

SULLY COUNTY BOARD OF COMMISSIONERS
MAY 6, 2025

The Board of Sully County Commissioners held their regular scheduled mtg on Tues, May 6, 2025. 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 Sheila Ring, Andrew Utech, Vic Utech, Tacea Voorhees, Jay Jonas, Lindsey Riter-Rapp, Bill Stahl, Helen Paxton, Bruce Peterson, Linda Peterson, Scott Bacon, Amanda Bacon, Eric Hildebrandt, Kathy Hildebrandt, Bryan Mehlhaff, Al McNeely, Kristina Sage, Josh Byrum, James Beavers, Angela Le, Don Miller, Russ Ball, Stacy Hegge & JJ Schall.

ADOPT AGENDA: Motion by Floyd, second by Yackley to adopt the agenda. Unanimous vote aye.

PUBLIC COMMENT: No one was present for public comment.

NUISANCE PROPERTY: Jay Jonas met with Bd to discuss progress made. Bd will revisit at June meeting.

MINUTES: Motion by Floyd, second by Richards to approve minutes from the Bd of Commission mtg held on April 8th. Unanimous vote aye. Motion by Yackley, second by Shepherd to approve minutes from the Bd of Equalization mtg held on April 8th. Unanimous vote aye.

APPROVE TEMPORARY LEGAL COUNSEL: Motion by Richards, second by Floyd to approve Shane Penfield as temporary legal counsel for the 2025-10-PUD Codger's Caddy Club Hearing. Unanimous vote aye.

MALT BEVERAGE LICENSE RENEWALS: Motion by Shepherd, second by Yackley to approve malt beverage license renewals for Cheyenne Ridge, The Corner, Eric's Custom Repair, The Outpost Lodge, Pike Haven Resort, Sargent Ranch Lodge, Sunset Lodge, West Prairie Resort & Agar Fire Department (one-day). Unanimous vote aye.

SDDOT COMMUNITY ACCESS ROAD GRANT: Motion by Shepherd, second by Yackley to approve grant application resolution for 11th Street. Unanimous vote aye.

RESOLUTION 2025-9

SDDOT COMMUNITY ACCESS ROAD GRANT

WHEREAS, Sully County has identified the need to undertake road improvements to 305th Ave between 185th and 186th St; and

WHEREAS, Sully County agrees to provide a 20% local match for road construction costs, plus pay all engineering and administrative costs associated with said project; and

WHEREAS, Sully County will secure the required right-of-way for the construction of the project; and

WHEREAS, Sully County agrees to maintain the road for its useful life;

NOW THEREFORE BE IT RESOLVED, that the Sully County Board of Commissioners does hereby authorize the County Commission Board Chairperson to sign and submit a SDDOT Community Access Road Grant application, requesting 80% of the eligible construction costs for said project up to \$600,000 of grant funds.

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

Motion passed and resolution adopted this 6th day of May, 2025. This resolution is effective immediately upon passage.

s:/Joe Fanger, Chairman

Sully County Board of Commissioners

ATTEST: (Seal)

s:/Susan B. Lamb

Sully County Auditor

SURPLUS EQUIPMENT: Motion by Richards, second by Yackley to surplus as junk the desktop scanner in ROD's office. Unanimous vote aye.

SD DEPT OF REVENUE GIS PARCEL DATA REQUEST: Motion by Shepherd, second by Yackley to approve request from SD Dept of Revenue for Sully County GIS Parcel Data. Unanimous vote aye.

2025-10-PUD CODGER'S CADDY CLUB SUBDIVISION HEARING: Chairman Fanger opened hearing at 7:45 am. Planning & Zoning Administrator Paxton gave Bd a recap of PUD application for which a Planning & Zoning hearing was held on April 16th. PUD will include 152 residential lots & 1 commercial lot. Paxton informed Bd that Planning & Zoning Bd gave recommendation for approval with two added items that have since been provided by developer. Chmn Fanger had Bd review the Conflict-of-Interest statement. No one reported a conflict. Chmn Fanger informed those in attendance that written testimony was received from Christopher & Jennifer Kainz, Neal Konda, Attorney Casey Miller representing the Spring Creek/Cow Creek Sanitary District & Attorney Lindsey Riter-Rapp representing Scott & Amanda Bacon, James Beavers, Angele Le, Todd & Kristy Hight, Curtis & Kristina Sage, Eric & Kathy Hildebrandt, Don Miller, Suzy Starr, Al & Connie McNeely, Russ & Sharon Ball & Tom Weaver. Following applicant, proponent & opponent testimony Bd discussion was held.

