

January 14, 2020
HAND COUNTY BOARD OF COMMISSIONS
COURTHOUSE COMMISSION CHAMBERS
MILLER, SOUTH DAKOTA

The Commissioners convened at 1 P.M. on Tuesday January 14, 2020 in regular session to conduct business and organize for the coming year.

Commissioners present included Jim Jones, Gib Rodgers, Luke Wernsmann, Greg Palmer and Jim Eschenbaum. Jones presided over the meeting.

The Pledge of Allegiance was said aloud.

Auditor DeBoer administered the oath of office to Jim Eschenbaum to represent district 4 as their county commissioner.

Jones requested nominations for the 2020 commission chair. Jones was nominated by Wernsmann. No other nominations were heard. It was moved by Wernsmann, seconded by Palmer with all voting aye to elect Jim Jones as the 2020 chairman.

Jones requested nominations for the 2020 vice-chairman. Rodgers was nominated by Jones. No other nominations were heard. It was moved by Jones, seconded by Eschenbaum with all voting aye to elect Gib Rodgers as the 2020 vice-chairman.

Chairman Jones recognized Toby Qualm, lead auditor with the Department of Legislative Audit (SD-DLA). Mr. Qualm introduced himself and explained that he was assigned to audit the financial records of the county for years 2017 and 2018.

Mr. Qualm explained the process and findings with the commission. The findings will be published in the Miller Press reflecting the following topics: Material weakness in internal controls resulted in inaccurate information being provided to users of the data. The SD-DLA recommended the county strengthen internal controls over financial reporting. Chairman Jones questioned if the county suffered any losses because of this and was told the comment reflects record keeping, not a loss of property or funds and is the result of encoding, not software errors.

Items "Important enough to Merit Attention" of the board included: The Register of Deeds had not been but will be reconciling cash assets monthly. The software used by the county allows for changes in records without oversight. In the future, changes made will be reviewed by a third party before filing. The Tax Account Record had not been reconciled with the Delinquent Tax Listing. In the future this is to be done annually. There were claims (bills) found to be paid which did not appear in the minutes of the commissioners meeting. In the future all claims are to be published in accordance with SDCL 7-18-3.

In response to the report, the commissioners, by clear consensus, reiterated their response from the previous audit, that being: "The Hand County Commission will undertake to encourage our county officials to avail themselves of the latest available and affordable training and technology necessary to assure accuracy in public funds accounting."

The report of Mr. Qualm will also be available on the commissioner's webpage: <http://hand.sdcounties.org/commission>

Jones then moved to the consent calendar and the review and approval of the draft minutes from December 30, 2019. It was moved by Rodgers, seconded by Palmer with all others voting aye to approve the minutes.

The remaining items on the consent calendar included the following organizational and re-organizational actions:

Approved the standard and special holidays for 2020, designated the 1st floor bulletin board as the official place for posting commissioner business, the first floor as the official place to conduct auctions unless specified in the published notice, the Miller Press as the official news paper for legal publications, and Quoin Financial Bank and American Bank & Trust as official banks / depositories.

The action also authorized aerial applicators to use hard surfaced roads in the county with a fee and application form to be reviewed in February. It also approved adoption of the snow removal and sanding policy for county and unorganized township roads, the policy on weight enforcement, weight and speed limits, six-ton spring load limits and 40 mph speed limits for certain vehicles, all with the requested support of the South Dakota Highway Patrol and Motor Carrier Enforcement.

Lastly, the action adopted the 2020 wage scale and authorized the treasurer to collect partial tax payments according to SDCL 10-21-7. These actions were approved upon motion of Wernsmann, seconded by Palmer with the remainder voting aye.

Jones introduced the committee and liaison appointments and asked if anyone was requesting to switch roles. Nothing was offered. It was asked if Eschenbaum would accept the roles previously filled by former commissioner JD Wangsness. Eschenbaum agreed.

Chairman Jones declared the following assignments:

Commissioner Eschenbaum: Northeast Council of Governments board and liaison to the library, auditor and assessor's office.

