REGULAR MEETING OF BRULE COUNTY COMMISSIONERS

February 1, 2024

# The Board of Brule County Commissioners met in regular session at 9:30 a.m. at the Brule County Courthouse. Members present: DeBoer, Dozark, Swanson and Carson. Absent - Mairose Also present: Dedrich Koch, Deputy States Attorney and Janet Petrak, Central Dakota Times. No public comments or conflicts of interest were noted.

## **APPROVE MINUTES**

Commissioner Swanson moved and Commissioner Carson seconded to approve the minutes of 1-18-2024. All members voted aye. Motion carried.

**COMBINED ELECTION AGREEMENT**

Commissioner Swanson moved and Commissioner Carson seconded to enter into a combined election agreement with Chamberlain City, Kimball City, Pukwana Town, Chamberlain and Kimball School Districts. All members voted aye. Motion carried.

**SD DINOSAUR PARK**

Commissioner Swanson moved and Commissioner Dozark seconded to sign a land use agreement with the SD Dinosaur Park. All members voted aye. Motion carried.

**COURTHOUSE STABILIZATION**

In order to do the work on stabilizing the north end of the Courthouse the Air Conditioning Units and items on the north end of the Courthouse need to be moved. Two quotes were received too move the units away from the building and when the project is done to move them back in position. Hopkins Plumbing, Heating & AC LLC $8,500.00 plus excise tax and Hickey Heating LLC $9,632.67. Commissioner Carson moved and Commissioner Swanson seconded to accept the quote of Hopkins Plumbing, Heating and AC LLC at $8,670.00. All members voted aye. Motion carried.

**PERSONNEL**

Commissioner Swanson moved and Commissioner Dozark seconded to accept the resignation of Desiree Wranek from the Director of Equalization Office effective January 22, 2024. All members voted aye. Motion carried.

**TRAVEL REQUEST**

Commissioner Swanson moved and Commissioner Dozark seconded to approve a travel request for Tory Engel, States Attorney Administrative Assistant to attend a SOR Conference in Deadwood, April 9 & 10, 2024. 2 nights motel at $193.40/night. All members voted aye. Motion carried.

Commissioner Carson moved and Commissioner Dozark seconded to approve the following travel requests for the Highway/Weed Department: Feb 14 & 15, 2024 at Oacoma for Highway Superintendent Schlaffman to attend the Asphalt Conference and Chase Olney and Highway Superintendent Mike Schlaffman to attend weed conference in Spearfish (3 nights motel for 2 rooms) $539.94 and dues and registration fee $615.00. All members voted aye. Motion carried.

**PLAT**

Jeremy Wolbrink of SPN & Associates presented a plat to the Commissioners for approval. The plat is of Lot 1 of Young First Addition in the West ½ of Section 17, T 105 N, R 67 W of the 5th PM, Brule County, SD. Commissioner Carson moved and Commissioner Swanson seconded to table the approval of the following plat as the taxes have not been paid as of 2-1-2024. All members voted aye. Motion carried.

**LOAD LIMITS**

Commissioner Carson moved and Commissioner Dozark seconded to adopt the following resolution regarding load limits on Brule County roads:

RESOULUTION #2024-1

**BRULE COUNTY WEIGHT LIMIT ENFORCEMENT**

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

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

WHEREAS, the Brule County Board of County Commissioners, desire the enforcement of weight limitations of Brule County Roads as set forth and posted by the Brule County Highway Superintendent.

NOW THEREFORE BE IT RESOLVED:

WHEREAS, the limits on Brule County Highways shall be set as seven (7) ton per axle; 80,000 pound gross, **on all asphalt surface roads**, and also on **250th St from 362nd Ave to 367th Ave 7 ton, 80,000 gross (Gravel Road)** during the spring thaw period and when limit signs are in place:

1) Except 367th Avenue from I-90 exit to 250th St

2) 350th Ave north of Pukwana, from 243rd St North 2 miles is **CLOSED to Truck Traffic.**

3) **NO SPRING LOAD LIMITS** on 350th Ave from I-90 to 249th St, then 350th along 249th St to 349th Avenue

That the South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitations on Brule County roads.

BE IT FURTHER RESOLVED, that the penalty for the violation of the load restrictions shall be as set forth in SDCL: 32-22-55.

Vote of Brule County Commission: 4 ayes; 0 nay. Duly passed and adopted at a regular meeting of the Commission on the 1st day of February, 2024. Signed at Chamberlain, SD by Chairman: Donn DeBoer. Attest: Pamela Petrak, Auditor.

