

**Perkins County Commission
Regular Meeting**

Date: July 9, 2024

Present: Commissioners Carmichael, Foster, Campbell, Schweitzer, Henderson and Finance Officer Stadler

Others Present: Kyle Dalzell, Clarence Archibald, Arlis Seim, Karin Schiley, Shawnda Carmichael, Angie Thompson, Dr. George Shipley, Will Besler, Shane Penfield, Kelly Serr, Jackie VanVactor, Tracy Hafner and Cody Green

Call to Order

Chairman Carmichael called the Regular Commissioner Meeting to order at 10:00 a.m.

Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

Conflict of Interest

There was no Conflict of Interest to declare.

Approval of the Agenda

Foster moved, Campbell seconded to approve the Agenda with the addition of adding Provisional Budget Meeting Date to the Agenda, motion carried.

Approval of the Minutes

Campbell moved, Henderson seconded to approve the Minutes for the June 6, 2024 Regular meeting as presented, 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 June 30, 2024, Sara Stadler, Finance Officer, Perkins County. Total amount of deposits in banks \$3,465,076.84 Total amount of actual cash \$200.00; Dakota Plains Federal Credit Union: \$108,888.14; Certificates of Deposit \$405,258.66; Total \$3,979,423.64. 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 \$673.00 were reviewed.
- Motor Vehicle fees for the month of June 2024 were reviewed.
- Register of Deed's fees in the amount of \$5,560.00 were reviewed.

Correspondence – Received from County WIC office update Jan-June 2024, SD Dept. of Veterans Affairs, Bison Commercial Club, Dakota Prairie Helping Hands, CASA (Court Appointed Special Advocates)

PILT (Payment in Lieu of Taxes) Distribution – Chairman Carmichael asked for any public comment from any attendees on the \$475,226 received from the Department of Interior. Comment was received from Lemmon Superintendent Shawnda Carmichael, Bison Superintendent Dr. George Shipley, and Bison Business Manager Angie Thompson. Schweitzer moved, Henderson seconded to distribute \$200,000 to the Schools and to retain \$275,226 for the County Road and Bridge Fund, Roll Call: Campbell aye, Schweitzer aye, Henderson aye, Foster aye, Carmichael aye, motion carried.

Second Reading – Ordinance 2024-02 Wheel Tax Increase – Henderson moved, Schweitzer seconded to read Ordinance 2024-02 Wheel Tax Ordinance, motion carried. Schweitzer moved, Campbell seconded to approve Ordinance 2024-02 Wheel Tax Ordinance, Roll Call: Henderson aye, Schweitzer aye, Campbell aye, Foster aye, Carmichael aye, motion carried.

Special Liquor License – Lemmon Chamber – Boss Cowman Concert – Foster moved, Henderson seconded to approve the 1-day Special Alcoholic Beverage License application received from the

Lemmon Chamber of Commerce for the Boss Cowman Concert being held on July 11, 2024, motion carried.

Provisional Budget Meeting Date – Chairman Carmichael declared the Special 2025 Provisional Budget Meeting to be held on July 25th, 2024 at 10:00 a.m.

Highway Department

Superintendent Green presented the Commissioners with his Monthly Report for the month of June. He reported on continuing with maintenance and repairs. Green reported chip sealing started July 8th on the south 20 miles of Bixby Road. The crew continues to work on pulling shoulders and blading roads. Green reported culverts were replaced and had used the rented excavator for 2 weeks to complete all the replacements. LTAP will be here on July 11, 2024 to visit the Prairie City Road. There has been talk about the road being slimy after receiving some rain, possibly coming from the tree sap that was put on years ago. Green would like Commissioners to implement a Minimum Maintenance Road policy. The Merriman Pit needs to be cleaned out by this fall.