EXECUTIVE SESSION: Motion by Shepherd, second by Richards to go into Executive Session for legal SDCL 1-25-2(3). Unanimous vote aye. Motion by Shepherd, second by Yackley to come out of Executive Session SDCL 1-25-2(3). Unanimous vote aye.

2025-10-PUD CODGER'S CADDY CLUB SUBDIVISION: Motion by Yackley, second by Shepherd to approve PUD.

Roll Call Vote: Floyd-aye, Shepherd-aye, Fanger-aye, Yackley-aye, Richards-aye. Motion carried 4-1.

REPLAT OF LOT 1-A IN NW1/2 OF SECTION 31-114-79: Motion by Floyd, second by Richards to approve plat.

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Unanimous vote aye.

RESOLUTION 2025-10
APPROVAL BY COUNTY

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE BOARD OF COMMISSIONERS OF SULLY COUNTY, SOUTH DAKOTA AT A MEETING HELD ON THE 6TH DAY OF MAY, 2025.

“BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SULLY COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING LOT 1-A LOCATED IN LOT 1 IN THE NW1/4 OF SECTION 31 T114N R79W OF THE 5TH P.M., SULLY COUNTY, SOUTH DAKOTA, HAVING BEEN EXAMINED, IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL 11-3, AND ANY AMENDMENTS THEREOF.”

(SEAL)

s:/Susan B. Lamb

COUNTY AUDITOR, SULLY COUNTY, SOUTH DAKOTA

GROWSD: Jared Roos from GrowSD met with Bd to review 2024 data & budget request for 2026.

176th STREET CHANGE ORDER: Kyle Kurth with Brosz Engineering discussed change order on 176th Street through Agar. Motion by Shepherd, second by Richards to approve change order in the amount of \$5,935.25 for a final project cost of \$261,537.75. Unanimous vote aye.

REPAIR OPTIONS ON 176th & 185th Streets: Kyle Kurth with Brosz Engineering & Gill Hedman with SDLTAP discussed road repair & maintenance options on 176th Street west of Agar & 185th Street west of Onida. Engineering estimated project cost of \$1.5 to \$2.1 million. Motion by Shepherd, second by Floyd to approve Design Engineering Agreement with Brosz Engineering at a cost not to exceed \$55,000.00. Unanimous vote aye.

ORDINANCE 2017-01 REGULATION OF FIRE HAZARDS: Discussion was held on amendment to current ordinance. Bd approved giving authority to local fire chiefs & Emergency Manager Olson if burn ban timing needs to be extended. Aud Lamb will get direction on amendment to current ordinance from States Attny Sovell.

CITY OF PIERRE MOU: Motion by Shepherd, second by Richards to approve the Memorandum of Understanding with the City of Pierre to provide access to CentralSquare Software System through the City of Pierre Network System at a cost of \$96/month. Unanimous vote aye.

CONTRACT FOR E911 & DISPATCH SERVICES: Motion by Shepherd, second by Richards to approve 3-year contract for E911 & Dispatch Services at a cost of \$46,660.31 for 2026, \$47,496.43 for 2027 & \$48,357.62 for 2028. Unanimous vote aye.

SHERIFF DEPT PURCHASE REQUEST: Deputy Olson informed Bd of new state program allowing counties to use Livescan Fingerprinting Equipment at no cost for 1 year. There will be an annual maintenance fee of \$3,200.00 each year following. Motion by Yackley, second by Shepherd to approve the Livescan Fingerprinting Equipment usage for the Sheriff's Department with a fingerprinting fee schedule enacted. Motion carried 4-1 with Fanger voting nay.

M&P PURCHASE REQUEST: Motion by Floyd, second by Fanger to approve purchase of one recording book in the amount of \$1,298.90 & a Toshiba E3528A copy machine at a cost of \$2,741.00 using M&P Funds. Unanimous vote aye.

BUDGET SUPPLEMENT TO M&P: Motion by Richards, second by Floyd to approve resolution. Unanimous vote aye.

