

Douglas County Commissioner Meeting Minutes 9:0
September 10, 2024

PURSUANT TO ADJOURNMENT The Board of County Commissioners met at the Douglas County Courthouse in Armour, SD at 9:00 a.m. on Tuesday September 10, 2024. Members present were Dan Koedam, Marlin Maas, Lori Sparks, Jerod Star and Jim Werkmeister. Auditor Phyllis Barker was also present. The Pledge of Allegiance was recited. A motion was made by Star and seconded by Werkmeister to adopt the agenda. All members voted in favor of this action; motion carried.

APPROVAL OF MINUTES

A motion was made by Werkmeister and seconded by Star to approve the minutes from the August 6th and 20th meetings. All members voted in favor of this action; motion carried.

EXECUTIVE SESSION

A motion by Koedam and seconded by Werkmeister to enter executive session at 9:01 a.m. to discuss potential litigation. All members voted in favor of this action; motion carried. At 9:14 a.m. Chairperson Sparks declared the meeting back to open session with no action taken at this time.

DRAINAGE

A motion was made by Maas and seconded by Werkmeister to recess as the Board of County Commissioners and convene as the Douglas County Drainage Board. All members voted in favor of this action; motion carried. Bryce Gillen of Gridline Tile, Zita Bialas, Jordan Reimnitz, Stacy Bialas, Myles Bialas, Craig Bialas, Scott Hanson of East River Land Improvement, and Kennedy Tesch of Ag Week were present for the discussion.

Gillen presented two amended permits. The first for Jon Reichert for the tile previously installed in the NE4 of the SW4, Section 36, T100N, R62W. The second for Zita Bialas included tile previously installed as well as an additional 160 acres to be tiled with the following legal description encompassing the entire project: E2 and the S2 of the SW4, Section 36, T100N, R62W and the NW4 and the N2 of the NE4, Section 1, T99N, R62W. A new permit for Dusty Roads LLC (Gail Sperlich) was also added for the NW4 of the SW4, Section 36, T100N, R62W. All permits were accompanied by the requested maps and drainage activity waivers, signed by Craig Bialas. All above mentioned projects will flow into one 18" solid mainline that will cross the County line and outlet on Craig Bialas' land in Hutchinson County. Discussion was held.

A motion was made by Star and seconded by Werkmeister to approve the drainage permits submitted by Dusty Roads LLC (Gail Sperlich), Jonathen Reichert and Zita Bialas, contingent upon Hutchinson County Drainage Board approval. All members voted in favor of this action; motion carried.

Fines for the work done prior to obtaining permits were discussed at length.

Chairperson Sparks turned the meeting over to Vice Chair Maas.

Sparks made a motion to set a fine of \$250.00 per acre as stated on the permits for both Reichert and Bialas. Motion died for lack of second.

Vice-Chair Maas returned control of the meeting back to Chairperson Sparks.

A motion was made by Star to fine both Reichert and Bialas each \$8,000.00 per permit. Discussion was held. Motion died for lack of second.

A motion was made by Koedam to set a fine at \$125.00 per acre, per 40- acre permit for both Reichert and Bialas. Maas seconded the motion. Roll call vote was recorded as follows:

Werkmeister- Aye; Maas- Aye; Star- Nay; Koedam- Aye; Sparks- Nay. Motion carried.

A motion was made by Star and seconded by Koedam to adjourn as the Douglas County Drainage Board and reconvene as the Board of County Commissioners. All members voted in favor of this action; motion carried.

FORMAL BUDGET SUPPLEMENT

A Motion was made by Koedam and seconded by Maas to introduce the following resolution:

**RESOLUTION #2024-08
FOR SUPPLEMENTAL BUDGET**

WHEREAS it is necessary to supplement the 2024 Annual Budget in order to carry on the indispensable functions of Douglas County; and
WHEREAS, the adoption of the proposed Supplemental Budgets were duly considered by the Douglas County Commission on the 10th day of September, 2024, at 9:30 a.m. in the Commissioners Chambers, pursuant to due notice;
now, therefore, be it RESOLVED by the Douglas County Commission that the following Supplemental Budget be, and the same is, hereby approved for the purpose of providing budget to conduct the indispensable functions of Government, to-wit:

General Fund:

Net Means of Finance:

Unassigned Fund Balance: \$25,000.00

Appropriations:

Transfer Out: \$25,000.00

E911 Fund:

Net Means of Finance:

Transfer In: \$10,000.00

Appropriations:

E911 Expenditures: \$10,000.00

Highway Rural Access Fund:

Net Means of Finance:

Unassigned Fund Balance: \$30,000.00

Appropriations:

Highway Rural Access Expenses: \$30,000.00

All members voted in favor of this action; motion carried.

