

Chairman Randy Brown called the Monday, September 19, 2022 meeting of the Hughes County Board of Commissioners to order at 5:30 PM with members Tom Rounds, Randy Vance, Bill Abernathy, and Connie Hohn present. County Managers Kevin Hipple and Lori Jacobson, Sheriff Patrick Callahan, Planning and Zoning Director Eric Booth, States Attorney Jessica LaMie, Highway Superintendent Trent Arbach, and Veterans Service Officer Janet Beck were present. The meeting began with a prayer by Pastor John Fette and the Pledge of Allegiance.

**AGENDA:** Moved by Rounds and seconded by Vance to approve the agenda with the addition of a Hughes County Proclamation for retiring County Manager Kevin Hipple. All voted Aye. Motion passed.

**CONFLICT OF INTEREST:** No conflicts declared.

**MINUTES:** Moved by Hohn and seconded by Vance to approve the minutes of the August 17, 25, and September 6, 2022 Commission meetings. All voted Aye. Motion passed.

**PUBLIC HEARING: PLAT AND REZONE FROM AG B TO PUD TRACTS 1 & 2 WARD'S ADDITION A SUBDIVISION OF THE NE NW OF SECTION 29 112-80:** Time set for 5:30 PM to consider a request to plat Tracts 1 & 2 Ward's Addition, a subdivision of the NE NW of Section 29 112-80 and rezone from Ag B to PUD. They plan to create two 19.08 acre parcels. They plan to build a home on one and their daughter plans to build a home on the other. Don and Mary Ward were available for questions. Nobody appeared to testify. Moved by Abernathy and seconded by Vance to approve Resolution 2022-20 the plat of Tracts 1 & 2 Ward's Addition a subd of NE NW Sec 29 112-80 and Ordinance 2022-9 Lots 1 & 2 Ward's Addition Ag B to PUD Section 29 112-80 with a variance for a second approach. All voted Aye. Motion passed.

**PUBLIC HEARING: PLAT AND REZONE FROM AG B TO AG B2 LOT 1 KAYSER ADDITION A SUBDIVISION OF THE NE NE OF SECTION 33 112-79:** Time set for 5:35 PM to consider a request by Pamela Hunsley, Janina Benson, and Lonna Carroll, Personal Representatives of the Adella Kayser Estate, to create a parcel that splits the home and accessory structures located on Lot 1 to an approximately 6.44 acre parcel and rezone to Ag-B2. The remainder of the Quarter Section owned by the Estate is approximately 148+ acres and will remain Ag-B. Pamela Hunsley was available for questions. Moved by Vance and seconded by Rounds to approve Resolution 2022-21 the plat of Lot 1 Kayser Addition a subd of NE NE Sec 33 112-79 and Ordinance 2022-10 Lot 1 Kayser Addition Ag B to Ag B2 Section 33 112-79. All voted Aye. Motion passed.

**PUBLIC HEARING: PLAT AND REZONE FROM AG B TO AG B2 LOT 1 OF COW CREEK SUBSTATION ADDITION IN THE SE OF SECTION 18 112-79:** Time set for 5:40 PM to consider a request by Yackley Ranches along with Jerae Wire, representing East River Electric Cooperative Inc., for rezoning in order to plat a smaller than 35 acre parcel for the construction of an electrical substation. This new Plat will create Lot 1 of Cow Creek Substation Addition, an approximately 5 acre parcel that will be the site of a new electrical substation. The new substation is part of an upgrade by East River Electric to accommodate the growing rural residential population in the Oahe Electric service area. This will improve the electrical power for consumers in the area. Jerae Wire representing East River Electric was available for questions. Moved by Rounds and seconded by Abernathy to approve Resolution 2022-22 the plat of Lot 1 Cow Creek Substation Addition in the SE Sec 18 112-79 and Ordinance 2022-11 Lot 1 Cow Creek Substation Addition Ag B to Ag B2 Sec 18 112-79. All voted Aye. Motion passed.

