

SULLY COUNTY BOARD OF COMMISSIONERS
MAY 2, 2022

The Board of Sully County Commissioners held their regular scheduled mtg on Mon, May 2, 2022. Chmn Yackley called the mtg to order at 7:30 am. Other members present: William Floyd, Jerry Richards & Joe Fanger. Absent: Caleb Shepherd. Also, present were Susan Lamb, Janet Schmahl, JJ Schall, Emily Sovell, Ajaye Williams, Eric Dutenhoeffer, Colton Nye, Gail Tennant, Chris Theroux, Helen Jane Paxton & Leanne Loesch.

ADOPT AGENDA: Motion by Floyd, second by Fanger to adopt the agenda. Motion carried 4-0. Absent: Shepherd

PUBLIC COMMENT: No one was present for public comment.

MINUTES: Motion by Richards, second by Yackley to approve minutes from the Bd of Commission mtg held on April 12th. Motion carried 4-0. Absent: Shepherd. Motion by Fanger, second by Floyd to approve minutes from the Bd of Equalization mtg held on April 12th. Motion carried 4-0. Absent: Shepherd

GIS/P&Z TRAVEL REQUEST: Motion by Richards, second by Yackley to approve 3 out of state travel requests for GIS/P&Z Dir Schmahl. Motion carried 4-0. Absent: Shepherd

MALT BEVERAGE LICENSE RENEWALS: Motion by Floyd, second by Richards to approve the renewal of malt beverage licenses for Agar Fire Dept (1 day), Cheyenne Ridge Outfitters, Codgers Cove RV Park, the Corner, Eric's Custom Repair, Okobojo Resort, Outpost Lodge, Pike Haven Resort, Sargent Ranch Lodge, Sunset Lodge, Sutton Bay Golf & West Prairie Resort. Motion carried 4-0. Absent: Shepherd

PRIMARY ELECTION BD: Bd reviewed election workers for Primary Election.

STEP INCREASE: Aud Lamb informed Bd that Tony Bender will receive a 23rd yr step increase of \$.30/hr on May 22nd.

PRESERVING LOST HISTORY: Eric Dutenhoeffer requested Bd approval for he & his wife to use a medal detector on Courthouse lawn. All historical items found will be donated back to the Courthouse. Motion by Richards, second by Yackley to approve request. Motion carried 4-0. Absent: Shepherd

BID PROTEST PROCEDURE RESOLUTION: Motion by Fanger, second by Richards to approve resolution. Motion carried 4-0. Absent: Shepherd

RESOLUTION 2022-13

RESOLUTION ADOPTING THE SULLY COUNTY BID PROTEST PROCEDURES

WHEREAS, the Sully County Board of Commissioners finds it necessary to adopt procedures to address protests filed by bidders for projects procured in Sully County;

WHEREAS, Sully County has developed a Bid Protest Procedure;

WHEREAS, this policy will help inform all parties involved in bidding projects involving competitive bidding, and establishes fair procedures to resolve differences among participants in the bidding process, further advancing transparency and good government.

BE IT RESOLVED that the Sully County Bid Protest Procedures are hereby adopted.

Motion by Fanger, seconded by Richards to adopt Resolution 2022-13.

Voting Aye

s:/William Floyd

s:/Jerry Richards

s:/Greg Yackley

s:/Joe Fanger

Voting Nay

None

Absent and Not Voting

Shepherd

Motion passed and Resolution adopted on May 2, 2022.

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s:/Greg Yackley, Chairperson

CODGER'S CASTAWAY ROAD DISTRICT: Motion by Floyd, second by Richards to approve road district. Motion carried 4-0. Absent: Shepherd

PRE-DISASTER HAZARD MITIGATION PLAN RESOLUTION: Motion by Floyd, second by Richards to approve resolution. Motion carried 4-0. Absent: Shepherd

RESOLUTION 2022-14

ADOPTING THE SULLY COUNTY HAZARD MITIGATION PLAN 2022

WHEREAS, Sully County has experienced severe damage from strong winds, flooding, hail, winter storms, drought, heavy rain, and other various natural disasters, resulting in property loss, economic hardship, and threats to public health and safety;

