

December 30, 2019
HAND COUNTY BOARD OF COMMISSIONS
COURTHOUSE COMMISSION CHAMBERS
MILLER, SOUTH DAKOTA

The Commissioners convened at 12 P.M. on Tuesday December 30, 2019 to conduct year end business. Commissioners present included Chairman JD Wangsness, and commissioners Jim Jones, Greg Palmer, Gib Rodgers (arriving at 12:15) and Luke Wernsmann.

The Pledge of Allegiance was said aloud.

DeBoer informed the commission that Item C, Toby Qualm of the Department of Legislative Audit was not able to attend because of the winter storm.

DeBoer summarized the consent calendar which included the review and approval of the December 3, 2019 minutes and the Register of Deeds State of Fees for November 2019. It was moved by Wernsmann, seconded by Palmer, with all members voting in favor thereof.

Auditor DeBoer presented his request to close the auditor's office on February 20, 2020 so he and Deputy Auditor Forman can attend training in Faulkton related to the new voting and counting machines. It was moved by Wernsmann, seconded by Jones to approve the requested closure. All voted in favor thereof.

DeBoer then presented a list of current "pre-paid claims" which are paid mid-month. DeBoer requested that the following vendors be added to the list: Pitney-Bowes (postage), Auditor's Visa card, Ameripride (linens), and structured or contractual payments. It was moved by Wernsmann, second by Jones to approve the amended list. All present voted in favor thereof.

DeBoer requested the commission ratify the question he presented to the individual commissioners regarding whether to keep or to turn in the 2008 Chevy Trailblazer (SN: 1GNLT13S582150009) as part of an insurance settlement following the collision which disabled it. The vehicle is still in position but the carrier needed to know our intentions so transportation could be arranged. It was moved by Jones, seconded by Palmer to declare the vehicle surplus authorizing the insurance carrier to take possession of it. All present voted in favor thereof.

DeBoer's next item was a request to replace the county server which is used by the various offices to transact tax collections and payables. Originally DeBoer was hoping to use unspent funds from offices to pay for the estimated \$14,000 purchase. The purchase has been a discussion item since July. The original thought was to purchase it entirely through the auditor's budget and then use contingency funds to offset the deficiency. It was moved by Jones, seconded by Wernsmann to purchase ("pay what we can pay this year") the server through Connecting Point (Ultra Inc.) from this year rather than wait until 2020. All present voted in favor thereof.

DeBoer then discussed the 4-H directorship. Shae Knox was offered the position and accepted. The auditor requested that the commission ratify the employment of Ms. Knox with her starting as an hourly clerk and transitioning to director upon graduation from SDSU. It was moved by Rodgers, seconded by Wernsmann to approve Shae Knox's employment, initially as part time (\$15.71 per hour) and full-time as director after graduation (\$32,672 annually plus benefits). All members voted in favor thereof.

DeBoer concluded his presentation by informing the commission that calculations of levies have been delayed. Initially they were done but not approved by the department of revenue as being compliant with statute. The process began to correct errors, but a software issue further delayed the process. Currently, the process is about three weeks behind.

The commission (now that Rodgers was present) returned to Item B, the correction of an action from the last meeting. Auditor DeBoer explained how the states attorney had offered an opinion that the action

taken when appointing Jim Eschenbaum to fill JD Wangsness position was not complete because it lacked a formal vote. To correct the error, the commission or a commissioner could request that a "point of order" be considered.

It was discussed and concluded that JD Wangsness should formally, on the record, resign from his commissioner position effect December 31, 2019 at midnight. Commissioner Jones moved, Wernsmann seconded to accept the resignation at year's end. All present voted in favor thereof.

The commissioners did express they're thanks and appreciation to JD Wangsness for his time served.

Wangsness then returned to the point of order. It was moved by Jones, seconded by Wernsmann, to proceed with a point of order to address the error. All present voted in favor thereof.

Wangsness then requested a motion to reconsider the topic. Commissioner Rodgers moved to reconsider, seconded by Jones. All present voted in favor thereof.

Jones then moved to appoint Jim Eschenbaum to fill the vacancy created by JD Wangsness resignation. It was seconded by Rodgers with all members voting in favor thereof.

