

December 30, 2024
Unapproved Minutes
Union County Commissioners

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

Members present Dailey, Joffer, Kimmel, and Ustad.

Motion by Dailey, second by Ustad to approve the agenda with additions of appointing of new Register of Deeds and Northshore Drive/speed limit on County Road 1B. Carried.

Motion by Kimmel, second by Dailey to approve the minutes from December 10, 2024 meeting. Carried.

Surplus Property

Motion by Dailey, second by Kimmel to approve the surplus property list. Carried. List available in the Auditors office.

Motion by Dailey, second by Ustad to add an accountability form with date disposed of, by who, and where. Carried.

Department Head Report

Extension/Fair/Weed&Pest Tabke presented monthly report.

Mileage

Motion by Kimmel, second by Dailey to change mileage to follow state rate \$0.67 and \$0.302 (if Personal is used and County vehicle is available). Carried.

New Hire

Motion by Dailey, second by Ustad to approve Cheyenne Hill FT Jailer at \$19.62/hr starting December 30, 2024. Carried.

Public Health Nurse Service

Motion by Ustad, second by Dailey to authorize chairman Joffer to sign State of South Dakota Business Associate Agreement for Public Health Nursing Services. Carried.

Recess

Chairman declared a recess from 9:21 a.m. to 9:29 a.m.

Claims

Motion by Kimmel, second by Dailey to approve claims. Carried. The Following Claims Have Been Audited, Approved, and Warrants Drawn on the Same: BW Payroll 12/27/2024 \$97,010.67; State's Attorney \$160.00; Register of Deeds \$1,197.00; Sheriff \$22,213.80; Jail \$23,041.99; Communications \$15,117.62; Nurse \$269.55; WIC \$350.42; Highway \$33,288.82; VSO \$1,371.47; CH Payroll 12/31/2024: \$173,866.06; Commissioners \$6,500; Auditor \$15,460.69; Information Technology \$680.00; Treasurer \$24,788.76; States Attorney \$30,499.96; Care of Poor \$964.43; Public Building \$13,025.63; Assessor \$21,052.18; Register of Deeds \$6,513.67; Sheriff \$13,495.42; Nurse \$1,327.97; Jail \$164.14; Extension \$2,240.63; Weed \$497.92; Fair \$2,240.63; P&Z \$9,825.38; Highway \$14,986.93; EMA \$9,601.72; Jurors \$596.06; Amazon Capital Services (Rep) \$130.74; AMB Psychiatry (Mental Hold) \$1,015.23; Angel Law, Prof. L.L.C. (Pub Def) \$13,502.80; Axon Enterprise, Inc. (Supp) \$1,449.85; Ban-Koe Systems, Inc. (Rep) \$1,123.00; Bear Inc (Supp) \$16,900.00; Boden Hoffman (Rep) \$1,140.78; Bomgaars (Supp) \$891.61; Brian's Repair Inc (Rep) \$3,705.93; Century Business Products (Maint) \$79.82; Century Link (Util) \$677.17; Chesterman Co (Rental) \$12.50; City Of Alcester (Util) \$103.27; City Of Elk Point (Util) \$4,571.26; Clay-Union Conservation (Trees) \$385.00; Concordance Healthcare (Supp) \$94.77; Dailey Plumbing (Rep) \$4,985.15; Dean Schaefer (Court Reporter) \$360.00; Department Of Health (Labs) \$1,260.00; Dixon County Sheriff (Summons) \$40.12; Eakes Office Solutions (Supp) \$198.54; Election Systems & Software (Supp) \$84.71; Elk Point Ace Hardware (Supp) \$2,615.52; Fox Law Firm, PLLC (MI Hearing) \$182.47; Groves Emergency Lighting (Supp) \$27,847.54; Horizon Health Center Inc (Dr) \$71.50; Hydraulic Sales (Supp) \$365.16; Jack's Uniform & Equip (Supp) \$1,815.45; Jones Food Center (Supp) \$67.11; Josette Lindahl, MD/PHD (Evaluation) \$1,500.00; Kalins (Rep) \$35.73; L G Everist Inc (Supp) \$21,378.07; Lawson Products Inc (Supp) \$680.18; Lewis Family Drug (Meds) \$1,604.95; Loffler Companies, Inc. (Maint) \$267.76; Mark Katterhagen (MI Hearing) \$21.00; Marshall & Swift/Boeckh, L (Maint) \$2,714.90; Marta Figueroa (Interpreter)

