

SULLY COUNTY BOARD OF COMMISSIONERS
JULY 6, 2023

The Board of Sully County Commissioners held their regular scheduled mtg on Thurs 6, 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 JJ Schall, Leanne Loesch, Emily Sovell, Kevin Hofer, Gill Hedman, Greg Vavra & Vic Utech

ADOPT AGENDA: Motion by Yackley, second by Floyd to adopt the agenda with the addition of 2 BIG PE Grant resolutions & a Federal Local Replacement Grant resolution. Unanimous vote aye.

PUBLIC COMMENT: No one was present for public comment.

MINUTES: Motion by Floyd, second by Shepherd to approve minutes from the Bd of Commission mtg held on June 6th. Unanimous vote aye. Motion by Yackley, second by Shepherd to approve minutes from the Bd of Commission mtg held on June 22nd. Unanimous vote aye.

CODGER'S CASTAWAY PROPERTY TAXES: Motion by Floyd, second by Shepherd to abate property taxes for Codger's Castaway in the amount of \$4,226.53 due to error in assessment. Unanimous vote aye.

REMOVAL OF ACCESS EASEMENT RESOLUTION: Motion by Shepherd, second by Richards to approve resolution. Unanimous vote aye.

RESOLUTION 2023-17

REMOVAL OF ACCESS EASEMENT

WHEREAS, the South Dakota Department of Game, Fish and Parks has reached an agreement to purchase a lot from Codger's Cove Development, LLC that is designated as an area of "dedicated access easement" according to the original plat for the subdivision in which it lies; and

WHEREAS, it is the intent of South Dakota Department of Game, Fish and Parks to utilize said lot to provide restricted access for public land management and administrative purposes; and

WHEREAS, a Notice of Hearing was published, and a Hearing was held on June 6, 2023, at 8:30 am in the Commission Room of the Sully County Courthouse at Onida, South Dakota; and

WHEREAS, no one was present for the hearing regarding the removal of said lot;

THEREFORE, the Sully County Commission,

FINDS, a properly noticed hearing occurred on the petition before the Sully County Commission at its regular meeting on June 6, 2023;

FINDS, pursuant to SDCL chapter 11-3, the statutory requirements for petition have been met; and,

FURTHER FINDS, that granting of the petition will not abridge or destroy any of the rights and privileges of other proprietors of such plat and will not authorize the closing or obstruction of any public highway laid out according to law; and

NOW, THEREFORE BE IT RESOLVES that approval of the petition is granted; and removal of said lot from the original plat for the subdivision shall follow the land, described as:

Lot 17, Codger's Cove Subdivision located in the E1/2 of Section 32 and the W1/2 of Section 33, Township 113 North, Range 80 West of the 5th P.M. Sully County, South Dakota

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

VOTING AYE

s:/William Floyd

s:/Jerry B. Richards

s:/Greg Yackley

s:/Caleb Shepherd

s:/Joe Fanger

VOTING NAY

None

ABSENT AND NOT VOTING

None

Motion passed and resolution adopted this 6th day of July, 2023.

s:/Joe Fanger, Chairman

ATTEST: (Seal)

s:/Susan B. Lamb, Auditor

COMMUNITY ACCESS GRANT APPLICATION: Motion by Floyd, second by Shepherd to approve application. Unanimous vote aye.

2023 RAISE GRANT: Aud Lamb informed Bd that 2023 RAISE Grants were awarded to SDDOT for US 18/SD 407 Pine Ridge Indian Reservation & Cheyenne River Sioux Tribe.

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

RESOLUTION 2023-16
FOR SUPPLEMENTAL BUDGET

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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 6th day of July, 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 \$555,256.65
201-0-371.00 Operating Transfer In \$555,256.65
201-311-425.00 Highway Reprs-Highway Contracts \$555,256.65

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

VOTING AYE

s:/Caleb Shepherd
s:/William Floyd
s:/Jerry B. Richards
s:/Greg Yackley
s:/Joe Fanger

VOTING NAY

None

ABSTAINING AND NOT VOTING

None

Motion passed and resolution adopted this 6th day of July, 2023.

s:/Joe Fanger, Chairman

Attest: (Seal)

s:/Susan B. Lamb, Auditor

BIG PE GRANT RESOLUTIONS: Motion by Richards, second by Yackley to approve resolution for bridge 60-280096. Unanimous vote aye.

