

Douglas County Commissioner Meeting Minutes
April 20, 2021

PURSUANT TO ADJOURNMENT the Board of County Commissioners met at the Douglas County Courthouse in Armour, SD at 9:00 a.m. on Tuesday, April 20, 2021. Members present were Tim Goldammer, Steve Lau, Marlin Maas, and Nathan E. Ymker. Auditor Phyllis Barker was also present. Chairman Lau called the meeting to order. The Pledge of Allegiance was recited. A motion was made by Maas and seconded by Ymker to adopt the agenda. All members voted in favor of this action; Motion carried. Jerod Star arrived at 9:15 a.m.

APPROVAL OF MINUTES

A motion was made by Star and seconded by Goldammer to approve the March 2nd and 16th meeting minutes. All members voted in favor of this action; motion carried.

HIGHWAY

Bob Reinfeld, Highway Superintendent, and Callie Nichols, Highway Office Manager, met with the Board to update them on the Highway Department. Reinfeld presented an Approach Application and Permit submitted by Karl Fink for the purpose of installing an approach in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Section 18, Lincoln Township, Douglas County, SD. Goldammer moved to approve the application, with all approach work and installation to be done at the expense of the applicant, upon recommendation of the Highway Supt. Maas seconded the motion. All members voted in favor of this action; motion carried.

Approach Application and Permit submitted by Teresa Richardson for the purpose of installing an approach at 401 E Co Road 500 in Delmont, Douglas County, SD was reviewed by the Board. A motion was made by Goldammer to approve the permit, contingent upon the land owner removing an existing approach and installing a new culvert in the other existing approach for a total of two approaches to the property. All approach work and installation to be done at the expense of the applicant. Maas seconded the motion. All members voted in favor of this action; motion carried. Nichols presented "An Agreement to Provide Striping and Continuing Maintenance of County Roads Within Douglas County" from the State. A motion was made by Maas and seconded by Ymker authorizing the Chairman to sign the Striping Agreement for 2021. All members voted in favor of this action; motion carried.

Reinfeld explained that the Weed and Pest pickup has been serviced and is ready for the Weed Supervisor to start using. Because of this, Reinfeld would like to purchase another pickup to replace it in the highway Department. Discussion was held. Nichols will gather quotes to be reviewed at the next meeting. No action was taken at this time.

A motion was made by Goldammer and seconded by Maas to advertise for two new highway employees, seasonal or fulltime, at the Superintendent's discretion. A roll call vote was taken with the following votes recorded: Voting 'aye': Goldammer, Maas, Star. Voting 'nay': Ymker and Lau. Motion carried.

PLAT APPROVAL

A motion was made by Star and seconded by Goldammer authorizing the Chairman to A Plat of Lot 5 of Christian School Subdivision, located on the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, T100N, R66W, if the 5th P.M., town of New Holland, Douglas County, South Dakota. All members voted in favor of this action; motion carried.

CORSICA AMBULANCE

Joy Blom and Shelly Menning, Corsica EMT's, met with the Board to discuss the Corsica Ambulance. They asked that the Commissioners purchase a hotspot through First Net so that they can complete their reports online. Discussion was held with no action necessary at this time.

MARTY OVERWEG- STATE REPRESENTATIVE

Marty Overweg met with the Board to discuss the muskrat problem in the Joubert/ New Holland area. He explained the South Dakota Codified Laws pertaining to muskrat management and would like the County develop a working plan to handle the issue. Overweg also discussed HB1259 and other new bills going into effect July 1 that will benefit the County. No action was necessary. The Commission thanked Overweg for coming to the meeting.

WEED AND PEST

Kim Klein, Extension Director, met with the Board to update them on the Weed and Pest Department. Klein presented quotes for a pickup mounted sprayer to be used in the Weed and Pest pick up. A motion was made by Maas and seconded by Star to accept the lowest estimate from Southside Farm Services for a total of \$5487.00. All members voted in favor of this action; motion carried.

