

Charles Mix County  
Board of Commissioners  
**Regular Session – December 19<sup>th</sup>, 2019**

The Charles Mix County Board of Commissioners met in regular session on December 19<sup>th</sup>, 2019 at 10:00 am. Chairman - Neil Von Eschen, opened the meeting with the Pledge of Allegiance and called the meeting to order with Vice Chairman - Nick Stotz, Commissioner – Keith Mushitz and Auditor - Danielle Rolston present.

**Agenda:**

A motion was made by Stotz and seconded by Mushitz to 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 December 12<sup>th</sup>, 2019 regular session. All in favor, motion carried.

**Bills:**

A motion was made by Mushitz and seconded by Stotz to approve the bills for 12/19/2019. All in favor, motion carried.

**Extension:**

A motion was made by Stotz and seconded by Mushitz to approve the Memorandum of Understanding for 2020 between Charles Mix County and SDSU Extension regarding the 4H Program Advisor. All in favor, motion carried.

**Veterans:**

A motion was made by Mushitz and seconded by Stotz to reappoint Jerry Seiner as Charles Mix County Veteran Service Officer for 2020-2024. All in favor, motion carried.

**Payroll:**

A motion was made by Stotz and seconded by Mushitz to approve Auditor – Rolston’s request for mandatory direct deposit for all Charles Mix County employees starting January 2020 payroll. All in favor, motion carried.

**Resignation:**

A motion was made by Stotz and seconded by Mushitz to accept Angelica Frederick’s resignation from her position as Admin. Assistant for the County Health Nurse with a last day worked of 11/22/2019 and vacation pay out of 9.5 hours. All in favor, motion carried.

**Public Comment:**

No public comments were heard. No action taken.

**Legislative Audit:**

Toby Qualm from Legislative Audit was present to inform the Commission of the 2017-2018 audit completion. Discussion was held regarding some of the findings that will be included in the audit report. Qualm let the Commission know of some of the adjustments needed to be made by Auditor - Rolston for the current year. Qualm will present audit report once it is complete. No action taken.

**Cash Transfer:**

A motion was made by Mushitz and seconded by Stotz to approve a cash transfer from the General Fund to the following funds - Highway Fund in the amount of \$800,000, 911 Fund in the amount of \$50,000 and the Domestic Abuse Fund in the amount of \$2,682.39. All in favor, motion carried.

**Contingency Transfers:**

A motion was made by Stotz and seconded by Mushitz to approve Resolution 19-06. All in favor, motion carried.

**Resolution 19-06**

A Resolution for Contingency Transfers

Whereas, expenses were incurred by the Charles Mix County Commission due to unexpected expenses, we the County Commission hereby authorize the County Auditor to transfer \$175,000 of funds from the Contingency Fund to the Insurance budget for \$115,725.92, Mental Health

Centers budget for \$31,889.20, M&P budget for \$13,803.06, Highway & Bridge budget for \$13,581.82 for the purpose of unexpected expenses incurred.

**Court Services:**

Ron Freeman – 1<sup>st</sup> Circuit Chief Court Services Officer, Jerry Barnett – CS Officer, Jessica Guthmiller - CS Officer and Jeanne Payer CS Admin. Assistant met with the Commission to discuss possible office relocation in the courthouse. Freeman expressed his concerns of safety for court employees with the current office locations. Court Services would like to have one office for the 3 employees in the department to help improve security and availability. Freeman brought up the possibility of the Extension department trading office space. The Commission advised those present that they will discuss this further with Extension and check other possibilities. No further action taken.

**Retirement:**

The Commission met with Dallas Kok to thank him for his 40 years of dedication to Charles Mix County Highway Department as Crewman. Kok’s last day is 12/20/2019. No action taken.