BRIDGE IMPROVEMENT GRANT/LOCAL FEDERAL BRIDGE PROGRAMS
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS
2023-19

WHEREAS, Sully County wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant and/or Local Federal Bridge Programs:

STRUCTURE NUMBER(S) AND LOCATION(S):

Structure No. 60-280-096

Location: 3 miles West & 3.4 miles North of Onida, SD

and WHEREAS, Sully County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

and WHEREAS, Sully County agrees to pay the 20% match on the Bridge Improvement Grant funds and/or 0.0% match on the Local Federal Bridge Funds;

and WHEREAS, Sully County hereby authorizes the Bridge Improvement Grant and Local Federal Bridge application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant and/or Local Federal Bridge application(s).

Vote of Commissioners Yes 5 No 0

Dated at Onida, SD, this 6th day of July, 2023.

ATTEST: (Seal)

s:/Susan B. Lamb
County Auditor
s:/Joe Fanger
Chairman

Motion by Yackley, second by Floyd to approve resolution for bridge 60-470231. Unanimous vote aye.

BRIDGE IMPROVEMENT GRANT/LOCAL FEDERAL BRIDGE PROGRAMS
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS
2023-20

WHEREAS, Sully County wishes to submit an application(s) for consideration of award for the Bridge Improvement

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Grant and/or Local Federal Bridge Programs:

STRUCTURE NUMBER(S) AND LOCATION(S):

Structure No. 60-470-231

Location: 16 miles East & 10.2 miles South of Jct 83 at Onida, SD

and WHEREAS, Sully County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

and WHEREAS, Sully County agrees to pay the 20% match on the Bridge Improvement Grant funds and/or 0.0% match on the Local Federal Bridge Funds;

and WHEREAS, Sully County hereby authorizes the Bridge Improvement Grant and Local Federal Bridge application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant and/or Local Federal Bridge application(s).

Vote of Commissioners Yes 5 No 0

Dated at Onida, SD, this 6th day of July, 2023.

ATTEST: (Seal)

s:/Susan B. Lamb

County Auditor

s:/Joe Fanger

Chairman

LOCAL FEDERAL BRIDGE PROGRAM RESOLUTION: Motion by Floyd, second by Shepherd to approve resolution for bridge 60-190165. Unanimous vote aye.

BRIDGE IMPROVEMENT GRANT/LOCAL FEDERAL BRIDGE PROGRAMS
RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS
2023-21

WHEREAS, Sully County wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant and/or Local Federal Bridge Programs:

STRUCTURE NUMBER(S) AND LOCATION(S):

Structure No. 60-190-165

Location: 3.5 miles East & 0.6 miles North of Okobojo, SD (291st Avenue)

and WHEREAS, Sully County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

and WHEREAS, Sully County agrees to pay the 0% match on the Bridge Improvement Grant funds and/or 18.05% match on the Local Federal Bridge Funds;

and WHEREAS, Sully County hereby authorizes the Bridge Improvement Grant and Local Federal Bridge application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant and/or Local Federal Bridge application(s).

Vote of Commissioners Yes 5 No 0

Dated at Onida, SD, this 6th day of July, 2023.

ATTEST: (Seal)

s:/Susan B. Lamb

County Auditor

s:/Joe Fanger

Chairman

PLANNING & ZONING BOARD RECOMMENDATION: P&Z Bd Chair Rausch & Vice Chair Gross requested approval to draft an ordinance pertaining to hazardous material pipelines. Motion by Shepherd, second by Fanger to allow P&Z Bd to explore depth of coverage allowance & structural setbacks for hazardous material pipelines. Roll Call Vote: Floyd-aye, Shepherd-aye, Fanger-aye, Yackley-nay, Richards-aye. Motion carried 4-1.

