

Douglas County Commissioners Meeting Minutes  
July 7, 2020

PURSUANT TO ADJOURNMENT the Board of County Commissioners met at the Douglas County Courthouse in Armour, SD at 9:00 a.m. on Tuesday, July 7, 2020. Members present were Ivan Lau, Steve Lau, Tim Goldammer, Marlin Maas, and Jerod Star. Also present were Auditor Phyllis Barker and Jennifer Kellogg, representing Douglas County Publishing. Chairman Lau called the meeting to order. The Pledge of Allegiance was recited. A motion was made by Goldammer and seconded by Maas to adopt the agenda. All members voted in favor of this action; motion carried.

APPROVAL OF MINUTES

A motion was made by Goldammer and seconded by Maas to approve the minutes from the April 7<sup>th</sup>, 21<sup>st</sup>, May 5<sup>th</sup>, 19<sup>th</sup> and June 4<sup>th</sup> and 16<sup>th</sup> meeting minutes. All members voted in favor of this action; motion carried.

PUBLIC COMMENT

Glennis Stern, former Douglas County resident as well as a former County Commissioner, met with the board to give them some information about the history Garden Valley Drainage Ditch. He questioned why the County was paying for cleaning the ditch when in the past, it used to be levied on the landowners benefiting from the ditch. Stern believes it is within the best interest of all the tax payers for the County to take the initiative and resurrect a ditch district and start taxing the benefiting landowners to cover the cost of maintaining the ditch again.

Stern also discussed the drainage issue previously brought forth by the Delmont Board of Trustees. He would like to see the County clean the silt out of the ditch along the west side of Co. Road 3-4 across from the ball field in Delmont.

Courthouse employees met with the Board to express their concern about procedures surrounding COVID-19 within the courthouse. Discussion was held. A motion was made by Star and seconded by Goldammer to follow the CDC guidelines requiring anyone that has come in close contact with someone that has tested positive for Covid-19 to quarantine for 14 days. All members voted in favor of this action; motion carried.

DRAINAGE

Barker informed the Board that the maximum the Drainage Board can charge for a drainage permit is \$100.00. Therefore, a motion was made by Maas and seconded by Goldammer that in accordance with SDCL 46A-10A-30 the Douglas County Commission hereby amends the drainage permit fee schedule. The new fee shall be \$100 per permit whether work activities are for surface or sub surface work. This motion shall rescind all previous motions or discussions regarding the drainage permit fee schedule. All members voted in favor of this action; motion carried.

The ditch by Mike Vogt's residence was discussed by the Board. After discussing the matter with Vogt and reviewing the ditch the Board agreed that it was a matter of cleaning out an existing water way, therefore no action was necessary. Vogt stated that he intends to level out the ground once it is drier so that it can be mowed.

EMERGENCY MANAGEMENT

Pat Harrington, Emergency Management Director, met with the Board to update them on his department. Harrington informed the board that the ordinance provided by the state for the

National Flood Plain Insurance Program was missing some information. Because of this, the adoption process will need to be redone to bring the ordinance into effect.

#### ORDINANCE #20-01

A motion was made by Goldammer and seconded by Star to conduct the first reading of the revised Ordinance #20-01, An Ordinance Providing for Flood Damage Prevention.

The ordinance in its entirety can be found on the internet at [douglas.sdcounties.org](http://douglas.sdcounties.org), or in the office of the Auditor.

A roll call vote was taken with the following votes recorded: Voting 'aye': Star; I. Lau, Maas, Goldammer and S. Lau. Voting 'nay': none. Absent: none. Motion carried. The second reading is scheduled for July 21, 2020.

Harrington gave an update on the FEMA process with no action needed at this time.

#### AUDITORS OFFICE

Phyllis Barker, Auditor, met with the board to request authorization to attend an election workgroup with fellow auditors to discuss the General Election. A motion was made by Goldammer and seconded by Maas authorizing Barker to attend the Auditor's workgroup on July 23<sup>rd</sup> and 24<sup>th</sup> in Pierre. All member voted in favor of this action; motion carried.

#### OPERATING TRANSFER

Motion was made by Star and seconded by Goldammer to make an operating fund transfer of \$500,000.00 from General Fund Cash Balance to the Road and Bridge Fund Cash Balance as budgeted for 2020. All members voted in favor of this action; motion carried.

A Motion was made by Maas and seconded by I. Lau to introduce the following resolution:

#### RESOLUTION #2020-07

#### A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, Douglas County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, Douglas County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, Douglas County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, Douglas County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for Douglas County most recently approved as of March 27, 2020; and

WHEREAS, Douglas County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the County Commission of Douglas County that the Chairman of the Douglas County Commission may execute any and all documents as required by the State in order to receive CARES Act funds.

It is further RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further RESOLVED that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.

A roll call vote was taken with the following votes recorded: Voting aye: Maas, Goldammer, Star, I. Lau, and S. Lau. Motion carried.

Approved and adopted this 7<sup>th</sup> day of July, 2020.

