

October 29, 2024  
Unapproved Minutes  
Union County Commissioners

The Union County Board of Commissioners met in regular session October 29, 2024, at the Courthouse in Elk Point, SD at 8:30 a.m.

The members present are Dailey, Joffer, Ustad, and Kimmel.

Motion by Dailey, second by Kimmel to approve the agenda with the following amendments to delete the hearing for Cup of Joy LLC's Liquor License & add additional discussion for the district 3 position and action moving forward. Carried.

Motion by Kimmel, second by Dailey to approve the minutes from October 15, 2024, meeting. Carried.

Courthouse Closing

Motion by Dailey, second by Ustad to follow the state and close the courthouse for Thanksgiving on Nov 28-29 as well as closing the courthouse for Christmas on December 23-24-25. Carried.

Commissioner Meeting

Motion by Dailey, second by Kimmel to move the Commissioner meeting scheduled for December 24<sup>th</sup> to December 30<sup>th</sup> at 8:30 a.m. due to Christmas. Carried.

Renewal of Liquor License 2025

Motion by Dailey, second by Ustad to approve the following applications. Two Rivers Inc. – retail (on-sale) liquor & Sunday sales; Dakota Dunes Country Club, Inc. – retail (on-sale) liquor & Sunday sales; TSAF LLC – retail (on-sale) liquor & Sundays sales; DDH, LLC- retail (on sale) liquor and Sundays sales; H & H Enterprises- retail wine & Cider and Package (off-sale) liquor; Cubby's Inc.- retail wine & Cider and Package (off-sale) liquor. Carried.

Executive Session

Motion by Dailey, second by Ustad to enter executive session pursuant to SDCL 1-25-2 (4) for Attorney -legal at 8:49 a.m. Carried. Chairman declared the board out of executive session at 9:32 a.m.

Public Input

Rich Headid met with the board to discuss various matters regarding residency in district 3.

District 3 Position

Discussion took place in an open session with the board allowing Rich Headid to make statements and to respond to questions posed by the commissioners during the meeting.

Department Heads

Building Manager Sexton updated the board on AC unit bids.

Recess

Vice Chairman declared recess at 10:25 a.m. to 10:30 a.m.

Claims

Motion by Kimmel, second by Ustad to approve the claims. Carried. The Following Claims Have Been Audited, Approved, and Warrants Drawn on the Same: BW Payroll 10/18/2024: \$94,988.21; State's Attorney \$160.00; Register of Deeds \$1,140.00; Sheriff \$22,000.31; Jail \$24,625.29; Communications \$15,316.48; Nurse \$233.61; WIC \$431.28; Highway \$29,689.57; VSO \$1,391.67; CH Payroll 10/31/2024: \$171,816.99; Commissioners \$6,200.00; Auditor \$17,138.15; Information Technology \$460.00; Treasurer \$24,788.76; States Attorney \$30,499.96; Care of Poor \$964.43; Public Building \$13,025.63; Assessor \$20,010.42; Register of Deeds \$9,268.59; Sheriff \$13,495.42; Nurse \$1,327.97; Jail \$164.14; Extension \$2,240.63; Weed \$722.92; Fair \$2,240.63; P&Z \$9,258.08; Highway \$14,986.93; EMA \$4,908.33; BW Payroll 11/1/2024: \$98,146.33; State's Attorney \$960.00; Register of Deeds \$1,140.00; Sheriff \$24,305.23; Jail \$23,761.31; Communications \$15,520.17; Nurse \$269.55;

