UNAPPROVED MINUTES OF

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April 17, 2018

The Moody County Commissioners met in regular session on Tuesday, April 17, 2018 in the County Commissioners' Room in the Courthouse at 9:00 AM, with the following members present: Chairman Jerry Doyle, Rick Veldkamp, Tom Ehrichs, Dan Miles, and Kristina Krull as Clerk of the Board. Also present Marty Skroch, Commission Assistant, Kendra Eng, Zoning Administrator and Brenda Wade Schmidt, Moody County Enterprise. Absent Carla Bruning.

Chairman Doyle called the meeting to order. Motion by Ehrichs, seconded by Veldkamp to approve the agenda. All present voted “aye”. Motion by Veldkamp, seconded by Miles to approve the consent agenda. All present voted “aye”.

Minutes: April 3, 2018

Motion by Miles, seconded by Ehrichs to approve the travel request for DeAnna Berke, Director of Equalization and Kendra Eng, Deputy DOE to attend the SDAAO Conference in Rapid City May 22-25, 2018. All present voted “aye.

Motion by Miles, seconded by Veldkamp to adjourn to conduct business as Drainage Board at 9:03 AM. All present voted “aye”. Motion by Ehrichs, seconded by Miles to adjourn to conduct business as the Board of Adjustment at 9:08 AM. All present voted “aye”. Carla Bruning joined by phone. Motion by Bruning, seconded by Miles to adjourn and resume regular session at 9:56 AM. All voted “aye”. Eng left the meeting.

As advertised a hearing was held to consider the application for a liquor license for Royal River Casino. Motion by Miles, seconded by Ehrichs to approve the temporary special beer and consuming/blending license permit for June 8 and 9, 2018. All voted “aye”. Motion by Veldkamp, seconded by Ehrichs to approve public display of fireworks for FSST training and demo on April 21, 2018. All voted “aye”.

Pyrohaulic Fireworks met with the Board to discuss a firework permit. Motion by Miles, seconded by Veldkamp to approve a public display of fireworks for Pyrohaulic Fireworks for June 27-July 5, 2018. All voted “aye”. Motion by Ehrichs, seconded by Miles to approve testing fireworks display to be held one night between June 1-20, 2018. All voted “aye”.

Marc Blum, Highway Superintendent and Lance Iott, Highway Assistant Supervisor met with the Board. Also present Paul Lewis, States Attorney. Motion by Veldkamp, seconded by Ehrichs to approve the following resolution with all voting “aye”:

A RESOLUTION EXTENDING WEIGHT LIMIT ENFORCEMENTS ON MOODY COUNTY HIGHWAYS

WHEREAS, Seasonal climatic changes can be detrimental to our highways, and

WHEREAS, based upon highway and climatic conditions an extension of seasonal weight limits is warranted through May 31, 2018.

WHEAREAS, the Moody County Board of County Commissioners, desires the enforcement of weight limitation of Moody County Roads as set forth and posted by the Moody County Highway Superintendent.

NOW THEREFORE BE IT RESOLVED: The limits on Moody County Highway shall be set as seven (7) ton per axle, on all asphalt surface roads, and seven (7) ton per axle, on all gravel roads during spring thaw period and when limit signs are in place.

That the South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitations on Moody County Roads.

BE IT FURTHER RESOLVED, that the penalty for the violation of the load restrictions shall be as set forth in SDCL 32-22-55.

Vote of Moody County Commission Aye 5 Nay 0

Dated this 17th Day of April, 2018.

Jerry Doyle ATTEST: Kristina Krull

Chairperson, Moody County Commission Moody County Auditor

Discussion was held on overlay. Motion by Miles, seconded by Veldkamp to authorize Auditor Krull to publish a Notice of Hearing for May 15th, 2018 to consider supplements to Highway Budget for 2018. All voted “aye”. Blum informed the Board, Light Equipment Operator Kasen Grengs will be starting for the season on May 7, 2018. Lewis and Bruning left the meeting.

Motion by Veldkamp, seconded by Miles to conduct business as Board of Equalization at 11:00 AM. All present voted “aye”. DeAnna Berke, Director of Equalization met with the Board. Also present Kendra Eng, Deputy DOE. The Commissioners signed oaths as Equalization members.

Motion by Veldkamp, seconded by Miles to uphold the original assessor NADS & NAD1S value of 188,760 on parcel 24.04.04.06 owned by Kimberly Schmidt. All present voted “aye”.

Motion by Ehrichs, seconded by Veldkamp to change the NAD value to 60,630 and to uphold the AGD of 78,032 on parcel 23.50.07.01 owned by John Steinhauer. All present voted “aye”.

