

Douglas County Commissioner Meeting
March 1, 2022

PURSUANT TO ADJOURNMENT the Board of County Commissioners met at the Douglas County Courthouse in Armour, SD at 9:00 a.m. on Tuesday, March 1, 2022. Members present were Tim Goldammer, Marlin Maas, Lori Sparks, Jerod Star, and Nathan E. Ymker. Auditor Barker and Sheriff Severson were also present. Chairman Goldammer called the meeting to order. The Pledge of Allegiance was recited. A motion was made by Sparks and seconded by Star to adopt the agenda. All members voted in favor of this action; Motion carried.

APPROVAL OF MINUTES

A motion was made by Star and seconded by Sparks to approve the minutes from the February 1st and 15th meetings. 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 provide an update on their department. Also present were Highway Maintenance workers, Steve Harrington, Cameron Hinckley, Jacob Horstman, John Parker and Terry Van Zee.

Red Sparks was present to continue the discussion on load limits and farm to market roads. Goldammer explained that States Attorney Parkhurst stated that he feels the current ordinance is sufficient and that is what he will use to enforce if needed. Discussion was held with no further action taken.

Chairman Goldammer asked the highway crew how working four, 10-hour days benefits the County. Harrington stated that it is beneficial because they can get more work and blading done in a 10-hour day as opposed to an 8-hour day. Discussion was held. It was agreed that the decision will remain up to the Highway superintendent to decided when the department switches to four, 10-hour days.

CULVERT BID

A motion was made by Star and seconded by Maas to purchase culverts off of the 2022 Beadle County bid through True North Steel of Huron. All members voted in favor if this action, motion carried.

AUDITORS OFFICE

Auditor Barker met with the Board to ask for authorization to attend a Tabletop the Vote Exercise in Sioux Falls. A motion was made by Ymker and seconded by Sparks authorizing the Auditor and Emergency Manager to attend the one- day Table Top the Vote Exercise in Sioux Falls on March 11th. All members voted in favor of this action; motion carried.

PUBLIC HEARING

At the advertised time of 10:00 a.m., Chairman Goldammer declared the Public Hearing open. The purpose of this public hearing was to review the Renewal Application for Permission to Maintain and Erect Electrical Lines on and Along the Public Highways of Douglas County, South Dakota as submitted by Northwestern Energy.

RESOLUTION #2022-03

WHEREAS, NorthWestern Corporation, a Delaware corporation, d/b/a NorthWestern Energy (NorthWestern), has filed an application with the Douglas County Board of Commissioners pursuant to Chapter 31-26 of the South Dakota Codified Laws, seeking the right to erect and maintain poles, wires and necessary appurtenances and bury cable for the purpose of conducting electricity for lighting, heating and power purposes (Power Lines) on and along the county highways located in Douglas County, South Dakota.

WHEREAS, the Douglas County Board of Commissioners has the jurisdiction and authority to grant the application of NorthWestern as set forth in paragraph I above, subject to such conditions as it may desire to impose.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Commissioners as follows:

1. That the application of Northwestern dated February 3, 2022, for permission to erect and maintain Power Lines on and along Douglas County public highways is granted subject to the conditions set forth herein.
2. That this grant is for a period twenty (20) years from and after March 1, 2022, or as may be extended by the Douglas County Board of Commissioners in writing at a subsequent date.
3. That as consideration for this grant, NorthWestern agrees to indemnify and hold harmless Douglas County, its officers and employees from any and all liability, damages, claims, demands or otherwise, whether the same is based on contract or otherwise in law or in equity associated with the design, construction, installation, operating, inspecting, repairing, maintaining, replacing or removal of the Power Lines along with all appurtenances thereto located pursuant to this grant, except such liability, damages, claims or demands which arise as a result of the negligence of the county, its officers, employees or agents.
4. That as additional consideration for this grant, NorthWestern agrees to restore, at its expense, the affected areas in as good condition as before said work was commenced and replace any structures affected, i.e. culverts and signs; and if the public highways in the county should be rebuilt or construction and maintenance of the county highways requires the removal or relocation of the Power Lines, it shall be solely at the expense of NorthWestern.
5. That the rights and conditions by this grant shall be binding upon the successors and assigns of NorthWestern.
6. This grant shall further be subject to all rules and regulations as specified in the current edition of the National Electrical Safety Code.
7. That this grant shall not be effective until execution of the acceptance of the conditions set forth below by NorthWestern.

Dated this 1st day of March, 2022.

DOUGLAS COUNTY BOARD OF COMMISSIONERS

By _____
Chairman, Board of County Commissioners

ATTEST: _____

Phyllis Barker, County Auditor

The foregoing resolution was made by Maas and seconded by Sparks and upon a vote being taken thereon:

The following voted aye: Star, Ymker, Maas, Sparks and Goldammer. The following voted nay: none. Motion carried.

SPILLWAY

Eric Prunty, Brosz Engineering, met with the Board to discuss the spillway project. The Board explained that they are concerned about the status of the spillway project. The project deadline was not met, and FEMA declared the project ineligible for funding. No letter requesting an extension to the time frame of the Scope of Work was provided, therefore, both States Attorney Parkhurst and Prunty agreed that the Scope of Work would be null and void at this point. Prunty assured the Board that if they chose to move forward with Brosz Engineering, that Clinton Powell would not be the engineer overseeing the project. Discussion was held. The Board agreed that due to the time lapse since the original inspection, that they would need to get the dam re-assessed to determine what needs to be done to complete the project. No formal action was taken at this time.

