



SULLY COUNTY BOARD OF COMMISSIONERS  
MARCH 7, 2017

ABSTAINING AND NOT VOTING

None

Motion passed and resolution adopted this 7th day of March, 2017.

s:/Jerry Richards, Chairman

Attest: (Seal)

s:/Susan Lamb, Auditor

UTECH TIF: Vic Utech met with the Bd to present information on possible development & TIF District near Codger's Cove.

HIGHWAY: Hwy Supt Schall met with Bd to discuss highway items. Discussion was held on Sully Lake Bridge replacement following informational mtg on Feb 22<sup>nd</sup> with Corp, SDDOT, Brosz Engineering, Hwy Dept & Commrs. Hwy Dept will return to 10 hour days on Mon, Mar 13<sup>th</sup>. Rodney Mennenger has been hired as Asst Hwy Supt. Terry Wolforth's pay will revert to \$18.65 per hour. Schall informed Bd that he would be advertising for a full-time employee as well as a seasonal right away. No bids were received on surplus tractor. Bd instructed Hwy Supt to include when truck is surplus. Hwy Supt Schall informed Bd that Diesel Fuel Tank has been ordered.

ROW CERTIFICATE: Motion by Floyd, second by Yackley to approve Right-of-Way Certificate from SDDOT & Authorization for Project Letting. Unanimous vote aye.

VEHICLE & SNOW REMOVAL POLICY: Discussion was held on Vehicle & Snow Removal Policy for Hwy Dept. Motion by Olivier, second by Yackley to approve policy. Unanimous vote aye.

SAFETY CLOTHING POLICY: Motion by Yackley, second by Richards to amend the policy to include failure to comply language. Unanimous vote aye.

BRIDGE REINSPECTION: Motion by Floyd, second by Olivier to approve Bridge Re-inspection Resolution. Unanimous vote aye.

BRIDGE RE-INSPECTION  
PROGRAM RESOLUTION  
FOR USE WITH SDDOT RETAINER CONTRACTS  
2017-12

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and re-inspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are re-inspected at intervals not to exceed four years.

THEREFORE, Sully County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Brosz Engineering for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 7<sup>th</sup> day of March, 2017, at Onida, South Dakota.

Board of County Commissioners of Sully County

s:/Jerry Richards, Chairman of the Board

Attest: (Seal)

s:/Susan B. Lamb, County Auditor

GF&P AGREEMENT: Motion by Floyd, second by Olivier to approve Agreement #2017-59-01 (5 years) with Game, Fish & Parks for routine maintenance within state parks. Unanimous vote aye.

STEFFEN ROAD: Hwy Supt Schall & blade operator will monitor road during irrigation season to make sure problem has been resolved.

MID-DAKOTA RURAL WATER: Motion by Floyd, second by Olivier to approve resolution. Unanimous vote aye.

RESOLUTION 2017-13

MID-DAKOTA RURAL WATER SYSTEM

WHEREAS, the Sully County Board of Commissioners grants to Mid-Dakota Rural Water System, Inc., a county-wide authorization for the purpose of constructing the Sully County portion of the Mid-Dakota Rural Water Project; and WHEREAS, Mid-Dakota Rural Water System, Inc., has heretofore applied to the Sully County Board of County Commissioners for authorization to construct or lay its water pipeline on, over, across or under public highways and rights-of-way for the purpose of providing rural water service in Sully County, South Dakota, and elsewhere in the Mid-Dakota Rural Water System Inc. project area. Notice was duly given by mail of the application of Mid-Dakota Rural Water System, Inc., to all persons, firms or corporations owning or operating electric, telephone or telegraph lines within Sully County, South Dakota, in compliance with SDCL 31-26-13. All comments received were considered by the Sully County Board of Commissioners.

