

Chairman Randy Vance called the Monday March 2, 2020 meeting of the Hughes County Board of Commissioners to order at 5:30 PM with members Norm Weaver, Roger Inman, and Bill M. Abernathy. County Manager Kevin Hipple, Highway Superintendent Mike Meyer, States Attorney Roxanne Hammond, Planning Director/Building Official Eric Booth, 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 Weaver and seconded by Inman to approve the agenda adding an executive session to consult with Attorney. All voted aye. Motion passed.

**MINUTES:** Moved by Weaver and seconded by Abernathy to approve the minutes of the February 18, 2020 Commission meeting. All voted aye. Motion passed.

**NEW BUSINESS:** Pastor John Fette was recognized by the commissioners for 17 years of his prayers at commission meetings.

**EXECUTIVE SESSION:** Moved by to Inman and seconded by Abernathy to go into executive session. All voted aye. Motion passed. Chairman Vance declared the commission to be out of executive session.

**STATES ATTORNEY CONTRACT:** States Attorney Roxanne Hammond introduced Paul Bachand, attorney from Moreno, Bachand, Hruska, & Scheibe, P.C. Moved by Abernathy and seconded by Inman to approve a contract with Moreno, Bachand, Hruska & Scheibe, P.C. to prosecute civil and juvenile cases for \$3,333.00 per month beginning March 1, 2020. All voted aye. Motion passed.

**BRIDGE INSPECTION RESOLUTION:** Moved by Inman and seconded by Weaver to approve Resolution 2020-9. All voted aye. Motion passed.

Hughes County Resolution Number 2020-09  
Bridge Reinspection  
Program Resolution  
For Use with SDDOT Retainer Contracts

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE Hughes County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

Hughes County requests SDDOT to hire Brosz Engineering (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

**HIGHWAY DEPT BIDS:** The following bids were received and opened on February 20, 2019 at 11:00 AM.

**CULVERTS:** Bids were received from Central Culvert Supply of Pierre and TrueNorth Steel of Huron. Central Culvert's bid is an average of 14 percent below True North's bid for culvert sections and 11.8 percent for flared ends. Moved by Inman and seconded by Abernathy to accept the bid from Central Culvert. All voted aye. Motion passed.

**MAG WATER:** One bid was received from Z&S Dust Control of Rapid City for \$0.95 per gallon. Moved by Inman and seconded by Abernathy to accept the bid of \$0.95 per gallon from Z&S Dust Control. All voted aye. Motion passed.

**AGGREGATE:** One bid was received from Morris, Inc. for \$13.50 per ton. Moved by Inman and seconded by Weaver to accept the bid from Morris, Inc. for \$13.50 per ton. All voted aye. Motion passed.

**FUEL:** One bid was received from Don's Sinclair for supplying gas and diesel fuel to the Highway Department. Moved by Abernathy and seconded by Inman to accept the bid from Don's Sinclair for \$0.195 profit, taxes and other fees for bulk fuel, \$0.25 profit, taxes and other fees for less than full transport loads of diesel fuel and \$0.482 for unleaded ethanol gasoline. All voted aye. Motion passed.

**SEAL COATING:** Four bids were received from Jensen Rock & Sand of Mobridge, Bituminous Paving of Ortonville, MN; Topkote of Yankton; and Road Guy Construction of Yankton. The bids ranged from \$0.963 to \$1.04, with the low bid from Topkote. Moved by Inman and seconded by Weaver to accept the low bid from Topkote for .963 sq yd. All voted aye. Motion passed.

**GRAVEL CRUSHING:** We opened three bids to crush and stockpile gravel at 11:00 am on Thursday, February 20, 2020. We received bids from Morris, Inc., B&B Equipment, and Bob Bak Construction. There was a tie for low bid between Morris and B&B Equipment at \$2.15 per ton. Both tied bidders did provide a bid bond and their bid documents appear to be in order.

A lottery was held at 8:30 am on Wednesday, February 26, 2020 in the Commission Room. Representatives from both organizations were present. A coin was flipped and Morris, Inc. won the coin toss. Moved by Inman and seconded by Weaver to accept the bid from Morris Inc. for \$2.15 per ton. All voted aye. Motion passed.

**PLANNING & ZONING:** Darrell Beck/B&B Equipment is requesting a moving permit to move a home from 2 miles west of Onida to N1/2NE1/4 Sec 10 112-80 Peoria Twp to be used as an office for a gravel pit. Moved by Weaver and seconded by Abernathy to approve the moving permit. All voted aye. Motion passed.

