

Perkins County Commission
Regular Meeting

Date: September 6, 2016

Present: Commissioners Besler, Ottman, Schweitzer and Foster, and Finance Officer Chapman

Others present: Shane Penfield, Rownea Gerbracht, Duane Holtgard, Kelly Serr, Todd Goddard, Karen Englehart, Dwight Wenner, Ben Fox, Beth Hulm, press

Absent: Commissioner Henderson

Flag Pledge

The Pledge of Allegiance was recited by those in attendance.

Call to Order

Chairman Besler called the regular September 6th Commissioner Meeting to order at 9:00 a.m.

Approval of Agenda

Foster moved, Schweitzer seconded to approve the agenda as presented.

Approval of Minutes

Ottman moved, Foster seconded to approve the minutes of the August 9, 2016 Commission Meeting, 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 July 31, 2016, Sylvia Chapman, Finance Officer, Perkins County. Total amount of deposits in banks \$168,098.12, Total amount of actual cash \$200.00; Insured Money Market \$1,031,178.51; Dakota Plains Federal Credit Union membership fee \$10.04; Certificates of Deposit \$500,369.01; Total \$1,699,855.68. 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 September 2016 were reviewed.
- ✓ Register of Deed's fees in the amount of \$5,214.00 were reviewed.
- ✓ Sheriff's Fees in the amount of \$488.30 were reviewed.
- ✓ Longevity increases of 10¢ per hour will realized for S Chapman, 9-21.

Resolution 2016-10

Schweitzer moved, Foster seconded to approve Resolution 2016-09, roll call vote: Ottman aye, Schweitzer aye, Foster aye, Besler aye, motion carried.

Resolution 2016-10

**Plat of Jorgensen Lot 1 and Jorgensen Lot 2
Located in the Southeast Quarter of Section 7
And the Northeast Quarter of Section 18
Township 16 North – Range 15 East of the B.H.M.
Perkins County, South Dakota**

Be it Resolved by the County Commission of Perkins County, South Dakota, that the Plat of Jorgensen Lot 1 and Jorgensen Lot 2, located in the Southeast Quarter of Section 7 and the Northeast Quarter of Section 18 – Township 16 North – Range 15 East of the BHM, County of Perkins, State of 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.

Ordinance 2016-02

Schweitzer moved, Ottman seconded to approve the first reading of Ordinance 2016-02; roll call vote: Schweitzer aye, Foster aye, Ottman aye, Besler aye, motion carried.

Ordinance 2016-02

AN ORDINANCE ADOPTING MINIMUM STANDARDS FOR THE REGULATION OF TATTOOING AND BODY-PIERCING

BE IT HEREBY ORDAINED BY THE PERKINS COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

- Section 1: The South Dakota Department of Health minimum sanitation standards for tattooing and body-piercing with Appendix A and Appendix B, attached hereto and incorporated herein by reference, are adopted as the minimum standards for Perkins County.
- Section 2: No person shall engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises within the County a tattoo and/or body-piercing establishment, unless a tattoo and/or body-piercing establishment license has been issued by the County and remains in effect. Applications shall be available through the County Finance Officer and shall be completed in full and returned to the County Finance Officer accompanied by the appropriate fee.
- Section 3: A violation of any provision of this Ordinance shall result in a fine not to exceed two hundred dollars. Each day of a continuing violation shall be considered a new violation and subject to the state fine per violation.
- Section 4: The Perkins County Board of Commissioners find that this Ordinance is necessary for the immediate preservation of the public health and safety and shall go into effect immediately upon passage.
- Section 5: **LICENSE REQUIRED FOR TATTOO AND/OR BODY-PIERCING ESTABLISHMENT**
- No person shall engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, in or upon any premises within the County a tattoo and/or piercing establishment, unless a tattoo and/or body-piercing license has been issued by the County and unless the license remains in effect in conformity with the provisions of this Ordinance. Physicians and surgeons licensed under the provisions of SDCL 36-4 are exempt from the requirement of this chapter.
- Section 6: **APPLICATION FOR TATTOO AND/OR BODY-PIERCING ESTABLISHMENT LICENSE**
- Each application for a tattoo and/or body-piercing establishment shall be upon a form provided by the County Finance Office and shall be submitted to the County Finance Officer accompanied by the appropriate fee and shall contain the following information:
- A. The definition of service to be provided.
 - B. The location and mailing address of the proposed establishment.
 - C. The name and address of the applicant.
 - D. If the applicant is a corporation, the names and residence addresses of each of the officers and directors of the corporation and of each stockholder owning more than ten percent of the stock of the corporation, the address of the corporation itself, if different from the address of the tattoo and/or body-piercing establishment, and the name and address of its registered agent.
 - E. If the applicant is a partnership, the names and residence address of each of the partners, including limited partners and the address of the partnership itself, if different from the address of the tattoo and/or body-piercing establishment.
 - F. The last two previous address (if any) during the past year three years immediately prior to the present address of the applicant.
 - G. Written proof that the applicant is 18 years of age or older.
 - H. Individual or partnership applicant's height, weight, color of eyes and hair, and sex.
 - I. Copy of identification such as driver's license and social security card.
 - J. The history of the applicant in the operation of a tattoo and/or body-piercing establishment or similar business or occupation, including, but not limited to, whether or not such person, in previously operating in this or another county within this state with or without license, has had such license revoked, suspended and the reasons therefore, and the business activity or occupation subsequent of such action of suspension or revocation.
 - K. The name and address of each tattoo and/or body-piercing artist who is employed in the establishment.
 - L. An acknowledgement by the applicant that the information contained in the application is to the best of the applicant's knowledge, true and correct.
- SECTION 7: **INVESTIGATION OF PREMISES PROPOSED TO BE USED AS A TATTOO AND/OR BODY-PIERCING ESTABLISHMENT**
- The County Finance Officer shall refer any application to the Department of Health who shall make an inspection of the premises proposed to be used as a tattoo and/or body-piercing establishment and shall make a recommendation to the County Finance Officer concerning compliance with law.
- SECTION 8: **DENIAL OF TATTOO AND/OR BODY-PIERCING ESTABLISHMENT LICENSE; NOTICE; RIGHT TO HEARING**

