

**Perkins County Commission
Regular Meeting**

Date: April 13, 2021

Present: Commissioners Carmichael, Foster, Campbell, Schweitzer and Henderson and Finance Officer Chapman

Others Present: Shane Penfield, Cody Green, Kelly Serr, Corina Molnar, Brice Carmichael, Conner Palmer, Dan Beckman, Robert Carr, Allan Dye, Norman Miles, Eric Arneson, Bob Parker, Kelly Daughters, Darlene Kelly, Brian Flatmoe, Allen Palmer, Chad Baumgarten, David Kopren, and Beth Hulm, press.

Call to Order

Chairman Carmichael called the Regular Commission Meeting to order on Tuesday, April 13, 2021 at 10:00 a.m.

Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

Conflict of Interest

There was no conflict of interest declared.

Approval of the Agenda

Foster moved, Campbell seconded to approve the agenda as presented, motion carried.

Approval of the Minutes

Henderson moved, Schweitzer seconded to approve the minutes of the March 9, 2021 Commission Meeting, motion carried.

Monthly Reports

- Finance Officer's Account with the Deputy Finance Officer – To the Honorable Board of County Commissioners Perkins County: I hereby submit the following report of my examination of the cash and cash items in the hands of the Deputy Finance Officer of this County as of March 31, 2021, Sylvia Chapman, Finance Officer, Perkins County. Total amount of deposits in banks \$1,903,440.00, Total amount of actual cash \$200.00; Dakota Plains Federal Credit Union: \$103,591.20.00; Certificates of Deposit \$400,000.00; Total \$2,407,266.53 The total represents state, county, schools, cities, and township funds, which will be transferred to each entity of government after being apportioned.
- Sheriff's Fees in the amount of \$369.00 were reviewed.
- Motor Vehicle fees for the month of March 2021 were reviewed.
- Register of Deed's fees in the amount of \$4,826.00 were reviewed.
- Longevity increase of .10/hour will be realized for the following: M Kindsvogel 4-1; Jeff VanVactor 4-8; M Giesler 4-26.

Correspondence

- Correspondence was received from the following:
 - US Forest Service concerning the emergency order for fire restrictions across the Dakota Prairie Grasslands which includes the Grand River National Grasslands
 - Bruce Hintz, South Dakota Legislative Audit, concerning the upcoming 2018-2019 audit
 - Community Health Nurse Quarterly Report

Highway Superintendent

- Interim Superintendent Cody Green gave the Monthly Project and Maintenance Report.
 - ✓ The equipment maintenance was reviewed. Discussion was held on the possibility of extending the warranty on the 2015 Cat Motor Grader. After reviewing the cost, it was decided to have the machine checked over prior to expiration of the warranty and forego extended warranty.
 - ✓ Two highway pickups have received damage that was submitted to insurance. One of the vehicles has been repaired and the other is waiting for repair.
 - ✓ The crew is continuing to blade and ridge mulch when conditions are acceptable. Green has found six culverts that need replacing so far. The crew will be graveling the Owen Lake Road south to the Fero Pit and then the Sorum Road, using gravel from the Sorum Gravel Pit.
 - ✓ An extension has been received for the Foster Bridge Project until May 15, 2022.

- ✓ Green received quotes for chips sealing. Discussion was held on whether to proceed with chip sealing or to crack seal this year. The consensus was to continue with patching on the Prairie City Road and to crack seal the Bixby and White Butte Roads.
- ✓ Green is waiting to hear on whether Pleasant Valley Bridge is eligible for grant funding.
- ✓ Traffic counters will be placed on the Summerville Road, West Cabin Site Road, Rolling Hills Road, Date Road, and the Prairie City Road.
- ✓ Current plans are to redo a section of Owen Lake south of the Brandon Miller place. A culvert will be replaced, the ditches cleaned out and additional gravel put on the road.
- Discussion was held on the annual leasing of mowing tractors. Green will obtain additional information to bring back to the next Commission meeting.
- The Mutual Use Agreement between Perkins County and the Bison Fire Department was reviewed by the Commission. Schweitzer moved, Foster seconded to authorize Chairman Carmichael as signatory on the Mutual Use Agreement between Perkins County and the Bison Volunteer Fire Department and to transfer the 2004 Fruehauf Corp Tanker Trailer to the Bison Volunteer Fire Department, motion carried.
- Discussion was held on blading Moreau River Township Roads. Perkins County policy is to not compete with private enterprise, therefore, under normal conditions the Perkins County Highway Department will not perform work for organized townships.
- Green would like to advertise for summer help for 2021. Foster moved, Henderson seconded to authorize Green to advertise for two summer help positions, motion carried.
- Culvert prices have increased. Green presented his proposed prices for culverts to the Commission for approval. Foster moved, Campbell seconded to approve selling culverts to governmental entities at cost and private individuals at 10% over cost plus tax, motion carried.
- Discussion was held on overtime for the Highway Department.

