

Chairman Randy Vance called the Tuesday September 7, 2021 meeting of the Hughes County Board of Commissioners to order at 5:30 PM members Tom Rounds, Randy Brown, Connie Hohn and Bill M. Abernathy were present. Emergency Manager Rob Fines, Planning Director/Building Official Eric Booth, Highway Superintendent Trent Arbach and Highway Lead Worker Chris Boxley, Veterans Service Officer Janet Beck, and Sheriff Patrick Callahan were also present. The meeting began with a prayer by Pastor John Fette and the Pledge of Allegiance.

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

MINUTES: Moved by Hohn and seconded by Brown to approve the minutes of the August 16 & August 23, 2021 Commission meetings. All voted aye. Motion passed.

PUBLIC HEARING: MEDICAL CANNABIS: 5:30 PM: Nobody appeared to testify. Moved by Abernathy and seconded by Hohn to approve Ordinance 2021-10 Medical Cannabis Zoning ordinance. Regulating via planning and zoning medical cannabis growing, manufacturing, and testing and dispensary establishments. A joint ordinance for the extra territorial area was approved on August 31, 2021. All voted aye. Motion passed.

PUBLIC HEARING: CANNABIS LICENSING ORDINANCE: 5:35 PM: Nobody appeared to testify. Moved by Rounds and seconded by Abernathy to approve Ordinance 2021-12 to create license provisions for cannabis establishments in Hughes County. All voted aye. Motion passed.

PUBLIC HEARING: 2022 BUDGET: 5:40 PM – Time set for the purpose of considering the provisional budget. Nobody appeared to testify. Moved by Brown and seconded by Rounds to table. All voted aye. Motion passed.

LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (LEMPG): The South Dakota State Office of Emergency Management is awarding Hughes County funding to be used for salary costs related to the operation of the emergency management organization during 2022. Moved by Abernathy and seconded by Rounds to accept and authorize the Chairman to sign this agreement. All voted aye. Motion passed.

PLANNING & ZONING:

FIRST CONSIDERATION: PLAT OF LOTS 1-4, BLOCK 2 FARM ISLAND ESTATES IN NW LYING NORTH OF HIGHWAY SECTION 7 110-78. Cornerstone LLC/Jamie & Jennifer Rancor are requesting to plat 17 acres. Final Reading will be at a later meeting.

RESTRICTIVE COVENANT LOT 3 AND LOT 4A-1 NYSTROM'S FIRST ADDITION BLOCK 3 SECTION 4 112-80: Rollie Borth is requesting to combine Lots 3 & 4A-1 into a single zoning lot to build a detached garage. Moved by Hohn and seconded by Abernathy to approve the restrictive covenant for Nystrom's First Addition Block 3 Lots 3 & 4A-1 Section 4 112-80. All voted aye. Motion passed.

RESTRICTIVE COVENANT LOT 17 AND LOT 18 DAKOTA LANDING ESTATES SEC 4 112-80: Scott and Rhonda Glazer are requesting to combine Lots 17 & 18 of Dakota Landing Estates into a single lot via a Restrictive Covenant to construct a detached garage. Moved by Abernathy and seconded by Hohn to approve the Restrictive Covenant for Dakota Landing Estates Lot 17 & 18 in Sec 4 112-80. All voted aye. Motion passed.

PLAT OF LOT 14R SHAMROCK ADDITION: Marion M. Barber is platting Lot 14R a replat of Lots 13 & 14 Shamrock Addition in NE Section 23 111-79. A joint County/City Commission gave final approval at a Joint meeting on August 31, 2021 to approve Resolution 2021-20.

ZONING ORDINANCE FOR CANNABIS ESTABLISHMENTS: A joint ordinance 2021-11 was approved on August 31, 2021.

SMALL STRUCTURE INVENTORY PROPOSAL: Derek McTigh, Brosz Engineering was available to answer questions. Moved by Brown and seconded by Hohn to approve the proposal from Brosz Engineering for \$23,700 to inventory small structures in Hughes County. All voted aye. Motion passed.

