

Douglas County Commissioner Meeting Minutes  
May 4, 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, May 4, 2021. Members present were Tim Goldammer, Steve Lau, Marlin Maas, Jerod Star and Nathan E. Ymker. Also present was Auditor Phyllis Barker. Chairman Lau called the meeting to order. The Pledge of Allegiance was recited. A motion was made by Goldammer and seconded by Star to adopt the agenda. All members voted in favor of this action; Motion carried.

#### HIGHWAY DEPARTMENT

Bob Reinfeld, Highway Superintendent, and Callie Nichols, Highway Office Manager, met with the Board to update them on the Highway Department. Nichols explained that she is in the process of working with Planning and Development District III to locate and map all the culverts, bridges, and signs within the County.

Reinfeld presented quotes for pickups. Discussion was held. A motion was made by Maas and seconded by Star to authorize the purchase of 2022 Ford Super Duty F-250 XL Crew Cab from a Sourcewell Bid at a cost of \$40,917.06. All members voted in favor of this action; motion carried.

#### SHERIFF'S DEPARTMENT

Sheriff Coler met with the Board to update them on his department. Coler would like to hire a part-time deputy. A motion was made by Star and seconded by Goldammer to hire Josh Knodel as a Part-Time Deputy at \$18.00 per hour effective immediately. All members voted in favor of this action; motion carried.

Coler presented a quote for new Toughbook laptops for the patrol cars from Hard Drive Central. The Board would like to see a few additional quotes before action is taken.

Austin Luebke, County Resident, met with the Board to express his concern for the lack of communication and follow up from the Sheriff on a recent case that involved Luebke's property. Discussion was held. The Board thanked Luebke for coming.

A motion was made by Goldammer and seconded by Star at 9:48 a.m. to enter into Executive Session to discuss a personnel matter with Parkhurst. Barker and Coler exited the meeting. At 10:13 a.m. Chairman Lau declared the meeting back to open session with no action taken at this time.

#### CONCEAL AND CARRY IN COURTHOUSE

Ken Cotton, Judge Gehring, and Sheriff Coler were present for the continued discussion on allowing the public to conceal and carry in the courthouse. Cotton and Gehring expressed their concerns against the proposed resolution. Further discussion was held resulting in a motion made by Goldammer to drop Resolution #2021-04, A Resolution to Allow Possession of Firearms in the Courthouse or on County Properties in Douglas County. Maas seconded the motion. A roll call vote was taken with the following votes recorded: Voting 'aye': Maas, Goldammer, Star. Voting 'nay': Ymker and Lau. Motion carried.

#### HISTORICAL SOCIETY

Sharon Weise and Bob Goodnow met with the Board to discuss the Historical Society. A member of the Bringelson family would like to build a replica of the original Bringelson Homestead on a lot currently owned by Bob Goodnow. Goodnow agreed that he would allow the homestead to be built on his property and assist in the contracting. The home would then donate the house to the historical society. The historical society is asking that the County take over the land once the build

is complete and then insure the home under the historical society budget. Discussion was held with no action being taken.

#### DRAINAGE

Eric Vanden Hoek, Grandview Township, met with the board to discuss a drainage issue on a township road. Discussion was held with no action taken.

#### 30x30 LAND GRAB

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

#### RESOLUTION #2021-05

#### RESOLUTION OPPOSING THE FEDERAL GOVERNMENT'S "30 X 30" LAND PRESERVATION GOAL

WHEREAS, Douglas County is a legal and political subdivision of the State of South Dakota for which the Board of County Commissioners is authorized to act; and

WHEREAS, Douglas County containing about 277,760 acres of land situated in southeast South Dakota; and

WHEREAS, the federal government owns less than 1.64 percent of the land within the County, and the United States of America is responsible for managing over 4547.95 acres of these federal lands [as illustrated in Exhibit A, attached hereto]; and

WHEREAS, approximately 30,227 acres nearly 10.88 percent of acres of privately owned land in Douglas County are also already protected with perpetual conservation easements [as illustrated in Exhibit B, attached hereto]; and

WHEREAS, designating lands as wilderness does not assure its preservation. Left in an undisturbed or natural state, these lands are highly susceptible to wildland wildfires, insect infestation and disease, all of which degrades the natural and human environment; and