10:30 am – Bid Opening for Surplus Equipment

Schweitzer moved, Foster seconded to proceed with the bid opening for the Surplus Equipment from the highway department, motion carried. The following sealed bids were received:

Perkins County Highway Surplus Equipment Bids 4-13-2021				
Item	Serial Number	Larry Carr	Connor Palmer	Jeff Brown
1998 Ford	1FTNF21L0YEB39018	\$240.00	\$500.00	
1990 Mack	1M2P198C9LM007102	\$1,840.00	\$650.00	\$1,700.00
1990 Broom	903157	\$140.00	\$10.00	
Salt Sander	WSH-23363	\$20.00	\$10.00	\$75.00
Salt Sander	WSH-25010	\$20.00	\$10.00	\$75.00
Hyster Roller	C530A	\$240.00	\$50.00	\$250.00

Foster moved, Campbell seconded to accept the following high bids: 1998 Ford F150 - \$500 – Connor Palmer; 1990 Mack - \$1840.00 – Larry Carr; 1990 Broom - \$140 – Larry Carr; Salt Sander Box 1 - \$75.00 – Jeff Brown; Salt Sander Box 2 - \$75.00 – Jeff Brown; Hyster Roller - \$250.00 – Jeff Brown, motion carried.

11:00 am Surplus Property Public Auction

Prior to the Public Auction, State's Attorney provided disclaimers for the property including the terms and conditions of the property sale. A 20% down payment is due immediately following the sale with remainder payment due by the closing date within 30 days. Perkins County shall transfer title by quit claim deed. Perkins County does not warranty the title in any way, will not provide title insurance, and the Buyers will be asked to acknowledge and agree that they have been advised that they are not receiving a Warranty Deed for the property, and at their own risk will receive whatever title Perkins County may have concerning the property, including any unknown liens and encumbrances. The property is also subject to easements, rights of way, restrictions, and covenants of record. Potential buyers were also notified regarding any property with gravel mining operations that they are fully responsible for transferring the South Dakota Department of Environment and Natural Resources permit from Perkins County to the successful bidder. Potential Buyers were also told that they would be responsible for reclamation and the Buyer assumes all liability.

- Record #16620 – NW S35-T17-R15, 161.11 acres
Foster moved, Campbell seconded to accept the high bid of \$500 per acre (\$80,555.00) from Voss Family Farms, motion carried.
- Record #16132 – SWSW S2-T17-R12, 40 acres
Schweitzer moved, Henderson seconded to accept the high bid of \$495 per acre (\$19,800) from Dewey Carr, motion carried.

- Record #16847 NWSW, SWNW, SESW 119.39acres S29-T17-R12
Foster moved, Schweitzer seconded to accept the high bid of \$450 per acre (\$53725.50) from Brice Carmichael, motion carried.
- Record #16039 Tract in NENE +/-2.48 acres S17-T21-R12
Campbell moved, Foster seconded to accept the high bid of \$2,600.00 from Lodgepole Creek Ranch LLP, motion carried.

Executive Session

Foster moved, Schweitzer seconded to go into Executive Session for personnel at 12:52 pm, motion carried. Chairman Carmichael declared the meeting out of Executive Session at 2:04 pm.

Resolution 2021-04

Discussion was held on passage of a burn ban for Perkins County. Campbell moved, Foster seconded to introduce and approve Resolution 2021-04 “A Resolution Prohibiting or Restricting Open Burning in Perkins County”, roll call vote: Foster aye, Campbell aye, Schweitzer aye, Henderson aye, Carmichael aye, motion carried.

