

Chairman Randy Vance called the Monday July 6, 2020 meeting of the Hughes County Board of Commissioners to order at 5:30 PM with members Roger Inman, Norm Weaver, Connie Hohn and Bill M. Abernathy and for the Joint Hearing - Pierre City Commissioners Blake Barringer, Jim Mehlhaff, Jamie Huizenga and City of Pierre Planner Sharon Pruess were present. County Manager Kevin Hipple, Planning & Zoning Director 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 Abernathy and seconded by Hohn to approve the agenda. All voted aye. Motion passed.

MINUTES: Moved by Weaver and seconded by Inman to approve the minutes of the June 15, 2020 Commission meeting. All voted aye. Motion passed.

PUBLIC HEARING: JOINT CITY/COUNTY PUBLIC HEARING TO REPLAT AND REZONING LOTS 5A & 5B A REPLAT OF LOT 5 BLOCK 2 THOMSEN'S SUB-DIVISION IN NW1/4 NE1/4 SEC 12 110-79: 5:30 PM time set to consider a request from Art Smith & Mary Eckstrom, agents for 5400 LLC to replat and rezone Lot 5 into Lots 5A & 5B. Planning and Zoning Director Eric Booth presented the proposed plat. Nobody appeared to testify. Moved by Abernathy and seconded by Mehlhaff to approve Resolution 2020-17 a plat of Lots 5A & 5B a replat of Lot 5 Block 2 Thomsen's Subdivision in NW NW Sec 12 110-79 and Ordinance 2020-3 to rezone Lot 5B to Extra Territorial Local Business District. All voted aye. Motion passed.

PUBLIC HEARING: HUNTING PRESERVE LIQUOR LICENSE: 5:35 PM time set for a public hearing to consider a new hunting preserve liquor license. Moved by Inman and seconded by Abernathy to approve a New Hunting Preserve Liquor License for Judi Bollweg dba Tumbleweed Lodge at 20239 312th Ave. Nobody appeared to testify. All voted aye. Motion passed.

PUBLIC HEARING: WESTERN AND HOLLY ROAD SPEED LIMIT ORDINANCE: 5:40 PM time set for a public hearing to consider Ordinance 2020-3 changing the speed limit of Western and Holly Road. Jesse Roebuck emailed his concerns, nobody else appeared to testify. Moved by Weaver and seconded by Abernathy to approve Ordinance 2020-3 relating to establishing speed zones and reducing the speed limit of Western Road and Holly Road between Grey Goose Road and Highway 1804 from 55 mph to 45 mph. Hohn suggested looking at the cost to make improvements to the road. All voted aye. Motion passed.

OLD BUSINESS

NEW BUSINESS

RIVER CITIES TRANSIT BUDGET REQUEST: Ron Baumgart, executive director for River Cities Transit, appeared before the commissioners to request \$35,000 for operating budget for 2021.

PLANNING & ZONING: FIRST READING – REZONE AND PLAT BUTTERFLY ACRES: FIRST READING: Brett Wheelhouse representing Quality Rentals is requesting to plat Lots 1 & 2 Butterfly Acres a subdivision of the W1/2 SW lying east of Lot PC-9PE Section 17 111-78 and rezone

from Ag-B to Ag-B2. Moved by Weaver and seconded by Inman to approve a public hearing for Monday July 20th at 8:00 am. All voted aye. Motion passed

PERSONNEL: Moved by Inman and seconded by Weaver to accept the resignation from Cody Hall, Sheriff's deputy effective June 30, 2020 and authorize advertising to hire for a replacement. All voted aye. Motion passed.

Moved by Weaver and seconded Inman to approve hiring Valerie Eaton, Registered Nurse at the Jail at Pay Grade 20 Step 1 \$62,079 annually starting July 20, 2020. All voted aye. Motion passed.

Moved by Abernathy and seconded by Weaver to approve hiring Melissa Betone, Correctional Officer at the Jail at the Pay Grade 14 Step 1 \$18.81 per hour starting July 30, 2020. All voted aye. Motion passed.

Moved by Inman and seconded by Hohn to approve hiring Jeremiah Davis, Correctional Officer at the Jail, Pay Grade 14 Min \$17.91 per hour starting July 10, 2020. All voted aye. Motion passed.

