

December 3, 2019
HAND COUNTY BOARD OF COMMISSIONS
COURTHOUSE COMMISSION CHAMBERS
MILLER, SOUTH DAKOTA

The Hand County Board of Commissioners convened at 1 PM on Tuesday December 3, 2019. Commissioners present included Commissioners Greg Palmer, Gib Rodgers and Luke Wernsmann. Vice Chairman Jim Jones presided over the meeting as Chairman Wangness had an excused absence.

The Pledge of Allegiance was said aloud.

Vice Chairman Jones reviewed the consent calendar and asked for a motion to approve it. It was moved by Palmer, seconded by Rodgers with all present voting in favor thereof to approve.

The consent calendar included the approval of the November 5, 2019 minutes, approval of the claims and warrants for payment, acknowledgement of the Register of Deeds statement of fees for October 2019.

Miller School District Superintendent Dan Trefz addressed the board and explained that the district was hosting a staff development program on January 3 and was inviting the board to participate. The program is a "poverty simulation" and deals with how different community resources can respond to those in need. Vice Chairman Jones and Auditor DeBoer agreed to participate.

Mr. Trefz also addressed the pending plat that needs approval for the property east of the football field and north of the elementary playground. The commissioners familiarized themselves with the plan but declined to take action until after the plat is reviewed by other interested parties.

Kecia Beranek, Director from On Hand Economic Development offered a detailed report of the corporation's activities and goals. Beranek identified four primary goals of the organization: to address internal operations, workforce / community development, business retention and promotion.

Beranek explained that part of her mission is to build relationships with businesses, organizations and boards throughout the county and part of that is meeting regularly with the county commission. The commission supported that effort.

Doug DeBoer, auditor, addressed the board on a variety of issues. The first was a summary of the board's motions on the payment of county burials and coroner costs. The record indicates that the board has paid the same fees for all of the past 15 years. The board discussed this topic because three funeral providers had contacted the county asking about this history. It was also noted that Reck Funeral Home is on the agenda for January 3, 2020 on this topic. The board took no action but agreed the issue needs attention.

The second topic presented was whether the 24th and 31st of December would be treated as holidays. It was moved by Rodgers, seconded by Palmer to grant the afternoons of December 24 and December 31 as holidays [4 hours each]. All present voted in favor thereof.

DeBoer provided the commission with a summary of the property and auto insurance for the county. The cost of the coverage is \$61,752 but covers all possible aspects of the county's business. DeBoer explained how the cost is spread across the various offices / operations of the county. DeBoer explained that vehicles account for the large differences in the various offices, the highway department having the most vehicles and thus the highest premium.

DeBoer requested the board declare the following election equipment [voting and tabulating machines] as surplus, to be returned to the Secretary of State: Two ES&S, M100 Tabulator: SN: 218722 and SN: 215186, eleven A100 Automark Voting Machines: SN: AM0105500924, AM0105500456, AM0105500962, AM0105500938, AM0105500913, AM0105500977, AM0105500428, AM0105500949, AM0105500958, AM0105500976, AM0105500816. It was moved by

Wernsmann, seconded by Rodgers to surplus the equipment, all present voted in favor thereof.

DeBoer also requested travel permission for he and Treasurer Sheri Koeck to attend the Connecting Point / Ultra software training in Watertown on December 5. Originally, DeBoer thought they would need lodging but they have decided to drive instead. Later in the meeting, Highway Supt Jeff Hargens asked if he and office manager Chris Schaefer could also attend. The commission agreed that all four may attend.

DeBoer reported that the interview committee interviewed six candidates for the 4-H Directorship. The committee narrowed the candidates down to two finalists. Those two had their materials submitted to SDSU [who administers 4-H in South Dakota] to ensure they meet their criteria, which they did. DeBoer requested permission to extend an offer to the first candidate and if she declines, to the alternate. It was moved by Palmer, seconded by Wernsmann to grant authority to make an employment offer to the candidate [or alternate if declined]. All present voted in favor thereof.

DeBoer extended an invitation to the commissioners to attend the Oahe District meeting in Pierre on the 12th. A handout was provided.

Will Page, custodian, reported to the commission on the various projects in and around the courthouse. Page explained that the roof had not yet been inspected. Will said he spoke to the roofer and they understand that final payment will not be sent until after the inspection.

Page concluded by explaining that the rotunda repairs probably wouldn't occur until 2021 but it would take that long to organize the project and secure funding.

Page also discussed how his budget is expended and would need supplemented prior to year-end. The commissioners agreed that the budget is over due to the roof project and the deficit was expected.

