

UNAPPROVED MINUTES OF
July 7, 2020

The Moody County Commissioners met in regular session on Tuesday, July 7, 2020 in the Courtroom of the Courthouse at 9:00 AM, with the following members present: Vice Chair Rick Veldkamp, John Schiefelbein, Tom Ehrichs, and Dan Miles, with Kristina Krull Auditor as Clerk of the Board. Also present Marty Skroch, Commission Assistant, Paul Lewis, States Attorney and Brenda Wade Schmidt, Moody County Enterprise. Carla Bruning joined by phone.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners, Moody County:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County as of June 30, 2020, which includes money collected for schools, cities, townships and state:

Total amount of deposits in bank:	\$ 7,338.79
Total amount of actual cash:	\$ 3,692.37
Register of Deeds cash:	\$ 247.00
Total amount of checks and drafts in Treasurer's possession not exceeding 3 days:	\$ 11,755.09
Outstanding Credit Card payments:	\$ 5,407.28
Itemized list of all items, checks and drafts which have been in the treasurer's possession over 3 days:	\$ 160.87
First National Bank Flandreau CD	\$ 0.00
First National Bank Flandreau Savings	\$ 2,216,563.12
Flandreau First Savings Bank CD	\$ 4,375,000.00
TOTAL	\$ 6,620,164.52

Dated this 9th day of July, 2020
Kristina Krull
Moody County Auditor

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

Minutes: June 16, 2020

Poor Relief: Case #20200701 Approve in the amount of \$714.00.

Motion by Ehrichs, seconded by Miles to adjourn to conduct business as the Joint Board of Commissioners and Planning at 9:04 AM. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. Motion by Bruning, seconded by Miles to approve the minutes from June 16, 2020. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. Kendra Eng, Zoning Administrator reviewed one plat with the Board. Motion by Miles, seconded by Ehrichs to approve the following plat resolution, Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.:

COUNTY COMMISSION

"BE IT RESOLVED by the County Commission of Moody County, South Dakota, that the plat of LOT 1 OF LEE-POPEJOY ADDITION IN THE SE ¼ OF SECTION 19, T107N, R49W OF THE 5TH P.M, 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 7th day of July, 2020.

Kristina Krull
County Auditor
Moody County, South Dakota

Motion by Schiefelbein, seconded by Miles to adjourn to conduct business in regular session at 9:10 AM. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.

Linette Christensen, Treasurer reviewed the county finances with the Board. Motion by Ehrichs, seconded by Miles to approve the following resolution, Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.:

MOODY COUNTY RESOLUTION #20070701

FOR THE ESTABLISHMENT OF AN ADMINISTRATIVE FEE
FOR CERTAIN TITLE AND REGISTRATION SERVICES

WHEREAS, South Dakota allows out of state and resident applicants to title motor vehicles entirely by mail; and

WHEREAS, any title, interstate title and initial registration applications that are processed entirely by mail are more time consuming and result in higher administrative expenses and allocation of staff time for Treasurer's Office; and

WHEREAS, SDCL 32-3-18.1 allows counties to charge an administrative fee for applications for title, interstate title and initial registrations completed entirely by mail; and

WHEREAS, South Dakota allows resident and nonresident applicants to title large boats, as defined by SDCL 32-3A-2(5) entirely by mail; and

WHEREAS, SDCL 32-3A-21.1 allows counties to charge an administrative fee for applications to title large boats, as defined by South Dakota law, completed entirely by mail; and

WHEREAS, SDCL 32-3A-4 requires residents and nonresidents to register boats requiring numbering by the State of South Dakota; and

WHEREAS, initial registration of boats completed entirely by mail is as time consuming as the titling process for large boats or motor vehicles; and

WHEREAS, pursuant to SDCL 7-8-20(7), the Moody County Commission is empowered with the responsibility to superintend the fiscal concerns of the county and secure their management in the best possible manner;

NOW THEREFORE BE IT RESOLVED that, as of July 7th, 2020, the Moody County Treasurer's Office will charge an administrative fee of \$25.00 for any title, interstate title or initial registration application that is received and processed entirely by mail.

