

**DAY COUNTY COMMISSION**  
**WEBSTER, SOUTH DAKOTA**  
**September 3, 2024**

The Day County Board of Commissioners convened in regular session at 9:00 AM, Tuesday, September 3, 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: Auditor Kading, Treasurer Zubke, Register of Deeds Berger, Supt. Braaten, Monte Rougemont, Paul Dulitz, Jerry Mork, Reuben Parks, Sue Walter and Brenner Cariveau-R&F.

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

**CORRESPONDENCE:** None.

**PUBLIC COMMENTS:** Paul Dulitz thanked the Commission for all the work put in on the hearings of the wind tower setback and trying to please everyone. Reuben Parks read a statement in speaking for the residents of Day County that feel that the wind turbine ½ mile setback is unacceptable. Parks and some other residents of the county have met the requirements of the law with a petition that has adequate signatures and are now prepared to submit it to the due process that is required by law. Jerry Mork added that a vast majority of residents were opposed to the ½ mile setback and preferred a larger setback due to safety, quality of life and peace of mind. States Attorney Knight clarified that if the proposed ordinance is referred to a public vote and the vote is to reject that ordinance, then the existing ordinance of 1,000 feet set back remains in place. Then either, the process starts all over with the Planning Commission reconsidering whether they want to make a recommendation to the Commissioners. The Planning Commission would have a meeting and a public hearing and then the Commission would have a meeting and a public hearing and decide if there would be a first or second reading of an alternate ordinance.

**MINUTES:** Moved by Marx, seconded by McGregor-Okroi to approve the minutes from August 20, 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 August 24, 2024. Motion carried.

Auditor's Office 5,445.00; Treasurer's Office 6,003.20; Register of Deeds 5,344.80; State's Attorney 2,872.80; Sheriff's Office 10,681.00; Jailors 10,573.75; Assessor's Office 4,001.20; Commissioners 2,706.92; Home Health 598.40; Veteran's Service 2,773.25; Ambulance 7,050.55; Maintenance 2,371.00; Extension 1,649.38; Welfare 435.00; Drainage 303.75; Planning & Zoning 485.75; OEM 796.25; 911 364.00; Weed 742.15; Highway 23,205.44; Social Security 5,450.64; Medicare 1,274.78; SD Retirement 4,716.09 for a total of 99,845.10.

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

**SERVICES:** American Income Life Insurance 227.10, Channa Dominguez 95.00, City of Watertown 4,735.67, Delaney Nielsen & Sannes 7,500.00, Johnson Controls Inc 2,310.91, IMEG Corp 17,614.42, Green Roby Oviatt LLP 4,590.00, Jebro Inc 321,794.81, Mcleod's 469.90, SD Dept of Transportation 1,741.28, SD Dept of Public Safety 2,340.00, Twin Valley Tire 8,098.56, TwoTrees Technologies 1,843.85, Vestis 144.26, Workforce QA 21.40.

**REPAIRS:** Ridge Electric Inc 349.49.

**PUBLISHING:** Waubay Clipper 1,841.97.

**SUPPLIES:** Auto Value 454.84, Bituminous Paving Inc 845.04, Century Business Products 105.77, Detco 1,505.76, Equipment Blades Inc 4,480.00, Johnson Lumber 24.99, Mid-American Research 460.84, Valley Office Products 238.52, Sanford Health 977.00, Spectra Associates Inc 1,195.00, Stern Oil Company 3,079.27.

**UTILITY:** AT&T Firstnet 201.64, City of Webster 336.70, Midcontinent 158.47, Northwestern Energy 69.90, RC Technologies 50.00.

**PER DIEM:** Sherry Perrion 102.18, Deb Sundem 58.95.

**MANUAL CHECKS:** Day County Register of Deeds 30.00, SDACC 1,250.00, Julie Utne 2,442.66, Lisa Koller 2,442.67, Paul Utne 2,442.67, Grue Abstract 418.60, John Knight 1,009.75.

**MUSEUM OF WILDLIFE, SCIENCE & INDUSTRY:** Monte Rougemont held discussion on updates of upcoming project costs for a new building addition and the associated costs with the continued upkeep and maintenance of the museum. Rougemont and museum staff are looking into combining the Day County Museum which is currently located in the basement of the Courthouse and moving contents to Museum of Wildlife, Science & Industry after all proper requirements and contacts have been made. Harold & Irene Bloom Foundation donated \$60,000.00 and Harry & Denise Knapp Family Fund matched the \$60,000.00 donation. Rougemont requested that the county contribute \$20,000.00 for the building project for the 2025 budget. Moved by Kjos, seconded by McGregor-Okroi to contribute \$20,000.00 to the Museum of Wildlife, Science & Industry budget. Roll Call vote: McGregor-Okroi-yes; Marx-Abstain; Kjos-yes; Walter-no; Sinner-yes. Motion carried.

**EXECUTIVE SESSION:** Moved by Marx, seconded by Kjos to enter into Executive Session at 9:25 AM for legal & personnel as per SDCL 1-25-2. Motion carried. Chairman Sinner reconvened the regular session at 10:21 AM.

