

October 15, 2024  
Unapproved Minutes  
Union County Commissioners

The Union County Board of Commissioners met in regular session October 15, 2024, at the Courthouse in Elk Point, SD at 8:30 a.m.

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

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

Executive Session

Motion by Dailey, second by Ustad to enter executive session pursuant to SDCL 1-25-2 (4) Legal Commissioner at 8:32 a.m. Carried. Chairman declared the board out of executive session at 10:03 a.m. State's Attorney Miller attended during Executive session. Attorney Saylor and Headid were present for the meeting. Carried.

Attorney Saylor & Headid left the executive meeting at 9:30 a.m. and Rich was asked to abstain from voting at future meetings. Kevin Joffer moved into Chairman at this time.

Following the executive session, State's Attorney Jerry Miller provided the following information to the Union County Commissioners.

It has come to the attention of the Union County State's Attorney Office through a recently received anonymous complaint that alleged Union County Commissioner from District 3, Richard Headid, had moved out of his district.

The Complaint correctly identified some of the laws that would be applicable in reviewing such an action by Commissioner Headid as an act that results in the District 3 Commissioner position vacant.

On October 4, 2024, the State's Attorney's Office sent an e-mail to Richard Headid asking him to address the allegations in the anonymous complaint. All the commissioners and the Auditor were advised of the anonymous complaint contemporaneously with Richard Headid. Auditor Traci Torrez provided information on October 9, 2024, in which she recounted that on or about July 23, 2024, during a scheduled commissioner meeting, she was provided written notice of Richard Headid's new address where he was residing. The State's Attorney was informed by the Auditor, Traci Torrez, that their office had received a written notice from Richard Headid on or about July 23, 2024, during a commissioner meeting with his new address. The new address of 303 Dakota Dunes Blvd, was updated on the county's website by the Auditor's Office. That same day, the Auditor's Office discovered that Richard Headid's address was outside of the district that he serves. The Auditor called Mr. Headid and advised him that his address is not within his district. Mr. Headid advised that he would look for housing within his district. The Auditor's Office changed the address back. At another meeting about a month later, Richard Headid provided the Auditor's Office with written notice of an address that was within District 3.

On Thursday, October 10, 2024, Commissioner Kevin Joffer and State's Attorney Jerry Miller, called Richard Headid to inquire about his failure to respond to several e-mails that had been sent advising him of this situation and the statement made by the Auditor's Office. Richard Headid admitted that he had moved to the address at 303 Dakota Dunes Blvd. and that he thought the address was within his district.

Today, the State's Attorney's Office and the four remaining county Commissioners, have asked Richard Headid to voluntarily suspend his participation with the Union County Commissioners. Mr. Headid has, as of today, agreed to do so.

The following issues were recommended:

- 1) At the next meeting, the issue of 'Declaring the District 3 Commissioner Position vacant as a direct result of Richard Headid establishing a residence outside of his district' on or before July 23, 2024, should be placed on the agenda at the next meeting.
- 2) That the county commissioners address any potential issue from the date that Richard Headid established a residency outside of District 3 that could be called into question. This should be done by reviewing each action taken during this time frame, placing that action on the agenda and either addressing or ratifying each action again. The goal is to be open and transparent about this situation to ensure that each action and the county and all of its constituents can have certainty in the actions taken by the Union County Board of Commissioners.
- 3) At the next meeting, the agenda should reflect that the 'Commissioners shall be addressing the issue of leadership and should select a Chairperson and Vice Chairperson.'

Motion by Dailey, second by Kimmel to approve the minutes from October 1, 2024, meeting. Carried.