Prior motions or resolutions of the Moody County Commission on the issue of administrative fees for titling or registration of motor vehicles are hereby rescinded as of July 7th, 2020.

APPROVED BY THE MOODY COUNTY BOARD OF COMMISSIONERS THIS 7th DAY OF JULY 2020.

ATTEST: Kristina Krull
Moody County Auditor

Rick Veldkamp, Vice Chair
Moody County Board of Commissioners

Kris Grootwassink, Register of Deeds met with the Board to discuss the 2021 Register of Deeds budget request.

Terry Albers, Emergency Manager met with the Board. Discussion was held on the 2021 Emergency Management budget request. Motion by Schiefelbein, seconded by Bruning to approve the following resolution, Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.:

RESOLUTION #20070702

Moody County Commission

Resolution Adopting the Moody County Pre-Disaster Mitigation Plan 2020 – 2025

WHEREAS, Moody County received assistance in the preparation of the Moody County Pre-Disaster Mitigation Plan 2020-2025 from representatives of Moody County and received funding from the South Dakota Office of Emergency Management / FEMA; and

WHEREAS, several public planning meetings were held between December 2019 and May of 2020 regarding the development and review of the Moody County Pre-Disaster Mitigation Plan 2020-2025; and

WHEREAS, the Moody County Pre-Disaster Mitigation Plan 2020-2025 contains several potential future projects to mitigate hazard damage in Moody County; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has rendered its approval of the Moody County Pre-Disaster Mitigation Plan on June 29th, 2020 and

WHEREAS, a duly-noticed public hearing was held by the Moody County Pre-Disaster Mitigation Team on May 13th, 2020 to solicit public comment on the Moody County Pre-Disaster Mitigation Plan 2020-2025; and

WHEREAS, a duly-noticed public meeting was held by the Moody County Commission on July 7, 2020 to formally approve and adopt the final Moody County Pre-Disaster Mitigation Plan 2020-2025.

NOW, THEREFORE BE IT RESOLVED that the Moody County Commission adopts the Moody County Pre-Disaster Mitigation Plan 2020-2025.

ADOPTED AND SIGNED this 7th day of July, 2020.

ATTEST: Kristina Krull
Moody County Auditor

Rick Veldkamp, Vice Chair
Moody County Board of Commissioners

Marc Blum, Highway Superintendent met with the Board. Blum informed the Board Moody County was awarded a grant to replace bridge 51-195-220 in Alliance Township. Discussion was held on the 2021 Highway budget request. The 2nd reading of Ordinance 2020-01 was held. Motion by Bruning, seconded by Ehrichs to approve the following ordinance, voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.:

ORDINANCE NO. 2020-01

AN ORDINANCE ESTABLISHING AND MAINTAINING THE RIGHT-OF-WAY FOR ALL ROADS IN THE MOODY COUNTY HIGHWAY SYSTEM

BE IT ORDAINED BY MOODY COUNTY, SOUTH DAKOTA:

WHEREAS, pursuant to SDCL Chapter 31-12, there is established within Moody County, South Dakota, a network of public roadways for which the construction, improvement, maintenance, and repair of the same is under the supervision of the county superintendent of highways, and that is identified collectively as the Moody County Highway System; and

WHEREAS, SDCL §31-3-1 and SDCL §31-3-18 establish the width of public highways in South Dakota as being not less than sixty-six feet wide, unless such road is less than one-half mile in length and not located on any section line; and

WHEREAS, the Moody County Commission desires to establish a standard minimum width for all roads within the Moody County Highway System.

THEREFORE, BE IT ORDAINED BY MOODY COUNTY, SOUTH DAKOTA, that all roads within the Moody County Highway System shall be not less than sixty-six feet wide, taken equally from each side of the roadbed center line.

Adopted this 7th day of July, 2020.

