

March 8, 2022
Unapproved Minutes
Union County Commissioners

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

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

Motion by Dailey second by Headid to approve the agenda. Carried.

Motion by Joffer, second by Kimmel to approve the minutes from March 1, 2022.

Carried.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER
February 28th, 2022

Total amount of deposits in bank	\$5,244,136.73
Total amount of actual cash	\$3,114.60
Total amount of checks and drafts in Treasurer's possession not exceeding three days	\$155,913.15
Investments	\$10,061,049.75
Cash Variance	\$2.15
Credit card outstanding	\$3,417.43
Total	\$15,467,633.81

*Note: These figures include all funds administered by the county including city, schools & township revenue and other pass through accounts.

February Monthly Reports

Sheriff Office Federal Prisoner & INS room & board fees- \$31,347.75.

Nurse- \$.00 Donations.

Register of Deeds- reported \$6,837.00 in transfer tax and \$13,962.00 in fees.

Veteran Service- 49 Contacts.

Claims

Motion by Headid, second by Dailey to approve claims. Carried. The Following Claims Have Been Audited, Approved, and Warrants Drawn on the Same: CH Payroll 2-28-2022 \$139,894.15: Commissioners \$7,050.00; Auditor \$15,786.72; Information Technology \$220.00; State's Attorney \$24,347.03; Public Building \$10,900.58; Assessor \$16,570.30; Register of Deeds \$7,945.84; Sheriff \$11,612.09; Nurse \$1,125.49; Jail \$139.11; Extension \$1,375.82; Weed \$1,461.23; Fair \$250.82; P& Z \$4,471.21; Highway \$12,657.76; EMA \$4,041.67. BW Payroll: 3-8-2022: \$74,821.01: State's Attorney \$865.80; Care of Poor \$448.60; Register of Deeds \$1,026.08; Sheriff \$15,288.90; Jail \$20,605.51; Communications \$12,896.16; Nurse \$249.40; WIC \$404.20; Highway \$23,036.36; Jurors \$593.64. Ace Engine & Parts (Repairs) \$9.20; Alliance Communication (Util) \$150.00; Alternative HRD (Services) \$795.20; Amazon Capital Services (Supp) \$24.98; Aramark (Maint) \$149.56; Beresford Municipal Teleph (Util) \$268.80; Bob Barker Company (Supp) \$715.77; Bomgaars (Supp) \$848.13; Brian's Repair (Maint) \$95.73; C & H Truck Parts (Repairs) \$625.00; Capital One Trade Credit (Supp) \$1,722.99; CDW Government (Back Up) \$443.54; Century Business Products (Maint) \$185.65; Century Link (Util) \$6.03; Chesterman Co (Supp) \$195.00; City Of Elk Point (Util) \$5,239.99; Clay Rural Water System (Util) \$40.00; Counsel (Maint) \$3.76; Dakota Dunes North Sioux C (Pub) \$825.89; Department of Public Safety (Maint) \$2,840.00; Drain Specialists (Maint) \$300.00; Eakes Office Solutions (Supp) \$116.60; Elk Point Ace Hardware (Supp) \$400.27; Equipment Blades, Inc. (Supp) \$2,097.56; Filter Care (Supp) \$285.40; Forensisgroup (Services) \$4,895.00; Frieberg, Nelson, & Ask L. (Out of Contract) \$1,382.00; Great Plains Psychological (Juvenile Care) \$3,000.00; Horizon Health Center (Dr) \$643.50; Jack's Uniform & Equip (Supp) \$1,957.65; Jackie Sieverding (Travel) \$48.00; JCL (Supp) \$475.55; JD's House Of Trophies (Supp)\$174.25; Jeff Noteboom (Travel) \$28.00; Jeffrey T Myers (Pub Def) \$6,111.00; Jerry Buum (Travel) \$28.00; Jim Hawk Truck Trailers (Repairs) \$6,736.20; Johnson Engineering Co (Services) \$4,148.13; Katie Johnson (Pub Def) \$6,111.00; Klass Law Firm, LLP (Services) \$481.00; Lambeth Law Office (Pub Def) \$6,111.00; Language Line Services (Supp) \$87.87; Lawson Products Inc (Supp) \$289.06; Leader Courier (Subscription) \$788.34; Loffler Companies, Inc. (Maint)\$196.62; Matheson Tri-Gas Inc (Supp) \$717.20; Mcleods (Supp) \$385.26; McMaster-Carr (Repairs) \$84.33; Menard - Sioux Falls East (Supp) \$521.70; Microfilm Imaging System, (Maint) \$60.00; MidAmerican Energy Co (Util) \$1,802.41; Midwest Wheel Companies (Repairs) \$375.70; Muller Auto Parts (Supp) \$148.86; Ncraao'22 Brandy