Commissioner Jones questioned if the vote was by roll-call. Wangsness said there were no dissenting votes and all members orally responded in favor, therefore a roll-call would not be needed since the clerk [Auditor] hear all members respond.

The commissioners entered their work period. The first item was the review of the "conflict of interest" statements plagiarized from Brown County. The commissioner can turn them in when completed. [The forms will be loaded to the website when completed.]

Auditor DeBoer explained the budget transfer process to the commission. DeBoer explained that the amounts he recited are a snapshot of what is calculated to that morning. Because the bills are not approved for payment yet, the bookkeeping system has not posted the claims and the figures may be different. The estimated amounts needed to be transferred from the Commissioner Contingency fund are as follows:

It was moved by Wernsmann, seconded by Palmer to approve Resolution 2019-09. Motion carried.

RESOLUTION 2019-09

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;

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

States Attorney \$1,643.53, Government Building \$19,165.79, Assessor \$1,755.56, 24/7 Program \$2,200 and Local Emergency Planning Committee \$132.25, County Auditor \$14,000.

Sheriff Croeni addressed the commission about hiring two part-time [19 hours or less] substitutes for the sheriff's office. He requested the board approve the hire of Sandra Selting and Teresa Lichty to work opposite times to complete the office managers duties while she's on leave. The requested pay rate was \$12 per hour. Croeni was given authority to hire both by motion of Wernsmann, seconded by Palmer with all voting in favor thereof.

The commissioner also brought up the discussion of unified or countywide law enforcement. Chairman Wangsness reminded those present that the agreement with the city was to help fund On Hand Economic Development in exchange for discussing combining law enforcement (and other services). The commission noted that no communication has been

heard from the city to promote discussion. Sheriff Croeni stated he has a proposal ready but no one has asked to hear or see it. In conclusion, the commission decided that a liaison was needed to address the issue of cooperative agreements in public meetings, not in committee or private discussions. Editor Jan Caviness-Kittelton commented to the commission on the secrecy of the prior discussion on the topic of combined law enforcement and city budget concerns.

Highway Superintendent Jeff Hargens addressed the board. Randy Sporrer offered his resignation. It was moved by Jones, seconded by Wernsmann to accept the resignation and to commend him for his 23 years of service to the highway department. All voted in favor thereof.

Hargens informed the commission that he offered employment to Dwight Aymar as a full-time employee [at \$17.78 per hour beginning in 2020]. It was moved by Wernsmann, seconded by Jones to ratify the employment of Aymar. All present voted in favor thereof.

It was also noted by Hargens that Hayden Petermann will likely quit to explore another opportunity. Hargens was given authority to offer Peterman part-time employment if possible.

Hargens and the commission discussed staffing needs and it was concluded that Hargens should continue to search for another full-time employee now that another employee has stated his intent to retire [but has not provided formal notice].

The group then moved to the SD-DOT project agreement to replace a bridge structure on 365th Avenue near Rhonda Ford's property south of 216th Street. The DOT agreement required signatures of the chairman. It was moved by Jones, second by Palmer to enter into the SD-DOT agreement and have the chairman execute the documents. All present voted in favor thereof. The county's share is 20% of the projected cost, about \$76,000.

The commission discussed road haul agreements and concluded that the agreement formulated covered their intents. It was moved by Jones, seconded by Palmer to approve the road haul agreement with Sweetland Wind. The motion carried with Rodgers abstaining. It was noted that the county's agreement that included townships was not binding and should not have been included.

It was also moved by Jones, seconded by Palmer to approve the road haul agreement for Ratio, LLC. All present voted in favor thereof.

The chairman declared it time for public comment. There being none offered, none was heard.

There was no request for an executive session.

During closing discussion, it was moved by Jones, seconded by Palmer with all voting in favor thereof to set the next meeting for January 14, 2020 at 1 PM.

States Attorney Elton Anson addressed the board about the intergovernmental agreement for the employment of a victim and witness advocate to work with prosecutors. The agreement was approved upon motion of Wernsmann, seconded by Rodgers with all members voting in favor thereof.