- A. The County Finance Officer shall not issue such tattoo and/or body-piercing establishment license if it is found that:
 1. The operation, as proposed by the applicant, if licensed would not comply with all applicable laws.
 2. The applicant has, knowingly, and with intent to deceive, made any false, misleading or fraudulent statement of fact in the permit application or any other document required by the County in conjunction therewith.
- B. If denied, reasons for denial shall be set forth in writing by the County Finance Officer and sent to the applicant by certified mail. The denied applicant shall at his/her election have the right to receive a hearing before the County Commission pursuant to the terms of Section O. If such a hearing is not requested within ten days of the notice of denial by the County Finance Officer, the denial shall be final.
- C. This section shall not limit causes for denial but shall be in addition to other causes for denial found by the Department of Health as provided by this Ordinance.

SECTION 9: TEMPORARY TATTOO AND/OR BODY-PIERCING ESTABLISHMENT LICENSE

Upon application, the County Finance Officer may issue a temporary tattoo and/or body-piercing establishment license to any applicant who has completed and filed an application for a tattoo and/or body-piercing establishment license and the proposed premises has been investigated by the Department of Health. A temporary tattoo and/or body-piercing establishment does not need to meet the space requirements of a permanent tattoo and/or body-piercing establishment. Such temporary license shall remain in effect for 10 days.

SECTION 10: INSPECTION OF ESTABLISHMENTS BY OFFICIALS

County officials may enter the tattoo and/or body-piercing establishment premises from time to time during regular business hours for the purpose of making reasonable inspections to enforce compliance with this Ordinance, or with building, fire, electrical, plumbing, or health regulations. This shall not restrict or limit the rights of entry vested in any law enforcement agency.

SECTION 11: TATTOOING AND/OR BODY-PIERCING AT TATTOO AND/OR BODY-PIERCING ESTABLISHMENTS ONLY

No person shall tattoo and/or body pierce or permit a tattoo and/or body-piercing to be administered at or upon any public or private place other than a tattoo and/or body-piercing establishment.

SECTION 12: POSTING OF TATTOO AND/OR BODY-PIERCING ESTABLISHMENT LICENSE

Each tattoo and/or body-piercing establishment shall post in a conspicuous place within the tattoo and/or body-piercing establishment the license of the tattoo and/or body-piercing establishment.

SECTION 13: SUSPENSION, OR REVOCATION OF LICENSES

Any tattoo and/or body-piercing establishment license shall be subject to suspension or revocation by the County Commission for violation of any provision of this Ordinance, state statute, or any rule, or regulation of state law regulating tattoo and/or body-piercing establishments. The suspension or revocation of a license shall be accomplished pursuant to a hearing held before the County Commission at which time evidence shall be received for the purpose of determining whether or not such license shall be suspended or revoked, the notification of and reasons for such decision shall be set forth in writing and sent to the licensee by means of registered or certified mail. Notice of such hearing shall be in writing, directed to, and delivered to applicant by means of registered or certified mail or delivery at least ten days before such hearing.

SECTION 14: INJUNCTION RELIEF

In addition to the legal remedies provided for in this Ordinance, the operation of any tattoo and/or body-piercing establishment in violation of the terms of this Ordinance shall be deemed a public nuisance may be enjoined pursuant to state statutes.

SECTION 15: PENALTIES

A violation of any provision of this Ordinance shall result in a fine not to exceed two hundred dollars. Each day of a continuing violation shall be considered a new violation and subject to a fine not to exceed two hundred dollars per day.

SECTION 16: TATTOOING DEFINITIONS

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

1. **COMMUNICABLE DISEASE:** A disease that is capable of being transmitted from person to person.
2. **DEPARTMENT:** The State Department of Health.
3. **MINOR:** A person who is under the age of 18 years.
4. **PATRON:** A person who receives a tattoo and/or body-piercing.

5. PERMANENT TATTOO ESTABLISHMENT: A building where tattooing is practiced on a year-round basis.
6. TATTOOING ARTIST: A person engaged in the practice of tattooing.
7. TATTOOING ESTABLISHMENT: The building or structure where tattooing is practiced.
8. TATTOOING: To puncture the skin of a person with a needle and insert indelible permanent color through the puncture to leave permanent marks or designs.
9. TATTOOING AREA: Within a tattoo establishment, the immediate vicinity where tattooing is performed.
10. TEMPORARY TATTOO ESTABLISHMENT: A building or structure where tattooing is practiced for not more than 30 days.

SECTION 17: The following shall apply to both temporary and permanent tattoo establishments.