FIRST CONSIDERATION: SPRING CREEK ROAD SPEED LIMIT ORDINANCE: Moved by Brown and seconded by Rounds to approve a public hearing for September 20, 2021 at 5:30 pm to consider setting the speed limit to 30 mph. All voted aye. Motion passed.

PERSONNEL: Moved by Abernathy and seconded by Brown to approve appointing Thomas Oliva, Finance Officer starting October 1, 2021 at an annual salary of \$60,000 and authorize advertising for Chief Deputy Treasurer. All voted aye. Motion passed.

Moved by Brown seconded by Rounds to authorize advertising for a Highway Maintenance Worker. All voted aye. Motion passed.

JAIL MALPRACTICE INSURANCE: Moved by Abernathy and seconded by Brown to approve the Quote from General Star Indemnity Company for \$25,668.75. All voted aye. Motion passed.

COUNTY MANAGER LEAVE: Moved by Hohn and seconded by Abernathy to approve paying the County Manager 32.5 hours of annual leave at \$25.77 per hour accrued prior to 2007. All voted aye. Motion passed.

CLAIMS: Moved by Hohn and seconded by Abernathy to approve the following claims. All voted Aye. Motion passed.

A-OX WELDING 35.71 OXYGEN, ANDERSON DENTAL 379.80 DENTIST FOR INMATE, ASHLEIGH ELITS 1500.00 MEDICAL CONTRACT SERV-REIMBURS, ASSMAN'S 109.60 SHOP SUPPLIES, AT & T MOBILITY 1435.26 PHONES & WIFI, AUTOMATIC BUILDING CONTROLS 248.18 REPAIRS-INV#227443, AVERA MEDICAL GROUP 2040.00 MEDICAL CONT-INV#15, AVERA ST MARY HOSPITAL 503.85 SEXUAL ASSUL,#SY0001984729, AVERA ST MARY'S 2435.47 MI-TK CRISIS, #SY0001978961, AVERA ST MARY'S 298.63 MI-CW HOLD-

