

The Roberts County Commissioners met at 9:00 am in regular session with Tom Vergeldt, Don Carlson, Faye Johnston, Tim Zempel and Kristi Fritz present. Jason Deutsch-Sisseton Courier livestream and Brian Heinecke. Chairman Vergeldt presiding. Vergeldt called the meeting to order and led the pledge of allegiance.

MINUTES/AGENDA

Motion by Carlson, seconded by Zempel to approve the agenda and minutes of the March 19, 2024 minutes as amended. All voted aye, motion carried.

PUBLIC COMMENT

Robert & Shirley Horton, Gary Sheldon, Robert Vassallo and Darin Fonder appeared for public comment. Robert Horton asked how the County could sell land without advertising it for bids. States Attorney stated according to SDCL 6-13-5.1 a private sale may take place if sold for 80% of the market value.

Gary Sheldon asked if all tax payers will pay the \$0.90/1000 additional R & B levy is passed? Yes, all taxpayers are subject to this levy. Why doesn't the tribe contribute to our county roads? There are many hoops to jump through when dealing with the Federal Government. Sheldon also discussed County Rd 2, speed limit on County Rd 8 and bridge on 117th St. near Jim Creek.

STATES ATTORNEY

Dylan Kirchmeier-States Attorney met with the Commissioners.

EXECUTIVE SESSION

Motion by Carlson, seconded by Zempel to convene into executive session at 9:15 am discuss personnel pursuant to SDCL 1-25-2(1). Chairman Vergeldt declared back into regular session at 9:29 am.

BRIAN HEINECKE

Motion by Carlson, seconded by Zempel to reinstate Brian Heinecke to the Roberts County Commission Board effective April 2 pursuant to SDCL 3-17-23. Roll call vote: Zempel-aye, Carlson-aye, Johnston-abstained and Vergeldt-aye. Three votes aye - one abstained. Motion carried.

Brian Heinecke joined the board meeting as Commissioner at this time.

SHERIFF

Tyler Appel-Sheriff presented a prisoner count of 70. Appel discussed a grant program thru the National Sheriff Assoc., meeting in Corson Co. with other sheriffs and Senator Rounds, current billings for prisoner care from other counties, and school resource officer in the Wilmot/Summit Schools.

Commissioners asked that the sheriff dept continue to patrol Co. Rd 8 and they discussed the Sargeant job description.

EXECUTIVE SESSION

Motion by Heinecke, seconded by Carlson to convene into executive session at 10:09 am discuss personnel pursuant to SDCL 1-25-2(1). Chairman Vergeldt declared back into regular session at 10:15 am.

LANDFILL

Jamie Dahl-Landfill Mgr. discussed concerns at the landfill. Helms & Assoc will be at the Landfill on Wednesday, April 3rd for a meeting. Commissioner Carlson and Vergeldt will also attend.

HIGHWAY

Pat Stickland-Highway Supt. had a right of way application for Grant-Roberts Rural Water System in Garfield and Geneseo Townships. Motion by Carlson, seconded by Johnston to approve application. All voted aye, motion carried.

Motion by Zempel, seconded by Carlson to authorize Chairman Vergeldt to sign contract with Topkote, Inc. for chip sealing using county furnished materials at \$4,923.77/mile. All voted aye, motion carried.

Stickland also discussed pavement markings for county roads. Motion by Zempel, seconded by Carlson to authorize Chairman Vergeldt to sign joint powers agreement with the SD Department of Transportation to provide pavement markings of county roads within Roberts County with the agreement being in effect for 15 years. All voted aye, motion carried.

FUEL QUOTES

Fuel quotes were submitted as follows: CHS-Landfill #2 diesel 3.03 New Effington shop #2 diesel 3.03, Sisseton Shop Ethanol 3.02, Summit Shop #2 Diesel 3.03, Diesel transport 2.849; SIOUX VALLEY-Landfill #2 diesel 3.02, New Effington shop #2 diesel 3.02

Summit shop #2 diesel 3.02, Sisseton Shop Ethanol 2.99, Diesel transport 2.78; STILLSON SERVICE-Diesel transport 2.80. Motion by Zempel, seconded by Heinecke to accept low quotes of Sioux Valley for Diesel #2 3.02, Ethanol 2.99 and diesel transport 2.78. All voted aye, motion carried.

