July 7, 2020 HAND COUNTY BOARD OF COMMISSIONERS COMMISSION CHAMBERS & FACEBOOK LIVE MILLER, SOUTH DAKOTA

The Commissioners convened at 9:30 A.M. on Tuesday July 7, 2020 in regular session to conduct county business. Jim Jones, commission chair, called the meeting to order with commissioners Greg Palmer, Jim Eschenbaum, Gib Rodgers and Luke Wernsmann in attendance.

Terry Augspurger, director of equalization, was asked to introduce his guest speakers. Augspurger presented Eric Senger with NECOG, Darin Stein and Ryan Hartley with First District Association of Local Governments, Watertown, South Dakota.

Mr. Hartley gave an introduction of himself and his co-worker and then showed a video to the commission detailing the work of parcel mapping using Geographic Information Systems (GIS).

The state department of revenue wants all counties to use GIS and the new soil surveys to do assessment work on ag lands. The county currently uses the dot map system which will cease to be allowed by 2023.

DOE Augspurger wants the county to contract with $1^{\rm st}$ District for the creation of parcel GIS data. This process requires the plats for nearly 8000 properties to be loaded into the GIS system and then have attributes assigned to them for use by the DOE and other interested parties. The expected cost would be \$59,000 based on \$7 per parcel on 8000 parcels and some associated fees.

The commissioners questioned the benefit of doing parcel mapping in the municipalities since the intent was to catalog the ag properties. The group spent considerable time on the topic with no resolution.

The commissioners recognized that the state is mandating the shift to GIS but decided to postpone action until a later time.

Senger spoke to the board briefly about the "CARES ACT" which provides federal funding to local governments in response to the covid pandemic. Senger said his agency, NECOG, is the liaison between the local governments and the state Bureau of Finance and Management and would be helping the county and cities herein with their processing of claims. The county was awarded up to \$210,000 in recovery funds, the bulk of which would likely be used to offset the sheriff's expenses.

Augspurger requested permission to attend a workshop, which was granted. He also asked for permission to close the office so he could attend a funeral while his associate was at a doctor appointment. The commission took no action on the request.

Chairman Jones requested that Bryan Breitling and Renae Simons of the hospital come forward and report. Brietling reported on the annual contract for community health services. The family planning portion of their program was removed but other services remain. The contract for the coming year will be done electronically and the request from them to the county will remain as it was for 2020. Simons reported on the functions and activities provided by the community health services and answered questions.

The commission then addressed the consent agenda. It was moved by Palmer/Wernsmann and passed to approve the consent agenda with one exclusion. The items approved included: Minutes of the June 4 and June 11 meetings. A cancellation of a special beverage license for J&J Bar (Peggy Speck) of Faulkton. An estimated \$400 repair to a weed department pickup. Review and approval of a beverage license renewal for Eagle Pass Lodge. Building permits for M&K Farms Inc (connect barns), Dakota Spirit Group (deck & greenhouse), JP & Holly Heber (grain bins), Eagle Pass Lodge (garage & addition), Chad & Stacie Koth (garden shed), Susan Deuter (shop addition), and Clate & Jessica Stevens (pole shed).

The item excluded was the purchase of a premade incinerator. Randy Peck was instructed to secure quotes from vendors and report back.

Auditor DeBoer presented the commissioner with a report from Dice Financial Services on the renewal of the Avera health plan. The plan has at least three possible changes ranging in a 3.63% to 9% increase in premiums. The commissioners examined the report and decided more information was needed. DeBoer will contact Dice for a clarification.

DeBoer also provided two funding requests for budget consideration in 2021. The first was from Community Counseling Services for \$9,450 and the other from NECOG (Northeast Council of Governments) for \$8,037.60. Both requests will be addressed during budget preparations at the next meeting.

