

January 21, 2025

The Miner County Board of Commissioners met in regular session on January 21, 2025, in the Miner County Courthouse Commission Room. Members present: Joe Bechen, Kathy Faber, Kari Jo Carlson and Mike Clary. Members absent: Alex Protsch.

Chairman Joe Bechen called the meeting to order. The Pledge of Allegiance was recited. Motion by Faber, second by Carlson and carried to approve the agenda.

The minutes of the January 7th meeting were approved. Bechen reported on attending the public meeting of the SD Public Utilities Commission held in DeSmet on January 16 regarding the Permit to Construct a Carbon Dioxide Transmission Pipeline.

Motion by Clary, second by Faber and carried to pay the following claims: ICAP \$1,243.01 **COMMUNITY ACTION PAYMENT**; Lammers, Kleibacker, Dawson & Miller \$1,820.25 **COURT APPT ATTY**; Midstates Organized Crime \$100.00 **DUES**; Lifequest \$3,000.00 **GRANTS**; Office Ally \$44.95 **PROCESSING FEE**; Barry Callies \$1,462.80 **RENT**; Direct Digital Control \$3,250.00, First District Assn of Local Govts \$8,000.00, Office Peeps \$71.50, Puetz Design & Build \$2,941.84, Two Way Solutions \$445.50, Tyler Technologies \$4,516.14 **REPAIRS**; Kristian Ellendorf \$900.00 **STATE'S ATTY OFFICE EXPENSE**; Amazon \$475.89, Clean Sweep Industries \$535.00, Fleetpride \$84.74, Home Service Water \$29.40, Homestead Building Supply \$41.33, Kimball Midwest \$216.38, North Central Int'l \$128.13, Puthoff Repair \$28.91, Tim Reisch \$433.33, Tami Severson \$20.00, Shane's Hardware Hank \$171.77, Two Way Solutions \$122.93 **SUPPLIES**; Alliance \$68.00, Jessica Charles \$30.00, Erin Feldhaus \$30.00, Lori Kiehl \$30.00, Becki Mommaerts \$30.00, Tami Severson \$30.00, Molly Steeneck \$30.00, Danielle Werkmeister \$30.00 **TELEPHONE**; Joe Bechen \$33.50, Kathy Faber \$56.28, Brandon Jacobson \$10.05, Kim Lewis \$16.75, Dan Page \$22.11, SDSU-SDLTAP \$125.00, Wyatt Walter \$20.10 **TRAVEL**; First District Assn of Local Govts \$9,983.07 **URBAN/RURAL DEVELOPMENT**; Central Electric Coop \$73.25, Xcel Energy \$119.65 **UTILITIES**.

Correspondence received: Sheriff December 2024 and Annual 2024 Reports; Notice of General Air Quality Operating Permit for Grain Elevators Operating in SD from DANR; and Commissioner Resignation Letter from Alex Protsch.

An abatement request for 2024 taxes payable 2025 was reviewed, pursuant to SDCL 10-4-40. Director of Equalization Tami Severson and Auditor Rebecca Mommaerts explained the circumstances of the application for abatement, along with presenting a letter from the applicant. Motion by Clary, seconded by Carlson and carried to deny the abatement request due the required deadlines for the exemption not being met.

Highway Superintendent Ron Krempges reported on highway matters. Krempges gave an update on the bridge contract for Carthage. The bid opening will be at 11:00am on the 30th of January. The bid will then be awarded at the Commissioner meeting on February 4th.

Motion by Carlson, second by Faber to pass the following resolution:

Resolution 25-4

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

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

WHEREAS, the Miner County Board of County Commissioners desires the enforcement of weight limitations on Miner County roads, as set forth and posted by the Miner County Highway Superintendent,

NOW THEREFORE BE IT RESOLVED:

WHEREAS, the limits on Miner County highways shall be set at 7 ton per axle/40 ton gross vehicle weight, with the exception of County Road 17 (425th Ave.) from Carthage South to SD Hwy #34 and County Road 22 (242nd St.) from Canova East to US Hwy #81 shall be 40 ton gross vehicle weight during spring thaw period and when weight limit signs are in place.

That the South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitation on Miner County Roads.

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

Voting of Miner County Commission:

Aye: 4 Nay: 0

Dated this 21st day of January, 2025 at Howard, South Dakota.

Joe Bechen, Chairman
Miner County Commission

Attest: Rebecca Mommaerts
Miner County Auditor

Motion by Faber, seconded by Clary to pass the following resolution:

Resolution 25-5

WHEREAS, excessive loads can be detrimental to our highways, and

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

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

NOW THEREFORE BE IT RESOLVED:

WHEREAS, the limits on Miner County highways shall be set with South Dakota weight limitations, with the exception of 425th Avenue (County Road #17) between 220th Street and 233rd Street (S.D. Hwy #34) will be set at 100,000 pounds gross weight for any vehicle or combination of vehicles. 421st Avenue (County Road #21) between 233rd Street (S.D. Hwy #34) and 244th Street will be set as 80,000 pounds gross weight for any vehicle or combination of vehicles.