Moved by Weaver and seconded by Abernathy to approve hiring Jason Hamil, Jeff Hill and Cody Hall as needed part time sheriff deputies at \$25.00 per hour. All voted aye. Motion passed.

JSC SCHOOL CONTRACT: Moved by Inman and seconded by Weaver to approve a cooperative agreement between Hughes County and Pierre Public School District 32-2 to continue an educational program for youth in the Juvenile Detention Center. All voted aye. Motion passed.

CANVASS OF THE COW CREEK/SPRING CREEK SANITARY DISTRICT ELECTION: The Hughes County Commission is satisfied that the requirements of the South Dakota Code have been fully complied with and an election was held and the proposal passed. Moved by Hohn and seconded by Inman to approve the Order of Organization and Incorporation for the Cow Creek/Spring Creek Sanitary Election. All voted aye. Motion passed.

DELIQUENT TAX AGREEMENT: Moved by Weaver and seconded by Abernathy to approve the Delinquent Property Tax agreement with Fernando Vasquez; Smith Addition Block 11 Lots 20 thru 23; N30 of Lot 23 and all Lot 24 (building on leased site); Leepers & Moshers Addition Block 8 Lots 9 thru 12 City of Blunt paying \$315.00 per month on delinquent taxes starting June 26, 2020. All voted aye. Motion passed.

DISCRETIONARY FORMULA RESOLUTION: No action.

OUT OF STATE TITLE FEE RESOLUTION: Moved by Hohn and seconded by Inman to approve: Hughes County Resolution 2020-19 for the Establishment of An Administrative Fee For Certain Title And Registration Services. All voted aye. Motion passed.

WHEREAS, South Dakota allows out of state and resident applicants to title motor vehicles entirely by mail; and

WHEREAS, any title, interstate title and initial registration applications that are processed entirely by mail are more time consuming and result in higher administrative expenses and allocation of staff time for the Treasurer's Office; and

WHEREAS, SDCL 32-3-18.1 allows counties to charge an administrative fee for applications for title, interstate title and initial registrations completed entirely by mail; and

WHEREAS, South Dakota allows resident and nonresident applicants to title large boats, as defined by SDCL 32-3A-2(5) entirely by mail; and

WHEREAS, SDCL 32-3A-21.1 allows counties to charge an administrative fee for applications to title large boats, as defined by South Dakota law, completed entirely by mail; and

WHEREAS, SDCL 32-3A-4 requires residents and nonresidents to register boats requiring numbering by the State of South Dakota; and

WHEREAS, initial registration of boats completed entirely by mail is as time consuming as the titling process for large boats or motor vehicles; and

WHEREAS, pursuant to SDCL 7-8-20(7), the Hughes County Commission is empowered with the responsibility to superintend the fiscal concerns of the county and secure their management in the best possible manner;

NOW THEREFORE BE IT RESOLVED that, as of August 1, 2020, the Hughes County Treasurer's Office will charge an administrative fee of \$25.00 for any title, interstate title or initial registration application that is received and processed entirely by mail.

Prior motions or resolutions of the Hughes County Commission on the issue of administrative fees for titling or registration of motor vehicles are hereby rescinded as of August 1, 2020.

COVID RECOVERY FUND RESOLUTION AND AGREEMENT: Central SD Enhancement District Executive Director David Reiss was present to answer questions. Moved by Hohn and seconded by Inman to approve Hughes County Resolution Number 2020-20 a resolution authorizing the execution of contractual documents with the State of South Dakota for the receipt of cares act funds to address the COVID-19 Pubic Health Crisis; the Local Governmanet COVID-19 Recovery Fund Reimbursement Agreements and authorize the chairman to sign the agreement.

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, Hughes County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, Hughes County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, Hughes County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, Hughes County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for Hughes County most recently approved as of March 27, 2020; and

WHEREAS, Hughes County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the County Commission of Hughes County that the Chairman of the Hughes County Commission may execute any and all documents as required by the State in order to receive CARES Act funds.

It is further RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

It is further RESOLVED that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.