Commissioner Wernsmann: On Hand Economic Development Board and Railroad Authority board, and liaison to the 4-H and Veteran Services Offices.

Commissioner Palmer: Northeast Council of Governments board and Health Advisory Board, and liaison to the Custodian and Register of Deeds.

Commissioner Rodgers: Weed and Pest Board, and liaison to the Treasurer's Office and Weed & Pest Department.

Chairman Jones: Library Board of Directors and Domestic Violence, and liaison to the States Attorney, Sheriff and Emergency Management offices.

Commissioners Palmer and Jones will act as board liaisons to the municipalities of St. Lawrence, Miller, Ree Heights and Wessington.

The highway and bridge department will liaise with the entire board of commissioners.

It was moved by Palmer, seconded by Eschenbaum with all others voting aye to approve the assignments outlined above.

Emergency Manager Gortmaker and Auditor DeBoer requested discussion on the manner in which the county closes offices due to weather [and other dangerous situations]. SDCL 7-7-2.1 places the authority to close the courthouse upon the chair of the county commission. Previously the board granted that authority to a committee of department heads. It was asked that the process be clarified so that the highway superintendent, the sheriff and emergency manager form an opinion based on conditions and advice from whomever they choose [school, state D.O.T., or national weather service] and if it is to close the county, to contact the chairman of the commission for approval and authority to close the county offices, which includes the library, county highway department and courthouse offices. It was concluded that this would be a companion decision to the same committee publishing an advisory of "NO TRAVEL" for roadways under the county's authority [excludes municipalities and State or Federal Highways, who have their own authority and responsibilities on this topic]. It was also noted that it was within the sheriff's and highway superintendent to allow any number of his/her staff to leave work or report at work through the closure, as needed, to conduct business.

The commissioner further instructed the emergency manager to make such determination at least one (1) hour ahead of opening and to use the public notification system [and social media] to alert the public of the closure. This was approved by consensus of the group and stated by the chairman.

EM Gortmaker reported to the commission that he had purchased the topper for the EM vehicle. He will drive to Chase Auto in Ft. Pierre to have it installed. He will also be receiving his new desktop

(remanufactured) PC for the office. Both items were budgeted for and approved but the EM wanted to remind the board of the purchase.

Gortmaker also informed the board that he had received a grant to help fund Local Emergency Planning Committee (LEPC) activities and that he was requesting authority to have the auditor's office move those funds into the LEPC expenditure account. It was moved by Wernsmann, seconded by Eschenbaum with all voting aye to approve the transfer as requested.

Gortmaker also requested that the chairman approve the quarterly report for the emergency management grant. He also reported that the antenna for the west repeater site had arrived and will be installed when weather conditions permit. It was moved by Palmer, seconded by Wernsmann with all voting aye to authorize the transfer of the insurance proceeds from the antenna claim to the 911 expenditure budget.

The chairman declared the board in their work period. The discussion on the Ratio, LLC road haul agreement was not needed because no changes were needed. Will Page, custodian took the opportunity to update the commission on the roof project. He reported that the roof warranty had been activated on December 4, 2019. Page was unaware the company had done the inspection and the contractor also indicated they were not aware of the site visit. Page asked the board to approve the payment to ProTec Roofing for the second / final portion of the project. It was approved upon motion of Wernsmann, second by Rodgers with all others voting aye.

Page updated the board on the south boiler. A leak in the plumbing led to him shutting it down. This is the boiler which needs service so it will remain out of service until repairs can be made. Page summarized the options to repair the boiler. Page also reported on the malfunctioning toilet in the east jury room. He has hired a plumber to attempt repairs and an access hole was created to examine the pipes on second floor beneath the toilet. It is believed the drain is broken and leaking. More information will be forthcoming. Page explained his desire to fix the clock and the lights on the east / front side of the building. The clock, he believes, can be repaired for about \$300 with the help of the city electric crew and the light fixtures on the entry with the help of an electrician. Page was told to report back with details.

