

August 8, 2023  
Unapproved Minutes  
Union County Commissioners

The Union County Board of Commissioners met in regular session August 8, 2023, at the Courthouse in Elk Point, SD at 8:30 a.m.

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

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

Motion by Joffer, second by Kimmel to approve the minutes from July 25, 2023.

Carried.

Bank balance

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER  
July 31, 2023

Total amount of deposits in bank	\$5,455,622.57
Total amount of actual cash	\$3,055.68
Total amount of checks and drafts in Treasurer's possession not exceeding three days	\$34,060.63
Investments	\$12,884,914.67
Cash Variance	\$-192.53
Credit card outstanding	\$5,764.32
Total	\$18,383,225.34

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

Monthly Reports

Sheriff's Office Federal Prisoner & INS room & board fees - \$33,390.00.

Register of Deeds reported \$19,492.00 in transfer tax and \$10,008.00 in fees.

Clerk of Courts \$32,600.32 (June).

Veteran Service- 49 Contracts.

Nurse \$0

Indigent

Motion by Headid, second by Dailey to approve claim # 23-IRR-010 for county burial.

Carried.

Executive Session

Motion by Headid, second by Dailey to enter into executive session for personnel per SDCL 1-25-2 at 8:34 a.m. Carried. Chairman declared the board out of executive session at 8:41 a.m.

Surplus

Motion by Joffer, second by Headid to surplus a 2014 Dodge Ram VIN #1C6RR7XTOES227827. Pick-up will be surplus "AS IS". Carried.

Claims

Motion by Headid, second by Joffer to approve claims. Carried.

Public Records Request and Fees

Motion by Joffer, seconded by Kimmel to approve the following. Carried. Effective immediately.

**PUBLIC RECORDS REQUEST AND FEES**

**To: Union County Auditor**

I request that you provide the following information under South Dakota's Public Records laws in SDCL chapter 1-27-be as specific as possible: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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Inclusive Date of Records Requested: \_\_\_\_\_

I am ... (Please select one of the following choices)

- An individual seeking information for personal use and not for a commercial use.
- Affiliated with a private corporation and am seeking information for use in the company's business.
- Other – please describe \_\_\_\_\_

I am willing to pay any applicable fees.

Name \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Date \_\_\_\_\_

Please allow 10 working days for a response pursuant to SDCL 1-27-37.

**Submit Public Record Requests To:**

**Union County Auditor's Office**  
**209 E Main St, Ste 200, Elk Point, SD 57025**  
**Phone: 605-356-2101 Fax: 605-356-3047**

**UNION COUNTY**

**PUBLIC RECORDS REQUEST POLICY**

- The Union County Auditor's Office will handle all but Register of Deeds Public Records Requests and coordinate with the office holding requested records.
- Requestors will receive recorded copies by first class mail unless the requestor has requested delivery of the records by picking them up in person.
- All fees, if any, must be paid before recorded copies are delivered to the requestor, except for non-profit organizations. The Auditor's office will invoice non-profit organizations for any fees.
- Government requestors will not be charged for public records
- Requestors may pick up the form for Public Records Requests from the Auditor's Office.
- Requestors can email the form to the Auditor's Office or may deliver the request form to the Auditor by first class mail or in person.
- Public records may be inspected for free during business hours.
- Copies of public records will be provided based on the following fee schedule:

<b>Medium Type</b>	<b>Fee</b>
Print black & white, 8.5x11	\$1.00 / page
Print color, 8.5x11	\$2.50 / page
Print large color (plotter)	\$5.00 / square foot
Digital spreadsheet	\$50.00 / up to 500 records
Digital spreadsheet (over 500 records)	\$25.00 / up to additional 500
Digital PDF, PowerPoint, photograph	\$0.50 / page, slide, or image
CD (requestor must provide CD)	\$1.00 / CD
Thumb Drive (requestor must provide unopened drive)	\$1.00 / thumb drive
Labor	Hourly wage of employee pulling data

- There is no charge for copies of meeting minutes or agendas.
- Procedure: 1. Requestor fills out and delivers the Public Records Request to the Auditor's Office
- 2. The Auditor's Office documents the request and determines if the records are eligible for release, with the assistance of the State's Attorney's Office, if necessary.
- 3. The Auditor's Office contacts the custodian of the requested records, who provides the records to the Auditor's Office.
- 4. The Auditor's Office calculates and collects any fees associated with the records

5. The Auditor's Office releases the records to the requestor or provides the requestor with a letter denying release when appropriate.

\* South Dakota State Statute pertaining to Public Records and Files can be found in Chapter 1-27.

#### Department Head Report

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

#### Recess

Chairman declared a recess from 9:21 a.m. to 9:30 a.m.

