.

**VACATE PUBLIC WALKWAY:** Duncan Law Office on behalf of SDSL, LLC notified the Auditor's Office that they would be withdrawing its petition to vacate the Public Walkway in the Hyde Park Addition and would not be attending the meeting.

**2023 BUDGET:** Discussion was held on the 2023 Budget. Auditor Zimmerman recommended adding \$10,000 to the Fair budget and cutting 911 and OEM budgets.

**DISCRETIONARY FORMULA RESOLUTION:** Moved by Walter, seconded by Sinner to adopt discretionary formula #2022-09, and adopt an additional discretionary formula resolution #2022-10. Motion carried.

**Day County Resolution No. 2022-09**  
**Discretionary Formula SDCL §10-6-35.2**

WHEREAS, the County of Day, State of South Dakota has deemed it in the best interest of the County to adopt a resolution implementing a discretionary formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL §10-6-35.2.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL §10-6-35.2:

Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL §10-6-35.2(2));

Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL §10-6-35.2(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL §10-6-35.2(4));

and be it

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the "Pre-Adjustment Value; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 20% of the Pre-Adjustment Value;
- b. For the second tax year following construction, 40% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 60% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 100% of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above-described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent structures by that owner; and be it

FURTHER RESOLVED, that for the purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of property in the year preceding the beginning of construction; and be it

FURTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 19th day of July 2022.

Linda M. Walters, Chairman Day County Commission

Attest: Karli Zimmerman, Auditor

**Day County Resolution No. 2022-10**  
**Discretionary Formula SDCL §10-6-137**

WHEREAS, the County of Day, State of South Dakota has deemed it in the best interest of the County to adopt a resolution implementing a discretionary formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL §10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL §10-6-137 (5), (6), and (7):

Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL §10-6-137 (5);

Any new affordable housing structure containing four or more units with a monthly rental rate of the units at or below the annually calculated rent for the state's sixty percent area median income being used by the South Dakota Housing Development Authority, for a minimum of ten years following the date of first occupancy, if the structure has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(6));

Any new residential structure, or addition to or renovation of an existing structure, located within a redevelopment neighborhood established pursuant to SDCL § 10-6-141 if the new structure, addition, or renovation has a full and true value of five thousand dollars or more. The structure shall be located in an area defined and designated as a redevelopment neighborhood based on conditions provided in SDCL § 11-7-2 or 11-7-3 (SDCL § 10-6-137(7));

and be it

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the "Pre-Adjustment Value; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 25% of the Pre-Adjustment Value;
- b. For the second tax year following construction, 25% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 50% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 50% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 75% of the Pre-Adjustment Value;
- f. For the sixth tax year following construction, 75% of the Pre-Adjustment Value;
- g. For the seventh tax year following construction 100% of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above-described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner,

the Board of County Commissioners is not prohibited from applying the formula for subsequent structures by that owner; and be it

FURTHER RESOLVED, that for the purpose of this Resolution, the assessed valuation during any of the seven years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of property in the year preceding the beginning of construction; and be it

FURTHER RESOLVED, that following the seven-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 19th day of July, 2022.

Linda M. Walters, Chairman Day County Commission

Attest: Karli Zimmerman, Auditor

**KOSCIUSKO TOWNSHIP SPEED LIMIT CHANGE:** Kosciusko Township notified Day County that they have reduced the speed limit on 133<sup>rd</sup> St for one mile between 445<sup>th</sup> Ave and 446<sup>th</sup> Ave from 55 MPH to 35 MPH.

**ADDITIONAL MEETING:** It was decided that no additional meeting was needed in September.

**BROWN COUNTY LAKE DISTRICT MEETING:** Auditor Zimmerman notified the Board that the Lake District Meeting would be held in Brown County and needed a RSVP by 5:00 P.M. on Tuesday the 19<sup>th</sup>.

**DISTRICT 1 APPOINTMENT:** Larry Baumgarn announced that he was running to fill the vacancy for District One Representative for the General Election. The election will be held July 19<sup>th</sup> at 7:00 P.M. at the Hot Spot in Bristol.

**ADJOURNMENT:** Moved by Sinner, seconded by Tompkins to adjourn until 9:00 AM, Tuesday, August 2, 2022 to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

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Linda M. Walters  
Chairman

ATTEST:

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Karli Zimmerman  
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.