Tiffany Hofer with Reck Funeral Home approached the board about burial fees for indigent persons. Previously the board reviewed 15 years of fees, all of which were the same amount. Hofer requested the fee be raised to reflect the \$2500 for the funeral but also the approximated \$1250 in associated costs (grave liner, opening and closing costs, storage, transportation, coffin and internment). After considerable discussion, Wernsmann moved, Palmer seconded to pay Reck Funeral Home \$5000 per year for 10 years. The motion failed to pass. Eschenbaum moved, Rodgers seconded to pay \$4,000 for 2020 burial fees. Motion carried.

Mike Moncur met with the board to discuss 4-H operations. Shae Knox wanted to attend but had an obligation at SDSU so Moncur was providing the request to exceed the \$300 discretionary spending limit to purchase an HP Windows 10 laptop for up to \$500. It was moved by Wernsmann, seconded by Rodgers to approve the purchase [from budgeted funds]. All others voted aye. Moncur provided a summary of activities Ms. Knox has been involved in and said feedback has been very positive. Ms. Knox plans to attend the Farm and Home Show.

Mr. Moncur also said that Marlys Aune is willing to work Tuesdays and Thursdays as a part time employee while Ms. Knox is student teaching. The board approved the offer. [An hourly wage was not discussed]

The commission was informed of the membership renewal request from the Northeast Council of Governments. It was moved by Palmer, seconded by Eschenbaum with all voting aye to approve the agreement.

Jeff Hargens, Highway Superintendent, met with the board. He asked that the board ratify the employment of Dwight Aymar and his pay be set at

\$17.78. It was moved by Palmer, seconded by Rodgers to ratify the employment and set the wage as requested. The motion carried.

Hargens said he spoke to Hayden Peterman about remaining on with the county for season employment as part time as need under 19 hours.

Hargens explained that the SD-DOT noticed the documents for the culvert project on 365th Avenue (south of 216th Street) had date conflicts that needed correction. It was moved by Wernsmann, seconded by Palmer to re-affirm the county's execution of the agreement and authorize the chairman to sign the appropriate documents or execute a new document if needed. The motion carried.

Charley Hoffman of Eureka presented himself to the board as a candidate for District 23 house of representatives. Mr. Hoffman gave a brief history of himself and his intentions should he be elected. The underlying message that he wants to be in touch with the local school boards, city councils and county commissions.

Auditor DeBoer requested that the commission consider an amended version of Resolution 2019-09 entitled

RESOLUTION 2019-09 - AMENDED
TRANSFER FROM CONTINGENCY FUND

WHEREAS, unforeseen circumstances have arisen during the 2019 budget year, in order for the following departments to discharge just obligations of said appropriations: and

WHEREAS, SDCL 7-21-32.2 provides that transfers be made by resolution of the board from the contingency appropriation established pursuant to SDCL 7-21-6.1 to other appropriations;

WHEREAS, the original adoption of Resolution 2019-09 was based on estimates and this amendment is based on closing calculations of the accounting software system;

THEREFORE BE IT RESOLVED that the appropriations be transferred from the contingency budget to the following department budgets:

States Attorney \$1,862.70 (previously \$1,643.53), Government Building \$19,405.39 (previously \$19,165.79), Assessor \$1,524.30 (previously \$1,755.56), 24/7 Program \$2,488.52 (previously \$2,200) and Local Emergency Planning Committee \$132.25, and Road and Bridge fund, \$2,120.93.

It was moved by Wernsmann, seconded by Palmer to approve Resolution 2019-09 as amended above. The motion carried.

The claims approved for payment are:

For: BOARD OF COUNTY COMM

HAND CO TITLE COMPANY, INC.	2020 LIEN & PROPERTY REPORTS	114.00
NECOG	MEMBERSHIP	7907.13
SDACC	NACO	1465.00

		9486.13

For: JUDICIAL SYSTEM

KESSLER'S	SUPPLIES FOR COURT	19.85

		19.85

For: AUDITOR

A & B BUSINESS, INC.	COPIER MAINTENANCE CONTRACT	26.80
CARDMEMBER SERVICES	SUPPLIES	41.79
CONNECTING POINT	LABOR ON SERVER (2)	53.34
MIDCO BUSINESS	PHONE & INTERNET SERVICE	111.66
QUALITY QUICK PRINT	W-2'S & 1099'S	53.55
SD ASS'N OF COUNTY OFFICIALS	MEMBERSHIP	255.06
THE MILLER PRESS	SUBSCRIPTION	50.00
U.S. POSTAL SERVICE	POSTAGE	500.00