A. GENERAL PROVISION

A tattoo establishment must be a minimum of 60 square feet for one tattoo artist and 40 square feet for each additional artist. A tattoo establishment shall be physically separated from facilities used for purposes other than tattooing. Floors, walls and ceilings of the tattooing area shall be smooth, easily cleanable, nonabsorbent and in good repair. A minimum of 30 foot-candles of light shall be provided for applying the tattoo and a minimum of 10 foot-candles for general lighting.

B. HAND WASHING FACILITY

An easily accessible hand-washing facility supplied with warm, potable water shall be provided in or directly adjacent to the tattooing area. Each hand-washing facility shall be provided with liquid soap and single-use paper towels.

C. TOILET FACILITIES

Toilet facilities shall be available for employees and patron use.

D. GENERAL USE EQUIPMENT

Tables, chairs and other general-use equipment shall be constructed of plastic, metal with enamel or porcelain coating, or stainless steel. General-use equipment shall be maintained in an easily cleanable condition. Covered waste containers with single-use plastic liners shall be provided.

E. ANIMALS PROHIBITED – RESTRICTED ACTIVITIES

Animals, other than guide dogs, are prohibited in tattoo establishments. Smoking, eating and drinking are prohibited within 10 feet of the tattooing area. Tattoo establishments may not be used for activities which are not directly associated with the practice of tattooing.

F. MAINTENANCE

A tattoo establishment shall be maintained in a clean, sanitary, vermin-free condition and in good repair.

G. INSPECTION

A tattoo establishment shall be inspected at least annually by the South Dakota Department of Health to determine compliance with this section.

H. REQUIRED EQUIPMENT FOR TATTOO ESTABLISHMENTS

A tattoo establishment shall be equipped with a steam pressure autoclave capable of producing 15 pounds of pressure per square inch for at least 35 minutes at a temperature of 250 degrees Fahrenheit.

I. REQUIRED EQUIPMENT FOR TATTOO ARTISTS

1. Twenty-five (25) liner tubes of whatever style and design preferred in sealed sterile envelopes.
2. Twenty-five (25) shader tubes of whatever style and design preferred in sealed sterile envelopes.
3. Fifty (50) needle bar setups with needles attached in sealed sterile envelopes.
4. Five hundred (500) disposable pigment containers.
5. Three hundred (300) disposable latex or vinyl examination gloves.
6. One gallon each of germicidal soap, isopropyl alcohol, and distilled water for prepping skin.
7. Access to the applicable sterilization and sanitation measures in this chapter.
8. Closed dust-proof containers for the exclusive storage of instruments, dyes, pigments, stencils and other equipment.
9. Gauze and bandages.

J. TATTOO ARTIST – RESTRICTED ACTIVITIES

A tattoo artist shall not engage in the practice of tattooing while under the influence of alcohol or other mind altering drugs. Minors are prohibited from the practice of tattooing. A tattoo artist who knowingly has infectious disease in a communicable stage may not tattoo a patron. Infectious diseases include rashes, skin lesions, boils and blood-borne

diseases such as viral hepatitis B and human immunodeficiency virus infection. A tattoo artist shall wear clean, laundered clothing and shall bathe daily.

K. TATTOO ARTIST – PATRONS RESTRICTED – NOTICE

A tattoo artist shall not tattoo a patron without first obtaining a signed consent. The consent must include a statement by the patron that he/she is free from infectious or contagious diseases in a communicable stage. This include rashes, skin lesions, boils and blood-borne diseases such as viral hepatitis B and human immunodeficiency virus infection. A tattoo artist shall not tattoo a patron with evident skin lesions or skin infectious or who is known or suspected to have an infectious contagious disease in the communicable stage.

Minors shall not be tattooed unless the minor's parents have signed a consent form authorizing the tattoo. A tattoo artist shall conspicuously post a notice stating that it is illegal to tattoo any person under the age of 18 without a parent's signed consent.

No tattoo artist shall tattoo a patron who is under the influence of alcohol or other mind altering drugs.

L. COMMUNICABLE DISEASE REPORTING

A tattoo artist shall immediately report to the Department of Health any known or suspected communicable disease associated with the practice of tattooing.

M. RECORD OF PATRONS

A tattoo artist shall keep a record of each patron that includes the name, address, age, consent form with medical inquiry, and the locations and descriptions of tattoos. This record must be available for inspection by the County and State Officials or their designated representatives and kept for a period of at least two years.

N. STERILIZATION METHODS

Equipment requiring sterilization shall be sterilized by using the method of steam pressure sterilization with at least 15 pounds of pressure per square inch for a least 35 minutes at a temperature of 250 degrees Fahrenheit in an autoclave. This must be certified by a chemical indicator that is attached to the autoclave bag and turns color when the required temperature has been reached. A tattoo establishment owner or operator shall provide lab result slips which state that each autoclave has been bacteriologically tested monthly and has passed the test. Dry heat is not an acceptable method of sterilization for the purpose of this section.

O. STERILE EQUIPMENT – PACKAGING AND STORAGE

All sterile equipment and supplies shall be stored in a closed, dust-proof container in such manner as to prevent being contaminated. All needles and tubes shall be packaged prior to autoclaving either individually or in quantities for individual tattoos. Autoclave packages shall be constructed so that the contents are visible without opening the package. Autoclave packages containing equipment that has been autoclaved shall be dated with an expiration date. The expiration date shall not exceed 30 days from the date autoclaved. Sterile equipment shall not be used after the expiration date without being re-sterilized. A tattoo machine shall be stored in a manner that will prevent contamination.