Page also reported that one of the two boilers has some corrosion that will require either repairs or replacement. The boilers were purchased in 2001 and 2005. The older boiler has the issue and the estimated repairs are \$16,000. The replacement option is \$70,000. Page favored the repair and believed that once done, the boilers may serve another 15 or 20 years. The commissioners agreed that the issue must be addressed before there is a failure.

The final disposition of the original entry doors was brought up again. The commissioners reaffirmed their intentions to sell the doors and accept payment from the buyer.

Jeff Hargens, Highway Superintendent, reported that the FEMA submissions are nearly done and the representative may be in the county this week for review.

Hargens asked the commission to permit him to hire F.R.S., Inc [Farm and Ranch Solutions] dba Solbros Constructions of Pierre off the Spink County bid letting for the crushing of materials. The board reviewed the Spink County bid and upon motion of Wernsmann, seconded by Palmer, moved to approve the requests. All present voted in favor thereof. The Spink County contract price is \$5.25/ton for 2" concrete.

Hargens asked the board for permission to purchase a 15-foot Degelman mower. The mower costs \$30,798 which is discount price after the \$9,000 if ordered before year end. The purchase would be concluded in 2020. It was moved by Palmer, seconded by Wernsmann to approve the purchase. All present voted in favor thereof.

Hargens also reported their 32-year-old power washer failed and that he wants to replace it with a \$7,824 Aladdin unit from Pressure Washer Central of Aberdeen, also to be purchased in the 2020 budget year. It was moved by Rodgers, seconded by Wernsmann to approve the purchase. All present voted in favor thereof.

The commission then called upon Renae Phinney, president of the Ree Heights Town Board of Trustees. Phinney explained that she had expressed

interest in the county's garage in Ree Heights three years ago and then did not hear anything new until the Ree Heights Fire Department approached the commissioners about acquiring the building. The commissioners restated their intent was to transfer the property with the understanding that the Ree Heights Fire Department would surrender the building to the town of Ree Heights when their facility is built. Or in the alternative that the town would acquire the building, the fire department would be tenant until the new facility was built. The result was that the Ree Heights Fire Department would be the occupant until the new facility is built and then the town would become the occupant.

Charles Fawcett was present and stated for the record that their intent is to have the building revert to the town of Ree Heights when they move to their new facility.

Commissioner Wernsmann moved and Palmer offered the second to authorize the chairman to execute the quick claim deed of the Ree Heights county maintenance garage to the Ree Heights Fire Department. All present voted in favor thereof.

Arlen Gortmaker, Emergency Manager, addressed the commission about the status of the FEMA disaster recovery project. The FEMA project manager has been "in county" and has been working with the right people to move the project list forward toward repairs. Gortmaker also explained that the volunteer hours offered by the community could be converted into "in kind" contributions for the local matching funds. Gortmaker also explained the recently announced "Notice of Hazard Mitigation Program Funding for Disasters 4440, 4463, 4467 and 4469". The total available funds reach about ten million dollars. A handout was provided to the commission and placed on the website. Townships can also apply for mitigation funds if they adopt the county's Pre-Disaster Mitigation plan (PDM). Mitigation funds require a 25% local match which some townships may find difficult to front.

Gortmaker informed the commission that the parts to repair the Ree Heights paging tower have been ordered and that the insurance provider has started a claim. There will be a \$250 deductible. The work will be completed as soon as parts arrive and weather allows.

Gortmaker concluded his presentation by discussing the purchase of the Hand County GIS data by Venture Communications. The price of the data is \$1000. The sale of the data requires the presiding commissioner to approve it by signature.

Tyler Fagerhaug of rural Wessington presented a plat to the commission for review and approval. The property is being divided to satisfy the lender. The property is in Bates Township, 14-109-66. It was moved by Rodgers, seconded by Wernsmann with all voting in favor thereof to approve.

Vice chairman Jones directed the commission into their work period to cover unfinished business. The first item was the filling of the soon-to-be vacancy in district 4 commission area. Jones called upon BJ Hughes and Jim Eschenbaum to summarize their interests in becoming the commissioner. The two men spoke about their desires to promote and represent the county.

Following a short recess, the vice chairman requested a motion to enter into executive session for the purpose of screening commissioner candidates and to review a legal agreement related to road haul agreements and development. It was moved by Wernsmann, seconded by Palmer to enter into executive session for personnel and for a legal matter. All present voted in favor thereof.

