

SULLY COUNTY BOARD OF COMMISSIONERS
MARCH 7, 2023

The Board of Sully County Commissioners held their regular scheduled mtg on Tues, March 7, 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, Michael-John Olivier, Tim Gruis, Adam Kulesa, Ryan Persoon, Scott Schweitzer, Terry Barber, Jordan Lamb, Nicole Gordon, Merlin Voorhees & Emily Sovell.

ADOPT AGENDA: Motion by Yackley, second by Floyd to adopt the agenda with the additions of Meade County Jail Agreement & Bush's Landing Road Magnesium Chloride Agreement. Unanimous vote aye.

PUBLIC COMMENT: No one was present for public comment.

MINUTES: Motion by Yackley, second by Richards to approve minutes from the Bd of Commission mtg held on February 2nd. Unanimous vote aye.

ROAD TAKEOFF: Terry Barber requested permission to takeoff on 185th Street west of Onida in an emergency while the Onida Airport is under construction this summer. The project will be completed in July. Bd tabled the request until the April meeting & instructed Aud Lamb to contact SDPAA for input.

PLAT OF LOT 1A: Motion by Floyd, second by Richards to approve plat. Unanimous vote aye.

RESOLUTION 2023-8

A RESOLUTION APPROVING THE PLAT OF LOT 1A, A SUBDIVISION OF LOMHEIM LOT 1 IN THE NW1/4 OF SECTION 35, TOWNSHIP 116 NORTH, RANGE 77 WEST OF THE 5TH 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 LOT 1A.

Dated this 7th day of March, 2023.

s:/Joe Fanger

Chairperson

ATTEST: (SEAL)

I, Auditor of Sully County, do hereby certify that at an official meeting on March 7, 2023, the County Commissioners did by resolution approve the plat of LOT 1A.

s:/Susan B. Lamb

Auditor of Sully County

MEADE CO JAIL AGREEMENT: Motion by Yackley, second by Floyd to approve Meade County Jail Agreement at a rate of \$95/day & \$120/day for special management. Unanimous vote aye.

AUTOMATIC BUDGET SUPPLEMENTS: Motion by Richards, second by Yackley to approve the following automatic budget supplement to 101-0-369.10 Other Reimbursement/Dividends from Onida Fire Dept in the amount of \$2,963.07. Unanimous vote aye.

Motion by Floyd, second by Fanger to approve the following automatic budget supplement from 101-0-369.10 Other Reimbursement/Dividends to 101-211-426.07 Sheriff Misc Equipment in the amount of \$2,963.07. Unanimous vote aye.

Unanimous vote aye.

BUDGET SUPPLEMENT RESOLUTION: Motion by Richards, second by Yackley to approve resolution.

RESOLUTION 2023-9

FOR SUPPLEMENTAL BUDGET

WHEREAS, it is necessary to supplement the 2023 Annual Budget in order to carry on the indispensable functions of Sully County; and

WHEREAS, the adoption of the proposed Supplemental Budget was duly considered by the Sully County Commission on the 7th day of March, 2023, at 7:45 am, in the Commission Room, pursuant to due notice.

NOW THEREFORE BE IT RESOLVED, by the Sully County Commission that the following Supplemental Budget be, and the same is, hereby approved for the purpose of providing budget to conduct the indispensable functions of Government, to-wit:

From General Fund Capital Outlay to the following budget:

101-911-911.00 Operating Transfer Out	\$494,494.81
201-0 371.00 Operating Transfer In	\$494,494.81
201-311-425.00 Highway Reprs-Highway Contracts	\$494,494.81

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

VOTING AYE

s:/Greg Yackley

s:/Jerry Richards

s:/William Floyd

s:/Caleb Shepherd

s:/Joe Fanger

VOTING NAY

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None

ABSTAINING AND NOT VOTING

None

Motion passed and resolution adopted this 7th day of March, 2023.

s:/Joe Fanger, Chairman

Attest: (Seal)

s:/Susan B. Lamb, Auditor

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

BRIC GRANT: Oahe Electric Gen Mgr Lamb discussed upcoming BRIC Grant applications with Bd. Oahe Electric will pay audit expense if an annual audit is required due to grant funds received. County will receive admin fees for projects. Motion by Floyd, second by Yackley to administer Oahe Electric BRIC Grant Awards & maintain updated SAM status. Unanimous vote aye.