		1092.20

For: TREASURER

CONNECTING POINT	LABOR ON SERVER (2)	53.33
MCLEODS PRINTING & OFFICE SUP.	SUPPLIES	329.83
MIDCO BUSINESS	PHONE & INTERNET SERVICE	97.51
QUILL OFFICE SUPPLIES	SUPPLIES	193.78
SD ASS'N OF COUNTY OFFICIALS	MEMBERSHIP	255.06
THE MILLER PRESS	SUBSCRIPTION	50.00

		979.51
For: STATES ATTORNEY		
ELTON ANSON	MILEAGE	37.80
AVERA HAND CO. MEMORIAL HOSPIT	BLOOD TEST	97.00
BEADLE COUNTY AUDITOR	VICTIM & WITNESS COORDINATOR	1375.00
SD DEPARTMENT OF HEALTH	BLOOD TOXICOLOGY	60.00
LYON COUNTY SHERIFF	SERVING PAPERS	140.00

		1709.80
For: COURT APP. ATTORNEY		
SCHREIBER LAW FIRM, PROF LLC	COURT APPOINTED ATTORNEY	416.45
WHEELER LAW OFFICE	COURT APPOINTED ATTORNEY	532.50

		948.95
For: CUSTODIAN		
AMERIPRIDE SERVICES, INC.	SUPPLIES	186.18
BOB'S DISPOSAL SERVICE	GARBAGE DISPOSAL	100.00
G & R CONTROLS, INC.	BOILER & RADIATOR PARTS	69.39
MIDCO BUSINESS	PHONE & INTERNET SERVICE	123.88
MILLER ACE	SUPPLIES	233.96
CITY OF MILLER	UTILITIES	774.88

		1488.29
For: DIR. OF EQUAL.		
A & B BUSINESS, INC.	COPIER MAINTENANCE CONTRACT	25.00
AMERICAN SOLUTIONS FOR BUSINES	SUPPLIES	388.73
CONNECTING POINT	LABOR ON SERVER (2)	53.33
MCLEODS PRINTING & OFFICE SUP.	SUPPLIES	150.00
MIDCO BUSINESS	PHONE & INTERNET SERVICE	98.16
SDAAO	SDAAO MEMBERSHIP	75.00
THE MILLER PRESS	SUBSCRIPTION	50.00

		840.22
For: REG. OF DEEDS		
MIDCO BUSINESS	PHONE & INTERNET SERVICE	133.92
SD ASS'N OF COUNTY OFFICIALS	MEMBERSHIP	255.05
THE MILLER PRESS	SUBSCRIPTION	50.00

		438.97
For: VETERANS SER. OFF.		
MIDCO BUSINESS	PHONE & INTERNET SERVICE	96.40

		96.40
For: SHERIFF		
WESLEY BOWSHER	GAS	41.83
CARDMEMBER SERVICES	SUPPLIES	10.97
COWBOY COUNTRY STORES	GAS	326.85
COWBOY COUNTRY STORES	GAS	294.80
DOUG DEBOER	SHIPPING & HANDLING	23.48
DOUG DEBOER	RADIO EQUIPMENT	72.37
DEPARTMENT OF PUBLIC SAFETY	TELETYPE SERVICES JAN-JUNE	2340.00
FARNAM'S GENUINE PARTS, INC.	REPAIRS	2.22
HAND COUNTY LCIA	F & H SHOW BOOTH RENT	50.00

MIDCO BUSINESS	PHONE SERVICE	89.03
THE MILLER PRESS	SUBSCRIPTION	50.00
TONY'S REPAIR	REPAIRS	32.00

		3333.55
For: JAIL		
BEADLE COUNTY SHERIFF	PRISONER CARE	4800.00
COWBOY COUNTRY STORES	GAS	91.48
LEWIS DRUG	PRISONER MEDS	46.38