CONFLICT OF INTEREST POLICY: Moved by Inman and seconded by Hohn to approve a policy for Conflicts of Interest as action 1. 1a in the Personnel Policy Manual. All voted aye. Motion passed.

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

316 SUPPLY & UPFITTING 150.00 INV 124 SIRENS, A-OX WELDING 20.05 INV 232218
CYLINDER RENTAL, AERO INDUSTRIES 467.88 INV 803958 REPAIRS, AGE CORP 294.76 INV
2670 REPAIRS, ALISON JARES 53.36 JUROR, ALLIED PLUMBING 2235.00 INV 2006.46,
2006.47 SERVICES, AMERICAN ENGINEERING TESTING 1500.00 INV 176835 ENGINEERING,
AMERICAN MEDICAL RESPONSE 4050.00 INV 243543 SERVICE, AT & T MOBILITY 1326.99
PHONES & WIFI, AVERA MCKENNAN HOSPITAL 4994.78 MI X 2, BARTLETT & WEST
15176.80 INV 00730075948 FEES, BOB BARKER CO INC 1570.62 UNIFORMS, BOTTOM LINE
WELDING 66.10 INV 12403 SUPPLIES, BOWERS, TROY 50.84 BOARD OF ADJUSTMENTS,
BRUCE, ANDY 50.84 BOARD OF ADJUSTMENTS, BUREAU OF ADMINISTRATION 3903.60
SERVICES, BUTLER MACHINERY CO 2835.48 REPAIRS, CAPITAL AREA REFUSE 519.25
ACCT 3077 GARBAGE, CENTRAL CULVERT 1040.00 INV 894 CULVERTS, CENTURY
BUSINESS PRODUCTS INC 775.91 SUPPLIES, CENTURYLINK 226.88 PHONE, CHARM TEX
INC 1239.20 INV 0211725-IN SUPPLIES, CHRISTOPHER KAUS 50.84 JUROR, DENISE CODY
15.00 MI - R.G., CODY KRIEGER 56.72 JUROR, COLE PAPERS INC 1689.74 SUPPLIES, COMM
TECH INC 135.00 INV 8215 CONNECTION REPAIR, COMMUNICATIONS CENTER 90.00 INV
3425 ALARM MONITORING, CONCORDANCE 435.35 SUPPLIES, KERRI COOK-HUBER 50.00
MI - R.G., CWD INVESTIGATIONS 111.83 PI SERVICES - S.S., DAKOTA DATA SHRED 83.38
ACCT 3111278 REF 379 SERVICE, DAKOTA PUMP & CONTROL 428.57 INV 26129 REPAIRS,
DATASPEC INC 449.00 INV 8116 ANNUAL FEE, DEANN HILMOE 51.68 JUROR, DEBRA
BIESER 50.84 JUROR, DEPARTMENT OF CORRECTIONS 990.96 C18D0504 LAUNDRY, DEPT
OF HEALTH 1200.00 BAC, DEPT OF REVENUE 335.75 CONTRACTORS EXCISE TAX, DEPT
OF REVENUE 2.75 SALES & USE TAX, DEPARTMENT OF TRANSPORTATION 1379.98
SERVICES, DIAMOND DRUGS INC 1746.18 SUPPLIES, DIAMOND MEDICAL SUPPLY 420.00
INV 00399309 N95 MASKS, DISABLED AMERICAN VETERANS 200.00 TRANSPORTATION,
DIV OF MOTOR VEHICLES 1.00 TAG FOR SHERIFF DURANGO, DONS SINCLAIR 2656.26 INV
70658 FUEL, DS SOLUTIONS 175.00 INV 12385 ELECTION, EATON, BRYON 439.39 INV
312114, 312113 HVAC REPAIR, ELECTION SYSTEMS & SOFTWARE 2565.02 SUPPLIES,
ELECTRICAL ENGINEERING EQUIP 520.00 INV 909494 GENERATOR SERVICE,
ELECTRICAL ENGINEERING EQUIP 660.00 INV 909733-00 GENERATOR MAINT, ERIC HOLM
51.68 JUROR, FARM & HOME PUBLISHING 2042.33 ACCT 129321, FARNAMS GENUINE
PARTS 125.09 FILTERS / OIL, FLOYDS TRUCK CENTER 232.90 REPAIRS, FRIMAN OIL & GAS
CO INC 805.00 FUEL OIL, FT PIERRE CITY 665.91 EXPO UTILITIES, GRAHAM TIRE 461.20
FILTERS TIRES OIL, GRAMBIHLER, ANISSA 230.24 PLANNING COMMISSION MEETINGS,
GROSSENBURG IMPLEMENT 726.29 REPAIRS, GUNDERSON PALMER NELSON 6443.72
STATEMENT NO. 101335, H & H REPAIR 353.50 INV 41736 REPAIRS, HEARTLAND PAPER CO
466.32 INV 695992-0 PAPER, HILARY CARRUTHERS 50.84 JUROR, HOFFMAN OIL 1737.60
INV 66806, 66945 FUEL, INGRAM PEST SERVICE 138.00 INV 37214 SERVICES, INLAND
TRUCK PARTS 324.89 INV IN-622159 REPAIRS, INMANS WATER TECHNOLOGIES 55.00
RENTAL, JAMMIE RASKE 53.36 JUROR, JC OFFICE SUPPLIES 186.89 8124 - 28885, 28919
SUPPLIES, JENNIFER JOHNSON 51.68 JUROR, JERI WIEBE 53.36 JUROR, JERRI ELLINGSON
52.52 JUROR, JIM HAWK - SIOUX FALLS 850.00 FREON INV 3201610034, JOHNSTON, BILL
170.16 PLANNING COMMISSION MEETINGS, JOSEPH PAIGE 50.84 JUROR, JUN WAN 400.00
INTERPRETER SERVICES, KATHERINE RIEDY 59.24 JUROR, MARK KATTERHAGEN 6.00 MI
- B.S., KONE INC 295.89 ACCT N162589 INV 959476071, LAWSON PRODUCTS INC 208.87
SUPPLIES, LUCILLE M LEWNO 228.75 MI - B.S., R.G., LINCOLN COUNTY 514.75 MI X5

