

**DAY COUNTY COMMISSION**  
**WEBSTER, SOUTH DAKOTA**  
**April 9, 2024**

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday, April 9, 2024, in the Commissioners Chambers in the Day County Courthouse. Meeting called to order by Chairman Sinner. Members present: Commissioners Kjos, McGregor-Okroi, Marx and Walter. Others: Auditor Kading, States Attorney Knight, Treasurer Zubke, Register of Deeds Berger, VOS Jeff Nelson, Equalization Barbra Block, Highway Superintendent Ben Braaten, P&Z Dari Schlotte, Paul Dulitz, Amy Fischer, Marcia Solberg, Jerry Mork, Merrie Atherton, Mike Grosek, Toby Morris, Tom Sannes, Joel Shoemaker, Wyatt Ewing, Glenn Gebur and Amanda Dulitz-R&F.

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

**CORRESPONDENCE:** South Dakota Game, Fish & Parks has been offered through donation 4.84 acres of land as Game Production Area north of Roslyn in Day County. A public comment period is currently in progress as per SDCL 41-4-1.1 informing the public of the proposed acquisition and soliciting input for the SDGFP Commission's consideration at its May 2<sup>nd</sup> and 3<sup>rd</sup> meeting.

**PUBLIC COMMENTS:** Jerry Mork commented on wind towers and thinks they should be blocked as much as possible because they are not feasible, would never survive without subsidies, and for a wind tower to break even, it takes about 15 years. Paul Dulitz concurred with Mork and added that he believes that it doesn't look feasible to him with all the transportation and energy that it takes to build them. Commissioner Kjos read a letter that was sent to him in the mail from a constituent to recognize Rhonda Zubke, regarding her role in the Treasurer's Office. The letter read; Rhonda has assisted them with numerous DMV requests over the years. Regardless of their needs, she is always extremely helpful, pleasant, professional, and always answers their questions whether by phone or in person. Zubke knows her job very well and provides solid information. She is an asset to Day County and the position she holds.

**MINUTES:** Moved by Marx, seconded by Kjos to approve the minutes from March 19, 2024, regular commissioner meeting. Motion carried.

**PAYROLL:** Moved by McGregor-Okroi, seconded by Walter to approve and authorize the chairman to sign the payroll period ending March 23, 2024. Motion carried.

Auditor's Office 5,868.89; Treasurer's Office 6,003.20; Register of Deeds 5,203.20; State's Attorney 2,872.80; Sheriff's Office 10,704.00; Jailors 9,662.00; Assessor's Office 4,001.20; Commissioners 2,706.92; Home Health 680.00; Veteran's Service 1,365.00; Ambulance 4,972.08; Maintenance 1,880.00; Extension 1,274.00; Welfare 435.00; Drainage 331.88; Planning & Zoning 513.88; OEM 910.00; 911 455.00; Weed 742.15; Highway 21,191.31; Social Security 5,042.79; Medicare 1,179.37; SD Retirement 4,633.71 for a total of 92,628.38.

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

**SERVICES:** 3-E Electrical Engineering Equipment 783.36, AT&T-Firstnet 198.71, Austin, Strait, Benson, Thole 966.60, Century Business Products 213.38, Dakota Electronics 90.00, Day County Treasurer 143.99, Delaney, Nielsen & Sannes 7,856.00, Fiksdal Funeral Service 3,550.00, Steve Hargis 174.00, Halsper, McCarty & Rasmussen 374.85, House of Glass Inc. 81.55, IMEG Corp 8,967.14, Green, Roby, Oviatt LLP 4,590.00, Johnson Controls Inc.