Seasonal spring thaw weight limitations will preside over such weight limitations when signs are in place and displayed.

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

Be it further resolved, that the penalty for the violation of the load restrictions shall be set forth in SDCL 32-22-55.

Vote of Miner County Commission:

Aye: 4 Nay: 0

Dated this 21st day of January, 2025 at Howard, South Dakota.

Joe Bechen, Chairman
Miner County Board of Commissioners

Attest: Rebecca Mommaerts
Miner County Auditor

Motion by Carlson, second by Faber and carried to authorize Chairman Bechen to sign the "request for assistance – weight limit enforcement" letter sent to Lieutenant Austin Schmitz of the South Dakota Highway Patrol.

Motion by Carlson, second by Faber and carried to declare the following equipment surplus and to list it on the March 4th sale date at Wieman Land & Auction: 2002 Chevy Silverado 2500 4x4 pickup; 1994 Ford LN7000 Truck with Sander; 1990 Drake End-dump pup trailer; 2002 Monroe 12-foot one-way snowplow.

The highway crew will be going for MSHA training in Madison on the 30th; Krempges will go to Sioux Falls on the 29th. The Asphalt Conference will be in Mitchell February 12th & 13th. Other highway work discussed included tree cutting, shop work, chip hauling, and watching safety videos. They will start crack sealing next week and blading later on. Bechen alerted Krempges to a culvert that needs to be flagged.

iPads used by Commissioners were discussed as they are over 10 years old and don't support needed software updates; discussion was put on hold for other scheduled agenda items.

Auditor Rebecca Mommaerts and Deputy Auditor Justin Brandsma met with the Commission regarding questions with holiday pay for permanent part-time employees (excluding dispatchers) as well as with employees with recent role changes. Motion by Faber, second by Carlson and carried to change holiday pay to 7 hours for full-day holidays and 3.5 hours for half-day holidays for permanent part-time employees (excluding dispatchers), following the Courthouse holiday schedule. Faber made a motion to amend her previous motion, seconded by Carlson, and carried, to include an effective date of December 22nd. Commissioners instructed the Auditor's office to treat Brandsma's 39-hour per week schedule as earning the same vacation, sick, and holiday leave as that of a 40-hour per week employee, effective February 1st. Commissioners also clarified that the hourly wages for the ambulance billing manager and the welfare director will remain aligned with the hourly wage of their primary job responsibilities when level raises are granted for their primary job titles.

Motion by Faber, second by Carlson and carried to enter executive session at 10:20am for an employee evaluation pursuant to SDCL 1-25-2 (1). The board came out of executive session at 10:38am.

Motion by Clary, second by Carlson and carried to authorize the purchase of five new iPads for the Commissioners, due to the age and inability of the current iPads to support necessary software updates.

Motion by Faber, seconded by Carlson and carried to authorize Chairman Bechen to sign the fuel contract for 2025 with the Howard Farmers Coop Association.

Todd Kays, District Executive Director of First District Association of Local Governments, met with the Commissioners to give an overview of the association and its activities in Miner County in 2024. Kays mentioned there may be a need to revisit the Land Use Plan. Discussion about the proposed pipeline, eminent domain and party status ensued. Applications for party status are due January 24th.

Emergency Manager Kent Terwilliger received an MT 5500 Walk-Through Metal Detector at no cost, if there is any use for it at the courthouse. Terwilliger suggested using it for court days, since installation by another door would be difficult due to the courthouse having multiple entrances, as well as the need to have the equipment manned by a trained professional. There would be cost involved in installation, but the savings on this piece of equipment would be \$4,245.75. The Courthouse Security Committee needs to meet to discuss this, with the judge making the final decision. Clary and Sheriff Rob

Eggert will set up a meeting of the Security Committee to discuss. The Commissioners also asked for Terwilliger to be placed on the Committee.

Motion by Faber to authorize Bechen to sign the Letters of Agreement with First District for GIS Website Hosting, Parcel Update Needs, and the Letter of Agreement with the City of Howard for their portion of the GIS website hosting. The motion was seconded by Clary and passed unanimously.

Motion by Faber, second by Carlson and carried to enter executive session at 11:43am to review Commissioner letters of interest, pursuant to SDCL 1-25-2 (1). The board returned to regular session at 11:55am.

Motion by Clary, seconded by Faber to appoint Tim Neises of Howard as a Miner County Commissioner, filling the vacancy of Alex Protsch's term, which will end on December 31, 2026. Bechen abstained from voting. All others voted aye. Motion carried. This position will be up for election in 2026.

Having no further business, the meeting adjourned until February 4th. Dated this 21st day of January, 2025.

Joe Bechen, Chairman
Miner County Board of Commissioners

Attest: Rebecca Mommaerts, Miner County Auditor