WHEREAS, the Sully County Mitigation Planning Team, the Sully County Emergency Management Office, and the CSDED have conducted over a year's worth of research and public meetings to gather information to prevent or minimize disaster impacts on Sully County, and,

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WHEREAS, the citizens of Sully County have been afforded the opportunity to participate, comment, and provide input in the plan content and mitigation strategies; and,

WHEREAS, the plan recommends hazard mitigation actions that will protect the people and property affected by the natural hazards that face the County;

WHEREAS, the Sully County Mitigation Planning Team recommends the adoption of the Sully County Hazard Mitigation Plan (2022 Update) and,

NOW THEREFORE BE IT RESOLVED by the Chair and the Sully County Commission that:

The Sully County Hazard Mitigation Plan (2022 Update) is hereby adopted as an official document that identified hazard mitigation goals and strategies for projects within Sully County.

That the Sully County Hazard Mitigation Plan (2022 Update) shall be incorporated into any Comprehensive Plans developed and approved by Sully County.

The Sully County Commission will seek to update the plan prior to the plan expiring five years after adoption.

Adopted by the Sully County Commissioners this 2nd day of May, 2022. This resolution is effective immediately upon passage.

s:/Greg Yackley, Chair

Attest: (Seal)

s:/Susan B. Lamb, Auditor

RAILROAD CROSSING: Bd discussed blockage of railroad crossings. Bd instructed Aud Lamb to send letter to railroad sharing concerns on crossings being blocked for extended periods of time.

PRIVACY FENCE: Colton Nye requested permission to replace fence on north side of county shop with a 6' tall privacy fence. Nye will build & maintain fence. Maintenance of fence must also transfer to new owner if property is sold.

Motion by Richards, second by Floyd to approve fence. Motion carried 4-0. Absent: Shepherd

HWY DEPT: Hwy Supt Schall discussed mag water, signing, culverts, vacation & fuel costs with Bd.

BRIDGE 60-358040: Motion by Richards, second by Fanger to bid the purchase of box culvert for bridge. Motion carried 4-0. Absent: Shepherd

SDDOT STRIPING AGREEMENT: Motion by Floyd, second by Yackley to approve agreement to be signed by Chairman Yackley. Motion carried 4-0. Absent: Shepherd

LEGAL MATTERS: States Attny Sovell discussed legal matters with Bd including section lines & ditches.

EXECUTIVE SESSION: Motion by Fanger, second by Richards to go into Executive Session SDCL 1-25-2(3). Motion carried 4-0. Absent: Shepherd Motion by Richards, second by Fanger to come out of Executive Session SDCL 1-25-2(3). Motion carried 4-0. Absent: Shepherd

POOR RELIEF CLAIM 59CIV18-000011: Motion by Richards, second by Floyd to reject offer provided by Robert Nelson in letter dated April 22, 2022. Motion carried 4-0. Absent: Shepherd

POOR RELIEF CLAIM RM: Motion by Floyd, second by Richards to table claim until further information is obtained. Motion carried 4-0. Absent: Shepherd

P&Z PIPELINE RECOMMENDATION: P&Z Dir Schmahl informed Bd that the P&Z Commission's recommendation is to not make any changes to the existing zoning ordinance, as they feel it would not be a good use of their time to create new ordinance because they would most likely not hold up under legal scrutiny. Gail Tennant shared information with Bd regarding pipelines.

LEGISLATIVE AUDIT CLOSING CONFERENCE: Auditor Chris Theroux conducted the 2019-2020 audit closing conference with Bd.

EXECUTIVE SESSION: Motion by Floyd, second by Fanger to go into Executive Session SDCL 1-25-2(1). Motion carried 4-0. Absent: Shepherd Motion by Fanger, second by Floyd to come out of Executive Session SDCL 1-25-2(1). Motion carried 4-0. Absent: Shepherd

CODGER'S COVE REAL ESTATE TAX ASSESSMENT: Motion by Fanger, second by Richards to allow partial real estate tax payments & to waive all penalties & interest on list of lots sold in 2021 if payment is received by July 2nd with any overage upon completion of payment being paid to Vic Utech. Motion carried 4-0. Absent: Shepherd

PIPELINE PARTY STATUS: Bd discussed party status. Based on States Attny Sovell's recommendation the Bd decided not to file party status at this time. Bd is neutral & representing constituents on both sides of this matter.