P. NEEDLE CONSTRUCTION – STERILIZATION REQUIRED

All needles shall be either stainless steel or nickel plated carbon steel. Needles may be soldered to stainless steel bars using a silver-bearing solder. Lead-bearing solder may not be used in this process. Needles are a single-service item and must be thoroughly cleaned and sterilized between patrons. Rusty or faulty needles may not be used for tattooing.

Q. TUBE CONSTRUCTION

All tubes, including the grips on the tube, shall be either stainless steel, nickel-plated carbon steel, or Lexan. The grips may also be constructed of anodized aluminum. Lead-bearing solder shall not be used in the construction of the tubes. Tubes shall be thoroughly cleaned and sterilized between patrons.

R. TATTOOING MACHINE SANITATION

The open end of the tattoo machine shall be cleaned and sanitized with an approved sanitizer before each use. See Appendix B at the end of this article for a listing of approved sanitation solutions.

S. RAZOR EQUIPMENT

Razors shall be disposable, single-use only. Single-use razors shall be used for one patron only and shall then be discarded.

T. GENERAL USE EQUIPMENT – SANITATION REQUIRED

All surfaces, counter and general-use equipment in the tattooing area shall be cleaned and sanitized before a patron is seated. See Appendix B at the end of this article for a listing of approved sanitation solutions.

U. LINEN CLEANING AND STORAGE

Cloth towels, robes and similar items used in conjunction with tattooing shall be laundered in a washing machine with hot water, laundry detergent, and chlorine bleach between uses. A closed dust-proof container shall be provided for the storage of clean towels and linen. A hamper or similar receptacle shall be provided for the storage of soiled towels and linens.

V. **HYGIENIC PRACTICES – GLOVES REQUIRED**

A tattoo artist shall use antiseptic techniques at all times in the practice of tattooing. A tattoo artist shall scrub their hands with liquid soap and water thoroughly before beginning preparation to tattoo. Hands shall be dried with individual single-use towels. At all times when preparing the skin and while applying the actual tattoo, the tattoo artist shall wear latex or vinyl examination gloves, which shall be discarded upon completion of the tattoo. A tattoo artist shall discard the gloves he/she is wearing, rewash his/her hands, and put on new gloves after an interruption in the tattoo process which requires him/her to use his/her hands.

W. **SKIN PREPARATION**

The skin area to be tattooed shall be shaved if needed and shall be washed with germicidal soap and water, rinsed, dried and washed again with 70 percent isopropyl alcohol. A single-use gauze pad or tissue may be used for washing the skin. All single-use products shall be discarded after they are used.

X. **PIGMENT REQUIREMENTS**

All pigment shall be nontoxic and antiseptic. All pigments that are in a dry form shall be suspended in a solution of isopropyl alcohol, distilled water, or witch hazel with only nontoxic and antiseptic additives. Pigments shall be dispensed from a main plastic container with a sealable top that allows a single service portion of the pigment to be dispensed into a single-use container. All pigment dispensed and the material into which it has been dispensed shall be immediately discarded upon completion of the tattoo.

Y. **DESIGN LAYOUT**

The methods in this section are approved for the design layout of the tattoo on the skin. In the first method, the tattoo artist sketches the design directly on the skin with nontoxic ink to serve as a guideline for the actual tattoo. In the second method, the tattoo artist makes a stencil using nontoxic ink on tracing paper and transfer the design to the skin by spraying germicidal soap and distilled water directly onto the area to be tattooed and laying the stencil over the sprayed area.

Z. **TATTOO APPLICATION**

Before placing the tattoo design on the patron's skin, the tattoo artist shall apply a thin coating of petroleum jelly or antibacterial ointment over the area to be tattooed. This shall be applied with cotton swabs, gauze, or wooden tongue depressors which shall immediately be discarded. This application shall not be directly spread with an ungloved hand.

AA. **CHANGING PIGMENT**

When changing pigment, a tattoo artist shall use a solution of germicidal soap and water or an ultrasonic cleaner to rinse the needle and tube, if the needle and tube are used on the same patron. Ultrasonic cleaner solutions and solution containers and covers shall be discarded between patrons.

BB. **WASHING OF EXCESS PIGMENT**

Washing of excess pigment from the skin during the tattoo process shall be done with single-use gauze pads or tissue with a solution of germicidal soap and distilled water.

CC. **USE OF STYPTICS**

Styptics, if used to arrest bleeding, shall be used only in liquid or powder form and shall be applied with cotton swabs or gauze which is immediately discarded.

DD. **USE OF ANTIBACTERIAL OINTMENT REQUIRED - CARE INSTRUCTIONS**

Upon completion of the tattoo, a tattoo artist shall apply an antibacterial ointment to the tattoo with a single-use cotton swab, gauze pad, or wooden tongue depressor that shall be immediately discarded.

After application of the antibacterial ointment, the tattoo artist shall apply a sterile bandage. The tattoo artist shall provide written instructions regarding the proper care and precautions for a new tattoo to each patron. Care instructions shall include the following minimum recommendations:

1. Remove the bandage after 24 hours.
2. Wash tattoos gently with mild soap and water and pat dry.
3. Apply an antibacterial ointment at least twice daily.
4. Avoid exposing the tattoo to direct sunlight for two weeks.
5. Avoid swimming or soaking of the tattoo until healed.
6. Avoid scratching or picking of the tattoo.
7. If redness or swelling develops, contact your doctor.