EXECUTIVE SESSION

At 10:36 a.m. a motion was made by Maas and seconded by Sparks to discuss a personnel matter with Parkhurst. Severson and Barker exited the meeting. All members voted in favor of this action; motion carried. At 10:52 a.m. Chairman Goldammer declared the meeting back to open session with no action taken.

SHERRIFF'S OFFICE

Jim Severson, Sherriff, introduced Jesse McHargue, the County's new part-time Deputy Sheriff to the Board. Discussion was held.

At 11:08 a.m., a motion was made by Star and seconded by Maas to enter into executive session with Severson and Barker present to discuss a personnel matter. All members voted in favor of this action; motion carried. At 11:29 a.m. Chairman Goldammer declared the meeting back to open session with the following action taken:

A motion was made by Star and seconded by Ymker to hire Jesse McHargue as a full-time Deputy at an annual salary of \$40,000, with a review after the completion of a six-month probation and a signed contract prior to attending the Law Enforcement Academy in August of 2022. All members voted in favor of this action; motion carried. This action will be effective immediately.

EXTENSION/ FAIR BOARD

Kim Klein, 4-H/ Extension Director, met with the Board to update them on her departments. Dwayne Werkmeister, Fair Board member and Custodian John Engelland were also present. The Fair Board would like to replace the heating and cooling system in the 4-H Building. Quotes were presented. It was decided that the entire building should be done at once. The cost would come out of the 2022 budget with the understanding that the repair budget would be cut in forthcoming years to recoup the cost. Klein was asked to get updated quotes before moving forward. No action was taken at this time.

Auditor Barker had to exit the meeting at 11:50 a.m. Deputy Auditor, Crystal Bruinsma, entered the meeting to relieve the Auditor of her duties.

Kim Klein informed the Board of a SDAE 4-HP Network Day in Mitchell on March 24th. There is also a 4-H Online Fair Entry Training on April 4th that Klein would like to attend. A motion was made by Sparks and seconded by Maas approving Klein to attend the above-mentioned workshops. All members voted in favor of this action; motion carried.

WEED AND PEST

Klein informed the Commission that Wayne Lefers has resigned from the Weed and Pest Board after serving for nearly 14 years. The Board thanked Lefers for his service to the County. A motion was made by Maas and seconded by Ymker to accept the resignation from Lefers and to appoint Mitch DeLange to fill the vacant spot on the Weed and Pest Board. All members voted in favor of this action; motion carried.

EXECUTIVE SESSION

A motion was made by Sparks and seconded by Star to enter into executive session at 12:06 p.m. to discuss personnel. All members voted in favor of this action; motion carried. Bruinsma exited the meeting. At 12:28 p.m. Chairman Goldammer declared the meeting back to open session with no action taken at this time.

Commissioner Maas exited the meeting at 12:31 p.m.

OTHER BUSINESS

The H&H Study discussion was tabled until the next meeting.

A motion was made by Sparks and seconded by Star to surplus FA#3349 (mop) for disposal. All members voted in favor of this action; motion carried.

CLAIMS

The following claims were approved for payment:

GENERAL FUND

605 Building and Supply 74.50 supplies; Armour Chronicle 941.98 publishing; Phyllis Barker 178.00 travel; Joy Blom 100.00 cont. ed; Brosz Engineering 2330.00 prof fees; Corsica Globe 989.98 publishing; Crossroads Hotel & Event Center 367.96 travel; Dean's Auto Body 69.20 repairs; Delmont Record 941.98 publishing; John Engelland 277.15 supply reimb.; AT&T Mobility 200.02 utilities; Goldenwest 667.20 utilities; Jeff Grosz 104.00 travel; Lincoln Co. Auditor 581.41 prof fees; Jesse McHargue 150.00 cont. ed; Nextraq 14.95 prof fees; Northwestern Energy 3280.51 utilities; Office Products Center 112.05 supplies; Ramkota Hotel 108.00 travel; Leah Rus 24.00 conference; SDACC 427.00 catastrophic care; State of SD 42.50 utilities; SD Dept of Public Safety 2340.00 sheriff's radio; TEAM Laboratory 1546.82 supplies; Devin Veurink 200.00 repairs; Wilson's True Value 43.91 supplies.

ROAD AND BRIDGE FUND

Armour Chronicle 40.00 publication; Commercial Asphalt 3763.50 road repairs; Equipment Blades 9,392.00 equipment; AT&T Mobility 40.04 utilities; Goldenwest 191.30 utilities; Steve Harrington 76.99 clothing allowance; Johnson Restoration 73.47 repairs; Nextraq 89.70 prof fees; Office Products Center 43.98 supplies; SD Dept. of Transportation 813.87 repairs; SD Federal Property 33,641.00 equipment; True North Steel 153.00 repairs; USPS 333.60 supplies; Wilson's True Value 48.54 supplies.

E911 FUND

Goldenwest 436.56 E911 System.

ADJOURNMENT

At 12:38 p.m. a motion was made by Ymker and seconded by Sparks to adjourn until the next meeting on March 15, 2022 at 9:00 a.m. All members voted in favor of this action; motion carried.

SIGNED: _____
Tim Goldammer, Chairman
Board of County Commissioners

ATTEST: _____
Phyllis Barker, Auditor