CLAIMS: Motion by Yackley, second by Shepherd to approve claims. Unanimous vote aye. Grand Jury 374.48, Marco 175.74 Maint, Sunrise Bank 20.00 Fees, Mid-Dakota Rural Water 91.15 Util, Montana Dakota Util 1248.16 Util, Oahe Electric 663.22 Util, SDACO 78.00 Collections, State Treasurer 89551.37 Collections, Agar Town 4357.03 Collections, Agar-Blunt-Onida School 406559.18 Collections, Central Plains Water 1704.62 Collections, City of Onida 22120.45 Collections, Highmore-Harrold School 6360.33, Postmaster 348.00 Supl, A&B Business Solutions 263.29 Supl, Agar Town 264.00 Util, American Solutions for Business 239.68 Supl, AT&T Mobility 268.14 Phone, Bankwest 15508.36 Loan Payment, Barber Farm Service Inc 248.47 Supl, BIT Resource Billing 46.50 Prof Serv, Brosz Engineering Inc 13550.00 Prof Serv, Capital One Bank 2071.42 Supl, Cardmember Service 2381.05 Supl, Chandler's Inc Autoglass 532.00 Supl, Connecting Point 3213.25 Supl, DMC Wear Parts 15575.00 Supl, Don's Food Center 15.60 Supl, Don's Sinclair Inc 35.00 Maint, Inland Truck Parts Co 68.91 Supl, Inmans Water Technologies 142.00 Rent, Kimball Midwest 765.51 Supl, Lamb Chevrolet & Implement Inc 9971.64 Reprs, Lamb Discount Supply 230.02 Supl, Lamb Motor Co Inc 644.66 Supl, Marco 175.74 Reprs, Menards 127.15 Supl, Mid-Dakota Rural Water System 86.00 Util, Midwest Fire and Safety 119.50 Prof Serv, Montana Dakota Utilities 1758.29 Util, Morris Inc 62.25 Supl, Motorola 84.13 Equip, NAPA Central 57.98 Supl, Nye Lumber 70.00 Supl, City of Onida 1329.85 Util, Onida Watchman, Inc 687.13 Publ, City of Pierre 10936.90 Prof Svc, PowerPlan 2369.67 Supl, RDO Equipment Co 155034.00 Equip, Rowe Law and Mediation Center 424.20 Atty Fees, Runnings Farm & Fleet 117.91 Supl, SD Assoc of Co Commissioners 50.00 T&C, SD Assoc of Co Officials 110.00 T&C, SD Dept of Public Safety 3090.00 Util, SD Department of Trans 8140.45 Prof Serv, SD Peace Officers' Assn 50.00 Dues, SD Public Assurance Alliance 64058.77 Ins, Servall Uniform/Linen Co 470.01 Rent, Share Corporation 166.55 Supl, Sovell Oil, Inc 1984.35 Fuel, Stewart & Daughters Inc 17.00 Supl, Sully Co Treasurer/Petty Cash 7.74 Postage, Titan Machinery 1254.45 Supl, Transource 99.63 Supl, TruGreen Heartland Lawn Care 1983.60 Maint, Venture Communications 1061.97 Phone, Verizon Wireless 103.64 Phone, Zander Auto Parts Inc 1145.13 Supl,

OATH OF OFFICE: Oath of Office was administered to Aud Lamb by Clerk of Court Wittler.

MONTHLY DEPT REPORTS: Bd reviewed monthly dept reports.

LOAD LIMIT EXCEPTION: Merlin Voorhees requested an additional exception on behalf of Voorhees Cattle Co for supplemental protein from CHS in Gettysburg delivered to Voorhees Cattle Co. Motion by Floyd to allow. Motion failed due to lack of second. No additional exception was given.

CSDED EXECUTIVE DIRECTOR: Nicole Gordon introduced herself to the Bd as the new Exec Dir for CSDED. Gordon discussed current & upcoming grants with Bd.

HWY DEPT: Hwy Supt Schall discussed load limits, short course March 21-23, haul road agreements & 186th St.

HWY DEPT HOURS: Hwy hours will be Mon-Thurs 7:00 to 5:30 pm beginning Mon, March 13th.

HWY DEPT SURPLUS: Motion by Yackley, second by Shepherd to surplus 2 front lift cylinders for Cat Blades & let Hwy Supt Schall decide price. Unanimous vote aye. Hwy Supt Schall will offer to Potter Co first.

GRAVEL HAULING BID: Bid was received from B&B Equipment for \$.22 per loaded ton mile with a minimum of 6 trucks available anytime. Motion by Shepherd, second by Floyd to accept B&B bid. Unanimous vote aye.

HOT/COLD MIX BID: Bids received from Jensen Rock & Sand for Cold Mix at \$175.00 & Hot Mix at \$92.75 at plant location in Mobridge or Eagle Butte & from Morris Inc Cold Mix \$170.00 & Hot Mix \$115.00 at plant location in Pierre. Motion by Shepherd, second by Yackley to accept both bids due to availability. Unanimous vote aye.

