

**Perkins County Commission  
Regular Meeting**

**Date: April 8, 2014**

**Present: Commissioners Besler, Henderson (10:08), Ottman and Foster and Finance Officer Chapman  
Others Present: Shane Penfield, Rownea Gerbracht, Jeanette Kruger, Kelli Schumacher, Duane Holtgard, Kelly Serr, Suzanne Kappes, Casey Deibert, Juell Chapman, Ridge Veal, Brad Leonard, Jim Englehart, Branden Landphere, Llewellyn Englehart, Brad Burkhalter, Beth Hulm, press  
Absent: Commissioner Schweitzer**

Call to Order

Chairman Besler called the regular Commission meeting to order at 10:04 am at the Perkins County Commissioner Room. The Pledge of Allegiance was recited.

Approval of Agenda

Foster moved, Ottman seconded to approve the agenda as posted, motion carried.

Minutes

Foster moved, Ottman seconded to approve the minutes of the May 11, 2014 Commission Meeting with the following corrections: *auto-supplement should have been 201-313-425 and the resolution passed should be Resolution 2014-4 not 2014-2*, motion carried.

Monthly Reports

- ✓ Finance Officer's Account with the Deputy Finance Officer - To the Honorable Board of County Commissioners Perkins County: I hereby submit the following report of my examination of the cash and cash items in the hands of the Deputy Finance Officer of this County as of March 31, 2014, Sylvia Chapman, Finance Officer, Perkins County. Total amount of deposits in banks \$5,381.02, Total amount of actual cash \$150.69; Insured Money Market \$1,931,884.76; Dakota Plains Federal Credit Union membership fee \$10.04; Certificates of Deposit \$500,099.66; South Dakota FIT \$101,495.23; Total \$2,539,021.40. The total represents state, county, schools, cities and township funds, which will be transferred to each entity of government after being apportioned.
- ✓ Sheriff's Fees in the amount of \$276.10 were reviewed.
- ✓ Sheriff car logs were reviewed.
- ✓ Motor Vehicle fees for the month of March 2014 were reviewed.
- ✓ Register of Deed's fees in the amount of \$2,822.60 were reviewed.
- ✓ Longevity increases of 10¢ will be realized by the following: Paulette Fero, 4-1-14 Jeff VanVactor, 4-8-14

General Fund Surplus Analysis

General Fund Surplus Analysis Report dated March 31, 2014 shows an unassigned cash balance of \$735,144.50.

Township Bonds

Foster moved, Ottman seconded to approve the following township bonds: Antelope Clerk & Treasurer; Barrett Clerk/Treasurer; Beck-Highland Clerk & Treasurer; Bison Clerk & Treasurer; Glendo Clerk & Treasurer; Hall Clerk/Treasurer; Maltby Clerk/Treasurer; Vail Clerk & Treasurer; Viking Clerk & Treasurer; Wells Clerk & Treasurer; Marshfield Clerk/Treasurer; Foster Treasurer; Horsecreek Clerk/Treasurer; Burdick Clerk/Treasurer; Cash Clerk & Treasurer; Meadow Clerk; Lone Tree Clerk & Treasurer; Vrooman Clerk/Treasurer; Scotch Cap Clerk & Treasurer; Trail Clerk & Treasurer; Wilson Clerk/Treasurer; Plateau Clerk/Treasurer; Fredlund Clerk & Treasurer; DeWitt Clerk & Treasurer; Liberty Clerk & Treasurer; Lincoln Clerk & Treasurer; Moreau Clerk & Treasurer; Lodgepole Clerk & Treasurer; Ada Clerk/Treasurer; Rockford Clerk/Treasurer; Strool Clerk & Treasurer; Martin Clerk/Treasurer, Duell Clerk/Treasurer; motion carried.

Resolution 2014-5

A plat was presented for approval. Ottman moved, Henderson seconded to introduce and approve Resolution 2014-5 Plat of Tract A on the SE1/4 SE1/4 of Section 19-Township 23 North-Range 16 East – BHM; roll call vote: Ottman aye, Foster aye, Henderson aye, Besler aye, motion carried.