DeBoer requested review and consideration of the following employee handbook / policy manual topics. The first being the nullification of unspent vacation by hourly employees. Employees are not allowed to carry vacation from one employment year to the next. This came to be in 2001 when several employees ended up taking annual leave at one time and left the department under staffed. DeBoer requested that policy be removed and that hourly employees be allowed to carry 40 hours of unused annual leave to the next employment year. Additionally, DeBoer requested that if an employee could not, by no fault of their own, not use the annual leave, that they be compensated for it rather than have it erased from their accumulated leave.

DeBoer pointed out that some hourly employees are unable to take their leave due to work load and that currently, the policy penalizes that employee for their diligence in remaining at work.

The second request related to sick leave and the leave which is left after an employee resigns or retires. An employee is allowed to accumulate 720 hours of sick leave. Upon leaving, the employee can convert one-quarter of that time to wages, 180 hours. The remaining 540 hours is erased and not compensated. DeBoer requested that employees be given at least one dollar for each hour above the 180 up to the 720. That would be \$540 if the employee had the maximum amount of accumulated leave. DeBoer again cited that it penalizes good employees who do not take sick leave and that the gesture while small is still a recognition of the employee's service. The policy also requires that an employee be in service for seven years before this can occur. The new policy would also provide an instruction to erase any hours which go above the 720. There are employees who keep records of those extra hours but they are non-compensable and should be deleted to avoid confusion.

DeBoer addressed paid funeral leave. Currently the department heads approve the leave but there are no guidelines and thus an inequitable use of the benefit. DeBoer suggested that employees be given up to 16 hours for immediate family member, 8 hours for one-step removed relative, and four hours of paid leave for extended cousins or friends. Any additional leave would be annual leave.

The commission expressed interest in all requests but wanted more time to consider unforeseen aspects. The topic will appear on the agenda of the next meeting to allow them and the employees to offer comment.

The commission moved on to review of capital improvement projects. The commission decided earlier in the year to have departments submit requests for capital improvements so they could weigh them for priority and eventual funding.

The commission heard from Will Page about courthouse improvements. One of them being the relining of sewer pipes rather than tearing open the facility and replacing the pipes. Page had a more detailed report later in the meeting.

Randy Peck with the Weed and Pest department had no immediate needs for his buildings or grounds but stated that in 2022 he would likely need to replace the metal walk-in doors on the building.

Mary Breitling prepared a detailed report of their inspection of the library. Originally, the parking lot was on the priority list but after inspecting the roof, it was learned that hail had damaged the roof and repairs were needed. The group spent some time discussing how this problem may need attention sooner than in 2021 and instructed them to get estimates from roofing companies.

The remainder of the library improvements will be kept on record for future action.

The highway department did not submit any requests for improvements on buildings or grounds.

Arlen Gortmaker, 9 1 1 County Coordinator informed the board that sufficient funds had been saved and the technology now existed to renovate the county's 20+ year old emergency / paging system. Gortmaker explained that the county uses five different repeaters to provide communications in the west (Ree Heights tower), the north (Orient tower), the east (Vayland tower), the south (Ohio Township) and in the center, (Courthouse).

Technology would allow for the use of the internet to bridge the gap between the 9 1 1 provider and each of the five repeater sites. Currently, the 9 1 1 center can only access one repeater site at a time because they have to change channels. The use of "internet gateways" would allow the internet to transport the communications from the 9 1 1 center to the repeater site and thus allow all five towers to be "live" in the 9 1 1 center and sheriff's office continuously. The technology is expensive but the 9 1 1 fund has grown sufficiently to complete the task.

Gortmaker was given instructions to pursue the plan and because of the special funding reserve, the project would likely happen. [The fund contains accumulated 9 1 1 surcharge revenues which can only be used for 9 1 1 purposes. The plan was previously approved by the state oversite agency]

Plats were presented for approval from Clayton Keck for a tract within his outlot east of Miller. The resolution was approved upon motion of Rodgers / Wernsmann and affirmative vote.