**AMBULANCE RESIGNATIONS:** Moved by McGregor-Okroi, seconded by Walter to accept with regret the resignations of Ashley Nelson, Chuck Bell, Teresa Mikkelsen & Chastity Madsen. Motion carried.

**GIS UPDATE:** Assessor Block & Treasurer Zubke discussed updates on the GIS program that they would like to do to update their programs for the public to be able to utilize the system online as well for \$4,000.00. Moved by Kjos, seconded by Marx to approve the upgrade of the GIS system. Motion carried.

**DEED CORRECTION:** States Attorney Knight recommended doing a corrective quit claim deed on a property where part of the legal description had been inadvertently left off when the County was deeding the property back to the previous owner back in 1994. Moved by Walter, seconded by McGregor-Okroi to record the corrected deed. Motion carried.

**2025 BUDGET:** Auditor Kading held discussion for an increase of \$1118.00 in the Communications Center (911) budget for salary increase and a \$5,000.00 increase for Register of Deeds M&P budget.

Moved by Marx, seconded by Kjos to approve increase in M&P budget from \$10,000.00 to \$15,000.00. Motion carried.

Moved by Walter, seconded by McGregor-Okroi to increase the Communication Center (911) budget to from \$90,700.00 to \$91,818.00 due to \$2.50 wage increase in salary. Motion carried.

Moved by Kjos, seconded by McGregor-Okroi to increase the Museum of Wildlife, Science & Industry budget from \$5,000.00 to \$20,000.00. Motion carried.

The final budget hearing will be September 20<sup>th</sup>, 2024, at 10:00 A.M.

**SHERIFF TRAVEL REQUEST:** Moved by Walter, seconded by Marx to approve travel for 2024 Sheriffs Conference in Watertown for Josh Hoven, Mandy Bartelt, Kailey Anderson and Jack Carlson. Motion carried.

**RADIO COMMUNICATIONS:** Mandy Bartelt gave an update on the Agtegra radio tower. Webster tower equipment is in, and they are getting ready to transport amplifier to Webster location. Bartelt would like by the end of September to get Webster and Andover location complete including internet connection at each site. Bartelt explained the towers all have to be programmed to the Webster tower which can cover Waubay, Webster and Roslyn locations and Andover can cover Andover, Bristol and Pierpont locations until the total project is complete.

**HIGHWAY:** Supt. Braaten held discussion on updating the highway dept. software system to Ultra. Moved by Marx, seconded by McGregor-Okroi. Motion carried.

**EXECUTIVE SESSION:** Moved by Walter, seconded by Kjos to enter into Executive Session at 10:33 AM for personnel as per SDCL 1-25-2. Motion carried. Chairman Sinner reconvened the regular session at 10:41 AM.

**ADVERTISE TO HIRE AND EXTEND EMPLOYMENT:** Moved by Walter, seconded by McGregor-Okroi to extend employment of Supt. Braaten and approve to readvertise for Highway Supt. / Weed Supervisor. Motion carried.

**RECESS:** Chairman Sinner declared a recess at 10:55AM. Chairman Sinner reconvened the regular session at 11:00AM.

**FIVE-YEAR TRANSPORTATION PLAN PUBLIC MEETING:** Appearing from the public was Glenn Gebur, Paul Dulitz, Rhonda Zubke, Jodi Berger and Brenner Cariveau-R&F. Highway Supt. Braaten gave a report on the Five-Year Transportation Plan. Moved by Marx, seconded by Kjos to approve the Five-Year Transportation Plan as presented and approve the Chairman to sign certification. Motion carried.

**COUNTY EMPLOYEE COOKOUT:** County employee cookout has been rescheduled from September 20, 2024, to October 1, 2024.

**2025 HANDBOOK COMMITTEE:** Register of Deed, Berger, asked for volunteers to be on committee & Chairman Sinner & Commissioner Marx obliged.

**WAGE INCREASE:** Auditor Kading reported Nicole Kwasniewski, Deputy Auditor, has met her 6 months of employment and recommends a pay increase. Moved by Walter, seconded by Kjos to approve wage increase from \$21.75/hr to \$22.25/hr, effective 9-8-2024. Motion carried.

**SECOND READING ORDINANCE #2024-02:** Chairman Sinner read the second reading of Burn Ban Ordinance #2024-02. Moved by Walter, seconded by Marx to adopt and approve to publish Burn Ban Ordinance #2024-02. Motion carried.

#### **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 THERET AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH.**

Notice is hereby given that Ordinance number #2024-2 amending ordinance #03-01 for Day County South Dakota, with such regulations being set forth in the document, entitled Penalty and Remedy. 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 3rd day of September 2024 and will become effective twenty days from the date of its last publication.

First reading: August 20, 2024

Second reading: September 3, 2024.

Publication dates: September 9, 2024, and September 14, 2024.

Effective date: Twenty days after publication of notice of adoption.

Dated this 3rd day of September 2024.

Derek Sinner, Chairman Board of County Commissioners

ATTEST: Kelsey Kading, Auditor

**ADJOURNMENT:** Moved by Kjos, seconded by McGregor-Okroi to adjourn until 9:00 AM, Friday, September 20, 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.