

SULLY COUNTY BOARD OF COMMISSIONERS  
JUNE 30, 2017

The Board of Sully County Commissioners held their regular scheduled mtg on Fri, June 30, 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.

STEFFEN ROAD: Discussion was held with Dave Steffen, Bill Bradford, Randy Brich, Jim Arbuthnot, Henry Maddocks, Karen & Mark Perry, Don & Melinda Zeimet & Tom & Jayne Bruno about the current road closure of Steffen Road located on Ft Sully Trail. Steffen informed Bd that pivot would not be running for a month. County insurance reps will meet with Hwy Supt Schall, Steffen & States Attny Sovell on Wed, July 5<sup>th</sup> at the location & following review will advise Co regarding road. Steffen stated that he would inform Hwy Supt Schall prior to pivot operation so road could be closed during watering. Landowners stated that their private road had been used a lot while road has been closed & requested Co repair damage made through blading & gravel application. Bd agreed. Motion by Floyd, second by Olivier to open road until insurance company decision is received or upon Steffen beginning to water again. Unanimous vote aye. Bd will address issue at Bd mtg on Aug 1<sup>st</sup>.

SPEED LIMIT ORDINANCE: Cecil Richter, Caleb Shepherd, Mark Bruning & Rolly Kemink were present for discussion. Motion made by Yackley, second by Floyd to amend Ordinance from 1 mile to 6/10 of a mile. Roll Call Vote: Floyd-aye, Olivier-aye, Fanger-nay, Yackley-aye, Richards-nay. Motion carried 3-2. Motion made by Yackley second by Olivier to approve 2<sup>nd</sup> reading on amended ordinance. Roll Call Vote: Olivier-aye, Fanger-nay, Yackley-aye, Richards-nay, Floyd-nay. Motion failed 2-3. Amended Ordinance died due to lack of 2<sup>nd</sup> reading. Ordinance 2008-01 remains unchanged.

TIF DEVELOPER AGREEMENT: Toby Morris & Walt Wendland discussed Developer's Agreement with Bd. Morris, Wendland & States Attny Sovell will bring draft of agreement to special mtg held on Fri, July 14<sup>th</sup>. Wendland updated Bd on financing.

REG'L RR RESOLUTION: Motion by Floyd, second by Richards to approve Resolution 2017-20. Motion carried 4-0 with Yackley abstaining.

SULLY COUNTY  
RESOLUTION 2017-20

APPROVAL FOR SULLY COUNTY REGIONAL RAILROAD AUTHORITY TO LEVY TAXES IN RELATION TO  
RAIL PROJECT IN ONIDA, SOUTH DAKOTA

WHEREAS, the Sully County Regional Railroad Authority has authorized applying for a loan, subject to approval from the South Dakota State Railroad Board, in the amount of Three Million, Five Hundred Fifty Thousand Dollars (\$3,550,000.00) amortized over fifteen (15) years at the annual rate of two percent (2%) per year to fund the construction of the new railroad siding project to serve facilities to be operated by RingNeck Energy, LLC in Onida, South Dakota; and

WHEREAS, the South Dakota State Railroad Board requires a resolution from the Sully County Commissioners, acknowledging the authority of the Sully County Regional Railroad Authority to certify and tax levy as allowed by SDCL 49-17A-21 to be used in the event of default to pay such annual payments as may be required to service the project debt arising from the construction of the siding extension project:

NOW, THEREFORE, BE IT RESOLVED, the County of Sully, South Dakota hereby grants approval for the Sully County Regional Railroad Authority to certify the amount of tax to be levied as allowed by SDCL 49-17A-21 or repayment of the said loan, plus interest, at the rate specified above, in the event of default by Sully County Regional Railroad Authority and RingNeck Energy, LLC.

Passed, approved and adopted this 30<sup>th</sup> day of June, 2017, on a motion by Floyd, seconded by Richards. Motion carried.

Voting on Motion:

Yea

Jerry Richards,  
Michael-John Olivier

Joe Fanger  
William Floyd

Absent/Abstaining:  
Yackley

s:/Jerry Richards, Chairman  
Sully County Commission

ATTEST: SEAL

s:/Susan B. Lamb, Auditor

DRUG DOG: Ryan Combellick requested Bd reconsider insurance on Drug Dog. He also requested "public input" be placed on future agendas. Bd stated that mtgs were all open to public & anyone in attendance was allowed to speak.

EXECUTIVE SESSION: Motion by Oliver, second by Fanger to go into Executive Session per SDCL 1-25-2(1).

Unanimous vote aye. Motion by Fanger, second by Olivier to come out of Executive Session per SDCL 1-25-2(1).

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Unanimous vote aye.

BURN BAN ORDINANCE: Motion to rescind ordinance & not allow a 2<sup>nd</sup> reading by Fanger, second by Floyd.

Unanimous vote aye.

RECESS: Bd recessed at 12:15 pm & reconvened at 1:10 pm.

OPERATING TRANSFER: Motion by Floyd, second by Fanger to approve operating transfer of \$300,000 from general fund to road & bridge fund. Unanimous vote aye.

BUDGET REVIEW: Bd met with Dept Heads to review 2018 budgets.

HWY DEPT: Hwy Supt Schall updated Bd on various projects.

WATER LINE EASEMENT: Motion to approve water line easement from Marty Finley by Floyd, second by Fanger.

Unanimous vote aye.

