

UNAPPROVED MINUTES OF  
April 20, 2020

The Moody County Commissioners met telephonically in regular session on Monday, April 20, 2020 at 9:00 AM, with the following members present: Chair Carla Bruning, John Schiefelbein, Dan Miles, Tom Ehrichs, Rick Veldkamp and Kristina Krull, Auditor as Clerk of the Board. Also present Marty Skroch, Commission Assistant, Brenda Wade Schmidt, Moody County Enterprise, Paul Lewis, States Attorney, and Kendra Eng, Zoning Administrator.

Chair Carla Bruning called the meeting to order. Motion by Ehrichs, seconded by Miles to approve the agenda. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Veldkamp, seconded by Schiefelbein to approve the consent agenda. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Minutes: April 7, 2020

Motion by Miles, seconded by Ehrichs to adjourn to conduct business as the Board of Adjustment at 9:07 AM. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Ehrichs, seconded by Miles to adjourn and to conduct business as the Joint Board of Commissioners and Planning at 10:06 AM. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Ehrichs, seconded by Veldkamp to approve the minutes from April 7, 2020. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Kendra Eng, Zoning Administrator reviewed one plat with the Board. Motion by Veldkamp, seconded by Schiefelbein to approve the following plat resolution. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

COUNTY COMMISSION

"BE IT RESOLVED by the County Commission of Moody County, South Dakota, that the plat of TRACT 1 OF SIMONSEN ADDITION AN ADDITION IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 105 NORTH, RANGE 50 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, MOODY COUNTY, SOUTH DAKOTA, be and the same is hereby approved.

I hereby certify that the above is a correct copy of the resolution duly passed by the County Commission, at a meeting held on the dated adopted.

Adopted this 20<sup>th</sup> day of April, 2020.

Kristina Krull  
County Auditor  
Moody County, South Dakota

Motion by Ehrichs, seconded by Miles to adjourn and resume regular session at 10:10 AM. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Marty Skroch, Commissioner Assistant met with the Board. Motion by Miles, seconded by Ehrichs to move the first meeting in June to June 4, 2020 for the Primary Canvass. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Veldkamp, seconded by Schiefelbein to authorize Head start to use the Extension Building in the summer of 2020. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Miles, seconded by Veldkamp to approve a Step increase due to experience for Jason Bumsted Grade 7/Step D \$14.60/hr, and \$4/hr on call effective April 7, 2020. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Miles, seconded by Schiefelbein to conduct business as Board of Equalization at 10:32 AM Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. DeAnna Berke, Director of Equalization met with the Board.

Linda Goetz, Deputy Treasurer met with the Board. Motion by Veldkamp, seconded by Schiefelbein to approve the DOE to make any changes for those applications approved by the County Treasurer for the elderly/disabled tax freeze. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Miles, seconded by Ehrichs 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. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Veldkamp, seconded by Schiefelbein to approve all qualifying Owner-Occupied Dwelling Applications received by the County DOE by March 15, 2020. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Daniel Warborg, County Resident joined the meeting. Motion by Veldkamp, seconded by Miles to uphold the original assessor NADS value 36,650 and NAD1S value 93,312 on parcel 23.50.12.01 owned by Daniel and Barbara Warborg. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Miles, seconded by Veldkamp to uphold the original assessor NADS value 92,000 on parcel 23.50.12.01T owned by Daniel and Barbara Warborg. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Russell Olson, County Resident joined the meeting. Motion by Veldkamp, seconded by Schiefelbein to uphold the original assessor NAC value 69,450 on parcel 106.48.18.125 owned by Russell Olson. Voting "aye": Schiefelbein, Miles,

Ehrichs, Veldkamp. Voting "nay": none.