Upon motion of Wernsmann, seconded by Palmer, with all present voting in favor thereof, the meeting reconvened in regular session.

Vice chairman Jones informed those present that the commission's choice for commission district four is Jim Eschenbaum. Jones explained

that whoever fills the position would have to run for the position in 2020 to remain in that position.

Jones further instructed the auditor to issue a certificate of appointment to that effect.

Jones also explained to those present that no action would be taken as it relates to the discussion on the road haul agreement.

The commission reviewed of the "Findings" pertaining to Sweetland Wind. It was moved by Wernsmann, seconded by Palmer. Rodgers abstained. The remaining commissioners voted in favor thereof.

Bryan Breitling, Avera-Hand County Memorial Hospital Administrator, addressed the board with their audit report. Breitling explained that Hand County Memorial Incorporated has a separate audit apart from the audit done for the Avera portion. Breitling highlighted portions of the audit reports for the commissioners. The audit revealed that the two aspects of the hospital operation are functioning well and support themselves. Additionally, it was reported that the 1993 and 1997 series bonds had all been paid off. The only remaining long-term debt was the bond through the county which is currently in repayment.

Shane Croeni, sheriff, met with the commissioners to discuss extending Deputy Laidlaw's probationary period by three months. Croeni wants to be sure about some things before making the recommendation to advance the position. The commission agreed to the request. Croeni also reported that he wants Deputy Bowsher to attend a drug related training course in Deadwood this month. It would require overnight lodging. The commission approved the request. Croeni also reported that the 2008 Trailblazer suffered damage exceeding its value when Deputy Laidlaw struck a deer. The adjuster agreed the vehicle was totaled. Croeni suggested that the vehicle not be repaired and to use the insurance proceeds towards the purchase of a replacement since this vehicle was scheduled to be replaced in 2020. The commissioners agreed. Croeni further explained that the Dodge pickup he was interested in was not being produced right now. Croeni requested permission to purchase the Chevrolet pickup even though it was \$2,000 more in price. The commissioners, by motion of Wernsmann, seconded by Palmer, with all voting in favor thereof, to approve the request and purchase the Chevy off state contract.

Suzy Wernsmann, Register of Deeds, requested permission to use M&P Funds (Modernization and Preservation Funds) to purchase a new "Heritage" software suite for scanning and cataloging documents in her office's care. The upgrade is the result of moving to Windows 10. The commission granted Wernsmann up to \$3,200 in spending authority to purchase the software.

The commission then met with Scout Energy (Sweetland Wind) for the purpose of reviewing their application to occupy right of ways with project infrastructure. After some discussion, it was moved by Palmer, seconded by Wernsmann with all voting in favor thereof to approve the application. The use of the "affirmation" was discussed to allow the filing of the application and permit to be used for recording in the Register of Deeds. No objections or concerns were voiced. It was moved by Wernsmann, seconded by Palmer to authorize the presiding officer to sign the affirmation. Motion carried.

There were two items of correspondence on the agenda. The auditor explained that the Department of Environment and Natural Resources had conditionally approved the Ratio, LLC application for a swine production facility southeast of St. Lawrence. Because of the size of the documents, they are available by download but not in the commission binders.

During the commissioner comment / closing discussion portion of the meeting, Commissioner Rodgers raised the question of placing the wheel tax on the general election ballot for review. The commissioner present all agreed the topic needed to be discussed because of the matching funds that are available only to counties with wheel taxes. The commission requested that the process be started to place the question on the general election

ballot. The auditor will contact the states attorney's office on this topic.

It was also discussed how the video projector shines on presenter's faces while they address the commission. It was decided to either mount the project higher or use a television monitor [which is cheaper than a projector] on the wall.

It was moved by Wernsmann, seconded by Palmer to convene in executive session to discuss personnel issues SDCL 1-25-2(1) [4:30 PM]. All present voted in favor thereof.

It was moved by Wernsmann, seconded by Palmer to reconvene in regular session. All present voted in favor thereof. It was the consensus of the commission that employee job descriptions and expectations should be compiled to help employees understand their role and responsibilities. Auditor DeBoer was instructed to present his employment worksheet to the commission for review and possible application. It was suggested that each department formulate their own job descriptions since they would know best and then the commission could review it.

During the public comment period, Jim Eschenbaum addressed the commission and thanked them for considering him for the appointment as commissioner for District 4.

It was moved by Wernsmann, seconded by Palmer to adjourn the meeting at 4:47 PM. The vice chairman declared the meeting adjourned.