CULVERT BIDS: Central Culvert Supply & TrueNorth Steel submitted bids. Motion by Floyd, second by Richards to accept the low bid from Central Culvert Supply. Unanimous vote aye. Central Culvert Supply's bid is as follows & TrueNorth Steel is on file for public inspection at the Auditor's Office.

	54"	60"	72"
10 Gauge Riveted Round	\$254.00	\$285.00	\$340.00
Riveted Arch Bands	\$280.00	\$313.00	\$357.00

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12 Gauge	36"	42"	48"	54"	60"	72"
Riveted Round	\$135.00	\$158.00	\$180.00	\$201.00	\$224.00	\$231.00
Riveted Arch	\$149.00	\$173.00	\$198.00	\$222.00	\$232.00	\$272.00
Bands						
14 Gauge	30"	36"	42"	48"		
Riveted Round	\$83.00	\$99.00	\$116.00	\$133.00		
Riveted Arch	\$91.00	\$109.00	\$127.00	\$139.00		
Bands						
16 Gauge	12"	15"	18"	24"	30"	
Riveted Round	\$27.00	\$33.00	\$42.00	\$53.00	\$66.00	
Riveted Arch	N/A	\$36.00	\$45.00	\$57.00	\$73.00	
Bands						

12" wide bands, same price as 2' of pipe like diameter

24" wide bands, same price as 3' of pipe like diameter

GRAVEL BIDS: Motion by Floyd, second by Richards to accept all bids. Unanimous vote aye.

Bidder Name	Pit Run Royalties	3/4"	1"	2"	Pea Rock	Rock 1"-3"	Rock 6"	Over Sized	Clay	Other
Yackley Partnership	\$3.00					\$13.00	\$13.00	\$13.00	\$3.00	
Ray Goebel & Sons			\$8.50					\$12.00		
Thomas Ranch	\$1.50					\$13.00	\$13.00	\$13.00	\$3.00	
H Bar Lazy H LLC	\$1.50	\$5.50	\$5.50		\$10.00					3/8" minus \$1.00
B&B Equipment		\$6.00	\$6.00	\$6.00		\$20.00	\$15.00	\$18.00	\$2.00	Sand \$5.00
Brownlee Construction						\$14.00		\$13.00		
Randy Johnson	\$3.00									
Morris Inc	\$3.00	\$6.00	\$6.00	\$6.00	\$16.00	\$22.50	\$25.50	\$25.50	\$4.00	Base Course \$9.00
										Gravel Shavings \$9.00

CULVERT REPAIR CONTRACT: Motion by Yackley, second by Shepherd to approve Culvert Lining Contract with Subsurface Inc in the amount of \$258,100.00 to repair 4 culverts utilizing the Lyman Co bid. Unanimous vote aye.

EMERGENCY MANAGEMENT PURCHASE REQUEST: Motion by Richards, second by Shepherd to approve 5 yr contract at a cost of \$2,340.00 for WAVE app which allows cell phones to be used in place of mobile radio if out of range. Unanimous vote aye.

185th STREET FROM 8TH ST WEST TO 303RD AVE: Scott Schweitzer from Brosz Engineering presented Bd with bid timeline for project & design cost of \$17,370.00. Motion by Shepherd, second by Yackley to approve timeline & move forward with bid letting. Unanimous vote aye.

SDFLAP GRANT: Bd met with Adam Kulesa & Ryan Persoon from SD Game, Fish & Parks to discuss grant. Kulesa informed Bd that the updated project cost is \$11.9 million. Of this the SDFLAP Grant would cover \$4.141 million. Following lengthy discussion, motion by Shepherd, second by Yackley to reject the grant & discontinue the project. Unanimous vote aye.

BUSH'S LANDING ROAD: Motion by Shepherd, second by Richards to approve agreement from SD Game, Fish & Parks to cover up to \$40,000 of magnesium chloride application on this road for 2023. Motion carried 4-1 with Fanger voting nay.

LITTLE BEND & OKOBOJO ROAD: Motion by Shepherd, second by Richards to grind 8.5 miles of Little Bend Road at a cost of \$153,190.40 & 2.5 miles of Okobojo Point Road at a cost of \$45,056.00 utilizing the Harding Co bid with Loiseau Construction. Unanimous vote aye.

EXECUTIVE SESSION: Motion by Shepherd, second by Yackley to go into Executive Session for personnel SDCL 1-25-2(1). Unanimous vote aye. Motion by Shepherd, second by Richards to come out of Executive Session SDCL 1-25-2(1). Unanimous vote aye.