		4937.86
For: SOLID WASTE		
DAKOTA ENERGY COOP INC	UTILITIES	98.38

		98.38
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

		180.00
For: LIBRARY		
MIDCO BUSINESS	PHONE SERVICE	39.90

		39.90
For: EXTENSION		
MIDCO BUSINESS	PHONE & INTERNET SERVICE	114.14
THE MILLER PRESS	SUBSCRIPTION	50.00

		164.14
For: WEED CONTROL		
AA MOTORSPORTS, LLC	BALANCE OF POLARIS RANGERS	10124.00
AT & T	CELL PHONE	68.70
BOB'S GAS	REPAIRS	65.00
CARDMEMBER SERVICES	SUPPLIES	30.76
MIDCO BUSINESS	PHONE & INTERNET SERVICE	101.79
THE MILLER PRESS	SUBSCRIPTION	50.00
WEED & PEST CONFERENCE	WEED & PEST CONFERENCE	330.00

		10770.25
For: ZONING		
AGTEGRA COOPERATIVE	GAS	14.60
MIDCO BUSINESS	PHONE & INTERNET SERVICE	10.00
MILLER REXALL DRUG	SUPPLIES	6.67

		31.27
For: HWY RDS BRIDGES		
A+ TIRE & AUTO SERVICE CENTER	MAINTENANCE	771.57
A-OX WELDING SUPPLY CO INC	SUPPLIES	539.60
AGTEGRA COOPERATIVE	GAS & FUEL	14728.65
AMERIPRIDE SERVICES, INC.	SUPPLIES	855.38
AVERA HAND CO. MEMORIAL HOSPIT	BLOOD & DRUG TESTS	96.00
BIG STATE INDUSTRIAL SUPPLY	SUPPLIES	252.00
BOB'S DISPOSAL SERVICE	GARBAGE DISPOSAL	50.00
BOB'S GAS	PROPANE	1400.00
BROWNLEE CONSTRUCTION	SAND & PEA ROCK	75237.05
BUILDERS CASHWAY, INC.	SUPPLIES	8.00
CK WELDING & REPAIR LLC	REPAIRS	22.50

CK WELDING & REPAIR LLC	SUPPLIES	216.10
DAKOTA ENERGY COOP INC	UTILITIES	71.10
DAKOTA OIL	SUPPLIES	330.75
FARNAM'S GENUINE PARTS, INC.	REPAIRS & SUPPLIES	949.97
JOHN DEERE FINANCIAL	REPAIRS	3118.16
JOHN DEERE FINANCIAL	SUPPLIES	2216.98
MACK METAL SALES, INC.	SUPPLIES	3937.74
CHUCK MARTINMAAS	GRAVEL ROYALTY	28278.90
MIDCO BUSINESS	PHONE & INTERNET SERVICE	173.67
MILLER ACE	SUPPLIES	382.80
CITY OF MILLER	UTILITIES	397.24
MORRIS, INC.	STEEL	3595.36
NORTHWESTERN ENERGY	UTILITIES	54.65
OAKLEY FARM & RANCH SUPPLY	SUPPLIES	69.82
PRESSURE WASHER CENTRAL	PRESSURE WASHER	7785.00
STURDEVANT'S AUTO PARTS	SUPPLIES	22.95
TONY'S REPAIR	REPAIRS	342.20
TONY'S REPAIR	SUPPLIES	237.80
TRANSOURCE TRUCK & EQUIPMENT	REPAIRS	796.57
TRANSOURCE TRUCK & EQUIPMENT	SUPPLIES	345.58
BYRON WOODRUFF	GRAVEL ROYALTY	3000.00

		150284.09
For: DEBT SERVICE		
CAPFIRST EQUIPMENT FINANCE	HYBRID LOADER PAYMENT PRIN	50095.24
CAPFIRST EQUIPMENT FINANCE	HYBRID LOADER PAYMENT INT	6504.76
DALE NEU	GRAVEL ROYALTY	36855.92