**Gravel Crushing Bids:**

Sealed bids were opened for 50,000 – 70,000 tons of gravel crushing. Highway Superintendent Doug Cimpl was present. The bid from Dakota Constructors, Inc was \$3.49 per ton (crushing only), the bid from Opperman, Inc was \$3.49 per ton, the bid from Jeremy Thomas Construction, LLC was \$3.95 per ton and Morris, Inc was \$3.90 per ton. A motion was made by Stotz and seconded by Mushitz to accept the bid from Opperman, Inc at \$3.49 per ton. All in favor, motion carried.

**Chip Seal/Fog Seal Bids:**

Sealed bids were opened for the chip and fog seal project. Highway Superintendent Doug Cimpl was present.

The bids are as listed below.

TopKote, Inc.	Segment 53GL29BM – 7 miles	
Quartzite	Chip Seal in place	\$136,560.10
	Fog Seal in place	\$ 31,390.67
		Total - \$167,950.77
	Segment 53GL29BM – 7 miles	
Pea Rock	Chip Seal in place	\$131,008.01
	Fog Seal in place	\$ 31,390.67
		Total - \$162,398.68
The Road Guy Construction	Segment 53GL29BM – 7 miles	
Quartzite	Chip Seal in place	\$123,854.00
	Fog Seal in place	\$ 32,031.00
		Total - \$155,885.00
	Segment 53GL29BM – 7 miles	
Pea Rock	Chip Seal in place	\$117,448.00
	Fog Seal in place	\$ 32,031.00
		Total - \$149,479.00
Bituminous Paving, Inc.	Segment 53GL29BM – 7 miles	
Quartzite	Chip Seal in place	\$167,629.00
	Fog Seal in place	\$ 39,200.00
		Total - \$206,829.00
	Segment 53GL29BM – 7 miles	
Natural 1B	Chip Seal in place	\$158,018.00
	Fog Seal in place	\$ 39,200.00
		Total - \$197,218.00

A motion was made by Mushitz and seconded by Stotz to approve the bid from The Road Guy Construction, Co. for the Chip/Fog Seal project of segment 53GL29BM. Superintendent-Cimpl was advised to use quartz or pea rock at his discretion. All in favor, motion carried.

**Asphalt Concrete Bids:**

Sealed bids were opened for the asphalt concrete project. Highway Superintendent Doug Cimpl was present. The bid from Spencer Quarries Inc/Commercial Asphalt for patching was \$98 per ton, \$70 per ton loaded on county trucks from Kurtz, \$63 per ton loaded on county trucks from Mitchell. A motion was made by Stotz and seconded by Mushitz to approve the bid from Spencer Quarries/Commercial Asphalt for the asphalt concrete project. All in favor, motion carried.

**Taxes:**

Denise Weber – Director of Equalization presented a resolution to the Commission regarding Austin Weber’s tax freeze request from the previous 12/12/19 meeting. A motion was made by Stotz and seconded by Mushitz to approve Resolution 19-07. All in favor, motion carried.

**Resolution 19-07**

Declaration of beginning farmer designation for parcel #18.12.1000 owned by Austin Dean Weber. WHEREAS, Austin Dean Weber is the owner of parcel #18.12.1000 legal description NE ¼ ex E703’ THEREOF (parcel number assigned by Charles Mix County Equalization Office) located in Charles Mix County, South Dakota, meet the criteria of SDCL 10-6-31.5 to qualify as a beginning farmer; and WHEREAS, by virtue of meeting the criteria set forth in SDCL 10-6-31.4, such parcel may be granted a tax freeze for five (5) years in accordance with the provisions of SDCL 10-6-31.5; and WHEREAS, the granting of such designation is discretionary with the Charles Mix County Board of Commissioners; and WHEREAS, The Charles Mix County Board of Commissioners is willing to grant such designation upon the terms and conditions hereinafter set forth.

NOW THEREFORE BE IT RESOLVED, that the Charles Mix County Board of Commissioners grants beginning farmer status to Austin Dean Weber as the owner of parcel #18.12.1000 as designated by the Charles Mix County Equalization Office; and

BE IT FURTHER RESOLVED, that the granting of the beginning farmer status be for a period of five years from the assessment year 2020 taxes payable 2021 with the taxes upon such property be frozen at 1787.95 for the period of time from 2020 ending 2024, except that the tax freeze so granted shall no apply to any new buildings or structures which may be constructed upon such property during the period of the tax freeze.