David Marsceau, County Resident joined the meeting. Motion by Ehrichs, seconded by Miles to uphold the original assessor NACS value 128,360 and change the NAC1S to 44,770 on parcel 108.50.32.100 owned by David and Sherrie Marsceau. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Ron Snyder, County Resident joined the meeting. Motion by Miles, seconded by Ehrichs to uphold the original assessor NACS value 70,000 on parcel 105.50.29.310 owned by Ronald and Chris Snyder. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Gary Elsinger, County Resident joined the meeting. Motion by Veldkamp, seconded by Miles to uphold the original assessor NACS value of 130,800 and change the NAC1S to 81,350 on parcel 108.50.03.250 owned by Gary and Lisa Elsinger. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Mark Flaskey, County Resident joined the meeting. Motion by Miles, seconded by Veldkamp to uphold the original assessor NACS value of 101,600 and NAC1 of 18,390 and leave the local board change of NAC1s value to 230,840 on parcel 105.48.07.150 owned by Mark and Carrie Flaskey. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Mark Schultz, County Resident joined the meeting. Motion by Miles, seconded by Ehrichs to uphold the original assessor AGA value of 482,791 on parcel 107.50.20.200 owned by Mark and Cathy Schultz. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Miles, seconded by Schiefelbein to uphold the original assessor NAC value of 143,280 and NAC1 of 18,490 on parcel 108.49.05.225 owned by Matthew and Ashley Buller. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Ehrichs, seconded by Schiefelbein to approve the new disabled veterans' exemption on parcel 106.50.06.375, 21.03.08.17 and 21.08.10.05. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Miles, seconded by Veldkamp to approve the DOE to make any changes due to assessor error. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Schiefelbein, seconded by Miles to remove the NAC1S value from parcel 107.49.27.110 due to a house fire. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Veldkamp, seconded by Ehrichs to remove the NADM1 value from parcel 24.03.01.04 due to MH being removed. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Ehrichs, seconded by Miles to resume regular session at 1:52 PM. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Marty Skroch, Commission Assistant met with the Board. Motion by Miles, seconded by Schiefelbein to declare parcel 24.02.01.07 surplus to be sold. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Veldkamp, seconded by Ehrichs to declare parcel 24.03.01.02 surplus to be sold. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Miles, seconded by Schiefelbein to declare parcel 24.52.01.06B to be sold. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Miles, seconded by Ehrichs to advertise surplus property parcel 24.02.01.07 for sealed bids. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Veldkamp, seconded by Miles to advertise surplus property parcel 24.03.01.02 for sealed bids. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Miles, seconded by Schiefelbein to advertise surplus property parcel 24.52.01.06B for sealed bids. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Krull presented tax abatements for the properties to the Board. Motion by Veldkamp, seconded by Miles to approve the tax abatement of parcel 24.02.01.07 for 73.54 reason: property taken by tax deed. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Miles, seconded by Schiefelbein to approve the tax abatement of parcel 24.03.01.02 for 2160.60 reason: property taken by tax deed. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Ehrichs, seconded by Schiefelbein to approve the tax abatement of parcel 24.52.01.06B for 338.60 reason: property is exempt from tax. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Veldkamp, seconded by Schiefelbein to approve the tax abatement of parcel 24.02.01.07 for 14.44 reason: property is exempt from tax. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Ehrichs, seconded by Miles to approve the tax abatement of parcel 24.03.01.02 for 229.72 reason: property is exempt from tax. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Miles, seconded by Veldkamp to approve the tax abatement of parcel 24.52.01.06B for 66.92 reason: property taken by tax deed. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

Motion by Miles, seconded by Schiefelbein to declare the Sheriff's 2013 Dodge Charger surplus to be sold. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Veldkamp, seconded by Ehrichs to advertise surplus 2013 Dodge Charger to be sold by sealed bid. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Ehrichs, seconded by Miles to declare 1997 Dodge Grand Caravan surplus to be sold. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. Motion by Ehrichs, seconded by Miles to advertise surplus 1997

Dodge Grand Caravan to be sold by sealed bid. Voting “aye”: Schiefelbein, Miles, Ehrichs, Veldkamp. Voting “nay”: none. Motion by Miles, seconded by Schiefelbein to amend the motion from April 7, 2020 to accept the bid from LG Everist for crushed quartzite rip-rap at \$22.65/ton picked up. Voting “aye”: Schiefelbein, Miles, Ehrichs, Veldkamp. Voting “nay”: none.

Discussion was held on COVID-19 and the primary election. Motion by Veldkamp, seconded by Miles to approve the following resolution, Voting “aye”: Schiefelbein, Miles, Ehrichs, Veldkamp. Voting “nay”: none.

MOODY COUNTY RESOLUTION 20042001

A RESOLUTION DESIGNATING PRECINCTS AND POLLING PLACES FOR THE JUNE 2, 2020 PRIMARY ELECTION

WHEREAS South Dakota Codified Law §12-14-1 provides that a board of county commissioners shall by resolution provide for election precincts throughout its county and shall designate polling places within such precincts; and

WHEREAS, Moody County, South Dakota, presently has the following precincts and polling places:

Precinct Number	Cities/Townships	Legislative District	Polling Place
#1	City of Flandreau – Ward 2 City of Flandreau – Ward 1 North of SD Hwy 32 Flandreau Twp – Sections 1,2,3,10,11,12,13,14,15,22,23,24	8	William J. Janklow Community Center 802 W. Community Drive Flandreau, SD 57028
#2	City of Flandreau – Ward 3 City of Flandreau – Ward 1 South of SD Hwy 32 Flandreau Twp – Sections 25 thru 36	8	Courthouse – 1st Floor 101 E. Pipestone Avenue Flandreau, SD 57028
#3	Trent Town, Alliance Twp Blinsmon Twp, Enterprise Twp Lynn Twp – Sections 1,2,3,10,11,12,13,14,15,19-36	8	Trent Gym 403 E. 3rd Street Trent, SD 57065
#3/4B			
(3)	Lone Rock Twp, Union Twp	8	William J. Janklow Community Center 802 W. Community Drive Flandreau, SD 57028
(4)	Ward City, Riverview Twp, Spring Creek Twp Ward Twp, Flandreau Twp – Sections 4,5,6,7,8,9,16,17,18,19,20,21	8	802 W. Community Drive Flandreau, SD 57028
#4	Egan City, Clare Twp, Egan Twp, Grovena Twp	8	Egan Senior Citizens Center 200 W. 3rd Street Egan, SD 57024
#5	Colman City, Colman Twp, Fremont Twp, Jefferson Twp, Lynn Twp – Sections 4,5,6,7,8,9,16,17,18	8	Colman Community Center 126 N. Main Colman, SD 57017

WHEREAS, South Dakota Codified Law §12-14-9 provides that polling places shall be selected with reference to the convenience of the voters in the various election precincts, and should be as near the center of the election precincts as practicable, but if in the judgment of the board of county commissioners the convenience of the voters will be served thereby or if communication can be thereby made available, the polling place may be located outside the boundaries of the precinct; and

WHEREAS, South Dakota Codified Law §12-19-37 provides that a county may create by resolution a special precinct to be known as an absentee ballot precinct, and at said precinct all absentee ballots cast at any election shall be counted; and

WHEREAS, an outbreak of a severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected in more than 100 countries, including the United States; and

WHEREAS, the World Health Organization has designated COVID-19 a pandemic, and the United States Centers for Disease Control and Prevention (CDC) has declared a public health emergency; and

WHEREAS, Governor Kristi Noem, through Executive Order 2020-04, declared South Dakota to be in a State of Emergency due to the COVID-19 pandemic, and re-authorized said declaration and extended the State of Emergency through Executive Order 2020-15; and

WHEREAS, Governor Kristi Noem, through Executive Order 2020-12, ordered and directed certain precautionary actions to be undertaken by counties and municipalities to mitigate the spread of the COVID-19, including the implementation of CDC hygiene practices, restricting public gatherings of ten people or more, and protecting critical infrastructure; and

WHEREAS, Governor Kristi Noem anticipates that both the COVID-19 pandemic and State of Emergency will last for a period of four or more months, during which time a statewide primary election has been scheduled for June 2, 2020; and

WHEREAS, in an effort reduce the potential for transmitting COVID-19 throughout the state during the election primary, the South Dakota Secretary of State's Office will be contacting all eligible voters about considering the use of absentee balloting rather than in-person voting on June 2, 2020; and

WHEREAS, it is reasonably anticipated that the actions taken by the South Dakota Secretary of State will result in more eligible voters using absentee balloting than has otherwise previously occurred throughout the state to date, including an anticipated increase in absentee voting by eligible Moody County voters; and

WHEREAS, while the Moody County Board of Commissioners support the executive orders of Governor Noem, and the actions taken by the South Dakota Secretary of State, the Moody County Commission also acknowledges the need to protect the suffrage rights of all eligible Moody County voters to participate in the June 2, 2020, primary election through in-person voting at established precinct polling locations; and

WHEREAS, the Moody County Board of Commissioners believe that CDC hygiene practices, public gathering restrictions, and such other orders and commands contained within Governors Noem's Executive Orders necessitate that the polling places made available for in-person voting in Moody County on June 2, 2020, be appropriately staffed, carefully monitored, thoroughly sanitized, meet the handicap accessibility requirements of the Help America Vote Act, and meet such other accessibility requirements as established by state and federal law; and

WHEREAS, it is the belief of the Moody County Board of Commissioners, following a review of all of the above-indicated requirements, the assessment of county resources, and the investigation of suitable public gathering sites, that all of the Precincts in Moody County should be assigned a single, consolidated, and common polling place for in-person voting during the June 2, 2020, primary election; and

WHEREAS, it is the opinion of the Moody County Board of Commissioners that the Flandreau Public Elementary School building in Flandreau is the most suitable polling location for all Moody County Precincts for in-person voting during the June 2, 2020, primary election.