**Resolution 2014-5  
Plat of Tract A on the SE1/4 SE1/4  
of Section 19 -Township 23 North - Range 16 East – BHM**

*Be it resolved by the County Commission of Perkins County, South Dakota, that the Plat of Tract A of the SE1/4 SE1/4 of Section 19-Township 23 North-Range 16 East of the BHM, Perkins County, South Dakota, having been examined, is hereby approved in accordance with the provisions of South Dakota Compiled Law, Chapter 11-3, and any amendments thereof.*

#### Correspondence

- ✓ A letter was received from Black Hills Council of Local government concerning the appointment of a representative. Ottman moved, Foster seconded to reappoint Wayne Henderson as representative and Mike Schweitzer as alternate, motion carried.
- ✓ A letter was received from Federal Aviation Administration concerning the extended comment period for the Powder River Training Complex. The Commission sent a Resolution 2010-16 to them last month.
- ✓ A thank you note was received from the Lemmon Senior Citizen Center for their \$1500 annual appropriation.
- ✓ Postcards were received from the Federal Aviation Administration concerning aeronautical studies of Lemmon and Bison.
- ✓ A letter and DOE audit report were received from the SD Department of Revenue. Everything is in compliance.

#### Old Business

The contract with Schneider, Inc. was reviewed. Ryan and Jack Lewis phoned in to visit with the Commission concerning the contract. States Attorney Penfield reviewed the contract. Foster moved, Ottman seconded to authorize Chairman Brad W. Besler as signatory on the Professional Services Agreement with Schneider Corporation, motion carried. A contract is on file in the Finance Office.

#### Surplus Property

Henderson moved, Foster seconded to declare the following property as surplus: Swintec Typewriter and MPC Client Pro 365 PC #4121057-001 with Keyboard #C0508100090, motion carried.

#### Kelly Serr

- ✓ The Pre-Disaster Mitigation Grant Contract with Black Hills Council of Local Governments was presented for signature. Foster moved, Henderson seconded to authorize Chairman Besler as signatory on the Pre-Disaster Mitigation Grant Contract with Black Hills Council of Local Governments, motion carried. Henderson moved, Ottman seconded to appoint Mike Schweitzer to the Pre-Disaster Mitigation Board, motion carried.
- ✓ Serr has applied for 2013 HLS Grant funds, and was awarded \$27,370.00 for the replacement of the In-car Video System. Serr would like to surplus the current equipment for use as a trade. Henderson moved, Ottman seconded to surplus seven Digital Ally Model DVM500 Serial numbers: 01F4-5089, 01F4-5098, 01F4-50A1, 01F4-470F, 01FR46FA, 01F4-46EB, 01F4-45B0, to be used as trade, motion carried.

#### May Meeting

Ottman moved, Foster seconded to hold the regular May Commission meeting on May 13, 2014 at the Dakota Lodge, Lemmon, SD starting at 10:00 am, motion carried.

#### Alcoholic Beverage Licenses

- ✓ Ottman moved, Foster seconded to approve the 3-Day Special Events Malt Beverage License for Lemmon Boss Cowman Rodeo Committee on July 11, 12 & 13, 2014 at the Lemmon Rodeo Grounds, motion carried.
- ✓ Henderson moved, Foster seconded to approve the renewal of Lemmon Country Club Retail (on-sale) Liquor License # RL-5710 and the renewal of Bison Country Club Retail (on-sale) Liquor License #5825, motion carried.

#### Good Friday Holiday

Ottman moved, Henderson seconded to close the courthouse Friday, April 18, 2014 in observance of Good Friday, motion carried.

#### UJS Rural Attorney Recruitment Program

Shane Penfield introduced Suzy Kappes, Policy and Legal Services Director for SD UJS, and Casey Deibert who were present to discuss the UJS Rural Attorney Recruitment Program. Ms. Deibert is a third year law student and is interested in practicing law in Bison. This five-year program will reimburse Ms. Deibert for tuition and fees incurred at the University of South Dakota Law School, as long as she agrees to stay in a qualified rural county for this period of time. The County's obligation is 35% or roughly \$4,300.00

per year and the State of South Dakota and South Dakota Bar Association paying the remaining amount. Mr. Penfield also stated that due to the resignation of the State's Attorney's secretary in Bison that the wages and benefits from this position could be used to hire Ms. Deibert as a part-time Deputy State's Attorney for Perkins County.