- 104th St/Castle Butte Township – Clarence Archibald/Forest Service - On 104th Street there is 1.5 miles of road within Grand River Township, which is an organized township, and 1 mile is within Castle Butte Township, which is an unorganized township (secondary roads). Kyle Dalzell with Forest Service was present to say back in 2009 the Forest Service replaced culverts and surfaced the road in 2010. Dalzell also reported an easement was signed with Perkins County back in 2015 and believed the Forest Service was supposed to finish the road and then Perkins County would take over maintenance. Clarence Archibald was also present to request the County repair the road from the auto-gate and back east 2.5 miles. Archibald was willing to spread the gravel but wanted Forest Service and Perkins County to pay for the gravel. Henderson moved to fix the 1 mile on 104th St in Castle Butte Township with Clarence Archibald maintaining the road. Henderson amended his motion, Campbell seconded to have Perkins County fix the 1 mile on 104th St within Castle Butte Township and Perkins County will maintain the road, Roll Call: Foster nay, Campbell aye, Henderson aye, Schweitzer nay, Carmichael aye, motion carried.
- Hudgins Township – Matt Wiesinger contacted Superintendent Green because he has moved a house on a road in Hudgins Township which is unorganized. The Board took no action.
- Foster Bridge 53-399-414 – Termination Agreement – Number 716652 – Schweitzer moved, Foster seconded to authorize Chairman Carmichael to sign the Agreement to Terminate Agreement Number 716652, which states: the BIG Agreement is terminated effective Sept. 1, 2024. On or before Sept. 1, 2024, the COUNTY will pay the STATE the total sum of Forty-Two Thousand Three Hundred Fifty-Two Dollars (\$42,352.00), which represents reimbursement for all preliminary engineering expenses incurred by the STATE pursuant to the BIG Agreement, as shown on Exhibit A, (on file in the County Finance Office). 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 Termination of Agreement on behalf of the COUNTY. A copy of the COUNTY'S Commission minutes or resolution, representative, is attached to this Termination of Agreement as Exhibit B (on file in the County Finance Office). This Termination of Agreement is binding upon the parties, their successors, and assigns, motion carried.
 - Foster Bridge – Construction Engineering Agreement – Foster moved, Campbell seconded to authorize Chairman Carmichael as the signatory on the Work Order/Proposal from Brosz Engineering not to exceed \$135,665, motion carried.
- Road Maint. Agreement – Adams County, ND – Railway St – Foster moved, Schweitzer seconded to authorize Chairman Carmichael as signatory on the Road Maintenance Agreement, which states: This agreement entered into this 8th day of July 2024, by and between the County of Adams, ND, 58639 and the County of Perkins, SD 57620: Witnesseth: WHEREAS, there is a public county road named 5th Ave SW, also known as Railway St, located east of Lemmon, SD on the ND and SD state line, that has been established and improved by mutual agreement between said counties, beginning at the eastern city limits of Lemmon, SD and continuing easterly along the state line, until it curves north and enters solely into Adams County, becoming 26th St SE. WHEREAS, on Sept. 1, 1997, an Agreement was executed between Adams County, ND and Perkins

County, SD to agree to share in the future normal costs of maintenance and repairs of certain roads, including 5th Ave SW (Railway St), to include mowing, crack sealing, and spot repairs. NOW THEREFORE, Adams County and Perkins County agree to revise the portion of the Sept 1, 1997 Agreement pertaining to the 5th Ave SW (Railway St) segment and define future maintenance responsibilities of 5th Ave SW (Railway St) as set forth below: 1. From the east city limits of Lemmon, SD easterly to a point where 5th Ave SW (Railway St) intersects 194th Ave, a distance of approximately 0.54 miles – said Perkins County to assume 100% of all future maintenance costs. 2. From a point where 5th Ave. SW (Railway St) intersects 194th Ave. easterly to the BNSF Railroad crossing, a distance of approximately 0.73 miles – said Adams County to assume 100% of all future maintenance costs, motion carried.

- Let Bids out for mowing Secondary Roads – Schweitzer moved, Henderson seconded to advertise and let Bids out for mowing Secondary Roads, motion carried.
- New Hire – McKenna Ahrenholz – Henderson moved, Foster seconded to set McKenna Ahrenholz new hourly wage at \$19.23 per hour effective 6-26-2024, motion carried.

Commissioner Henderson left the meeting at 11:30 a.m. and returned at 11:50 a.m.

Commissioner Schweitzer left the meeting at 12:11 p.m.

Shapefile User Agreements – no action taken

Sheriff – Kelly Serr

- Sheriff Serr was present to ask the Commissioners to increase the mileage rate for bills he generates in his office. Sheriff Serr stated statute allows up to an .08/mile increase over the state rate. Henderson moved, Campbell seconded to set the mileage rate for outgoing bills from the Sheriff's office at .72/mile, motion carried.

Possible Zoning Ordinance – Commissioner Foster gave an update to the Commissioners on the pending implementation of a Zoning Ordinance within Perkins County. Chairman Carmichael set the 1st hearing date for the possible Zoning Ordinance for Tuesday, July 16th at 5:00 p.m. in the Courtroom of the Perkins County Courthouse.