The claims for payment are as follows:

For: GENERAL FUND*****

STATE OF SD TREASURER	OVERPAYMENT RETURNED	62.97

		62.97

For: BOARD OF COUNTY COMM

SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	1227.37
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	502.00

		1729.37

For: ELECTIONS*****

GOVERNOR'S INN	ROOM AT ELECTION WORKSHOP	154.00

		154.00

For: JUDICIAL SYSTEM*****

SDACC	CATASTROPHIC LEGAL EXPENSE	1700.00

		1700.00

For: AUDITOR*****

GOVERNOR'S INN	ROOM AT AUDITOR WORKSHOP	77.00
OFFICE PEEPS, INC.	SUPPLIES	9.76
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	1526.35
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	201.00

		1814.11

For: TREASURER*****

SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	1418.86
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	201.00

		1619.86

For: STATES ATTORNEY*****

ANSON LAW	RENT	325.00
ANSON LAW	SUPPLIES	300.00
ANSON LAW	UTILITIES	291.66
AVERA HAND CO. MEMORIAL HOSPIT	BLOOD TEST	97.00
SD DEPARTMENT OF HEALTH	BLOOD TESTS	40.00

SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	1361.36
SD STATES ATTORNEY ASSOCIATION	MEMBERSHIP DUES	693.00
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	168.00

		3276.02
For: COURT APP. ATTORNEY*		
CHURCHILL, MANOLIS, FREEMAN,	COURT APPOINTED ATTORNEY	640.00

		640.00
For: GOV. BUILDING*****		
AMERIPRIDE SERVICES, INC.	SUPPLIES	186.18
BOB'S DISPOSAL SERVICE	GARBAGE DISPOSAL	100.00
HOUSE OF GLASS, INC.	DOOR REPAIRS	208.22
CITY OF MILLER	UTILITIES	741.26
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	2568.83
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	1195.00
VISA	HISTORICAL SOCIETY MEMBERSHIP	40.00
VISA	SUPPLIES	95.79
VISA	ROOM & MEALS	146.55

		5281.83
For: DIR. OF EQUAL*****		
A & B BUSINESS, INC.	COPIER MAINTENANCE CONTRACT	25.00
AMERICAN SOLUTIONS FOR BUSINES	SUPPLIES	22.64
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	1674.84
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	201.00
TONY'S REPAIR	MAINTENANCE	54.85

		1978.33
For: REG. OF DEEDS*****		
AMERICAN SOLUTIONS FOR BUSINES	SUPPLIES	36.87
OFFICE PEEPS, INC.	SUPPLIES	246.92
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	1356.56
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	201.00

		1841.35
For: VETERANS SER. OFF.**		
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	120.56
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	100.00

		220.56
For: SHERIFF*****		
AVERA MEDICAL GROUP MILLER	PHYSICAL	76.00
COMPANION LIFE	LIFE INSURANCE	4.18
COWBOY COUNTRY STORES	GAS	125.31
COWBOY COUNTRY STORES	GAS	503.13
COWBOY COUNTRY STORES	GAS	210.40
DIGITAL ALLY	CAMERA FOR NEW SHERIFF'S CAR	1672.50
OFFICE PEEPS, INC.	SUPPLIES	122.03
PRAIRIE WIND PROMOTIONS	DECALS ON JACKET	6.00
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	6287.10
SD SHERIFF'S ASSOCIATION	ASSOCIATION DUES	602.93
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	3167.00
VISA	MAINTENANCE	8.00
VISA	SUPPLIES	26.00
VISA	SUPPLIES	143.12
VISA	SUPPLIES	83.14
VISA	SUPPLIES	78.14
VISA	CELL PHONES	167.50

		13282.48
For: JAIL*****		
BEADLE COUNTY SHERIFF	PRISONER CARE	3600.00
COWBOY COUNTRY STORES	GAS	57.02
DIGITAL ALLY	CAMERA FOR NEW SHERIFF'S CAR	1672.50
PENNINGTON COUNTY JAIL	PRISONER TRANSPORTATION	65.50
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	2206.79
VISA	SUPPLIES	35.29

		7637.10
For: CORONER*****		
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	29.92

		29.92
For: SOLID WASTE*****		
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	249.67
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	353.00

		602.67
For: COUNTY NURSE*****		
HAND CO MEMORIAL HOSPITAL INC.	COUNTY HEALTH NURSE	2954.21

		2954.21
For: MENTAL HEALTH*****		
CENTER FOR INDEPENDENCE	MONTHLY SUPPORT	180.00
HUGHES COUNTY	MENTAL ILLNESS ATTORNEY	214.15
WHEELER LAW OFFICE	MENTAL HEALTH ATTORNEY	370.30