327.42, Microfilm Imaging Systems Inc. 65.00, Motorola Solutions Inc. 1,500.00, PCC Ambulance Billing Service 2,313.43, Safe Harbor 145.00, Sanford Health 1,125.97, SD Dept. of Transportation 2,225.57, SD Public Health Laboratory 760.00, Stryker Sales, LLC 26,897.79, Twotrees Technologies 2,132.65, Verizon Connect 173.87,

**SUPPLY:** A-OX Welding Supply 73.20, Ace 2,059.20, Auto Value Webster 559.86, Dollar General 139.75, Elections Systems & Software 67.15, Farm & Home Publishers 1,300.00, First Call Auto Parts 164.55, Intoximeters 244.75, Lexisnexis 98.08, McLeod's 224.85, Mike's Jack & Jill 218.48, Newman Traffic Signs 857.20, Ryan's Candy 58.95, Safe Life Defense 651.60, Securus Technologies 100.75, Sioux Valley Cooperative 14,589.37, Valley Office Products 984.40, Xerox Corporation 166.95,

**REPAIRS:** Dakota Fluid Power, Inc 2,508.58, Dave Hahler Automotive 171.28, Power Plan 804.30, Snaza Implement LLC 188.75, Transource Trucking Equipment 152.53, Twin Valley Tire 2,228.21, Webster Auto Care Inc 408.04,

**INSURANCE:** Amanda Bartelt 2,000.00, Darrel Wik 2,000.00,

**PER DIEM:** Sara McGregor-Okroi 48.96, Jennifer Ringkob 176.10, James Walter 100.98,

**UTILITY:** City of Webster 394.73, Dependable Sanitation 177.75, ITC Telecom 1,398.05, Midcontinent Communications 384.54, Northwestern Energy 4,291.67, RC Technologies 50.00,

**PUBLISHING:** Reporter and Farmer 860.52, Waubay Clipper 1,060.43,

**MANUAL CHECKS:** SD Department of Revenue 161,908.46, Roberts County Treasurer 120.00.

**DEPARTMENT HEADS:** Chairman Sinner called upon each department for their report. Highway Superintendent Braaten said he thinks it's going pretty good this year. The Highway has been out blading and graveling some. P & Z department head Schlotte said they are getting close to advertising for public meetings to make any changes to planning and zoning ordinances. Director of Equalization Block Went out and got new evaluations done and loaded into the system in time to get notices out by February 28, 2024. Adjusted about 1300 parcels of flooded land. Sheriff Schurer said they have received their first call of the year with fishermen fishing on the rocks. They will be steering landowners or groups of people that think there is roadway issues to commissioners and the Commissioners can decide if there should be a no pedestrian on side of road sign. Jeff Nelson with Veterans Service Office talked about the upcoming Veterans (What's Brewing) will be Friday, April 12, 2024. The Annual Banquet will be Nov. 9, 2024. Treasurer Zubke said the taxes are starting to come in, new printer arrived and is working well and in May, will start working on next year's tax sale properties. Register of Deeds Berger rented a large scanner and was able to scan 101 books and moved 148 books and shelving into the basement vault. States Attorney Knight said things are generally going well. Criminal files seem a little bit slow compared to last year. Auditor Kading said her office has been getting adjusted and everything is going good and everyone has been very helpful since we are a new office. Our biggest thing at this time is elections. Ambulance Director said ambulance call are back up, power load is in and being installed.

**AMBULANCE NEW HIRE:** Moved by Walter, seconded by McGregor-Okroi to approve hiring Mikayla Bonnet Anderson as part time registered nurse at \$20.00 per hour with no benefits effective April 9, 2024. Motion carried.

**HIGHWAY:** Moved by Walter, seconded by Marx to approve (2) Right of Occupancy in ROW's. Motion carried.

**MOTOR GRADER:** Moved by Kjos, seconded by McGregor-Okroi to approve renting a motor grader from Marshall County, Motion carried.

**CULVERT BID:** Moved by Walter, seconded by Marx to approve Beadle County bid for culverts, Motion carried.

**EXECUTIVE SESSION:** Moved by Marx, seconded by Walter to enter into Executive Session at 9:38 AM for personnel matters as per SDCL 1-25-2. Motion carried. Chairman Sinner reconvened the regular session at 9:42 AM.

**NEW HIRE:** Moved by Marx, seconded by Walter to approve hiring James Remmers as full time Grader Operater at \$23.23 per hour with benefits, effective April 29, 2024, Motion carried.

