

HANSON COUNTY COMMISSIONERS
MINUTES OF PROCEEDINGS
Tuesday, February 7, 2023

Chairman Waldera with members Bumgardner, Fox, Kjetland and Schoenrock present, called the regular meeting of the Hanson County Board of Commissioners to order on Tuesday, February 7, 2023.

The pledge of allegiance was recited.

Motion Schoenrock, seconded by Bumgardner to approve the agenda. Motion carried.

Conflict of interest: Waldera, asphalt overlay bids.

Motion Kjetland, seconded by Fox to approve the January 24th meeting minutes. Motion carried.

The Auditor's account balanced with the Treasurer's account in the amount of \$3,052,678.37 in all county, state, civil, school, CD and trust accounts as of January 31, 2023.

Register of Deed's fees collected for January 2023 totaled \$6,621.75.

Roger Rands, Greenhill Cemetery Secretary and Sexton, joined for citizen input to state that the county has always cleared the cemetery of snow when needed until this year. The cemetery is nonprofit and does not have the equipment to remove snow. Liability and the possibility of all other nonprofit organizations wanting snow removal done was talked about. Further discussion with the States Attorney will take place on this later in the meeting as the Hwy Superintendent wants approval from the Board before snow removal is done anywhere other than what the county is responsible for.

Bumgardner reported on the Dakota Counseling meeting he attended.

Kevin TerMeer, Worthen Township Board, joined about the concerns he has received from township residents about the length of time for the County roads to be opened after a snow event and asked that the roads be opened in a timely manner for emergency purposes.

Justin Friese, Hwy Superintendent, presented the following resolution for approval. Motion Bumgardner, seconded by Fox to approve and authorize the Chairman to sign the resolution.

RESOLUTION 23-02
BRIDGE REINSPECTION PROGRAM
FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CRF 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Hanson County is desirous of participation in the Bridge Inspection Program.

The County requests SDDOT to hire Brosz Engineering for the inspection work. SDDOT will secure federal approvals, make payment to the Consulting Engineer for inspection services rendered, and bill the County 20% of the cost. The County will be responsible for the required 20% matching funds.

All voted aye, motion carried.

Dated this 7th day of February 2023, at Alexandria, SD.

/s/ Richard Waldera, Chairman
Hanson County Commissioner

ATTEST:

/s/ Lesa Trabing
Hanson County Auditor

For grant application purposes, Friese will contact an engineering firm to help the county determine what should be done to 257th St. and 416th Ave. to best handle the traffic in this area due to the soybean processing plant.

Justin Schoenrock, Conservation District member, asked if the Hwy Dept. would be willing to share a John Deere tractor rental this year. As Friese is okay with this, an agreement for hourly use and insurance coverage will be drawn up and presented for approval.

As advertised, sealed bids were opened for the four-mile asphalt overlay project on 429th Ave. and 268th St. south of Emery. One bid was submitted: Commercial Asphalt, 2" mat \$100/ton, \$704,000.00; Alternate 3" mat \$100/ton, \$1,056,000.00. The bid was tabled until February 21st so the project cost and hwy budget can be reviewed.

As advertised, sealed bids were opened for the 12.5 mile Chip Seal project on 421st Ave. north of Alexandria. One bid was submitted: The Road Guy Construction, \$351,000.00. The bid was tabled until February 21st so the project cost and hwy budget can be reviewed.

The Commissioners convened as the County Weed Board. Vince Kayser, Weed Supervisor, presented the Request for Locally Noxious Weeds/Declared Pest Designations.

It was moved by Bumgardner, seconded by Fox to approve the following designation and authorize the Chairman of the Weed & Pest Board to sign the form.

The Hanson County Weed & Pest Board requests that the South Dakota Weed & Pest Control Commission approve the designation of the following named plants and animals as locally noxious weeds and/or declared pests in Hanson County in accordance with the provisions of 12:62:07:01 – 12:62:07:04.

Musk Thistle (Carduus Nutans)

Plumeless Thistle (*Carduus Acanthoides*)

Votes For: 5 Votes Against: 0
Motion carried.

/s/Richard Waldera, Chairman
Hanson County Weed Board

Kayser reported that the repaired weed truck worked well during the fall spraying. Weed Board meeting adjourned.