MOODY COUNTY:

By: Rick Veldkamp
Its: Vice Chair

ATTEST:

Kristina Krull
Moody County Auditor

FIRST READING: June 16, 2020
SECOND READING: July 7, 2020
ADOPTION: July 7, 2020
PUBLICATION: July 15, 2020
EFFECTIVE DATE: August 4, 2020

Blum presented a purchase request to the Board. Motion by Bruning, seconded by Miles to approve the following resolution, voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.:

RESOLUTION #20070703
A RESOLUTION AUTHORIZING THE PURCHASE OF
2021 MACK GRANITE PLOW TRUCK CHASSIS
BASED UPON THE PRICE ESTABLISHED
THROUGH THE COUNTY OF SPINK, SOUTH DAKOTA BID PROCESS

WHEREAS, the Moody County Highway Department will need a 2021 MACK GRANITE PLOW TRUCK CHASSIS;
and

WHEREAS, the COUNTY OF SPINK, has recently gone through a competitive bidding process for 2021 Plow Truck Chassis, and such bidding process culminated in the bids being opened October 1, 2019.

WHEREAS TRANSOURCE TRUCK AND EQUIPMENT was the lowest responsible bidder and such COUNTY OF SPINK, SOUTH DAKOTA, bid process and, TRANSOURCE TRUCK AND EQUIPMENT is willing to provide services to MOODY COUNTY under the same terms and options available to the COUNTY OF SPINK, a copy of such bid specifications and bid having been filed at the Moody County Auditor's Office; and

WHEREAS, pursuant to SDCL 5-18A-18(3), MOODY COUNTY is authorized to purchase supplies and services from any active contract that has been awarded by any governmental entity by competitive sealed bids or competitive sealed proposals or from any contract that was competitively solicited and awarded within the previous twelve months;

NOW THEREFORE BE IT RESOLVED that the Moody County Highway Department is hereby authorized and directed to purchase based upon the bid price, or less, as established through the competitive bidding process of the COUNTY OF SPINK, SOUTH DAKOTA, with the unit and specifications and options as follows:
2021 Mack Granite Plow Truck Chassis \$ 136,269.00

Adopted this 7th day of July, 2020

ATTEST: Kristina Krull
Moody County Auditor

Rick Veldkamp, Vice Chair
Moody County Board of Commissioners

Motion by Ehrichs, seconded by Miles to approve the following resolution, Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. :

RESOLUTION #20070704
A RESOLUTION AUTHORIZING THE PURCHASE OF
STAINLESS STEEL DUMP BODY, HYDRAULIC SYSTEM, SNOW WING AND SNOW PLOW WITH HITCH, PULL PLATE
AND PLOW LIGHTS
THROUGH THE HENKE SOURCEWELL CONTRACT #080818 BID.

WHEREAS, the Moody County Highway Department will need a STAINLESS STEEL DUMP BODY, HYDRAULIC SYSTEM, SNOW WING AND SNOW PLOW WITH HITCH, PULL PLATE, AND PLOW LIGHTS; and

WHEREAS, the HENKE SOURCEWELL has recently gone through a competitive bidding process culminating in the bids being open on August 9, 2018 and effective until October 29, 2022; and

WHEREAS, HENKE SOURCEWELL, was the lowest responsible bidder under such NATIONWIDE bid process and HENKE SOURCEWELL is willing to sell to MOODY COUNTY under the same terms and options, a copy of such bid specifications and bid have been filed at the Moody County Auditor's Office; and

WHEREAS, pursuant to SDCL 5-18A-18(3), MOODY COUNTY is authorized to purchase equipment from the lowest responsible bidder of an item competitively bid by another local government entity at the bid price or less.