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BE IT RESOLVED that the Mid-Dakota Rural Water System, Inc., a corporation, shall be allowed and permitted to run an underground pipeline for transmitting water for all purposes for which said corporation was formed along any and all public rights-of-way, including all rights-of-way between all sections in Sully County, South Dakota, so long as said transmission and distribution line is buried so as not to interfere with the building of any roads or causing any liability to Sully County;

BE IT FURTHER RESOLVED that the Mid-Dakota Rural Water System, Inc., a corporation, shall bear the expense of any subsequent movement of the pipe, if such is required by Sully County;

BE IT FURTHER RESOLVED that, as a condition of the grant of this authorization, Mid-Dakota Rural Water System, Inc. does agree to indemnify and hold harmless Sully County from any litigation, claim, cause of action or settlement that may be instituted against Sully County or Mid-Dakota Rural Water System, Inc., by or on behalf of any third party, including, but not limited to, other entities utilizing the public rights-of-way of Sully County, that may arise as a result of Mid-Dakota Rural Water System, Inc.'s use of the public rights-of-way of Sully County, and said indemnification shall include all attorneys' fees incurred by Sully County to defend any such claims;

BE IT FURTHER RESOLVED that when the pipeline is installed in the public right-of-way, such right-of-way shall be restored to as near its original condition as is practical with normal construction methods;

BE IT FURTHER RESOLVED that the installation of such pipeline and appurtenances in the public right-of-way shall conform to plans and specifications to be submitted (if requested by the county commission or its designee) to the county, prior to construction, for review and comment, and said plans and specifications shall include the following conditions:

1. Notice Prior to Starting Work: Before starting construction work, the county highway superintendent or other designated employee of the county will be notified at least 48 hours in advance of the time work is to begin.
2. Minimum Interference with Traffic: All work will be planned and carried out so as to minimize inconvenience to the traveling public.
3. Storage of Material: No material shall be stored within eight (8) feet from the edge of pavement or traveled way or within the shoulder line unless otherwise approved by the county highway superintendent.
4. Clean Up Right-of-Way: Upon completion of work, litter will be removed and the right-of-way left in as presentable a condition as before work started.
5. Care of Drainage: If the contemplated work interferes with established drainage, provisions will be incorporated in the project during construction to maintain normal drainage.
6. Location Plans: Upon completion of the work, a copy of the record drawings will be furnished to the county for their records and use.
7. Maintenance: The pipelines and appurtenances placed in the county right-of-way will be maintained and reasonable care exercised in inspecting and repairing any damage to any portion of the right-of-way which occurs as a result of the operation and maintenance of the pipelines and appurtenances. Upon completion of any maintenance or inspection work performed by Mid-Dakota Rural Water System, Inc. litter will be removed and the right-of-way left in as presentable a condition as before work began.
8. Paved and FAS (Future Paved) Roads: Pipelines installed perpendicular to asphalt or concrete paved roadways will be installed by boring or jacking methods or by an open cut. Pipelines installed longitudinally in a right-of-way will be by an open cut. A minimum of one-half of paved surfacing will be left clear and open to traffic at all times. All lanes will remain clear and open during the hours of darkness.
9. Graveled and Other Roadways: Pipelines installed transversely or longitudinally in a graveled or other road right-of-way will be by an open cut method. Roadways may be closed during construction, provided detour signing is maintained. All lanes will remain clear and open during the hours of darkness. Pipeline installed longitudinally in a right-of-way will be by an open cut.
10. Depth of Pipelines: Pipelines will be placed to a depth of cover consistent with design standards for water pipelines for the area. Where additional pipeline cover is necessary to accommodate future roadways, the county, at the time of county review, shall so advise Mid-Dakota Rural Water Systems, Inc. of the need for additional pipeline cover.

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

VOTING AYE

s:/ Jerry Richards

s:/William Floyd

s:/Michael-John Olivier

s:/Joe Fanger

s:/Greg Yackley

VOTING NAY

None

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ABSENT AND NOT VOTING

None

Motion passed and resolution adopted pursuant to SDCL 31-26-25 this 7<sup>th</sup> day of March, 2017.

s:/Jerry Richards, Chairman

Sully County Board of Commissioners

ATTEST: (Seal)

s:/Susan B. Lamb

Sully County Auditor

GRAVEL HAULING:

	Price per loaded Ton mile	Number of trucks	Date available to haul
Flat Creek Const	.20	6	As Needed
LEC Inc	.21	6	April-Dec
Morris Inc	.26	10 dbl & 3 singles	As Needed with 1 week notice
B&B	.21	6	Any Time
AGE Corp	.35	7	Any Time

Motion by Floyd, second by Fanger to accept low bid from Flat Creek for gravel hauling for 2017. Unanimous vote aye.