EVALS & BOARDS, DARCY LOCKWOOD 21.00 MI - B.S., R.G., LYLE SIGNS INC 3882.27
SIGNS, MAHOWALD, DOUGLAS 50.00 BOARD OF ADJUSTMENT, MCCURRIN, LEE 247.04
PLANNING COMMISSION MEETINGS, MEDICINE CREEK 28.00 INV 17183 FUEL, MENARDS
188.21 ACCT 33210280 SUPPLIES, MENARDS 127.88 ACCT 33210252 SUPPLIES, MENARDS
71.15 ACCT 33210258 SUPPLIES, MID DAKOTA RURAL WATER SYSTEM 123.00 UTILITIES,
MIDCO 290.60 UTILITIES, MIDWEST WELLNESS INSTITUTE 3500.00 INV F-5-20 C.P.P.,
MIDWESTERN MECHANICAL INC 665.00 INV 153377 SPRINKLER INSPECT, MONTANA
DAKOTA UTILITIES 75.33 EXPO UTILITIES, MONTANA DAKOTA UTILITIES 516.97
UTILITIES, MORRIS INC 756.40 INV 08-MATYD-31511, MOSS, WILLIAM A PSY D LLC
1500.00 ACCT WM1682 EVAL J.K., NEMEC, MISTY 20.00 WITNESS, NORTHWESTERN
ENERGY 83.66 UTILITIES, OAHE ELECTRIC COOP INC 969.60 UTILITIES, OEHLERKING, JIM
52.94 BOARD OF ADJUSTMENTS, PATRICIA PUGH 51.68 JUROR, PEITZ SERVICE EXPERTS
404.00 SERVICE TICKET 0118787, PIERRE CITY 6698.06 UTILITIES, PIERRE CITY 548.75 MED
DIRECTOR MAY, PIERRE CITY 28.99 UTILITIES, PRIES, BRENT 194.10 PLANNING
COMMISSION MEETING, PRORATE SERVICES LLC 40.00 INV 212588 DRUG TESTING,
QUALITY QUICK PRINT 160.00 INV 341089 ENVELOPES, DOUG RIPLEY 40.94 FUEL
REIMBURSEMENT, ROBINS WATER CONDITIONING INC 9.05 SALT, ROCKMOUNT
RESEARCH & ALLOYS 2879.99 INV 1254446 MOWERS/PARTS, ROUNDS, TOM 213.44
PLANNING COMMISSION MEETING, RUNNINGS SUPPLY 1019.43 ACCT 2610423, SANFORD
HEALTH 8989.00 ACCT 30008443, SERVALL UNIFORM & LINEN CO 859.91 SUPPLIES,
SMALL ENGINE HOUSE 14.93 INV 36549 SUPPLIES, SMITH, MARK 50.00 BOARD OF
ADJUSTMENTS, SOUTH DAKOTA ONE CALL 6.72 SD20-1396, STEWART, LES 257.12
PLANNING COMMISSION MEETING, SUMMIT FOOD SERVICES 19838.32 MEALS, JASON W
BERNETT 485.00 INV 21648, 21559 REPAIRS, TAFT, ROBIN 20.00 WITNESS, TANNER FITZKE
50.84 JUROR, TERA DUPRIS 53.36 JUROR, TODD'S ELECTRIC SRV 1100.00 INV 2020352
INSTALL OUTLET, VENTURE COMMUNICATIONS 203.52 DISPATCH SERVICES, WALMART
COMMUNITY 174.64 SUPPLIES, WALMART COMMUNITY 115.00 SUPPLIES, WALMART
COMMUNITY 25.89 SUPPLIES, MONA WEIGER 186.20 COURT REPORTING, YANKTON CO
SHERIFF 50.00 MI - R.G., YANKTON COUNTY 283.80 MI X 2,

