

SULLY COUNTY BOARD OF COMMISSIONERS  
MAY 2, 2017

The Board of Sully County Commissioners held their regular scheduled mtg on Tues, May 2, 2017. Chmn Jerry Richards called the mtg to order. Other members present: Bill Floyd, Michael-John Olivier, Joe Fanger & Greg Yackley.

LEGAL ISSUES: States Attny Sovell discussed legal issues with the Bd.

EXECUTIVE SESSION: Motion by Fanger, second by Yackley to go into Executive Session SDCL 1-25-1.2(3)

Unanimous vote aye. Motion by Floyd, second by Olivier to come out of Executive Session SDCL 1-25-1.2(3).

Unanimous vote aye.

RINGNECK: Walt Wendland updated Bd on financing.

ENGINEERING CONTRACT: Motion by Floyd, second by Olivier to approve the Agreement for Engineering Services, Sully County 186<sup>th</sup> Street Improvements with States Attny Sovell including an agreement that RingNeck pay Brosz Engineering directly & stating that Sully Co has no liability for engineering costs. Motion carried 4-0 with Yackley abstaining.

SECTION LINE VACATION: Motion by Floyd, second by Yackley to set hearing date of June 6<sup>th</sup> for Dakota Feeding Company's request to vacate section line E quarter mile between Sections 9 & 16-114-76. Unanimous vote aye.

DRUG DOG: States Attny Sovell discussed Attny Gen opinion with Bd. Bd requested that States Attny request the written opinion. Sheriff Stahl requested that the Bd reconsider their previous motion to deny drug dog. Motion by Floyd, second by Yackley to approve Resolution 2017-16 Sheriff's Dept Drug Dog. Roll Call vote: Floyd-aye, Olivier-nay, Fanger-aye, Yackley-aye, Richards-aye. Motion carried 4-1.

RESOLUTION 2017-16  
SHERIFF'S DEPT DRUG DOG

WHEREAS, property taxes are and have been too high for years; and

WHEREAS, enforcing the drug crime laws on the state highways in Sully County would raise said taxes because of costs involved in prosecuting these crimes such as court appointed attorney fees, jail time, and general court costs; and

WHEREAS, the use of a drug dog would cost the taxpayers of Sully County too much in increased property taxes; and

WHEREAS, very few counties and cities including surrounding counties such as Hughes, Potter, Stanley and Hyde, use a drug dog; and

WHEREAS, Sully County taxpayers should not have to bear the cost of prosecuting pass through drug crimes by use of a drug dog, since Sully County would be one of the few counties to do so;

NOW, THEREFORE BE IT RESOLVED that, the Sully County Commissioners do not support having a drug dog until such time that more counties have a said dog; and

BE IT FURTHER RESOLVED that, the State of South Dakota's Highway Patrol does have drug dogs and should be the main enforcers of drug laws on state highways.

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

VOTING AYE

s:/William Floyd

s:/Joe Fanger

s:/Greg Yackley

s:/Jerry Richards

VOTING NAY

s:/Michael-John Olivier

ABSENT AND NOT VOTING

None

Motion passed and resolution adopted this 2nd day of May, 2017.

s:/Jerry Richards, Chairman

ATTEST: (SEAL)

s:/Susan B. Lamb, Auditor

Motion by Olivier, second by Richards to leave drug dog on insurance for one year as Sheriff Stahl added the dog without knowing he wasn't authorized to do so. Motion failed 3-2. Motion by Yackley, second by Floyd to remove drug dog from county insurance effective May 2<sup>nd</sup>. Motion passed 3-2 with Richards & Olivier voting nay.

HWY DEPT: Comrs approved hire of Brett VanWinsen by Hwy Supt Schall. There have been no bids on mower decks so mowers will be pulled & decks discarded. New diesel tank is here. Motion by Olivier, second by Fanger to abandon old tank & have Darryl Beck remove & discard it. Unanimous vote aye. Hwy Supt Schall informed Bd that Medicine Creek Bridge did not qualify for 2017 BIG funds. Bid letting will be this fall for bridge 13.6 miles east of Onida (#60-456-130). Hwy Supt Schall discussed Tatanka wetland purchase of \$2500 (20% share) which will be billed from SDDOT.

TRACTOR BID: One bid for the Case Tractor was received from Earl Fanger for \$2500. Motion by Floyd, second by Olivier to accept bid. Motion carried 4-0 with Fanger abstaining.

TRUCK BID: Bids from Wickersham Construction for \$8750 & Lamb's Chevrolet for \$6150 were received. Motion by

SULLY COUNTY BOARD OF COMMISSIONERS  
MAY 2, 2017

Olivier, second by Fanger to accept high bid from Wickersham Construction. Unanimous vote aye.

FOTH/BURGESSON SECTION LINE: Motion by Yackley, second by Floyd to have Hwy Dept repair section line.