Meier (Ncraao Conference) \$975.00; New Century Press (Pub) \$706.90; Olson's Pest Technicians (Repairs) \$335.00; One Office Solution (Maint) \$95.37; Otis Elevator Company (Maintenance) \$2,298.96; Pharm Chem Inc (Supp) \$314.50; Pheasantland Industries (Supp) \$90.19; Pomp's Tire Service Inc (Supp) \$1,996.00; Powerphone Inc. (Supp) \$129.00; Premier Communications (Util) \$266.86; Pressing Matters (Supp) \$263.00; Qualified Presort Service, (Services) \$4,871.62; Quill Corporation (Supp) \$57.95; Ramkota Hotel - Pierre (Travel) \$386.00; Randy Ronning (Mileage) \$16.80; Richard Beeler (Travel) \$28.00; Riverside Technologies Inc (Services) \$3,046.10; Roto Rooter (Maint) \$400.00; Running Supply Inc (Supp) \$132.53; Sanford Laboratories (Dr) \$50.00; SD Dept Transportation (Repairs) \$17,657.19; SDACO / M&P Fund (M&P Fund) \$526.00; SDSU Extension (Travel) \$60.26; Sioux City Truck Sales (Repairs) \$14.31; Sioux Equipment (Repairs) \$486.50; Sioux Laundry Inc (Laundry) \$1,248.00; South Dakota Attorney General (24/7) \$52.00; South Dakota Attorney General (Scram) \$4,102.00; Southeast Farmers Coop (Propane) \$852.93; Standard Bearings - Sioux (Repairs) \$60.00; State of South Dakota (Util) \$160.28; State Treasurer (State Remit) \$403,719.87; Susan Irons (Reimburse) \$220.19; Tetonka (Road 9 Oxbow Pipe) \$9,323.00; The New Sioux City Iron (Supp) \$376.76; Two Way Solutions, Inc. (Maint) \$750.00; Us Bank (Us Bank) \$962.22; Vast Broadband (Util) \$889.75; Verizon (Repairs) \$745.30; Verizon Wireless (Util) \$40.01; Yankton Co. Sheriff (Sheriff's Fee) \$50.00;

Contract

Motion by Headid, second by Joffer to authorize chairman Ustad to sign contract with ForensisGroup for consulting service on 1B. Carried.

Medical Cannabis

Motion by Dailey, second by Kimmel to approve the application of Dakota Health and Wellness LLC for the dispensary and to authorize the chairman to sign the form E. Carried.

Abatement

Motion by Headid, second by Dailey to approve abatement 2022-002. Carried. County \$97.85; Jefferson TWP \$16.04; Dakota Valley School \$376.06 and Rural Fire \$3.83. Total \$493.78

Burn Ban

Motion by Headid, second by Joffer to approve the following resolution. Carried.

Resolution 2022-004 Union County Burn Ban

WHEREAS, the Commissioners of Union County are charged with the protecting the health and safety of the citizens of Union County, including all property situated therein; and

WHEREAS, South Dakota Codified Law (SDCL) 7-8-20(18) allows the Union County Commission, to prohibit or restrict open burning within Union County, after consultation with local fire officials and law enforcement officials, in order to protect the public health and safety; and

WHEREAS, conditions of wildfire and dangerous fire hazards affecting public health and safety have existed in Union County; and

WHEREAS, the Union County Emergency Management Office is able to respond and monitor conditions of wildfire and dangerous fire hazards in a significantly more expedient process than the Union County Commissioners are able to accomplish; and,

WHEREAS, the Union County Commissioners hereby deem it necessary, for immediate preservation of public health and safety of Union County, to adopt this resolution and allow the Union County Emergency Management Office to enforce or restrict open burning and monitor conditions of wildfire and dangerous fire hazards within Union County; and

WHEREAS, the Union County Emergency Management Office shall consult with local fire officials and law enforcement officials concerning the threat of wildfire from open burning under certain climatic conditions that become dangerous to life and property and upon recommendation

of said consultation the Union County Emergency Manager shall be authorized to prohibit or restrict open burning; and,

WHEREAS, it is the intent of the Union County Commissioners, that the provisions of this resolution shall take effect immediately upon the passage by the Union County Commission: and

NOW, THEREFORE, BE IT ORDAINED BY THE UNION COUNTY BOARD OF COMMISSIONERS AS FOLLOWS: SECTION I.