It was moved by Jones, seconded by Wernsmann to adjourn the meeting at 2:18 PM. All members voted in favor thereof.

The claims for payment are as follows:

For: COMMISSIONERS

DEPT. OF LEGISLATIVE AUDIT	AUDIT OF 2017 & 2018	14693.25
THE MILLER PRESS	PUBLISHING	427.09

		15120.34

For: AUDITOR

A & B BUSINESS, INC.	COPIER MAINTENANCE CONTRACT	26.80
OFFICE PEEPS, INC.	SUPPLIES	24.10

		50.90

For: TREASURER

SHERRIL K. KOECK	MILEAGE	162.12
OFFICE PEEPS, INC.	SUPPLIES	107.23

		269.35
For: STATES ATTORNEY		
ELTON ANSON	MILEAGE	37.80
ANSON LAW	RENT	325.00
ANSON LAW	SUPPLIES	300.00
ANSON LAW	UTILITIES	291.66
MARIE H. BALES	TRANSCRIPT	125.40
TC - WITNESS FEE	PROTECTED WITNESS FEE	20.00
TC - WITNESS FEE	MILEAGE	37.80
SD DEPARTMENT OF HEALTH	BLOOD TESTS	80.00
AL - WITNESS	WITNESS FEE	20.00
AL - WITNESS	MILEAGE	60.48
TN - WITNESS	WITNESS FEES	40.00
TN - WITNESS	MILEAGE	142.80
MICHELLE TURNER	WITNESS FEE	20.00
MICHELLE WIESELER	WITNESS FEE	20.00

		1520.94
For: COURT APP. ATTORNEY		
WHEELER LAW OFFICE	COURT APPOINTED ATTORNEY	461.00

		461.00
For: GOV. BUILDING		
COWBOY COUNTRY STORES	GAS	31.20
SAFETY BENEFITS, INC.	CONFERENCE REGISTRATION	65.00

		96.20
For: REG. OF DEEDS		
TYLER TECHNOLOGIES, INC.	MAINTENANCE CONTRACT	160.82

		160.82
For: VETERANS SER. OFFICE		
CARDMEMBER SERVICES	LASER PRINTER	106.49

		106.49
For: SHERIFF		
A+ TIRE & AUTO SERVICE CENTER	REPAIRS & MAINTENANCE	356.42
BECK MOTORS, INC.	2020 CHEVROLET PICKUP	16534.50
WESLEY BOWSHER	MEALS & MILEAGE	235.48
COWBOY COUNTRY STORES	GAS	156.72
COWBOY COUNTRY STORES	GAS	439.80
COWBOY COUNTRY STORES	GAS	158.90
DAKOTA ELECTRONICS	REPEATER USE	100.00
IDI	EXPANDED FLAT PLAN	15.50
MCLEODS PRINTING & OFFICE SUP.	TICKETS	295.54
MID-STATES ORGANIZED CRIME INF	MEMBERSHIP DUES	100.00
MILLER ACE	SUPPLIES	10.98
NATIONAL SHERIFFS' ASSOCIATION	MEMBERSHIP DUES	65.00
OFFICE PEEPS, INC.	SUPPLIES	387.33
SIGNATURE PLUS	EMBROIDERING	161.50
THE MILLER PRESS	PUBLISHING	192.00
VISA	SUPPLIES	234.34
VISA	SUPPLIES	170.29
VISA	ROOM	120.64
VISA	CELL PHONES	167.50

		19902.44
For: JAIL		
BEADLE COUNTY SHERIFF	PRISONER CARE	5680.00

		5680.00
For: SOLID WASTE		
BRAD MANNING DIGGING	PORTA POTTY RENT	750.00

		750.00
For: LIBRARY		
A & B BUSINESS, INC.	COPIER	2525.00
BOB'S DISPOSAL SERVICE	GARBAGE DISPOSAL	21.00
BOB'S GAS	PROPANE	637.50
CENTER POINT LARGE PRINT	LARGE PRINT BOOKS	1092.96
CENTRAL PROGRAMS, INC.	BOOKS	978.93
DEMCO	SUPPLIES	165.18
INGRAM LIBRARY SERVICES	BOOKS	264.05
MICROFIX, INC.	COMPUTER TOWER	1004.00
MIDWEST ALARM SECURITY	SECURITY SYSTEM	2477.86
CITY OF MILLER	UTILITIES	361.31
OVERDRIVE, INC.	MAINTENANCE FEE & PURCHASES	1100.00
PENWORTHY COMPANY	BOOKS	412.00
QUILL CORPORATION	SUPPLIES	92.98