HIGHWAY DAMAGE CAUSED BY EROSION: Kevin Hofer discussed with Bd a ditch issue on his land. He didn't realize that it was the landowner's responsibility. He has hired a contractor to repair the damage.

Comr Shepherd left mtg at 9:15 am

SDLTAP ROAD & BRIDGE LEVY: Greg Vavra & Gill Hedman from SDLTAP discussed traffic counts, 5-year plan & public meetings with Bd.

LEGAL: States Attny Sovell discussed legal issues with Bd.

SUMMIT CARBON SOLUTIONS UTILITY EASEMENTS: States Attny Sovell recommended that Bd table easements

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until further discussion on application process can be held & PUC approval of permit. Motion by Richards, second by Fanger to table until October mtg. Motion carried 4-0. Absent: Shepherd.

EXECUTIVE SESSION: Motion by Yackley, second by Floyd to go into Executive Session for personnel & litigation SDCL 1-25-2(1)(3). Motion carried 4-0. Absent: Shepherd. Motion by Richards, second by Floyd to come out of Executive Session SDCL 1-25-2(1)(3). Motion carried 4-0. Absent: Shepherd.

DROUGHT DISASTER DECLARATION: Motion by Floyd, second by Richards to approve resolution. Motion carried 4-0. Absent: Shepherd.

Resolution No 2023-18
Drought Disaster Declaration

WHEREAS, Sully County suffered in early spring from below normal precipitation and desolating winds resulting in a natural disaster in the form of agricultural drought conditions, the Board of County Commissioners resolve that said drought conditions constitute a natural disaster of such severity and magnitude that effective response is beyond the capabilities of this County, or even the State of South Dakota, and that Federal assistance is necessary, and there is no emergency plan available to alleviate the damage and economic chaos resulting from these conditions; and

WHEREAS, Sully County does not have the financial resources to respond to this disaster; and

WHEREAS, the Board of County Commissioners of Sully County is aware of the sparse pastures and lack of forage crops for feeding of livestock is necessitating the reduction/disposal of livestock herds; and

WHEREAS, the Board of County Commissioners of Sully County is aware that row crops are stressed from lack of rain and yields will be impacted; and

NOW THEREFORE BE IT RESOLVED, the Board of County Commissioners of Sully County, South Dakota, declare a natural disaster drought emergency, and it is

FURTHER RESOLVED, we the Board of Commissioners of Sully County respectfully petition the Governor of the State of South Dakota, the United States Department of Agriculture and the President of the United States to provide with all dispatch and remedy any state and/or federal assistance available for this type of emergency.

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

VOTING AYE

s:/Joe Fanger

s:/Greg Yackley

s:/Jerry B. Richards

s:/William Floyd

VOTING NAY

ABSENT AND NOT VOTING

Shepherd

Motion passed and resolution adopted this 6th day of July, 2023.

ATTEST: (Seal)

s:/Susan B. Lamb, Auditor

BUDGET REVIEWS: Bd reviewed 2024 Budgets with Dept Heads.

MONTHLY DEPT REPORTS: Bd reviewed monthly dept reports.

HWY DEPT: Hwy Supt Schall discussed road & bridge issues with Bd.