DEFINITIONS: A. Open Fire: Means any outdoor fire, including a campfire, that is not contained within a fully enclosed fire box or structure from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, duct or chimney with spark arresters. Open fire does not include fires contained within liquid-fired or gas-fueled stoves, fireplaces within all buildings, charcoal grill fires at private residences, and permanent fire pits or fire grates located on supervised developed picnic grounds and Charcoal Grills, Liquid Fuel Grills, Outdoor Fireplaces, and Campgrounds as defined herein. 1. Charcoal Grill: Means a metal or Stone device not resting on the ground with a metal grate designed to cook food using charcoal briquettes, char wood, hard wood, or similar fuel. 2. Liquid Fuel Grill: Means a metal or stone device designed to cook food using liquefied or gaseous combustible fuel. 3. Outdoor Fireplaces: Means a manufactured appliance constructed of non-combustible materials, with a maximum fuel area of three (3) feet, including a screen, (screen opening shall be no larger than 1/4" square), chimney or other device placed above the fuel area, fueled by cut or split wood, located not closer than 15 feet to any combustible surface and continually attended. 4. Campground: Means any permitted commercial campground operated by private individuals or corporations, State of South Dakota, or the United States National Park Service unless otherwise specifically banned by resolution of the Union County Board of Commissioners. B. Burn Barrel: Means a metal container used to hold combustible or flammable waste materials so that they can be ignited for the purpose of disposal. Burn Barrels must have a metal grate; metal grate opening shall be no larger than 1/4" square covering at any time when being used. Burn barrels must be located in a safety zone away from any or all combustible materials 15 feet radius of the burn barrel.

SECTION II: REGULATIONS:

NOW, THEREFORE, BE IT RESOLVED, that no person shall set any open fire or ignite a fire in a burn barrel in Union County, outside the boundaries of any Municipality, when the National Weather Service has declared the Grassland Fire Index to be in the Very High or Extreme Category or when the Union County Emergency Management Office, through the Union County Emergency Manager after consultation with local fire and law enforcement officials initiate a "No Open Burning Ban" by providing notice in a legal newspaper that no person shall set any open fire or igniting a fire in a burn barrel in Union County, outside the boundaries of any municipality; and,

BE IT FURTHER RESOLVED that the No Open Burning Ban shall remain in effect until the Union County Emergency Management Office provides notice in a legal newspaper that the No Open Burning Ban has been removed; and

BE IT FURTHER RESOLVED that a fine not to exceed five hundred dollars (\$500) for each violation, or by imprisonment for a period not to exceed thirty days for each violation, or by both the fine and imprisonment, if found in violation of this Resolution, as per South Dakota Codified Law 7-18A-2, and that the costs for suppressing any fire, including response fees, mutual aid assistance from other agencies or fire departments, reimbursement to governments for suppression efforts and compensation to the firefighters for time lost from their employment, be born directly by the individual or individuals responsible for setting the fire.

Combined Election

Motion by Joffer, second by Headid to approve the agreement with Dakota Dunes CID for combining their election with our primary June 7th, 2022. Carried.

Executive Session

Motion by Headid, second by Dailey to move into executive session at 8:51 a.m. for personnel matters per SDCL 1-25-2. Carried. Chairman declared the board out of executive session at 9:23 a.m.

Department Head Report

Planning & Zoning Director Henze, Assessor Steckelberg and Public Building Supt. Sexton presented their monthly reports.

Recess

Chairman declared a recess from 9:38 a.m. to 9:44 a.m.

Highway

Hwy Supt Buum met with board to discuss various matters. Richard Green Dean Kellen with the Alcester township met with the board on 2 culverts that need to be replaced. Discussion took place.

Motion by Joffer, second Headid to pay half of the replacement of 2- 60X45 culverts 2 ½ miles west of Alcester on 301st. Carried.

Motion by Headid, second by Kimmel to approve the following quit claim deeds and replats: Replat of Lot E-5 in South half of the Southeast Quarter of Section 3 Township 89, North Range 48, West of the 5th P.M. in Union County, South Dakota.

Replat of Lot E-5 in South half of the Southeast Quarter of Section 3 Township 89, North Range 48, West of the 5th P.M. in Union County, South Dakota.

Replat of Lot E-7B of the Northwest Quarter of the Northwest Quarter (NW^{1/4} NW^{1/4}) of Section 11, Township 89, North of Range 48, West of the 5th P.M. in Union County, South Dakota; and Lot E-7D of Govt. Lot 3 of Section 11, Township 89, North Range 48, West of the 5th P.M. in Union County, South Dakota.

Replat of Lot E-3 of Lot A in the Southeast Quarter of the Southwest Quarter (SE^{1/4} SW^{1/4}) and the Northeast Quarter of the Southwest Quarter (NE^{1/4} SW^{1/4}) of Section 3. Township eighty-nine, North of Range 48, West of the 5th P.M. in Union County South Dakota; and Neely Tract 1 of Lot A in the Northeast Quarter of the Southeast Quarter (NE^{1/4} SW^{1/4}) of Section 3, Township 89, North of Range 48, West of the 5th P.M. in Union County, South Dakota.