SIGNED: _____
Chairperson

ATTEST: _____
County Auditor

OPERATING TRANSFER:

A motion was made by Werkmeister and seconded by Star to make an operating funds transfer of \$250,000 from the General Fund Cash Balance to the Highway Cash Balance and \$25,000 from General Fund Cash Balance to the E911 Fund Cash Balance as budgeted for 2024. All members voted in favor of this action; motion carried.

2025 PROVISIONAL BUDGET

As advertised, the Commissioners reviewed the 2025 Provisional Budget. No one from the public was present. A motion was made by Maas and seconded by Koedam to approve the 2025 Provisional Budget as published. All present voted in favor of this action; motion carried. Any necessary changes will be made before adoption of the Annual Budget at the September 24th meeting.

HIGHWAY DEPARTMENT

Callie Nichols, Interim Highway- Superintendent, met with the Board to update them on her department. Nichols presented six permits submitted by Randall Community Water District for the Board's review. A motion was made by Koedam and seconded by Star to approve the Applications for Occupancy of the Right-of-Way of County Highways submitted by Randall Community Water District (RCWD) to install water lines in the following areas:

270th St. located between sections 15 and 22, T100N, R65W; 383rd Avenue located between sections 21 and 22, T100N, R65W; 273rd Street between section 34, T65N, R100W and section 3, T65N, R99W; 383rd Avenue located between section 33 and 34, T65N, R100W; 273rd Street located in section 35, T65N, R100W; and 273rd Street located between section 35, T65N, R100W and section 2, T65N, R99W. This approval is contingent upon RCWD boring under the county roads and not trenching. All present voted in favor of this action; motion carried.

Glennis Stern, Joel Baier, Irvine Bietz and Mike Fechner met with the Board to discuss ditch cleanout around the Delmont area. Nichols will discuss with Vander Pol and then get in contact with Stern before moving forward.

Nichols informed the Board that the County was approved for the Bridge Improvement Grant to cover preliminary engineering on Structure Number 22-213-030. This agreement states that the State would pay 80% and the County would be responsible for 20% of the cost.

A motion was made by Maas and seconded by Werkmeister to approve the Joint Powers Bridge Improvement Grant Agreement for Preliminary Engineering between Douglas County and the SD DOT for structure number 22-213-030. All members voted in favor of this action; motion carried. Nichols brought a quote from Barga Incorporated for Maxwell Gap Level Mastic and Fill for widened crack repair on 270th Street between 396th Avenue and 399th Avenue for a total of \$86,495.00. A motion was made by Maas and seconded by Star to approve the quote for the work to be done this year. All members voted in favor of this action; motion carried.

Chairperson Sparks exited the meeting. Vice-Chair Maas took over the meeting.

A motion was made by Star and seconded by Werkmeister authorizing Callie Nichols to attend the Local Roads Conference October 21st-23rd in Sioux Falls. All present voted in favor of this action; motion carried.

DIRECTOR OF EQUALIZATION

Jessica Goehring, Director of Equalization, met with the Board to update them on her department. Goehring would like to increase the data request fees. Discussion was held. A motion was made by Star and seconded by Koedam to increase the data request fee for PDF files of assessment rolls and tax lists to \$1.00 + tax per parcel. All members voted in favor of this action; motion carried.

CORONER

Dustin Palmquist, Chief Deputy/Coroner, met with the Board to discuss the coroner position. Palmquist informed the Board that currently there is no Deputy Coroner appointed. A motion was

made by Koedam and seconded by Werkmeister to appoint the Sheriff and all Sheriff's Deputies as Deputy Coroners. All present voted in favor of this action; motion carried.

EXECUTIVE SESSION

Motion was made by Star and seconded by Werkmeister to enter executive session at 11:49 a.m. to discuss a personnel matter. All members voted in favor of this action; motion carried. Vice-Chair Maas declared the meeting back to open session at 12:05 p.m. with no action taken at this time.

SHERIFF'S OFFICE

Chris Lau, Sheriff, met with the Board to discuss her department.

EXECUTIVE SESSION

Motion was made by Koedam and seconded by Werkmeister to enter executive session to discuss a personnel matter at 12:11 p.m. All members voted in favor of this action; motion carried. Vice-Chair Maas declared the meeting back to open session at 12:28 p.m. with the following action taken:

A motion was made by Koedam and seconded by Werkmeister to accept the resignation of Dustin Palmquist as Chief Deputy effective September 23, 2024, and to authorize the Sheriff to advertise for a full-time deputy. All present voted in favor of this action; motion carried.