MONTHLY DEPT REPORTS: Bd reviewed monthly dept reports.

FUEL QUOTES: The following is the fuel quote received for the month of May. Sovell Oil-unleaded \$4.06, diesel #1-no quote, diesel #2-4.89. A monthly inventory listing was also reviewed of fuel used by the Co in the month of April.

CLAIMS: Motion by Floyd, second by Yackley to approve claims. Motion carried 3-1 with Fanger voting nay. Absent: Shepherd SD Retirement 10, Prof Fee, Steinley Real Estates 325.00 T&C, SDACO 66.00 Collections, State Treasurer 81850.39 Collections, Oahe Electric 542.41 Util, Codgers Cove Road District 1250.00 Collections, Agar Town 2762.50 Collections, ABO School 198997.84 Collections, Central Plains Water 780.38 Collections, Codgers Cove Road Dist 1750.00 Collections, Highmore-Harrold School 2616.73 Collections, City of Onida 9600.87 Collections, A&B Business

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Solutions 83.80 Supl, Agar Fire Department 3712.50 Approp, Agar Fire Department 4500.00 Approp, American Solutions For Business 566.10 Supl, AT&T Mobility 267.65 Phone, Avera Queen of Peace Health 159.00 Prof Serv, BankWest 15508.36 Payment, Paula Barber 7.01 Supl, BIT Resource Billing 36.25 Prof Serv, Capital One Bank 567.54 Supl, Cardmember Service 436.01 Supl, County Wide Directory 280.00 Supl, Don's Sinclair Inc 35.00 Maint, CWD Investigations, Inc. 225.00 Prof Fees, Dewey J Ertz 225.00 Prof Svc, Executive Mgmt Finance Office 24.30 Prof Svc, Hughes County Jail 5.13 Pres, Hydrotex 231.05 Supl, Inland Truck Parts Co 59.34 Supl, J Morin Landscape 17032.30 Maint, Kimball Midwest 185.54 Supl, Konrad Law 13569.26 Atty Fees, Lamb Discount Supply 263.24 Supl, Lamb Motor Co Inc 15.00 Supl, Susan Lamb 20.70 T&C, Leanne Loesch 13.80 T&C, Marco 351.12 Maint, Menards 54.64 Supl, Nye Lumber 299.60 Supl, City of Onida 20888.72 Approp, Onida Fire Department 13750.00 Approp, Onida Fire Department 10000.00 Approp, Onida Watchman 649.02 Publ, Pennington County Sheriff 138.41 Transport, PowerPlan 760.68 Supl, SD Police Chiefs' Assoc 85.00 T&C, SD Assoc of Assessing Officers 325.00 T&C, Servall 298.99 Rental, Sirchie Acquisition Company 126.75 Supl, Sovell Oil, Inc 28277.84 Fuel, Sovell Law Office 225.20 Util, Sunrise Bank Dakota 16166.74 Payment, Sunrise Bank Dakota 36142.82 Loan Pmt, TranSource 95.28 Supl, Venture Communications Co-op 1156.79 Util, Verizon Wireless 103.78 Phone, WW Tire Service Inc 11373.68 Supl, Zander Auto Parts Inc 21.25 Supl,

APRIL WAGES Salaries by Office: Comrs 4082.81; Aud 7913.20; Treas 6585.77; States Attny 8295.55; Cthse 3428.61; DOE 3999.32; Reg of Deeds 6585.88; GIS 4745.54; Sheriff 17,374.33; Weed & Pest 716.22; P&Z 541.88; Highway 68,783.47; Emg Mgt 1003.58.

MTG DATES: Special mtgs will be held May 9th at 7:30 am & May 13th at 7:30 am. The next regular meeting will be June 9th at 7:30 am.

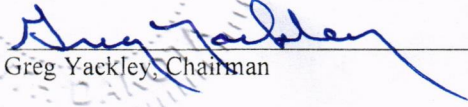
ADJOURNMENT: There being no further business, Chairman Yackley declared the mtg adjourned at 10:50 am



Susan Lamb, Sully County Auditor

MAY - 9 2022

Approved


Greg Yackley, Chairman

Seal of the County Auditor
Sully County, South Dakota
Susan Lamb, Auditor
No Commission