

DAY COUNTY COMMISSION
WEBSTER, SOUTH DAKOTA
August 20, 2024

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday, August 20, 2024, in the Commissioners Chambers in the Day County Courthouse. Meeting called to order by Chairman Sinner. Members present: Commissioners McGregor-Okroi, Marx, Walter and Kjos. Others: States Attorney Knight, Auditor Kading, Treasurer Zubke, Register of Deeds Berger, Planning & Zoning Schlotte, Stephanie Williams, Paul Dulitz, David Dulitz, Tom Sannes, Amy Fischer, Roy Aldrich, Gerry Pesall, Mark Schulze, Ann Schulze, Gwen Anderson, Mike Dale, Andy Dale, Gary Fossum, Colin Johnson, Allen Sass, Reuben Parks, Steve Witt, Tim Gappa, Bev Gappa, Glenn Gebur and Brenner Cariveau-R&F.

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

CORRESPONDENCE: A letter was read to Commissioners from Reuben Parks requesting the postponement of the of the final reading of Ordinance #2024-1 and grant a stay of action on the final reading and the final vote on the ½ mile setback. Parks proposed a ¾ mile minimum setback for Day County.

PUBLIC COMMENTS: Tom Sannes, Webster Area School board president, thanked the Commissioners for the time and efforts that go into making decisions on the commission board. Sannes voiced that the decisions Commissioners make on the wind tower setback are long term decisions and need to benefit all taxpayers and that the decision made is a big deal for the school districts for the increase of their funding. Sannes stated that he hoped the Commission would support the ½ mile setback and keep development happening.

MINUTES: Moved by Marx, seconded by McGregor-Okroi to approve the minutes from August 6, 2024, regular commissioner meeting. Motion carried.

PAYROLL: Moved by Kjos, seconded by Marx to approve and authorize the chairman to sign the payroll period ending August 10, 2024. Motion carried.

Auditor's Office 5,445.01; Treasurer's Office 6,003.20; Register of Deeds 5,193.00; State's Attorney 2,872.80; Sheriff's Office 10,802.00; Jailors 9,989.50; Assessor's Office 4,001.21; Commissioners 2,706.92; Home Health 750.20; Veteran's Service 2,526.00; Ambulance 7,912.27; Maintenance 2,808.13; Extension 2,809.63; Welfare 435.00; Drainage 416.25; Planning & Zoning 598.25; OEM 910.00; 911 455.00; Weed 469.15; Highway 23,798.84; Social Security 5,564.47; Medicare 1,301.36; Health Insurance 30,144.81; Dental Insurance 489.42; SD Retirement 4,769.10 for a total of 133,171.52.

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

SERVICES: A&B Business Inc. 157.61, Dacotah Bank 6,983.44, Dave Hahler Automotive 534.06, Day County Leaders Association 121.00, Dependable Sanitation 202.75, Trevor Holscher 11,100.00, Pennington County Jail 119.78, Satellite Tracking of People 100.75, SDACO M&P Fund 184.00, Topkote Inc 91,089.75, Transource Trucking Equipment 525.48, XEROX Corporation 334.45, XEROX Financial Services 165.93.

REPAIRS: Bierschbach Electric 587.76, Butler Machinery 19,227.90, Snaza Implement LLC 56.35, Webster Auto Care Inc 11.82.

SUBSCRIPTION: Hireclick-Keloland 708.00.

SUPPLIES: AGWRX coop 320.00, Althoff Excavation LLC 30,036.00, David Dulitz 57.71, H.F. Jacobs & Son Construction 49,965.90, Johnson Lumber 6.99, L.G. Everist Inc

1,595.66, Medtox Laboratories Inc 77.80, Mike's Jack & Jill 263.29, Newman Traffic Signs 654.58, Northstar Mechanical Inc 183.51, Sanford Health 311.64, Van Diest Supply Company 3,030.20, Kwasniewski Enterprises Inc 125.00.

UTILITY: Ben Braaten 40.00, Otter Tail Power Co 62.32, Northwestern Energy 3,780.36, Sioux Valley Cooperative 26,068.32, ITC 99.13, James Valley Telecommunications 139.40, Verizon Wireless 200.07, Verizon Connect 169.40.

