

Charles Mix County
Board of Commissioners
Regular Session – May 21, 2020

The Charles Mix County Board of Commissioners met in regular session by Zoom meeting online on the 21st day of May, 2020 at 10:00 am. Chairman - Neil Von Eschen called the meeting to order with Vice-Chairman – Nick Stotz, Commissioner – Keith Mushitz and Auditor - Danielle Davenport present.

Agenda:

A motion was made by Stotz and seconded by Mushitz approve the agenda as presented. All in favor, motion carried.

Minutes:

A motion was made by Stotz and seconded by Mushitz to approve the minutes from the May 14th, 2020 regular session. All in favor, motion carried.

Bills:

A motion was made by Mushitz and seconded by Stotz to approve the bills for 5/21/2020. All in favor, motion carried.

Plat:

A motion was made by Mushitz and seconded by Stotz to approve the Plat of Tract 1 of Mason Addition in the E ½ of the NE ¼ of Section 18, Township 99 N, Range 68 W of the 5th Principal Meridian, Charles Mix County, South Dakota. All in favor, motion carried.

A motion was made by Mushitz and seconded by Stotz to approve the Plat of Tract A of Hanson's Addition, in the E ½ of the NE ¼ of Section 18, Township 99 N, Range 68 W of the 5th Principal Meridian, Charles Mix County, South Dakota. All in favor, motion carried.

COVID-19 Leave:

A motion was made by Mushitz and seconded by Stotz to approve and implement 2 weeks of COVID-19 emergency sick leave per FFCRA (Families First Coronavirus Response Act) requirements. All in favor, motion carried.

Highway:

Highway Superintendent – Doug Cimpl met with the Commission to inform them of the 2020 Short Course cancellation. A motion was made by Stotz and seconded by Mushitz to request a refund of \$300 for registration fees. All in favor, motion carried.

Alcohol License Renewals:

A motion was made by Stotz and seconded by Mushitz to approve the reissuances of the following retail (on-off sale) Malt Beverage and SD Farm Wine licenses. All in favor, motion carried.

South Dakota Pheasant Acres – 28146 382nd Ave, Armour SD 57313 – W ½ less NW ¼ - NW ¼ Title #121220939 & #121220951 of Section 16, Township 98, Range 65. Retail (on-off sale) Malt Beverage and SD Farm Wine license.

Choteau Creek Brewing Company – 40228 296th St, Wagner SD 57380 – S ½ - SW ¼ of Section 26, Township 96, Range 62. Retail (on-off sale) Malt Beverage and SD Farm Wine license.

Platte Creek Store – 35999 282nd St, Platte SD 57369 – N ½ - NE ¼ EX Lot 1, Wynia First Subdivision, E ½ - NW 1/4, SW ¼ - NW ¼, Less Co R/W (1.56A) Along N End of Section 22, Township 98, Range 69. Retail (on-off sale) Malt Beverage and SD Farm Wine license.

A & E Marina LLC – 35324 SD Hwy 44, Platte SD 57369 – Building on Leased Site at Dock 44, S ½ - NW ¼ Title #170900414 of Section 15, Township 99, Range 70. Retail (on-off sale) Malt Beverage and SD Farm Wine license.

Yankton Sioux Travel Plaza – 38581 SD Hwy 46, Lake Andes SD 57356 – Lot 1 or NE ¼ - NE ¼ Less 1.98A of Section 1, Township 95, Range 65. Retail (on-off sale) Malt Beverage and SD Farm Wine license.

Fort Randall Casino – 7011, 38538 SD Hwy 46, Lake Andes SD 57356 – W 1500' of S 533' of S ½ - SE ¼, EX A Tract Beg 750' E of SW Cor of SE ¼, Then N 530', E 340' then W to Beg of Section 36, Township 96, Range 65. Retail (on-off sale) Malt Beverage and SD Farm Wine license.

