

Chairman Randy Vance called the Monday April 5, 2021 meeting of the Hughes County Board of Commissioners to order at 5:30 PM with members Tom Rounds, Bill Abernathy, Connie Hohn, and Randy Brown present. County Manager Kevin Hipple and Sheriff Darin Johnson were also present. The meeting began with a prayer by Pastor John Fette and the Pledge of Allegiance.

AGENDA: Moved by Hohn and seconded by Abernathy to approve the agenda. All voted aye. Motion passed.

MINUTES: Moved by Abernathy and seconded by Hohn to approve the minutes of the March 15, 2021 Commission meetings. All voted aye. Motion passed.

SPECIAL BUSINESS: PURPLE HEART COUNTY DESIGNATION: Ken Teunnisen, Commander of the Military Order of the Purple Heart Chapter No. 5355, Veterans Buck Underwood and Pastor John Fett presented a proclamation declaring Hughes County as a Purple Heart County. Moved by Abernathy and seconded by Rounds to approve and authorize the chairman to sign the Proclamation in honor of the Military Order of Purple Heart Designation. All voted aye. Motion passed.

PUBLIC HEARING: SCHUH APPROACH VARIANCE: Time set for 5:30 pm for a public hearing. Delvin & Kathleen Schuh are requesting a variance permit to widen the existing approach off of 196th St/ Spring Creek Place. Moved by Brown and seconded by Rounds accept findings of fact and to approve a variance for Delvin & Kathleen Schuh to widen the existing approach from 20 feet to 28 feet off of 196th and Spring Creek Place and determine that the width and offset of the approach is a hardship. All voted aye. Motion passed.

BRIDGE GRANT: Derek McTighe, Brosz Engineering reviewed the applications for the Local Federal Bridge Replacement Funds. Moved by Rounds and seconded by Hohn to approve the 2021 Application for the Local Federal Bridge Replacement Funds for Structure 33-340-016, a bridge 5 miles East and .4 miles North of Blunt, SD on 314th Ave over South Medicine Creek for a total of \$948,332.00; \$777,158.07 the Federal Share and \$171,173.93 Hughes County's share. All voted aye. Motion passed.

Moved by Rounds and seconded by Hohn to approve the 2021 Application for Local Federal Bridge Replacement Funds for Structure 33-410-112 a bridge .3 miles West and 10.2 miles South of Harrold, SD on 321st Ave over Chappelle Creek for a total of \$916,258.00; \$750,873.43 the Federal Share and \$165,384.57 Hughes County's share. All voted aye. Motion passed.

GIS PROPOSALS: Two proposals were considered; one from Planning Development District III and one from Schneider GIS/Beacon. Moved by Brown and seconded by Rounds to approve the proposal from District III to provide the GIS parcel project including uploading and creation of missing parcels, loading the soil tables and implementing new calculations, training and support, for a cost of \$20,500 and provide parcel splits for \$2,000 per year. All voted aye. Motion passed.

PROPERTY TAX ABATEMENT: Moved by Rounds and seconded by Abernathy to approve refunding \$484.71 of the 2019 payable in 2020 taxes and refunding \$208.63 of the 2020 payable 2021 taxes, and abating \$208.63 of the 2020 payable 2021 taxes for Dalton & Kiley Hump at 20178 Mid Dakota Dr; Mentor Second Addition Lot 11B in SE Sec 33 112-79, the home should have received the owner occupied status. All voted aye. Motion passed.

POTENTIAL TAX DEED PROPERTIES: Jane Naylor, Finance Officer presented (3) three properties to consider taking tax deed. No action taken.

PERSONNEL: Moved Brown and seconded by Hohn to approve hiring Melanie Bowlin as a Correctional Officer for Juvenile Services starting April 5, 2021 at Pay Grade 14 Min \$18.45 per hour and hiring James Bowlin, as a Correctional Officer for the Jail starting April 19, 2021 at Pay Grade 14 Min \$18.45 per hour. All voted aye. Motion passed.

PLANNING & ZONING:

FIRST READING: REZONING AND PLAT LOT 1A OF LOT 1 SE SEC 10 111-78: Kim Paxton is requesting to rezone and plat Lot 1A to build a home. Moved by Rounds and seconded by Hohn to approve setting a public hearing for April 19, 2021 at 5:30 pm to consider the Plat of Lot 1A of Lot 1 and to rezone Lot 1 & Lot 1A from Ag-B to PUD. All voted aye. Motion passed.