NOW THEREFORE, BE IT RESOLVED that the Moody County Highway Department is hereby authorized and directed to purchase based upon the bid price, or less, as established through the competitive bidding process of the HENKE SOURCEWELL CONTRACT #080818 with the units and specifications as follows:

STAINLESS STEEL DUMP BODY, HYDRAULIC SYSTEM, SNOW WING, AND SNOWPLOW WITH HITCH, PULL PLATE
AND PLOW LIGHTS

With all standard equipment, warranties, and guarantees as described in the HENKE SOURCEWELL bid specification; together with options including but not limited to:

STAINLESS STEEL DUMP BODY, HYDRAULIC SYSTEM, SNOW WING, AND SNOWPLOW WITH HITCH, PULL PLATE AND PLOW LIGHTS.

Price per unit F.O.B. Flandreau, SD \$ 102,183.00

Adopted this 7th day of July, 2020

Rick Veldkamp, Vice Chair
Moody County Board of Commission

ATTEST: Kristina Krull
Moody County Auditor

Troy Wellman, Sheriff met with the Board. Wellman discussed the 2021 Sheriff budget request.

Marty Skroch, Commission Assistant met with the Board. Discussion was had on the fairgrounds. The Commissioners agreed that county residents should still be able to utilize the outdoor arena. Skroch presented personnel requests to the Board. Motion by Miles, seconded by Schiefelbein to hire Cory Braun, Heavy Equipment Operator, at Grade

14/Step B \$16.67/hr effective July 8, 2020. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. Motion by Bruning, seconded by Ehrichs to approve the step increase for Debra Briggs, Heavy Equipment Operator, Grade 14/Step B, at \$16.67/hr effective July 6, 2020. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. Motion by Miles, seconded by Bruning to hire Tate Hayford, part-time AEMT at \$11.50/hour, effective July 7, 2020. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. Motion by Miles, seconded by Bruning to pay \$30 for cell phone reimbursement for all eligible employees. Voting "aye": Miles, Ehrichs, Bruning. Voting "nay": Schiefelbein.

Motion by Miles, seconded by Ehrichs to approve the license renewal for Crossroads Truck Stop. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.

Paul Lewis, States Attorney met with the Board. Motion by Miles, seconded by Ehrichs to authorize Vice Chair Veldkamp to sign a release of lien on parcel # 106.49.07.175 in the amount of \$2407.33. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. Motion by Bruning, seconded Ehrichs to approve the following resolution voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.:

Moody County Resolution # 20070705

A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECIEPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, Moody County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, Moody County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, Moody County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, Moody County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for Moody County most recently approved as of March 27, 2020; and

WHEREAS, Moody County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the County Commission of Moody County that the chair of the Moody County Commission may execute any and all documents as required by the State in order to receive CARES Act funds. It is further

RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020. It is further

RESOLVED that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.

Approved and adopted this 7th day of July, 2020.

ATTEST:

Rick Veldkamp
Commission Vice Chair
Moody County, South Dakota

Kristina Krull
Auditor
Moody County, South Dakota

Motion by Bruning, seconded by Schiefelbein to enter into executive session at 11:28 AM pursuant to SDCL 1-25-2(3) and SDCL 1-25-2(1). Reason: Legal, Personnel. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. Motion by Ehrichs, seconded by Miles to resume regular session at 12:01 PM. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.

Motion by Bruning, seconded by Miles to change the health insurance benefits for Commissioners to only receive single coverage paid by the County. Any additional coverage can be paid out of pocket by the employee. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.

The following reports were received and filed in the Auditor's Office: Register of Deeds fees \$9393.00, Civil, Warrant and Pistol Fees \$807.00.

