

Chairman Randy Vance called the Monday March 16, 2020 meeting of the Hughes County Board of Commissioners to order at 5:30 PM with members Norm Weaver, Bill M. Abernathy, Connie Hohn and Roger Inman present. County Manager Kevin Hipple, Highway Superintendent Mike Meyer, Sheriff Darin Johnson, Emergency Manger Rob Fines and Planning Director/ Building Official Eric Booth were also present. The meeting began with a prayer by Pastor John Fette and the Pledge of Allegiance.

AGENDA: Moved by Abernathy and seconded by Hohn to approve the agenda. All voted aye. Motion passed.

MINUTES: Moved by Weaver and seconded by Inman to approve the minutes of the March 2, 2020 Commission meeting. All voted aye. Motion passed.

ANTENNA TOWER LEASE AGREEMENT: Moved by Abernathy and seconded by Hohn to approve and authorize the Commission chairman to sign lease agreements for Antenna Tower Leases for Fort Pierre Fire Dept., City of Fort Pierre, Four Corners Fire Dept., Mid Dakota Rural Water, and Stanley County. All voted aye. Motion passed.

PLANNING & ZONING –FIRST CONSDIERATION: Roger and Carol Kelly are requesting to plat Lot K1 in N1/2 Section 15 110-78 and rezone approximately 14 acres in Sect 10 110-78 and approximately 12 acres in N1/2 Sec 15 110-78 from Ag-B to Ag-C. Moved by Weaver and seconded by Abernathy to sete a public hearing at 5:30 pm at the April 6, 2020 meeting. All voted aye. Motion passed.

WEED SPRAYING CONTRACT: Moved by Weaver and seconded by Hohn to approve and authorize the chairman to sign an agreement with the Hughes County Conservation District for spraying road ditches between March 1, 2020 and October 31, 2020 to not exceed \$60,000. All voted aye. Motion passed.

MAG WATER POLICY RESOLUTION: Moved by Inman and seconded by Abernathy to approve Hughes County Resolution No. 2019-09. All voted aye. Motion passed.

Hughes County
Policy on Application of Mag Water
On County Roads

The Hughes County Commission approves the following policy for the application of Magnesium Chloride (Mag water) for dust control.

If landowners in rural residences desire to have the Hughes County Highway Superintendent arrange for the application of Mag water for dust control, the County shall participate in sharing the application and preparation costs under the following rules:

In all instances, the minimum application distance will be 300 feet.

FOR FARM RESIDENCES on the county road system which have a speed limit of 45 mph or higher and the farm residence is within 300 feet of the centerline of the County road, the sponsors shall be required to pay 75% of the cost of the Mag water in advance of the application. The county will pay the remaining application costs plus the cost of the road preparation.

FOR FARM RESIDENCES on the county road system which have a speed limit of 45 mph or higher and the farm residence is greater than 300 feet from the centerline of the County road, the sponsors shall be required to pay 75% of the cost of the Mag water application and 75% of the costs of road preparation in advance of the application. The county will pay the remaining costs of mag water application and road preparation.

FOR RURAL SUBDIVISIONS on a through county road which has a speed limit of 35 mph or higher, the sponsors shall be required to pay 100% of the estimated cost of the Mag water application and 100% of the costs of road preparation in advance of the application. The county will pay the 0% of the application costs plus 0% of the cost of road preparation.

FOR RURAL SUBDIVISIONS not on a through county road but where the county maintains the roads, the sponsors shall pay 100% of all costs of the Mag water application and road preparation. The County will not be responsible for any costs.

FOR HOMES NEAR DRY RUN ROAD, within 4,500 feet of the intersection with Highway 34, the sponsors shall be required to pay 75% of the cost of the Mag water in advance of the application. The county will pay the remaining application costs plus the cost of the road preparation.

FOR HOMES IN CANNING VILLAGE, along 206th Street from the west side of Canning to the east side of Canning and along Chesley Road from the north side of Canning to the south side of Canning, the sponsors shall be required to pay 75% of the cost of the Mag water in advance of the application. The county will pay the remaining application costs plus the cost of the road preparation.

FOR RURAL SUBDIVISIONS where the roads are not maintained by the county and there is a road District in place, the County will charge for 100 % of all the costs of mag water application and road preparation.

FOR RURAL SUBDIVISIONS where the roads are not maintained by the County and there is not a road District, and areas not identified previously in this resolution, any Mag water applications shall be done by a private applicator. The County will not be responsible for any costs of those applications.

The application of Mag water will be scheduled at the county's convenience and will, on occasion, be delayed, or cancelled entirely, by other demands on the county resources.

For roads with heavy truck traffic or other special circumstances, the Highway Superintendent may use his discretion in the application of these rules.