HOT & COLD MIX: The following bids were received for hot & cold mix:

Morris Inc.	Cold Mix-163.35	Hot Mix-80.00	.28 T per ton mile
Asphalt Paving & Materials	Cold Mix-125.00 delivered		
Jensen Rock & Sand	Cold Mix-130.00	Hot Mix-\$75.00	FOB

Motion by Fanger, second by Olivier to split the bid & accept Cold Mix bid from Asphalt Paving & Materials & Hot Mix bid from Morris. Unanimous vote aye.

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

<b>CENTRAL CULVERT</b>						
<b>10 Gauge</b>	54"	60"	72"			
Riveted Round	\$105.00	\$116.00	\$140.00			
Riveted Arch	\$116.00	\$128.00	\$152.00			
<b>12 Gauge</b>	36"	42"	48"	54"	60"	72"
Riveted Round	\$59.00	\$69.00	\$79.00	\$88.00	\$98.00	\$117.00
Riveted Arch	\$66.00	\$76.00	\$87.00	\$97.00	\$104.00	\$124.50
<b>14 Gauge</b>	30"	36"	42"	48"		
Riveted Round	\$35.00	\$42.00	\$49.00	\$56.00		
Riveted Arch	\$39.00	\$46.00	\$54.00	\$61.00		
<b>16 Gauge</b>	12"	15"	18"	24"	30"	
Riveted Round	\$12.00	\$14.80	\$17.60	\$23.00	\$28.00	
Riveted Arch	n/a	\$16.30	\$19.30	\$25.40	\$31.50	

GRAVEL IN STOCKPILES: Motion by Floyd, second by Olivier to accept all the bids on gravel stockpiles for year 2017 from the following: B & B Equipment, Ray Goebel & Sons, Harlan Smith, Yackley Partnership, Bob Bak Construction & Morris Inc. Unanimous vote aye. Bids were based on price per ton. Various sizes & types from each individual were received. Bids are on file at the Auditor's Office for public inspection.

GRAVEL ROYALTIES: Moved by Floyd, second by Olivier to accept all bids on gravel royalties for year 2017 from

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the following: Morris Inc., Randy Brown POA for Howard Brown, Jim Schumacher, Yackley Partnership, Bob Bak Construction & Ray Goebel & Sons Inc. Unanimous vote aye. Bids were based on price per ton. Bids are on file at the Auditor's Office for public inspection.

SURPLUS TRAILER: Bids for the 2008 PJ Util Trlr were received from Cody Paxton \$1800; Clarence Olson \$500; Paul Brandt \$2150; Motion by Fanger, second by Yackley to accept the high bid from Paul Brandt. Unanimous vote aye.

SURPLUS SEMI: Motion by Olivier, second by Fanger to accept the only bid from Richard Brown for \$2200. Unanimous vote aye.

RECESSED: Bd recessed for lunch at 12:15 pm

RECONVENED: Bd reconvened at 1:00 pm

ETHANOL PLANT: Walt Wendland discussed financing & the Engineering Contract with the Bd.

EDA GRANT: Marlene Knutson, CSDED, discussed the Economic Development Administration Grant with Bd.

Motion by Floyd, second by Olivier to adopt resolution which allows EDA Grant pre-application for \$1,000,000 to be completed by CSDED. Motion carried 4-0 with Yackley abstaining.

RESOLUTION 2017-14  
RESOLUTION TO APPLY

The Sully County Board of County Commissioners duly authorizes the Board Chairman to sign and submit any necessary paperwork to the Economic Development Administration (EDA) for grant financial assistance regarding the 186<sup>th</sup> Street Reconstruction/Improvement Project.

This resolution is effective immediately upon passage.