PUBLIC COMMENT: None

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

Moved by Inman and seconded by Abernathy to pay the claim by McKennan Hospital claim #20191210-01 for D.L. date of admission 10/31/2019 to 11/01/2019 for \$9,065.34. All voted aye. Motion passed.

Moved by Inman and seconded by Abernathy to pay the claim from McKennan Hospital claim #20191210-02 for D.L. date of admission 8/30/2019 to 9/5/2019 for \$8,029.37. All voted aye. Motion passed.

**COMMISSIONER PROCEEDINGS
HUGHES COUNTY, SOUTH DAKOTA**

July 6, 2020

Moved by Inman and seconded by Abernathy to deny the claim from Avera St Mary's Hospital claim #20200227-01 for G.D. date of admission 1/30/2020 to 2/5/2020 for \$6,811.55. All voted aye. Motion passed.

The following salaries and benefits were paid by department in the month of June 2020: Commissioners-\$25,071.19, Auditor-\$18,040.29, Treasurer-\$20,020.91, States Attorney-\$36,737.85, Govt Buildings-\$10,377.46, Equalization-\$11,577.94, Register of Deeds-\$10,848.79, Veterans Service-\$7,969.62, Sheriff-\$38,367.24, Jail-\$183,315.42, Coroner-\$815.51, Juvenile Services-\$50,061.72, Planning & Zoning-\$6,132.33, Road & Bridge-\$67,293.20, Emergency Management-\$13,465.60. Total payroll \$500,095.07.

Auditor's Account with the Treasurer June 30, 2020: Cash on hand-\$3,296.73, Checks in the Treasurer's possession less than three days-\$52,353.10, Cash items-\$2.48, Demand deposits: American State Bank-\$6,689,559.96, Bad Checks Outstanding-\$1,185.99, and Investments-\$2,575,000.00. Total Cash Assets-\$9,321,417.10.

Register of Deeds Fees Collected in June 2020: Recording Fees-\$9,780.00, Transfer Fees-\$11,120.00, Copy Fees-\$283.25, Credit Card Fees-\$185.00, and Vitals-\$3,405.00. Total \$24,773.25.

Moved by Weaver and seconded by Inman to adjourn the meeting until **Monday, July 15, 2019 at 8:00 am.** All voted aye. Motion passed.

ATTEST:

Randy Vance, Chairman
Hughes County Commission

Jane Naylor, Finance Officer
Hughes County, South Dakota