The Board of Sully County Commissioners held their regular scheduled mtg on Tues, August 3, 2021. Chmn Yackley called the mtg to order at 7:30 am. Other members present: William Floyd, Caleb Shepherd, Jerry Richards & Joe Fanger. Also, present were Aud Lamb, Janet Schmahl, Sheila Ring, Curt Mundt, Danielle Rausch, JJ Schall, Emily Sovell, Janet Beck, Sheila Carpenter, Casey Deibert, & Matiha Weber.

ADOPT AGENDA: Motion by Richards, second by Shepherd to adopt the agenda. 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 July 8th. Unanimous vote ave.

<u>AUTOMATIC BUDGET SUPPLEMENT</u>: Motion by Richards, second by Floyd to approve the following automatic budget supplement to 101-0-369.10 Other Reimbursement/Dividends in the amount of \$1,500.00. 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 101-142-427.00 Treas Travel & Conference in the amount of \$1,500.00. Unanimous vote aye.

AMENDED COMMERCIAL DISCRETIONARY FORMULA RESOLUTION: Motion by Richards, second by Floyd to approve resolution. Unanimous vote ave.

Amended Sully County Resolution No. 2020-19 Commercial Discretionary Formula

WHEREAS, the 2021 South Dakota State Legislature adopted changes to SDCL 10-6 which deals with the Annual Assessment of Property and the South Dakota Department of Revenue deems it necessary to update said resolution; and

WHEREAS, the County of Sully, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-13735.2.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-13735.2:

Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-13735.2(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-13735.2(4));

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the "Pre-Adjustment Value"; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 20% of the Pre-Adjustment Value;
- b. For the second tax year the following construction, 40% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 60% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 100% of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FURTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 3rd day of August, 2021

Sully County Commission

s:/Greg Yackley, Chairman

Attest: (SEAL)

s:/Susan Lamb, County Auditor

AMENDED DEVELOPER'S DISCRETIONARY FORMULA RESOLUTION: Motion by Floyd, second by Yackley to approve resolution. Unanimous vote aye.

Amended Sully County Resolution No. 2020-20 Developer's Discretionary Formula

WHEREAS, the 2021 South Dakota State Legislature adopted changes to SDCL 10-6 which deals with the Annual Assessment of Property and the South Dakota Department of Revenue deems it necessary to update said resolution; and

WHEREAS, the County of Sully, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution for assessed value to be used for tax purposes on certain residential properties as described in SDCL 10-6-14366.

NOW, THEREFORE, BE IT RESOLVED, that the following properties which can be valued according to this resolution shall meet each of the following conditions:

- 1. Property must be real property, platted after the effective date of this resolution, zoned for residential construction, and improved with necessary infrastructure to allow for future residential construction.
- 2. Property must be owned by the person or corporation developing the real property.

The Sully County Board of County Commissioners hereby adopts the following formula under authority of SDCL 10-6-14467.

For the first 5 (five) years following the filing of the plat for the subdivision, the assessed value of lots that remain unsold and having no building construction started on them shall be assessed as follows:

- f. For the first tax year following platting, 20% of full and true value;
- g. For the second tax year following platting, 40% of full and true value;
- h. For the third tax year following platting, 60% of full and true value;
- i. For the fourth tax year following platting, 80% of full and true value;
- j. For the fifth tax year following platting, 100% of full and true value;

Nothing in this resolution is intended to allow any refund or abatement of taxes levied prior to its passage. Also, if requested by the property owner, the discretionary formula may be waived and the full assessment shall be applied. Approved this 3rd day of August, 2021

Sully County Commission

s:/Greg Yackley, Chairman

Attest: (SEAL)

s:/Susan Lamb, County Auditor

<u>HUNTING PRESERVE LIQUOR LICENSE</u>: Motion by Shepherd, second by Fanger to approve the Hunting Preserve Alcoholic Beverage License renewal for Paul Nelson Farm Inc. Unanimous vote aye.

<u>SPEED ZONE AMENDMENT</u>: Motion by Floyd, second by Richards to hold 1st reading on amended ordinance. Unanimous vote aye.