WIC \$431.28; Highway \$30,371.76; VSO \$1,387.03; Amazon Capital Services (Rep) \$14.45; Ben Quam (Mileage) \$14.07; Best Western Ramkota Hotel (Conference-Hertel) \$340.00; Bluepeak (Util) \$212.68; Bob Barker Company (Supp) \$318.54; Bomgaars (Supp) \$245.94; Brian's Repair Inc (Rep) \$4,309.57; Campbell Grading (Flood Lewison Ditch) \$5,731.64; Century Business Products (Maint) \$147.36; Century Link (Util) \$677.17; Certified Languages Intern (Intrep) \$181.50; City Of Alcester (Supp) \$155.00; City Of Elk Point (Util) \$653.19; Cole Papers Inc (Supp) \$122.47; Continental Fire Sprinkler (Rep) \$360.00; Dakotabilities (Allot) \$180.00; Dean Schaefer (Court Report) \$360.00; Dept Of Legislative Audit (Audit) \$22,895.00; Eakes Office Solutions (Supp) \$187.54; Election Systems & Software (Supp) \$1,646.03; Elk Point Ace Hardware (Supp) \$78.72; Fastsigns (Supp) \$38.61; Fedex (Service) \$19.37; HM Cragg Critical Power (Rep-Generator) \$902.50; Horizon Health Center Inc (Dr) \$1,556.10; Hydraulic Sales (Supp) \$85.68; Hydraulic World Inc (Supp) \$114.40; Jensen Insurance Agency (Insurance) \$126.00; Kielser Police Supply (Supp) \$5,650.86; Knife River Midwest, L.L.C (Supp) \$16,552.69; Karl Chevrolet (Truck) \$49,416.00; Lewis Family Drug (Meds) \$407.58; Loffler Companies, Inc. (Maint) \$252.63; MB Cleaning Service Llc (Cleaning Service) \$1,500.00; McMaster-Carr (Supp) \$107.55; Meyer Brothers Colonial Ch (Transport) \$81.25; Michael Dailey (Mileage) \$162.14; MidAmerican Energy Co (Util) \$785.80; Midcontinent Communication (Util) \$620.18; Millborn Seeds Inc (Rep) \$407.81; MP Carwash Inc. (Washcard) \$300.00; New Century Press (Pub) \$531.92; O'Reilly (Maint) \$15.98; Ollies 2.0 (Juror Meals) \$108.80; Olson's Pest Technicians (Maint) \$380.00; One Office Solution (Supp) \$96.68; Peggy Ustad (Mileage) \$110.55; Persing Excavating (Flood Lewison Ditch) \$2,448.00; Pete's Produce (Supp) 60.00; Quadient Leasing USA, Inc (Maint) \$452.58; Ramkota Inn (Conference) 686.10; Richard Green (Mileage) \$45.56; Rise Broadband (Internet) \$97.00; Riverside Technologies Inc (Fee) \$927.00; Robert Ballard (Mileage) \$20.77; SDPAA (Insurance) \$24.97; Sioux Sales (Supp) \$514.78; Southeast Farmers Coop (Supp) \$66.72; Sundheim Well Repair Llc (Rep-Lewison Ditch) \$1,964.29; Thomson Reuters - West (Maint) \$807.71; Tom Kimmel (Mileage) \$56.28; Transunion (Supp) \$75.00; Tri-State Windshield Repair (Rep) \$1,266.00; Tyler Technologies, Inc (Maint) \$54,661.20; Ulteig Engineers, Inc (Prof Services) \$70,065.60; Union County 4-H Fund (Fee) \$10.00; US Bank (Credit Card) \$4,050.68; US Post Office (Postage) \$59.47; Verizon Wireless (Util) \$1,418.59; Vestis (Soap Service) \$22.60; Wilcox Electric (Rep) \$6,246.78; Woodbury County Board Of Supervisors (Transport) \$250.00.

Department Heads

EMA Westcott updated the board on monthly meetings attended. Also updated the board on a new lock systems/security for Courthouse.

Highway

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

Motion by Dailey, second by Ustad approving Union Co. Highway Dept. Application for Ditch cleaning along Co. Highway: Brian Chicoine wants to clean the ditch south from intersection of 481 & 326. The dirt will be deposited onto the landowner's field, Brian Chicoine's plan is to clean both east and west ditches, extending south from the intersection of 481<sup>st</sup> Ave. and 326<sup>th</sup> St. Carried.

Assessor/Vanguard

Motion by Kimmel, second by Dailey to approved and authorize Vice Chairman Joffer to sign the Reappraisal Specifications for Revaluation of Certain Real Property in Union County SD Contract. Carried.

Budget

Motion by Dailey, second by Ustad approving the amendment to the 2025 Annual Budget for Union County.

**Appendix D4: Adopted Budget Levies & Resolution**

ANNUAL BUDGET FOR UNION COUNTY, SD  
For the Year January 1, 2025, to December 31, 2025

Tax Levy in		
COUNTY TAX LEVIES	Dollars	\$'s/1,000

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WITHIN LIMITED LEVY:		
* General County Purposes		
(10-12-9)	8,350,664.00	3.005
Library		
LIMITED LEVY (10-12-21) - SUB TOTAL		
OUTSIDE LIMITED LEVY:	8,350,664.00	3.005
County Snow Removal Fund (34-5-2)		
County Road and Bridge*		
(10-12-13)	687,131.00	0.247
Courthouse, Jail, etc., Bldg. (7-25-1)		
Bond Interest Sinking (7-24-18)		
Ag Building (7-27-1)		
UNLIMITED LEVY - SUB TOTAL	687,131.00	0.247
LIMITED AND UNLIMITED LEVY - SUB-TOTAL	9,037,795.00	3.252
OTHER SPECIAL LEVIES		
Secondary Road (Unorg. PT-76)		
(31-12-27)	62,347.00	1.224
Fire Protection (34-31-3)	77,031.00	0.129
TOTAL TAXES LEVIED BY COUNTY	9,177,173.00	4.605

\* These Amounts include the 25% to be distributed to cities.