### Claims

Motion by Kimmel, second by Dailey to approve the claims as presented. Carried. The Following Claims Have Been Audited, Approved, and Warrants Drawn on the Same: Jurors \$596.06; Alcohol Monitoring Systems (Supp) \$189.60; Alliance Communication (Util) \$242.54; Amazon Capital Services (Supp) \$274.53; Armando Sanchez (Subpeona) \$65.56; Avera Occupational Medicine (DR) \$85.00; Beresford Municipal Telephone (Util) \$279.46; Best Western Ramkota Hotel (Conference) \$536.00; Bierschbach Equipment (Rep) \$389.10; Bluepeak (Util) \$469.17; Bob Barker Company (Supp) \$833.61; Butler Machinery Co (Rep) \$280.84; Central Square Technologies (Maint) \$29,001.98; Chesterman Co (Maint) \$233.50; City Of Alcester (Util) \$104.22; Clay Rural Water System (Util) \$50.00; Clay-Union Electric Corp (Util) \$86.59; Cole Papers Inc (Supp) \$928.72; Continental Research Corp (Supp) \$224.89; Dakota Psychological Service (Eval) \$3,263.25; Dean Schaefer (Court Reporter) \$360.00; Department Of Health (Testimony) \$1,040.00; Dept Of Revenue (License) \$500.00; Election Systems & Software (Ballots) \$5,505.85; Elk Point Ace Hardware (Rep) \$656.93; Fastsigns (Supp) \$38.61; GA Johnson Construction (Rep) \$10,300.00; HD Supply (Supp) \$49.83; Heaven's Best Carpet Clean (Carpet Cleaning) \$540.00; Horizon Health Center (Dr) \$904.15; I-State Truck Center (Supp) \$664.19; Independent Irrigation (Culverts) \$510.00; Interstate Battery System (Rep) \$473.85; Jack's Uniform & Equip (Supp) \$1,883.30; Jim Hawk Truck Trailers - (Rep) \$24.99; Knoepfler Chevrolet (Maint) \$101.68; L G Everist Inc (Riprap) \$13,589.00; Language Line Services (Translate) \$56.55; Loffler Companies, Inc. (Maint) \$286.29; Marta Figueroa (Interpret) \$360.00; Microfilm Imaging System, (Maint) \$105.00; Midwest Petroleum Equipment (Rep) \$10,314.00; Millborn Seeds Inc (Rep) \$600.00; Minnehaha County Regional (Housing) \$2,073.76; Molly Olson (Transcript) \$57.00; Muller Auto Parts (Supp) \$316.62; NCS, Inc. (Fees) \$154.90; New Century Press (Pub) \$26.16; North Central Rental & Lease (Rental) \$7,650.00; O'Reilly (Supp) \$892.14; Office Of The Attorney Gen (Subpeona Reimburse) \$27.10; Ollies 2.0 (Meals) \$14,857.50; Olson's Pest Technicians (Pest Control) \$305.00; One Office Solution (Supp) \$133.16; One Way Wireless Construct (Rep) \$61,156.60; Pete's Produce (Supp) \$38.80; Pharm Chem Inc (Supp) \$2,255.64; Premier Communications (Util) \$266.89; Quadient (Ink) \$497.80; Riverside Technologies Inc (Maint) \$3,233.10; Roto Rooter (Rep) \$270.00; Runnings Supply Inc (Supp) \$554.82; Sandra V Guzman (Intrep) \$540.00; SD Dept Transportation (Rep) \$41,515.80; SDACC (Clerp) \$1,420.00; Select Parts Inc (Rep) \$183.30; Sioux Laundry Inc (Laundry) \$1,226.23; Sioux Sales (Supp) \$344.83; Siouxland Lock & Key (Supp) \$53.95; Southeast Farmers Coop (Supp) \$344.24; Standard Bearings - Sioux (Rep) \$388.50; The Fillin' Station (Supp) \$232.00; The Pennington County Jail (Transport) \$288.44; The Road Guy Construction (Chip & Seal) \$160,489.00; Thomson Reuters - West (Maint) \$41.62; Union County Electric (Util) \$336.00; Verizon (Util) \$969.49; Verizon Wireless (Util) \$238.20; Vermillion Auto Works (Rep) \$3,189.68; Vestis (Towel Service) \$140.40; William D. Pappas (Mileage) \$57.62

Department Head Reports

Extension Tabke met with the board updating on various matters. 4-H recognition event will be held Nov 3<sup>rd</sup> at 2 p.m. at the Elk Point United Parish-All Invited. Lauren Hollenbeck has resigned effective Nov 30<sup>th</sup>. Fair updates include a Fair Board meeting on Nov 12th which will include elections and fair event discussions. Weed/Pest had a meeting Oct 15<sup>th</sup> @ 1 p.m. Nurse Heirigs reported 4 Immunizations, 0 home visits, 1 meeting and \$0 donations.