SULLY COUNTY ORDINANCE ESTABLISHING SPEED ZONES ORDINANCE#2008-01

(amendments -2014 - 2021 (removed sections stricken; additions <u>bold and underscored</u> for publication of changes and emphasis)

Whereas, the Sully County Board of Commissioners have the authority to establish speed zones within their jurisdiction, BE IT ORDAINED, by the board of Commissioners of Sully County, that the following speed zones are established and that those speed zones shall supersede and replace all previously established speed zones,

1. Beginning at the intersection of South Dakota Highway 83 and 185th St (Referred to as Sully County FA 30) at the NW corner of Section 11, Tll4N, R77W, thence Easterly 3/10ths of a mile, the speed limit shall be 45 miles per hour; thence 30 miles per hour for 6/10ths of a mile through Onida, thence for the next 10 miles to a point at the NE corner of Section 9, T114N, R75W, the speed limit shall be 65 miles per hour with a speed limit of 40 miles per hour for trucks 10,000 lbs. and over. Beginning near the intersection of US Highway 83 & 185th Street heading in an easterly direction for 3/10ths of a mile the speed limit shall be 45 miles per hour; For 2/10th of a mile from the intersection near Ash Avenue (185th Street) and 4th Street to the intersection near Ash Avenue (185th Street) and 5th Street the speed limit shall be 30 miles per hour; For 4/10ths a mile from the intersection near Ash Avenue (185th Street) and 5th Street to the intersection near Ash Avenue (185th Street) and 11th Street thru Onida the speed limit shall be 20 miles per hour; For the next 10 miles from the intersection near Ash Avenue (185th Street) and

11th Street to the intersection near 185th Street and 315th Avenue the speed limit shall be 65 miles per hour with a speed limit of 55 miles per hour for trucks 10,000 pounds and over.

- 2. Beginning at the intersection of South Dakota Highway 83 and 185th St. (Referred to as Sully County FA 30) at the SE corner of Section 3, T114N, R77W, thence Westerly for 1/2, mile the speed limit shall be 30 miles per hour, thence Westerly 11 ½ miles to a point at the SW corner of Section 2,T114N, R79W, the speed limit shall be 65 miles per hour, with a 55 mile per hour limit for trucks 10,000 lbs. and over.
- 3. Beginning at the intersection of the SE corner of Section 3, T114N, R80W, to a point at the SW corner of Section 2, T114N, R81W, Westerly 9/10th of a mile on 185th St (Referred to as Sully County 30) the speed limit shall be 55 miles per hour, thence for 1/10th of a mile the speed limit shall be 30 miles per hour, thence Westerly 5.6 miles the speed limit shall be 55 miles per hour. At the intersection of 185th St and 278'h Ave at a point at the SW corner of Section 2, T114N, R81W Northerly 1 mile to the intersection of 184th St and 27/10th Ave at the NW corner of Section 2, T114N, R81W, and thence Westerly for 71lOth of a mile the speed limit shall be 55 miles per hour. The speed limit for trucks 10,000 lbs and over shall be 40 miles per hour, except in the above listed 1/10th of a mile, the speed limit shall be 30 miles per hour.
- 4. Beginning at the intersection of South Dakota Highway 83 and 176th St. (Referred to as Sully County FA 60) at the SE corner of Section 22,T1 16N, R77W, thence Westerly 10 miles to a point at the SW corner of Section 19, T116N, R78W, the speed limit shall be 65 miles per hour, with a 55 mile per hour limit for trucks 10,000 lbs and over.
- 5. Beginning at the intersection of South Dakota Highway 83 and 176th St. (Referred to as Sully County FA 60) at. the SW comer of Section 23, T116N, R77W, thence Easterly for 3/10th of a mile at 50 miles per hour, thence for 3/10th of a mile 25 miles per hour, thence for 2/10th of a mile 50 miles per hour, thence for 6 miles to a point at the SE corner of Section 23, T116N, R76W, the speed limit shall be 65 miles per hour, with a 40 mile per hour limit for trucks 10,000 lbs and over.
- 6. Beginning at the intersection of l85th St. (Referred to as Sully County 30) and 305th Ave. (Referred to as Sully County 41) at the SW corner of Section 1, T114N, R77W, ½ mile Northerly the speed limit shall be 30 miles per hour, thence for 12 ½, miles to the NW comer of Section 1, T116N, R77W, the speed limit shall be 55 miles per hour, and starting at same intersection 1 mile Southerly the speed limit shall be 30 miles per hour, thence for 10 miles to the SW corner of Section 36, T113N, R77W, the speed limit shall be 55 miles per hour.
- 7. Beginning at the intersection of South Dakota Highway 83 and 186th St. (Referred to as Sully County Area 512) at the SW corner of Section 11, T114N, R77W, thence Easterly for 1 mile 4/10ths of a mile, the speed limit shall be 35 45 miles per hour; For 3/10ths of a mile from the intersection near Redwood Avenue (186th Street) and 4th Street to the railroad crossing the speed limit shall be 30 miles per hour; For 2/10ths of a mile from the railroad crossing to the intersection near Redwood Avenue (186th Street) and 11th Street the speed limit shall be 20 miles per hour;
- 8. Beginning at the intersection of 185th St. (Referred to as Sully County FA 30.) and 321st Ave. (Referred to as Sully County 11.) at the NE comer of Section 9, T114N, R74W, thence Southerly for 11 miles to a point at the SE corner of Section 33, T113N, R74W, the speed limit shall be 55 miles per hour with a speed limit of 40 miles per hour for trucks 10,000 lbs. and over.
- 9. Beginning at the intersection of 194th St. (Referred to as Sully County 20.) and 324th Ave. (Referred to as the Sully, Hyde County line) at the SE corner of Section 24, T113N, R74W, thence Westerly for 9 miles to a point at the SW corner of Section 22, T113N,