SY0001981343, AXON ENTERPRISES, INC 1476.00 TRAINING-INV#INUS010646, BACHAND & HRUSKA, PC 3333.00 SEPT LEGAL, INV#1303, BOB BARKER CO INC 1776.98 INMATE SUPP-#1658494,1649463, BONI ENTERPRISES, LLC 79.20 MI X 2, QMHP EVALS, BUREAU OF ADMINISTRATION 1339.14 POSTAGE, BUREAU OF ADMINISTRATION 134.72 PHONE-#TL208004, BUTLER MACHINERY CO 1301.63 PARTS, CAPITAL AREA COUNSELING 8377.58 MI X 8, JULY PER CONTRACT, CAPITAL JOURNAL 486.02 ADVERTISING, CAPITOL ONE 132.66 OFFICE SUPPLY, CAPITOL ONE 48.83 OFFICE SUPPLIES, CDW GOVERNMENT INC 94.49 SUPPLIES, CENTRAL CULVERT 6350.00 CULVERT, INV#1056, CENTURY BUSINESS PRODUCTS INC 1922.23 OFFICE SUPPLIES, CENTURYLINK 58.75 PHONE, CERTIFIED LABORATORIES 1586.00 SUPPLIES, CHARM TEX, INC 68.86 REPAIR & MAINT, CLEARFLY 360.99 SERVICE, INV#373201, CODY HALL 104.49 BOOT ALLOWANCE, COLE PAPERS INC 6380.16 CLEAN,INMATE,COURT HOUSE SUPPL, COMM TECH INC 9.99 SURGE PROTECTOR, CONCORDANCE HEALTHCARE 1079.92 INMATE SUPPLIES, CYNTHIA HERBER 120.00 UNIFORM REIMBURSE, DEPARTMENT OF CORRECTIONS 1332.59 LAUNDRY & UTILITIES, DEPARTMENT OF TRANSPORTATION 3107.64 FUEL, BRIDGE ENG, DIAMOND DRUGS INC 617.40 MEDICATION, DONS SINCLAIR 39.29 FUEL, DUSTIN DREW 120.00 UNIFORM REIMBURSEMENT, BRYON EATON 418.00 REPAIRS & MAINTENANCE, FLOYDS TRUCK CENTER 563.87 REPAIRS, FT PIERRE CITY 936.29 UTILITIES, GALLS 144.00 UNIFORMS, GATEWAY 525.48 REPAIRS & LABOR, GUARDIAN RFID 4704.25 INMATE SUPPLY, INV#6624, IDEMIA 5442.00 PRINT TRACK MAINT, INGRAM PEST SERVICE 240.00 SERVICE, JANE NAYLOR 46.13 REIMBURSE FOR AED SUPPLY, JC OFFICE SUPPLIES 715.69 OFFICE SUPPLIES, KATIE BLUETHUNDER 20.00 WITNESS, KENNEDY,PIER,LOFTUS & REYNOLDS 138.60 MI X1, INV#953, KENNEDY,PIER,LOFTUS & REYNOLDS 188.10 MI-AB, INV#1135, KIMBALL MIDWEST 72.00 SUPPLIES, LAWSON PRODUCTS 125.62 SUPPLIES, INV#9308576379, LEWIS & CLARK BEHAVIORAL HEALT 184.00 MI - AB, LINCOLN COUNTY 242.00 MI- BH, AK, LYLE SIGNS INC 68.85 SUPPLIES, M & R SIGNS, INC 456.59 DECAL/SIGN-#223448-223447, MCLEODS 301.17 SUPPLIES, MENARDS 147.97 SUPPLIES, MENARDS 128.96 SUPPLIES-#16081,12917,14593, MENARDS 62.40 SUPPLIES-#15346, MENARDS 123.97 SUPPLIES, MICROFIX 697.00 PRINTER, MID DAKOTA RURAL WATER SYSTEM 149.00 WATER, ACCT#267301, MIDCO 240.00 INTERNET, MIDSTATES GROUP 150.00 OFFICE SUPPLIES, MONTANA DAKOTA UTILITIES 556.71 UTILITES, MORRIS INC 4389.00 OMEGA MIX#08-MATYD-34392, OAHE ACRES NORTH ROAD DISTRICT 1300.00 SEPTEMBER 2021 TAX APPORTIONS, OAHE ELECTRIC COOP INC 410.95 ELECTRIC,#90400, ONE STAFF MEDICAL 7411.13 MEDICAL CONTRACT, OVERHEAD DOOR 563.43 SERV DOOR#17673,16679, PATRICK CALLAHAN 71.00 FUEL REIMBURSEMENT, PHEASANTLAND IN 185.18 WORK CLOTHING#10220104, PIERRE CITY 5290.17 UTILIES, PIERRE CITY 385.99 MED DIR, COMP PARTS, PRAIRIE ROSE ROAD DISTRICT 75.00 SEPTEMBER 2021 TAX APPORTINS, RABER CIVIL TOWNSHIP TRES. 936.48 SEPTEMBER 2021 TAX APPORTIONS, REDWOOD MEDIATION & LAW 1213.12 24/7 PROGRAM, CURTIS C REES III 651.00 RADIO REPAIR, RELX DBA LEXIS NEXIS 249.00 MONTHLY SERVICES, ROB FINES 35.52 FLASH DRIVES, ROBINS WATER CONDITIONING INC 10.00 SUPPLIES, ROGER INMAN 52.50 REPAIR & MAINT-SOFTNER, ROWE LAW & MEDIATION CTR 8740.88 ATTY FEES, RUNNINGS SUPPLY 290.78 SUPPLIES, RUNNINGS SUPPLY 290.78 SUPPLIES, RUNNINGS SUPPLY 3626.72 SUPPLIES AND REPAIRS, SARAH BURGER 97.50 REIMBURSE FOR TRAINING, SDACC 370.00 COUNTY CONVENTIONS, SDACO 416.00 SEPTEMBER 2021 TAX APPORTIONS, SERVALL