DEDUCTIBLE: Nicole Kwasniewski 2,000.00.

PER DIEM: Diane Anderson 78.60, Barbra Block 300.44, Susan Busk 61.57, Judith Cleveland 175.00, Jim Effling 98.25, Kristie Erickson 32.75, Wayne Fischer 98.25, Mike Frey 58.95, Brenda Johnson 133.95, Megan Knutson 72.05, Rose Kraft 53.71, Brenda Kroksh 255.46, Karen Mikkelson 40.61, Mary Odland 39.30, Julie Prasek 55.02, Rochelle Schmidt 81.22, Kay Solberg 58.95, Julie Symens 58.95.

MANUAL CHECKS: Sioux Valley Coop 1,949.45, Tri State Water 37.40, SD Dept. of Revenue 185,395.43.

REPORTS: The Board noted the following reports:

In compliance with the law, I, Kelsey Kading 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 August 1, 2024. Total amount of deposits in bank \$207,089.97. Total amount of actual cash \$1,032.78. Total amount of deposits and drafts in Treasurer's possession not exceeding three days \$18,168.35. Itemized list of all items, checks and drafts, which have been in the Treasurer's possession over three days: CD'S \$1,850,000.00; IMMA \$7,999,958.77; Postage \$199.42; Register of Deeds petty cash \$200.00; Sheriff \$1,526.00; Credit cards \$1,106.64 for a total of \$10,079,281.93. Cash Balances: General Fund \$4,492,815.10; Highway \$4,828,763.19; E911 \$9,169.10; OEM \$43,089.79; Domestic Abuse \$99.00; 24/7 Fund \$43,226.61; M & P Fund \$58,059.98; Highway Rural Access \$179,411.92; 700 Accounts \$405,560.57; equals \$10,060,195.26.

In compliance with the law, I, Jodi Berger, hereby report the fees of the Office of Register of Deeds for the month of July 2024. Births (17) \$255.00; Deaths (33) \$495.00; Marriages (3) \$120.00; Transfer fees \$3,501.50; Recordings \$2,873.00; Copies \$525.95; Sales Tax \$0.81 for a total of \$7,771.26.

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 July 2024: Accident Reports \$8.00; Phone cards \$122.07; Phone Commission \$598.32; Remote Breath Tests \$54.00; Remote Breath Act/Deact \$0.00; Sheriff's Fees \$927.29; Fingerprints \$0.00; Juvenile Care \$10,000.00; Dispatch Services \$0.00; Misc. Income \$0.00; PBT's \$604.00; Pistol Permits \$0.00; Prisoners-Out of Co. \$8,615.00; UA Fees \$610.00; Work Release \$460.00; State Grant \$0.00; Roslyn Contract Hours \$500.00; Pierpont Contract Hours \$500.00; Waubay Contract Hours \$1,000.00 Sales Tax \$7.93 for a total of \$24,006.61.61.

MALT BEVERAGE/ SD FARM & WINE HEARING: Moved by Walter, seconded by Marx to approve the Retail Malt Beverage & South Dakota Wine application for Back Forty Beef, LLC at 42186 134th St, Pierpont. Motion carried.

BURN BAN-FIRST READING: Moved by Kjos, seconded by McGregor-Okroi to approve 1st reading of ordinance #2024-2, an ordinance amending ordinance #03-01(existing open burning ordinance) and all amendments thereto, in accordance with the provisions of SDCL Chapter 7-8 and amendments thereto and for the repeal of all resolutions and ordinances in conflict therewith. Motion carried.

COOKOUT: September 20th, 2024 after Commission meeting is the set date for Courthouse and Highway Department cookout.

DEPARTMENT HEAD UPDATE: Chairman Sinner called upon department heads to give their quarterly update on their department.

PLANNING & ZONING: Moved by McGregor-Okroi, seconded by Marx 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 9:28 AM.

PLAT: Upon recommendation of the Planning & Zoning Board, moved by McGregor-Okroi, seconded by Walter to approve the following plats: Lots 47A & 48A Highview 19-123-54, Lot 54A Highview 19-123-54, Lots 1 & 2 Lewis-Beals Second Pickerel Lake 15-124-53 & 22-124-53, MarGi Park 2nd Addition 22-123-53, Ash First Addition in W ½ 7-120-57; Motion carried.

