

**Perkins County Commission  
Regular Meeting**

**Date: September 7, 2021**

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

**Others present: Shane Penfield, Cody Green, Corey Peck, Mesa Krautschun, Will Hatle, Shae Grimes, Ashtin Gerbracht, Grant Lolley, Chad Baumgarten, David Kopren, Kelly Serr, Beth Hulm, press**

Call to Order

Chairman Carmichael called the Regular Meeting of the Perkins County Commission to order at 10:00 am.

Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

Conflict of Interest

There was no Conflict of Interest declared.

Approval of the Agenda

Henderson moved, Schweitzer seconded to approve the Agenda as presented, motion carried.

Approval of Minutes

Foster moved, Campbell seconded to approve the minutes of the August 10, 2021, 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 August 31, 2021, Sylvia Chapman, Finance Officer, Perkins County. Total amount of deposits in banks \$2,372,006.80, Total amount of actual cash \$200.00; Dakota Plains Federal Credit Union \$103,833.25; Certificates of Deposit \$400,000.00; Total \$2,876,040.05. The total represents state, county, schools, cities, and township funds, which will be transferred to each entity of government after being apportioned.
- Motor Vehicle fees for the month of August 2021 were reviewed.
- Register of Deed's fees in the amount of \$3,059.00 were reviewed.
- Sheriff's Fees in the amount of \$178.78 were reviewed.
- Longevity increase of .10/hour will be realized for the following: S Chapman 9-21.

Correspondence

The correspondence was reviewed from TC Energy, National Association of State Agencies for Surplus Properties and SD Department of Environment and Natural Resources concerning waste permits.

Highway Department

- Superintendent Green presented the Monthly Project and Maintenance Report.
  - Highway Improvement, Inc is currently in the process of crack sealing the Bixby Road, White Butte Road, Gregorian Road, and Lemmon Airport Road.
  - Two blades are grooming County roads.
  - The graveling of Chance Road is complete.
  - The crew has started mowing road ditches and the patching of asphalt roads is nearly complete.
- Superintendent Green would like to advertise for a new hire. Schweitzer moved, Foster seconded to authorize Superintendent Green to advertise for a vacant position, motion carried.
- The core results are in for the Prairie City Road. Superintendent Green will continue to obtain information on what is best to ensure a good base for the road.
- Discussion was held on weed spraying on County roads.

Resolution 2021-10

The State of South Dakota is recommending a reduction of the speed limit on the Foster Bridge from 55 mph to 25 mph. Foster moved, Schweitzer seconded to introduce and approve Resolution 2021-10 "Foster Road Bridge Speed Limit", roll call vote: Foster aye, Campbell aye, Schweitzer aye, Henderson aye, Carmichael aye, motion carried.

**RESOLUTION 2021-10  
FOSTER ROAD BRIDGE SPEED LIMIT**

WHEREAS, the Legislature of the State of South Dakota has provided for County Commission to set the speeds of public roadways under the control of the County under SDCL 32-25-9.1; and

WHEREAS the engineer for the county has determined that the bridge that crosses the Thunder Butte Creek should be limited to 25 mph; and

WHEREAS, the Perkins County Board of Commissioners wishes to enact a speed limit for this bridge based upon this recommendation.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Perkins County Commission set the speed limit on the Thunder Butte Creek Bridge on the Foster Road to 25 mph and require that said speed be posted with proper signage and an appropriate location from the bridge according to the regulations and standards found in the Manual of Uniform Traffic Control Devices (MUTCD).

Executive Session

Foster moved, Campbell seconded to declare Executive Session per SDCL 1-25-23 at 10:36 am, motion carried. Chairman Carmichael declared the meeting out of Executive Session at 10:45 am.

Five Year Plan Hearing

Chairman Carmichael declared that 10:45 was the time for the Five-Year Plan Hearing. The plan was reviewed by those in attendance. Campbell moved, Schweitzer seconded to approve the Perkins County Highway Five-Year Plan, motion carried.

Small Structure Inventory Grant

Discussion was held on the contract with Brosz Engineering for the Small Structure Inventory for County Secondary Roads and Organized Township Roads. Additional information will be gathered at the County Convention next week prior to entering into an agreement for engineering services.

