

UNAPPROVED MINUTES OF
February 27, 2023

The Moody County Commissioners met in regular session in the Commissioners Room of the Courthouse on Monday, February 27, 2023 at 9:00 AM, with the following members present: Chair Carla Bruning, Dave Reker, Dan Miles, and Randy Hemmer, with Marty Skroch, Commission Assistant as Clerk of the Board. Commissioner Jerry Doyle joined by phone. Also present Tawny Heinemann, Auditor, Paul Lewis, States Attorney, Kendra Eng, Zoning Administrator, and Clayton Rentschler, Daniel Janssen and Gwen Reker, County Residents.

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

Minutes: February 7, 2023

Travel Request:

Andrew Muller, Highway Superintendent	Superintendents Short Course	Deadwood, SD	March 20-23, 2023
All Highway Employees	MSHA Refresher Course	Brookings, SD	Feb 28-March 1, 2023

Motion by Miles, seconded by Reker to conduct business as the Joint Board of Commissioners and Planning at 9:02 AM. All voted "aye". Motion by Hemmer, seconded by Doyle to approve minutes from February 7, 2023. All voted "aye". Kendra Eng, Zoning Administrator presented a plat to the Board. Motion by Miles, seconded by Reker 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 LOT 1 PONDEROSA ADDITION, IN THE SOUTHWEST QUARTER IN SECTION 36, TOWNSHIP 108 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 27th Day of February, 2023.

Tawny Heinemann
County Auditor
Moody County, South Dakota

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 TRACT 1 OF CARR ADDITION, AN ADDITION IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 107 NORTH, RANGE 48 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 27th Day of February, 2023.

Tawny Heinemann
County Auditor
Moody County, South Dakota

Discussion on the current moratorium, Resolution 22031401. Further discussion will be held on March 21st, 2023. No action taken.

Motion by Reker, seconded by Doyle to resume regular session at 9:16 AM. All voted "aye".

Cohl Turnquist, City of Flandreau Administrator, Dan Sutton, City of Flandreau Mayor and Mike Fargen, City of Flandreau Alderman joined the meeting. A discussion was held on how Moody County was charging for Dispatch services starting with the 2024 contracts. No action was taken. Further discussion will be had at the March 7, 2023 Commission meeting.

Marty Skroch, Commission Assistant met with the Board to discuss staffing. Motion by Hemmer, seconded by Miles to accept the resignation of Lisa Nielsen, Deputy Register of Deeds, effective February 23, 2023. All voted "aye". Motion by Miles, seconded by Reker to approve all interested County Officials to attend the SDACC Spring Workshop on April 19-20, 2023 in Pierre, SD. All voted "aye". Motion by Hemmer, seconded by Reker to approve all interested County Officials to attend the SDAWO Spring Workshop on April 12, 2023 in Pierre, SD. All voted "aye".

Andy Muller, Highway Superintendent met with the Board. Motion by Miles, seconded by Hemmer to apply for the Building Resilient Infrastructure and Communities Grant. All voted "aye". A discussion was held on staffing. Motion by Miles, seconded by Doyle to hire Timothy Ullom, Weed Supervisor at Grade 20/Step B at \$22.23/hr, effective March 13,

2023.

Motion by Hemmer, seconded by Miles to approve the following resolution with all voting "aye":

MOODY COUNTY WEIGHT LIMIT ENFORCEMENT RESOLUTION

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

WHEREAS, the Moody County Board of County Commissioners desires to protect existing Moody County Highways, ultimately saving tax dollars and,

WHEREAS, the Moody County Board of County Commissioners desire 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:

WHEREAS, the limits on Moody County Highways shall be set as seven (7) tons per axle on all asphalt surface roads and seven (7) tons per axle on all gravel roads during the 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 set forth in SDCL 32-22-55.

Vote of the Moody County Commission:

AYE 5 NAY 0

Dated this 27th day of February, 2023 at Flandreau South Dakota.

Carla Bruning
Chair, Moody County Commissioner

ATTEST: Tawny Heinemann
Moody County Auditor

Motion by Reker, seconded by Hemmer to approve the following resolution with all voting "aye".

RESOLUTION TO DELETE BRIDGE FROM NBIS

The Moody County Board of Commissioners is in agreement with SDDOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s):

STRUCTURE ID, LOCATION and REASON FOR DELETION:

51-150-151 5.1S of Flandreau Structure has been replaced with CMP that no longer meet NBIS length requirement.

The Commission is aware of the following stipulations once a structure is deleted from the NBI:

- 1. Federal and State bridge funds will not be available for structure replacement or rehabilitation and
- 2. The structure will only be added to the Inventory following replacement, using County funds.

Upon receipt of this resolution, the above structure(s) will be deleted from inventory.

