February 22, 2022

Unapproved Minutes

Union County Commissioners

The Union County Board of Commissioners met in regular session February 22, 2022, at the Courthouse in Elk Point, SD at 8**:**30 a.m.

Members present Dailey, Headid, Joffer, Kimmel and Ustad.

Motion by Headid, second by Dailey with the addition of burn ban to approve the agenda. Carried.

Motion by Joffer, second by Kimmel to approve the minutes from February 8, 2022. Carried.

Notice

**NOTICE**

MOTION by Kimmel, second by Headid to authorize the Auditor to post a Notice of Hearing on February 22, 2022, to consider supplements to Union County Capitol Project Building, Rural Access Infrastructure and Operating Transfer Out budgets of 2022. 5 ayes 0 nays. Carried.

**NOTICE OF HEARING FOR CONSIDERATION**

**OF A PROPOSED SUPPLEMENTAL BUDGET**

The Union County Commission will hold a hearing at 10:30 a.m. on March 22, 2022, in the Commission Meeting Room, to consider supplementing the 2022 Annual Budget as follows:

Capitol Project Building, Rural Access Infrastructure and Operating Transfer Out. To the following budgets Accounts:

Account# 301-5890-429 - $2,000,000.00 Capitol Project Building

Account# 295-5331-422- $43,615.00 Rural Access Infrastructure

Account# 101-5911-425- $2,000,000.00 Operating Transfer Out

Dated this 22 Day of February, 2022

Resignation

Motion by Headid, second by Dailey to approve the following and thank them for their service: Kimberly Johnson Deputy Treasurer and Kendra Windshausen Deputy Sheriff as of February 16, 2022. Carried.

New Hire

Motion by Dailey, second by Kimmel to approve the following: Shawn Tabke Extension, Fair, 4-H and Weed at $50,000.00 starting 2-9-2022. Carried.

Travel

Motion by Dailey, second by Kimmel to approve the following: Sheriff Office to SD Sheriff’s Spring Conference April 19-21 in Deadwood, SD- Sheriff Limoges, Deputies Bucholz and Prouty. EMA Director Westcott to Pierre March 17th for Emergency Management 101. Carried.

Abatement 2022-001

Motion by Headid, second by Dailey to approve abatement #2022-001. EPJ School Dist. S/B Exempt as of 4-13-2021 $690.56. County $106.14, Elk Point City $249.98, EPJ School $324.14 and EP Fire $10.30. Carried.

Executive Session

Motion by Headid, second by Dailey to enter into executive session for personnel matters per SDCL 1-25-2 at 8:42 a.m. Carried. Chairman declared the board out of executive session at 9:05 a.m.

Claims

Motion by Headid, second by Joffer to approve claims. Carried. The Following Claims Have Been Audited, Approved, and Warrants Drawn on the Same: BW Payroll: 2-22-2022: $72,528.22: State’s Attorney $1,025.80; Care of the Poor $288.60; Register of Deeds $1,161.76; Sheriff $16,39537; Jail $18,005.46; Communications $12,007.93; Nurse $249.40; WIC $421.40; Highway $22,972.50; Jurors $658.76. Alcohol Monitoring Systems (Supp) $90.00; Arnold Motor Supply (Repairs) $45.44; Best Western of Huron (Travel) $450.00; Bierschbach Equipment (Supp) $1,099.50; Blackstrap, Inc. (Supp) $3,088.98; Brian's Repair Inc (Maint) $831.84; Century Link (Util) $1,256.63; Chesterman Co (Supp) $22.75; City of Alcester (Util) $88.59; Department of Health (State Labs) $720.00; Dept of Revenue (License Plate Renewal) $1.00; Eakes Office Solutions (Supp) $92.24; Fastenal Company (Supp) $8.86; Frieberg, Nelson, & Ask L. (Ct Ap Atty) $491.30; Goosman Law Firm, PLC (Service) $3,794.70; Heiman Fire Equipment (Supp) $1,617.00; Horizon Health Center Inc (Dr) $523.25; Hydraulic Sales (Repairs) $339.57; Inland Truck Parts (Repairs) $2,027.73; Jack's Uniform & Equip (Supp) $420.10; Jason Westcott (Travel) $40.00; JCL (Supp) $374.28; Lewis Family Drug LLC (Dr) $332.32; Loffler Companies, Inc. (Maint) $773.41; McLeods (Supp) $4,300.00; Menards (Repairs) $67.53; Michael Dailey (Mileage) $54.60; MidAmerican Energy Co (Util) $3,481.46; Midway Service/Vollan Oil (Bulk Delivery) $28,480.47; Milton Ustad (Mileage) $92.40; Minnehaha County Regional (Housing) $7,710.00; New Century Press (Pub) $422.10; O'Reilly (Rep & Supp) $296.06; Olson's Pest Technicians (Repairs) $70.00; One Office Solution (Supp) $567.82; Pete's Produce (Repairs & Supp) $19.68; Quill Corporation (Supp) $239.90; Richard Headid (Mileage) $26.88; Riverside Technologies Inc (Print Contract) $95.00; SDAAO (2022 Dues) $300.00; SDACC (CCPR) $1,935.00; Shawn Tabke (Travel) $40.00; Sioux City Truck Sales (Repairs) $142.22; Standard Bearings - Sioux (Repairs) $153.72; Star Publishing (Pub) $40.00; State of South Dakota (Util) $383.29; Sturdevant's Auto Parts (Rep & Supp) $175.87; Susan Gross (Reimburse) $220.19; Tetonka, LLP (Rd 9 Oxbow Pipe Site1) $11,187.00; The Fillin' Station (Supp) $221.00; Thermo King Christensen (Repairs) $740.39; Thomson Reuters - West (Software Subscript) $641.82; Tom Kimmel (Mileage) $23.52; Ulteig Engineers, Inc (Culvert Replacement) $4,155.00; Union County Electric (Util) $386.00; Vast Broadband (Util) $82.99; Verizon (Maint)$113.33; Verizon Wireless (Util) $1,197.63; Wilcox Electric (Repairs) $127.04; Ziegler Inc (Repairs) $1,013.59.