Dated this 7<sup>th</sup> day of March, 2017.

s:/Jerry Richards

Sully County Board of Commissioners

Attest: (Seal)

s:/Susan B. Lamb

Sully County Auditor

DELINQUENT TAXES: Treas Paxton discussed the need to amend Resolution 85-13 which allows delinquent taxpayers to make partial payments to get their delinquent taxes paid. Motion by Olivier, second by Fanger to approve amended resolution. Unanimous vote aye.

AMENDED  
RESOLUTION 85-13

WHEREAS, taxpayers, who are delinquent in the payment of their taxes, often request the Sully County Treasurer to accept partial payments of their taxes;

NOW THEREFORE, BE IT RESOLVED the Sully County Board of Commissioners, **per SDCL 10-21-7**, adopts a continuing policy whereby the **said Board may approve "Sully County Repayment of Taxes" application and allow the County Treasurer to ~~may~~ accept monthly partial payments of delinquent taxes and deposit the same in a Partial Payments-Delinquent Taxes Account until such time as a full year's tax has been deposited as long as full amount of delinquent taxes owed is collected in the same calendar year. If payment is delinquent, tax proceedings will be resumed after 30 days.**

BE IT FURTHER RESOLVED that the County Treasurer shall withdraw the funds from the Partial Payments-Delinquent Taxes Account and issue a receipt to the delinquent taxpayer upon receipt of the amount of a full **1<sup>st</sup> or 2<sup>nd</sup> half years** delinquent taxes, accumulated interest and fees to date.

The motion for the foregoing resolution was made by Commissioner Olivier and seconded by Commissioner Fanger.

VOTING AYE

s:/Greg Yackley

s:/Jerry Richards

s:/William Floyd

s:/Michael-John Olivier

s:/Joe Fanger

VOTING NAY

None

ABSENT & NOT VOTING

None

Motion carried and resolution adopted this 7th day of March, 2017.

ATTEST: (Seal)

s:/Susan B. Lamb, Auditor

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**ROD M&P FUND:** ROD Johnson requested permission to continue Index Book restoration at a cost of \$1770 and to have 102 books microfilmed at a cost of \$3700. She has \$9000 budgeted from the M&P Fund for these projects. Motion to approve by Fanger, second by Olivier. Unanimous vote aye.

**STEP INCREASE:** Aud Lamb informed Bd that she received a \$.10 step increase starting 3/1 for her 3<sup>rd</sup> year.

**MEDIA POLICY:** Sully County Media Policy was tabled upon further review by States Attny Sovell.

**MINUTES:** Motion to approve the minutes from the Feb 7<sup>th</sup> mtg with the correction being made on the drug dog. Motion reads: Motion by Floyd to not have a drug dog and to deny the transfer of drug dog for Sully Co, second by Fanger with same roll call vote. Unanimous vote aye.

**DRUG DOG:** States Attny Sovell & Bd discussed various issues regarding drug dog. Sovell will request an expedited opinion from Attorney General's office regarding Dept Head purchase policy and insurance of dog.

**GIS TRAVEL:** GIS Schmahl informed Bd that she would be attending the GIS Regional Conference by Omaha, NE. She requested permission to use a rental car either from Sioux Falls or Pierre depending on cost. Motion by Olivier, second by Yackley to approve request. Motion carried 4-1 with Fanger voting nay.

**FUEL QUOTES:** The following are fuel quotes received for the month of April & approved. Sovell Oil-unleaded fuel- 2.35; diesel #1-2.05; diesel #2-1.92. A monthly inventory listing was also reviewed of fuel used by the Co in the month of March.

**W&P RENTAL RATES:** Motion by Fanger, second by Olivier to set W&P Rental Rates for 2017 at \$80 which is the same as 2016. Unanimous vote aye.

**DEPUTY VEHICLE:** Motion by Olivier, second by Yackley to move \$26,108.83 from Assigned to Unassigned for the purchase of the Dep Sheriff's vehicle. Unanimous vote aye.