		11132.77
For: WEED CONTROL		
BOB'S GAS	PROPANE	1562.50
CARDMEMBER SERVICES	SUPPLIES	233.17
CARDMEMBER SERVICES	RECERTIFICATION COURSE	50.00
HAND COUNTY LCIA	BOOTH RENT	100.00
CHRIS JOHNSEN	MILEAGE	21.00
BRADY LAMMERS	MILEAGE	17.64
CITY OF MILLER	UTILITIES	303.66
OAKLEY FARM & RANCH SUPPLY	SUPPLIES	7.92
PUMP N PAK	GAS	28.48
MATT ROGERS	MILEAGE	21.00
BRETT STEVENS	MILEAGE	18.48

		2363.85
For: ZONING		
AGTEGRA COOPERATIVE	GAS	61.54
THE MILLER PRESS	PUBLISHING	6.75

		68.29
For: HWY RDS BRIDGES		
A+ TIRE & AUTO SERVICE CENTER	REPAIRS & MAINTENANCE	259.50
AGTEGRA COOPERATIVE	GAS & FUEL	15230.43
BOB'S GAS	PROPANE	1451.00
BROWNLEE CONSTRUCTION	CRUSHED GRAVEL	165178.59
BROWNLEE CONSTRUCTION	PEA ROCK & SAND	104466.80
CAPITAL I INDUSTRIES, INC.	MULCHER LEASE (2 MONTHS)	7000.00
FARM TECH INC	SUPPLIES	139.02
FASTENAL COMPANY	SUPPLIES	30.79
FISCHER PLUMBING	REPAIRS	243.62
C & B OPERATIONS LLC	TRACTOR LEASES	11750.00
HYDE COUNTY HIGHWAY	SANDER	150.00
LASER CUT, INC.	SUPPLIES	197.42
BRAD MANNING DIGGING	PORTA POTTY RENT	300.00
MID AMERICAN RESEARCH CHEMICAL	SUPPLIES	1017.08
MORRIS, INC.	SAND SEAL	8038.13
OAKLEY FARM & RANCH SUPPLY	SUPPLIES	190.50
SAFETY BENEFITS, INC.	CONFERENCE REGISTRATION	65.00
SD DEPT OF TRANSPORTATION	SHARE OF BRIDGE INSPECTIONS	6135.54
SD DEPT OF TRANSPORTATION	COUNTY PAVEMENT MARKING	886.92
TONY'S REPAIR	MAINTENANCE	329.92

		323060.26

For: EMERG. & DIS. SERV.*		
PUMP N PAK	GAS	126.52

		126.52
For: LAW LIBRARY		
THOMSON REUTERS	SD CODIFIED LAWS 32 & 33	69.62

		69.62

Total Checks: 380939.79

The Auditor's Account with the Treasurer per SDCL 7-10-3 is, as of the close of business on the last day of December, 2019, the treasurer had \$800.00 of cash on hand, \$7,175.77 of checks in possession less than 3 days, \$0.00 of checks in possession more than 3 days, \$0.00 of cash items, \$300.00 of petty cash.

Reconciled Demand Deposits: \$178,459.77 in the American Bank & Trust and \$4,122.62 in the Quoin Financial Bank.

Time Deposits: \$893,882.50 in the American Bank & Trust and \$1,944,005.26 in the Quoin Financial Bank.

Investments: \$11,995.86 in the library checking account, \$12,400.00 in library certificates of deposit and \$7,551.00 in library stocks.

Total cash assets equal \$3,060,692.78

JD Wangness, Commission Chairman

(SEAL)

Doug DeBoer, County Auditor

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