Dollar General Store #16067 – 36767 SD Hwy 44, Platte SD 57369 – W 190' of E 357' & N 95' of W 67' of E 424' of Lot F Hoffman's Second Subdivision Located in NE ¼, Also Known as Parcel 1 (1.87A) of Section 24, Township 99, Range 68. Retail (on-off sale) Malt Beverage and SD Farm Wine license.

Drainage Permit:

A public hearing was held on the drainage application for Paul Voigt – SE ¼ & SW ¼ of E2 Hwy of Section 24, Township 95, Range 62. A motion was made by Stotz and seconded by Mushitz to grant the drainage permit to Paul Voigt. All in favor, motion carried.

Agreement:

Auditor – Davenport presented an agreement from Election Systems & Software, LLC for continued services for 3 years to begin April 25, 2020. A motion was made by Mushitz and seconded by Stotz to approve and have Chairman – Von Eschen sign the First Amendment to Agreement. All in favor, motion carried.

Ordinance:

States Attorney – Steve Cotton was present for the second reading of Ordinance 2020-03 by Commissioner – Mushitz.

ORDINANCE NO. 2020-03

AN ORDINANCE TO REPEAL CHARLES MIX COUNTY ORDINANCE NO. 2020-02

WHEREAS, the County of Charles Mix has the authority to pass ordinances for the purpose of promoting the health, safety, morals and general welfare of the community and to repeal said ordinances no longer needed or required; and

WHEREAS, South Dakota Governor Kristi Noem did on April 28, 2020, issue and sign State of South Dakota, Office of the Governor, Executive Order 2020-20, which removes the ability of local governments to regulate matters involving the CDC regulations on social distancing, number of patrons in locations, and the following of CDC guidelines effective on this and later dates and these matters will now be handled by the State of South Dakota in accordance with Executive Order 2020-20 and the State of South Dakota's "Back to Normal" plan; therefore,

BE IT ORDAINED By the Charles Mix County Board of County Commissioners, that upon motion duly made and seconded, that Charles Mix County Ordinance No. 2020-03 is hereby repealed effective this 14th day of May, 2020.

Dated this 14th day of May, 2020 at Lake Andes, South Dakota.

By: Neil Von Eschen, Chairman

Attested: Danielle Davenport, Auditor

Executive Session:

A motion was made by Stotz and seconded by Mushitz to enter into executive session at 10:42 am with Auditor – Davenport present to discuss personnel. An end was declared to executive session at 11:10 am with no action taken.

4H Center:

4H Advisor – Mary Payer met with the Commission to discuss updating the 4H Center rental agreement. Auditor – Davenport will have States Attorney – Steve Cotton review the agreement with further discussion to be held at the June 11th meeting.

2020 Primary Election:

The Canvass of the 2020 Primary Election was set for June 8th, 2020 at 10:00 am in the Commissioner Room of the Charles Mix County courthouse.

Auditor – Davenport requested an increase for election workers pay due to the COVID-19 Pandemic. A motion was made by Stotz and seconded by Mushitz to increase Precinct Superintendent pay to \$200 and Precinct Deputy to \$175 for the day. All in favor, motion carried.

June Meetings:

The regular sessions for June have been set for the 11th and 18th at 10:00 am. No further action taken.

Public Comment:

No public comments were heard. No action taken.

Adjourn:

A motion was made by Mushitz and seconded by Stotz to adjourn until the Canvass of the 2020 Primary Election on June 8th, 2020 at 10:00 am. All in favor, motion carried.

