

COMMISSIONER PROCEEDINGS

June 15, 2021

The Roberts County Commissioners met in regular session with Don Carlson, Dennis Jensen, Faye Johnston, Tim Zempel and Tom Vergeldt present. Chairman Jensen presiding. Jason Deutsch-Sisseton Courier livestream.

The Pledge of Allegiance was recited.

Motion by Johnston, seconded by Carlson to approve the agenda as presented and the June 8, 2021 minutes. Motion carried.

PUBLIC COMMENT

Jensen called for public comment. Gary Sheldon appeared for public comment. Sheldon inquired if Commissioners were planning on adopting a resolution declaring the county as a Second Amendment Sanctuary County. Commissioners were advised by State's Attorney to hold off on adopting a resolution at this time.

DIRECTOR OF EQUALIZATION

Shari Gamber met with Commissioners and discussed the schedule of towns which are being assessed by DOE staff.

Gamber discussed topics that were discussed at conference in Hot Springs regarding upcoming changes. Gamber received an award at conference for 5 years of good standing.

Jensen directed Gamber to correspond with SD Dept of Revenue regarding change to appraisal schedule and to record a written response.

STATE'S ATTORNEY

Dylan Kirchmeier, Shari Gamber and Kay Nikolas met with Commissioners.

EXECUTIVE SESSION

Motion by Carlson, seconded by Vergeldt to convene into Executive Session at 9:29 pursuant to SDCL 1-25-2(3) to discuss legal litigation. Motion carried. Jensen declared meeting back into regular session at 9:38.

ORDINANCE #29/2ND READING

The second reading of Ordinance #29 took place.

Jensen read title of Ordinance #29 "A Temporary Ordinance Regarding the Issuance of Local Medical Cannabis Establishment Permits and/or Licenses".

Motion by Vergeldt, seconded by Johnston to approve Ordinance #29. Motion carried.

HIGHWAY

Pat Stickland met with Commissioners and discussed the underground tanks at the Highway Department need to be tested every three years. O'Day Equipment tested the tanks and will be sending a report.

Stickland discussed the 2021 culvert bid from Northstar Steel is not going to be honored by the company. Stickland is looking at other avenues for culverts and will be in contact with other counties to see what their procedure will be.

Stickland discussed mowing and road repair.

Stickland is having issues on County Road #14 north of Hammer which is closed to the public. Barricades are being taken down which is an endangerment to the public. The new stop signs that were installed on intersection of County Road #14 and County Road #25 have been vandalized. Stickland will visit with the Sheriff.

SHERIFF

Tyler Appel met with Commissioners and discussed total inmates 59.

Appel received signed Jail Contracts with Flandreau Santee Sioux Tribe, Deuel County and Hamlin County with new rates. Motion by Carlson, seconded by Zempel to authorize Jensen to sign new contracts. Motion carried.

Appel discussed he and Janessa Miller have applied for COPS Grant.

Appel has visited with schools regarding placing resource officers at the school.

APPLICATION FOR REFUND ON REAL ESTATE TAXES

Shari Gamber met with Commissioners and time was spent discussing the Application for Refund on Real Estate taxes on parcel #4875. After discussion, Commissioners directed Gamber to compose a letter to Gordon Nielsen office explaining how the shoreline of property was figured.

WIC CONTRACT

Motion by Zempel, seconded by Vergeldt to authorize Jensen to sign WIC Contract. Motion carried.

RESOLUTIONS

Motion by Zempel, seconded by Vergeldt to adopt the following resolution-motion carried:

RESOLUTION 2021-28

WHEREAS, the Roberts County Board of County Commissioners hereby determines the number of On-Sale Liquor Licenses they will approve for the year 2021 which shall not exceed seven (7) and shall set the fees as follows:

Valley View County Club	\$1,200.00
Cheetah's Peanut Bar	\$1,200.00
LTR LLC (Lake Traverse Resort)	\$1,200.00
Buffalo Lanes	\$1,200.00
All others	\$700.00

These fees are in accordance to SDCL 35-4-2(6).

Dated this 15th day of June, 2021 at Sisseton, South Dakota.

ATTEST: Dawn Sattler-Auditor Dennis Jensen-Commissioner Chairman

Motion by Carlson, seconded by Vergeldt to adopt the following resolution-motion carried:

RESOLUTION 2021-29

WHEREAS, Legislature of the State of South Dakota has provided for the approval of package off-sale liquor by the Board of County Commissioners of the said State pursuant to SDCL Title 35 as amended; and

WHEREAS, SDCL 35-4-11.1 provides that the Board of County Commissioners shall on or before the second of September in each year determine by ordinance or continuing resolution the number of package off-sale liquor licenses (other than malt beverage) it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses; and

WHEREAS, no license may be issued for a retailer located within three miles of the exterior boundary of an incorporated municipality; and

WHEREAS, Roberts County currently qualifies for five package off-sale liquor licenses for issuance July 1, 2021 with the fee for such licenses set at \$500.00 per year; and

WHEREAS, the Roberts County Board of Commissioners wishes to make the license available to the public on a first-come, first-serve basis.

NOW, THEREFORE, BE IT RESOLVED that the Roberts County Commission makes the following rules applicable to the issuance of new package off-sale liquor licenses:

1. Applicants may apply for the package off-sale liquor license beginning upon Passage of 2021 Senate Bill 152
2. Such application packet shall include the following:
 - A. Uniform Alcoholic Beverage Application. This must be completed fully and according to its instructions, and bear the necessary signatures.
 - B. License Purchase Fee. License purchase fee in the amount of \$500.00 shall be presented at time of application.
3. In the event the first-come, first-served applicant is not able to meet the licensing standards set out by SDCL 35-2, the applicant who next submits a fully and accurately completed application shall be next considered.