#### Highway

Hwy Supt Buum met with the board to discuss various matters.

Motion by Joffer, second by Dailey to approve application for permit within and/or across the right of way or Union County highways: CR #13/302<sup>nd</sup> ST Northern Natural Gas needs to remove a gas block valve that is located in the ROW. Carried.

Motion by Kimmel, second by Joffer to approve application for permit within and/or across the right of way or Union County highways: CR #13 and CR #12 East River Electric Power Cooperative will be installing above ground transmission line; they have private easement. Carried.

Motion by Headid, second by Dailey to authorize chairman Ustad to sign a letter to be sent to all the townships of Union County in applying for the RAIF, the letter will be sent out to them of what is needed. Carried.

#### Resolution #2023-004

Motion by Joffer, seconded by Dailey to approve the following resolution. Carried.

### **RESOLUTION #2023-004**

#### **ESTABLISH CRITERIA TO AWARD RURAL ACCESS INFRASTRUCTURE FUNDS**

**WHEREAS**, in 2021, SDCL § 31-34 (Rural Access Infrastructure) was enacted to provide funding for counties and townships to inventory their small structures, identify needs and plan improvements, and to fund construction, rehabilitation, and maintenance of small structures on township and county secondary highways;

**WHEREAS**, in 2021, Union County received its share of funds from the State of South Dakota and, as required, inventoried its small structures, identified needs, and planned improvements of certain small structures:

**WHEREAS**, in 2022, Union County received its share of the \$3 million additional funds to award Rural Access Infrastructure grants to local public agencies, including township;

**WHEREAS**, as statutorily required, Union County created a Rural Access Infrastructure Fund (RAIF) in which to deposit moneys it received under SDCL § 31-34;

**WHEREAS**, SDCL § 31-34-4 creates a process for townships to apply for RAIF grants;

**WHEREAS**, SDCL § 31-34-5 requires county commissions to consider certain criteria in awarding RAIF funds; now it is hereby

**RESOLVED** that Union County hereby establishes the criteria to be considered in awarding Rural Access Infrastructure grants as follows:

#### **Union County RAIF Funding Award Criteria**

Pursuant to SDCL § 31-34-5, the Union County Board of Commissioners shall, at a minimum, consider the following criteria in awarding Rural Access Infrastructure grants:

(1) Traffic use of the highway:

- Use SDDOT Bridge Improvement Grant (BIG) formula as follows:

User Impact (20 points maximum)-User Impact will be a variable that measures

impact on users of the culvert and will be calculated by multiplying the Average Daily Traffic (ADT) for the bridge by the Detour Length (miles)/100

(2) Public Safety;

- Structure to be in poor condition to qualify, points given based on condition:

Structure Condition	Good	0	
	Fair	0	
	Poor	5	
	Critical		10
Posted Structure	No Posting	0	
	Posting		10

(3) Residential, commercial, recreational, and other uses of the highway, points given on use:

- Residential 1
- Commercial 2
- Recreational 2

(4) Cost of the project;

- Follow BIG grant.  
Local agency required to pay 20%

(5) Length of detour if the project is not completed;

- Same as criteria #1

(6) Number of residences, farms, and ranches served by the project;

- Same as criteria #1

(7) Contribution from township or others to the project and ability of township to fund the project without utilizing the Rural Access Infrastructure Fund;

- Townships annual operating budget plus cost of structure; Pass/Fail

(8) Confirmation the project is not located on a no-maintenance or minimum maintenance road:

- Pass/Fail

(9) Hydrological Impact;

- Replace in kind or an approved Type, Size, & Location Study has been provided; Pass/Fail

(10) If the highway does not terminate into a field entrance, driveway, single residence, farm, or ranch;

- Pass/Fail

(11) The application, or group of applications, that best serves the citizens of this state; and

- Pass/Fail

(12) Any other matters deemed applicable by the Board of County Commissioners, including but not limited to an application failure in the previous year at the same location, 5 points granted.

Recess

Chairman declared a recess from 10:00 a.m. to 10:15 a.m.

Executive Session

Motion by Headid, second by Joffer to enter into executive session for legal per SDCL 1-25-2 at 10:10 a.m. Carried. Chairman declared the board out of executive session at 11:26 a.m.

States Attorney

State's Attorney Miller met to discuss various matters.

Adjournment

Motion by Kimmel, second by Headid to adjourn at 11:30 a.m. until August 22, 2023, at 8:30 a.m. Carried.

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

Jackie Sieverding, Auditor  
Union County

\_\_\_\_\_  
Milton Ustad, Chairman  
Union County Board of Commissioners

Published once at the total approximate cost of\_\_\_\_\_.