Resolution 2021-04

A Resolution Prohibiting or Restricting Open Burning In Perkins County.

Whereas Perkins County has been impacted by drought conditions of varying degrees and those conditions may worsen throughout the months ahead, in order to protect the public health and safety,

Be It Resolved that the Perkins County Commissioners, pursuant to SDCL 7-8-20(18) hereby adopt a ban to prohibit or restrict open burning in those areas of the County, excluding municipalities as follows:

A ban or other restrictions on open burning may be imposed at the discretion of the Perkins County Emergency Manager after consultation with local fire officials and law enforcement officials. Likewise, the Emergency Manager shall have the authority to lift the restrictions or ban upon consultation with local fire officials and law enforcement officials. Notice of the ban or restrictions will be provided to local media, including newspapers and radio stations, and the public may call the Emergency Management Office at 244-5243 regarding the status of open burning restriction in the County.

The County Commission urges all residents and visitors to Perkins County to use common sense and exercise caution with any activities that involve or may cause fires due to dry conditions.

Fire Department Semi Tractor

Chad Baumgarten and David Kopren were present to request additional subsidy in the amount of \$10,000 to the Bison Volunteer Fire Department. The Fire Department recently purchased a 1995 Freightliner Semi Tractor to pull the water tanker trailer recently acquired from Perkins County. Foster moved, Campbell seconded to do a contingency transfer in the amount of \$10,000 to 101-222-454.01 and to approve payment of \$10,000 to the Bison Volunteer Fire Department, motion carried.

Bison Ambulance

Schweitzer moved, Foster seconded to piggy-back off the City of Sturgis bid for Remount Customer Type 3 Ambulance on new 2021 Ford E450 gas chassis with a 7.3L V-8 engine in the amount of \$99,496, motion carried. The Sturgis bid may be found on file in the Perkins County Finance Office.

DOE Corina Molnar – Performance Review (SDCL 10-3-14)

The Annual Performance Review of the Perkins County Director was conducted by the Perkins County Commission.

Liquor License Renewals

- Foster moved, Schweitzer seconded to approve the renewal for Bison Country Club On-Sale Liquor License #RL-5825, motion carried.
- Henderson moved, Campbell seconded to approve the renewal for K-T Off-Sale Malt Beverage License #PF8119, motion carried.

Hazardous Mitigation Plan Update

Black Hills Council of Local Governments has completed the analysis of historical weather events in Perkins County for the Mitigation Plan update. BHCLG is in the process of reviewing existing technical documents. BHCLG has met with the City of Lemmon on 4/5/2021 and the City of Bison on 4/12/2021. BHCLG has also gathered the necessary information for dams located in Perkins County and is analyzing the information for potential risk as well as reviewing existing identified risks for any potential change. Upcoming steps will include meeting with the County and participating Cities to review the existing mitigation strategy and to update identified projects/goals.

Abatements

- An abatement request was received on Record # 13779 Engebretsons Addn Blk 5 lot 8, which should have been tax exempt. Schweitzer moved, Foster seconded to approve and abatement on Record #13779 Engebretsons Addn Blk 5 Lot 8 in the amount of \$1,241.54 for the Housing & Redevelopment Commission of Lemmon, motion carried.
- An abatement request was received on Record #17798 Smith's Addn Blk 14 Lot 10 MH only which was destroyed April of 2020. Foster moved, Henderson seconded to approve a partial year abatement in the amount of \$33.68, motion carried.

Uncollectible Taxes

Finance Officer Chapman requested 2014 payable 2015 taxes in the amount of \$18.49 on record #17556 be deemed uncollectible. Henderson moved, Campbell seconded to deem \$18.49 on record #17556 as uncollectible, motion carried.

SD Legislative Audit Entrance Letter

Foster moved, Schweitzer seconded to authorize Chairman Carmichael and Finance Officer Chapman as signatory on the SD Legislative Audit Entrance letter, motion carried.

Delinquent Tax Letter

A Delinquent Tax Agreement Application has been received from John Portscheller on Record #13151 Lemmon Original Blk 11 Lots 7 & 8. Henderson moved, Foster seconded to approve a Delinquent Tax Agreement Application for John Portscheller on Record #13151 Lemmon Original Blk 11 Lots 7 & 8, motion carried.