Motion by Miles, seconded by Ehrichs to approve the following claims and issue warrants, voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none. : General: A&B Business, supplies 984.55, Ambulance, patient refund 6661.74, Aumentum Technologies, supplies 1089.84, Avera Mckennan Hospital, svcs 714.00, Avera Medical Group, services, 137.80, Avera/Flandreau Medical Center, county nurse 3142.00, Bound Tree Medical, supplies 859.34, Bruning & Lewis, office expense 2913.84, CDW Government, dock station 955.00, Century Business, supplies 34.52, City of Flandreau, utilities 2213.30, Community Counseling, 2020 contribution 4800.00, Daniel Feldhaus, transcripts 139.40, Manuel J Decastro Jr, ct apt aty 1230.70, Detco, supplies 732.72, DS Solutions, Inc., test deck 210.00, Dust-tex Service, supplies 71.02, ES&S, election media 1840.31, First Bankcard, supplies 1494.97, Gabriel Frias, interpreter 75.00, Infotech Solutions, data proc 3287.84, Inter-lakes Community Action, July contribution 715.92, Jurors, juror fees 469.72, Lake County Sheriff, housing 5900.00, Lewis Drug, supplies 145.56, Lincoln County, svcs 819.00, Madison Community Hospital, svcs 497.00, Maynards, supplies 17.17, McLeod's Printing, supplies 818.53, MARC, supplies 288.88, MidAmerican Energy, natural gas 73.38, Minnehaha Jail, jail housing 1557.44, Minnehaha Juvenile, juvenile housing 1421.40, Nancy Nelson, services 424.86, Office Depot, supplies 53.12, Patriot Electric, repairs 215.10, Bob Pesall, ct apt aty 5750.00, Premier Specialty Vehicle, repairs 15.75, Redwood Toxicology Lab, blood alcohol 349.00, Reserve Account, postage meter 2760.00, SD Dept of Revenue, liquor licenses 300.00, Streicher's Inc., supplies 148.18, Tshirts Too, shirts 17.00, Tyler Lumber, supplies 82.27, Unger Law, ct apt aty 5750.00, Vast, utilities 1296.00, Verizon, mobile broadband 240.06, Wex Bank, fuel 1212.70, Yankton County, svcs 220.75. Highway: Ahlers Automotive, repairs 30.00, B&H Contractors, gravel 18663.48, Bauer Built Tire, tires 6296.35, Butler Machinery, repairs 1355.40, C&R Custom Repair 45.00, City of Flandreau, utilities 441.92, Dakota Fluid Power, repairs 467.70, Dust-tex Service, cleaning supplies 96.06, I-State Truck Center, repairs 120.32, Infotech Solutions, LLC., supplies 161.00, Johnny on the Spot, rental 200.00, LG Everist, riprap 4461.26, Locators & Supplies, supplies 68.14, MidAmerican Energy, natural gas 8.00, Midland Tire, repairs 40.00, Napa Auto Parts, repairs 392.07, North Central International, repairs 235.81, Office Depot, office supplies 85.79, Powers Oil Company, gas 752.00, Rivers Edge, fuel 10430.56, SD Dept of Transportation, bridge projects 835.96, Sturdevants, repairs 105.85, Titan Rentals, drum roller 1720.70, True North Steel, bridge material 35769.94, Tyler Lumber, supplies 21.76, Vast, utilities 310.40. 911: Vast, utilities 9.29. Emergency Management: City of Flandreau, utilities 29.96, Swiftel, tower lease 37.16, Vast, supplies 37.16. Law Library Fund: West Payment Center, court rules 220.50. June Payroll by Department: Commissioner 13276.58, Election 2591.17, Auditor 7468.87, Treasurer 14100.84, States Attorney 14306.71, General Government Building 4848.71, Director of Equalization 7926.03, Register of Deeds 8655.39, VSO 1662.48, Sheriff 31224.54, Ambulance 19224.92, Library 5845.96, Extension 4331.15, Soil Conservation 4376.53, Drainage 308.54, Planning & Zoning 4326.70, Highway 49348.69, 911 19529.02, Emergency Management 4201.92, 24/7 Sobriety 794.67.

Motion by Bruning, seconded by Schiefelbein to adjourn the meeting at 12:12 PM. Voting "aye": Miles, Schiefelbein, Ehrichs, Bruning. Voting "nay": none.

ATTEST: Kristina Krull
Moody County Auditor

Rick Veldkamp, Vice Chair
Moody County Board of Commissioners