

SULLY COUNTY BOARD OF COMMISSIONERS  
APRIL 4, 2023

The Board of Sully County Commissioners held their regular scheduled mtg on Tues, April 4, 2023. Chmn Fanger called the mtg to order at 7:30 am. Other members present: Greg Yackley, William Floyd, Jerry Richards & Caleb Shepherd. Also, present were Sheila Ring, JJ Schall, Janet Schmahl, Emily Sovell, Paul Kolb, Vic & Andrew Utech.

ADOPT AGENDA: Motion by Floyd, second by Yackley to adopt the agenda with the addition of Equipment Rent to City of Onida. Unanimous vote aye.

PUBLIC COMMENT: No one was present for public comment.

MINUTES: Motion by Shepherd, second by Yackley to approve minutes from the Bd of Commission mtgs held on March 7<sup>th</sup> & March 20<sup>th</sup>. Unanimous vote aye.

COUNTY GOVERNMENT MONTH: Bd recognized April as National County Government Month with the theme "Counties Rise!". County Government worksheets were sent to ABO School.

EASTER HOLIDAY: Aud Lamb informed Bd that Gov Noem has given state employees admin leave for Good Friday & Easter Monday so Sully Co offices will be closed also.

SDDOT COMMUNITY ACCESS ROAD GRANT RESOLUTION: Motion by Floyd, second by Richards to approve resolution. Unanimous vote aye.

RESOLUTION 2023-11

SDDOT COMMUNITY ACCESS ROAD GRANT

WHEREAS, Sully County has identified the need to undertake road improvements to 305<sup>th</sup> Ave between 185<sup>th</sup> and 186<sup>th</sup> St; and

WHEREAS, Sully County agrees to provide a 20% local match for road construction costs, plus pay all engineering and administrative costs associated with said project; and

WHEREAS, Sully County will secure the required right-of-way for the construction of the project; and

WHEREAS, Sully County agrees to maintain the road for its useful life;

NOW THEREFORE BE IT RESOLVED, that the Sully County Board of Commissioners does hereby authorize the County Commission Board Chairperson to sign and submit a SDDOT Community Access Road Grant application, requesting 80% of the eligible construction costs for said project up to \$600,000 of grant funds.

Commissioner Floyd moved to adopt the resolution and Commissioner Richards seconded the motion.

Motion passed and resolution adopted this 4th day of April, 2023. This resolution is effective immediately upon passage.

s:/Joe Fanger, Chairman

Sully County Board of Commissioners

ATTEST: (Seal)

s:/Susan B. Lamb

Sully County Auditor

AUTOMATIC BUDGET SUPPLEMENT: Motion by Yackley, second by Richards to approve the following automatic budget supplement to 201-0-369.10 Other Reimbursement from Potter County in the amount of \$3,351.99. Unanimous vote aye. Motion by Floyd, second by Yackley to approve the following automatic budget supplement from 201-0-369.10 Other Reimbursement to 201-311-422.00 Highway Prof Services & Fees in the amount of \$3,351.99. Unanimous vote aye.

GENERAL FUND SURPLUS CASH REPORT: Aud Lamb informed Bd that report shows 31.5% as of 3/31/2023.

RESOLUTION OF SPRING CREEK COW CREEK SANITARY DISTRICT: Discussion was held on proposed resolution to exclude real property from current sanitary district. Motion by Shepherd, second by Yackley to approve property exclusion. Unanimous vote aye.

PLAT OF BLOCKS 1-126, OAHE ADDITION TO THE ONIDA CEMETERY: Motion by Richards, second by Floyd to approve plat. Unanimous vote aye.

RESOLUTION 2023-12

A RESOLUTION APPROVING THE PLAT OF BLOCKS 1-126, OAHE ADDITION TO THE ONIDA CEMETERY IN THE SE1/4 OF SECTION 2, TOWNSHIP 114 NORTH, RANGE 77 WEST OF THE 5<sup>TH</sup> P.M., SULLY COUNTY, SOUTH DAKOTA.

