

Chairman Norm Weaver called the Monday, December 17, 2018 meeting of the Hughes County Board of Commissioners to order at 5:30 PM with members Jim Hardwick, Roger Inman, Tom Tveit, and Bill M. Abernathy present. City officials present for the Special Joint meeting: Commissioner Blake Barringer, Commissioner Jamie Huizenga, Commissioner Vona Johnson and Planner Sharon Pruess. County Manager Kevin Hipple, Planning and Zoning Official Eric Booth, States Attorney Roxanne Hammond, and Sheriff Mike Leidholt 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 Tveit to approve the agenda. All voted aye. Motion passed.

MINUTES: Moved by Hardwick and seconded by Inman to approve the minutes of the December 3, 2018 Commission meeting. All voted aye. Motion passed.

PUBLIC COMMENT: None

SPECIAL BUSINESS: Chairman Weaver recognized Commissioner Tom Tveit and Commissioner Jim Hardwick for their years of service on the Hughes County Commission.

JOINT CITY/COUNTY PUBLIC HEARING: Time set for 5:30 pm for a public hearing to consider a petition to vacate an easement. Oahe Electric Cooperative and the City of Pierre filed a petition to vacate a right of way easement dated June 24, 1960 in the SW of Section 16 111 North, Range 79 West, Hughes County, South Dakota. Moved by Inman and seconded by Huizenga to approve Hughes County Resolution 2018-15 and City of Pierre Resolution 2636 vacating the right of way easement dated June 24, 1960 in the SW of Section 16 111 North, Range 79 West, and Hughes County, South Dakota. All voted aye. Motion passed.

PLANNING & ZONING: FIRST READING AND SET A JOINT HEARING: Cody Chambliss is requesting a conditional use permit for the property at 20625 Arikara Place for a commercial feed lot for more than 400 head of livestock and a variance request for the setbacks of feed/watering stations subject to adjacent owners and the public. Moved by Huizenga and seconded by Abernathy to approve a joint city/county public hearing on January 7, 2019 at 5:30 pm at the Hughes County Courthouse to consider the request. All voted aye. Motion passed.

PUBLIC HEARING: Time set for 5:35 pm for a public hearing to consider a variance. John & Mary West requested a variance to construct an approach off of 294th Ave to their property in Farm Island View Estate Block 3 Lot 3. Jessica West appeared representing John West asking to consider the location of the drain field, prevailing winds and they thought 294th Ave was part of the subdivision. Moved by Inman and seconded by Tveit to deny the request and accept staff findings of fact. The commission did not find there was a hardship. All voted aye. Motion passed.

PUBLIC HEARING: Time set for 5:40 pm for a public hearing to consider a variance. Jamie Rancour is requesting a variance to construct an approach off of 294th Ave to his property in Farm Island View Estate Block 3 Lot 1. Jamie Rancour appeared to answer any questions. There was no public input. Moved by Abernathy and seconded by Inman to approve the variance, accept staff findings and find a hardship exists due to a lack of alternate access. All voted aye. Motion passed.

PUBLIC HEARING: Time set for 5:40 pm for a public hearing to consider a plat and rezoning.

Roger and Cathy Inman are seeking to plat Inman Tracts 2 & 3 in the SE Sec 29 112-78 and rezone approximately 70 acres from AgA to PUD. Will Hettinger asked how this would affect how he uses his adjoining property. Moved by Hardwick and seconded by Abernathy to approve rezoning Ordinance 2018-7, the plat of Inman Tracts 2 & 3 and rezone from AgA to PUD, provided the plat is acceptable to staff. Commissioner Inman recused himself from the vote. All voted aye. Motion passed.

NEW BUSINESS:

STATES ATTORNEY CONTRACTS: Moved by Abernathy and seconded by Hardwick approve and authorize the chairman to sign the agreement with Dan Todd for legal services as Deputy State's Attorney effective Jan 1, 2019 to Dec 31, 2019 not exceeding \$40,000. All voted aye. Motion passed.

Moved by Abernathy and seconded by Hardwick approve and authorize the chairman to sign the agreement with Randy Seiler Law, LLC as Deputy State's Attorney for legal services to prosecute felony criminal cases and civil work in Hughes County effective Jan 1, 2019 to Dec 31, 2019 at \$100 per hour. All voted aye. Motion passed.