\$840.00; McMaster-Carr (Supp) \$1,853.10; Menards- Sioux City (Supp) \$1,288.37; Michael Dailey (Mileage) \$261.30; Microfilm Imaging System, (Supp) \$4,132.00; MidAmerican Energy Co (Util) \$2,017.79; Midway Service/Vollan Oil (Fuel) \$19,282.50; Millborn Seeds Inc (Supp) \$630.00; Minnehaha County Regional (Juv Housing) \$4,486.08; Moon River Auto, Inc. (Rep) \$90.00; Motorola Solutions, Inc (Supp) \$8,800.00; New Century Press (Pub) \$73.36; Northland Products (Supp) \$4,009.47; O'Reilly (Supp) \$1,048.10; Olson's Pest Technicians (Pest Control) \$145.00; Omega Flag & Pole (Supp) \$468.00; One Office Solution (Supp) \$519.71; Peggy Ustad (Mileage) \$83.08; Pete's Produce (Supp) \$32.30; Quill Corporation (Supp) \$263.46; Rise Broadband (Internet) \$97.00; Riverside Technologies Inc (Supp) \$12,609.00; Runnings Supply Inc (Supp) \$1,234.82; Sanford Health (Dr) \$113.54; SD Association Of Weed And Pest(Dues) \$75.00; State Industrial Products (Supp) \$601.00; The Fillin' Station (Rep) \$1,781.75; Thomson Reuters - West (Subscript) \$849.33; Tom Kimmel (Mileage) \$37.52; Two Way Solutions, Inc (Rent) \$500.00; Ulteig Engineers, Inc (Fees) \$112,219.00; Union County Electric (Util) \$428.00; US Bank (Credit Card) \$3,515.50; Val Larson (MI Hearing) \$21.00; Verizon Wireless (Util) \$1,545.06; Vermillion Auto Works (Rep) \$3,921.54; Vermillion Ford (Rep) \$1,406.45; Vestis (Maint) \$140.40; Vestis (Maint) \$22.60; Wilcox Electric (Rep) \$9,397.29; Woodbury County Starcomm (Maint) \$4,629.59; Woodhouse (Rep) \$155.39; Yankton Co. Sheriff (Summons) \$50.00;

Highway

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

Motion by Dailey, second by Ustad to approve the following. Carried.

AGREEMENT FOR VOLUNTARY RIGHT OF WAY DONATION: Mary Lee Dennison 202 N Willow St Vermillion Sd 57069 Temporary Easement Lot 3 & SW ¼ of SW ¼ & that part of Lot 2 which is dike, of 4-T91N-R49W 0.36 acres, more or less. We will need Board approval and signatures from Chairman and Auditor and the County Seal. This is in reference to the replacement of 64-080-251.

Motion by Dailey, second by Ustad to approve the following. Carried.

AMENDMENT NUMBER 1 AGREEMENT NUMBER 717947: This for 64-088-090. **BACKGROUND:**

1. On February 24, 2022, the State of South Dakota, acting by and through its Department of Transportation, referred to in this Amendment as the "STATE," and Union County, referred to in this Amendment as the "COUNTY," entered into an Agreement, which agreement, referred to in this Amendment as "AGREEMENT," was signed by representatives of each party and assigned agreement number 717947 by the STATE; and,

2. The parties wish to amend the AGREEMENT to provide the option of a funding disbursement.

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Paragraph 23 of the AGREEMENT is replaced by Paragraphs 23 A. and B. as follows:

23. A. The STATE will reimburse the COUNTY for eighty percent (80%) of the actual cost of construction engineering services for the PROJECT. For all other PROJECT work, the STATE will reimburse the COUNTY for seventy percent (70%) of eligible costs, not to exceed the BIG award amount of Six Hundred Eighty-Five Thousand Three Hundred Dollars (\$685,300.00). The COUNTY will be one hundred percent (100%) responsible for any PROJECT costs incurred prior to the date of the letter of award or after the PROJECT completion date. PROJECT costs include engineering, testing and environmental services performed by STATE forces. PROJECT costs incurred by the STATE

through the use of STATE forces will be billed to the COUNTY or will be applied to reduce the BIG award amount. If the BIG award amount has not been fully expended, the COUNTY will be billed for thirty percent (30%) of the PROJECT costs incurred by the STATE. If the BIG award amount has been fully expended, the COUNTY will be billed for one hundred percent (100%) of the PROJECT costs incurred by the STATE. The COUNTY will pay the STATE within thirty (30) days of receipt of billing.