Steven Toews met with the Board. Motion by Miles, seconded by Veldkamp to change the NAD1 value to 49,030 on parcel 25.01.02.01 owned by Steven and Sonya Toews. All present voted “aye”.

Linda Goetz, Deputy Treasurer met with the Board. Motion by Ehrichs, seconded by Miles to approve the DOE to make any changes for those applications approved by the County Treasurer for the elderly/disabled tax freeze. All present voted “aye”.

Motion by Veldkamp, seconded by Miles to approve the DOE to make any changes due to discretionary reduction, veteran exemption, renewable resource credit, local industrial development per SDCL 10-4-8.1 to approve Local Board changes. All present voted “aye”.

Motion by Veldkamp, seconded by Ehrichs to approve all qualifying Owner Occupied Dwelling Applications received by the County DOE by March 15, 2018. All present voted “aye”.

Motion by Miles, seconded by Veldkamp to approve the property tax exempt status application for parcel 108.47.33.375 owned by Rolling Plains Mennonite Church. All present voted “aye”.

Motion by Ehrichs, seconded by Miles to remove value from parcel 23.01.24.01, tax property owned by Moody County. All present voted “aye”.

Motion by Veldkamp, seconded by Ehrichs to approve the following resolution with all present voting “aye”

RESOLUTION 18041702

DECLARATION OF BEGINNING FARMER DESIGNATION FOR PARCEL #107.49.24.355 OWNED BY

David Johanson, Daniel Johanson & Grace Johanson

WHEREAS, David Johanson, Daniel Johanson & Grace Johanson are owners of parcel #107.49.24.355 legal description S1/2 EXC: AILSBY TR 1, LOTS H-2, S-659' N-1901.9' E-659.9', S-1400.89'E-674.9' SEC.24-107-49 (parcel number assigned by the Moody County Equalization Office) located in Moody County, South Dakota, meet the criteria of SDCL 10-6-31.5 to qualify as a beginning farmer; and

WHEREAS, by virtue of meeting the criteria set forth in SDCL 10-6-31.4, such parcel may be granted a tax freeze for five (5) years in accordance with the provisions of SDCL 10-6-31.5; and

WHEREAS, the granting of such designation is discretionary with the Moody County Board of Commissioners; and

WHEREAS, The Moody County Board of Commissioners is willing to grant such designation upon the terms and conditions hereinafter set forth.

NOW THEREFORE BE IT RESOLVED, that the Moody County Board of Commissioners grants beginning farmer status to David Johanson, Daniel Johanson & Grace Johanson as the owners of parcel #107.49.24.355 as designated by the Moody County Equalization Office; and

BE IT FURTHER RESOLVED, that the granting of the beginning farmer status be for a period of five years from the assessment year 2017 taxes payable 2018 with taxes upon such property be frozen at $4,119.56 for that period of time from 2017 ending 2021, except that the tax freeze so granted shall not apply to any new buildings or structures which may be constructed upon such property during the period of the tax freeze. Dated this 17th day of April, 2018.

Adopted 17th day of April, 2018.

Jerry Doyle ATTEST: Kristina Krull

Moody County Board of County Commissioners Moody County Auditor

Motion by Miles, seconded by Veldkamp to abate the taxes on parcel 107.49.24.355 for taxes 2017 payable 2018 in the amount of 281.96. All present voted “aye”.

Motion by Miles, seconded by Ehrichs to resume regular session at 12:30 PM. All present voted “aye”.

Paul Lewis, States Attorney joined the meeting.

Cody Amdahl, Stuart Keating and Ben Lebrun, Flandreau Township met with the Board to discuss road maintenance of 231st street.

Discussion was held on tax property 23.01.24.01. Lewis left the meeting.

Erica Rorvik, Librarian met with the Board to present the Public Library Survey. Motion by Veldkamp, seconded by Miles to approve Chairman Doyle to sign the Public Library Survey. All present voted “aye”.

Kristina Krull, Auditor met with the Board. Krull reviewed the 2018 expense and revenue budgets and the Cash Analysis. Motion by Ehrichs, seconded by Veldkamp to approve the following resolution with all present voting:

# RESOLUTION 18041701

WHEREAS, Commissioner Contingency Funds are included in the annual budget, and

WHEREAS, insufficient funds were provided to the following budget: Unemployment;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to SDCL 7-21-6.1 it was moved and seconded to approve the following Contingency Transfer:

101-4-168-4210 Unemployment 1,070.00 CR

101-4-112-4297 Total Contingency Transfer 1,070.00 DB

Members voting “aye”: 4.