Dated this 15th day of June, 2021.

ATTEST: Dawn Sattler-Auditor Dennis Jensen-Chairman

PLAT/RESOLUTIONS

Motion by Carlson, seconded by Johnston to approve the following resolutions previously approved by Planning and Zoning-motion carried:

RESOLUTION 2021-30

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular meeting assembled that the Plat of Lot A in Block 15, Shores of Timber Ridge Subdivision, located in the NW4SW4 and the NE4SW4 in Section 19-123-48W of the 5th P.M. Roberts County, South Dakota be approved this 15th day of June, 2021 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Dawn Sattler-Roberts County Auditor Dennis Jensen-Commissioner Chairman

RESOLUTION 2021-31

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular meeting assembled that the Plat of Lot 1 and Lot 2 in Elmwood Grove Subdivision in Gov't Lot 3 of Section 13-123-49W of the 5th P.M. Roberts County, South Dakota be approved this 15th day of June, 2021 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Dawn Sattler-Roberts County Auditor

Dennis Jensen-Commissioner Chairman

RESOLUTION 2021-32

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular meeting assembled that the Plat of Lots 1,2 and 3 in Argoville in the W2NW4 of Section 9-122-50W of the 5th P.M. Roberts County, South Dakota be approved this 15th day of June, 2021 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Dawn Sattler-Roberts County Auditor

Dennis Jensen-Commissioner Chairman

RESOLUTION 2021-33

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular meeting assembled that the Plat of Lot 1 and Lot 2 in Goodhart's Addition in the SW4NW4 of Section 22-126-51W of the 5th P.M. Roberts County, South Dakota be approved this 15th day of June, 2021 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Dawn Sattler-Roberts County Auditor

Dennis Jensen-Commissioner Chairman

EXECUTIVE SESSION

Motion by Zempel, seconded by Carlson to convene into Executive Session at 11:30 pursuant to SDCL 1-25-2(1) to discuss personnel. Motion carried. Jensen declared meeting back into regular session at 11:51.

CLAIMS

Motion by Zempel, seconded by Vergeldt to pay the following claims-motion carried:
JUDICIAL-Transcripts/Michelle Gaikowski 34.20, Supplies & Material/Reserve Account 360.00, Witness/Jury Fee/Alex Krueger 65.96, Carol Goble 79.40, Duane Shelstad 71.00, Eric Heath 52.52, Garret Leverson 68.48, Marlon Nelk 71.00, Robin Dare 65.96, Total 868.52; AUDITOR-Supplies & Materials/Reserve Account 400.00, Xerox 45.93, Rental/Xerox 84.53, Total 530.46; TREASURER-Supplies & Mat/Reserve Account 600.00, Total 600.00; STATES ATTY-Supplies & Material/Reserve Account 40.00, Total 40.00; COURT APP ATTY-Prof Services/Delaney Nielsen & Sannes 2958.15, Total 2958.15; GOV BLDG-Utilities/Otter Tail Power 681.07, Total 681.07; DIR EQUAL-Supplies & Mat/Cardmember Services 150.97, McLeods Printing & Supp 59.41, Reserve Account 260.00, Xerox Corp 64.89, Travel & Conf/Cardmember Services 67.26, Rental/Xerox Corp 89.92, Total 692.45; REG OF DEED-Supplies & Mat/Reserve Account 80.00, Total 80.00; VETERAN SERVICE-Supplies & Mat/Reserve Account 20.00, Xerox Corp 3.88, Rental/Xerox Corp 78.92, Total 102.80; SHERIFF-Supplies & Material/Fedex 26.33, First Call Auto Parts 18.42, Intoximeters 1250.00, Jurgens Autobody 150.03, Midway USA 799.96, Reserve Account 100.00, Powell Kouba & Torness 80.00, WEX Bank 3137.34, Xerox Corp 128.69, Utilities/Verizon 160.04, Rentals/Xerox Crop 133.18, Total 5983.99; JAIL-Care of Prisoner/First Call Auto Parts 63.00, Grant-Roberts Ambulance 1020.00, Powell Kouba & Torness 23.91, Reliance Telephone 1726.75, Summit Food Services 6413.33, Tri State Bldg 34.99, Utilities/Otter Tail Power 3987.63, Total 13269.61; CORONER-Professional Fees/Sanford Health 2340.00, Terry Sorensen 800.00, Travel & Conf/Terry Sorensen 645.36, Total 3785.36; DISPATCHERS-Other/Powell Kouba & Torness 80.00, Total 80.00; NURSE-Supplies & Material/Reserve Account 100.00, Total 100.00; EXTENSION-Postage/Reserve Account 20.00, Total 20.00; WEED-Supplies & Mat/Jemm's Fuel Max 82.47, Reserve Account 20.00, Utilities/Otter Tail Power 21.23; Total 123.70; HIGHWAY & BRIDGE-Supplies & Materials/RDO Equip 190.08, Serocki Excavating 105803.75, Repairs/Hortness Implement 46.13, Total 106039.96; 911 TELEPHONE-Utilities/RC Technologies 210.43, Total 210.43; REG OF DEEDS-Supplies/US Records Midwest 223.44, Total 223.44; LANDFILL-Supplies/Twin Valley Tire 189.60, Total 189.60; TREAS CHECK FUND-Malt Bev/SD Dept of Revenue 150.00, Total 150.00; PAYROLL-Road & Bridge 28865.20, Landfill 11181.52, Total 40046.72. TOTAL 176776.26. Longevity Raise-Highway-Mark Brooks-12 yr 18.37-18.62.

ADJOURN

Motion by Johnston, seconded by Vergeldt to adjourn until Tuesday, June 22, 2021. Motion carried. Adjourned at 11:53.