R75W, thence Northerly for 3 miles to a point at the SE corner of Section 4, T113N, R75W, thence Westerly for 11 miles to a point at the SW corner of Section 2, T113N, R77W, and South Dakota Highway 83 the speed limit shall be 55 miles per hour with a speed limit of 40 miles per hour for trucks 10,000 lbs. and over.

10. Beginning at the intersection of 316thAve. (Referred to as Sully County 2l) and 185th St.(Referred to as FA30) at the NE corner of Section 10, T114N, R75W, thence Southerly for 3 miles to a point at the SE corner of Section 22, T114N, R75W, thence 1 mile westerly to a point at the NE corner of Section 28, T114N, R75W, thence 3 miles Southerly to a point at the SE corner of Section 4, T113N, R75W, the speed limit.

11. Beginning near the intersection of 311 Ave. (Referred to as Sully County FA 31.) and 172nd. St. (Referred to as Sully, Potter County line

County FA 31.) and 172nd. St. (Referred to as Sully, Potter County line Area 315.) in the NE ¼ of section 2, T116N, R76W, thence Southerly for 24 miles to a point near the SE ¼ of section 35, T113N, R76W, the speed limit shall be 55 miles per hour with a speed limit of 40 miles per hour for trucks 10,000 lbs. and over.

12. Beginning at the intersection of 182nd Street and 282nd Avenue at the SE corner of Section 20-T115N-R80W, thence Northerly for 1 mile to the NE corner of Section 20-T115N-R80W, the speed limit shall be 35 miles per hour.

1312. The speed limit on all Sully County primary and Sully County secondary roads, other than those listed above, shall be 55 miles per hour unless posted for construction or otherwise advertised.

A VIOLATION OF THIS ORDINANCE SHALL BE PUNISHABLE WITH A FINE IN ACCORDANCE WITH SOUTH DAKOTA STATE LAWS.

Amendments marked: First Reading 05/06/2014; Second Reading 06/05/2014; Published: 06/12/2014; Effective: 07/12/2014

s/William Floyd

Sully County Chairman

s/Patty McGee

Auditor, Sully County South Dakota

ATTEST: (SEAL)

Amendments marked: First Reading: 02/02/2021; Second Reading 03/02/2021; Published: 03/11/2021; Effective: 03/31/2021

s:/Greg A. Yackley

Sully County Chairman

s:/Susan B. Lamb

Auditor, Sully County South Dakota

Amendments marked: First Reading: 08/03/2021

BIG PROGRAM RESOLUTION: Motion by Floyd, second by Fanger to approve resolution. Unanimous vote aye.

BRIDGE IMPROVEMENT GRANT PROGRAM

RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS

2021-21

WHEREAS, Sully County wishes to submit an application for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER AND LOCATION:

Structure No. 60-420-204

Location: 11.0 miles E and 7.4 miles S of Onida, SD over North Medicine Creek

and WHEREAS, Sully County certifies that the project is 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 WHEREAS, Sully County hereby authorizes the Bridge Improvement Grant application 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 application.