WHEREAS, the plat of the above described property has been executed according to statute, now therefore:

BE IT RESOLVED that the County Commission, in and for Sully County, does hereby approve the said plat of Blocks 1-126, OAHE ADDITION to the Onida Cemetery.

Dated this 4<sup>th</sup> day of April, 2023

s:/Joe Fanger

Chairperson

Attest: (SEAL)

I, Auditor of Sully County, do hereby certify that at an official meeting on April 4, 2023, the County Commissioners did by resolution approve the plat of Blocks 1-126, OAHE ADDITION to the Onida Cemetery.

s:/Susan B. Lamb



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Auditor of Sully County

PROPERTY TAX ABATEMENTS: Four parcels were presented for 2022 pay 2023 property tax abatements due to assessment errors. Motion by Yackley, second by Floyd to approve abatement in the amount of \$104.27 for Record #2211. Unanimous vote aye. Motion by Richards, second by Yackley to approve abatement in the amount of \$796.34 for Record #4155. Unanimous vote aye. Motion by Yackley, second by Floyd to approve abatement in the amount of \$1900.67 for Record #5799. Unanimous vote aye. Motion by Floyd, second by Shepherd to approve abatement in the amount of \$476.28 for Record #6319. Unanimous vote aye.

EMERGENCY ROAD TAKEOFF: Bd discussed information received from SDPAA regarding Onida Airport request to use 185<sup>th</sup> Street west of Onida for runway in case of emergency. Motion by Richards, second by Floyd to approve request upon signed agreement with Onida Airport. Unanimous vote aye. Bd instructed States Attny Sovell to prepare agreement.

SD FLAP 185(1) MODIFICATION #001: Motion by Richards, second by Yackley to approve Modification #001 & authorize Chmn Fanger to sign. Unanimous vote aye.

LEGAL: States Attny Sovell discussed legal issues with Bd including poor relief, mailbox policy & haul road agreements.

CLAIMS: Motion by Floyd, second by Shepherd to approve claims. Unanimous vote aye. SDACO 92.00 Collections, State Treasurer 91361.31 Collections, Oahe Electric 595.47 Util, Agar Town 8018.72 Collections, ABO School 239546.02 Collections, Central Plains Water 866.03 Collections, Codgers Cove Road District 3750.00 Collections, Highmore-Harrod School 7951.32 Collections, City of Onida 13465.74 Collections, A&B Business Solutions 74.36 Maint, Agar Town 2000.00 Approp, AT&T Mobility 268.14 Phone, Bankwest 15508.36 Loan, Paula Barber 464.95 T&C, Beadle County Auditor 550.00 Approp, Anton Bender 135.80 Supl, BIT Resource Billing 46.50 Prof Serv, Brosz Engineering Inc 2575.00 Prof Serv, Capital Area Counseling Serv 375.00 Approp, Capital One Bank 148.02 Supl, Cardmember Service 551.05 Supl, Crazy B's Tees 97.00 Supl, Don's Sinclair Inc 10.00 Maint, ESRI 440.00 Prof Svc, Floyd's Truck Center 234.72 Supl, Kimball Midwest 161.83 Supl, Lamb Chevrolet & Implement Inc 27.60 Supl, Lamb Discount Supply 856.27 Supl, Lamb Motor Co Inc 571.23 Supl, Linde Gas & Equipment 1039.15 Rent, Marco 175.74 Maint, Mid-American Research Chemical 182.32 Supl, Mid-Dakota Rural Water System 91.30 Util, Nye Lumber 56.00 Supl, City of Onida 1387.71 Util, Onida Electric Inc 412.27 Reprs, Onida Watchman, Inc 38.00 Publ, Kevin Paxton 79.86 Supl, Powerplan 2264.14 Supl, Precision Reporting 265.25 Prof Svc, Ray Goebel & Sons Inc 77477.50 Gravel, SD Assoc of Co Commissioners 220.00 T&C, SD Assoc of Co Commissioners 366.00 Ins, SD Department of Trans 1626.71 Prof Serv, SD Peace Officers' Assn 50.00 T&C, SD Public Assurance Alliance 749.74 Ins, SD Sheriffs Association 115.00 T&C, SD Assn Computer Equipment Ser 15.00 T&C, Servall Uniform/Linen Co 313.34 Rental, South Dakota LTAP 150.00 T&C, Sovell Oil, Inc 7449.43 Fuel, Stewart & Daughters Inc 1490.91 Util, Sully Co Treasurer/Petty Cash 24.20 Supl, The Lodge At Deadwood 208.00 T&C, TranSource 634.93 Supl, Brett VanWinsen 79.81 Supl, Venture Communications 1105.28 Phone, Verizon Wireless 103.64 Phone, Zander Auto Parts Inc 809.05 Supl.