**JOINT RESOLUTION TO DECLARE APPROVAL OF ELECTION FOR SANITRAY**

**DISTRICT:** Moved by Weaver and seconded by Inman to approve the Joint Resolution 2020-06. All voted aye. Motion passed.

JOINT

**HUGHES COUNTY RESOLUTION NO. 2020-06  
AND  
SULLY COUNTY RESOLUTION 2020-09  
FORMATION OF THE  
SPRING CREEK/COW CREEK SANITARY DISTRICT**

Whereas, the Hughes County Finance Officer received petitions containing 54 signatures requesting the formation of the Spring Creek/Cow Creek Sanitary District, and; Whereas, the Sully County Auditor received petitions containing 12 signatures requesting the formation of the Spring Creek/Cow Creek Sanitary District, and; Whereas, according to SDCL 6-16-2 petitions must contain signatures of 25% of registered voters within the district for each county, and; Whereas, the Hughes County Finance Officer certified 137 eligible registered voters within the district, and the Sully County Auditor certified 39 eligible registered voters within the district both counties having met the statutory requirements for petition signatures. Now, therefore let it be resolved, the Hughes County Commission issues this order declaring an election per 34A-5-7 and the Sully County Commission issues this order declaring an election per 34A-5-7 to be held on Thursday, April 30, 2020, at Hughes County Courthouse, and; The official ballot will be prepared jointly by the Hughes County States Attorney and the Sully County States Attorney, and; All publications including notice of election, notice of voter registration deadline, and notice of absentee voting and any others will be published in the Capitol Journal and the Onida Watchman according to SDCL 6-16-4, and; Absentee voting will be held at the Hughes County Courthouse and the Sully County Courthouse 46 days before the Election per SDCL 12-19-1.2, and; An election board consisting of 3 members from each county of the proposed district will be appointed by the proposed district, and trained by the Hughes County Finance Office and the Sully County Auditor, and; After the election, if the outcome is to establish a sanitary district, each county board of commissioners will declare incorporation and submit to the Secretary of State's office.

**JUVENILE SERVICE AGREEMENTS:** Moved by Abernathy and seconded by Inman to approve and authorize the Chairman to sign a contract with Jones County for using the Hughes County Juvenile Services Center at the rate of \$295 per day. All voted aye. Motion passed.

**SD LANDOWNER & OUTFITTER ALLIANCE RAFFLE REQUEST:** Moved by Abernathy and seconded by Inman to approve the SD Landowner Outfitter Alliance raffle to begin March 23, 2020. All voted aye. Motion passed.

**OAHE ABATE RAFFLE REQUEST:** Moved by Abernathy and seconded by Inman to approve the raffle for the Oahe Abate Chapter Fun Run, the drawing will be held June 27, 2020 at the Nystrom Goose Camp. All voted aye. Motion passed.

**JOINT PRE-DIASTER HAZARD MITIGATION PLAN GRANT:** Moved by Weaver and seconded by Abernathy to approve Resolution 2020-07 Pre-Disaster Hazard Mitigation Grant Application WHEREAS, Hughes County has identified the desire to update their Hughes County/Stanley County Joint Pre-Disaster Hazard Mitigation plan in order to improve the quality of life for all residents of the county; and WHEREAS, Hughes County anticipates updating their Joint Pre-Disaster Hazard Mitigation plan. The county proposes to apply to the SD Office of Emergency Management for Hazard Mitigation

Grant funding to assist with the costs of updating the plan; and WHEREAS, the county will provide 1/2 (\$3,250) of the required 25% local funding match for total project costs, and NOW THEREFORE BE IT RESOLVED that the Hughes County Commission authorizes Hughes County Commission Chairman Randy Vance to sign and submit this letter of intent and application to the SD Office of Emergency Management for Hazard Mitigation Grant funding for development of a Hughes County/Stanley County Joint Pre-Disaster Hazard Mitigation plan update requesting up to \$26,000.00. All voted aye. Motion passed.

Moved by Weaver and seconded by Abernathy to approve Resolution 2020-08 Appointment of Applicant Agent for the Hazard Mitigation Grant Program (HMGP) WHEREAS, the Hughes County Commission is submitting a Hazard Mitigation Grant project to the Federal Emergency Management Agency and the State of South Dakota; and WHEREAS, the Hughes County Commission is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all application documents; NOW THEREFORE BE IT RESOLVED that the Hughes County Commission appoints Rob Fines as the authorized Applicant Agent. All voted aye. Motion passed.

Moved by Weaver and seconded by Abernathy to approve signing the commitment letter and submitting an application for a Hazard Mitigation Grant. All voted aye. Motion passed.