**OLD BUSINESS:**

**NEW BUSINESS:**

**REDING BRIDGE GEOTEXTILE FABRIC CHANGE ORDER PNC08X7:** Anderson Contractors have excavated the Reding Bridge down just below the required depth, but had encountered quite a bit of water. The site is too wet to allow them to pour the footings for the bridge. There is ground water constantly infiltrating into the site. They have several pumps running continuously in an effort to dewater the site, but the pumps are unable to keep up. Anderson Contractors propose to install a geotextile fabric to stabilize the site before they begin to install the gravel which goes under the bridge foundation. Brosz Engineering has reviewed the proposal and concurs with the contractor's recommendations. The additional cost from Anderson's to install the fabric would be \$15,984.22. The change would require a time extension for installing the fabric. The specific amount of time will be worked out between the contractor, Brosz Engineering and Hughes County. The current completion deadline is around the second week of November. This change will likely push that back to around Thanksgiving. Kyle Kurth & Robert Williams appeared to give an update on the project to the Commission. Moved by Abernathy and seconded by Hohn to approve and authorize the Chairman to sign the change order for Structure Number 33-410-024 in the amount of \$15,984.22. All voted Aye. Motion passed.

**PURCHASE HWY DEPT GRADER MOUNTED SOD MULCHERS:** Moved by Rounds and seconded by Hohn to approve purchasing two newly rebuilt sod mulchers from Tisdale Saskatchewan Canada in the amount of \$59,000.00 for the Hughes County Highway Department. All voted Aye. Motion passed.

**PERSONNEL:** Moved by Vance and seconded by Abernathy to approve the hire of Robert Demery as a Correctional Officer at the jail at Pay Grade 16 Step 3 \$24.45 per hour effective September 20, 2022. All voted Aye. Motion passed.

Moved by Vance and seconded by Abernathy to approve the hire of Damien Gaona as a Correctional Officer at the jail at Pay Grade 16 Step 1 \$23.27 per hour effective September 20, 2022. All voted Aye. Motion passed.

Moved by Hohn and seconded by Abernathy to approve the resignation of Ashley Knigge JDAI Diversion Coordinator effective September 19, 2022 and authorize the advertisement of the position for hire. All voted Aye. Motion passed.

Moved by Hohn and seconded by Abernathy to approve the hire of Starletta Aalbers as a Legal Administrative Assistant at Pay Grade 13 Step 3 \$19.41 per hour effective September 26, 2022. All voted Aye. Motion passed.

**DESTRUCTION OF 2020 ELECTION MATERIALS:** Hughes County Finance Officer Thomas J. Oliva informed the Commission that the 2020 Primary & General Election Materials have been disposed of in accordance with the State of South Dakota Records Retention & Destruction Schedule as of September 3, 2022.

**2023 BUDGET:** Moved by Hohn and seconded by Rounds to approve increasing the Jail Federal Prisoners revenue by \$1,000,000; increasing Jail Juvenile Prisoners revenue by \$150,000; increasing Bank Franchise revenue by \$35,000; increasing Building Permit revenue by \$2,000; decreasing Commissioner's salaries by \$17,425; decreasing River Cities Transit request by \$17,500; decreasing the General Fund transfer to Road & Bridges by \$100,000; decreasing the General Fund transfer to Emergency Management by \$45,000; decreasing the General Fund transfer to Rural Fire by \$5,000; also decreasing Jail Bond payments by \$3,000. All voted Aye. Motion passed.