PUBLIC DEFENDER CONTRACTS: Moved by Abernathy and seconded by Tveit to approve and authorize the chairman to sign a contract as the Primary Representation of Indigents with Tara L. Adamski and Adamski Law Office, David Siebrasse, Siebrasse Law, and Kara Semmler, May Adam Law Office effective Jan 1, 2019 to Dec 31, 2019 for \$105,000 each annually. All voted aye. Motion passed.

2019 BRIDGE IMPROVEMENT GRANT PROGRAM: Derek McTighe and Scott Schweitzer, Brosz Engineering met with the commission to review the Bridge Improvement Grant Program (BIG). Moved by Hardwick and seconded by Inman to approve and authorize the chairman to sign Resolution 2018-16 for Structure Number 33-440-102 (Husted Bridge) a bridge on 324th Ave over Chapelle Creek replacing a 52' two Span Precast Concrete Bridge with a 50% County match and Resolution 2018-17 for Structure Number 33-340-016 (Slaba Bridge) on 314th Ave over South Medicine Creek replacing a 76' Three Span Precast Concrete Bridge with a minimum 20% County match. Commissioner Tveit recommended approving only the Husted Bridge. Inman, Hardwick, Weaver and Abernathy voted aye. Tveit voted nay.

Schweitzer and McTighe discussed a GIS Mapping system available for the Highway Superintendent to use with Bridge inspection reports and pictures. Master road plans, signage plans, pipe inventory and more can be included in the software for a fee.

Schweitzer reviewed the Grey Goose Road paving project and Intersection of 1804 & Grey Goose road. DOT paving plans will go out for bids at the end of February or early March, Schweitzer recommended Hughes County be ready to request bids at the same time. Schweitzer reviewed the plan for the intersection and recommended high friction paving and an extra wide stop bar.

BRIDGE INSPECTION REPORT: Schweitzer and McTighe, Brosz Engineering reviewed the Bridge Inspection Report.

SURPLUS MOWER TRACTOR SALE: Moved by Abernathy and seconded by Inman to sell the surplus 2003 John Deere mower tractor 7220 with mowers, serial number RW7220R002124 and the mower unit 30-0002 main frames and pump, the 30-0507 side mower and 30-0503 back mower to Hyde County for \$40,000. All voted aye. Motion passed.

PERSONNEL: Moved by Inman and seconded by Abernathy to accept the resignation of Samuel Parsons, Corrections Officer at the Jail. All voted aye. Motion passed. Moved by Hardwick and seconded by Inman to approve advertising for his replacement. All voted aye. Motion passed.

Moved by Abernathy and seconded by Inman to approve adding a full time position at the Jail as a Prison Rape Elimination Coordinator (PREA)/Trainer at Grade 15 and authorize advertising for the position. All voted aye. Motion passed.

Moved by Inman and seconded by Abernathy to accept the retirement of Cheryl Wendt, deputy Treasurer effective Dec 31, 2018. All voted aye. Motion passed.

ABATEMENTS: Moved by Tveit and seconded by Abernathy to approve abating \$858.70 of the 2017 payable 2018 taxes and refund \$681.34 for the 2014 payable in 2015 taxes and \$777.38 for the 2015 payable in 2016 and \$817.26 for the 2016 payable in 2017 taxes for Mike & Gail Ferris property N1/2 NW Less Tract DT-1 & E1/2 SE NW Sec 29 111-78. The property was platted in 2013 and taxes were double paid on the platted lots, this description should have been deleted. All voted aye. Motion passed.

SURPLUS PROPERTY: COW/SPRING CREEK SANITARY SYSTEM: Moved by Tveit and seconded by Abernathy to approve Resolution 2018-12 to surplus the entire Cow/Spring Creek Sanitary System including the expansion into Sully County. All voted aye. Motion passed.

CLAIMS: Moved by Inman and seconded by Abernathy to approve the following verified claims. All voted aye. Motion passed.