Unanimous vote aye.

PERSONNEL POLICY HANDBOOK: Motion by Olivier, second by Fanger to remove Terry Wolforth from committee & appoint Amanda Tennant to fill his position. Unanimous vote aye.

DEVELOPMENT PLAN 2017-14-PUD: Motion by Floyd, second by Yackley to approve PUD for Codger's Cove Subdivision. Unanimous vote aye.

CODGER'S COVE ROAD DISTRICT: Motion by Floyd, second by Olivier to approve Codger's Cove Road District. Motion carried 4-1 with Fanger voting nay.

CODGER'S COVE SUBDIVISION PLATS: Motion by Floyd, second by Fanger to approve plats of Lots 1, 14, 30, 31, 62-71 & 101-103 Codger's Cove subdivision. Unanimous vote aye.

RESOLUTION 2017-17

A RESOLUTION APPROVING THE PLAT OF LOTS 1, 14, 30, 31, 62-71 AND 101-103, CODGER'S COVE SUBDIVISION, A REPLAT OF A PORTION OF TRACT 1, CODGER'S COVE ADDITION IN THE E1/2 OF SECTION 32 AND THE W1/2 OF SECTION 33; AND A REPLAT OF A PORTION OF TRACTS 5 AND 6, OAHE TRAILS SUBDIVISION IN THE W1/2 OF SECTION 33, TOWNSHIP 113 NORTH, RANGE 80 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 LOTS 1, 14, 30, 31, 62-71 and 101-103, CODGER'S COVE SUBDIVISION.

Dated this 2<sup>nd</sup> day of May, 2017.

s:/Jerry Richards, Chairperson

ATTEST (SEAL)

I, Auditor of Sully County, do hereby certify that at an official meeting on May 2, 2017, the County Commissioners did by resolution approve the said plat of LOTS 1, 14, 30, 31, 62-71 and 101-103, CODGER'S COVE SUBDIVISION.

s:/Susan B. Lamb, Auditor of Sully County

DOE SCHOOL: DOE Rausch gave a recap on the school she just attended. She will be attending the Assessors Convention May 30-June 2 in Brookings.

EXECUTIVE SESSION: Motion by Fanger, second by Olivier to go into Executive Session SDCL 1-25-1.2(3).

Unanimous vote aye. Motion by Olivier, second by Richards to come out of Executive Session SDCL 1-25-1.2(3).

Unanimous vote aye.

TRAVEL: Motion by Olivier, second by Yackley to allow one night motel room for Treas Paxton on May 16<sup>th</sup> during SDACO Spring Workshop. Motion carried 4-1 with Fanger voting nay.

MALT BEVERAGE LICENSES: Motion by Olivier, second by Yackley to approve Malt Beverage Licenses for Sargent Ranch Lodge, Sunset Lodge, Okobojo Resort, Pike Haven Resort, West Prairie Resort, The Corner, Agar Fire Dept (one day), The Outpost Lodge & Sutton Bay Golf. Unanimous vote aye.

MINUTES: Motion to approve the minutes from the April 4<sup>th</sup> & April 11<sup>th</sup> mtgs by Olivier, second by Yackley.

Unanimous vote aye.

FUEL QUOTES: The following are fuel quotes received for the month of May & approved. Sovell Oil-unleaded fuel-2.29; diesel #1-2.17; diesel #2-1.83. A monthly inventory listing was also reviewed of fuel used by the Co in the month of April.

STEP INCREASE: Aud Lamb informed Bd that Tony Bender will be receiving a \$.25 step increase on May 22<sup>nd</sup>.

AUTOMATIC BUDGET SUPPLEMENTS: Motion by Floyd, second by Yackley to approve the following automatic budget supplement from the State of SD to 226-0-331.04 Emg Mgt Haz & Mit in the amount of \$15,000.00. Unanimous vote aye.

Motion by Olivier, second by Richards to approve the following automatic budget supplement from 226-0-331.04 Emg Mgt Haz & Mit to 226-222-422 Emergency Mgt Prof Services in the amount of \$15,000.00. Unanimous vote aye.

Motion by Olivier, second by Fanger to approve the following automatic budget supplement from Claims Associates to 201-0-373.03 Insurance Proceeds Misc in the amount of \$6125.00. Unanimous vote aye.

Motion by Olivier, second by Yackley to approve the following automatic budget supplement from 201-0-101 Road & Bridge to 201-311-434.05 Highway Snow Plows in the amount of \$6125.00. Unanimous vote aye.

Motion by Fanger, second by Olivier to approve the following automatic budget supplement from Claims Associates to 101-0-373.03 Insurance Proceeds Misc in the amount of \$75.00. Unanimous vote aye.