STEP INCREASE: Aud Lamb informed Bd that Rodney Mennenger would receive his 3<sup>rd</sup> year step increase on July 20<sup>th</sup>.

AUTOMATIC BUDGET SUPPLEMENT: Motion by Yackley, second by Richards to approve the following automatic budget supplement from Claims Associates to 101-0-373.03 Insurance Proceeds Misc in the amount of \$6563.81.

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 101-211-425 Sheriff Reprs & Maintenance in the amount of \$6563.81.

Unanimous vote aye.

MINUTES: Motion to approve the minutes from the June 6th mtg by Olivier, second by Yackley. Unanimous vote aye.

GOED GRANT QTRLY REPORT: Bd reviewed the GOED Grant Quarterly Report.

EXECUTIVE SESSION: Motion by Fanger, second by Yackley to go into Executive Session per SDCL 1-25-2(1).

Unanimous vote aye. Motion by Olivier, second by Fanger to come out of Executive Session per SDCL 1-25-2(1).

Unanimous vote aye.

FUEL QUOTES: The following are fuel quotes received for the month of July & approved. Sovell Oil-unleaded fuel-2.19; diesel #1-2.12; diesel #2-1.76. A monthly inventory listing was also reviewed of fuel used by the Co in the month of June.

CLAIMS: Motion to approve claims by Floyd, second by Olivier. Unanimous vote aye. 3-D Specialties 1370.60 Supl, A & B Business 137.19 Supl, Aberdeen American News 107.26 Adv, ABO School Dist 13500.00 Approp, Barber Farm Service 73.89 Supl, Paula Barber 53.60 Supl, Beadle County Auditor 800.00 Prof Serv, BIT Resource Billing 27.00 Prof Serv, Bob Bak Construction 120000.00 Supl, Butler Machine Co 2256.03 Supl, Capital Area Counseling Serv 875.00 Approp, Capital One Bank 1985.09 Supl, Central Culvert Supply 4400.00 Supl, Century Link 163.24 Util, Chandler's Autoglass 334.00 Reprs, Connecting Point/Ultra 9381.00 Prof Serv, Crop Production Services 4358.00 Chem, Jamie L Damon 9207.41 Prof Serv, Digital-Ally 4025.00 Equip, Don's Food Center 5.98 Supl, Marv Ekeren 30.00 Prof Serv, Farnam Genuine Parts 145.70 Supl, Fastenal Company 83.22 Supl, GIS Workshop 1545.00 Prof Serv, Grafix Shoppe 257.74 Reprs, Stephen Heath 266.90 Supl, Hughes Co Finance Officer 5280.00 Jail Rent, Inland Truck Parts 1102.32 Reprs & Maint, Johnson Controls 175760.80 Bldg, Mark Katterhagen 30.00 Prof Serv, Kimball Midwest 364.74 Supl, David Knoff 90.00 Prof Serv, Lamb Chevrolet & Implement 242.90 Supl, Lamb Discount Supply 213.24 Supl, Susan Lamb 173.56 T&C, Lucy Lewno 105.46 Prof Serv, Light & Siren 2271.49 Reprs & Maint, Brenda Lounsbury 60.00 Prof Serv, Lyle Signs 1121.21 Supl, Mid-Dakota Rural Water System 84.25 Util, Montana Dakota Utilities 61.81 Util, Morris Equipment 88.27 Repr, Morris Inc 808.00 Supl, Oahe Electric Co-op 151.99 Util, Oahe Inc 375.00 Approp, City of Onida 739.37 Util, Helen J Paxton 28.56 T&C, Pheasantland Industries 630.00 Reprs, Postmaster 92.00 Supl, Danielle Rausch 107.00 T&C, Rees Communications 14.00 Supl, Runnings Farm & Fleet 41.99 Supl, Rural Health Care 600.00 Approp, SD Assoc of Co Commissioners 1204.56 Ins Clerp, SD Department of Revenue 35.00 Prof Serv, SD Federal Property Agency 59.00 Supl, Servall Uniform/Linen Co 341.45 Rent, Sheehan Mack Sales & Equip 376.23 Supl, Sovell Oil 7493.98 Supl, Sovell Law Office 264.85 Phone, Stewart & Daughters 255.36 Supl, Sully Co Fair Board 5000.00 Approp, Sully Co Treasurer/Petty Cash 3.93 Supl, Team Lab Chemical Corp. 2488.50 Supl, Tieszen Law Office Prof 1212.81 Prof Serv, Venture Communications Co-op 1269.15 Util, Verizon Wireless 610.89 Util, Vilas Health Care 2.78 Supl, Warne Chemical & Equipment 312.60 Chem, Mona Weiger 117.60 Prof Serv, Charles Weischedel 35.50 Supl, Western Communications 180.00 Rent,

JUNE WAGES Salaries by Office: Comrs 3922.97; Aud 7787.75; Treas 7705.20; States Attny 6996.63; Cthse 3444.80; DOE 4088.47; Reg of Deeds 5867.46; GIS 4057.87; Sheriff 16,145.99; Coroner 134.56; Weed & Pest 5480.08; Highway 57,175.35; Emg Mgt 639.55

MTG DATES: Bd will hold a special mtg on July 14<sup>th</sup> at 8:30 am. The Oahe District mtg will be held in Ft Pierre on July 20<sup>th</sup>. The next regular mtg will be held on Aug 1st at 8:30 am.

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

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Approved

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Jerry Richards, Chairman