The second plat was presented by the family of Gene Swaney for an outlot on Swaney's property called the Ketelhut Outlot. Swaney would retain ownership but the property would be denoted as separate. The resolution was approved upon motion of Rodgers/Wernsmann with all voting in favor.

Kimberly Sinkie DeWald of Midcontinent Communications spoke to the board about two items. The first being their "hosted phone" system which allows calls to be carried via the internet rather than wire line. The system would work in conjunction with existing Midco internet to increase functions and reliability.

The second topic was the consolidation of the various internet services into one master internet system. Midco would use fiber optic line to provide the signal and the distribution would be from a central point in the basement rather than the various internet modems each department maintains. DeWald presented a proposal on the potential savings should the commissioners decide to do so.

DeWald returned to the hosted phone service and explained that Midco would own the hardware and the county would pay a central fee for telephone service. DeWald's analysis indicated that a savings could be realized, should the county decide to proceed.

The commission requested the matter be put on the agenda for the next meeting so they could put some thought into it and determine if Venture had an interest in providing internet, like they once did.

The commission returned to Custodian Will Page who provided more details on the pipe relining idea. After some discussion the commission instructed Page to locate more vendors and return with pricing for doing the project.

Page addressed the central clock system. The commission approved the artwork for the clocks (no additional fee) and gave Page consent to proceed as previously authorized.

Page reported on the roof inspection and subsequent work by Pro-Tec, the installer. All repairs had been done and the roof manufacturer re-stated their warranty effectiveness. Page spent some time describing the water seepage into the skylight boxes above the courtroom. He plans to have Glass Products return to the site and determine the problem.

Lastly, Page reported on the water which has been coming in the east entry. The water comes in under the door and Page thought the House of Glass from Aberdeen should affect repairs.

Jeff Hargens, Highway Superintendent, spoke to the commission about implementing a training / loss prevention program in conjunction with the city of Miller through the Minnesota Municipal Association. The program provides onsite training. If the two combine the cost of training would decrease saving both entities money. The commission agreed but also left room for Hargens to check on other sources of training.

Hargens asked permission to start the process of building up a bypass detour in Harrison Township. The bypass is needed because of water which was released from a pond and flooded $174^{\rm th}$ Street. Hargens said the cost to do the bypass detour is about \$15,000 which is a fraction of the cost should they try to build up the original roadway. The commission expressed their discontent at the situation since someone else caused this flooding and was offering no remedy.

Hargens also requested approval for drain tile to be laid in a right of way where Carlton and Wheaton Township join, $368^{\rm th}$ Avenue south of SD HWY 26. The tile would be solid so as to not drain the ditch but allow the tiling company to transport water to the next property in the project. After much discussion the commission cautiously approved the request upon motion of Wernsmann / Rodgers, with all voting in favor.

Hargens asked for and received permission to advertise for a full-time employee to fill the vacancy left by the recent retirement of Mike Mareska.

Hargens then addressed the dike along the Pearl Creek in Gilbert Township. Jones explained that the property owner had been contacted and was agreeable to the county's intentions to repair the dike, maintain the dike so long as access and other conditions are met and kept. It was decided that both Watkins and Snodgrass's would be asked for access easements and cooperative agreements to keep the dike in place and in repair. Concerns were raised about damages caused to the dike by other means than nature. It was agreed that measures would have to be taken to ensure injuries were rectified when found.

Shane Croeni - Sheriff, addressed the board. He provided his activity summary and asked the commission to ratify the hire of Brandon Fisher as a full time, certified deputy sheriff. The wage, after discussion, would be the base plus the CPI from January for a total hourly wage of \$19.85. The hire was approved upon motion of Palmer / Wernsmann with all voting in favor.

The commission spent some time discussing the sheriff's desire to budget for a drug detection dog which may cost up to \$10,000 to acquire and get settled.

The commission returned to the discussion with Mary Breitling. It was moved by Palmer / Eschenbaum, passed to ratify the appointment of Andrea Fiala as a trustee for the public library. Breitling was also given

permission to advertise for a part-time library aid as she has two employees who are voluntarily reducing their hours.