MONTHLY DEPT REPORTS: Bd reviewed monthly dept reports.

OAHE ELECTRIC RESOLUTION FOR COUNTY-WIDE PERMISSION: Motion by Floyd, second by Richards to approve resolution. Unanimous vote aye.

RESOLUTION  
2023-13

The Board having held a hearing on the application of Oahe Electric Cooperative, Inc., for authority for county-wide permission to erect poles, wires, and lines in Sully County for the purpose of providing rural electrification; and WHEREAS, Oahe Electric Cooperative, Inc., a corporation organized and existing under and by the laws of the State of South Dakota, qualified and authorized to operate and transact business in the State of South Dakota, has filed application in the form required by law with the Auditor of Sully County, South Dakota, for a right-of-way permit to operate, maintain, and construct whenever necessary its electric transmission and/or distribution lines in Sully County for the purpose of providing rural electric service, and

WHEREAS the Board of Commissioners of said Sully County have examined said application and found:

1. That said application is in the form and contains the information required by law.
2. That said application was filed with the County Auditor of Sully County, and all persons, firms, or corporation owning or operating transmission, telegraph and telephone lines, and pipeline, within Sully County were notified by registered or certified mail at least (10) days prior to the Board's hearing on said application, and that said notice stated the time and place, when and where such application should be heard.
3. That the Board has considered the complaints of all parties appearing, and has adjusted all differences between applicant and the owner or owners of any transmission, telegraph or telephone lines affected by the Board's decision upon said application.
4. That the operation, maintenance and construction (if and when found necessary by the applicant) of



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said electric lines will be to the public interest, and that said permit should be granted, subject to the conditions hereinafter set forth:

THEREFORE, be it RESOLVED, by the Board of County Commissioners of Sully County, South Dakota, that Oahe Electric Cooperative, Inc., a corporation, organized and existing under and authorized to operate and transact business in the State of South Dakota, its successors and assigns, hereinafter called the grantee, by and hereby are authorized and granted a right-of-way permit to construct, operate, and maintain same as and whenever necessary, electric transmission and distribution lines on, along, and under public highways in Sully County, South Dakota. That this permit is granted pursuant to SDCL 31-26-12, authorizing a general grant as to all public highways for rural electrification purposes and it is found and resolved hereby that the grantee, Oahe Electric Cooperative, Inc., is operating its entire system primarily and principally for rural electrification purposes.

BE IT FURTHER RESOLVED, that this permit is subject to the following conditions, and such other reasonable regulations as the Legislature may hereinafter prescribe:

1. The grantee shall not in any way have the exclusive right to use such highway for the constructing of electric poles, electric wires, and fixtures.
2. The electric poles, electric wires, and fixtures shall be so constructed as not to prevent the public use of any road or the navigation of any stream.
3. When any highway along such line has been constructed shall be changed, grantee shall upon ninety (90) days' notice in writing remove such line to the highway as changed, unless an agreement shall be made to allow the same to remain pursuant to law.
4. The grantee shall construct and maintain said poles, wires, and line in accordance with the national electrical safety code adopted by the Bureau of Standards of the United States Department of Commerce.
5. This right-of-way permit shall be effective and in full force for a period of twenty (20) years from date hereof.
6. That the grantee shall notify the County in writing at least thirty (30) days prior to the construction of any additional lines along and on all public highways in Sully County.