WHEREAS, the well- being, health, safety, welfare, economic condition, and culture of the County, its businesses, and its citizens depend on private land ownership and the use of these resources; and

WHEREAS, many of Douglas County's businesses and its citizens are involved in or otherwise depend on industries that utilize private lands and their resources, including food crop production, livestock grazing, recreational industries, hunting and other outdoor recreation; and

WHEREAS, these industries are important components of the South Dakota economy, and are major contributors to the economic and social wellbeing of Douglas County and its citizens; and

WHEREAS, on January 27, 2021, President Joseph R. Biden, Jr., issued Executive Order 14008 entitled Tackling the Climate Crisis at Home and Aboard (86 Fed. Reg. 7,619); and

WHEREAS, in Section 216 of Executive Order 14008, President Biden directed the Secretary of the Interior, in consultation with the Secretary of Agriculture and other senior officials, to develop a program to conserve at least 30 percent of the lands and waters in the United States by 2030, which is called the "30 x 30" program; and

WHEREAS, under the 30 x 30 program, some 680 million acres of our Nation's lands would be set aside and permanently preserved in its natural state, preventing the productive use of these lands and their resources; and

WHEREAS, there is no constitutional or statutory authority for the President, the Department of the Interior, the Department of Agriculture, or any other federal agency to set aside and permanently preserve 30 percent of all land and water in the United States, and no such authority is referenced in Executive Order 14008; and

WHEREAS, placing private lands into permanent conservation status will cause dramatic and irreversible harm to the economies of many states, including South Dakota, and in particular rural counties such as Douglas County whose citizens depend on private lands for their livelihoods; and

WHEREAS, Executive Order 14008 at 216(a) directs the Secretary of the Interior, in consultation

with other relevant federal agencies to “submit a report to the Task Force within 90 days of the date of this order recommending steps that the United States should take, working with State, local, Tribal, and territorial governments, agricultural and forest landowners, fishermen, and other key stakeholders, to achieve the goal of conserving at least 30 percent of our lands and waters by 2030.” NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Douglas County, South Dakota, as follows:

1. The Board opposes the 30 x 30 program, including its objective of permanently preserving 30 percent of the Nation’s lands in its natural state by 2030, or any similar program that will set aside and prevent the productive use of millions of acres of our lands.
2. The Board further opposes the designation of lands in Douglas County as wilderness, wilderness study areas, wildlife preserves, open space, or other conservation land, thereby restricting public access to such lands and preventing the development and productive use of the resources on or within such lands.
3. The Board supports the continued private ownership of land in the County, recognizing the Nation’s need for domestic sources of minerals, energy, timber, food, and fiber.
4. The Board recognizes and supports the State of South Dakota water rights system, including the doctrine of SDCL 46-1-1- 46-1-16 and other state laws and programs governing water rights and water use, and opposes any federal designation of waters and watercourses within the County that would impair or restrict water diversions and uses authorized under South Dakota law.
5. The Board supports reasonable national, regional, and global greenhouse gas emissions policies and goals that are comprehensive, practical, cost-effective, and do not unnecessarily single out specific industries or activities, but opposes the use of global climate change as an excuse to set aside large tracts of land as preserves or open space to fulfill the 30 x 30 program’s objectives.
6. The Board also maintains that any lands or other rights that are acquired to fulfill the 30 x 30 program’s objectives should be acquired only from willing landowners and for the payment full and fair market value for all rights and interests acquired, and not through regulatory compulsion, and only after analyzing and considering the impacts of such land acquisitions on the well-being, health, safety, welfare, economy, and culture of Douglas County, its businesses, and its citizens.
7. The Board shall send a copy of this Resolution to the Department of Interior and all other relevant Federal and State agencies; and

DATED this 4<sup>th</sup> day of May, 2021.

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  
Douglas County Commissioners

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

#### DIRECTOR OF EQUALIZATION

Jessica Goehring, Director of Equalization, met with the Board to inform them of an error at the state level for the 2021 County Board of Equalization.

