

UNAPPROVED MINUTES OF
September 21, 2021

The Moody County Commissioners met in regular session on Tuesday, September 21, 2021 in the Commissioner's Room in the Courthouse at 9:00 AM, with the following members present: Chair Carla Bruning, Rick Veldkamp, John Schiefelbein, Randy Hemmer, Dan Miles, with Kristina Krull, Auditor as Clerk of the Board. Also present were Tawny Heinemann, Commission Assistant, Paul Lewis, States Attorney, AJ Gengler, Ambulance Director, and Kendra Eng, Zoning Administrator.

Chair Bruning called the meeting to order. Motion by Hemmer, seconded by Miles to approve the agenda. All voted "aye". Motion by Veldkamp, seconded by Hemmer to approve the following consent agenda with all voting "aye":

Minutes:

August 31, 2021

September 9, 2021

Travel Request:

Kristina Krull, Auditor	SOS Election Workshop	Pierre, SD	October 20-21, 2021
Ashley Headrick, Auditor Clerk	SOS Election Workshop	Pierre, SD	October 20-21, 2021
Jen Hayford, 4-H Advisor	Fall Conference	Brookings, SD	October 26-28, 2021

As advertised the Board held the first reading of Ordinance 2021-03 An Ordinance Creating Licensing Provisions for Cannabis Establishments in the Unincorporated Areas of Moody County, South Dakota.

Motion by Miles, seconded by Hemmer to adjourn to conduct business as the Joint Board of Commissioners and Planning at 9:31 AM. All voted "aye". Motion by Veldkamp, seconded by Miles to approve the minutes of August 31, 2021. All voting "aye". Kendra Eng, Zoning Administrator reviewed one plat with the Board. Motion by Hemmer, seconded by Miles to approve the following plat resolution with all voting "aye":

COUNTY COMMISSION

"BE IT RESOLVED by the County Commission of Moody County, South Dakota, that the plat of TRACT 1 of ZWART ADDITION, AN ADDITION IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 107 NORTH RANGE 50 WEST OF THE 5TH 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 21st day of September, 2021.

Kristina Krull
County Auditor
Moody County, South Dakota

Motion by Schiefelbein, seconded by Veldkamp to resume regular session at 9:35 AM. All voted "aye".

Troy Wellman, Sheriff met with the Board to discuss the proposed SRO position. Motion by Miles, seconded by Hemmer to authorize Sheriff Wellman to order equipment for a School Resource Officer/Deputy Sheriff. All voted "aye". Motion by Veldkamp, seconded by Miles to advertise for a School Resource Officer/Deputy Sheriff. All voted "aye".

Kris Grootwassink, Register of Deeds met with the Board to discuss a proposal from Tyler Tech. Motion by Schiefelbein, seconded by Miles to authorize Chair Bruning to sign the proposal from Tyler Tech for \$3000. All voted "aye".

DeAnna Berke, Director of Equalization met with the Board. Motion by Hemmer, seconded by Schiefelbein to advertise for a Part-time DOE Clerk. All voted "aye". Motion by Miles, seconded by Schiefelbein to approve the following resolution with all voting "aye":

RESOLUTION 21092101

Ag Deprecation on Owner Occupied Homes

WHEREAS, each residence must qualify for ag status under SDCL 10-6-112
WHEREAS, residence much be classified as owner occupied under SDCL 10-13-39.1 thru 10-13-39.3
WHEREAS, the parcel upon which the home resides must be at least 30 acres in size.
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, any parcel that meets all the above requirements will receive 35% depreciation on their residence. If there is a change in ownership and/or use the owner(s) will have to qualify.

Adopted this 21st day of September, 2021.

ATTEST: Kristina Krull
County Auditor

Carla Bruning
County Commissioner Chair

Motion by Veldkamp, seconded by Schiefelbein to approve the following resolution with all voting "aye":

RESOLUTION 21092101

Director of Equalization Authorized to Determine Eligibility of Riparian Buffer Strips
On Behalf of County Commissioners

WHEREAS, in accordance with South Dakota Codified Law, the Board of County Commissioners may authorize the Moody County Director of Equalization to treat any agricultural land within one hundred twenty feet (120') of a tributary to any lake, river, or stream, as specified in subdivision (1) & (2) of SDCL 10-6-116, as riparian buffer strip for the purposes of taxation; and

WHEREAS, in order for the land to be classified as a riparian buffer strip, it shall meet the requirements of SDCL 10-6-117; and

WHEREAS, for the purposes of designating riparian buffer strips within Moody County, the Board of County Commissioners by and through its Director of Equalization, may determine which waterways constitute a tributary to any lake, river, or stream within its territorial jurisdiction.