Dated this 19<sup>th</sup> day of December, 2019

Adopted this 19<sup>th</sup> day of December, 2019

Neil Von Eschen, Chairman

Danielle Rolston, Auditor

**Damaged Properties:**

Denise Weber discussed multiple requests she has received from property owners wanting the County to declare structures condemned due to the FEMA process. Charles Mix County does not have a condemnation process in place. Weber let the Commission know of the option of a Code Enforcement Officer to be used in this process. Further discussion to be held with States Attorney – Steve Cotton, Denise Weber and the Commission at the next meeting. No action taken.

**Plats:**

A motion was made by Mushitz and seconded by Stotz to approve the Plat of Dykstra Tract 1, A Subdivision of the SE ¼ of Section 30, Township 99N, Range 68 W of the 5<sup>th</sup> P.M., Charles Mix County, South Dakota. All in favor, motion carried.

**Bridge Inspection Presentation:**

Highway Superintenenent – Doug Cimpl, Adam Polley, PE and Joshua Prather, EI from Clark’s Engineering met with the Commission to present the 2019 Bridge Inspection findings. The presented documents are filed in the Auditor’s Office. No action taken.

**Flooding:**

Clinton Powell – Brosz Engineering, Steve Christensen – Mayor of Platte, Shauna Meyerink – City of Platte Finance Officer and Matt Maxon were present to discuss the ongoing drainage issue east of Platte.

The flooding has been a continuous problem that is also affecting the City of Platte residents and business owners. Powell requested Charles Mix County to approve a resolution whereas, Charles Mix County would appoint an applicant agent for the Hazardous Mitigation Grant application to do the needed hydrology study. A motion was made by Mushitz and seconded by Stotz to approve Resolution 19-08. All in favor, motion carried.

### **Resolution 19-08**

#### **Appointment of Applicant Agent**

#### **For the Hazard Mitigation Grant Program (HMGP)**

WHEREAS, Charles Mix County is submitting a Hazard Mitigation Grant application to the Federal Emergency Management Agency and the State of South Dakota for a project to study drainage characteristics in the city; and

WHEREAS, Charles Mix County is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all application documents;

NOW THEREFORE BE IT RESOLVED that Charles Mix County appoints Neil Von Eschen as the authorized Applicant Agent for the project.

Dated this 19<sup>th</sup> day of December, 2019

Appointing Authority

Neil Von Eschen, Chairman

Appointed Agent

Neil Von Eschen, Chairman

#### **Highway:**

Doug Cimpl presented the applications received for the Crewman position in the Wagner Shop. A motion was made by Stotz and seconded by Mushitz to approve the hiring of Matthew Foley as Crewman at \$14.00 per hour starting January 2<sup>nd</sup>, 2020. All in favor, motion carried.

Cimpl requested to go off of Gregory County's gravel bid with Kory Standy. A motion was made by Mushitz and seconded by Stotz to approve the bid request. All in favor, motion carried.

Gregory County Approved Bid:

\$6.00 1" crushed gravel per ton with royalty

\$5.50 1 ½ inch screened gravel per ton with royalty

Standy Pit Location

.50 per ton loading gravel

#### **Executive Session:**

A motion was made by Stotz and seconded by Mushitz to enter into executive session at 12:14 pm to discuss personnel with Hwy Superintendent-Cimpl and Auditor-Rolston present. An end was declared to executive session at 12:20pm with no action taken.

#### **Recess/Reconvene:**

The Board of Commissioners recessed for lunch at 12:20 pm and reconvened at 1:00 pm.