Sign Inventory Public Hearing

A Public Hearing on the Sign Inventory with Brosz Engineering will be held on Wednesday, September 22<sup>nd</sup> at 10:30 am in the Perkins County Courtroom.

Motor Graders

Discussion was held on the motor grader leases. Currently Perkins County has four motor graders leased though October of 2022. Perkins County is considering buying out two of the motor graders in October of 2022, purchasing a new motor grader using the SD Rural Development grant and loan program, and entering into a new lease in October of 2022. By entering into a contract utilizing the Minnesota State Bid prior to October 31, 2021, a cost savings for the County will be realized.

- Schweitzer moved, Foster seconded to piggy-back off the Minnesota Discounted Bid List and authorize Chairman Carmichael as signatory on a six-year 1000 hour lease agreement with buy-out option on the 7<sup>th</sup> year on a 2022 John Deere Motor Grader with RDO Equipment Company, effective in October of 2022, motion carried.
- Schweitzer moved, Henderson seconded to piggy-back off the Minnesota Discounted Bid List and authorize Chairman Carmichael as signatory on a purchase agreement with RDO Equipment Company for a 2022 John Deere 772G Motor Grader and 2021 Lycox Enterprises Inc Walk N Roll and utilize the South Dakota Rural Development grant of \$250,000 and grant of \$45,000, motion carried.

Fire Departments

Chad Baumgarten and David Kopren were present to inform the Commission that the Perkins County Fire Departments have received a grant for radios in the amount of \$152,000. They would like the County to consider funding the 5% cost share of \$7,600 for the radios and the cost of installation. The Commission will take this under consideration.

2<sup>nd</sup> Reading Ordinance 01

Schweitzer moved, Foster seconded to have the second reading of Ordinance 01 “An Ordinance adding Chapter to the Revised Ordinances of Perkins County, South Dakota, Creating Licensing Provisions for Cannabis Establishments,” roll call vote: Campbell aye, Foster aye, Schweitzer aye, Henderson aye, Carmichael aye, motion carried.

- Foster moved, Henderson seconded to amend the fee from \$5000 to \$20,000 on Ordinance 01 under 01.04: License Application and the renewal fee from \$5,000 to \$20,000 under 01.09: Expiration of License and Renewal, motion carried.
- Schweitzer moved, Campbell seconded to remove the word “violent” from 01.04: License Application iv. A sworn statement that no principal officer, owner, or board member has been convicted of a ~~violent~~ felony offense in the previous ten (10) years in any jurisdiction and 01.05 Issuance of License 3. Any owner, principal officer, or board member of the applicant has been convicted of a ~~violent~~ felony offense in the previous ten (10) years in any jurisdiction, motion carried.
- Campbell moved, Foster seconded to add an additional section “01.16 Inspection – The County shall have the right to inspect any premises under this ordinance or any municipal ordinance in the County to ensure compliance, motion carried.
- Schweitzer moved, Foster seconded to approve Ordinance 01 “An Ordinance adding Chapter 1 to the Revised Ordinances of Perkins County, South Dakota, Creating Licensing Provisions for Cannabis Establishments”, roll call vote: Campbell aye, Schweitzer aye, Henderson aye, Foster aye, Carmichael aye, motion carried. (Ordinance published separately)

#### Annual Budget Hearing

The Annual Budget Hearing was held.

- Schweitzer moved, Henderson seconded to increase the ARP Fund Mental Health Line 441 from \$0.00 to \$10,000 increasing cash applied, motion carried.
- Henderson moved, Foster seconded to increase the ARP Fund Register of Deeds line 163 from \$3,600 to \$3,750 increasing cash applied, motion carried.
- Schweitzer moved, Campbell seconded to approve Resolution 2021-11 “Adoption of Annual Budget for Perkins County, South Dakota” roll call vote: Henderson aye, Foster aye, Campbell aye, Schweitzer aye, Carmichael aye, motion carried.