FIRST READING: ADMENDMENT TO SECTION 109.2 SEC 3 ORDINANCE 2019-05 SCHEDULE OF PERMIT FEES AND OTHER FEES COLLECTED FOR PLANNING & ZONING: Moved by Rounds and seconded by Hohn to approve setting a public hearing for 5:40 pm April 19, 2021 to consider an Amendment to cover the expense of an approach variance request. All voted aye. Motion passed.

FIRST READING: REZONE TO PUD LOT J OF LOTS F,G,H,I,J,K,L,& M SE LYING SOUTH OF THE HWY & HUNSLEY'S OUTLOT SEC 18 111-78: Guy and Beata Ferris are requesting to rezone to PUD Lot J of Lots F-M in SE lying south of the Hwy of Hunsley's Outlot of Sec 18 111-78. Moved by Rounds and seconded by Hohn to approve setting public hearing for 5:35 pm April 19, 2021 to consider rezoning Lot J to PUD with Ag-B2 restrictions. All voted aye. Motion passed.

SECOND ADMENDMENT SANCTUARY COUNTY RESOLUTION: Moved by Hohn and seconded by Brown to approve Resolution 2021-05. All voted aye. Motion passed.

To Designate Hughes County a Second Amendment Sanctuary County

WHEREAS, The Constitution of the United States of America is the supreme law of our nation. The Second Amendment to the Constitution states "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed"; and

WHEREAS, the Constitution of the State of South Dakota in Article 6, Section 24 states, "Right to bear arms. The right of the citizens to bear arms in defense of themselves and the State shall not be denied."; and

WHEREAS, the right of the citizens to keep and bear arms is guaranteed as an individual right under the Second Amendment to United States Constitution and under the Constitution of the State of South Dakota; and

WHEREAS, the right of the citizens to keep and bear arms for the defense of Life, Liberty and

Property is regarded as an inalienable right by the citizens of Hughes County, South Dakota; and

WHEREAS, the citizens of Hughes County, South Dakota, derive substantial economic and personal benefit from all safe forms of firearm recreation, hunting and shooting conducted within Hughes County as allowed under the United States and South Dakota Constitutions; and

WHEREAS, it is the desire of the Hughes County Board of County Commissioners to declare its support of the Second Amendment to the Constitution of the United States of America and Article 6, Section 24 of the Constitution of the State of South Dakota protecting citizens' right to keep and bear arms; and

WHEREAS, the Hughes County Board of County Commissioners fully supports the Ninety-Sixth Legislature of the State of South Dakota Concurrent Resolution 607 which strongly favors and supports the constitutional right of citizens to own and possess firearms. It also firmly opposes any effort by the current administration to require the registration, confiscation or mandated sale of firearms, and any other unconstitutional restriction on the individual right to keep and bear arms; and

WHEREAS, the members of the Hughes County Board of Commissioners took an oath to support and defend the Constitutions of the United States and of the State of South Dakota.

NOW, THEREFORE, BE IT RESOLVED that the Hughes County Board of Commissioners strongly supports the Second Amendment of the Constitution of the United States of America and Article 6, Section 24 of the Constitution of the State of South Dakota and that the Board strongly believes that it is the right of the citizens of Hughes County to keep and bear arms for the defense of life, liberty and property; and

FURTHER BE IT RESOLVED, to defend the rights and liberties of the citizens, the Hughes County Board of Commissioners hereby declares Hughes County, SD to be a: Second Amendment Sanctuary County.

FURTHER BE IT RESOLVED, that no employee or official of Hughes County may assist Federal employees, agents or officials in the enforcement of executive orders in violation of the above-referenced Constitutional provisions.

MOSQUITO MANAGEMENT SERVICE AGREEMENT: This Agreement between the City of Pierre and Hughes County would provide Mosquito management in the county with the City providing labor and materials for mosquito larviciding. Moved by Abernathy seconded by Rounds to approve and authorize the chairman to sign the Mosquito Management agreement as written. All voted aye. Motion passed.

COURTHOUSE MOWER: Moved by Abernathy and seconded by Rounds to approve purchasing a Ferris 400S 25 HP 48" riding lawn mower with a bagger from Small Engine House for \$6,731.01 to replace the lawn mower at the courthouse and the old mower will be used at the Jail. All voted aye. Motion passed.

CLAIMS: Moved by Abernathy and seconded by Brown to approve the following verified claims. All voted aye by roll call vote. Motion passed.