NOW, THEREFORE BE IT RESOLVED by the Moody County Board of Commissioners that the polling location for Precinct #1, Precinct #2, Precinct #3, Precinct #3/4B, Precinct #4, and Precinct #5, as described above, be moved to the Flandreau Public Elementary School building in Flandreau for the June 2, 2020, primary election; and

BE IT FURTHER RESOLVED that a Precinct #6, heretofore called the Absentee Ballot Precinct, be created as a special precinct for the receipt, processing, and counting of all absentee ballots cast in Moody County during the June 2, 2020, primary election, and that such Precinct be assigned a polling place identified as the Moody County Courthouse, 101 E. Pipestone Avenue, Flandreau, South Dakota, 57028.

Dated this 20th day of April, 2020.

ATTEST: Kristina Krull  
Moody County Auditor

Carla Bruning, Chair  
Moody County Board of Commissioner

Motion by Schiefelbein, seconded by Ehrichs to approve the following claims and issue warrants, Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none. General: A&B Business, supplies 118.52, Access Elevators & Lifts, Inc., maintenance 489.00, Alpha Training & Tactics, supplies 1914.84, AT&T, utilities 23.94, Avera McKennan Flandreau Medical Center, services 1698.73, Axon Enterprise, Inc., body cameras 84,489.00, Barnes & Nobles, publications 603.47, Booster & Advertising Agency, supplies 132.00, Bruning & Lewis Law Firm, 2nd half of April 2913.84, Centurylink, utilities 460.06, Codington County, jail housing 2380.00, Culligan, supplies 80.00, Darcy Lockwood, services 15.00, Manual J deCastro Jr, ct apt atry 655.20, Department of Health, blood alcohol 1150.00, Dust Tex Service, supplies 35.51, Ekern Home Equipment, repairs 864.46, Moody County Enterprise, publications 50.00, Hillyard-Sioux Falls, supplies 526.15, Junior Library Guild, publications 297.55, Mark Katterhagen, services 15.00, Lake County Sheriff, jail housing 5620.00 Lewis & Clark Behavioral Hospital, services 178.00, Lewis Drug, supplies 136.99, Lucy Lewno, services 166.50, Matheson Tri-Gas, supplies 35.11, Maynards, supplies 47.06, Modern Marketing, Inc., supplies 366.33, Nancy Nelson, ct apt atry, service 405.31, Pennington County Sheriff, jail transport 138.41, Powers-Dakota Stop, fuel, 173.28, Redwood Toxicology Lab, blood alcohols 277.50, Ribstein & Hogan Law Firm, ct apt atry 855.75, River's Edge, fuel 1311.81, Santel Communications, data processing 64.00, Dean Schaefer, services 60.00, Sioux Falls Two Way Radio, supplies 54.98, Sparkle Car Wash, supplies 116.55, State Treasurer's Office, st remit 1211.63, Sturdevant's Auto Supply, supplies 16.57, Tyler Lumber Co., supplies 162.42, Unger Law, March services 6143.60, Vast, utilities 252.54, Verizon Wireless, utilities 240.14. Highway: Dakota Fluid Power, repairs 2865.82, Dust-Tex Service, supplies 42.25, Ekern Home Equipment, repairs 6.49, Greg's Welding Inc., repairs 70.40, I-State Truck Center, repairs 238.50, Lyle Signs, Inc., supplies 795.00, Power's Oil Co., gasoline 462.00, River's Edge Cooperative, supplies 10,647.78, Sanitation Products, repairs 371.31, SD Dept of Transportation, bridge costs 6007.89, True North Steel, bridge 108-135 94,364.50, Wheelco Brake & Supply, repairs 685.28. Domestic Abuse: Wholeness

Center, 1<sup>st</sup> quarter 290.00. State Remittance Fund: State Treasurer, st remit motor vehicle 101,059.74. 24/7 Sobriety: Pharmchem, supplies 171.30. Mod & Pres Relief Fund: SD Association of County Offices, March 308.00. Water Conservation Fund: East Dakota Water Development, monthly remit 1906.64. State 24/7 Sobriety Fund: SD Attorney General's Office, SCRAM 675.00.

Motion by Miles, seconded by Schiefelbein to adjourn the meeting at 2:30 PM. Voting "aye": Schiefelbein, Miles, Ehrichs, Veldkamp. Voting "nay": none.

ATTEST: Kristina Krull  
Moody County Auditor

Carla Bruning, Chair  
Moody County Board of Commissioner