ROAD & BRIDGE LEVY: Motion by Shepherd, second by Yackley to approve R&B max levy of \$.90 per thousand.

Roll Call Vote: Yackley-aye, Richards-aye, Floyd-nay, Shepherd-aye, Fanger-aye. Motion carried 4-1.

RESOLUTION TO IMPOSE TAX FOR COUNTY ROAD & BRIDGE RESERVE LEVY

RESOLUTION 2023-10

WHEREAS, PER SDCL 10-12-13, the Sully County Board of Commissioners may levy an annual tax as a reserve fund to be accumulated and used for the purpose of maintaining, repairing, constructing, and reconstructing roads and bridges as follows:

- (1) A levy not to exceed one dollar and twenty cents per thousand dollars of taxable valuation, if the total taxable valuation of the county is one billion dollars or less; or
- (2) A levy not to exceed ninety cents per thousand dollars of taxable valuation, if the total taxable valuation of the county is more than one billion dollars but less than two billion dollars; or

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- (3) A levy not to exceed sixty cents per thousand dollars of taxable valuation, if the total taxable valuation of the county is two billion dollars or more.
Moneys in the fund may be expended in the laying out, marking, maintaining, constructing and reconstructing of roads and maintaining, constructing, and reconstructing of bridges, under the jurisdiction of the Sully County Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Sully County Board of County Commissioners chooses to implement the tax levy allowed by SDCL 10-12-13 for Road & Bridge improvements. A County Road & Bridge Reserve levy of \$.90 per thousand with 90% retained at County level and 25% of the money raised by the levy made pursuant to SDCL 10-12-13 within said municipality per SDCL 10-12-14, will be applied to 2023 taxes payable in 2024. This action has been taken by the Sully County Board of Commissioners and approved by at least a two-thirds vote of the Board. This decision may be referred to a vote of the people upon a petition signed by at least 5% of the registered voters in the district and filed with the governing body within twenty days of the first publication of this decision.

FURTHER BE IT RESOLVED, unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread a \$0.90 per thousand Road & Bridge Reserve Levy to raise tax dollars allowing for percentage increases from inflation and new construction in subsequent years as allowed by SDCL 10-12-13.

Moved by Commissioner Shepherd and seconded by Commissioner Yackley, that the above resolution be adopted.

VOTING AYE

s:/Jerry Richards

s:/Greg Yackley

s:/Joe Fanger

s:/Caleb Shepherd

VOTING NAY

s:/William Floyd

ABSENT AND NOT VOTING

None

Motion passed and resolution adopted this 7th day of March, 2023.

s:/Joe Fanger, Chairman

Sully County Board of Commissioners

ATTEST: (Seal)

s:/Susan Lamb

Sully County Auditor

FUEL QUOTES: The following is the fuel quote received for the month of March. Sovell Oil-unleaded \$3.35, diesel #1-3.79, diesel #2-3.38. A monthly inventory listing was also reviewed of fuel used by the Co in the month of February.

FEBRUARY WAGES Salaries by Office: Comrs 8350.66; Aud 8148.77; Treas 6867.21; States Attny 8692.99; Cthse 4022.24; DOE 4272.66; Reg of Deeds 6860.85; GIS 5058.68; Sheriff 18,668.82; Coroner \$134.30; Weed & Pest 556.50; P&Z 1062.58; Highway 52,700.75; Emg Mgt 1046.42.

ACCOUNT WITH THE TREASURER AS OF 02/28/23

Cash on Hand	520.26
Checks	15,738.52
Checks on Hand	0.00
NSF Checks	0.00
Cash Items	7.74
ROD Cash Box	50.00
Sunrise Bank Now	21,818.99
Sunrise Bank MM	219,513.28
BankWest Checking	2,881,853.53
BankWest MM	3,853.93
INVESTMENTS	
Sunrise Bank Dakota	1,195,335.64
BankWest	
Sheriff Checking	493.32
Register of Deeds Checking	4,947.50
Total Cash Balance	4,344,132.71
Total Assets in Custody of County as of 02/28/23	
County Amount	3,956,000.55
Amounts Held for Other Gov	373,022.45

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Amounts Held for Others 15,109.71
Total Assets 4,344,132.71

MTG DATES: Next regular meeting will be Tues, April 4th at 7:30 am. Oahe District mtg will be Thurs, March 16th at 12:30 pm in Highmore.

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

Susan B. Lamb

Susan Lamb, Sully County Auditor

APR - 4 2023

Approved

Joe Fanger

Joe Fanger, Chairman

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