CLAIMS: Motion by Floyd, second by Richards to approve claims. Motion carried 4-0. Absent: Shepherd. SDACO 44.00 Collections, State Treasurer 94593.46 Collections, Oahe Electric 145.56 Util, Montana Dakota Utilities 167.62 Util, Agar Town 2115.89 Collections, ABO School 253568.23 Collections, Central Plains Water 923.05 Collections, Codgers Cove Road District 5503.50 Collections, Highmore-Harold School 15721.43 Collections, City of Onida 25763.23 Collections, A&B Business Solutions 74.36 Maint, Agar-Blunt-Onida School Dist 8500.00 Approp, American Solutions for Busines 666.79 Supl, AT&T Mobility 267.92 Phone, Avera Queen of Peace 295.00 Prof Serv, Axon Enterprise Inc 4644.00 Supl, BankWest 15508.36 Loan, Barber Chemicals 1830.00 Chemical, Beadle County Auditor 550.00 Approp, BIT Resource Billing 46.50 Prof Serv, Capital Area Counseling Serv 375.00 Approp, Capital One Bank 927.23 Supl, Cardmember Service 132.17 Supl, Don's Food Center 48.34 Supl, Don's Sinclair Inc 85.00 Supl, DOT/Federal Hwy Admin 15024.92 Prof Serv, Fischer Law Office, Prof 1061.43 Atty Fees, Great Western Tire Company 131.70 Tires, Holiday Inn City Centre 225.00 T&C, Hughes Co Finance Officer 3134.00 Jail Rent, Inmans Water Technologies 87.50 Rental, L-Tron Corporation 1348.10 Equip, Lamb Chevrolet & Implement Inc 61.25 Supl, Lamb Discount Supply 923.71 Supl, Lamb Motor Co Inc 1432.12 Supl, Susan Lamb 19.04 T&C, Leanne Loesch 218.66 T&C, Loiseau Construction, Inc. 159573.76 Reprs, Marco 210.23 Maint, McLeod Printing 139.38 Supl, Mid-Dakota Rural Water System 112.50 Util, Montana Dakota Utilities 94.08 Util, NAPA Central 245.00 Supl, Nutrien Ag Solutions 8896.00 Chemical, City of Onida 1770.12 Util, The Onida Watchman, Inc 392.72 Publ, Powerplan 477.60 Supl, SD Assoc of Co Commissioners 562.20 CLERP, SD Department of Trans 2693.56 Prof Serv, Servall Uniform/Linen Co 210.62 Rent, Sovell Oil, Inc 21165.11 Fuel, Stewart & Daughters Inc 1164.05 Util, Sully Co Fair Board 6250.00

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Approp, Transource 906.69 Supl, Venture Communications 1093.81 Phone, Verizon Wireless 103.58 Phone, WW Tire Service Inc 2589.02 Tires, Zander Auto Parts Inc 173.16 Supl,

FUEL QUOTES: The following is the fuel quote received for the month of July. Sovell Oil-unleaded \$3.57, diesel #1-no quote, diesel #2-2.99. A monthly inventory listing was also reviewed for fuel used by the Co in the month of June.

JUNE WAGES Salaries by Office: Comrs 6912.86; Aud 11218.67; Treas 9642.13; States Attny 12180.81; Cthse 5618.69; DOE 5970.24; Reg of Deeds 9637.55; GIS 6932.10; Sheriff 29781.43; Coroner 134.30; Weed & Pest 834.75; P&Z 1835.47; Highway 84988.59; Emg Mgt 1458.95.

ACCOUNT WITH THE TREASURER AS OF 06/30/23

Cash on Hand	635.00
Checks	8,489.42
Checks on Hand	0.00
NSF Checks	0.00
Cash Items	0.00
ROD Cash Box	50.00
Sunrise Bank Now	2,285.52
Sunrise Bank MM	6,238.95
BankWest Checking	3,637,677.98
BankWest MM	3,899.60

INVESTMENTS

CDs	1,202,876.52
Sheriff Checking	796.32
Register of Deeds Checking	2,238.50
Total Cash Balance	4,865,187.81
Total Assets in Custody of County as of 06/30/23	
County Amount	4,475,995.19
Amounts Held for Other Gov	388,295.09
Amounts Held for Others	897.53
Total Assets	4,865,187.81

MTG DATES: Next regular meeting will be Tues, August 1st at 7:30 am.

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

Susan B Lamb

Susan Lamb, Sully County Auditor

8.01.2023

Approved

Joe Fanger

Joe Fanger, Chairman

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