UNIFORM & LINEN CO 882.31 LAUNDERING, SHANE DELANGE 189.16 REIMBURSE FOR CLOTHING, SMALL ENGINE HOUSE 708.58 SUPPLIES, SPRING CREEK ROAD DISTRICT 603.32 SEPTEMBER 2021 TAX APPORTIONS, STATE FLAG ACCOUNT 95.00 REPAIRS & MAINT, INV#200042, SUMMIT FOOD SERVICES 12365.43 INMATE MEALS, JASON W BERNETT 470.00 TINT, TEAM LAB CHEMICAL CORP 791.00 SUPPLIES, TITAN MACHINERY 10.50 PARTS, TRITECH SOFTWARE SYSTEMS 360.00 SOFTWARE MAINTENANCE, ULINE 266.29 REPAIRS & MAINT, VENTURE COMMUNICATIONS 299.18 PHONES, VETERANS INFORMATION SERV 92.00 REFERENCE DESK BOOK, ACCT#6744, MONA WEIGER 334.40 TRANSCRIPT, WW TIRE 102.71 TIRE REPAIRS, ACCT#3964, YANKTON COUNTY 250.00 MI X 2-AI AND AB, ZANDER AUTO PARTS 565.21 SUPPLIES.

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

Commissioners-\$25,886.20, Auditor-\$17,215.30, Treasurer-\$20,367.85 States Attorney-\$37,348.10, Govt Buildings-\$10,332.17, Equalization-\$16,575.22, Register of Deeds- \$11,682.93, Veterans Service-\$7,972.96, Sheriff- \$38,667.80, Jail-\$173,936.62, Coroner-\$403.68, Juvenile Services-\$50,118.21, Planning & Zoning-\$6,426.45, Road & Bridge-\$67,419.60, Emergency Management-\$12,917.03. Total payroll \$498,291.19.

Auditor's Account with the Treasurer August 31, 2021: Cash on hand-\$3,377.27, Checks in the Treasurer's possession less than three days-\$50,055.76 Cash Items-\$40.60, Demand deposits: American State Bank-\$5,746,315.82, Bad Checks Outstanding-\$1,185.99, Investments-\$2,575,000.00. Total Cash Assets-\$8,375,975.44.

Register of Deeds Fees Collected in August 2021: Recording Fees-\$6,580.00, Transfer Fees-\$7,491.00 Copy Fees-\$438.00, Credit Card Fees\$50.00, and Vitals-\$4,265.00. Total \$18,824.00.

PUBLIC COMMENT: None

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

Moved by Brown and seconded by Abernathy to deny claim #20210803-01 from Avera St Mary's Hospital for S.K. dated 3/23/2021 in the amount of \$1,035.24. All voted aye. Motion passed.

Moved by Brown and seconded by Abernathy to deny claim #20210803-02 from Avera St Mary's Hospital for S.K. dated 5/3/2021 in the amount of \$1,571.06. All voted aye. Motion passed.

Moved by Brown and seconded by Abernathy to deny claim #20210803-03 from I.H.S./Eagle Butte for S.K. dated 5/19/2021 in the amount of \$2,613.57. All voted aye. Motion passed.

Moved by Brown and seconded by Abernathy to deny claim #20210803-04 from Monument Health in Rapid City for S.K. dated 5/19/2021 in the amount of \$29,636.52. All voted aye. Motion passed.

**COMMISSIONER PROCEEDINGS
HUGHES COUNTY, SOUTH DAKOTA**

SEPTEMBER 7, 2021

Moved by Rounds and seconded by Brown to adjourn the meeting until **Monday at 5:30 PM on September 20, 2021.** All voted aye. Motion passed.

ATTEST:

Randy Vance, Chairman
Hughes County Commission

Jane Naylor, Finance Officer
Hughes County, South Dakota