Passed and approved at the regular meeting of the said Board, held on the 4th day of April, 2023.

s:/Joe Fanger

Chairman

s:/Susan B. Lamb

Auditor

TURNKEY LOGISTICS ROAD USE MAINTENANCE AGREEMENT: States Attny informed Bd that no action can be taken at until a final route has been established.

MORRIS INC ROAD USE MAINTENANCE AGREEMENT: Hwy Supt Schall has been in contact with Morris. No agreement has been received to date.

SEASONAL HIRE: Motion by Richards, second by Floyd to approve hiring of Bruce Carpenter as Hwy Dept seasonal help at a rate of \$15.00/hr with an approximate start date of May 1<sup>st</sup>. Unanimous vote aye.

SMALL STRUCTURE 60-4340-2117: Bd reviewed project estimates from Brosz Engineering. Bryan Olson from Hollaway Construction will attend May mtg to discuss projects.

EQUIPMENT RENT TO CITY OF ONIDA: Bd reviewed cost of equipment if rented to City of Onida for snow removal. Total cost for Loader, Snowblower, Truck & 2 employees is \$446.31/hr. Bd approved rental if necessary.

HWY DEPT: Hwy Supt Schall discussed haul road agreements, snow removal & small structure repairs.

ROAD & BRIDGE LEVY: Comr Richards discussed need for public input on funding for repairs & maintenance on roads & bridges. Discussion was held on newspaper stories, ads & public mtgs to help inform public on issues.

FUEL QUOTES: The following is the fuel quote received for the month of April. Sovell Oil-unleaded \$3.41, diesel #1-3.88, diesel #2-3.29. A monthly inventory listing was also reviewed of fuel used by the Co in the month of March.

MARCH WAGES Salaries by Office: Comrs 4194.24; Aud 8609.15; Treas 6871.95; States Attny 8692.99; Cthse 4022.26; DOE 4263.67; Reg of Deeds 6875.48; GIS 4899.68; Sheriff 18,506.82; Weed & Pest 556.50; P&Z 805.54; Highway 53,569.29; Emg Mgt 1046.41.

ACCOUNT WITH THE TREASURER AS OF 03/31/23

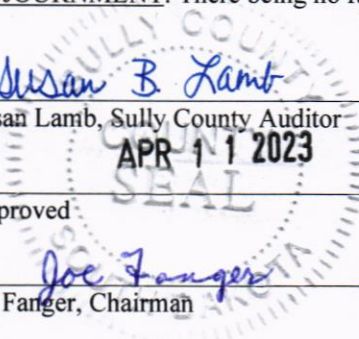
Cash on Hand	475.80
Checks	5,439.18
Checks on Hand	0.00
NSF Checks	0.00
Cash Items	24.20
ROD Cash Box	50.00
Sunrise Bank Now	21,823.62
Sunrise Bank MM	4,332.90

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Bank West Checking	3,200,210.65
Bank West MM	3,865.48
INVESTMENTS	
CDs	1,199,055.38
Sheriff Checking	492.32
Register of Deeds Checking	1,339.00
Total Cash Balance	4,437,108.53
Total Assets in Custody of County as of 03/31/23	
County Amount	4,037,470.20
Amounts Held for Other Gov	384,528.62
Amounts Held for Others	15,109.71
Total Assets	4,437,108.53

MTG DATES: Sully County Board of Equalization & Sully County Board of Commission meeting will be Tues, April 11th at 7:30 am. Next regular meeting will be Tues, May 2nd at 7:30 am.

ADJOURNMENT: There being no further business, Chairman Fanger declared the mtg adjourned.

  
*Susan B Lamb*  
Susan Lamb, Sully County Auditor

APR 11 2023

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

Approved

*Joe Fanger*  
Joe Fanger, Chairman