Highway

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

Motion by Dailey, second by Kimmel approving work order FRO Consultant Services Local Government Projects: BRO 8064(00) 25-1 or 64-032-070, this is a work order to start the BIG P.E. Carried.

Motion by Dailey, second by Kimmel approving work order FRO Consultant Services Local Government Projects: BRO 8064(00) 25-2 or 64-070-250, this is a work order to start the BIG P.E. Carried.

Motion by Kimmel, second by Ustad approving work order FRO Consultant Services Local Government Projects: BRO 8064(00) 25-3 or 64-096-150, this is a work order to start the BIG P.E. Carried.

Motion by Dailey, second by Kimmel approving work order FRO Consultant Services Local Government Projects: BRO 8064(00) 25-4 or 64-103-130, this is a work order to start the BIG P.E. Carried.

Vanguard

Assessor Bousquet met with the board updating them with the projected cost summary & timeline for Vanguard commercial reappraisals.

Motion by Dailey, second by Kimmel to move forward with the Vanguard proposed reappraisal contract based on \$30 per parcel for vacant land & \$480 per parcel for commercial improvement. Carried.

Jail Meal Bids

Eric Holmquist/Ollies 2.0 was the only bid received.

Motion by Kimmel, second by Dailey to accept the bid from Eric Holmquist/Ollies 2.0 for jail meals. Breakfast – \$5.50 Lunch – \$9.00 & Dinner – \$7.50 for a total of \$22.00/day. 1 year contract starting November 1, 2024. Carried.

Sheriff

Sheriff Prouty met with the board to discuss various matters. Updated the board on an accident Sept 25<sup>th</sup> which totaled the 2019 Dodge Ram truck.

Motion by Dailey, second by Kimmel approving the purchase of a 2024 Chevy Silverado 1500 for \$49,416 from Karl’s Auto Group for the replacement of the totaled vehicle. Carried.

Mitigation Manager SD Emergency Management

SD Emergency Management Jim Poppen met with the board to discuss FEMA Mitigation Program & Grant funding opportunities as well as application due dates.

Recess

Vice Chairman declared recess at 11:29 a.m. to 11:36 a.m.

Mitigation Manager SD Emergency Management

Continued... SD Emergency Management Mitigation discussion. Jason Westcott joined the conversation at 11:36 a.m.

Bank balance

AUDITOR’S ACCOUNT WITH THE COUNTY TREASURER  
September 30, 2024

Total amount of deposits in bank	\$2,076,685.76
Total amount of actual cash	\$3,064.00
Total amount of checks and drafts in Treasurer’s possession not exceeding three days	\$105,484.02
Investments	\$13,530,068.64
Cash Variance	\$-155.00
Credit card outstanding	\$26,186.00

Total	\$15,741,333.13
-------	-----------------

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

Monthly Reports

- Sheriff's Office Federal Prisoner & INS room & board fees \$22,313.00.
- Register of Deeds reported \$10,324.00 in transfer tax and \$12,053.50 in fees.
- Clerk of Courts \$33,398.46.
- Veteran Service- 68 Contacts.
- Nurse \$0

Budget

Motion by Dailey, second by Kimmel accepting the contract for Representation of Indigents \$6,714.43 per month X4 for 2025 adding an additional attorney to the contract per the spokesperson Katie Johnson who spoke on behalf of the Public Defenders. Carried.

Burn Ban

The board discussed current critical fire danger risks. Please be mindful of any intentional open burning and the risks thereof. See the Union County website under Emergency Management for additional information.

Adjournment

Motion by Ustad, second by Kimmel to adjourn at 12:51 p.m. until October 29, 2024. Carried.

ATTEST: \_\_\_\_\_  
Traci Torrez, Auditor  
Union County

\_\_\_\_\_   
Kevin Joffer, Vice Chairman  
Union County Board of Commissioners

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