**NOISE ORDINANCE:** Hwy Superintendent Braaten and Sheriff Schurer had discussion on noise ordinances and what that includes, no action taken.

**SHERIFF:** Sheriff Schreur gave an update on new door quotes for an interior hallway door and exterior door and/or replacement cost. He also discussed a grant that will cover 100% of the cost for the interior door. Moved by Walter, seconded by Marx to approve purchase of a interior juvenile hall door, including parts, labor and installation from House of Glass for \$3032.00. Motion carried.

**DAY COUNTY 4-H LEADERS:** Merrie Atherton represented the Day County 4-H Leaders Association, the agreed upon list for the bathroom project has been completed and the 4-H Leaders have paid the final invoice, and on behalf of the 4-Leaders they will turn the bathhouse over to the county. Moved by Marx, seconded by Walter to approve accepting the bathhouse. Motion carried.

**COUNTY TAX SALE:** Moved by Kjos, seconded by McGregor-Okroi to recess regular commission meeting at 10:00 AM, April 9, 2024, this being the time and place set to offer the following county property for sale to the highest bidder. Chairman Sinner reconvened the regular meeting at 10:06 AM. Moved by Kjos, seconded by Walter to approve the bid on the following parcel and issue Quit Claim Deed. Motion carried.

Parcel #78.06.0611: Sold to WITTE ENTERPRISES AND RENTALS, LLC for \$5,500.00. Motion carried.

**ABATEMENT:** Auditor Kading presented an abatement for Commission approval.

**ABATEMENT #2024-12** Moved by Marx, seconded by McGregor-Okroi to abate \$1,999.78 on Parcel #78.06.0611 Stuart Schmidt for property sold on tax sale, Motion carried.

**EQUALIZATION:** Moved by Walter, seconded by McGregor-Okroi to recess the regular session at 10:22 AM, to convene as the County Equalization Board. Motion carried. Chairman Sinner reconvened the regular session at 10:46 AM.

**DISCUSSION OF LAND:** The Auditors' office received a letter from Richardson Law Firm regarding an isolated tract owned by Travis and Ashley Zenk. They have a parcel of land that is more than ten acres and access is under water and alleging it is isolated. They have not been able to come to an agreement with Zochert Farm Trust for an easement. The statutory method to gain access to the property is to file an application with the commissioners to have them declare a right of way or determine what the best way to get at the property is. The County has to step in and decide what the right-of-way is going to be, with a minimum of 25ft and no more than 66ft and the most convenient way to get to that property. If it's not agreed upon, they have the right to appeal to the circuit court. Commissioners have set a time to go and look at the location on April 19, 2024, at 9:00AM.

**WESTERN SUNSET ADDITION:** Joel Shoemaker representing the Western Sunset Addition housing development proposed on the west side of Webster discussed and proposed to County Commissioners possible ways to help with the project. The County can designate lots as a developer lot or leave them as ag lots until the time they are sold. Toby Morris with Colliers Securities explained Tax Increment Financing (TIF) is a process that is designed to purely offset the public infrastructure costs for the time that the TIF is structured, it is not to reimburse development fees. A TIF expires no later than 20 years upon creation or when all debt is paid off. The state holds the schools general fund harmless. Kjos clarified, that Western Sunset Addition would like the lots that are not sold, have a tax deflection from the county as staying assessed as ag until sold. Moved by Kjos, seconded by Walter to classify the unsold lots as ag, in the Western Sunset Addition, upon roll call, all Commissioners voted aye, zero opposed. Motion carried.

**EXECUTIVE SESSION:** Moved by Walter, seconded by Kjos to enter into Executive Session at 11:12 AM for personnel matters as per SDCL 1-25-2. Motion carried. Chairman Sinner reconvened the regular session at 11:44 AM.

**ADJOURNMENT:** Moved by Kjos, seconded by Walter to adjourn until 9:00 AM, Tuesday, April 23, 2024, to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

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Derek Sinner,  
Chairman

ATTEST:

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Kelsey Kading,  
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.