New Hire

Lori Carda has been hired by the Perkins County Weed Board for some of the duties that Loyson Carda has been doing. Schweitzer moved, Foster seconded to set Lori Carda's wage at \$900 per month and Loyson Carda's wage at \$100 per month, motion carried.

Commission Meeting Dates

Discussion was held on holding a meeting in Lemmon this year. Carmichael moved, Campbell seconded to hold the June 8th Commission Meeting in Lemmon, motion carried.

Claims

The following claims were presented and approved for payment, Mar. payroll: 73,372.70; IRS, fica, 7,170.90; SD Retirement, retirement, 5,742.91; Delta Dental, insurance, 1,219.46; Medico Life, insurance, 115.80; Wellmark, insurance, 21,651.30; SDPEF, insurance, 93.00; HRA Reimbursements, 11,249.58; A&B, copier, \$40.83; Agpro, supplies, 25.16; American Solutions, supplies, 53.50; Bison Courier, publishing, 570.00; Bison Food, supplies, 32.99; Bison Grain, supplies, 18,587.19; Bison Impl, supplies/repairs, 1,021.44; Bison Sr. Citizens, subsidy, \$1,500.00; Black Strap, supplies, 7,645.33; L. Carda, mileage, 113.40; Chapman's Electronics, repairs, 414.99; City of Lemmon, gasoline, 1,609.35; Contractors Supply, equip, 224.20; Current Connection, supplies/equip, 3,657.11; Dakota Auto Parts, maint, 146.76; Dakota Feed, chemical/equip, 36,871.50; Dakota Fluid, supplies, 2,468.24; Dakota Herald, publishing, \$657.42; Deere Credit, rental, 26,057.76; Eagle Nest Truck, repairs, 7,680.54; Executive Mgmt, supplies, 39.27; Faith Lumber, supplies, 16.99; Five Counties, blood draw, 100.00; G&O, supplies, 662.35; Grand Electric, utilities, 1,825.67; Hamand Tire, maint, 80.00; Horizon, rent, 1,680.00; Jenner Equip, repairs, 416.10; John Deere, repairs/labor, 8,562.25; John's Repair, repairs, 111.25; K&R Auto, maint, 71.00; Language Line, Crt. Reporting, 50.00; Lawson Products, supplies, 27.55; Lemmon EMT, mileage, 539.76; Lemmon IGA, supplies, 27.46; Live Inc, subsidy, 3,000.00; Lodgepole Propane, utilities, 653.51; Matheson Tri-Gas, supplies, 46.58; McLeod's, supplies, 684.73; Meade County, jail board, 80.00; Newman Signs, supplies, 1,518.62; Northern Truck, repairs, 67.89; NW Farm & Home, supplies, 143.53; PDA, leadership course,

1,645.00; S. Penfield, rent, 400.00; Perkins County Fair, donation, 25.00; Perkins County Ambulance, travel, 733.56; Pheasantland Industries, supplies, 141.38; Phil's Paint, repairs, 3,224.00; Print Shop, supplies, 287.25; Ramkota Hotel, travel, 154.00; RDO Truck, repairs, 1,025.58; Runnings, supplies, 147.97; SD Development, subsidy, 60.00; SD DOT, fees, 1,302.35; SD Federal Property, supplies, 847.75; SD Public Health, SA fees, 120.00; SDAAO, dues, 400.00; SDACO, dues, 370.00; SDNOA, dues, 100.00; Servall, supplies, 168.23; Sorum Fire Dept, subsidy, 3,600.00; Tennant's, supplies/repairs, 262.20; Town of Bison, utilities/tire disposal, 230.71; TrueNorth, supplies, 17,785.90; J. Vanvactor, supplies, 57.48; Verizon, utilities, 282.46; VISA, postage/utilities/supplies/repairs, 211.09; West Group, SA law books, 2,228.04; Western Comm, supplies, 59.00; WRCTC, utilities, 1,423.22.

Adjournment

There being no further business to come before the Commission, Chairman Carmichael declared the meeting adjourned at 2:05 pm. The next meeting of the Perkins County Commission will be held on May 11, 2021 at 10:00 am at Perkins County Courthouse.

ATTEST:

APPROVED:

Sylvia Chapman, Finance Officer

Kyle Carmichael, Chairman