ACE STEEL 338.47 REPAIRS-#413188, ALLIED PLUMBING & HEATING INC 1316.33 GLYCOL#2103.54, ANGELA LISBURG 466.00 WITNESS, AT & T MOBILITY 1264.09 PHONES/WIFI #287283130494, AUTOMATIC BUILDING CONTROLS 2986.00 MAINTENANCE #227951, AVERA MCKENNEN 128.00 HOSPITAL #RM.HCJ, AVERA PHARMACIES 97.64 MEDICATION #8884737, BARON SERVICES 900.00 WEATHER RADAR #62836, BIRMINGHAM & CWACH, LLC 307.45 MENTAL ILLNESS-CRT APPT, BOB BARKER CO INC 1073.86 SUPPLIES #1589504, BOTTOM LINE WELDING 363.00 REPAIRS, BROSZ ENGINEERING 19785.00 SERVICES, BUREAU OF ADMINISTRATION 713.20 SERVICES, CAPITAL AREA REFUSE 519.25 GARBAGE, CAPITAL JOURNAL 34.44 ADVERTISING #404287, CAPS TRAIL SERVICE 223.66 SERVICES, CDW GOVERNMENT INC 52.92 OFFICE EQUIP #9176174, CENTURY BUSINESS PRODUCTS INC 360.88 COPIER CONTRACTS, CENTURYLINK 184.42 PHONE, CHOLIK SIGN CO 1260.00 FENDER BRACKETS #11795, CITIBUSINESS CARD 1276.77 SUPPLIES, COLBY BUCKLES 120.00 REIMBURSEMENT FOR BOOTS, COLE PAPERS INC 2771.93 SUPPLIES, COMM TECH INC 4799.96 SUPPLIES #10944, COMMUNICATIONS CENTER 90.00 ALARM MONITORING #3705, CONCORDANCE 621.85 SUPPLIES, DEPARTMENT OF TRANSPORTATION 3125.03 FUEL S00117800, DIAMOND DRUGS INC 599.44 MEDICATIONS # IN001113560, FARNAMS GENUINE PARTS 195.66 FILTERS#433818/434413, FRANTZEN REPORTING 87.50 CARE OF POOR #4302, FRONTLINE WARNING SYSTEM 1500.00 SIREN COVERAGE #13379, GALLS 70.75 UNIFORMS #017782144, GRAHAM TIRE 1081.63 REPAIRS, GROSSENBURG IMPLEMENT 1470.88 FILTERS #1346971, GUARDIAN RFID 1425.15 SUPPLIES #6117, GUNDERSON PALMER NELSON & 805.10 CARE FOR POOR #106645, HOFFMAN OIL 2282.90 FUEL #65989/66052, HOGENS HARDWARE HANK 14.97 BLDG MAINTENANCE #787374, JC OFFICE SUPPLIES 56.56 SUPPLIES #57912, MARK KATTERHAGEN 39.00 MI X3, AHM,HS,HS, KIMBALL MIDWEST 167.15 SUPPLIES #8630132/#8646278, KRISTA HEERAN-GRABER 500.00 WITNESS, LAWSON PRODUCTS INC 664.53 SUPPLIES#9308216408,9308276312, LEWIS & CLARK BHS 552.00 MI X3 QMHP EVALS, LUCILLE M LEWNO 455.27 MI X3, AHM,HS & HS, LINCOLN COUNTY 757.06 MI X3, QMHP EVALS, DARCY LOCKWOOD 39.00 MI X3, AHM,HS & HS, MCLEODS 192.23 CORONOR BOOK #48016, MENARDS 1003.32 SUPPLIES, MENARDS 1105.67 SUPPLIES, MENARDS 39.93 SUPPLIES # 8788, MIDCO 240.00 INTERNET #14033900111886, MONTANA DAKOTA UTILITIES 1572.71 UTILITIES, MONTGOMERY TECH SYSTEMS 1352.30 OFFICE EQUIPMENT #P21*018, MONUMENT HEALTH 137.80 HOSPITAL/ #RH34713250, NORTHWESTERN ENERGY 760.88 ELECTRIC/ 2568054-7, NTEC 1367.12 REPAIRS #SFI034184, NYSTROM ELECTRIC 81.63 REPAIRS/ #26719, OAHE ELECTRIC COOP INC 1326.12 TOWER POWER, ARIC DAVIDSON 103.26 HINGES/ #8130, OFFICE DEPOT 70.99 CHAIRMAT, OFFICE DEPOT 501.18 OFFICE SUPPLIES, JESSICA PAULSEN 266.00 COURT REPORTER, PHEASANTLAND INDUSTRIES 173.81 WORK CLOTHES0210429,10210451, PIERRE CITY 551.98 , PIERRE CITY 4613.81 UTILITIES, QUALITY QUICK PRINT 151.70 SUPPLIES#356412,357284, CURTIS C REES III 45.00 RADIO CONNECT. #6515, RELX INC,DBA LEXIS NEXIS 249.00 SUBSCRIPTION,#3093108446, RENEE BEARSTOPS 200.00 WITNESS #J20-53, ROB BRUNMEIER 414.76 REIMBURSE HOTEL ROOM, RONNIE CURTIS 20.00 WITNESS FEE, ROWE LAW & MEDIATION CTR 3962.50 ATTORNEY FEES, RUGGED COMPUTING, INC 21097.34 EQUIPMENT,#100027876, RUNNINGS SUPPLY 1632.48 SUPPLIES, SANFORD HEALTH 2340.00 AUTOPSEY, SD ASSOC OF CODE ENFORCEMENT 50.00 TRAINING, SD DEPT OF HEALTH 46.00 FLU SHOT/ REF#96765, SD DEPT OF HEALTH 70.00 24/7 PROGRAM