Department Head Report

Building Supt. Sexton, Extension, Fair, 4-H and Weed Director Tabke, Nurse McInerney and EMA Director Westcott presented their monthly reports.

Recess

Chairman declared a recess from 9:45 a.m. to 9:50 a.m.

Highway

Hwy Supt Buum met with board to discuss various matters.

Motion by Headid, second by Dailey to approve the following resolutions. Carried.

**Resolution HD2022-05**

**BRIDGE REINSPECTION**

**PROGRAM RESOLUTION**

**FOR USE WITH SDDOT RETAINER CONTRACTS**

**WHEREAS**, 23, CFR 650 Subpart C, 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**, **Union County** is desirous of participating in the Bridge Inspection Program.

The County requests SDDOT to hire **Ulteig Engineering** 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.

Motion by Dailey, second by Headid to approve the following resolutions. Carried.

Resolution #HD2022-06

WHEREAS, seasonal climatic changes can be detrimental to our highways, and,

WHEREAS, the Union County Board of County Commissioners desires to protect

existing Union County Highways, ultimately saving tax dollars, and,

WHEREAS, South Dakota Codified Laws 32-14-6 allows for the reduction of the legal

weight limit, which may be carried upon highways within Union County,

THEREFORE, BE IT RESOLVED, that certain Union County Highways be restricted to

a load limit of 7 tons per axle imposed on trucks, trailers, and wagons. The Union

County Highway Superintendent will cause to be installed adequate warning signs

notifying the traveling public of the load weight restrictions on the restricted

highways, and that the restrictions will be in force upon the placing of such signs, and

BE IT FURTHER RESOLVED, that the penalty for the violation of the load restrictions

shall be as set forth in SDCL 32-22-55.

Motion by Joffer, second by Headid to authorize chairman Ustad to sign a letter to Captain John Broers with the SDHP to request assistance with weight limit restrictions. Carried.

State’s Attorney

State’s Attorney Miller and Chief Deputy State’s Attorney Zenner to discuss various matters.

Executive Session

Motion by Headid, second by Dailey to enter into executive session for legal matters per SDCL 1-25-2 at 10:00 a.m. Carried. Chairman declared the board out of executive session at 10:50 a.m.

Recess

Chairman declared a recess from 10:50 a.m. to 10:54 a.m.

Medical Marijuana Establishment License

Hearing was held to approve application for 1 Medical Marijuana Establishment License. There were 2 licenses received. Dakota Health and Wellness LLC. (legal description: William halliday tract 3 in the southwest quarter of the northeast quarter of the southeast quarter of section 4; and in the northwest quarter of the southwest quarter of section 3, all in township 89 north, range 48, west of the 5th p.m., now North Sioux City, Union County, South Dakota, according to the recorded plat thereof, subject to right of way, easements and restrictions, if any, appearing of record) and Dunes Budz LLC. (legal description: Lot 3 of two rivers business center sixth addition in Dakota Dunes). Each license was given a card Dakota Health and Wellness LLC was the Ace of Diamonds and Dunes Budz LLC was the Ace of Spades. Chairman Ustad drew the Ace of Diamonds out. The license was then given to Dakota Health and Wellness LLC. They will need to send in the necessary paperwork to the State for the final approval. If the event that Dakota Health and Wellness LLC is not approved by the State, the license will be given to Dunes Budz LLC.

Nuisance

Planning and Zoning Director Henze met with the board on 48240 County Road 1B. Discussion took place.

Executive Session

Motion by Headid, second by Dailey to enter into executive session for personnel matters per SDCL 1-25-2 at 11:30 a.m. Carried. Chairman declared the board out of executive session at 11:45 a.m.

Adjournment

Motion by Kimmel, second by Joffer to adjourn at 11:46 p.m. until March 8, 2022. Carried.

ATTEST:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Jackie Sieverding, Auditor Milton Ustad, Chairman

Union County Union County Board of Commissioners

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