**CLAIMS:** Motion by Floyd, second by Yackley to approve all of the claims. Unanimous vote aye.

A & B Business 713.08 Supl, Al's Metal Work 434.07 Supl, Avera Queen of Peace Health 69.90 Prof Serv, Barber Farm Service 130.95 Supl, Bit Resource Billing 27.00 Prof Serv, Blue Gavel Press 129.12 Books, Butler Machine Co 1436.55 Supl, Capital One Bank 1572.79 Supl, Carrot-Top Industries 472.46 Supl, Caterpillar Financial Services 134358.05 Debt, Century Link 163.24 Util, Communications Center 351.00 Supl, Connecting Point/Ultra 80.00 Prof Serv, Convergint Technologies LLC 651.96 Reprs, Crazy B's 9.00 Supl, Don's Sinclair 20.93 Maint, Election Systems & Software 1282.00 Prof Fees, Eric's Custom Repair 595.00 Supl, ESRI 400.00 Prof Serv, Farnam Genuine Parts 39.68 Supl, Galls, LLC 191.96 Supl, Grafix Shoppe 453.00 Supl, Grossenburg Implement 1770.22 Supl, Handy Hitch 465.85 Supl, Hughes Co Finance Officer 160.00 Rent, Stew Hyde 36.54 Supl, Hydrotex 45.00 Gas, Inland Truck Parts 452.32 Supl, Inmans Water Technologies 76.00 Rent, Johnson Controls 37368.00 Bldg Imp, Kinetic Leasing 26119.71 Debt Pay, Lamb Chevrolet & Implement 376.77 Supl, Lamb Discount Supply 628.31 Supl, Lamb Motor Co 31861.73 Reprs, LyCox Enterprises 22735.00 Equip, Mid-Dakota Rural Water System 92.75 Util, Midwest Pump & Tank 189.00 Supl, Montana Dakota Utilities 951.66 Util, Morris 413.42 Supl, Nye Lumber 113.50 Supl, Oahe Electric Co-op 734.58 Util, City of Onida 897.85 Util, The Onida Watchman 456.79 Supl, Kevin Paxton 21.60 Supl, Darlis D Perry 60.00 Prof Serv, Jack Peterson 559.56 T&C, City of Pierre 9790.16 Prof Serv, Rockmount Research & Alloys 938.31 Supl, Runnings Farm & Fleet 261.12 Supl, Rural Health Care 600.00 Approp, SD Assoc of Co Highway Supt 275.00 T&C, SD Assoc of Co Officials 350.00 T&C, SD Assoc of Assessing Officers 150.00 T&C, SD School District Benefits 70950.00 Ins, Servall Uniform/Linen Co 326.52 Rent, Sheehan Mack Sales & Equip 420.13 Supl, Sovell Oil 7726.18 Supl, Bill Stahl 78.75 T&C, State Treasurer 35.00 Prof Serv, Stewart & Daughters 906.30 Supl, Sully Co Treasurer/Petty Cash 65.45 Supl, Taser International 238.37 Supl, Amanda Tennant 40.28 Supl, Venture Communications Co-op 1230.84 Util, Verizon Wireless 641.23 Phone, Charles Weischedel 136.23 Supl,

**FEBRUARY WAGES** Salaries by Office: Comrs 3941.33; Aud 7569.15; Treas 7701.85; States Attny 6999.62; Cthse 3444.50; DOE 4095.53; Reg of Deeds 5968.18; GIS 4158.42; Sheriff 14,531.54; Weed & Pest 5594.89; P&Z 2.98; Highway 52,380.43; Emg Mgt 665.06.

**ACCOUNT WITH THE TREASURER AS OF 02/28/17**

Cash on Hand	434.55
Checks	6,390.39
Checks on Hand	0
NSF Checks	0
Cash Items	65.42
Sunrise Bank Dakota NOW	2,958.73
Sunrise Bank Dakota MMDA	1,422,676.46
BankWest Checking	5,232.28
BankWest MMDA	1,526.05
INVESTMENTS	
Sunrise Bank Dakota	1,116,066.26
BankWest	

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Total Cash Balance	2,555,350.17
Total Assets in Custody of County as of 02/28/17	
County Amount	2,328,183.74
Amounts Held For Other Gov	221,167.14
Amounts Held For Others	5999.29
Total Assets	2,555,350.17

MTG DATES: The next regular mtg will be held on April 4<sup>th</sup> at 8:30 am.

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

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Susan Lamb, Sully County Auditor

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Approved

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Jerry Richards, Chairman