Arlen Gortmaker - emergency manager offered his report on the protective equipment he has purchased to mitigate COVID-19. He also spoke about the CARES ACT funding and asked the board to approve a resolution, a Local Government spending agreement and annex thereto. It was moved by Wernsmann/Palmer, passed to enact the resolution. It was moved by Wernsmann/Palmer, passed to approve the reimbursement agreement and it was moved by Wernsmann/Palmer, passed to acknowledge the ANNEX thereto.

Gortmaker explained how his own home was in danger of taking flash flooding water in St. Lawrence. Gortmaker said he called the state office of Emergency Management to ask for direct assistance but was denied because he was asked to justify the need. Gortmaker expressed his frustration with his regional coordinator being told they could not response without further justification. Gortmaker has a meeting with two OEM staff and himself on the $8^{\rm th}$. Commissioners Jones and Eschenbaum offered to attend the meeting as well to discover why the request failed to be answered.

On a personal note, Gortmaker asked the commissioners to explore upsizing the culvert under North Commercial Avenue (part of the county highway system). Gortmaker explained there is a plan to replace water and sewer lines in the road and that it would be an opportune time to upsize the culvert. The commissioners agreed to explore it.

Gortmaker was asked about the flooding in the southeast corner of Miller. Gortmaker said he personally walked the railroad and found the area where the water overtopped the tracks and flowed into Miller off the farm ground. He also reported that he found the culvert under the rail line which was allowing the high water to run north and into a drainage ditch which took it to the corner of $9^{\rm th}$ Avenue and Second Street where it dumps into a storm sewer inlet. Gortmaker believes this water was flowing over the area and ended up flooding all the way west to $5^{\rm th}$ Avenue and $3^{\rm rd}$ Street. Gortmaker believes that the ditch was built to let water out of Miller but when a highwater event occurs, the opposite happens.

Gortmaker presented a copy of SDCL 46A-10A related to county drainage and encouraged the cities and county to work together to rectify the problems found via the authority in these statutes, in particular, SDCL 46A-10A-73 which appears to grant authority to order the railroad to effect repairs.

Auditor DeBoer presented preliminary data on the provisional budget for 2021. Each department had submitted proposals for expenditures for the coming year. Those departments who didn't, had their budgets completed by DeBoer with consultation. The general fund accounts total requests came to \$3,069,182.63. \$148,340.75 more than in 2020. This reflects an increase of 5.07% over last year. DeBoer explained that cash on hand could cover the increase because projects that were intended for 2019 did not occur so more funds were available at the beginning of 2020 and even with emergency spending this year, there may be sufficient funds to cover the new projects.

DeBoer provided the commissioners with reports on the general fund requests and those of the non-general fund accounts, like road and bridge, emergency management, 9 $\,1$ 1 and a few other special funds.

The road and bridge fund showed an increase of 12.98% due mostly to increase expenditures for repairs funded through outside sources (bridges and culverts). The 2020 budget was \$2,359,325.88 and 2021 is projected at \$2,464,751.34.

DeBoer also provided the commissioners with current fund balance sheets and cash fund balances to aid them in their examination of the financial status and availability of funds.

The commission agreed to set July 21, 2020 at 7 P.M. as the next meeting to review the budget before the provisional budget is published in August.

Commissioner Eschenbaum drew the commission back to an overlooked item from the commission work period, that being the revisit of Ordinance 2020-01, the COVID-19 response ordinance. After some discussion of it's need, Commissioner Eschenbaum moved, Rodgers seconded to repeal Ordinance 2020-01 and subsequently Resolution 2020-05 which modified ordinance 2020-01. On a voice count, commissioners Eschenbaum, Palmer, Rodgers and Wernsmann voted in favor, the motion passed. Commissioner Jones offered his dissenting vote for the record.