RESOLUTION 2025-8
FOR SUPPLEMENTAL BUDGET

WHEREAS, it is necessary to supplement the 2025 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 May, 2025, 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 Modernization & Preservation Cash Fund to the following budget:

250-163-434.00 M&P Software & Equipment \$8,500.00

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

VOTING AYE

s:/William Floyd

s:/Jerry Richards

s:/Greg Yackley

s:/Joe Fanger

s:/Caleb Shepherd

VOTING NAY

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None

ABSTAINING AND NOT VOTING

None

Motion passed and resolution adopted this 6th day of May, 2025.

s:/Joe Fanger, Chairman

Attest: (Seal)

s:/Susan B. Lamb, Auditor

HWY DEPT: Hwy Supt Schall informed Bd that 176th Street through Agar project is complete, bridge inspection schedule & reviewed design sheets on three bridges. Bridge 60-280-096 Cast-in-Place cost estimate is \$1,394,296.28, Bridge 280-290-093 Cast-in-Place cost estimate is \$1,390,216.48 & Bridge 60-470-231 Precast cost estimate is \$763,678.08.

MICHAEL STRICKLAND ROAD REQUEST: Based on Sully County position to not provide maintenance on section lines, motion by Richards, second by Yackley to deny request. Unanimous vote aye.

EXECUTIVE SESSION: Motion by Richards, second by Floyd to go into Executive Session for poor relief & legal SDCL 1-25-2(3). Unanimous vote aye. Motion by Richards, second by Floyd to come out of Executive Session SDCL 1-25-2(3). Unanimous vote aye.

AVERA ST MARY'S SETTLEMENT: Motion to table Avera St Mary's settlement request until June mtg.

VALUATION CORRECTION: Motion by Richards, second by Floyd to approve land valuation reduction from \$62,612.00 to \$21,892.00 on Parcel #3323 due to DOE error. Unanimous vote.

SD GAME FISH & PARKS ABATEMENT & TAX-EXEMPT STATUS: Motion by Richards, second by Yackley to deny SD GF&P request for reimbursement on paid 2024 pay 2025 property taxes in the amount of \$3,424.28 on 1012.37 acres of recreational areas. Unanimous vote aye. Motion by Richards, second by Floyd to recognize that November 1st deadline was not met but allow Tax Exempt Status for 2025 pay 2026 to SD GF&P on 1012.37 acres of recreational areas. Roll Call Vote: Shepherd-aye, Fanger-aye, Yackley-nay, Richards-nay, Floyd-aye. Motion carried 3-2. Motion by Floyd, second by Fanger to recognize that April 1st appeal deadline was not met but to approve tax abatement on Parcel #6648 for unpaid 2024 pay 2025 property taxes in the amount of \$80.34. Unanimous vote aye.

MONTHLY REPORTS: Bd reviewed monthly reports.

EXECUTIVE SESSION: Motion by Yackley, second by Fanger to go into Executive Session for personnel 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.