ROAD LOAD LIMITS: Highway Superintendent Mike Meyer will work with the adjoining counties to post weight limits to prevent road damage and keep drivers safe during the spring thaw. Myer's plan would be to post all gravel roads during that time period. Moved by Weaver and seconded by Hohn to support the Highway Superintendent to post load limits signs on all county gravel roads during spring thaw. All voted aye. Motion passed.

PERSONNEL: Moved by Inman and seconded Weaver to approve hiring Robert Woods, Corrections officer at the Jail at Minimum Pay Grade 14 \$17.91 per hour starting March 17, 2020. All voted aye. Motion passed.

Moved by Weaver and seconded by Inman to reluctantly accept the resignation and retirement of Mike Meyer, Highway Superintendent effective April 30, 2020 and authorize adverting for a replacement. All voted aye. Motion passed.

BUDGET TRANSFERS: Moved by Weaver and seconded by Hohn to approve transferring \$1,250.00 from General Fund to the Debt Service Trustee Fee. All voted aye. Motion passed.

2019 ANNUAL FINANCIAL REPORT: Finance Officer Jane Naylor reviewed the 2019 Annual Financial Report. Moved by Hohn and seconded by Abernathy to accept the 2019 Annual Financial Report.

HOSPITAL INDIGENT CLAIMS APPEALS SETTLEMENT OFFER: Hipple and Vance summarized a settlement offer from Avera on several care of the poor cases. Moved by Hohn and seconded by Weaver to reject the settlement offer from Avera and to make a counter offer to pay the four cases for a total of \$30,005.55 and that Avera would dismiss the cases as indicated in their settlement offer, a total of 16 cases to be dismissed. The remaining cases would all proceed through the legal process, a total of 34 cases. All voted aye and the motion passed.

CLAIMS: Moved by Abernathy and seconded by Hohn to approve the following verified claims. All voted aye. Motion passed.

A-OX WELDING 1354.21 5 YEAR LEASE, RENTAL, ALL PRO GARAGE DOORS 131.84
REPAIRS INV 2234, ANDERSON NILL & ASSOC INC 1109.00 INV 7448 SERVICES, ANIMAL
CLINIC OF PIERRE 1280.00 INV 131727 ANIMAL CONTROL, AT & T MOBILITY 1127.83 CELL
PHONES / WIFI, AVERA MEDICAL ASSOC CLINIC 183.00 TESTING #600022, AVERA ST
MARYS HOSPITAL 1542.64 CRISIS ROOM, BIG STATE INDUSTRIAL SUPPLY 238.80
SUPPLIES #1376438, BIRMINGHAM & CWACH LAW OFFICE 199.10 MI - JP, BOB BARKER CO
INC 917.17 INV UT1000525904 SUPPLIES, BOOTH, ERIC 140.00 TRAVEL, BUREAU OF
ADMINISTRATION 133.18 TL002004, TL002056, BUTLER MACHINERY CO 1794.58 REPAIRS,
CAPITAL AREA COUNSELING 6678.75 MOBILE CRISIS RESPONSE, CAPITAL AREA
COUNSELING 6963.60 MI - X9 QMHP EVALS, CAPITAL JOURNAL 588.91 PUBLISHING /
ADVERTISING, CENTURY BUSINESS PRODUCTS INC 60.36 INV 510572 LEASE,
CENTURYLINK 58.56 605-223-2109, CENTURYLINK 820.61 PHONE, COLE PAPERS INC
1456.89 INV 9640763 SUPPLIES, COMM TECH INC 96.98 INV 7179, 7282 SUPPLIES,
CONCORDANCE 830.71 INV 18060035 MEALS, DAKOTA RADIO GROUP 295.00 INV 52517-1
ADVERTISING, DAKOTA RADIO GROUP 590.00 INV 52606-1 ADVERTISEMENT, DEPT OF
LEGISLATIVE AUDIT 18568.55 AUDIT, DEPT OF REVENUE 20.94 SALES & USE TAX,
DISABLED AMERICAN VETERANS 200.00 TRANSPORTATION, DONS SINCLAIR 50.00 CAR
WASHES, DONS SINCLAIR 73.54 DIESEL, ELECTION SYSTEMS & SOFTWARE 425.00 INV
1123578 TRAINING, FINES, ROB 149.00 TRAINING, FISCHER LAW OFFICE PROF LLC 8284.18
COURT APPOINTED ATTORNEY, FLOYDS TRUCK CENTER 405.76 REPAIRS, GOLDEN WEST
TECHNOLOGIES 475.00 INV 364080 BACKUP, GUARDIAN RFID 3529.80 INV 5036 PRINT
TRAK MAINT, H & H REPAIR 1435.42 INV 41417 REPAIRS, HOFFMAN OIL 3433.17 FUEL,
INGRAM PEST SERVICE 63.90 INV 36332 EXPO, INMANS WATER TECHNOLOGIES 483.75
SERVICES, JC OFFICE SUPPLIES 995.75 SUPPLIES, MARK KATTERHAGEN 42.00 MI - CW,
SK, DJ, KENDELL DOOR & HARDWARE 62.25 KEYS SQ000935, KIMBALL MIDWEST 515.72
SUPPLIES #7763879, KONRAD LAW PROF 3651.80 COURT APPOINTED ATTORNEY,