At 3:30 P.M. it was moved by Palmer / Wernsmann, passed to adjourn the meeting. The claims approved for payment are:

meeting. The Claims approved	for payment are:	
For: BOARD OF COUNTY COMM CARDMEMBER SERVICES	SUPPLIES	25.27
CONNECTING POINT	CREATE CLOUD CONSOLE -ALL OFFI ANTI-VIRUS LICENSE - SERVER	80.00 21.00
DOUGLUS DEAN DE BOER	CORD FOR PROJECTOR	17 99
GOOD SHRED	SHREDDING SERVICE	43 00
ON HAND ECONOMIC DEVELOPMENT	MONTHLY SUPPORT	2500 00
THE MILLER PRESS	PUBLISHING	330.80
	CORD FOR PROJECTOR SHREDDING SERVICE MONTHLY SUPPORT PUBLISHING	
		3018.06
For: ELECTIONS********* AGTEGRA COOPERATIVE DOUGLUS DEAN DE BOER		
AGTEGRA COOPERATIVE	GAS - ELECTION	44.88
DOUGLUS DEAN DE BOER	DYMO LABELS	26.35
DS SOLUTIONS, INC.	ELECTION SUPPLIES	507.50
ELECTION SYSTEMS &	ELECTION SUPPLIES	3781.06
HAND COUNTY TREASURER	ELECTION POSTAGE	4.40
THE MILLER PRESS	GAS - ELECTION DYMO LABELS ELECTION SUPPLIES ELECTION SUPPLIES ELECTION POSTAGE ELECTION PUBLISHING	3096.84
For: AUDITOR********		7461.03
A C D DIICTNECC TNC	COPIER MAINTENANCE CONTRACT	59 96
		27.66
CONNECTING POINT	TYBOD ON DEMOLE MODK	150.00
DOUGLIS DEAN DE ROED	LABOR ON REMOTE WORK POSTAGE & TAPE PHONE & INTERNET SERVICE OFFICE SUPPLIES POSTAGE METER RENT LABOR	102.96
DOUGLUS DEAN DE BOER	PHONE & INTERNET SERVICE	93.44
OFFICE PEEPS, INC	OFFICE SUPPLIES	22.23
PITNEY BOWES	POSTAGE METER RENT	321.84
TWIN VALLEY TIRE OF MILLER	T.ABOR	5.00
TWIN VALLEY TIRE OF MILLER	PARTS	17.25
		799.34
For: TREASURER***********************************		
CONNECTING POINT	LABOR ON REMOTE WORK	185.00
CONNECTING POINT	BACKUP & REPLICATION - MAY	20.00
OFFICE PEEPS, INC.	OFFICE SUPPLIES	42.96
	•	247.96
For: STATES ATTORNEY****		
ELTON ANSON	MILEAGE	37.80 325.00
ANSON LAW	RENT	325.00
ANSON LAW	SUPPLIES	312.50
ANSON LAW	UTILITIES	300.00
MARIE H. BALES	TRANSCRIPTS	226.40
FOR: STATES ATTORNEY***** ELTON ANSON ANSON LAW ANSON LAW ANSON LAW MARIE H. BALES Witness D1807P	WITNESS FEE	20.00