B. OPTION OF FUNDING DISBURSEMENTS FOR PRELIMINARY ENGINEERING,

CONSTRUCTION AND CONSTRUCTION ENGINEERING. Upon receipt of the copy of the

signed preliminary engineering contract between the COUNTY and its preliminary engineering

consultant, the copies of the signed construction contract between the COUNTY and the

contractor, and the signed construction engineering contract between the COUNTY and its

construction engineering consultant, the STATE will issue payments to the COUNTY for

seventy-five percent (75%) of the STATE'S SHARE of the cost of preliminary engineering, and

for seventy-five percent (75%) of the STATE'S SHARE of the cost of construction and

construction engineering for the PROJECT. If requested, the COUNTY may receive an extra

fifteen percent (15%) of the STATE'S SHARE before final payment. For purposes of calculating

these payments, the cost of preliminary engineering will be based on the maximum limiting

amount of the executed preliminary engineering contract, and the cost of construction will be

based on the contract amount set out in the executed construction contract, and the cost of

construction engineering will be based on the maximum limiting amount of the executed

construction engineering contract or the STATE'S estimate of the likely cost of construction

engineering for the PROJECT, whichever is less. Upon completion of construction of the

PROJECT, the COUNTY will provide the STATE with all documentation of preliminary

engineering, construction and construction engineering costs, including contracts, amendments,

construction change orders, pay estimates, progress reports, a summary of the QC/QA test

results, and any other PROJECT documentation requested by the STATE. Upon receipt of all

such documentation, the STATE will issue payment to the COUNTY for any remaining amount

of the STATE'S SHARE of the actual eligible preliminary engineering, construction and

construction engineering costs. If the STATE'S SHARE of eligible PROJECT preliminary

engineering, construction and construction engineering is less than the funding advance made by the STATE, then the COUNTY will reimburse the STATE for the difference between the funding advance and the STATE'S SHARE of PROJECT preliminary engineering, construction, and construction engineering.

DOT-906C (MODIFIED)

(02/2022)

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2. Except as specifically modified by this Amendment, all terms and conditions of the AGREEMENT will remain in full force and effect.

The COUNTY has designated its County Commission Chairperson as the COUNTY'S authorized representative and has empowered the Chairperson with the authority to sign this Agreement on behalf of the COUNTY. A copy of the COUNTY'S Commission minutes or resolution authorizing the execution of this Agreement by the Chairperson as the COUNTY'S authorized representative is attached to this Agreement as **Exhibit F**.

This Amendment is binding upon the signatories not as individuals, but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the COUNTY to enter into the same.

Discussion took place about Northshore Drive opening and the speed limit on Hwy 105.

Register of Deeds

Motion by Dailey, second by Kimmel to appoint Debra Severson to Register of Deeds January 1, 2025. Carried.

Contingency Transfers

Motion by Dailey, second by Ustad to approve the contingency transfers for the following: Court \$113,800.00, Auditor \$25,675.00, VSO \$5,100.00, Sheriff \$45,550.00, 911 \$16,000.00, Flood Control \$13,000.00, Ext \$7,500.00, 24/7 \$5,900.00. Grand Total \$232,525.00. Carried.

Automatic Supplement

Motion by Kimmel, second by Ustad to approve \$11,400.00 to Sheriff. Carried.

Surplus Cash

Motion by Dailey, second by Ustad to transfer \$500,000.00 to Assigned Courthouse Improvement Fund. Carried.

Cash Transfer

Motion by Dailey, second by Kimmel to transfer cash from the General Fund to the Highway Fund from Bridge Replacement Capital Outlay Accumulation \$102,508.03. Carried.

Motion by Kimmel, second by Dailey to transfer the budgeted \$100,000.00 from General Fund to 911 (budget). Carried.

Sheriff

Sheriff Prouty met with the board to discuss various matters.

Executive Session

Motion by Dailey, second by Kimmel to enter executive session for personnel matters per SDCL 1-25-2 at 10:17 a.m. Carried. Chairman declared the board out of executive session at 10:25 a.m.

TIF Oak Tree Landing

Nate Connelly met with the board and shared plans for Oak Tree Landing.

Motion by Dailey, second by Kimmel to approve the boundaries of Oak Tree Landing recommended by Planning & Zoning. Carried.

Recess

Chairman declared a recess from 10:50 a.m. to 11:00 a.m.

States Attorney

Chief Deputy State’s Attorney Zenner met with the board to discuss various matters and wages for staff.

Executive Session

Motion by Dailey, second by Ustad to enter executive session for legal matters per SDCL 1-25-2 at 11:12 a.m. Carried. Chairman declared the board out of executive session at 11:41 a.m.

Adjournment

Motion by Kimmel, second by Ustad to adjourn at 11:49 a.m. until January 7, 2025. Carried.

ATTEST: _____

Jackie Sieverding, Auditor
Union County

Kevin Joffer, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of_____.