#### Kelli Schumacher

Kelli Schumacher, Perkins/Harding County 4-H Advisor, was present to discuss the secretarial position in her office. Rebekah Veal has resigned as State's Attorney Secretary effective April 15, 2014. Schumacher would like to have Veal continue working as her secretary for 16 hours per week. Ottman moved, Foster seconded to allow Rebekah Veal to continue working as the 4-H Advisor Secretary for 16 hours per week, motion carried. It was explained that with the reduction of hours she will now be classified as a part-time employee and will not be eligible for benefits.

#### Highway Superintendent

- ✓ Bison Township, represented by Ridge Veal, Don McKinstry, Brad Leonard and Jim Englehart, were present to discuss the culvert on 178<sup>th</sup> Ave. The Commission passed a motion on June 11, 2013 to assist Bison Township with the installation of a new culvert on 178<sup>th</sup> Ave. Discussion was held on whether to have the project engineered and whether to add wings to the culvert. When the installation of the culvert is complete it will qualify for the State Bridge Program. Obtaining quotes versus bids was also discussed. Foster moved, Henderson seconded to bid the installation of the culvert with wings to be opened May 13, 2014, motion carried.
- ✓ Llewellyn Englehart was present to address the flooding next to County Rd 11 (Owen Lake Rd). The wetland area is destroying the road. Holtgard will invite Seth Skogen to attend the May Commissioner meeting to discuss the situation.
- ✓ Juell Chapman was present to discuss the Coleman Avenue Project. The Bison Town Board would like to have the Commissioner reconsider the \$125,000 cap on the project. He would like the contract to read 50% of the 40%. The consensus of the Commission was to wait until the bids on the project come in, and in the event that the 50% of the 40% of the project is more than \$125,000, the Bison Town Board could come in and renegotiate the cap.
- ✓ Superintendent Holtgard went over his Monthly Maintenance Report. He would like to have the White Butte Road crack sealed this summer. He recently attended the Lemmon Railway Street Meeting. He stated SD Motor Carrier and Highway Patrol would not be addressing the weight limits on a continual basis on Railway Street.
- ✓ The SIB Loan Application for the Lemmon Railway Street Project has been completed. The requested loan amount is \$700,000 to be paid interest free over a seven year period. Foster moved, Henderson seconded to authorize Chairman Besler as signatory on the application, motion carried.
- ✓ Emergency Closure Policy – Holtgard requested that his crew be paid for the five hours of closure for the snow day on March 31<sup>st</sup>. The policy that the board adopted on December 1, 2009 will remain in effect.
- ✓ Holtgard asked the board to consider a 50¢ per hour increase to his maintenance crew. The board stated they would address the issue at budget time.

#### Bentley Building Contract

Juell Chapman was present to discuss the Bentley Building Contract with the Town of Bison. The Town of Bison had concerns about the contract which Perkins County had proposed. They had their City Attorney Eric Bogue draft a copy which was presented to the Commission. The Commissioners would like the Bison Town Board to review and approve the contract prior to submitting it to them for approval.

#### Executive Session

Henderson moved, Foster seconded to enter into executive session to discuss personnel at 1:08 pm, motion carried.

The board was declared out of executive session at 1:45 pm.

*The meeting was recessed at 1:56 pm for the Equalization Meeting*

*The meeting reconvened at 3:30 pm*

#### Box Culvert on 178<sup>th</sup> Ave

Further discussion was held on the box culvert on 178<sup>th</sup> Avenue. Henderson moved, Ottman seconded to rescind the previous motion on obtaining bids for the installation of culvert with wings, motion carried.

Ottman moved, Henderson seconded to hire BL Contracting to prepare the bed and do the final dirt-work on the box culvert on 178<sup>th</sup> over Thunder Butte Creek with Bison Township being responsible for the cost

of the box culvert, wings and the cost of hiring a crane; roll call vote: Foster aye, Henderson aye, Ottman aye, Besler aye, motion carried.