#### **Resolution 2021-11**

#### **ADOPTION OF ANNUAL BUDGET FOR PERKINS 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 of Commissioners did prepare a Provisional Budget and cause the same to be published by law, and

WHEREAS, due and legal notice has been given of the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations 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 APPROPRIATIONS AND EXPENDITURES FOR PERKINS COUNTY, South Dakota and its institutions and agencies for calendar year beginning January 1, 2022 and ending December 31, 2022 and the same is hereby approved and adopted by the Board of County Commissioners of Perkins County, South Dakota this 7<sup>th</sup> day of September, 2021. This Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Finance Officer, Perkins County, South Dakota. The accompanying taxes are levied by Perkins County for year January 1, 2022 through December 31, 2022.

<b>COUNTY TAX LEVIES</b>	<b>LEVY IN DOLLARS</b>	<b>\$'s/1,000</b>
General County Purposes	\$1,819,344	2.474
Secondary Road	\$132,055	0.597

#### Hazardous Mitigation Plan Update

A brief report was given on the Perkins County Stakeholders meeting which was held Wednesday August 25, 2021. Those in attendance felt the meeting was productive. A draft of the Perkins County Hazardous Mitigation Plan will be available soon.

Amended WIC Contract

Perkins County received a request for a signed amendment to the sub-recipient agreement #22SC091631. Foster moved, Campbell seconded to authorize Chairman Carmichael as signatory on the amendment to the sub-recipient agreement #22SC091631 between Perkins County and the South Dakota Department of Health, motion carried.

Claims

The following claims were presented and approved for payment, Aug payroll: 77,367.97; IRS, fica, 7,580.73; SD Retirement, 5,781.33; Delta Dental, insurance, 1,135.26; Medico Life, insurance, 99.96; Wellmark, insurance, 17,748.65; SDPEF, insurance, 87.00; HRA Reimbursements, 12,052.80; A&B, maint, 40.83; Agpro, supplies, 531.13; American Solutions, supplies, 96.37; Avera, prof. fees, 99.00; Bison Courier, advertising, 685.63; Bison Food, supplies, 5.99; Bison Grain, repairs/supplies, 2,857.95; Bison Impl, repairs/supplies, 2,398.62; Butler, repairs, 1,358.73; Chapman's Electronics, equipment/supplies, 1,079.36; Current Connection, supplies/equip, 2,416.93; Dakota Feed, chemical, 932.75; Dakota Herald, advertising, 763.38; Dustbusters, contracts, 6,206.45; EIDO, advertising, 98.00; EMC, insurance, 657.00; Five Counties, prof. fees, 400.00; G&O Paper, supplies, 667.70; Grand, utilities, 1,783.61; Horizon, prof. fees, 157.00; John Deere, repairs/supplies, 5,213.09; Kimball, repairs/supplies, 629.51; Lemmon EMT, travel, 697.45; Matheson, supplies, 195.58; MD Spraying, prof. fees, 525.00; Menards, supplies, 57.71; Newman Signs, supplies, 115.92; S. Penfield, rent, 400.00; Phil's Paint, repairs, 1,865.00; Pitney Bowes, postage, 5000.00; Print Shop, supplies, 519.74; Ramkota, travel, 154.00; Runnings, supplies, 1,205.45; SD Developmental Center, subsidy, 60.00; SD DOT, prof. fees, 7,054.98; SD Human Services, Mental Health, 600.00; SD Newspaper, advertising, 450.00; SD Public Health, prof. fees, 80.00; Servall, supplies, 117.25; Simon, supplies, 3,450.88; Town of Bison, utilities/supplies, 374.53; Trace Welding, supplies, 6,960.00; TransSource, repairs, 179.48; Trinity Electrical, repairs, 1,444.64; TrueNorth, supplies, 1,078.22; Verizon, utilities, 281.53; Visa, utilities/supplies, 133.68; West Group, law books, 371.34; WRCTC, utilities, 1,427.53; Yankton Co. Sheriff, MH board, 50.00; Yankton Co. Treasurer, MH board, 134.90.

Adjournment

There being no further business to come before the Commission, Chairman Carmichael declared the meeting adjourned at 12:46 pm. The next Regular Meeting of the Perkins County Commission will be held on Tuesday, October 12, 2021 at 10:00 am at the Perkins County Courthouse.

ATTEST:

Approved:

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 Sylvia Chapman, Finance Officer

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 Kyle Carmichael, Chairman