CLAIMS: Motion by Floyd, second by Yackley to approve claims. Unanimous vote aye. Oahe Electric 570.97 Util, SD Assoc of Co Officials 122.00 Collections, State Treasurer 86,190.64 Collections, Agar Town 1008.49 Collections, Agar-Blunt-Onida School District 173532.38 Collections, Central Plains Water 673.05 Collections, Codgers Castaway Road District 750.00 Collections, Codgers Cove Road District 2000.00 Collections, Highmore Harrold School District 4325.83 Collections, City of Onida 11771.13 Collections, Agar Fire Department 8212.50 Approp, American Solutions for Business 160.20 Supl, Applied Concepts, Inc 3569.00 Equip, AT&T Mobility 443.38 Phone, Avera Missouri Health Center 284.00 Prof Serv, Axon Enterprise Inc 53.50 Supl, BankWest 15508.36 Payment, Barber Farm Service Inc 88.46 Supl, BIT Resource Billing 102.00 Prof Serv, Capital One Bank 1110.59 Supl, Cardmember Service 151.23 Supl, Central Culvert Supply 1152.00 Culverts, Cow Creek Cottonwood Cottages 116.09 Sec Rd Refund, Diamondback Automotive 1949.00 Equip, DMC Wear Parts, LLC 10497.09 Supl, Don's Food Center 31.15 Supl, Don's Sinclair Inc 50.00 Maint, Jacob Eichacker 24.35 Sec Rd Refund, Stephanie Moen & Assoc 883.70 Prof Serv, Executive Mgmt Finance Office 37.26 Prof Svc, Ferding Electric, Inc 1274.79 Reprs, Frontline Plus Fire & Rescue 1225.00 Prof Svc, Gregory Gall 29.62 Sec Rd Refund, Goldstar Products Inc 2241.75 Supl, Kevin Griffin 18.35 Sec Rd Refund, Gunderson Palmer Nelson Ashmore 192.00 Prof Serv, Tami Hines 63.51 Sec Rd Refund, Christopher Hoffman 29.99 Sec Rd Refund, Darren Hofmeister 23.97 Sec Rd Refund, Michael Honermann 59.24 Sec Rd Refund, Hughes Co Finance Officer 1680.00 Jail, Innans Water Technologies 116.00 Rental, J Morin Landscape 290.70 Prof Svc, Jensen Rock & Sand Inc 1750.10 Cold Mix, Mark Johnson 4.94 Sec Rd Refund, Trent Kahre 36.70 Sec Rd Refund, Kimball Midwest 113.74 Supl, Allen Kirschenman 18.35 Sec Rd Refund, Leonard Kopman 57.72 Sec Rd Refund, Lamb Chevrolet & Implement Inc 118.17 Maint, Lamb Discount Supply 703.40 Supl, Lamb Motor Co Inc 251.97 Supl, Susan Lamb 21.42 T&C, Lyle Signs Inc 1600.09 Supl, Marco 180.36 Maint, Rodney Mennenger 155.04 Supl, Mid-Dakota Rural Water System 96.00 Util, Montana Dakota Utilities 649.24 Util, Morris Inc 2035.49 Supl, Morris Inc 261537.75 Reprs, Lynette Murphy 21.42 T&C, Nutrien Ag Solutions 20318.40 Chemical, City of Onida 21153.22 Util, Onida Fire Department 23750.00 Approp, Jayde Pfeifle 4.44 Sec Rd Refund, Powerplan 1635.00 Supl, Quill Corporation 567.98 Supl, SD Public Assurance Alliance 74598.21 Ins, SD Assoc of Assessing Officers 250.00 T&C, Servall Uniform/Linen Co 345.00 Rent, The Sharp Firm, Prof. LLC 1591.00 Atty Fee, Sovell Oil, Inc 10665.13 Fuel, Sovell Law Office 603.92 Phone, Sunrise Bank Dakota 36143.15 Loan Pmt, The Lodge at Deadwood 210.00 T&C, Lanny Thomas 17.97 Sec Rd Refund, Transource 618.69 Supl, TwoTrees Technologies 6659.50 Prof Svc, Venture Communications 1028.51 Phone,

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Verizon Wireless 85.46 Phone, Dan Vietor 29.62 Sec Rd Refund, Wagon Train LLC 31.87 Sec Rd Refund, Ivan Weber 22.22 Sec Rd Refund, Charles L Weischedel 145.99 Supl, Richard Wertz 57.87 Sec Rd Refund, Zander Auto Parts Inc 180.37 Supl,

FUEL QUOTES: The following is the fuel quote received for the month of May. Sovell Oil-unleaded \$3.19, diesel #1-N/A, diesel #2-2.64. A monthly inventory listing was also reviewed of fuel used by the Co in the month of April.

APRIL WAGES Salaries by Office: Comrs 4198.62; Aud 8748.17; Treas 7367.20; States Attney 9417.91; Cthse 4452.32; DOE 4653.95; Reg of Deeds 6944.93; GIS 1266.22; Sheriff 21854.56; Extension 572.39; Weed & Pest 590.38; P&Z 1373.77; Highway 70965.14; Emg Mgt 1106.02.

ACCOUNT WITH THE TREASURER AS OF 04/30/25

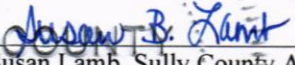
Cash on Hand	500.00
Checks	591,573.59
Checks on Hand	0.00
NSF Checks	0.00
Cash Items	0.00
ROD Cash Box	50.00
Sunrise Bank Now	5,260,666.19
Sunrise Bank MM	108,158.92
BankWest Checking	63,130.24
BankWest MM	3,981.15

INVESTMENTS

Sunrise Bank Dakota	1,308,503.20
BankWest	
Sheriff Checking	1,045.90
Register of Deeds Checking	7,813.50
Total Cash Balance	7,345,422.69
Total Assets in Custody of County as of 04/30/25	
County Amount	5,953,684.93
Amounts Held for Other Gov	1,380,568.76
Amounts Held for Others	11,169.00
Total Assets	7,345,422.69

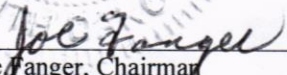
MTG DATES: Next regular meeting will be Tues, June 3rd at 7:30 am.

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


Susan Lamb, Sully County Auditor

06.03.2025

Approved


Joe Fanger, Chairman

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