EE. STORAGE OF SOILED EQUIPMENT

Upon completion of a tattoo, a tattoo artist shall immerse needles and tubes used for the tattoo in an effective sanitizing solution as identified in Appendix A at the end of this article, until they can be cleaned and sterilized.

FF. DISPOSAL OF CONTAMINATED PRODUCTS

Gauze, cotton swabs or other single-use products that are contaminated with body fluids shall be disposed of in impervious double plastic bags that are securely sealed. When needles, tubes, or multiple use products used in conjunction with the practice of tattooing are disposed of, they shall be sterilized and placed in an impervious rigid container that is security sealed.

SECTION 18: BODY-PIERCING DEFINITIONS

- A. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.
1. **BODY-PIERCING:** The placing of a permanent or temporary foreign object in a person's body, such as ears, nose, lips, genitals, nipples, or parts thereof, for a decorative or other non-medical purpose by a person not directly under the supervision of a licensed physician as defined in SDCL 36-4-11; the site or location, on the patron, of the body-piercing.
 2. **BODY-PIERCING AREA:** Within a body-piercing establishment, the immediate vicinity where body-piercing is performed.
 3. **BODY-PIERCING ARTIST:** A person engaged in the practice of body-piercing.
 4. **BODY-PIERCING ESTABLISHMENT:** The building or structure where body-piercing is practiced.
 5. **COMMUNICABLE DISEASE:** A disease that is capable of being transmitted from person to person.
 6. **DEPARTMENT:** The State Department of Health.
 7. **PATRON:** A person who receives a body-piercing.
 8. **PERMANENT BODY-PIERCING ESTABLISHMENT:** A building where body-piercing is practiced on a year-round basis.
 9. **TEMPORARY BODY-PIERCING ESTABLISHED:** A building or structure where body-piercing is practiced for not more than 30 consecutive days.

SECTION 19. APPLICABILITY

The following shall apply to both temporary and permanent body-piercing establishments.

- A. **GENERAL PROVISION**
A body-piercing establishment must be a minimum of 60 square feet for one tattoo artist and 40 square feet for each additional artist. A body-piercing establishment shall be physically separated from facilities used for purposes other than tattooing. Floors, walls and ceilings of the body-piercing area shall be smooth, easily cleanable, nonabsorbent and in good repair. A minimum of 30 foot-candles of light shall be provided for applying the body-piercing and a minimum of 10 foot-candles for general lighting.
- B. **HAND WASHING FACILITY REQUIRED.**
An easily accessible hand-washing facility supplied with warm, potable water shall be provided in or directly adjacent to the tattooing area. Each hand-washing facility shall be provided with liquid soap and single use paper towels.
- C. **TOILET FACILITIES**
Toilet facilities shall be available for employees and patron use.
- D. **GENERAL USE EQUIPMENT**
Tables, chairs and other general-use equipment shall be constructed of plastic, metal with enamel or porcelain coating, or stainless steel. General-use equipment shall be maintained in an easily cleanable condition. Covered waste containers with single-use plastic liners shall be provided.
- E. **ANIMALS PROHIBITED – RESTRICTED ACTIVITIES**
Animals, other than guide dogs, are prohibited in body-piercing establishments. Smoking, eating and drinking are prohibited within 10 feet of the body-piercing area. Tattoo establishments may not be used for activities which are not directly associated with the practice of body-piercing.
- F. **MAINTENANCE**
A tattoo establishment shall be maintained in a clean, sanitary, vermin-free condition and in good repair.

G. INSPECTION

A body-piercing establishment shall be inspected at least annually by the South Dakota Department of Health to determine compliance with this section.

H. RECORD OF PATRONS

A body-piercing artist shall keep a record of each patron that includes name, address, age consent form with medical inquiry, and the locations and descriptions of body-piercing. This record must be available for inspection by County and State Officials or their designated representatives and kept for a period of at least two years.

I. REQUIRED EQUIPMENT

A body-piercing artist must have the following minimum equipment:

1. Twenty-five (25) disposable needles of each size used.
2. Twenty-five (25) forceps.
3. Two hundred cotton swabs in sealed containers.
4. Two hundred disposable cups.
5. Three hundred (300) disposable latex or vinyl examination gloves.
6. One gallon each of germicidal soap, isopropyl alcohol, and distilled water for prepping skin.
7. Access to the applicable sterilization and sanitation measures in this chapter.
8. Closed dust-proof containers for the exclusive storage of instruments and other equipment.
9. Sealed gauze and bandages.

Single-use products may be used only once and must then be discarded.

J. CONTROL OF INFECTIOUS DISEASE

A body-piercing artist who knowingly has an infectious disease in a communicable state must take precautions to prevent disease transmission to the patron. Infectious diseases include rashes, skin lesions, boils, and bloodborne diseases such as viral hepatitis B and human immunodeficiency virus infection. A body-piercing artist shall wear clean, laundered clothing and shall wear a clean outer garment or cover-up during the body-piercing.

K. CONSENT OF PATRON REQUIRED

A body-piercing artist may not pierce the body of a patron without first obtaining a signed consent. The consent must include a statement by the patron that the patron is free from infectious or contagious diseases in a communicable state. This includes rashes, skin lesion, boils and bloodborne diseases such as viral hepatitis B and human immunodeficiency virus. A body-piercing artist may not pierce the body of a patron with evident skin lesions or skin infections or who is known or suspected to have an infectious or contagious disease in a communicable state. The consent form shall request information about medical problems that can cause the patron difficulty afterwards, e.g., diabetes, allergic reaction to certain metals or medications, hemophilia, blood clotting problems, or use of anticoagulation medications which may cause bleeding problems.