Witness D1807P	MILEAGE	6.72
		1228.42
For: COURT APP. ATTORNEY* MARIE H. BALES	TRANSCRIPTS	271.20
		271.20
OFFICE PEEPS, INC.	SUPPLIES GARBAGE DISPOSAL SUPPLIES FIXING OUTSIDE LIGHTS FIRE EXTINGUISHER MAINTENANCE UTILITIES OFFICE SUPPLIES ELEVATOR MAINTENANCE CONTRACT	98.47
For: DIR. OF EOUAL.*****		2924.13
AMERICAN SOLUTIONS FOR BUSINES	LABOR ON REMOTE WORK BACKUP & REPLICATION - JUNE PROPERTY CARDS LABOR	318.40
		743.15
For: REG. OF DEEDS****** AMERICAN SOLUTIONS FOR BUSINES CONNECTING POINT CONNECTING POINT OFFICE PEEPS, INC. TYLER TECHNOLOGIES, INC.	LABOR ON REMOTE WORK ANTI-VIRUS LICENSES OFFICE SUPPLIES	22.86 105.00 42.00 85.25 2963.05
For: SHERIFF*********		3218.16
WESLEY BOWSHER CARDMEMBER SERVICES CARDMEMBER SERVICES CARDMEMBER SERVICES CARDMEMBER SERVICES CHUCK'S BODY SHOP CONNECTING POINT DOUGLUS DEAN DE BOER OFFICE PEEPS, INC. VISA VISA	MILEAGE SUPPLIES SUPPLIES SUPPLIES TOWING LABOR ON REMOTE WORK ANTENNAES OFFICE SUPPLIES CAR WASHES CELL PHONES	208.28 27.10 27.10 27.10 27.10 167.25 160.00 77.59 242.91 16.00 167.02
For: JAIL************************************	PRISONER CARE	1360.00
		1360.00
For: COUNTY NURSE*****		

HAND CO MEMORIAL HOSPITAL INC.	COUNTY HEALTH NURSE	2954.21
		2954.21
For: MENTAL HEALTH****** CENTER FOR INDEPENDENCE HAND COUNTY MINISTERIAL ASSOC.	MONTHLY SUPPORT (2 MO) MENTAL HEALTH TRANSPORT	360.00 134.54
For: LIBRARY*********		494.54
A & B BUSINESS, INC. BOB'S DISPOSAL SERVICE DEMCO INGRAM LIBRARY SERVICES	COPIER MAINTENANCE CONTRACT GARBAGE DISPOSAL SUPPLIES BOOKS UTILITIES	42.00 38.48 352.23 223.71
For: EXTENSION********		706.88
DOUGLUS DEAN DE BOER	PUBLICATION SOFTWARE	79.00
For: WEED CONTROL******		79.00
AA MOTORSPORTS, LLC AT & T BOB'S GAS CARDMEMBER SERVICES CONNECTING POINT DOUGLUS DEAN DE BOER HAND COUNTY TREASURER	QUARTERS UTILITIES CHEMICAL	221.95 67.70 200.00 27.10 70.00 13.99 40.00 341.41 166.80 81.90 253.23
For: HWY RDS BRIDGES****		1484.08
OAKLEY REPAIR OAKLEY REPAIR PRODUCTIVITY PLUS ACCOUNT ROCK TUFF TONY'S REPAIR TRANSOURCE TRUCK & EQUIPMENT	SUPPLIES GARBAGE DISPOSAL SUPPLIES SUPPLIES LABOR ON REMOTE WORK SUPPLIES SUPPLIES SUPPLIES SUPPLIES EXCAVATOR WORK PHONE & INTERNET SERVICE UTILITIES SUPPLIES REPAIRS SUPPLIES SUPPLIES REPAIRS SUPPLIES SUPPLIES SUPPLIES SUPPLIES SUPPLIES SUPPLIES SUPPLIES	691.58 310.80 50.00 179.90 209.17 80.00 687.16 92.69 185.98 1004.80 938.78 171.81 268.92 255.67 7487.11 1086.55 17.50 751.20 303.22 226.32 7978.76

Total Checks: 52343.83

The Auditor's Account with the Treasurer per SDCL 7-10-3 is, as of the close of business on the last day of the preceding month: the treasurer had \$855.63 of cash on hand, \$25,331.43 of checks in possession less than 3 days, \$0.00 of checks in possession more than 3 days, \$44.40 of cash items, \$300.00 of petty cash.

Reconciled Demand Deposits: \$178,473.32 in the American Bank & Trust and \$145,538.91 in the Quoin Financial Bank.

Time Deposits: \$1,611,230.96 in the American Bank & Trust and \$1,954,506.01 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 \$3,948,227.52.

Jim Jones, Commission Chairman

(SEAL)

Doug DeBoer, County Auditor