Where to store the Weed and Pest Vehicle was discussed. Addressing weed complaints after hours was also discussed. A motion was made by Ymker and seconded by Goldammer authorizing the Weed Supervisor to take the Weed and Pest Vehicle home. All members voted in favor of this action motion carried.

CONCEAL AND CARRY IN THE COURTHOUSE

Craig Parkhurst, States Attorney, met with the Board to discuss a few topics. Presiding Judge for the First Circuit Court, Judge Cheryl Gehring was also present as well as Deputy Sheriff Palmquist and Deputy Sheriff Johnson. Parkhurst open,ed the discussion about conceal and carry in the courthouse. Deputy Johnson expressed his concern regarding the topic. Palmquist is concerned about courtroom security if it were permitted to carry in the courthouse. Judge Gehring explained her reservations on allowing conceal and carry. Discussion was held with no action taken at this time.

SANCTUARY COUNTY

A motion was made by Ymker and seconded by Star to introduce the following resolution:

RESOLUTION #2021-03

A Resolution Declaring Douglas County A Second Amendment Sanctuary County

WHEREAS, The Constitution of the United States of America is the supreme law of our nation. The Second Amendment of the Constitution states: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." And WHEREAS, the Constitution of the State of South Dakota in Article 6, Section 24 states, "Right to bear arms. The right of the citizens to keep and bear arms in defense of themselves and the State shall not be denied." And

WHEREAS, the rights of the citizens to keep and bear arms for the defense of life, liberty and property is regarded as an inalienable right by the citizens of Douglas County, South Dakota; and WHEREAS, the citizens of Douglas County, South Dakota, procure substantial economic and personal benefit from all the safe forms of firearm recreation, hunting and shooting conducted within Douglas County as allowed under the Constitution of the United States and the State of South

Dakota, and

WHEREAS, it is the desire of the Douglas County Board of County Commissioners to declare it's support of the Second Amendment to the Constitution of the United States of America and of Article 6, Section 24 of the Constitution of the State of South Dakota protecting citizens right to keep and bear arms; and

WHEREAS, the Douglas County Board of County Commissioners fully supports the Ninety-sixth Legislature of the State of South Dakota Concurrent Resolution 607 passed and adopted in the Eighth of March, 2021, which strongly favors and supports the constitutional right of citizens to own and possess firearms. It also firmly opposes any effort by the current administration or Congress to require the registration, confiscation, or mandated sale of firearms. And any other unconstitutional restriction on the individual right to keep and bear arms; and

WHEREAS, each member of the Douglas County Board of Commissioners took an Oath to support and defend the Constitutions of the United States and the State of South Dakota.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Commissioners strongly supports the Second Amendment of the constitution of the United State of America and Article 6, Section 24 of the Constitution of the United States of America and Article 6, Section 24 of the Constitution of the State of South Dakota and that the Board strongly believes that it is the right of the citizens of Douglas County to keep and bear arms for the defense of life, liberty and property; and

FURTHER BE IT RESOLVED, to defend the rights and liberties of the citizens of Douglas County, the Douglas County Board of County Commissioners hereby declares Douglas County, South Dakota a "Second Amendment Sanctuary County"

FURTHER BE IT RESOLVED, that no Officer, or Employee of Douglas County, South Dakota, may assist, or expend or utilize in any way any funds derived from Douglas County taxpayers to assist in federal employees, agents, or officials, in the enforcement of any unconstitutional law, rule, or executive order in violation of the above cited Constitutional provisions.

Dated this 20th day of April, 2021 at Armour, South Dakota.

A roll call vote was taken with the following votes recorded: voting 'aye': Star, Goldammer, Ymker, Maas and Lau. Voting 'nay': none. Motion carried.

SIGNED: _____
Steve Lau, Chairman

ATTEST: _____
Phyllis Barker, Auditor

EXECUTIVE SESSION

A motion was made by Ymker and seconded by Star to enter into executive session at 11:17 a.m. to discuss potential litigation with Parkhurst and Barker present. All members voted in favor of this action; motion carried. Goldammer exited the session at 11:22 a.m. Chairman Lau declared the meeting back to open session with no action taken at 11:25 a.m.