Finance Office – Sara Stadler

- Donna Smith Abatement #15184 – Foster moved, Henderson seconded to abate taxes for Donna Smith, Record #15184 in the amount of \$1,941.10, due to a house fire on 1-1-2023, motion carried.
- Post Election Audit – Finance Officer Stadler presented the results of the Post Election Audit for the June 4, 2024 Primary Election. The races that were pulled at random were the US Presidential and the SD House District 28B races. These 2 races consisted of pulling, at random, precincts 1,2,3,4,5,8 to be audited by a five person board, which consisted of Betty Macauley, Loyson Carda, Rebecca Paul, Brenda Kari, and Sylvia Chapman. After manually counting the races, the results of both races matched the election night tabulator count and County canvas with 100% accuracy.

DOE – Advertise for Hire – DOE Hafner was present to request authorization to advertise for a Deputy Director of Equalization. Foster moved, Henderson seconded to authorize DOE Hafner to advertise for a new hire, motion carried.

2025 Budget – Department Heads – The remainder of the meeting various departments heads spoke to Commissioners about the 2025 budget requests.

Claims

The following claims were presented and approved for payment: June payroll: 85,664.67; IRS, FICA, 8,245.29; SD Retirement, 6,627.10; Delta Dental, ins, 1,143.75; Medico Life, ins, 138.24; Wellmark, ins, 22,815.12; Sun Life, ins, 95.76 HRA, reimb, 63.84; A&B, maint, 54.34; American, supplies, 116.02; Avera, prof. serv, 270.00; BH Psy, prof. serv, 450.00; Bison Courier, pub, 201.08; Bison Economic Dev, subsidy, 5,000.00; Bison Grain, supplies, 132.00; Bison Imp, supplies, 1,277.84; Bravera Bank, lease equip, 39,850.00; Buer Blading, 2nd rds, 105,751.80; Butler, repairs, 6,543.42;

Capital I, supplies, 2,680.82; CAVA, collections, 176.05; Chapman's El, repairs, 21.00; County Drug, jail meds, 106.17; Current Connection, supplies, 1,481.45; Dakota Feed, service, 328.00; Dakota Herald, pub, 1,037.67; D. Menholt, repair, 2,153.40; ES&S, supplies, 157.15; Executive MGMT, repair, 46.75; Faith Lumber, supplies, 59.53; Firstnet, utilities, 1,483.52; Five Counties, prof services, 600.00; G&O, supplies, 287.20; Grand, utilities, 4,588.84; Halonen, 2nd roads, 99,380.00; Horizon, rent, 1,680.00; John Deere, supplies, 5,373.87; John's Repair, repair, 190.45; Laufer Vermer, supplies, 267.38; IGA, supplies, 134.80; Lemmon Senior, subsidy, 1,500.00; Lodgepole FD, subsidy, 4,500.00; Lodgepole Propane, utilities, 931.30; Loftus Dental, jail meds, 370.34; Macauley, election, 107.64; Meade Co, jail board, 5,510.00; Meadow FD, subsidy, 4,500.00; Melling & Roseland, crt appt atty, 448.82; Monument Health, jail meds, 803.25; Motorola, equip, 12,786.54; Newman Signs, supplies, 360.46; North Central, rent, 13,143.73; NW Tire, supplies, 1,035.40; R. Paul, election, 115.80; Penfield, rent, 400.00; Pennington Co, transport, 421.08; Perkins Co. Conservation Dist, subsidy, 10,500.00; Perkins Co. Amb, subsidy, 5,000.00; Pitney Bowes, postage, 5,000.00; Pitney Bowes, maint, 490.53; Ramkota Hotel, travel, 154.00; RDO, repairs, 199.06; Runnings, supplies, 3,432.61; SD DOH, quarterly nurse, 1,974.53; SD Development Center, subsidy, 120.00; SD Public Health Lab, prof serv, 40.00; SDAAO, registration, 400.00; Servall, supplies, 283.65; Simon, supplies, 2,790.00; State of SD, courthouse project, 44,120.00; Tennants, supplies, 158.56; Three Rivers, nurse rental, 1,125.00; Town of Bison, utilities, 316.90; Trinity Electric, repairs, 241.86; Universal, supplies, 12.12; USPS, rent, 84.00; Verizon, utilities, 80.02; VISA, supplies/travel/utilities, 1,593.89; West Group, law books, 1,934.21; WRCTC, utilities, 1,283.79.

Adjournment

There being no further business to come before the Board, Chairman Carmichael declared the meeting adjourned at 2:32 p.m. The next Special Provisional Budget Meeting will be held on July 25th, 2024, at 10:00 a.m. at the Perkins County Courthouse. The next Regular meeting of the Perkins County Commission will be held on Tuesday, Aug 13th, 2024, at 10:00 a.m. at the Perkins County Courthouse.

ATTEST:

APPROVED:

Sara Stadler, Finance Officer

Kyle Carmichael, Chairman