		93455.92
For: E-911		
CENTURY LINK	ANI/ALI FOR 911 (2 MONTHS)	387.90
CITY OF HURON	911 FUNDS OCT 2019	2558.64
DAKOTA ELECTRONICS	ANTENNA & SIDE MOUNT	1542.38

		4488.92
For: EMERG. & DIS. SERV.		
CHASE AUTO & RV	FIBERGLASS TOPPER	2575.00
HAND COUNTY LCIA	F & H SHOW BOOTH RENT	50.00
MIDCO BUSINESS	INTERNET SERVICE	62.50
PUMP N PAK	GAS	107.50
VISA	CELL PHONE	50.27

		2845.27
For: STATE COLLECTIONS		
SD DEPT OF REVENUE	BIRTHS/DEATHS/DRIVERS LICENSES	1199.00

		1199.00
For: STATE M V		
SD DEPT OF REVENUE	MOTOR VEHICLES	48684.86

		48684.86
For: CITY TAX		
SD STATE TREASURER	CITY SALES TAX	15.32

		15.32
For: STATE SALES TAX		
SD STATE TREASURER	STATE SALES TAX	94.54

		94.54
For: FIRE INSURANCE		

POLO FIRE DISTRICT	DECEMBER COLLECTIONS	204.51

		204.51
For: SDACC MOD & PRES		
SD ASSN OF CO. COMMISSIONERS	MODERNIZATION/PRESERVATION	172.00

		172.00

Total Checks: 341054.31

The Auditor's Account with the Treasurer per SDCL 7-10-3 for December was reviewed and accepted to the minutes on December 30, 2019 and will not appear in these minutes again.

The 2020 Gross Wages as required in SDCL 6-1-10 are:

Commissioners: Jim Jones-\$8,364.12, Gib Rodgers-\$8,364.12, Luke Wernsmann-\$8,364.12, Greg Palmer-\$8,364.12 & Jim Eschenbaum-\$8,364.12. Sheriff's Office: Shane Croeni-\$51,951.12, Bryton Black-\$19.85, Nicholas Laidlaw-\$19.85, Wesley Bowsher-\$19.85, Colleen Peterman-\$14.63, Chelsea Price-\$16.73, Tala Sandness-\$19.87, Jim Keeter-\$19.87, Jonathan Dunlap-\$19.87. Road & Bridge: Jeff Hargens-\$52,915.20, Christine Schaefers-\$16.73, Dan Fischer-\$17.87, Bob LeGrand-\$17.78, Vonn Starks-\$17.78, Mike Mareska-\$17.78, Bernie Huisman-\$17.78, Lance DeHaai-\$17.78, Jeff Phinney-\$17.78, Gary Neyens-\$17.78, Tony Moss-\$15.99, Dwight Aymar-\$17.78, Hayden Peterman-\$14.34. Attorney: Elton Anson-\$47,206.44, Rebekah Koeck-\$23.55. Auditor: Doug DeBoer-\$44,434.08, Carolyn Forman-\$16.73, Sandi Selting-\$25.60. Treasurer: Sheri Koeck-\$44,434.08, Kim Fanning-\$16.73. Register of Deeds: Suzy Wernsmann-\$44,434.08, Shaney Davis-\$16.68. Assessor: Terry Augspurger-\$41,550, Pearl Klages-\$16.73. Library: Mary Breitling-\$19,222.56, Ray Caffee-\$15.36, Deb Bushfield-\$15.21, Connie Schroeder-\$13.40. Weed & Pest: Randy Peck-\$37,027.32. Custodian: Will Page-\$33,456.24, Terrie Miller-\$13.43. 4-H: Shae Knox-\$15.71, Marlys Aune-\$16.73. Veteran Service: David Johnson-\$72.11. Emergency Management: Arlen Gortmaker-\$38,798.16. Rubble Site: Jim Testerman-\$14.93, Lloyed Schwarts-\$10.77.

Jim Jones, Commission Chairman

(SEAL)

Doug DeBoer, County Auditor

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