		764.45
For: LIBRARY*****		
BOB'S DISPOSAL SERVICE	GARBAGE DISPOSAL	42.00
BOB'S GAS	PROPANE	240.00
MARY BREITLING	MILEAGE	74.76
INGRAM LIBRARY SERVICES	BOOKS	487.81
CITY OF MILLER	UTILITIES	316.65
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	808.80
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	401.00

		2371.02
For: EXTENSION*****		
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	689.28
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	100.00

		789.28
For: WEED CONTROL*****		
AA MOTORSPORTS, LLC	SUPPLIES	79.19
CITY OF MILLER	UTILITIES	300.05
OAKLEY FARM & RANCH SUPPLY	SUPPLIES	2.99
RANDY PECK	SUPPLIES	37.50
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	4086.79
SD ASS'N OF WEED/PEST SUPERVIS	MEMBERSHIP DUES	50.00
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	1791.00

		6347.52
For: ZONING*****		
AGTEGRA COOPERATIVE	GAS	55.30

		55.30
For: HWY RDS BRIDGES*****		
A+ TIRE & AUTO SERVICE CENTER	REPAIRS	105.00

A+ TIRE & AUTO SERVICE CENTER	SUPPLIES	69.00
AGTEGRA COOPERATIVE	GAS & FUEL	11556.89
AMERIPRIDE SERVICES, INC.	SUPPLIES	875.38
BOB'S DISPOSAL SERVICE	GARBAGE DISPOSAL	50.00
BOB'S GAS	PROPANE	580.00
CAPITAL I INDUSTRIES, INC.	MULCHER PAYMENT (5)	17500.00
CONNECTING POINT	SUPPORT WORK	110.00
DAKOTA MANUFACTURING	REPAIRS	434.34
FARM TECH INC	SUPPLIES	105.87
MARLE'S REPAIR	SUPPLIES	346.24
CITY OF MILLER	UTILITIES	447.21
NORTHWESTERN ENERGY	UTILITIES	5.23
OAKLEY FARM & RANCH SUPPLY	SUPPLIES	33.27
OAKLEY REPAIR	REPAIRS	6765.55
OAKLEY REPAIR	SUPPLIES	184.03
PRORATE SERVICES	DRUG & ALCOHOL PROGRAM RENEWAL	75.00
CHRIS SCHAEFERS	SUPPLIES	29.96
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	34869.83
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	17243.00
TONY'S REPAIR	MAINTENANCE	110.92
TONY'S REPAIR	SUPPLIES	38.59
TRANSOURCE TRUCK & EQUIPMENT	SUPPLIES	705.32
TRUENORTH STEEL, INC.	SUPPLIES	15483.10

		107723.73
For: E-911*****		
CITY OF HURON	SEPT E-911 CHARGES	5118.06

		5118.06
For: EMERG. & DIS. SERV.*		
ARLEN GORTMAKER	MEALS AT APS CLASS	52.54
OFFICE PEEPS, INC.	SUPPLIES	24.10
RAMKOTA INN	ROOM AT APS CLASS	196.00
SD PUBLIC ASSURANCE ALLIANCE	LIABILITY INSURANCE	1269.96
SDML WORKERS COMPENSATION FUND	WORKERS' COMPENSATION	100.00

		1642.60
For: JAIL*****		
DRUG TESTSINBULK.COM	DRUG TESTS	218.75
PETTY CASH	POSTAGE	21.95

		240.70

Total Checks: 169877.44

The Auditor's Account with the Treasurer per SDCL 7-10-3 is, as of the close of business on the last day of September, 2019, the treasurer had \$983.94 of cash on hand, \$58,004.10 of checks in possession less than 3 days, \$10.00 of checks in possession more than 3 days, \$0.00 of cash items, \$300.00 of petty cash.

Reconciled Demand Deposits: \$178,456.81 in the American Bank & Trust and (\$2,196.40) in the Quoin Financial Bank.

Time Deposits: \$1,284,560.13 in the American Bank & Trust and \$2,504,486.80 in the Quoin Financial Bank.

Investments: \$12,712.27 in the library checking account, \$12,400.00 in library certificates of deposit and \$7,551.00 in library stocks.

Total cash assets equal \$4,057,268.65

Jim Jones, Vice Chairman
Hand County Board of Commissioners

(Attest)

Doug DeBoer, Hand County Auditor

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