NOW THEREFORE BE IT RESOLVED, that the Moody County Board of Commissioners authorizes its Director of Equalization to identify, if the director determines that the agricultural land meets the criteria the land must be assessed pursuant to SDCL 10-6-116 on November first, and shall continue to be classified as a riparian buffer strip for a period of ten years unless there is a change in use or if any of the criteria required under this section are not met. Following each ten-year period, an application to maintain classification as a riparian buffer strip shall be filed with the director before October sixteenth. Classification as a riparian buffer, all tributaries to any lakes, rivers, or streams within the territorial jurisdiction of the county for the purpose of determining riparian buffer strips in accordance with SDCL 10-6-116 & 10-6-117.

Adopted this 21st day of September, 2021.

ATTEST: Kristina Krull
County Auditor

Carla Bruning
County Commissioner Chair

Tawny Heinemann, Commission Assistant met with the Board. Motion by Miles, seconded by Veldkamp to hire Anthony Gengler, Paramedic PRN at \$12.50/hour on call, effective September 27, 2021. All voted "aye". Motion by Hemmer, seconded by Schiefelbein to authorize to advertise for Part-time Ambulance employees. All voted "aye". Discussion was held on moving the Commission Assistant/Human Resource office to the first floor of the Courthouse.

Linette Christenson, Treasurer met with the Board. Motion by Hemmer, seconded by Miles to approve the purchase of a Kyocera copier for \$3,300. All voted "aye". Christenson reviewed the County finances with the Board.

Kristina Krull, Auditor presented the 2022 Annual Budget to the Board. Motion by Hemmer, seconded by Miles to authorize Auditor Krull to publish the 2022 Final Annual Budget. All voted "aye". Motion by Veldkamp, seconded by Schiefelbein to adopt the following 2022 Annual Budget Resolution with all voting "aye":

ANNUAL BUDGET FOR MOODY COUNTY, SD
For the Year January 1, 2022 to December 31, 2022

COUNTY TAX LEVIES	Tax Levy in Dollars	\$'s/1000
<u>WITHIN LIMITED LEVY:</u>		
*General County Purposes (10-12-9)	3,698,320	3.574
Fire Protection (34-31-3)	90,000	.098
TOTAL TAXES LEVIED BY COUNTY	3,788,320	3.672

* These Amounts include the 25% to be distributed to cities. As of September 21, 2021, these levies are not approved by the Department of Revenue.

RESOLUTION
ADOPTION OF ANNUAL BUDGET FOR MOODY 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 Commissioners did prepare a Provisional Budget and cause same to be published by law and,

Whereas, due and legal notice has been given to 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 APPROPRIATION AND EXPENDITURES FOR Moody County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2022 and ending December 31, 2022 and the same is hereby approved and adopted by the Board of County Commissioners of Moody County, South Dakota, this 21st day of September, 2021. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor Moody County, South Dakota. The accompanying taxes are levied by Moody County for the year January 1, 2022 through December 31, 2022.

BOARD OF COUNTY COMMISSIONERS OF MOODY COUNTY, SOUTH DAKOTA

Carla Bruning, Chair
John Schiefelbein, Commissioner
Randy Hemmer, Commissioner
Dan Miles, Commissioner
Rick Veldkamp, Commissioner

ATTEST: Kristina Krull
Moody County Auditor

Motion by Veldkamp, seconded by Miles to enter into executive session at 11:14 AM pursuant to SDCL 1-25-2(1). Reason: Personnel. All voted "aye". Motion by Miles, seconded by Hemmer to resume regular session at 12:03 PM. All voted "aye".

Marc Blum, Highway Superintendent met with the Board. Motion by Hemmer, seconded by Schiefelbein to accept the retirement of Marc Blum, Highway Superintendent, effective January 2, 2022. All voted "aye". Motion by Veldkamp, seconded by Schiefelbein to authorize the advertisement of the open Highway Superintendent position. All voted "aye". Discussion was held on HWY 13 Bridges and on the Rural Access Infrastructure Grant.