NURSE: Community Health Nurse Aadland gave her quarterly report. Aadland also asked for approval for the county to pay for flu shots not covered by insurance for county employees. Moved by Marx, seconded by Kjos to approve the vaccine for county employees. Motion carried.

OEM: Director Bryan Anderson gave an update on receiving a \$15,000.00 grant for the radio project from Farm Credit Services of America and Mandy Bartelt gave an update on an additional 1400ft of fiberoptic line that will be needed for the radio tower replacement project. Moved by Kjos, seconded by Marx to approve the purchase of additional fiberoptic lines for \$9300.00 including installation. Motion carried.

COMPUTER REPLACEMENT: Director Anderson also had a discussion on the replacement of a dispatch computer. Move by Kjos, seconded by McGregor-Okroi to approve the purchase of a dispatch computer. Motion carried.

SHERIFF TRAVEL REQUEST: Moved by McGregor-Okroi, seconded by Marx to approve travel for Mandy Bartelt in September for FBI Nics Training on permits for state and federal pistol and concealed weapons. Motion carried.

HIGHWAY: Superintendent Braaten gave his update on the topcoat chipseal on County Road 18 by Bristol and Lily and been hauling gravel to County Road 10.

EXECUTIVE SESSION: Moved by Marx, seconded by Kjos to enter into Executive Session at 9:30 AM for personnel as per SDCL 1-25-2. Motion carried. Chairman Sinner reconvened the regular session at 10:01 AM.

AMBULANCE: Director Madsen gave an update on the ambulance service with August having 33 calls so far and had discussion on 2010 Ford E 350 (van) body style for transfers with 63,000 miles for \$25,000.00.

NEW HIRE: Moved by McGregor-Okroi, seconded by Walter to approve Liberty Strutz as a part time Ambulance EMT at \$16.00/hr with no benefits, effective August 20, 2024. Motion carried.

ALADTEC: Ambulance Director Madsen asked for approval to purchase ALADTEC (Multi-Use program) to help with reporting and scheduling for an annual fee of \$1,920.00 and a one-time set up fee of \$590.00. Moved by Marx, seconded by Kjos to table the discussion. Motion carried.

ORDINANCE-SECOND READING: Public testimony was heard on an ordinance establishing a ½ mile setback for wind towers for non-participants. Moved by McGregor-Okroi, seconded by Marx to approve the second reading and adopt Ordinance #2024-1. An ordinance amending Day County ordinance #98-10-1, an ordinance establishing zoning regulations for Day

County, SD, and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of chapters 11-2, 1967 SDCL, and amendments thereof, and for the repeal of all resolutions and ordinances in conflict therewith as specified in the Ordinance to become effective 20 days after publication of second notice of adoption. Roll call passed 4-1: McGregor-Okroi-Aye, Marx-Aye, Kjos-Aye, Walter-No, Sinner-Aye. Motion carried.

ORDINANCE #2024-1

AN ORDINANCE AMENDING DAY COUNTY ORDINANCE #98-10-1, AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR DAY COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 11-2, 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH

Notice is hereby given that Ordinance number 2024–1 establishing permanent zoning regulations for Day County South Dakota, with such regulations being set forth in the document, entitled Zoning Regulations; providing for restrictions, district boundaries, and providing for repeal of all ordinances or parts thereof in conflict therewith. Day County is adopting this ordinance in order to protect the public health, safety and general welfare of its residents and the public. This ordinance was duly adopted by the County Commission on the 20th day of August, 2024 and will become effective twenty days from the date of its last publication.

First reading: August 6, 2024
Second reading: August 20, 2024.
First publication date: August 26 and August 31, 2024.
Second publication date: September 2, 2024 and September 7, 2024.
Effective date: Twenty days after publication of second notice of adoption.
Dated this 22nd day of August, 2024

Derek Sinner, Chairman Board of County Commissioners
ATTEST: Kelsey Kading, Auditor

ADJOURNMENT: Moved by Marx, seconded by McGregor-Okroi to adjourn until 9:00 AM, Tuesday, September 3, 2024, to convene in the Commissioners Chambers in the Day County Courthouse. Motion carried.

Derek Sinner,
Chairman

ATTEST:

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.