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Steve Lau, Commission Chairman  
Douglas County, South Dakota

ATTEST: \_\_\_\_\_  
Phyllis Barker, Auditor  
Douglas County, South Dakota

#### HIGHWAY DEPARTMENT

Bob Reinfeld, Highway Superintendent and Callie Nichols, Highway Office Manager, met with the board to update them on the Highway Department. Nichols informed the board that the County was awarded one of the requests for bridge repairs requested at the last meeting. In order for the grant to be accepted the county will need to amend the 5-year plan. Therefore, a motion was made by Maas and seconded by Goldammer to introduce the following resolution:

#### RESOLUTION #2020-08

#### BRIDGE IMPROVEMENT GRANT PROGRAM

#### RESOLUTION AUTHORIZING 5-YEAR COUNTY PLAN AMENDMENTS

WHEREAS, Douglas County wished to amend their previously approved 5-Year County Plan for the Bridge Improvement Grant Program to include the addition of Structure #22-188-160 Located 8.2 Miles West of Delmont at 39280 284<sup>th</sup> St.

NOW THEREFORE BE IT RESOLVED, That the South Dakota Department of Transportation be and hereby is requested to accept the Amended 5 Year County Highway and Bridge Improvement Plan, previously approved on October 15, 2019.

A roll call voted was taken with the following voted recorded: Voting aye: Maas, I. Lau, Goldammer, Star, and S. Lau.

Dated this 7<sup>th</sup> day of July, 2020.

SIGNED: \_\_\_\_\_  
Steve Lau, Chairman

ATTEST: \_\_\_\_\_  
Phyllis Barker, Auditor

Reinfeld discussed gravel crushing. Because no bids were received at the annual bid letting, Reinfeld obtained a quote from Ringling Gravel for fifty thousand tons of crushed gravel at \$3.00/ton. A motion was made by Star and seconded by Maas to approve the proposed gravel quote from Ringling Construction for gravel crushing. All members voted in favor of this action; motion carried.

#### WEED AND PEST

Joe Brenner and Red Sparks as well as members of the Weed and Pest Board met with the Board to discuss the need for a Weed and Pest Supervisor. They would like to see someone hired to a full-time position with benefits available. Discussion was held with no action taken at this time.

The following claims were approved for payment:

#### GENERAL FUND:

Agland Coop 70.94 repairs; Armour Chronicle 479.50 publishing; Armour Lumber 35.00 supplies; Armour City 184.70 utilities; Cole Papers 119.82 supplies; Connecting Point 161.25 prof fees; Corsica Globe 479.50 publication; Darrington Water 69.85 supplies; Delmont Record 479.50 publication; DS Solutions 175.00 supplies; John Engelland 14.50 supplies; Election Systems and Software 2226.39 supplies; Goldenwest 911.20 supplies; Beth Harrington 25.84 election; Pamela Hein 214.15 prof fees; Kone Inc. 712.08 repairs; Jennifer Koster 200.00 cleaning; Barb Kraemer 29.20 election; McLeod's Office Supply 193.49 supplies; Northwestern Energy 1204.45 utilities; Nutrien Ag Solutions 1629.80 supplies; Office Products Center 359.25 supplies; Parkhurst Law Office 1560.36 prof fees/supplies; Randall Community Water Dist. 878.00 utilities; Schrank Construction 956.63 prof fees; Van Bros 230.00 utilities; Vetraspec 449.00 prof fees; Voyager 755.99 fuel. Wilson's True Value 29.63 supplies.

#### ROAD AND BRIDGE FUND:

A-Ox 37.04 rentals; Agland Coop 2910.06 supplies; Armour City 52.00 utilities; C&B Operations 227.16 supplies; Commercial Asphalt 816.85 repairs; Connecting Point 26.25 prof fees; Corsica Hardware 139.98 supplies; Fousek Trucking 482.52 supplies/repairs; Goldenwest 154.98 utilities; Kimball Midwest 621.80 supplies; Northwestern Energy 12.20 utilities; Office Products Center 8.39 supplies; RDO Equipment 4018.85 repairs; SD Dept. of Transportation

5385.46 prof fees; Vogt's Repair 277.12 repairs; Voyager Fleet Systems 300.73 fuel. Wilson's True Value 25.14 supplies.

**E911 FUND:**

Charles Mix Co. 18,573.05 second qtr. E911 services; Goldenwest 436.56 E911 services; Midstate Communications 440.11 E911 services.

**EMERGENCY MANAGEMENT FUND:**

Pat Harrington 171.08 travel and conference; Wilson's True Value 20.14 supplies.

**MODERNIZATION AND PRESERVATION FUND:**

Microfilm Imaging 222.50 equipment rental.

**TIF FUND:**

13,426.78 TIF District payment.

**ADJOURNMENT**

At 11:35 a.m. a motion was made by Goldammer and seconded by Maas to adjourn until July 21, 2020 at 9:00 a.m. All members voted in favor of this action; motion carried.