BILLS 5-21-2020

NON-DEPARTMENTAL: SD DEPT OF REVENUE, ALCOHOL LICENSE, 1050.00, **TOTAL: \$1,050.00**

COMMISSIONERS: SDACO, SERVICES, 150.00, NEIL VON ESCHEN, INSURANCE, 2669.42, **TOTAL: \$2,819.42**

COURTS: VERIZON BUSINESS, UTILITIES, 89.69, THOMSON REUTERS, BOOKS, 1368.00, **TOTAL: \$1,457.69**

AUDITOR: SECRETARY OF STATE, NOTARY, 30.00, RANDALL LAKE INSURANCE, NOTARY BOND, 50.00, **TOTAL: \$80.00**

STATES ATTORNEY: PECHOUS PUBLICATION, PUBLISHING, 16.27, THOMSON REUTERS, BOOKS/SOFTWARE, 175.68, **TOTAL: \$191.95**

COURT APPOINTED ATTY: SANDY STEFFEN, COURT APPOINTED, 2804.80, KEITH GOEHRING, COURT APPOINTED, 1579.30, BRAD KERNER, COURT APPOINTED, 579.50, WHALEN LAW, 37075.76, **TOTAL: \$42,039.36**

ABUSED/NEG CHILD: SWIER LAW, COURT APPOINTED, 2579.20, KEITH GOEHRING, COURT APPOINTED, 3678.15, **TOTAL: \$6,257.35**

GOVERNMENT BLDGS: L.A. CO-OP, SUPPLIES/MAINTENANCE/FUEL/UTILITIES, 736.51, NORTHWESTERN ENERGY, UTILITIES, 997.72, **TOTAL: \$1,734.23**

SHERIFF: NORTHWESTERN ENERGY, UTILITIES, 498.83, **TOTAL: \$498.83**

JAIL: L.A. CO-OP, UTILITIES/MAINTENANCE, 1050.66, NORTHWESTERN ENERGY, UTILITIES, 498.83, **TOTAL: \$1,549.49**

CORONER: CHAD PETERS, MILEAGE/FEES, 34.48, **TOTAL: \$34.48**

JUVENILE DETENTION: MINNEHAHA COUNTY REGIONAL JUVENILE, PRISONER HOUSING, 2132.10, NORTHWESTERN ENERGY, UTILITIES, 72.37, **TOTAL: \$2204.47**

MENTALLY ILL: LUCY LEWNO, SERVICES, 166.50, KENT LEHR, SERVICES, 106.70, MARK KATTERHAGEN, SERVICES, 15.00, DARCY LOCKWOOD, SERVICES, 15.00, LINCOLN COUNTY TREASURER, SERVICES, 790.70, KEITH GOEHRING, SERVICES, 156.90, BRAD KERNER, SERVICES, 171.00, LEWIS & CLARK BEHAVIORAL HEALTH, SERVICES, 178.00, YANKTON COUNTY SHERIFF'S DEPARTMENT, SERVICES, 50.00, **TOTAL: \$1,649.80**

COUNTY FAIR: CHARLES MIX ELECTRIC, UTILITIES, 38.95, NORTHWESTERN ENERGY, UTILITIES, 28.09, **TOTAL: \$67.04**

HIGHWAY: IVERSON, PARTS, 58.00, CNH INDUSTRIAL RETAIL, RENTALS, 13207.88, CHS, FUEL/UTILITIES, 4732.95, O'CONNOR & SON TRUCKING, CONTRACT WORK, 20800.19, OPPERMAN, CONTRACT WORK, 52067.64, MAIN STREET AUTO, REPAIRS, 85.00, SUMMERVILLE FARM, ROAD MATERIALS, 29034.00, CHARLES MIX ELECTRIC, UTILITIES, 134.55, DAKOTA'S BEST SEED, MATERIALS, 16.41, C & B OPERATIONS, PARTS, 427.25, L.A. CO-OP, SUPPLIES/FUEL, 2970.02, SPENCER QUARRIES, ROAD MATERIALS, 25563.27, **TOTAL: \$149,097.16**

COMMUNICATIONS CENTER: NORTHWESTERN ENERGY, UTILITIES, 249.42, **TOTAL: \$249.42**

EMERGENCY DISASTER: CHARLES MIX ELECTRIC, UTILITIES, 76.53, **TOTAL: \$76.53**

GRAND TOTAL: \$211,057.22

Neil Von Eschen, Chairman

Danielle Davenport, Auditor