A motion was made by Maas and seconded by Goldammer to recess as a Board of County Commissioners and re-convene as a County Board of Equalization. All members voted in favor of this action; motion carried. Goehring informed the Board that the *Factored Taxable Growth* should

be \$3,576,980.00 and the *non-ag factor* should be .983 for a total 2021 Equalized Value of \$604,107,175.

A motion was made by Ymker and seconded by Maas to accept the updated figures as presented by Goehring. All members voted in favor of this action; motion carried.

Chairman Lau declared the Board of Equalization closed for 2021. The Board reconvened as a Board of County Commissioners.

#### PARK

Roxane Wentz, Park Caretaker, met with the Board to give an update. Wentz informed the Board that the water heater for the bath house is rusted out and leaking. A motion was made by Maas and seconded by Star authorizing the purchase of a new hot water heater for the campground. All members voted in favor of this action; motion carried.

Wentz discussed the playground equipment at the campground and the option of moving it to a different location. Discussion was held with no action taken.

#### SURPLUS ITEMS

Motion was made by Star and seconded by Ymker to surplus the following items for resale or disposal. All members voted in favor of this action; motion carried. Chairs (#1568, #1774, #1567, #1573, #1569, #1571, #1570, #1572, #3339, #3277), Snapper Blower (#1601), Drawers (#0425).

#### AUDITOR'S OFFICE

Phyllis Barker, Auditor, presented the 2020 annual report to the Board. Barker also asked for authorization to purchase a new desk for her office from Office Products Center. A motion was made by Ymker and seconded by Maas authorizing the purchase of a new desk for the Auditor's office. All members voted in favor of this action; motion carried.

#### OTHER BUSINESS

Motion was made by Ymker and seconded by Goldammer to approve purchase of a laptop for the Extension office from the Appliance Center in Corsica. 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 6<sup>th</sup>, 13<sup>th</sup> and 20<sup>th</sup> meetings. All members voted in favor of this action; motion carried.

#### CLAIMS

The following claims were approved for payment:

#### GENERAL FUND

April Payroll: Commissioners 3992.43 Auditor 8310.70 Treasurer 8926.54 States Attorney 5457.87 Courthouse Janitor 5129.02 Equalization 6487.69 Register of Deeds 5678.69 Veterans Service Officer 927.08 Sheriff 17,609.97 Coroner 120.54 Ambulance 3766.40 Welfare 158.33 Extension 3099.38 Weed & Pest 1514.42 Planning and Zoning 794.89 Museum 0.00 Park 0.00 Fair board 299.35 Reliance Standard Life Insurance 530.35 Armour Chronicle 220.73 publishing; Armour VFW 50.00 donation; Cole Papers 1145.22 supplies; Connecting Point 90.00 prof fees; Corsica Globe 288.57 publishing; Corsica Hardware 299.76 supplies; Delmont Record 172.57 publishing; AT&T Mobility 160.16 prof fees; H&H Electric 92.82 repairs; Kimberly Klein 18.90 travel; Steve Lau 98.28 travel; McLeod's Office Supply 197.99 supplies; Gene Niehus 308.99 supplies/travel; Northwestern Energy 1961.00 utilities; Office

Products Center 194.26 supplies; SDAE4-H 10.00 conference; SDPA 50.00 dues; Select Service Center 1994.33 repairs; Jerod Star 188.16 travel; Whalen Law Office 1905.40 CAA fees.

ROAD AND BRIDGE FUND

April Payroll: 24,865.14; A-Ox 35.40 rentals; Agland Co-op 803.65 fuel; Armour Chronicle 54.38 publishing; Connecting Point 30.00 prof fees; Fousek Truck Services 273.38 supplies/repairs; Henke Tractor 62.00 supplies; Cameron Hinckley 49.99 clothing allowance; Office Products 191.72 supplies.

E911 FUND

April Payroll: 26.69.

EMERGENCY MANAGEMENT

April Payroll: 1866.77.

ADJOURNMENT

A motion was made by Ymker and seconded by Goldammer to adjourn at 12:16 p.m. until the next the meeting on May 18, 2021 at 9:00 a.m. All members voted in favor of this action; motion carried.

SIGNED: \_\_\_\_\_  
Steve Lau, Chairman  
Board of County Commissioners

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