**COMMISSIONER PROCEEDINGS
HUGHES COUNTY, SOUTH DAKOTA**

APRIL 5, 2021

#H21-362, SERVALL UNIFORM & LINEN CO 837.32 RUGS/LINENS-#402350, SMALL ENGINE HOUSE 6731.01 LAWN MOWER, SUMMIT FOOD SERVICES 11309.98 MEALS-2000106793,2000107475, THE PAINT STORE 110.00 MAINTENANCE #221573, TIME CLOCK PLUS 1353.38 TIME CLOCK/#571375, TMA 52.82 OIL-#73396, VENTURE COMMUNICATIONS 437.82 PHONE, WALMART COMMUNITY 347.41 SUPPLIES, WALMART COMMUNITY 200.94 OFFICE SUPPLIES, WALMART COMMUNITY 52.81 SUPPLIES, WEGNER AUTO CO 97.66 RADIO CONNECTOR, MONA WEIGER 34.20 COURT REPORTING, WESTERN COMMUNICATIONS INC 163681.32 MOTOROLA/#14989, WHEELHOUSE AUTO BODY 3990.60 REPAIR DURANGO/ #1670, YANKTON CO SHERIFF 100.00 MI SERVE PAPERS,HS,TS, ZANDER AUTO PARTS 665.78 REPAIRS/PARTS.

PUBLIC COMMENT: None

EXECUTIVE SESSION: Moved by Abernathy and seconded by Rounds to go into executive session for Care of the Poor SDCL 1-25-2(3). All voted aye. Motion passed. Chairman Vance declared the board to be out of executive session.

The following salaries and benefits were paid by department in the month of March 2021:

Commissioners-\$25,157.02, Auditor-\$19,456.95, Treasurer-\$17,168.86, States Attorney-\$35,264.70, Govt Buildings-\$9,798.92, Equalization-\$15,901.60, Register of Deeds-\$10,064.52, Veterans Service-\$5,992.81, Sherriff-\$39,343.14, Jail-\$170,984.09, Coroner-\$941.94, Juvenile Services-\$45,686.74, Planning & Zoning-\$6,426.45, Road & Bridge-\$68,937.99, and Emergency Management-\$13,324.07. Total payroll-\$484,449.80.

Auditor's Account with the Treasurer March 31, 20210: Cash on hand-\$3,292.07, Checks in the Treasurer's possession less than three days-\$164,658.38, Cash items-\$22.50. Demand deposits: American State Bank-\$8,057,799.97, Bad Checks Outstanding-\$1,655.99, and Investments-\$2,575,000.00. Total Cash Assets-\$10,802,428.73.

Register of Deeds Fees Collected in March 2021: Recording Fees-\$8,408.00, Transfer Fees-\$13,221.50, Copy Fees-\$369.75, Credit Card Fees-\$195.00, and Vitals-\$4,260.00. Total \$26,454.25.

Moved by Hohn and seconded by Abernathy to adjourn the meeting until **5:30 PM on Monday April 19, 2021**. All voted aye. Motion passed.

ATTEST:

Jane Naylor, Finance Officer
Hughes County, South Dakota

Randy Vance, Chairman
Hughes County Commission