Robert Ball, did not appear for his scheduled agenda item.

Brandon Wingert, Sheriff/Emergency Manager, joined the meeting. Motion Kjetland, seconded by Fox to approve the purchase of a PBT machine with 24/7 funds. All voted aye, motion carried.

Wingert reported that he has signed off on the FEMA paperwork for the May 2022 Derecho reimbursing the County approximately \$5,750.00 for wages and equipment.

Approval was given for Wingert to obtain quotes for swinging doors and signage to label restricted areas in the courthouse, to apply for a Homeland Security grant to replace the laptops in department vehicles and apply for new Body Cams through the Attorney Generals Drug Fund program.

Motion Kjetland, seconded by Schoenrock to approve and authorize the Auditor to conduct an auto supplement of \$10,457.85 to the Sheriff's budget for insurance money received to repair the deer damage done to the 2020 Durango. All voted aye, motion carried.

Motion Kjetland, seconded by Schoenrock to reappoint Zoning Board members Tristan Bender and Josh Kayser to a three-year term. All voted aye, motion carried.

Jim Davies, States Attorney, was asked about the county doing snow removal for cemeteries. Davies agrees that this can be done based on the betterment of the community and sees no problem with snow removal being done when needed. The Highway Superintendent should be contacted by the cemetery official when snow removal is needed. No official policy is needed at this time but if problems arise one will be written.

Davies presented the second reading of Ordinance No. 54. Motion Kjetland, seconded by Schoenrock to approve the following ordinance.

HANSON COUNTY ORDINANCE NO. 54
AN ORDINANCE PROHIBITING OBSTRUCTING HIGHWAY RIGHTS-OF-WAY WITH
SNOW OR OTHER MATERIALS

BE IT ORDAINED by the Board of Commissioners for Hanson County, South Dakota, that:

[1] No person shall place items within a highway right-of-way in Hanson

County, South Dakota, which interferes in any way with the highway's managing agency's ability to have available to it use of the full right-of-way for maintenance, operation, or snow removal.

[2] No property owner shall allow any tenant or other party to place any items within a highway right-of-way in Hanson County, South Dakota, which interferes in any way with the highway's managing agency's ability to have available to it use of the full right-of-way for maintenance, operation, or snow removal.

[3] Violations. Any violation of this ordinance may be enforced both through criminal proceedings or civil proceedings as provided under the laws of the state of South Dakota and as set forth in this ordinance.

[4] Criminal Penalty. A violation of this Ordinance will be subject to a maximum penalty of a fine Five Hundred (\$500.00) Dollars or by incarceration in a county jail for a period of up to thirty (30) days, or by both such fine and imprisonment.

JUSTIFICATION FOR ORDINANCE:

[A] The entity removing snow from the roadway needs the use of the extended highway rights-of way to provide a place to deposit the snow removed from the travelled portions of the roadways.

[B] Excessive snow placed in the right-of-way inappropriately interferes with the vision of persons using the roadway.

[C] This ordinance supplements the provisions of South Dakota law contained as SDCL 31-32-15 and SDCL 21-10 and acts amendatory thereof and supplemental thereto.

Votes for: 5; Votes Against: 0

Ordinance adopted.

First reading: January 24, 2023

Second reading: February 7, 2023

Published: February 16, 2023

Effective date: March 8, 2023

(20 days after publication)

As advertised a public hearing was held concerning the States Attorney's budget supplement in the amount of \$30,695.00. As no one was present to oppose the supplement, a motion was made by Kjetland, seconded by Bumgardner to approve and authorize the Auditor to conduct the supplement. All voted aye, motion carried. The funds will be used to hire a part time Deputy States Attorney in 2023. The new LATCF funds received by the county will be used to cover this budget supplement.

Motion Bumgardner, seconded by Schoenrock to enter executive session at 10:49 a.m. to discuss personnel defined in SDCL 1-25-2.1. Motion carried.

Executive session ended at 11:10 a.m.

As advertised, a public hearing was held regarding the one-day liquor license for the James River Archers to operate at Granite Springs Lodge on February 24, 2023. No one was present to oppose the license, motion by Kjetland, seconded by Schoenrock to approve the license. Motion carried.