**CLAIMS:** Moved by Hohn and seconded by Abernathy to approve the following verified claims. All voted Aye. Motion passed. PIERRE SCHOOL DISTRICT #32-2 145330.37 AUGUST 2022 APPORTIONMENT, AGAR/BLUNT/ONIDA SCHOOLS #58-3 3041.60 AUGUST 2022 APPORTIONMENT, HIGHMORE-HARROLD SCHOOLS #34-2 3055.95 AUGUST 2022 APPORTIONMENT, PIERRE CITY FINANCE OFFICER 6236.57 AUGUST 2022 TAX APPORTIONS, PIERRE CITY FINANCE OFFICER 43788.79 AUGUST 2022 APPORTIONMENT, BLUNT CITY 2383.59 AUGUST 2022 APPORTIONMENT, HARROLD TOWN 530.33 AUGUST 2022 APPORTIONMENT, CENTRAL PLAINS WATER DEV. 187.53 AUGUST 2022 APPORTIONMENT, MISSOURI SHORES D.V.C. 831.50 AUGUST 2022 TAX APPORTIONS, A-OX WELDING 35.57 INV 00271577 TANK RENTAL, ADA POWELL 12000.00 COURT ORDER EVALS, ADVANCE CORRECTIONAL HEALTH 32488.72 INV 44399589, ALLIED PLUMBING & HEATING INC 1300.00 WORK ORDER S006934, ALTERNATIVE HR 108.75 INV 7586, AMERICAN MEDICAL RESPONSE 4050.00 INV 271721, ANDERSON CONTRACTORS INC 152985.38 REDING BRIDGE 33-410-024, ANIMAL CLINIC OF PIERRE 19.89 INV 154973, ASHLEY KNIGGE 247.50 ADAI TRAINING, ASSMANS SHOP SUPPLY 1280.10 INV 020269 TOOLS, AUTOMATIC BUILDING CONTROLS 250.05 INV 232860, AVERA ST MARYS HOSPITAL 10.94 GIA00147157375, AVERA ST MARYS HOSPITAL 60.00 DRUG TEST, AVERA ST MARYS HOSPITAL 103.17 SY6000063768, AVERA ST MARYS HOSPITAL 235.78 SY6000061170, AVERA ST MARYS HOSPITAL 122.92 SY6000059756, BACHAND & HRUSKA PC 1213.60 ATTORNEY FEES, BLUE 360 MEDIA 281.78 INV 2207164067, BOB BARKER CO INC 907.20 , BONI ENTERPRISES LLC 50.30 ATTORNEY FEES, BROSZ ENGINEERING 23962.50 INV P25116, BUREAU OF ADMINISTRATION 108.21 PHONES, BUTLER MACHINERY CO 710.90 INV 08PS0129848, CAPITAL AREA REFUSE 623.97 ACCT 637130030777, CAPITAL AREA COUNSELING 1585.62 QMHP EVALUTATIONS, CAPITAL AREA COUNSELING 10755.00 MOBILE CRISIS AUG 2022, CAPITAL JOURNAL 619.37 PUBLIC NOTICES, CAPS TRAIL SERVICE 110.64 , CENTURY BUSINESS PRODUCTS INC 890.33 , CENTURYLINK 851.88 , CHOLIK SIGN CO 250.00 INV 13303, COLE PAPERS INC 1890.26 , DAKOTA DATA SHRED 86.52 INV 3700391/3700528, DAKOTA FOOD SERVICE 16482.44 , DAKOTA LANDING RD DIST 55.00 AUGUST 2022 TAX APPORTIONS, DAVA A WERMERS 3241.90 ATTORNEY FEE, DEPARTMENT OF CORRECTIONS 1739.04 UTILITIES, DEPARTMENT OF CORRECTIONS 379.44 ATTN LANNA HEUER, DMC WEAR PARTS LLC 1277.00 CUTTING EDGE INV 3243, DONS SINCLAIR 3068.09 , DRG MEDIA 319.38 INV 68644-1, BRYON EATON 425.00 , ENVIROTECH WASTE SERVICE 111.68 SERVICE LOCATION 103705, FIRST ADVANTAGE 95.35 , FISCHER LAW OFFICE PROF LLC 940.50 ATTORNEY FEE, FLYWAY ACRES ROAD DIST 225.00 AUGUST 2022 TAX APPORTIONS, FT PIERRE CITY 789.04 03-00010931-01-2, GALLS 122.25 INV 021959947, GARCIA CLINICAL LAB 18.00 INV 62679, GOLDEN WEST TECHNOLOGIES 950.00 ACCT 8811 INV 401814, GUNDERSON PALMER