L. COMMUNICABLE DISEASE REPORTING

A body-piercing artist shall immediately report to the department any known or suspected communicable disease associated with the practice of body-piercing. A body-piercing artist shall consult with the artist's medical provider or the department for medical management of any needle-stick injuries. The toll free number for the reporting of communicable diseases is 1-800-592-1861.

M. EQUIPMENT REQUIRING STERILIZATION

Any body-piercing equipment, such as forceps, insertion tapers, or needle holders, that is used by more than one patron must be sterilized after each use.

N. NEEDLE CONSTRUCTION – STERILIZATION REQUIRED

All needles must be either stainless steel or nickel-plated carbon steel. Needles must be individually packaged and autoclaved before use. Needles are single-use items and once used must be disposed of.

O. STERILIZATION METHODS

Equipment requiring sterilization shall be sterilized by using the method of steam pressure sterilization with a least 15 pounds of pressure per square inch for a least 35 minutes at a temperature of 250 degrees Fahrenheit in an autoclave. This must be certified by a chemical indicator that is attached to the autoclave bag and turns color when the required temperature has been reached. A body-piercing establishment owner or operator shall provide lab result slips which state that each autoclave has been bacteriologically tested monthly and has passed the test. Dry heat is not an acceptable method of sterilization for the purpose of this section.

P. STERILE EQUIPMENT – PACKAGING AND STORAGE

All sterile equipment and supplies shall be stored in a closed, dust-proof container in such a manner as to prevent being contaminated. All needles and tubes shall be packaged prior to autoclaving either individually or in quantities for individual body-piercing. Autoclave packages shall be constructed so that the contents are visible without opening the package.

Autoclave packages containing equipment that has been autoclaved shall be dated with an expiration date. The expiration date shall not exceed 30 days from the date autoclaved. Sterile equipment shall not be used after the expiration date without being re-sterilized. Commercially available individual packaged autoclaved equipment may be used within the manufacturer's expiration date.

- Q. **GENERAL USE EQUIPMENT – SANITIZATION REQUIRED**
All surfaces, counters and general-use equipment in the body-piercing area shall be cleaned and sanitized before a patron is seated. To insure a sterile operating field, a sterile disposable paper sheet or drape must be used. Drapes must be moisture resistant. The top surface of the drape is considered a sterile area and edges are not. Only sterile items may be placed on the sterile field. See Appendix B at the end of this article for a list of approved environmental cleaning solutions.
- R. **LINEN CLEANING AND STORAGE**
Cloth towels, robes and similar items used in conjunction with body-piercing shall be laundered in a washing machine with hot water, laundry detergent, and chlorine bleach between uses. A closed dust-proof container shall be provided for the storage of clean towels and linen. A hamper or similar receptacle shall be provided for the storage of soiled towels and linen.
- S. **HYGIENIC PRACTICES – GLOVES REQUIRED**
A body-piercing artist shall use antiseptic techniques at all times in the practice of body-piercing. A body-piercing artist shall scrub their hands with liquid soap and water thoroughly before beginning preparation to body-piercing. Hands shall be dried with individual single-use towels or a commercial hand blow dryer. At all times when preparing the skin and while conducting the actual body-piercing, the body-piercing artist shall wear latex or vinyl examination gloves, which shall be discarded upon completion of the body-piercing. A body-piercing artist shall discard the gloves he/she is wearing, rewash his/her hands, and put on new gloves after an interruption in the body-piercing process which requires him/her to use his/her hands.
- T. **SKIN PREPARATION**
The skin area to be pierced shall be shaved if needed and shall be washed with germicidal soap and water, rinsed, dried and washed again with 70 percent isopropyl alcohol. A single-use product shall be discarded after they are used.
- U. **USE OF STYPTICS**
Styptics, if used to arrest bleeding, shall be used only in liquid or power form and shall be applied with cotton swabs or gauze which is immediately discarded.
- V. **JEWELRY PREPARATION**
Jewelry or an insertion taper that has been autoclaved and never worn must be placed in a medical antibacterial prep soak for ten minutes and dried thoroughly before insertion. Jewelry previously worn by the patron must be soaked in a medical antibacterial prep soak for ten minutes in a separate container that is disposed of or sterilized immediately after the service. Jewelry worn by a person other than the patron must be cleaned and autoclaved before insertion.
- W. **CARE INSTRUCTIONS FOR BODY-PIERCING**
Upon completion of the body-piercing, a body-piercing artist must apply an antibacterial cleaner to the body-piercing with a single-use cotton swab or gauze pad. The body-piercing artist must provide each new patron written instructions regarding the proper care and precautions for a body-piercing. Care instructions must include the following minimum recommendations:
1. Wash the body-piercing gently with mild soap and water and pat dry.
 2. Apply an antibacterial cleaner at least twice daily.
 3. Avoid swimming or soaking of the body-piercing until healed.
 4. Avoid scratching, picking or touching of the body-piercing.
 5. If redness or swelling develops, contact your doctor.
- X. **CARE INSTRUCTION FOR ORAL PIERCING**
The patron of oral piercing must rinse the mouth with an antibacterial mouthwash containing no sugar or alcohol or with a hydrogen peroxide solution before the procedure. The body-piercing artist must provide written instructions regarding the proper care and precautions for a new oral body-piercing to each patron. Care instructions must include the following minimum recommendations:
1. Rinse the mouth twice a day with an antibacterial mouthwash containing no sugar or alcohol. The mouthwash may be diluted by up to 75 percent to reduce irritation. Continue rinsing for the duration of the healing process.
 2. Avoid placing anything other than food in the mouth, including cigarettes, fingers and gum.
 3. Eat and drink only for nutritional needs until healed.
 4. If excessive swelling or pain develops, contact your doctor.
- Y. **EAR PIERCING**
If ear piercing is conducted using individually packaged sterilized studs that are inserted using a commercial ear piercing gun and no other form of body-piercing is provided, the piercing artist is required only to notify in Perkins County in writing. If the ear-piercing gun is reused,