As of September 24, 2024, these levies are not approved by the Department of Revenue

**RESOLUTION**

**ADOPTION OF ANNUAL BUDGET FOR UNION  
County, South Dakota**

Whereas (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,  
Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and  
Whereas, due and legal notice has been given to the meeting of the  
Board of County Commissioners for the consideration of such

Provisional Budget and all changes, elimination's and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR UNION County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2025 and ending December 31, 2025 and the same is hereby approved and adopted by the Board of County Commissioners of Union County, South Dakota, this 24 day of September, 2024. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Union, County, South Dakota. The accompanying taxes are levied by Union County for the year January 1, 2025 through December 31, 2025.

BOARD OF COUNTY COMMISSIONERS OF Union County, South Dakota

\_\_\_\_\_  
Kevin Joffer Vice Chairman  
\_\_\_\_\_  
Mike Dailey Commissioner  
\_\_\_\_\_  
Tom Kimmel Commissioner  
\_\_\_\_\_  
Peggy Ustad Commissioner  
\_\_\_\_\_  
Traci Torrez County Auditor

Executive Session

Motion by Dailey, second by Kimmel to enter executive session pursuant to SDCL 1-25-2 (4) for EMA – Legal at 11:11 a.m. Carried. Chairman declared the board out of executive session at 11:28 a.m.

Executive Session

Motion by Dailey, second by Kimmel to enter executive session pursuant to SDCL 1-25-2 (4) for States Attorney – Legal at 11:28 a.m. Carried. Chairman declared the board out of executive session at 11:59 a.m.

District 3 Vacancy

Motion by Dailey, second by Ustad to approve the vacancy of District 3 Commissioner position with the evidence that supports that Rich Headid moved outside of his district on or about July 23, 2024 that he provided to the Auditor’s office with notification of this new address & that based upon the evidence the statute, SDCL 7-8-2 & 3-4-1 states that the office becomes vacant if a commissioner moves outside of his district. A vote of 2 Yae (Dailey/Ustad) and 1 Nae (Kimmel). Carried.

Recess

Vice Chairman declared recess at 12:01 p.m. to 12:09 p.m.

Chairperson/Vice Chairperson

Motion by Kimmel, second by Dailey to nominate Kevin Joffer as the Chairperson of the Union County Commissioners @ \$1850.00. Carried.

Motion by Kimmel, second by Ustad to nominate Mike Dailey as the Vice Chairperson of the Union County Commissioners. Carried.

Old Business: Readdressing

Motion by Dailey, second by Kimmel to re-address the travel from August 20, 2024, meeting for EMA Westcott to Chamberlain SD for EMA Conference on Sept 10-12. Ustad abstained from voting. Carried

Motion by Kimmel, second by Dailey to re-address the new hire from Sept 17, 2024, meeting for Zachariah Brown, F-T Deputy starting 9/9/24 @ \$22.86. Ustad abstained from voting. Carried.

Motion by Dailey, second by Kimmel to re-address the new hire from Sept 17, 2024, meeting for Roberto Alvarez-Arreola, P-T Jailer starting 9/16/24 @ \$19.62. Ustad abstained from voting. Carried.

Motion by Kimmel, second by Dailey to re-address the new hire from Sept 17, 2024, meeting for Ryan Struiksma, P-T Jailer starting 9/16/24 @ \$19.62. Ustad abstained from voting. Carried.

Motion by Dailey, second by Kimmel to re-address the removing of the DTS Portable Signs on Highway 1B and CR#1 from Sept 17, 2024, meeting. Ustad abstained from voting. Carried.

Motion by Kimmel, second by Dailey to re-address the estimated final cost of the debris site through August 31, 2024. Jon Brown @ Stockwell Engineering advised via email, the estimated cost as of Sept 6, 2024, is \$185,000. 25% what the County agreed to would be \$46,250 from Sept 17, 2024, meeting. Ustad abstained from voting. Carried.

Motion by Dailey, second by Kimmel to re-address the claims from August 20, 2024 & September 17, 2024, meeting. Refer back to these dates on the website for the full list of the claims. Ustad abstained from voting. Carried.

#### Adjournment

Motion by Kimmel, second by Ustad to adjourn at 12:43 p.m. until November 12, 2024. Carried.

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

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

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

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