NELSON & 15136.20 PUBLIC DEFENDER CONTRACT, HOGENS HARDWARE HANK 13.47 INV 11239, INGRAM PEST SERVICE 60.00 PEST CONTROL EXPO, INLAND TRUCK PARTS 1452.08 PARTS, INMANS WATER TECHNOLOGIES 521.75 , INTOXIMETERS 1250.00 24/7 & INV 715237, JESS PAULSEN 57.00 GRAND JURY TRANSCRIPT, KENNEDY,PIER, LOFTUS & REYNOLD 131.30 INV 4671, KRIST SCHUCHARD 450.78 JDAI TRAINING, LAMBS CHEVEROLET & IMPLEMENT 159.28 INV IC88871, ROBERT T HENNRICH 512.41 INV 15831, MAULE LAW OFFICE, INC 607.12 ATTORNEY FEE, MAY ADAM GERDES & THOMPSON 17508.67 ATTORNEY FEE, MEDICAL WASTE TRANSPORT INC 143.10 INV 85458, MENARDS 34.45 INV 31605, MENARDS 39.98 INV 31551, MENARDS 21.97 INV 31132, MENARDS 115.30 INV 31270, 31358, MENARDS 45.09 INV 31632, MID DAKOTA RURAL WATER SYSTEM 155.15 BLUNT/HARROLD WATER SERVICES, MIDCO 336.17 ACCT 129732902, MIDWEST TIRE & MUFFLER INC 738.20 INV 84271, MIKE'S TIRE & REPAIR LLC 91.00 INV 13820 UNIT 45, MONTANA DAKOTA UTILITIES 836.60 , OAHE ACRES NORTH ROAD DISTRICT 162.50 AUGUST 2022 TAX APPORTIONS, OAHE ELECTRIC COOP INC 534.38 , PENNINGTON COUNTY JAIL 2038.25 PRISONER TRANSPORT, PIERRE CITY 12543.39 , PIERRE SOLID WASTE 12.00 INV526757,524436,526013,526112, PRORATE SERVICES LLC 40.00 INV 223332, RABER CIVIL TOWNSHIP TRES. 1050.18 AUGUST 2022 TAX APPORTIONS, RITER ROGERS LLP 919.10 ATTORNEY FEE, RIVER CITIES TRANSIT 1458.33 MONTHLY ALLOCATION, ROBINS WATER CONDITIONING INC 166.40 , SAFETY FENEFITS INC 75.00 , JOAN BOOS SCHUELLER 6352.90 ATTORNEY FEES, SD ACHIEVE DBA LIFESCAPE 60.00 INV 40443, SD DEPT OF HEALTH 2615.00 , SDACO 398.00 AUGUST 2022 TAX APPORTIONS, SECURITY LOCK SERVICE 15.00 KEY DUPLICATION, SERVALL UNIFORM & LINEN CO 161.19 , SHALINA MCCLELLAND 20.00 WITNESS FEES, DAVID W SIEBRASSE 10105.80 PUBLIC DEFENDER, SIOUX NATION LLC 80.11 INVOICE 363164, SOVELL LAW OFFICE PC 139.27 ATTORNEY FEE, SPRING CREEK ROAD DISTRICT 203.32 AUGUST 2022 TAX APPORTIONS, STANLEY COUNTY 9750.00 HAZARD MITIGATION GRANT, THE SHRP FIRM, PROF LLC 891.38 ATTORNEY FEE, K THOMPSON LAW PROF LLC 10793.10 PUBLIC DEFENDER, THOMSOM REUTERS WEST PAYMENT 298.20 INV 846938561, TIESZEN LAW OFFICE PROF LLC 412.41 ATTORNEY FEE, TITAN MACHINERY 176.00 INV 17407524GP, VENTURE COMMUNICATIONS 302.12 , MONA WEIGER 38.00 GJ TRANSCRIPT, WENDELL LAW OFFICE PC 1428.98 ATTORNEY FEE, WHISPERING PINES ROAD DIST 250.00 AUGUST 2022 TAX APPORTIONS.

**PUBLIC COMMENT:** Leonard Spomer appeared to speak about a moratorium on future wind farm applications until new ordinances can be completed.

Moved by Vance and seconded by Abernathy to adjourn the meeting until **Monday, September 26, 2022**. All voted Aye. Motion passed.

ATTEST:

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Randy Brown, Chairman  
Hughes County Commission

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Thomas J. Oliva, Finance Officer  
Hughes County, South Dakota