#### Mack Truck

Superintendent Holtgard would like the Commission to consider rescinding the motion from December 10, 2013 canceling the order on the second Mack Truck. Another truck is needed, especially with the accident on March 21, 2013 when one of the Highway Department trucks was totaled. Holtgard has been in contact with Sheehan Mack and they stated they would honor the original bid price of \$104,848.00. A lengthy discussion was held. Henderson moved, Foster seconded to rescind the motion from December 10, 2013 cancelling the order for a second Mack Truck and to purchase the Mack Truck for the original bid price of \$104,848.00, motion carried.

#### Election Machine Maintenance Contract

Henderson moved, Foster seconded to authorize Finance Officer Chapman to sign the Election Systems & Software, LLC Hardware Maintenance and Software Maintenance and Support Services Contract with ES&S, motion carried.

#### Claims

The following claims were presented and approved for payment, March payroll: 75,593.47; IRS, fica, 5,782.88; SD Retirement, retirement, 4,967.97; Delta Dental, insurance, 1,247.28; Lincoln Mutual, insurance, 159.84; SDSDBF, insurance, 21,947.57; A&B Business, supplies, 366.91; Applied Concepts, maintenance, 110.00; Berge's Machine, maintenance, 40.00; Best Western, travel, 181.98; Bison Courier, publishing, 503.80; Bison Economic Development, 2014 subsidy, 15,000.00; Bison Food, supplies, 47.27; Bison Grain, repairs, 79.40; Bison Implement, repairs/supplies, 3,012.92; Black Strap, Inc, salt, 10,368.03; Broz Law Office, ct appt atty, 444.80; Butler Machinery, repairs, 3,025.77; CAVA, collections, 190.22; Chapman's Electronic, equipment/repairs, 9,983.64; Creative Product, supplies, 216.00; Current Connection, supplies, 635.69; Dakota Business, supplies, 10.49; Dakota Herald, subscription, 33.65; Diesel Machinery, Inc, repairs, 400.44; Digital-ally, EM equipment, 26,775.00; Evanson Jensen Funeral Home, prof fees, 600.00; G & O Paper, supplies, 197.90; R Gerbracht, Web host, 215.76; Godfrey Brake Service, repairs, 98.33; William Grainger, court fees, 60.00; Grand Electric, utilities, 1,504.49; HDR Engineering, prof fees, 4,788.30; Intab, Inc, supplies, 39.09; JJ Keller, supplies, 20.00; K-M Construction, supplies, 304.96; Lar-Jo's, supplies, 748.34; Lemmon EMT, mileage, 494.76; Lemmon IGA, supplies, 46.40; Light & Siren, maintenance, 72.36; Lodgepole Propane, propane, 1,934.15; McLeod's Printing, supplies, 229.10; Meade County, jail board, 1,705.00; Microsoft, supplies, 840.00; NAPA Auto Parts, repairs, 90.64; Newman Signs, supplies, 531.72; NW Farm & Home Supply, supplies, 7.99; S Penfield, rent, 400.00; Pennington Co Jail, jail board, 1,904.00; Perkins Co Ambulance, travel, 295.29; Regional Pharmacy, jail medical, 18.79; Runnings, repairs/supplies, 205.59; K Schumacher, mileage, 343.74; SD Co Weed & Pest Board, dues, 150.00; SD Dept of Health, CHN qtrly, 1,545.00; SD Police Chiefs Assn, registration, 75.00; Servall Supply, supplies, 32.45; Sheehan Mack Equipment, repairs, 91.13; Southwest Crime Conf., dues, 60.00; Tessier's Inc, repairs, 1,767.30; Town of Bison, utilities, 208.97; Truenorth Steel, supplies, 2,980.00; Verizon Wireless, utilities, 240.10; VISA, travel, 246.39; Dr. Wessel, jail medical, 39.61; WR Telephone, utilities, 1,177.52.

#### Adjournment

Ottman moved, Foster seconded to adjourn the meeting at 4:20 pm. The next regular meeting of the Perkins County Commission will be held on Tuesday, May 13, 2014 at 10:00 am at the Dakota Lodge in Lemmon, SD.

ATTEST:

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Sylvia Chapman, Finance Officer

Approved:

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Brad W. Besler, Chairman