

DAY COUNTY COMMISSION
WEBSTER, SOUTH DAKOTA
December 19, 2023

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday December 19, 2023, in the Commissioners Chambers in the Day County Courthouse. Meeting called to order by Chairman Sinner. Members present: Commissioners Kjos, Walter, Marx, and McGregor-Okroi. Others: Auditor Zimmerman, States Attorney Knight, Register of Deeds Berger, Treasurer Zubke, Kevin Winter R&F, Kelsey Kading, Paul Dulitz, Glenn Gebur, and David Dulitz.

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

CORRESPONDENCE: None.

PUBLIC COMMENTS: Citizen Glenn Gebur reported that last week he spoke with someone and they suggested that if Day County does not have an ordinance on pipelines, the time to do it is now. They are looking for new routes and the sooner the County passes an ordinance the better. David Dulitz stated that when Highway Supt. Ben Braaten comes in, the Board respects him and gives him what he deserves. Dulitz is asking that the Board respect Chad Madsen the same way.

OATH: Janet Marx took oath of office for Day County Commissioner District 2.

MINUTES: Moved by Kjos, seconded by Marx to approve the minutes from December 5, 2023, regular commissioner meeting. Motion carried.

PAYROLL: Moved by McGregor-Okroi, seconded by Marx to approve and authorize the chairman to sign the payroll for period ending December 2, 2023. Motion carried.

Auditor's Office 5,438.21, Treasurer's Office 6,233.20; Register of Deeds 4,103.21; State's Attorney 2,832.80; Sheriff's Office 11,014.00; Jailors 10,421.00; Assessor's Office 3,762.00; Commissioners 2,706.92; Home Health 0.00; WIC 0.00; Veteran's Service 2,358.88; Ambulance 4,492.83; Maintenance 1,960.75; Extension 1,246.00; Welfare 445.00; Drainage 335.50; Planning & Zoning 513.50; OEM 712.00; 911 311.50; Weed 730.15; Highway 20,614.68; Social Security 4,907.19; Medicare 1,147.65; Life Insurance 195.82; Dental Insurance 460.46; SD Retirement 4,501.10 for a total of 91,444.35.

CLAIMS: Moved by Kjos, seconded by McGregor-Okroi to approve, and authorize the chairman to sign the following audited claims. Motion carried.

SERVICE: Braaten, Ben 40.00, D-Ware Inc. 4,570.00, Fiksdal Funeral Service 3,550.00, Glacial Lakes Electric LLC 671.95, Glacial Lakes Technology 499.00, Johnson Lumber 129.86, Lexisnexus 179.10, Northstar Mechanical Inc. 315.08, Sanford Health 56.00, Scantron Corporation 348.96, Sioux Valley Cooperative 7,881.75, Xerox Corporation 243.04,

REPAIRS: Butler Machinery 393.52,

SUPPLY: L. G. Everist Inc. 1,327.18, Medtox Laboratories Inc. 38.90, Newman Traffic Signs 99.85, Pies Fire Equip/AKA Minn-Dak 1,992.10, Valley Office Products 177.30, Webster Scale Inc. 108,070.53, Zimmerman, Karli 123.75,

PER DIEM: Walter, James 28.56,

UTILITY: Dependable Sanitation 87.88, James Valley Telecommunications 139.40, Northwestern Energy 623.68, Otter Tail Power Co. 32.80,

INSURANCE: Anderson, Kailey 2,000.00, Halbkat, Matt 970.42, Nelson, Ashley 1,603.10,

MANUAL CHECKS: SD Department of Revenue 138,598.42.

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 December 1, 2023. Total amount of deposits in bank 147,035.78. Total amount of actual cash 1,028.84. Total amount of deposits and drafts in Treasurer's possession not exceeding three days 25,801.38. Itemized list of all items, checks and drafts, which have been in the Treasurer's possession over three days: CD'S 1,200,000.00; IMMA 7,778,307.66; Postage 213.76; Register of Deeds petty cash 200.00; Sheriff 857.00; Credit cards 7,369.48 for a total of 9,160,813.90. Cash Balances: General Fund 4,283,408.01; Highway 3,786,378.67; E911 6,537.62; OEM 19,646.01; Domestic Abuse 384.00; 24/7 Fund 41,008.92;

M & P Fund 63,968.57, Highway Rural Access 147,417.01; 700 Accounts 812,023.09; equals \$9,160,771.90.