A-OX WELDING 19.59 INV 207070 RENTAL, TARA L ADAMSKI 8750.00 PUBLIC DEFENDER, ANDERSON NILL & ASSOC INC 584.32 INV 3538 BILLING, ANIMAL CLINIC OF PIERRE 160.00 INV 120021 IMPOUNDS, ARBACH, TRENT 250.00 BOOTS, AT & T MOBILITY 943.50 CELL PHONES, AUDRA HILL CONSULTING 162.60 QMHP EVALS MI - K.F., AVERA BEHAVIORAL HEALTH CENTER 2625.00 JUV18-102, 107 - J.P., AVERA MCKENNAN HOSPITAL 32.50 LAB TESTS, AVERA MCKENNAN HOSPITAL 703.00 MI QMHP EVAL C.W. MK4185279, AVERA MEDICAL GROUP 117.00 INV ST2183340034, AVERA ST MARYS HOSPITAL 554.60 INMATE MEDICAL SYBP4256, BEAR STOPS, RENEE 120.00 WITNESS, BOB BARKER CO INC 91.57 WEB000573815 SUPPLIES, BOTTOM LINE WELDING 7.80 INV 10977 SUPPLIES, BPRO INC 7500.00 INV 11663 EPOLL BOOKS, BROSZ ENGINEERING 13490.00 SURVEY/DESIGN 1804/GREY GOOSE, BUREAU OF ADMINISTRATION 118.96 TL911057, TL911004, BUREAU OF ADMINISTRATION 24.75 DP910237 ACCESS, BUTLER MACHINERY CO 1066.01 REPAIRS & FILTERS, CAPITAL AREA COUNSELING 2284.56 QMHP EVALS X4, CAPITAL AREA COUNSELING 9266.25 MOBILE CRISIS RESP CONTRACT, CAPITAL JOURNAL 1052.07 PUBLISHING / ADVERTISING, CBM MANAGED SERVICES 10158.46 INV