#### **Building Inspection:**

City of Geddes Code Enforcement Officer – Rob Hotchkiss met with the Commission regarding the request to demolish the County owned building located in Geddes. Hotchkiss presented an Asbestos Building Inspection Proposal with an estimated cost of \$1,000-\$1,250. A motion was made by Mushitz and seconded by Stotz to approve the inspection. All in favor, motion carried.

The Commission discussed condemnation procedures with Hotchkiss and if he was qualified to do so. Hotchkiss informed the Commission that he is not a qualified building inspector but was able to provide contact information for Jeff Fillingsness. Auditor-Rolston to contact Fillingsness regarding this matter. No further action taken.

#### **January Meetings:**

The regular sessions for January have been set for the 9<sup>th</sup> and 16<sup>th</sup> at 10:00 am. No further action taken.

**Adjourn:**

A motion was made by Stotz and seconded by Von Eschen to adjourn until the next regular session on January 9<sup>th</sup> at 10:00 am. All in favor, motion carried.

**BILLS 12-19-19**

**COMMISSIONERS:** HUB INTERNATIONAL, BOND RENEWAL, 431.21, PECHOUS PUBLICATIONS, PUBLISHING, 17.16, **TOTAL: \$448.37**

**COURTS:** 35 JUROR'S, JURORS FEES, \$1721.52, VERIZON, UTILITIES, 92.83, AVERA, SERVICES, 153.00, WAGNER COMMUNITY HOSPITAL, BLOOD ALCOHOL, 425.00, THOMSON REUTERS, BOOKS, 1348.86, **TOTAL: \$3,741.21**

**AUDITOR:** MCLEOD'S, SUPPLIES, 199.90, **TOTAL: \$199.90**

**STATES ATTORNEY:** MYERS SANITATION, UTILITIES, 55.79, PARKHURST LAW, CONTRACT, 3333.33, LA CO-OP, MAINTENANCE/UTILITIES, 380.55, THOMSON REUTERS, SOFTWARE/BOOKS, 239.87, **TOTAL: \$4,009.54**

**COURT APPOINTED:** JOHNSON POCHOP LAW, COURT APPOINTED, 1622.25, STEKLY LAW, COURT APPOINTED, 893.86, SANDY STEFFEN, COURT APPOINTED, 942.40, HEIN LAW, COURT APPOINTED, 116.55, SWIER LAW, COURT APPOINTED, 2172.50, BRALEY LAW, COURT APPOINTED, 2055.96, BRAD KERNER, COURT APPOINTED, 883.50, WHALEN LAW, COURT APPOINTED, 2398.75, **TOTAL: \$11,085.77**

**ABUSED/NEG CHILD:** SANDY STEFFEN, COURT APPOINTED, 999.30, SWIER LAW, COURT APPOINTED, 1253.50, WHALEN LAW, COURT APPOINTED, 2231.00, **TOTAL: \$4,483.80**

**GOVERNMENT BLDGS:** MYERS SANITATION, UTILITIES, 123.40, LA CO-OP, MAINTENANCE/UTILITIES/FUEL, 1698.55, **TOTAL: \$1,821.95**

**REGISTER OF DEEDS:** MICROFILM IMAGING, MAINTENANCE/SERVICES, 2410.00, **TOTAL: \$2,410.00**

**SHERIFF:** IVERSON, REPAIRS, 484.47, APPAREL WORX, SUPPLIES, 99.96, ULTIMATE SHINE, MAINTENANCE, 60.00, AT&T, UTILITIES, 465.28, GALLS, UNIFORMS, 110.67, AUTO GLASS EXPRESS, WINDSHIELDS, 490.00, PIONEER DESIGNS, SUPPLIES, 116.00, BOMGAARS, SUPPLIES, 9.59, COMMERCIAL STATE BANK, EQUIPMENT, 1158.00, GEDDES CO-OP, MAINTENANCE, 168.05, GRAHAM TIRE, TIRES, 710.96, LA CO-OP, 10.50, OFFICE PRODUCTS, SUPPLIES, 274.41, PITNEY BOWES, POSTAGE, 251.75, SD SHERIFF'S ASSOCIATION, DUES, 773.87, VERNON'S, REPAIRS, 138.49, **TOTAL: \$5,322.00**