In compliance with the law, I, Jodi Berger, hereby report the fees of the Office of Register of Deeds for the month of November 2023. Births (8) 120.00; Deaths (37) 555.00; Marriages (1) 40.00; Transfer fees 489.00; Recordings 3,090.00; Copies 325.70; Sales Tax 0.91 for a total of \$4,620.61.

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 November 2023: Accident Reports 4.00; Phone cards 0.00; Phone Commission 786.96; Remote Breath Tests 62.00; Remote Breath Act/Deact 0.00; Sheriff's Fees 613.07; Fingerprints 18.78; Juvenile Care 2,200.00; Dispatch Services 0.00; Misc. Income 0.00; PBT's 474.00; Pistol Permits 0.00; Prisoners-Out of Co. 7,165.00; UA Fees 340.00; Work Release 1,530.00; Pierpont/Roslyn Contract Hours 1,500.00; Sales Tax 1.22 for a total of 14,695.03.

BURN BAN: OEM Director Anderson spoke on behalf of the area fire chiefs asking the County to change the burn ban ordinance. Currently the ordinance would have a penalty of \$200.00, Director Anderson requested that it be changed to \$1,000.00. States Attorney Knight said the max fine the County could charge would be \$500.00. Paul Dulitz stated he doesn't believe the fine amount should go up. Moved by Kjos, seconded by Walter to approve amending the ordinance which will increase the fine amount. States Attorney Knight will prepare new ordinance for public hearing. Motion carried.

PLANNING/ZONING: Moved by Walter, seconded by McGregor-Okroi to recess the regular session at 9:15 AM, to convene as Planning, Zoning and Drainage Board. Motion carried. Chairman Sinner reconvened the regular session at 10:00 AM.

PLATS: Upon recommendation of the Planning & Zoning Board, moved by McGregor-Okroi, seconded by Walter to approve the following plats: 1) Lots 1-3 Grover-Heyd-Schaunaman 34-124-53; 2) G and L Anderson Addn in NW 24-123-58; 3) Stan & Ardis's Farm Addn in SW 20-120-54; 4) Pesall Sub Div 16-120-56; 5) Gollnick Addn in N ½ SW 33-124-53; 6) Lost Highway Addn in SW 04-122-56. Motion carried.

80% EMPLOYEE: Moved by McGregor-Okroi, seconded by Marx to approve promoting Jack Carlson from part-time employee to 80% employee effective December 17, 2023 at \$18.00/hr. Motion carried.

WATER COOLER: Moved by Walter, seconded by Kjos to allow the Sheriff Office's to purchase water from Tri-State Water. Motion carried.

COMMISSARY: Sheriff Schreur reported that a third party company will be handling Jail Commissary. There will be no charge for the County. It will be a month to month basis. The funds that were previously collected for commissary will be turned into the Auditor to deposit into General Fund.

EXECUTIVE SESSION: Moved by Walter, seconded by McGregor-Okroi into enter into Executive Session at 10:20 AM for personnel matters as per SDCL 1-25-2. Motion carried. Chairman Sinner reconvened the regular session at 10:43 AM.

RECESS: Chairman Sinner declared a recess at 10:44 AM. Chairman Sinner reconvened the regular session at 10:46 AM.

FUEL AND TIRE BIDS: Highway Supt. Braaten reported that Twin Valley Tire and Sioux Valley Coop would honor their bid price from 2023 again in 2024. Moved by Marx, seconded by Walter to approve using the 2023 fuel and tire bids for 2024. Motion carried. Bids will be filed in the Day County Auditor's Office.

APPLICATION FOR BIG REPLACEMENT GRANT: Moved by Walter, seconded by McGregor-Okroi to approve Highway Supt. Braaten to sign Application for BIG Replacement Grant. Motion carried.