Vote of Commissioners: Yes 5 No 0

ATTEST: (Seal)

s:/Susan B. Lamb

County Auditor

s:/Greg Yackley

Chairman

<u>DOME RESTORATION PROJECT</u>: Aud Lamb informed the Bd that the project has received over \$337,000 and is still scheduled for January, 2022.

PRE-DISASTER MITIGATION PLAN UPDATE: Comr Floyd updated Bd on mtg held July 21st where plan was reviewed and updated.

OFF-SALE LIQUOR LICENSES: Hearing was held for Off-Sale Package Liquor Licenses. Motion by Floyd, second by Richards to approve Off-Sale Package Liquor License for Codger's Cove RV Park. Unanimous vote aye. Motion by Shepherd, second by Yackley to approve Off-Sale Package Liquor License for Sutton Bay Golf LLC. Unanimous vote aye.

<u>BUSH'S LANDING ROAD</u>: Motion by Floyd, second by Shepherd to obtain an updated estimate from Brosz Engineering with different road surface options available prior to signing a MOU with SD Game, Fish & Parks. Unanimous vote aye.

<u>SD FLAP GRANT</u>: Project Scoping is now scheduled for spring of 2022 and the Little Bend project has now been scheduled for a 2026 build date. Motion by Floyd, second by Shepherd to table item until September mtg. Unanimous vote ave.

<u>NO MAINTENANCE ROAD RESOLUTION</u>: Hearing was held for No Maintenance Road. Motion by Richards, second by Shepherd to approve resolution. Unanimous vote aye.

RESOLUTION 2021-22

Resolution Establishing No Maintenance Road

WHEREAS, SDCL 32-12-46 allows the Sully County Board of Commissioners to designate any road on the county highway system as a no maintenance road if the Board determines that the road or a segment of the road is rarely used for passenger and commercial travel;

WHEREAS, SDCL 32-12-47 states that signs shall be posted on the no maintenance road notifying the motoring public that it is a no maintenance road and that the public travels on the road at its own risk.

NOW THEREFORE BE IT RESOLVED that the Sully County Board of Commissioners has designated approximately 3/10 of a mile of 296th Avenue in Farmington Township beginning at the intersection of 172nd Street located in NW corner of Section 3-116N-78W proceeding south to be declared a no maintenance road and will be posted as such. Moved by Commissioner Richards and seconded by Commissioner Shepherd, that the above resolution be adopted.

VOTING AYE

s:/William Floyd

s:/Caleb Shepherd

s:/Greg Yackley

s:/Joe Fanger

s:/Jerry Richards

VOTING NAY

None

ABSENT AND NOT VOTING

None

Motion passed and resolution adopted this 3rd day of August, 2021.

s:/Greg Yackley, Chairman

Sully County Board of Commissioners

ATTEST: (Seal)

s:/Susan B. Lamb

Sully County Auditor

MONTHLY DEPT REPORTS: Bd reviewed dept reports.

<u>GRAVEL CRUSHING BID</u>: The only bid received was from Morris for \$3.78/ton. Motion by Richards, second by Floyd to accept bid. Unanimous vote aye.

ROAD & BRIDGE LEVY: Bd discussed a road & bridge levy to help repair & maintain county roads & bridges.

HWY DEPT: Hwy Supt Schall discussed Waste Tire Clean-up, Hughes/Sully Road agreement & mowing.

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

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

<u>VETERAN SERVICE OFFICER</u>: Janet Beck is the new Veteran Service Officer for Sully County. She and Sheila Carpenter presented information & answered questions regarding services available.