**WILDLAND FIRE ASSISTANCE RESOLUTION**

Commissioner Swanson moved and Commissioner Carson seconded to adopt the following resolution authorizing range fire request for assistance:

**BRULE COUNTY**

**RESOLUTION 2024-2**

**A RESOLUTION AUTHORIZING RANGE FIRE REQUEST FOR ASSISTANCE**

WHEREAS, state law allows the South Dakota Wildland Fire Coordinator to assist in the suppression of rangeland fires only upon a formal request by a Board of County Commissioners, and

WHEREAS, the South Dakota Wildland Fire Coordinator has requested that a person be officially designated to make such requests, and

WHEREAS, at the time of a fire emergency there is insufficient time to convene the Board to make such requests,

NOW THEREFORE BE IT RESOLVED by the County Commission in and for the County of Brule, State of South Dakota, that any one of the following identified individuals are hereby authorized to request assistance in the suppression of rangeland fires within the County, in and for the County, as specified in SDCL 41-20-8.1, to wit:

1. The then acting **Brule County Sheriff**, now

Darrell Miller

300 S Courtland, Suite 112 Chamberlain, SD 605-234-4443

2. The then acting **Emergency Manager Director**, now

Katheryn Benton

300 S Courtland, Suite 106 Chamberlain, SD 605-680-0085

1. The then acting **Chamberlain Fire Department Chief**, now

Kurt Kelsey

PO Box 135, Oacoma, SD

605-730-1982

4. The then acting **Kimball Fire Department Chief,** now

Clifford Houser

PO Box 152

Kimball, SD

605-680-9090

5. The then acting **Pukwana Fire Department Chief, now**

Jerry Wingert

622 Main St, Pukwana, SD

605-730-2064

This authority shall continue in force and effect until terminated by a Resolution of the Board.

Duly passed and adopted at a regular meeting of the Commission on the 1st day of February, 2024.

Votes: 4 aye. 0 nay. Signed at Chamberlain, SD by Chairman: Donn DeBoer. Attest: Pamela Petrak, Auditor

**EXECUTIVE SESSION**

Commissioner Carson moved and Commissioner Dozark seconded to enter executive session at 10:15 am to discuss personnel issues. Executive session declared over at 10:36 am.

**REPORTS & CORRESPONDENCE**

The following reports were received and placed on file in the County Auditor’s office: Planning & District III Committee Meeting Notice, Southeast Central District, MSAC Newsletter.

**APPROVE CLAIMS**

Commissioner Dozark and Commissioner Swanson seconded to approve the following bills and payroll. All members voted aye. Motion carried.

# **GENERAL FUND**

***Salaries:*** Commissioners, 1547.70; Auditor, 3437.56; Treasurer, 3451.01; States Attorney, 6032.19; Assessor, 3981.63; Planning Commission, 305.54; Register of Deeds, 3457.56; Sheriff, 10790.08; Jail, 15386.00; Coroner, 75.00; Courthouse, 1488.00; Veteran Service, 829.22; Victim Witness Coordinator, 226.80. ***FICA & Medicare:*** First Dakota Bank, 4102.48. ***Retirement:*** SDRS, 3195.88. ***Insurance Reimbursement:*** 3550.11. ***Insurance:*** ABA 1639.29. Avera Occupational Medicine, 90.00; Bob Barker, 496.05; Bomgaars Supply, 62.46; Dakoabilities, 180.00; Enviromaster, 88.00; First Dakota Bank, 238.60; Hein Law Office, 715.15; Intellipro Security, 227.40; Johnson Pochop Law Office, 652.53; Kaleb’s Service, 367.95; Lewis Drug Inc, 712.80; Mid States Org Crime Inc, 100.00; Miller, Darrell, 2601.00; Northwestern, 2760.55; Odens, Melisa A. 156.80; Office Products Center, 314.14; Petty Cash, 80.83; Sanford Health Network, 892.46; Servall Uniform/Linen Company, 42.41; Synergy Sign Company, 1333.62; Verizon Connect, 100.63; Verizon Wireless, 212.99; Whalen, Timothy 13,205.80.

***Salaries:*** 13245.58. ***FICA & Medicare:*** First Dakota Bank, 1036.35. ***Retirement:*** SDRS, 773.18. ***Insurance Reimbursement:*** 328.36. ***Insurance:*** ABA 400.00. Bomgaars Supply, 165.04; C & S Truck Sales, 310.68; Central Dakota Times, 326.60; Dakota Riggers & Tools, 430.26; Kaleb’s Service, 1145.70; Northwestern, 881.47; Office Products Center, 96.21; RDO Equipment, 240,802.78; Verizon Wireless, 86.92; WW Tire Service Inc, 316.16; Wheelco, 161.58.

**24/7 FUND**

***Salaries:*** 182.97. ***FICA & Medicare:*** First Dakota Bank, 16.51. ***Retirement:*** SDRS, 14.64. ***Insurance Reimbursement:*** 32.84. ***Insurance:*** 2.34.

**EMERGENCY MANAGEMENT FUND**

***Salaries:*** 743.50. ***FICA & Medicare:*** First Dakota Bank, 82.00. ***Retirement:*** SDRS, 41.96. ***Insurance Reimbursement:*** 328.36.

## **ADJOURNMENT**

Commissioner Dozark moved and Commissioner Swanson seconded to adjourn at 10:37 am with the next meeting being held on 2-15-2024 at 9:30 am. All members voted aye. Motion carried.

ATTEST:

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PAMELA PETRAK DONN DEBOER

BRULE COUNTY AUDITOR BOARD OF BRULE COUNTY COMMISSIONERS