137458, 137020, CENTURY BUSINESS PRODUCTS INC 60.36 COPIER LEASE, CENTURYLINK 819.71 PHONE, CENTURYLINK 127.26 PHONE, CHOC, RENEE 20.00 WITNESS, COLE PAPERS INC 3021.93 SUPPLIES, DAKOTA SUPPLY GROUP 269.17 SUPPLIES, DEPARTMENT OF CORRECTIONS 617.10 C18D9265 TRUSTEE, DEPT OF HEALTH 6234.45 BAC, DEPT OF HEALTH 44.00 LAB TEST, DEPT OF REVENUE 21.24 SALES & USE TAX, DEPARTMENT OF TRANSPORTATION 638.60 S00105955 FUEL, DIAMOND DRUGS 402.60 IN000881907 MEDICATION, DISABLED AMERICAN VETERANS 200.00 TRANSPORTATION, DNT FARMS 35000.00 ROYALTIES, DONS SINCLAIR 40.25 INV 67162 DIESEL, DONS SINCLAIR 41658.57 GAS/DIESEL HIGHWAY DEPT, EDDIES TRUCK SALES INC 217.38 REPAIRS, ELECTION SYSTEMS & SOFTWARE 1794.28 INV 1074004 BALLOTS, FASTENAL COMPANY 30.38 SDPIE75264 SUPPLIES, FRIMAN OIL & GAS CO INC 607.50 FUEL INV 25193, GOLDEN WEST TECHNOLOGIES 475.00 INV 343240 BACKUP, GRAHAM TIRE 734.12 TIRES ACCT 1700195, HAMMOND, ROXANNE 236.36 SUPPLIES, HEUERTZ, TRAVIS 1460.00 REPAIRS, CAMERA INSTALL, HIPPLE, KEVIN 42.00 TRAVEL, HOFFMAN OIL 8955.92 FUEL, HOGENS HARDWARE HANK 59.99 SUPPLIES, INLAND TRUCK PARTS 21.84 REPAIRS, INMANS WATER TECHNOLOGIES 581.40 WATER, JC OFFICE SUPPLIES 764.90 SUPPLIES, JEFFERSON PARTNERS 128.50 INV 818, 218 BUS TICKETS, MARK KATTERHAGEN 15.00 MI - G.K., KERRI COOK HUBER 137.08 MI - G.K., KITZMAN, SANDY 89.04 DEPOSIT REFUND, LAKOTA CONTRACTING INC 1489.80 INV 3087, 3012 UNIFORM, LANGUAGE LINE SERVICES 165.24 INV 4451616 SERVICES, LEWIS & CLARK BHS 330.00 MI QMHP EVALS X2, LEWIS DRUG 15.77 MEDICATIONS INV 119840-3, LUCILLE M LEWNO 166.47 MI - GK, LIBERTY MUTUAL 100.00 NOTARY E. WICKSTROM, LINCOLN COUNTY 1304.61 MI - X7, DARCY LOCKWOOD 15.00 MI - GK, LYLE SIGNS INC 204.05 SIGNS, MAY ADAM GERDES & THOMPSON 21726.72 PUBLIC DEFENDER / CT APPT, MEDICAL WASTE TRANSPORT INC 231.44 INV 71650 DISPOSAL, MENARDS 330.39 SUPPLIES, MEYER, TROY 186.36 BOOTS, MID DAKOTA RURAL WATER SYSTEM 3471.50 UTILITIES, MIDCO 480.60 INTERNET, MIDWEST OIL 173.31 #173474 FUEL, MONTANA DAKOTA UTILITIES 1598.11 UTILITIES, MORENO LEE & BACHAND PC 132.60 MI X6 INV 26657, MORRIS INC 117500.00 INV 606646 GRAVEL CRUSHING, OAHE ELECTRIC COOP INC 365.27 UTILITIES, OFFICE DEPOT INC 2123.41 SUPPLIES, OLINGER LAW FIRM 1054.30 CT APPT IVC T.B., OLSON PLUMBING 204.64 INV 8483 EXPO, OVERHEAD DOOR 42.00 REPAIRS INV 11116, PENNINGTON CO SHERIFF 3513.00 SEPT / NOV PRISONER TRANSPORT, PIERRE CITY 8509.07 UTILITIES, PIERRE SOLID WASTE 15.00 STATEMENT 24714, PRYNTCOMM 785.69 SUPPLIES, RANDY SEILER LAW LLC 7050.00 ATTORNEY FEES, RELX INC LEXIS NEXIS 1241.28 SUBSCRIPTIONS, DOUG RIPLEY 3589.02 AUG & DEC CONTRACT WORK, RIVER CITIES TRANSIT 5833.32 AUD & DEC MONTHLY ALLOCATION, ROBINS WATER CONDITIONING INC 677.00 SALT WATER, RUNNINGS SUPPLY 980.74 SUPPLIES, SCHREIBER LAW FIRM PROF LLC 2922.36 CT APPT, SD ACHIEVE 60.00 INV 35119, SD ASSOC OF WEED & PEST 50.00 2019 BOARD FEES, SERVALL UNIFORM & LINEN CO 873.46 RUGS, SHANES PHARMACY 388.43 ACCT 526 INMATE MEDICATIONS, DAVID W SIEBRASSE 8750.00 PUBLIC DEFENDER CONTRACT, SUMMIT SAFETY LLC 154.76 ORDER# 212683B, 213299A, TMA 613.25 SERVICES / TIRES, TODD LAW OFFICE PROF LLC 1110.00 INV 297 CONTRACT, W W TIRE 5450.64 SUPPLIES, WALMART COMMUNITY 95.32 SUPPLIES, WAR HAWK 1550.00 2019 PARTICIPATION FEE, WEGNER AUTO 879.23 REPAIRS & SERVICE, WHEELHOUSE PLUMBING 981.84 INV 43988 EXPO, WILSON, WARREN 143.51 BOOTS, YANKTON CO SHERIFF 100.00 MI - GK, AH, ZANDER AUTO PARTS 235.70 ACCT 14500313, ZERO9 HOLSTERS 169.85 INV 1087 RADIO CASES.

EXECUTIVE SESSION: Moved by Abernathy and seconded by Inman to go into executive session to discuss Care of Poor per SDCL 1-25-2 (3) and HIPAA). All voted aye. Motion passed. Chairman Weaver declared the commission out of executive session.

CARE OF POOR: Moved by Abernathy and seconded by Tveit to deny Claim # 20181207-01 for C.S. from Avera St Mary's Hospital date of admission 11/07/2018 for \$2,176.53. All voted aye. Motion passed.

Moved by Abernathy and seconded by Tveit to adjourn the meeting until **8:00 AM on Monday, December 31, 2018,** when the Commission will meet to pay bills. All voted aye. Motion passed.

ATTEST:

Norm Weaver, Chairman
Hughes County Commission

Jane Naylor, Finance Officer, Hughes County, South Dakota