Vote of commissioners: Yes 5 No 0

Dated at Moody County, SD, this 27th day of February, 2023.

ATTEST:

Tawny Heinemann
Moody County Auditor

Carla Bruning
Chair

Motion by Miles, seconded by Doyle to approve the following resolution with all voting "aye".

RESOLUTION TO DELETE BRIDGE FROM NBIS

The Moody County Board of Commissioners is in agreement with SDDOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s):

STRUCTURE ID, LOCATION and REASON FOR DELETION:

51-150-153 5.3S of Flandreau
requirement.

Structure has been replaced with CMP that no longer meet NBIS length

The Commission is aware of the following stipulations once a structure is deleted from the NBI:

3. Federal and State bridge funds will not be available for structure replacement or rehabilitation and
4. The structure will only be added to the Inventory following replacement, using County funds.

Upon receipt of this resolution, the above structure(s) will be deleted from inventory.

Vote of commissioners: Yes 5 No 0

Dated at Moody County, SD, this 27th day of February, 2023.

ATTEST:

Tawny Heinemann
Moody County Auditor

Carla Bruning
Chair

Troy Wellman met with the Board to discuss The Highway Safety Grant. Motion by Doyle, seconded by Reker to participate in the Highway Safety Grant. Discussion was held on repairs needed on the Sheriff's Office roof. Sheriff Wellman will get estimates for a new roof and further discussion will be held at a meeting once the estimates are received.

Jerrick Charles, Emergency Manager met with the Board to discuss the County Hazardous Materials Plan. Charles reported the plan needs to be updated in 2023 and he will present it later in the year for County Commission approval.

Deanna Berke, Director of Equalization met with the Board to discuss Moody County Assessed Values. Berke gave a presentation to let the Commission know that due to the increase in the market in Moody County in correlation with Moody County Assessed Values, Assessed Values increased more significantly than a typical year in Moody County.

Motion by Hemmer, seconded Miles to enter into executive session at 11:18 AM pursuant to SDCL 1-25-2(3, 1). Reason: Personnel, Contractual. All voted "aye". Motion by Miles, seconded by Reker to resume regular session at 11:52 AM. All voted "aye".

Motion by Hemmer, seconded by Doyle to approve the following claims and issue warrants, with all voting "aye":
General: A&B Business supplies and equipment 234.17, American Stamp & Marketing, supplies 63.36, Avera Flandreau Medical, employee screening 285.00, Bluepeak, utilities 118.08, Boys & Girls Club of Moody County, 2023 Allocation 5000.00, Brookings County Sheriff, jail housing 19532.55, Bruning & Lewis Law Firm, State's Attorney 3776.22, Century Business Product, supplies 46.40, CenturyLink, utilities 521.13, Certified Language International, interpreter 82.50, Culligan Water, supplies 90.00, Department of Health, services 80.00, ESRI, supplies 350.00, Inter-Lakes Community Action, Senior Citizen Feb 774.42, Lake County Sheriff, jail housing 1897.50, Lincoln County Treasurer, mental illness board 50.50, Maynards, supplies 63.05, Minnehaha County Jail, housing 1946.80, Minnehaha County Jail, juvenile housing 2224.56, Eugene Taylor, CPR training, 50.00, Nancy Nelson, Abuse and Neglect 588.50, ODP Business Solutions, supplies 187.22, Pennington County Sheriff, jail transportation 236.64, Qualified Presort Services, supplies 2196.93, Redwood Toxicology, jail- lab/supplies 616.00, River's Edge Cooperative, gas 2357.01, SD Achieve, mental illness Jan. 180.00, SDSU Extension, travel/wages 8726.55, Sparkle Car Wash, supplies 14.00, Steinley Real Estate, DOE travel 325.00, Steve's Tire and Service, supplies 2037.47, Tom Klein, meal reimbursement 24.00 Highway: Avera Occupational Medicine, supplies 128.00, Butler Machinery, repairs 1299.06, Greg's Welding, repairs 275.00, Lights & Siren, supplies 507.81, Rivers Edge Cooperative, supplies 7186.63, Sanitation Products, repairs 123.00, SD Dept of Revenue, Excise tax 5.35, Stan's Electric, repairs 149.05 Emergency Management: River's Edge, gas 62.12, 911 Fund: ESRI, supplies 350.00. Water Conservation Fund: East Dakota Water Development, Dec remit 976.66 Sales & Excise Tax Fund: SD Dept of Revenue, excise tax 2022 37.66 State 24/7 Fund: PKT, pbt station 1350.00, SD Attorney General's Office, pbt testing 1052.00

Motion by Miles, seconded by Hemmer to adjourn the meeting at 12:01 PM. All voted "aye".

ATTEST: Marty Skroch
Moody County Commission Assistant

Carla Bruning, Chair
Moody County Board of Commissioners