LACROIX LAW OFFICE 252.75 MI - GM, LAWSON PRODUCTS INC 768.86 SUPPLIES, LUCILLE M LEWNO 488.00 MI - SK, CW, DJ, LINCOLN COUNTY 505.50 MI - X 5 EVALS & BOARD, DARCY LOCKWOOD 42.00 MI - SK, CW, DJ, MAY ADAM GERDES & THOMPSON 996.40 COURT APPOINTED ATTORNEY, MCLEODS 1314.94 INV 37842 ELECTION SUPPLIES, MENARDS 453.24 ACCT 33210280, MID DAKOTA RURAL WATER SYSTEM 3652.25 UTILITIES, MIDCO 480.60 INTERNET, MINNEHAHA COUNTY 156.50 MI - BB BOARD & EVALS INV 1708, MONTANA DAKOTA UTILITIES 1000.92 UTILITIES, MORENO & BACHAND PC 64.02 MI - X2 INV 157, NORTHWESTERN ENERGY 365.01 UTILITIES, OAHE GLASS INC 72.38 INV 06831 SERVICES, OLINGER LOVALD MCCAHERN 6534.35 COURT APPOINTED ATTORNEY, OPBROEK, MATHEW 20.00 WITNESS, PAINT STORE 378.00 INV 215121, 215126 SUPPLIES, PANKRATZ LAW PROF LLC 8750.00 PUBLIC DEFENDER CONTRACT, PETERSEN, ROY W (DUGAN) 267.10 WEED CONFERENCE, PHEASANTLAND INDUSTRIES 571.31 INV 072856 SUPPLIES, PIERRE CITY 8336.07 UTILITIES, PIERRE CITY 23.99 JAIL LAPTOP LAW LIBRARY, PIERRE SOLID WASTE 8.40 STATEMENT 27205, QUALIFIED PRESORT SRV 3197.01 INV 483650 ASSESSMENT NOTICE, DOUG RIPLEY 1903.79 CONTRACT WORK, RITER ROGERS LLP 389.50 COURT APPT E.T., RIVER CITIES TRANSIT 2916.66 MONTHLY ALLOCATION, ROBINS WATER CONDITIONING INC 186.00 SUPPLIES, SANFORD HEALTH PATHOLOGY 232.00 LOG# 20X00092CL TOXICOLOGY, SCHREIBER LAW FIRM PROF LLC 1165.45 COURT APPOINTED ATTORNEY, JOAN BOOS SCHUELLER 437.00 COURT APPOINTED ATTORNEY, SD ACHIEVE 60.00 INV 37199 MI X1 RESIDENT FEB, SD LAW REVIEW 35.00 VOL 65 LAW REVIEW, SERVALL UNIFORM & LINEN CO 173.73 SUPPLIES, DAVID W SIEBRASSE 10097.50 PUBLIC DEFENDER CONTRACT, SMALL ENGINE HOUSE 36.66 REPAIRS INV 36114, SNOW WHEEL SYSTEM 3253.18 INV 8853 SUPPLIES, STEWART, LYLE 134.40 WEED CONFERENCE, SUMMIT FOOD SERVICES 6366.08 INV 2000072791 MEALS, KATIE THOMPSON, ATTY 8750.00 PUBLIC DEFENDER CONTRACT, TITAN MACHINERY 39.00 SUPPLIES INV 13597167, VARI SALES CORPORATION 875.00 INV IVC-2-1415527 MONITOR ARM, VENTURE COMMUNICATIONS 94.16 PHONES, W W TIRE 120.00 ACCT 3964 TIRE REPAIR, WILL CLARK ELECTRIC 143.73 INV 08654-4595 IMPROVEMENTS, YANKTON CO SHERIFF 150.00 MI - SK, CW, DJ, YANKTON COUNTY 211.50 MI - X 2.

PUBLIC COMMENT: None

EXECUTIVE SESSION: Moved by Abernathy and seconded by Weaver to go into executive session per SDCL 1-25-2 (3) for Care of the Poor & HIPPA and SDCL 1-25-2(3) Contract . All voted aye. Motion passed. Chairman Vance declared the Commission out of Executive Session.

Moved by Weaver and seconded by Hohn to adjourn the meeting until **5:30 PM on Monday April 6, 2020**. All voted aye. Motion passed.

ATTEST:

Randy Vance, Chairman
Hughes County Commission

Jane Naylor, Finance Officer
Hughes County, South Dakota