As advertised, a public hearing was held regarding the one-day liquor license for the James River Archers to operate at Granite Springs Lodge on February 25, 2023. No one was present to oppose the license, motion by Fox, seconded by Schoenrock to approve the license. Motion carried.

Motion Fox, seconded by Schoenrock to allow payment of the following bills. Motion carried. DEPT. SALARIES: Commissioners: 2,169.10, Auditor: 3,435.53, Treasurer: 3,630.10, States Attorney: 2,771.83, Custodian: 2,028.36, Director of Equalization: 5,160.11, Register of Deeds: 2,853.35, Sheriff: 9,281.82, Nurse: 863.18, Drainage: 269.28, Planning & Zoning: 483.34, Highway: 21,002.81, E911: 83.54, Emergency & Disaster: 337.10. BILLS: A & B, 89.25, copier lease; Abacus, 1,946.46, Feb/March virtual server; ABS, 7.85, urethane; Addy, 148.00, garbage pickup; Alex Fire District, 364.00, CPR Training; Alex City, 157.00, water, sewer; AT & T, 619.62, cell bill; Avera Queen of Peace, 650.00, blood alcohols; Avera Occupational, 69.00, drug screen; Bailey Metal, 1,794.11, snow plow skids; Builders First Source, 35.10, ice melt; Burdick Bros, 1,064.00, snow blower repairs; BIT, 48.75, email, access fees; Butler, 1,045.31, moldboard strip; C & R Supply, 77.86, hose; Carquest, 110.87, oil, antifreeze; CHS, 69.56, gas, oil change; Dakota Riggers, 622.70, tow rope; Dakota Counseling, 500.00, qtrly support; Davison County Sheriff, 7,125.00, jail bill; Doug's, 11,593.76, Durango deer damage repairs; Fastenal, 112.29, parts; Hydraulic World, 51.23, seal kit; I-State Truck, 516.42, headlamp; Iverson's, 694.66, driveline repairs; Jack's Uniforms, 1,864.32, uniforms, vest; KS State Bank, 5,374.49, Durango payment; Legal Liability Risk Management, 425.00, registration; Menard's, 311.71, ice melt, filters, supplies, tools; Midwest Fire & Safety, 558.00, inspect extinguishers; City of Mitchell, 1,250.00, qtrly ambulance service; Mitchell Clinic, 40.00, jail medical; Mitchell Iron & Supply, 486.28, chain; Morgan Theeler, 4,500.00, public defender; Murtha Repair, 120.00, radiator; New Century Press, 145.60, publishing; Nicholas Trucking, 385.00, trucking; Office Advantage, 1,001.41, laptop service, copier leases, battery backups; Rockport Hutterian, 3,876.00, def fluid; Running's, 447.44, fluid, jacket, air hammer; Scott's, 525.32, cutting edge; State of SD, 405.00, blood alcohols; SD DOT, 2,044.65, bridge inspection; SD LTAP, 125.00, registration; SDPAA, 55,440.54, liability insurance; SDAAO, 150.00 dues; SDACC, 1,469.00, dues; SDACO, 789.51, dues; Brenda Steilen,

17.85, mileage; Stepping Stones, 468.57, qrtly support; Sturdevant's, 2,832.76, parts, supplies; Thomson Reuters, 665.17, online info charges; Thune's, 11.99, hand warmers; Triotel, 945.56, phone bill; Trittech, 5,259.10, software fee; Vantek, 126.50, antenna, mic; Visa, 2,126.90, postage, app, nurse supplies, roof melts, amazon purchases; Wex, 1,516.27, gas; Wheelco, 641.27, battery; Whitmore, 14,870.65, loader scale; Wingen's, 19,292.54, diesel; Brandon Wingert, 148.00, meal reimbursement; Xcel, 2,554.13, electricity.

Being as there was no further business for the day, motion by Kjetland, seconded by Bumgardner to adjourn until Tuesday, February 21, 2023 at 9:00 a.m. All voted aye, motion carried.

Richard Waldera, Chairman
Hanson County Board of Commissioners

ATTEST:

Lesa Trabing, Auditor
(SEAL)

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