**BARTLETT AND WEST AGREEMENT:** Moved by Weaver and seconded by Abernathy to approve the master agreement for Professional Services with Bartlett & West, Inc. and Task Order No. 1 for mapping at \$24,900.00 and Task Order No 2 for designing a fix for the sewage lagoon for \$39,000, all pending approval from the States Attorney. After discussion, Weaver withdrew his motion.

Moved by Weaver and seconded by Abernathy to approve the Master Agreement, Task Order 1 for \$24,900 and Task Order 2 for \$39,000, pending approval of the States Attorney. However, they want the ability to stop work after task 2 in Task Order 2, after receiving a recommended solution, until further work is approved by the Commission. They also want to ensure they are only billed for the work completed if Task Order 2 does not proceed to its full conclusion. All voted aye. Motion passed. The Commission felt this would allow them to identify a solution for the sewage lagoon issue, but to defer design and construction until the system transfer to a new operator, if appropriate.

**PERSONNEL:** No action taken.

**GOOD FRIDAY:** No action taken.

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

3E ELECTRICAL ENGINEERING 900.00 INV 908087,908086,908088REPAIR, ALLIED PLUMBING & HEATING 1729.60 INV 2002.26 REPAIRS, AMANDA REISS 53.36 JUROR, AMERICAN MEDICAL RESPONSE 4050.00 INV 240743 SERVICES, AVERA MCKENNAN 2980.80 BHS EAP CONTRACTS, AVERA MEDICAL ASSOC CLINIC 2295.00 JAN 2020 MEDICAL CONTRACT, BAILEY REGYNSKI 11.68 JUROR, BARON SERVICES 2106.00 INV 059015 RADAR, BOB BARKER CO INC 698.67 UT1000525234,525150 SUPPLY, BOBI KALLENBERGER 12.52 JUROR, BUREAU OF ADMINISTRATION 693.46 SERVICES, CAPITAL

AREA REFUSE 519.25 GARBAGE ACCT 3077, CAPITAL AREA COUNSELING 12000.00 TEEN COURT SUPPORT, CELERITY BROADBAND 802.78 STATEMENT 82330 INTERNET, CENTURY BUSINESS PRODUCTS INC 402.75 SUPPLIES, CENTURYLINK 169.29 PHONE, CITIBUSINESS CARD 1150.08 SUPPLIES, CLARICE JEWETT 39.40 JUROR, CLINICAL LAB OF THE BLACK HILL 2026.00 AM19-00148 S.R. AUTOPSY, COLE PAPERS INC 1919.07 INV 9636443, 9638670, 9636684, CONCORDANCE 435.51 INV 17945020,17981127 SUPPLIES, KERRI COOK-HUBER 50.00 MI - D.J., CORRECT RX PHARMACY 13.03 INV 47406 MEDICATIONS, DAMON ZARECKY 50.00 JUROR, DAWN DOVRE 23.44 JUROR, DEANN HILMOE 63.36 JUROR, DEPARTMENT OF CORRECTIONS 1262.99 C18D0391 UTILITIES, DEPT OF HEALTH 900.00 FLU SHOTS COUNTY EMPLOYEES, DEPT OF LABOR & REGULATION 650.41 TAX PENALTY INTEREST 3RD QUART, DIVISION OF MOTOR VEHICLE 16.00 HIGHWAY DEPT PLATES, ELICIA LENIUS 11.68 JUROR, ERIC HOLM 11.68 JUROR, FINES, ROB 20.00 FUEL, FOOLBULL, TERRY 20.00 WITNESS, FRIMAN OIL & GAS CO INC 384.89 INV 29603 SUPPLIES, GRAHAM TIRE 40.90 INV 139251 SUPPLIES, GUARDIAN RFID 1155.07 INV 4977 SUPPLIES, GUNDERSON PALMER NELSON & 335.48 STATEMENT 98509 SERVICES, HALL, GREG 48.11 FED EX, HEARTLAND PAPER CO 466.32 INV 661433 PAPER, JC OFFICE SUPPLIES 169.45 ACCT 2528 INV 27919 COPIES, JENNIFER JOHNSON 11.68 JUROR, JERI WIEBE 13.36 JUROR, JERRI ELLINGSON 65.04 JUROR, JERRY HARROWA 20.08 JUROR, JOSEPH PAIGE 61.68 JUROR, MARK KATTERHAGEN 63.00 MI - JP,GM,KC,DJ, KNOX, TANA 20.00 WITNESS, DANA LARSON 20.00 MI - DL, LEWIS & CLARK BHS 356.00 QMHP EVALS X2, LUCILLE M LEWNO 581.75 MI - DJ,GM,KC,JP, LISA ETZKORN 71.00 JUROR, DARCY LOCKWOOD 63.00 MI - DJ, GM, KC, JP, MEGAN FISCHER 11.68 JUROR, MENARDS 9.33 ACCT 33210252, MICHELE SNYDER 50.00 JUROR, MINNEHAHA COUNTY 90.00 MI - B.B. INV 1673, MONTANA DAKOTA UTILITIES 1673.83 UTILITIES, NAYLOR, JANE 114.80 TRAVEL, NORTHWEST PIPE FITTINGS 34.00 ORDER #355883, PATRICIA PUGH 11.68 JUROR, PIERRE CITY 14708.00 MED DIRECTOR / DISPATCH, PROVISION 64.02 INV 330122 REPAIRS, RANDELL KINTZ 10.84 JUROR, RAYMOND ONDELL 55.88 JUROR, REDWOOD TOXICOLOGY 454.92 INV 712013 24/7 PROGRAM, CURTIS C REES III 805.50 INV 6202 REPAIRS / LABOR, SANDRA ANKRUM 12.52 JUROR, SD PROPERTY MANAGEMENT 500.00 INV 2007-14 LIGHT BARS, SNOW WHEEL SYSTEM 3253.18 INV 8853 REPAIRS, STEVEN FIECHTNER 10.84 JUROR, SUMMIT FOOD SERVICES 14492.74 INV 5000070983,71703 MEALS, TERA DUPRIS 13.36 JUROR, THOMAS STOTTS 11.68 JUROR, TITAN MACHINERY 93825.00 RSA #251825, TMA 36.03 INV 65559 SERVICES, VENTURE COMMUNICATIONS 203.52 DISPATCH SERVICE, WALMART COMMUNITY 21.81 SUPPLIES, WALMART COMMUNITY 40.74 SUPPLIES, WILLIAM FUCHS 10.00 JUROR, YANKTON CO SHERIFF 50.00 MI - K.C., ZANDER AUTO PARTS 61.97 ACCT 14500314 REPAIRS.