**JAIL:** INDUSTRIAL CHEM LABS, MAINTENANCE, 252.61, DOLLAR GENERAL, SUPPLIES, 11.18, CAHOY'S, GROCERIES, 481.77, BRECKE PEST, MAINTENANCE, 100.00, AVERA, PRISONER CARE, 774.88, WAGNER FAMILY DENTAL, PRISONER CARE, 294.00, CHARM-TEX, IMPROVEMENTS, 259.42, AMERICAN INSTITUTIONAL, PRISONER CARE, 1136.80, GALLS, UNIFORMS, 126.11, JAMES DRUG, PRISONER CARE, 456.93, CASH-WAY DISTRIBUTING, GROCERIES, 6837.53, PLATTE BODY SHOP, REPAIRS, 2718.70, BOMGAARS, SUPPLIES/MAINTENANCE, 19.69, CHAMBERLAIN WHOLESAL, GROCERIES, 1625.80, GRAHAM TIRE, TIRES, 584.00, LA CO-OP, UTILITIES/SUPPLIES, 1320.36, LIEUWEN'S, SUPPLIES, 15.98, MIDWEST FIRE & SAFETY, MAINTENANCE, 110.50, OFFICE PRODUCTS, SUPPLIES, 881.95, PITNEY BOWES, POSTAGE, 251.75, DAVE'S SERVICE, MAINTENANCE, 100.00, VERNON'S, REPAIRS, 40.00, WAGNER BUILDING SUPPLY, IMPROVEMENTS, 302.97, **TOTAL: \$18,702.93**

**CORONER:** CHAD PETERS, MILEAGE/SUPPLIES, 51.68, **TOTAL: \$51.68**

**NURSE:** WAGNER EARLY CHILDHOOD, RENTALS, 642.60, PLATTE HEALTH CENTER, RENT, 383.00, **TOTAL: \$1,025.60**

**WIC:** WAGNER EARLY CHILDHOOD, RENTALS, 340.02, **TOTAL: \$340.02**

**MENTALLY ILL:** LUCY LEWNO, SERVICES, 166.50, MARK KATTERHAGEN, 15.00, DARCY LOCKWOOD, SERVICES, 15.00, WAGNER COMMUNITY CLINIC, SERVICES, 266.00, **TOTAL: \$462.50**

**COUNTY FAIR:** ANITA ENGRAVING & AWARDS, SERVICES, 628.40, MARY PAYER, MEALS, 14.00, WEBSTAUANTSTORE, FURNITURE, 1301.92, CHARLES MIX ELECTRIC, UTILITIES, 41.48, COMMERCIAL STATE BANK, SUPPLIES, 409.86, LA CO-OP, REPAIRS, 63.15, **TOTAL: \$2,458.81**

**COUNTY EXTENSION:** STATE 4-H, FEES, 30.00, HEIRLOOM CREATION, SUPPLIES, 1197.00, **TOTAL: \$1,227.00**

**HIGHWAY:** LA CO-OP, SUPPLIES/FUEL, 4587.96, NORTHWESTERN ENERGY, 29.72, **TOTAL: \$4,617.68**

**COMMUNICATION CENTER:** GALLS, UNIFORMS, 97.14, COMMERCIAL STATE BANK, MINOR EQUIP, 843.32, CENTURY LINK, UTILITIES, 706.28, **TOTAL: \$1,646.74**

**JAIL: NATIONAL TEST SYSTEMS, SUPPLIES, 671.50, DASH MEDICAL GLOVES, SUPPLIES, 57.80, OFFICE PRODUCTS, SUPPLIES, 18.99, TOTAL: \$748.29**  
**GRAND TOTAL: \$64,803.79**

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Neil Von Eschen, Chairman

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Danielle Rolston, Auditor