it must be cleaned between patrons with one of the products from Appendix A at the end of this article.

AA. STORAGE OF SOILED EQUIPMENT

Upon completion of a body-piercing, a body-piercing artist must immerse any reusable equipment in a sanitizing solution, as identified in Appendix A at the end of this article, until it can be cleaned and sterilized.

BB. DISPOSAL OF CONTAMINATED PRODUCTS

Gauze, cotton swabs or other single-use products that are contaminated with body fluids shall be disposed of in impervious double plastic bags that are securely sealed. The trash container used to hold these bags must be constructed of a durable, nonabsorbent, easily cleanable material and be provided with a tight-fitting lid. When needles or multiple use products used in conjunction with the practice of body-piercing are disposed of, they must be autoclaved and placed in an impervious rigid container which is securely sealed.

APPENDIX A

SANITIZING SOLUTIONS

The following methods are approved for immersion of soiled equipment, such as instruments, needles and tubes prior to cleaning and sterilization:

1. Immersion in glutaraldehyde 2 percent solution mixed according to manufacturer's instruction. Minimum contact time is 10 minutes. Thorough rinsing of equipment is required after use. Solution may cause chemical burns on the skin. Wear gloves.
2. Immersion in a 500 ppm solution of chlorine. (This requires a 1:100 dilution of 5.25 percent sodium hypochlorite (bleach) which is equivalent to 2 teaspoons bleach per quart of water.) A minimum contact time of 10 minutes is required to be effective. This solution must be mixed fresh daily and may corrode metal instruments.
3. Immersion in a solution of 70 percent isopropyl alcohol for a minimum of 10 minutes. Flammable. Use and store in a cool, well-ventilated area.
4. Immersion in a phenolic germicidal detergent solution for a minimum of 10 minutes. Mix according to the manufacture's instruction.
5. Immersion in an iodophor germicidal detergent solution formulated as a disinfectant. Minimum contact time is 10 minutes. May stain instruments.

NOTE: After immersion in any of these solutions, instruments, needles, tubes, or similar equipment shall be thoroughly cleaned, rinsed with warm water, dried thoroughly, and individually packaged for sterilization as described in 44:12:02:18.

APPENDIX B

ENVIRONMENTAL CLEANING SOLUTIONS

The following methods are approved for cleaning of environmental surfaces such as countertops, floors, walls, chairs, and the open end of tattoo machines.

1. Application of quaternary ammonium germicidal detergent solution. Benzalkonium chloride is not acceptable. Dilution shall be according to the manufacturer's instruction.
2. Application of phenolic germicidal detergent solution mixed according to the manufacturer's instructions. May cause skin irritation.
3. Application of 100 ppm solution of chlorine. This requires a 1:500 dilution of 4.25 percent sodium hypochlorite (bleach) which is equivalent to ½ teaspoon bleach per quart of water. A minimum contact time of 10 minutes is required to be effective. This solution shall be mixed fresh daily.

NOTE: If using spray bottles for application of these solutions, the following procedure shall be followed; each time the bottle needs refilling, any remaining old solution shall be discarded, the bottle rinsed, and fresh solution poured into the spray bottle. Always label spray bottles with the name of the contents. Never add fresh solution to remaining old solution.

Railway Street Survey

Foster moved, Schweitzer seconded to hire HDR to complete a survey on Railway Street in Lemmon at a cost of \$2,000, motion carried.

West River Telephone

Chairman Besler appointed Sylvia Chapman as the Perkins County voting delegate at the West River Telephone meeting.

Highway Department

- ✓ White Butte Road has been striped.
- ✓ The crew is blading roads in the areas which have received rainfall. The mowing of road ditches is also a priority.
- ✓ The Bixby Road project is in full gear. They hope to be done by October 1st.

- ✓ Discussion was held on the need to surplus four motor graders. Schweitzer moved, Foster seconded to declare the following motor graders surplus: 1985 Cat 140G Motor Grader SN 2Z507130; 1991 Cat 14G Motor Grader SN 7214073; 1993 Cat 140G Motor Grader 7215291; and 1998 John Deere 770CH SN DW770CH566907, motion carried.
- ✓ Superintendent Holtgard would like to have the Commission consider allowing him to lease a new loader.

Township Mowing

Todd Goddard, Dwight Wenner, Karen Englehart and Ben Fox were present to request the County's help with the mowing of Township Roads. Townships are unable to find private contractors to help with the mowing of ditches and requested the County to work with them on this. Currently the leased tractors are very close to the maximum hours allowable and still have extensive miles of road to mow. Options will be researched.