30x30 LAND GRAB

States Attorney Parkhurst explained the Executive Order signed by President Biden known as the 30x30 Land Grab and provided information to the Board. No action was taken at this time.

PARK

Picnic tables for the campground were discussed by the Board. A motion was made by Goldammer and seconded by Maas to purchase four picnic table runners from Werk Weld and lumber from Armour Lumber to be assembled and placed at the campground. All members voted in favor of this action; motion carried.

TREASURERS OFFICE

Julie Brenner, Treasurer, met with the Board to present a quarterly update on her department. No action was necessary.

OTHER BUSINESS:

Motion was made by Goldammer and seconded by Maas authorizing the Chairman to sign the Grant of Access for Construction agreement for the Delmont Sewer Expansion Project. All members voted in favor of this action; motion carried.

FEES REPORT

Clerk of Courts Fees (March): \$5,629.00

Register of Deeds Fees (March): \$3408.50

AUDITORS ACCOUNT WITH THE COUNTY TREASURER: March 2021

Checking Accounts	\$51,286.38
Cash on Hand.....	\$500.00
Petty Cash.....	\$400.00
Un-deposited receipts.....	\$132,721.74
Savings Accounts.....	\$3,140,000.00
-Bankwest- Armour	
Certificate of Deposits	\$400,000.00
Total	\$3,725,085.32

FUND BALANCE

General Fund.....	\$1,871,790.68
Special Revenue Funds	\$898,600.84
Tax Increment District Fund	\$13,141.61
Trust and Agency Funds	\$941,552.19
Total	\$3,725,085.32

CLAIMS:

The following claims were approved for payment:

GENERAL FUND:

Armour Dray 100.00 utilities; Armour Lumber Co. 330.28 repairs; Armour City 145.42 utilities; Brosz Engineering 8492.50 prof fees; Buhl’s Dry Cleaners 184.00 maint; Charles Mix County Sheriff’s Office 2600.00 jail fees; Community Health Services 2148.54 prof fees; Connecting Point 56.25 prof fees; DCMH 150.00 prisoner medical; Dean Shaefer Court Reporting 36.00 prof fees; Deans Autobody 35.00 prof fees; Department of Health 40.00 prof fees; Douglas Electric 2120.92 utilities; First Security Finance 4630.61 debt services; Tim Goldammer 120.96 travel; Goldenwest 841.86 utilities; Graham Tire 520.00 repairs; Kimberly Klein 87.92 travel; Kone Inc 742.50 maint; Krull’s Market 5.54 supplies; Marlin Maas 79.80 travel; McLeod’s Office Supply 150.00 supplies; Microfilm Imaging Systems Inc. 322.50 rentals; Midwest Fire and Safety 214.00 maint;

Northwestern 6.39 utilities; Office Products Center 289.18 supplies; State of South Dakota 59.50 utilities; State of South Dakota 197.30 mental health; Voyager Fleet Systems 1146.36 fuel; Xpress Mart 317.48 travel.

ROAD AND BRIDGE FUND:

Armour City 54.67 utilities; C&B Operations 7011.12 tires; Connecting Point 18.75 prof fees; Douglas Electric 786.92 utilities; Goldenwest 202.16 utilities; Midwest Fire and Safety 458.00 repairs; Nextraq 104.65 prof fees; Northwestern Energy 174.68 utilities; Vogt's Repair 711.28 supplies; Voyager Fleet 334.89 fuel; Werk Weld 216.00 supplies; Wilson's True Value 70.97 supplies;

E911 FUND:

Charles Mix County 19,009.58 E911 System; Goldenwest 436.56 E911 system.

EMERGENCY MANAGEMENT:

Midwest Card and ID Solutions 650.00 prof fees.

MODERNIZATION AND PRESERVATION FUND:

Lake Contracting LLC 7420.00 prof fees.

ADJOURNMENT

A motion was made by Ymker and seconded by Goldammer to adjourn at 12:05 p.m. until the next meeting on May 4, 2021.

SIGNED: _____
Steve Lau, Chairman
Board of County Commissioners

ATTEST: _____
Phyllis Barker, Auditor