CLAIMS: Motion by Floyd, second by Richards to approve claims. Unanimous vote aye. A&B Business Solutions 61.45 Supl, Agar Fire Department 5289.84 Fire Ins, Applied Concepts, Inc 2966.00 Equip, AT&T Mobility 268.43 Phone, Avera Queen of Peace Health 142.00 Prof Svc, Bakery Cafe 279.50 T&C, Bankwest 15508.36 Payment, Barber Chemicals LLC 87.50 Chem, BIT Resource Billing 33.50 Prof Serv, Butler Machine Co Inc 235.46 Supl, Capital One Bank 292.37 Supl, Cardmember Service 1983.21 Supl, Central Culvert Supply 31570.00 Culverts, Connecting Point/Ultra Inc 397.00 Prof Svc, Crazy B's Tees 12.50 Supl, Geffdog Designs 235.00 Supl, Hughes Co Finance Officer 3200.00 Jail Rent, Johnson Controls Inc 684.00 Supl, Kimball Midwest 320.44 Supl, Lamb Chevrolet & Implement Inc 270.18 Supl, Lamb Discount Supply 256.21 Supl, Lamb Motor Co Inc 88.91 Supl, Logan Electric 101276.07 Bldg, Marco 85.96 Maint, McLeod Printing 149.90 Supl, Mid-Dakota Rural Water System 86.00 Util, Napa Auto Parts 78.00 Supl. Northern Tool 317.96 Supl. City of Onida 1288.90 Util. Onida Fire Department 17752.85 Fire Ins. The Onida Watchman, Inc 266.91 Publ, Helen J Paxton 538.64 T&C, City of Pierre 10570.98 Prof Svc, Postmaster 212.00 Rental, Powerplan 2037.02 Supl, Rees Communications 450.00 Supl, Riter Rogers, LLP 904.63 Atty Fees, Rural Health Care Inc 70.00 Prof Svc, SD Assoc of Co Commissioners 555.00 T&C, SD Dept of Public Safety 3090.00 Prof Serv, SD Department of Trans 115237.65 Contract, Servall Uniform/Linen Co 269.72 Rental, Shane's Pharmacy 134.66 Pres, Sovell Oil, Inc 19850.84 Fuel, Sovell Law Office 200.00 Util, Sully Co Treasurer/Petty Cash 35.15 Supl, Titan Machinery 24079.00 Equip, Transource 3160.70 Supl, Vanguard Appraisals, Inc 29906.70 Prof Serv, Vantek Communications 4034.45 Supl, Venture Communications Co-op 1161.84 Util, Verizon Wireless 104.06 Util, Visionary Mental Health 394.80 Prof Serv, Zander Auto Parts Inc 221.84 Supl,

<u>RURAL ATTORNEY RECRUITMENT PROGRAM AGREEMENT</u>: Motion by Richards, second by Fanger to sign 5-year agreement at \$1094.94 per year. Unanimous vote aye.

<u>LEGAL ISSUES</u>: States Attny Sovell discussed medical marijuana ordinances & court calendar.

2022 BUDGET REVIEW: Bd reviewed & made cuts in an effort to balance the 2022 budget.

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

<u>WAGE INCREASES</u>: Motion by Fanger, second by Shepherd to approve a 10% wage increase in 2022 for States Attny Sovell & Hwy Supt Schall. Unanimous vote aye.

<u>PURCHASE REQUEST</u>: Motion by Shepherd, second by Richards to approve purchase of cage for new Sheriff vehicle in the amount of \$975. Unanimous vote aye.

<u>FUEL QUOTES</u>: The following is the fuel quote received for the month of August. Sovell Oil-unleaded \$3.07, diesel #1-no quote, diesel #2-2.56. A monthly inventory listing was also reviewed of fuel used by the Co in the month of July. <u>JULY WAGES</u> Salaries by Office: Comrs 5583.41; Aud 10,654.30; Treas 9001.07; States Attny 10,964.34; Cthse 5442.26; DOE 5578.16; Reg of Deeds 10,188.01; GIS 6437.33; Sheriff 23,823.48; Coroner 134.44; Weed & Pest 757.65; P&Z 1358.13; Highway 86,337.14; Emg Mgt 1370.38.

ACCOUNT WITH THE TREASURER AS OF 07/31/21

Cash on Hand	468.20
Checks	29,486.02
Checks on Hand	0.00
NSF Checks	0.00
Cash Items	35.15
ROD Cash Box	50.00
BankWest Checking	3,284,958.60
BankWest MM	352,465.39
Sunrise Bank MM	177,169.81
Sunrise Bank NOW	1,514.71
INVESTMENTS	
Sunrise Bank Dakota	1,184,663.16
BankWest	
Sheriff Checking	291.32
Register of Deeds Checking	3,303.00
Total Cash Balance	5,034,405.36
Total Assets in Custody of County as	of 07/31/21
County Amount	4,839,330.75
Amounts Held For Other Gov	194,767.66
Amounts Held For Others	306.95
Total Assets	5,034,405.36

MTG DATES: The next regular meeting will be Tues, September 7th at 7:30 am.

ADJOURNMENT: There being no further business, Chairman Yackley declared the mtg adjourned at 11:30 am.

Susan Lamb, Sully County Auditor

Approved SEP - 7 2021

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

Greg Yackley, Chairman