A motion was made by Werkmeister and seconded by Star to hire Dustin Palmquist as a part-time deputy at a rate of \$25.00 per hour effective September 24, 2024. All members voted in favor of this action; motion carried.

AMBULANCE UPDATE

Commissioner Werkmeister provided an update on the DCMH Board meeting that he and Commissioner Koedam attended on August 28th. Within the DCMH Board meeting, Commissioner Werkmeister reviewed the county's proposal of splitting the ambulance's net income based off the percentage of the ambulance's expenses between the county and hospital. Werkmeister also explained how the proposed income returned to the county would be put into a restricted account to fund future ambulances. The DCMH Board stated they have no intentions of sharing any income generated from the ambulance with the county. The DCMH board stated they would give \$10,000 annually to each of the Armour and Corsica Ambulance Associations. Discussion was held on how to proceed with no action taken at this time.

PLAT APPROVAL

A motion was made by Star and seconded by Koedam authorizing the Chairperson to sign the Plat of Lots 1 and 2, G.H. Noteboom's Second Addition in the NW ¼ of Section 8, T99N, R63W of the 5th P.M., Douglas County, South Dakota. All members voted in favor of this action; motion carried.

CLAIMS

The following claims were approved for payment:

GENERAL FUND

August Payroll: Commissioners 6211.99 Auditor 9906.25 Treasurer 10,974.00 States Attorney 6,461.66 Courthouse Janitor 6,615.64 Equalization 10,453.63 Register of Deeds 8,309.29 Veterans Service Officer 1106.50 Sheriff 30,427.98 Coroner 125.77 Welfare 154.27 Ambulance 2,180.00 Extension 3812.78 Weed & Pest 1810.69 Fair board 335.20 Drainage 359.93 Planning and Zoning 448.56 Park 1187.94 Reliance Standard Life Insurance 590.26 Agland Co Op 30.00 repairs; Armour Chronicle 1850.80 publishing; Armour City 175.00 utilities; Buhl's Dry Cleaners 153.50 supplies; Cardmember Services 300.90 supplies; Charles Mix County

Sheriff's Office 1333.00 jail fees; Cole Papers Inc 792.39 supplies; Corsica Globe 1850.80 publishing; Darrington Water 32.00 supplies; Davison Co. Sheriff's Office 1050.00 jail fees; SD Dept. of Health 190.00 prof fees; Douglas Electric Co Op 832.54 utilities; John Engelland 44.98 supplies; AT&T Mobility 430.95 utilities; Keith Goehring 2206.51 prof fees; Goldenwest 537.40 utilities; H&H Electric 460.47 repairs; Krull's Market 16.34 supplies; Legacy Building & Supply 458.88 supplies; McLeod's Office Supply 274.56 supplies; Microfilm Imaging Systems 820.00 rental fees; Midstate Fire Safety 463.00 maint; Melissa Odens 1657.70 transcript fees; Office Products Center 279.93 supplies; Randall Community Water Dist. 115.20 utilities; SD Dept. of Public Safety 2340.00 teletype services; TEAM Laboratories 295.10 supplies; Two-Trees Technologies 301.70 prof fees; Tyler Technologies 450.00 prof fees; Van Brothers Inc. 295.00 utilities; Vogt's Repair 2888.16 repairs; U.S Bank Voyager 1588.41 fuel; Wilson's True Value 101.02 supplies.

ROAD AND BRIDGE FUND

August Payroll: 31,775.63; Agland Co Op 6665.30 fuel/def fluid; C&B Operations 310.68 repairs; Cardmember Services 84.96 utilities; Corsica Hardware 21.99 supplies; Douglas Electric Co Op 58.42 utilities; AT&T Mobility 80.08 utilities; Fousek Truck Service 191.80 supplies; Goldenwest 119.15 utilities; Northwestern Energy 16.97 utilities; Two-Trees Technologies 51.63 prof fees; Vogt's Repair 68.95 repairs; U.S Bank Voyager 440.96 fuel.

E911 FUND

August Payroll: 26.46; Goldenwest 200.00 prof fees; Midstate Communications 440.11 prof fees; Santel Communications 30.00 prof fees.

EMERGENCY MANAGEMENT FUND

August Payroll: 2298.81; Two-Trees Technologies 22.72 prof fees.

MODERNIZATION AND PRESERVATION FUND

Microfilm Imaging 222.50 rental fees.

ADJOURNMENT

At 12:56 p.m., a motion was made by Koedam, seconded by Koedam to adjourn until 9:00 a.m. on Tuesday, September 24, 2024. All members voted in favor of this action; motion carried.

SIGNED: _____
Lori Sparks, Chairperson
Board of County Commissioners

ATTEST: _____
Phyllis Barker, Auditor