Replat of Lot E-2 in the Southeast Quarter of the Southeast Quarter (SE^{1/4} SW^{1/4}) and in the Northeast Quarter of the Southwest Quarter (NE^{1/4} SW^{1/4}) in Section 3 of Township 89, North of Range 48, West of the 5th P.M. in Union County, South Dakota. Duhaime Tract I in the Southeast Quarter of the Southwest Quarter (SE^{1/4} SW^{1/4}) and in the Northeast Quarter of the Southwest Quarter (NE^{1/4} SW^{1/4}) in Section 3 of Township 89, North of Range 48, West of the 5th P.M. in Union County South Dakota.

Replat of Lot E-1 in the Northwest Quarter of the Southwest Quarter (NW^{1/4} SW^{1/4}); the Southwest Quarter of the Southwest Quarter (SW^{1/4} SW^{1/4}); the Northeast Quarter of the Southwest Quarter (NE^{1/4} SW^{1/4}) and the Southeast Quarter of the Southwest Quarter (SE^{1/4} SW^{1/4}) of section 3 of Township 89, North of Range 48, West of the 5 P.M. in Union County, South Dakota. Carried.

Motion by Dailey, second by Headid to approve the ROW Permit for Clay Rural Water will need to bore under CR #1C to provide a water service. Highway Supt recommends approval. Carried.

Motion by Headid, second by Dailey to authorize chairman Ustad to sign contract to authorize Ulteig Engineering Inc. to put plans together to construct the following three structures. 64-084-030, 64-134-040, and 64-088-090. Carried.

Motion by Headid, second by Dailey to use the budgeted funds for 64-030-157 to replace 64-088-090 a precast box culvert structure this year (2022). Carried.

Annual Bid Letting results

Motion by Headid, second by Kimmel to approve the following bids. Carried.

Chip and Sealing from Top Coat \$4,928.00 per mile.

Item #1- Liquid Asphalt- to Jebro.

Item#2-Asphalt Concrete-to Barkley, Concrete Materials. and Myrl & Roy's

Item #3 - Metal Culverts- to True North (Spiral).

Item #4- Concrete Culverts – to Forterra.
Item #5-Concrete Bridge Beams- to Forterra.
Item #6 -Ice Sand- to L. G. Everist.
Item #7- Cover Aggregate- to Concrete Materials.
Item #8 Riprap – to LG Everist –FOB Hawarden due to location.
Item #9- U.S. Bridge- to True North Steel.
Item #10- Magnesium Chloride- to Marx and Dustbusters Enterprises.
Item #11-Bridge Work- to Hollaway.
Item #12- Joint Sealant- to Brock White and Midstates.
Item #13-Treated Laminated Bridge Timber- No Bids
Item #14- Excavator/Dirt work-Persing Excavation, Pollman Excavation and Two Rivers Contracting.
Item #15- Crush Gravel- ADS.
Item#16-PVC Lining- Hydro-Klean.RP Constructors and Subsurface.
Item #17-Prefabricated Modular Bridges-TrueNorth Steel
2022 Chip Sealing- Top Coat.
Further details available upon request from Union County Highway Department.

State’s Attorney

State’s Attorney Miller met to discuss various matters.

Alternative HRD

Tammy Loos met with the board on Juneteenth Holiday.
Motion by Headid, second by Joffer to add Juneteenth to the County Handbook as a holiday. Carried.

Travel and Training

Motion by Headid, second by Dailey to approve the following: EMA Director Westcott 4-29-2022 Faithful Readiness in Sioux City, 4-5-2022 to 4-7-2022 ICS 300 Training in Sioux Falls,6-14-2022 to 06-15-2022 ICS 400 Training in Sioux Falls. Rumi Weigel Nurses Office-Regional Meetings April 28th, 2022, June 16th, 2022, Aug 25th, 2022, November 17th, 2022, and December 15th, 2022. Dates are subject to change. Carried.

Weed Wages

Motion by Headid, second by Dailey to approve a .25 cent raise to all returning weed personnel. Carried.

Executive Session

Motion by Headid, second by Dailey to move into executive session at 10:44 a.m. for personnel matters per SDCL 1-25-2. Carried. Chairman declared the board out of executive session at 11:01 a.m.

Adjournment

Motion by Kimmel, second by Headid to adjourn at 11:06 a.m. until March 22, 2022. Carried.

ATTEST: _____
Jackie Sieverding, Auditor
Union County

Milton Ustad, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of_____.