**PUBLIC COMMENT:** None

The following salaries and benefits were paid by department in the month of February 2020:

Commissioners-24,867.22, Auditor-16,844.03, Treasurer-18,364.78, States Attorney-34,647.41, Govt Buildings-10,646.71, Equalization-11,818.49, Register of Deeds-10,916.66, Veterans Service-7,589.76, Sheriff-36,356.98, Jail-193,232.32, Coroner-154.46, Juvenile Services-52,839.66, Planning & Zoning-6,132.33, Road & Bridge-64,386.17, Emergency Management-7,171.52. Total payroll \$495,968.50.

Auditor's Account with the Treasurer February 28, 2020: Cash on hand-4,618.58, Checks in the Treasurer's possession less than three days-47,290.90, Cash items-14.72, Demand deposits: American State Bank-1204957.41, Bad Checks Outstanding-3,142.21, and Investments-2,575,000.00. Total Cash Assets-\$8,335,023.82.

Register of Deeds Fees Collected in February 2020: Recording Fees-3,905.00, Transfer Fees-2,578.50, Copy Fees-214.00, Credit Card Fees-165.00, and Vitals-2,490.00. Total \$9,352.50.

**EXECUTIVE SESSION:** Moved by Abernathy and seconded by Inman to go into executive session per SDCL 1-25-2 (3) and HIPPA to discuss indigent claims. All voted aye. Motion passed. Chairman Vance declared the Commission out of Executive Session.

**INDIGENT CLAIMS:** Moved by Inman and seconded by Abernathy to deny claim #20191218-01 from Avera St Mary's Hospital for B.B. dated 11/09/2019 to 11/11/2019 in the amount of \$1,761.12. All voted aye. Motion passed.

Moved by Inman and seconded by Abernathy to deny claim #20200204-01 from Avera St Mary's Hospital for M.F. dated 1/16/2020 in the amount of \$1,495.30. All voted aye. Motion passed.

Moved by Inman and seconded by Abernathy to deny claim #20200219-01 from Avera St Mary's Hospital for C.E. dated 1/8/2020 in the amount of \$7,700.68. All voted aye. Motion passed.

Moved by Abernathy and seconded by Weaver to adjourn the meeting until **Monday March 18, 2019 at 5:30 PM.** All voted aye. Motion passed.

ATTEST:

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Randy Vance, Chairman  
Hughes County Commission

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Jane Naylor, Finance Officer  
Hughes County, South Dakota