APPROVE JOINT POWERS BIG AGREEMENT FOR PRELIMINARY ENGINEERING: Moved by Kjos, seconded by Marx to approve Highway Supt. Braaten to sign Joint Powers BIG Agreement for Preliminary engineering. Motion carried.

RESIGNATION AND HIRE: Moved by Walter, seconded by Kjos to accept with regret letters of resignation from Gary Youell effective December 18, 2023 and Chris Anderson effective December 23, 2023 and to advertise for help. Motion carried.

HWY RE-APPOINTMENT: Moved by Walter, seconded by McGregor-Okroi to re-appoint Ben Braaten as Highway Superintendent for two years (2024-2025) as per SDCL 31-11-1. Motion carried.

2024 OVERTIME: Moved by Marx, seconded by Walter to approve overtime as needed in 2024 for the Highway Department. Motion carried.

PART TIME HIRES: Moved by Walter, seconded by Marx to approve Brian Sinner and Chuck Lesner as part time help at the Highway Dept. for 2024. Motion carried.

TRAVEL REQUEST: Moved by Kjos, seconded by McGregor-Okroi to approve Hwy Supt. Braaten and staff to attend MSHA Meetings. Motion carried.

NEW HIRE: Moved by Walter, seconded by McGregor-Okroi to approve hiring Gavin Sannes as a part time/no benefits Ambulance Driver effective December 17, 2023 at \$14.00/hr. Motion carried.

RADIOS: Ambulance Director Madsen reported that he has about 15 hand held radio's working. He would like another 15 as his staff members have increased. Commissioner Kjos reported that Dacotah Bank would donate 12 radios to the Day County Ambulance.

AMBULANCE UPDATE: Director Madsen reported that 505 calls have been dispatched since December 15, 2022. One ambulance is fixed and working much better. Internet will be installed next month and garbage pickup has started. Commissioner Kjos wanted to clarify the newspaper article that was in the Reporter and Farmer. The article stated that we had thousands of dollars of outstanding bills; it should say accounts receivable revenue is outstanding. Day County has paid all expenditures. Also that the board trusts Director Madsen and they are 100% behind him and appreciate his leadership this first year. Kjos also stated as far as Town Hall meetings go, we have a commissioner meeting every 2 weeks, the public is more than welcome to come or to call commissioners if they have issues. It also said a Town Hall meeting should be had to decide what direction this ambulance needs to go, there is no other way than forward and wishes people would stop questioning what direction the ambulance is going to go. Forward is the only way to go.

CORRECTION TO WAGES FOR 2024: Moved by Walter, seconded by McGregor-Okroi to not include County Commissioners from the December 5, 2023 meeting regarding .50 cents to all employees. Commissioners will be exempt from that pay increase. Motion carried.

INTEREST TRANSFERS: Moved by Marx, seconded by McGregor-Okroi to approve the Auditor's office to make interest transfer for year end. Motion carried.

APPOINTMENT OF AUDITOR: Moved by Kjos, seconded by Marx to approve hiring Kelsey Kading as full time Day County Auditor effective December 27, 2023 at \$58,240.00. Motion carried.

COMMENT: Commissioner Walter asked why Elected Register of Deeds Berger and Treasurer Zubke have been sitting in Commissioner Meetings since July. Walter stated he doesn't feel they are best serving Day County and maybe their offices are over staffed. Treasurer Zubke asked Walter if he was asking them not to attend public meetings. Berger stated he doesn't know if she comes early, stays late or doesn't take lunch on those days to get the work done that is needed. Zubke stated she has people ask questions and she feels she needs to be informed. Zubke asked if Walter had received any complaints that her work was not getting completed or that their service was in any way inadequate. Walter stated he has not received any complaints.

ADJOURNMENT: Moved by Kjos, seconded by McGregor-Okroi to adjourn until 9:00 AM, Thursday, December 28, 2023, to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

Derek Sinner
Chairman

ATTEST:

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.