Dated this 17th day of April 2018.

Jerry Doyle ATTEST: Kristina Krull

Chairman, Moody County Commissioners Moody County Auditor

Marty Skroch, Commission Assistant met with the Board. Motion by Veldkamp, seconded by Miles to change the first meeting in June to June 7th, 2018 for election canvass. All present voted “aye”. Motion by Ehrichs, seconded by Miles to allow the use of the courthouse grounds or the courthouse rotunda for National Day of Prayer on May 3, 2018. All present voted “aye”. Motion by Ehrichs, seconded by Miles to hire Margaret Harkness, Dispatcher at Grade 11/Step A at $14.37/hr, effective April 30, 2018. All present voted “aye”. Motion by Miles, seconded by Veldkamp to appoint Ken Prorok as Chief Deputy at Grade 21/Step D at $19.14/hr, effective April 30, 2018. All present voted “aye”.

Motion by Miles, seconded by Ehrichs to approve the following claims and issue warrants with all present voting “aye”: General: A & B Business, supplies 97.95, AT&T, telemetry 24.04, Avera Medical Group University, mental ill 214.64, Avera/Flandreau Medical Center, supplies 3057.74, Barnes & Noble, publications 133.32, Bound Tree Medical, supplies 377.45, Bruning & Lewis Law Firm, April office expense 2913.84, Cedar Shore Resort, travel 183.90, Century Business Products, supplies 24.00, Centurylink, utilities 413.62, Codington County, jail housing 750.00, Culligan, supplies 32.20, Manuel J Decastro Jr, ct apt atrny 1057.20, Dept of Revenue, blood alcohol 515.00, Dust-Tex Service Inc, supplies 139.56, Einspahr Auto Plaza, repairs 831.20, Ekern Home Equipment, repairs 438.00, Moody County Enterprise, publishing 850.31, First Bank Card, supplies/gas 5625.17, ICAP, services 627.67, Jacob Dawson, ct apt atrny 612.10, Lake County Sheriff, jail housing 11850.00, Lewis & Clark Behavioral, mental ill 760.00, Lincoln County Treasurer, mental ill 120.00, Martin’s Flag Co, supplies 150.49, Matheson Tri-Gas Inc., supplies 25.15, Maynards, supplies 5.96, Nancy Nelson, ct apt atrny 603.90, Office Depot, supplies 66.17, One Office Solution, supplies 293.66, Overdrive, publications 1500.00, Patricia Hartsel, transcripts 425.60, Pennington County Sheriff, transport 299.35, Bob Pesall, ct apt atrny 4600.00, Powers/Dakota Stop, fuel 482.83, River’s Edge, fuel 3083.88, Santel Communications, equipment plan 3464.50, Dean Schaefer, court reporter 30.00, SD Achieve, service 120.00, SD Department of Labor, unemployment 4680.00, SD Dept of Public Safety, teletype 6180.00, SDACC, travel 350.00, SDACC, ct system 3012.00, SDACES, 2018 dues 60.00, Sparkle Car Wash, supplies 88.10, Unger Law Office, ct apt atrny 6348.30, Union County Sheriff, jail housing 650.00, Vast utilities 41.28, Troy Wellman, travel 371.00, West Payment Center, codified law books 64.58, Yankton County Treasurer, mental ill 118.75. Highway: Anderson-Crane Rubber Co., repairs 531.95, City of Colman, utilities 97.56, Dakota Alignment & Frame, repairs 1512.14, Dust-Tex, supplies 172.02, First Bank Card, supplies 141.80, Greg’s Welding, repairs 50.00, Locator & Supplies, supplies 332.33, Pheasantland Industries, uniforms 1134.91, Powers Oil Company, fuel 723.00, RDO Equipment, repairs 28.08, Santel Communications, equipment plan 60.00, Titan Machinery, repairs 89.15. 911: Zuercher Technologies, insight maintenance 975.00. Emergence Management: Powers-Dakota Stop, fuel 101.09, River’s Edge Cooperative, supplies 239.62, Santel Communications, equipment plan 80.00. 24/7 Fund: PharmChem, supplies 456.80, Water Conservation Fund: EDWDD, monthly remit 1573.52. State Remittance: state remit-motor vehicle 126524.46. Mod & Pres Flow Fund: SDACO, monthly remit 278.00.

Motion by Veldkamp, seconded by Miles to adjourn the meeting at 2:23 PM. All present voted “aye”.

ATTEST: Kristina Krull Jerry Doyle, Chairman

Moody County Auditor Moody County Board of Commissioners