Pre-Disaster Mitigation Plan

Foster moved, Ottman seconded to approve the submittal of the Perkins County Hazard Mitigation Plan (2016-2021) to the State of South Dakota and FEMA for review and approval, motion carried. The application is \$31,000 towards a Records Management Software Program for Perkins County.

Auto-supplement

Schweitzer moved, Foster seconded to auto-supplement \$4,485.45 received from EMC due to an insurance claim to 101-421-4250, motion carried.

11:00am Budget Hearing

The 2017 Budget Hearing was held. Changes to the budget are as follows:

- ✓ Foster moved, Ottman seconded to eliminate the Fire Fighting insurance reimbursement line in the amount of \$8,750 and increase the subsidy from \$4,000 to \$5,000 for Lodgepole Fire Department, Meadow Fire Department and Prairie City Fire Department, motion carried. Schweitzer moved, Foster seconded to reduce the subsidy for the Sorum Fire Department from \$4,500 to \$4,000, motion carried. These adjustments result in a change from \$78,500 to \$66,250 in the Fire Fighting budget.
- ✓ Schweitzer moved, Ottman seconded to lower the amount budgeted for transfer from the General Fund to Road and Bridge Fund from \$150,000 to \$125,000, motion carried.
- ✓ Foster moved, Ottman seconded to reduce the LACED subsidy from \$30,000 to \$25,000, roll call vote: Foster aye, Ottman aye, Schweitzer nay, Besler aye, motion carried.
- ✓ Schweitzer moved, Foster seconded to budget a \$.34 per hour increase for employees and to adjust the budgets accordingly: Finance Office from \$227,755 to \$225,575; State's Attorney from \$149,435 to \$142,860; General Gov't Building from \$86,705 to \$85,820; Director of Equalization from \$207,360 to \$209,990; Register of Deeds from \$98,110 to \$95,720; Sheriff from \$638,775 to \$636,125; CHN from \$44,175 to \$43,505; WIC from \$7,932 to \$7,865; Road & Bridge from 2,139,930 to \$2,124,350, motion carried.
- ✓ Ottman moved, Foster seconded to approve Resolution 2016-11 "Adoption of the Annual Budget for Perkins County, South Dakota", motion carried.

Resolution 2016-11

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, 2017 and ending December 31, 2017 and the same is hereby approved and adopted by the Board of County Commissioners of Perkins County, South Dakota this 6th day of September, 2016. 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, 2017 through December 31, 2017.

COUNTY TAX LEVIES	LEVY IN DOLLARS	\$'s/1,000
General County Purposes	\$1,599,320	2.538
Secondary Road	\$ 112,307	.606

Claims

The following claims were presented and approved for payment, August payroll: 107,323.82; IRS, fica, 7,462.91; SD Retirement, retirement, 5,663.73; Delta Dental, insurance, 1,303.66; Medico Life, insurance, 146.88; Wellmark, insurance, 21,018.39; SDPEF, insurance, 96.00; HRA Reimbursements, 3,313.83; A&B Business, supplies, 26.58; Active Data Systems, maintenance, 900.00; BH Family Practice, jail fees, 313.00; Bison Courier, publishing, 306.07; Bison Food Store, supplies, 19.41; Bison Grain, supplies, 313.50; Bison Implement, repairs/supplies, 2,464.77; Butler Machinery, repairs, 598.47; L Carda, spraying/travel, 557.45; Current Connection, supplies/maintenance, 727.71; Dakota Feed & Seed, chemical, 6,327.60; L Englehart, chemical rebate, 262.83; G&O Paper, supplies, 328.50; Gene's Repair, repairs, 519.19; Grand Electric, utilities, 230.45; B Hermann, chemical rebate, 1,136.19; Hills Material, supplies, 1,345.50; Rena Hymans, PC, ct appt atty, 1,653.69; John Deere Financial, repairs, 491.95; Johnson Controls, contract services, 119,921.60; Kimball Midwest, supplies, 181.45; LACED, subsidy, 15,000.00; Lawson Products, supplies, 104.78; Lemmon EMT, subsidy, 711.51; Meade County, jail board, 325.00; Midwest Radar & Equipment, repairs, 240.00; R Miller, supplies, 47.00; NAPA, supplies, 585.00; Newman Signs, supplies, 495.66; NW Farm & Home, supplies, 55.93; S Penfield, rent, 400.00; Perkins County ROD, banking fees, 50.00; Phil's Paint & Body, repairs, 4,985.45; Print Shop, supplies, 41.00; Runnings, supplies, 43.33; SBM, maintenance, 17.01; Schneider Corp, GIS fees, 1,500.00; SD Sheriff's Assn, registration, 85.00; SD Unified Judicial System, atty prof services, 4,379.76; Servall Uniform, supplies, 35.65; Sheehan Mack, repairs, 458.08; Town of Bison, utilities, 201.48; Truenorth, repairs, 520.00; Verizon Wireless, maintenance, 240.08; VISA, travel, 67.51; West Tire, repairs, 170.00; WR Telephone, utilities, 1,344.30; Z&S Dust Control, material, 5,541.16.

Adjournment

Foster moved, Schweitzer seconded to adjourn the meeting at 1:18 p.m. The next regular meeting will be held on Tuesday, October 11, 2016 at 10:00 a.m. at the Perkins County Courthouse.

ATTEST:

APPROVED:

Sylvia Chapman, Finance Officer

Brad W. Besler, Chairman