Motion by Fanger, second by Olivier to approve the following automatic budget supplement from 101-0-373.03 Insurance Proceeds Misc to 101-111-425 Comrs Reprs & Maint in the amount of \$75.00. Unanimous vote aye.

DEADWOOD GRANT: Motion by Yackley, second by Richards to have CSDED apply for Deadwood Grant to repair judge's chambers in courthouse. Unanimous vote aye.

SULLY COUNTY BOARD OF COMMISSIONERS  
MAY 2, 2017

CLAIMS: Motion by Yackley, second by Richards to approve all of the claims except Bob Bak Construction. Unanimous vote aye. A & B Business 230.16 Supl, Agar Fire Dept 8212.50 Approp, Al's Metal Work 435.09 Supl, Paula Barber 6.59 Supl, Brian Baus 1200.00 Misc Equip, Leroy Braun 149.03 Supl, Bureau of Human Resources 156.00 T&C, Butler Machine Co 3684.56 Supl, Capital One Bank 1068.86 Supl, T&C, Century Link 163.24 Util, Cholik Sign 150.00 Supl, Connecting Point/Ultra 115.00 Prof Serv, Cousins Corner 38.50 Gas, Crop Production Services 315.00 Chem, Crossroads Hotel & Convention 248.97 T&C, Don's Food Center 21.18 Supl, Executive Mgmt Finance Office 5.40 Prof Serv, Factor 360 150.00 Prof Serv, Farnam Genuine Parts 301.37 Supl, Grossenburg Implement 4807.71 Supl, Hughes Co Finance Officer 6424.96 Rent, Inmans Water Technologies 57.00 Rent, Johnson Controls 155851.00 Bldg, Peggy Johnson 11.00 T&C, Kimball Midwest 335.57 Supl, Lamb Chevrolet & Implement 529.59 Reprs, Lamb Discount Supply 339.82 Supl, Lamb Motor Co 290.33 Reprs, Lyle Signs 877.59 Supl, Marco Inc. NW 7128 349.93 Maint, McLeod Printing 237.64 Books, Rodney Mennenger 33.77 Supl, Rory Mennenger 203.28 T&C, Mercedes-Benz Financial Serv. 36767.08 Debt Service, Michael Todd & Comp 133.55 Supl, Mid-Dakota Rural Water System 184.25 Util, Montana Dakota Utilities 435.69 Util, Morris Equipment 202.00 Supl, Morris 385.84 Equip, Oahe Electric Co-op Inc 1066.50 Util, Olinger, Lovald, McCahren & 414.40 Court Appt Attny, Curt Olson 75.00 T&C, City of Onida 15666.09 Util, Onida Electric 391.78 Hwy Cont, Onida Fire Department 23750.00 Approp, Onida Watchman 549.15 Publ, Pheasantland Industries 1000.00 Reprs, Danielle Rausch 379.24 T&C, Rural Health Care 600.00 Approp, Janet Schmahl 109.00 T&C, SD Assoc of Co Officials 525.00 T&C, SD Department of Labor 6856.00 Unempl, Servall Uniform/Linen Co 342.60 Rent, Shanes Pharmacy 386.60 Supl, Sovell Oil 7857.97 Supl, Sovell Law Office 470.17 Phone, State Treasurer 70.00 Prof Serv, Stewart & Daughters 66.54 Gas/Dies/Oil, Amanda Tennant 10.29 Supl, The Lodge at Deadwood 273.00 T&C, Truenorth Steel 6651.39 Supl, Venture Communications Co-op 1245.02 Phone, Verizon Wireless 610.89 Phone, Wind Circle Network 1588.99 Supl

APRIL WAGES Salaries by Office: Comrs 3923.86; Aud 7592.05; Treas 7700.62; States Attny 6998.50; Cthse 3444.80; DOE 4095.84; Reg of Deeds 5836.48; GIS 4058.81; Sheriff 14,743.41; Weed & Pest 3415.88; P&Z 280.85; Highway 54,184.02; Emg Mgt 661.96.

ACCOUNT WITH THE TREASURER AS OF 04/30/17

Cash on Hand	895.65
Checks	390,098.14
Checks on Hand	0
NSF Checks	0
Cash Items	0
Sunrise Bank Dakota NOW	2,853.72
Sunrise Bank Dakota MMDA	3,712,754.94
BankWest Checking	2,635.59
BankWest MMDA	1,526.17
<b>INVESTMENTS</b>	
Sunrise Bank Dakota	1,118,473.20
BankWest	
Total Cash Balance	5,229,237.41
Total Assets in Custody of County as of 04/30/17	
County Amount	3,549,101.34
Amounts Held For Other Gov	1,677,057.99
Amounts Held For Others	3,078.08
Total Assets	5,229,237.41

MTG DATES: The next regular mtg will be held on June 6th at 8:30 am.

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

---

Susan Lamb, Sully County Auditor

---

Approved

---

Jerry Richards, Chairman