Motion by Miles, seconded by Hemmer to authorize Chair Bruning to sign the BIG Certification. All voted "aye". Motion by Veldkamp, seconded by Miles to approve the following resolution with all voting "aye":

RESOLUTION 21092103

A RESOLUTION ADOPTING THE MOODY COUNTY FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN

WHEREAS, the South Dakota Department of Transportation Local Bridge and Improvement Grant Fund requires that in order to be eligible to apply for Bridge Improvement Grant funds, Counties are required to develop a five-year Highway and Bridge Improvement Plan, hereinafter referred to as Plan; and

WHEREAS, Moody County has utilized the South Dakota Department of Transportation, County Staff, the First District Association of Local Governments, Townships, and the general public in developing the various components of the Plan; and

WHEREAS, the Plan includes maps and lists identifying an inventory of highways and bridges, project needs, and revenue sources; and

WHEREAS, Moody County held a public meeting on September 9, 2021 to solicit input into the Plan, and the citizens who attended expressed an interest in the Plan; and

WHEREAS, the County will be able to use the Plan as a tool to budget for transportation enhancements and better coordinate transportation issues with other entities;

NOW, THEREFORE, BE IT RESOLVED BY THE MOODY COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE MOODY COUNTY FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN IS HEREBY ADOPTED AND IS RECOGNIZED AS THE HIGHWAY AND BRIDGE IMPROVEMENT PLAN FOR MOODYCOUNTY.

Dated at Moody, South Dakota this 21st of September 2021.

ATTEST: Kristina Krull
County Auditor

Carla Bruning
County Commissioner Chair

Motion by Hemmer, seconded by Schiefelbein to approve the following claims and issue warrants, all voted "aye":
General: A&B, supplies 138.75, Avera/Flandreau Medical, supplies 2720.90, Barnes & Noble, supplies 384.15, Beadle County Sheriff, jail housing 320.00, Bruning & Lewis Law, 2nd half sept., 2913.84, Center Point, publications 85.08, Centurylink, utilities 518.92, Certified Languages, interpreter 49.50, Companion Corp, supplies 758.00, Crossroads Truckstop, fuel 46.74, Culligan, supplies 80.00, Fall River County Sheriff, jail housing 170.00, Tyler Lumber, supplies 102.88, Hughes County, jail housing 240.00, Infotech, data processing 3457.85, Jared Anderson, reimbursement 38.37, Jennifer Hayford, travel 50.40, Lake County Sheriff, jail housing 7380.00, Lampe's Clean Specialties, supplies 393.23, Maynards, supplies 58.81, McLeod's, supplies 145.66, Midwest Alarm, service 101.18, Minnehaha Jail, jail housing 6954.53, Napa, supplies 376.32, NDSDA, Sheriff Conference 100.00, Nancy Nelson, ct apt atr 1192.65, Patricia Hartsel, transcripts 60.80, Quality Inn, travel 157.70, River's Edge, fuel 2672.32, South Dakota Magazine, annual subscription 25.00, Sparkle Car Wash, service 63.90, Sturdevant's, supplies 157.97, TruGreen, supplies 435.00, Vast, utilities 127.04, Yankton Sheriff, service 50.00. Highway: B&H Contractors, supplies 14610.68, Butler Machinery, supplies 850.00, Dakota Fluid Power, supplies 24.88, Dakota Riggers, supplies 132.92, Ensz Fencing, supplies 90.00, LG Everist bridge 150-153 3751.95, Master Blaster, supplies 17.00, Michael Johnson Construction, supplies 30793.74, Midland Tire, repairs 22.00, Patriot Electric, supplies 22.33, Pheasantland Industries, supplies 134.18, Powers Oil, supplies 852.00, River's Edge, supplies 328.78, Transource, repairs 1248.29, True North Steel, project 150-153 30972.00, Vast, supplies 320.26. Emergency Management: River's Edge, fuel 44.99. 24/7 Sobriety: Pharmchem, supplies 228.40. Water Conservation Fund: East Dakota Water Development, August remit 101.55. Law Library: Premier Global Services, services 26.62. Mod & Pres: SD Association of County Offices, August remit 224.00.

Motion by Miles, seconded by Hemmer to adjourn the meeting at 12:30 PM. All voted "aye".

ATTEST: Kristina Krull
Moody County Auditor

Carla Bruning, Chair
Moody County Board of Commissioners