DENNIS HAMLING

Dennis Hamling visited with the commissioners discussing some of his county concerns.

RESOLUTION 2024-14

Motion by Heinecke, seconded by Zempel to approve the following resolution. All voted aye, motion carried:

RESOLUTION 2024-14

FINANCIAL ASSURANCE FOR ROBERTS COUNTY LANDFILL

IT IS HEREBY AGREED between the State of South Dakota, Department of Agriculture and Natural Resources, hereinafter referred to as DANR, and Roberts County, South Dakota, hereinafter referred to as the County, as follows:

WHEREAS, County operates the Roberts County Municipal Solid Waste Landfill as an enterprise fund in compliance with all federal Subtitle D Regulations and State of South Dakota laws and rules; and

WHEREAS, EPA 40 CRF part 258 and the Administrative Rules of South Dakota (ARSD) 74:27:16 establishes financial assurance requirements and mechanisms for local government owners and operators of municipal solid waste landfill facilities; and

WHEREAS, ARSD 74-27-16-05 states the owner or operator may choose one or more of the following mechanisms, to satisfy the provisions of this chapter:

- (1) Trust Fund
- (2) Security bond guaranteeing payment or performance
- (3) Letter of credit
- (4) Insurance; or
- (5) Cash; and

WHEREAS, it is in the best interest of the residents of Roberts County to choose cash, as the means to satisfy the provisions of closure/post closure assurance; and

NOW, THEREFORE, it is mutually agreed as follows:

County, shall deposit funds in accounts in the joint names of DANR and Roberts County in an amount sufficient to assure performance of the obligations imposed by SDCL 34A-6, inclusive; and

County shall reinvest all interest received on these funds in the accounts in the joint names of the County and DANR; and

All said monies, accounts, and other investments shall be specific on the books and in the documents of County as closure/post closure assets pursuant to the provisions of SDCL 34A-6; and

County shall make withdrawals from the account only after receiving written permission from the Secretary of the DANR, or the Secretary's designee; and

DANR shall have access to the accounts at any time necessary to carry out its obligations under SDCL 34A-6 and upon notification of County and said accounts shall be specified to the County.

This agreement is binding upon the signatories hereto, not as individuals but solely in the capacities as officials of their respective organizations, and acknowledges proper action of the County and DANR to enter the same. Roberts County Solid Waste Landfill.

Dated this 2nd day of April, 2024. Tom Vergeldt, Chairman Roberts County Commission

ATTEST: Kristi Fritz, Roberts County Auditor

EXECUTIVE SESSION

Motion by Zempel, seconded by Carlson to convene into executive session at 11:10 am discuss personnel pursuant to SDCL 1-25-2(1). Chairman Vergeldt declared back into regular session at 11:40 am.

WAGES/SALARY

Motion by Johnston, seconded by Carlson to increase Deputy Trevor Mishler's hourly rate by \$1.53/hour retroactive to when he was promoted to Sergeant a newly created position within the Sheriff Dept. All voted aye, motion carried.

CLAIMS

Motion by Zempel, seconded by Carlson to pay the following claims: COMMISSIONER-Other/Valley View Golf Course 600.00, Utilities/Venture Comm 55.22, Publishing/Rosholt Review 364.54, Sisseton Courier 307.90, Health Ins/Reimb 4948.79, Total 6276.45; ELECTION - Supplies/McLeods Printing 925.42, Total 925.42; JUDICIAL-Transcripts/Kelli Lardy

448.65, Jury/Sally Dykes 74.48, Kevin Harnisch 97.94, Frank Konda 73.46, Michael Nelson 85.70, Denise Page 80.60, Janet Sandbakken 90.80, Dean Shultz 56.12, Loren Steffens 75.50, Total 1083.25; AUDITOR-Supplies & Mat/Farm & Home Pub 900.00, Sisseton Courier 220.75, Repairs & Maint/Executive Mgmt 69.25, Travel & Conf/SDACC 20.00, Venture Comm 90.39, Total 1300.39; TREASURER-Utilities/Venture Comm 98.46, Total 98.46; STATES ATTY-Supplies & Mat/Sisseton Courier 29.99, Valley Office 87.37, Xerox 107.88, Utilities/Venture Comm 156.65, Rental/Xerox 67.24, Total 449.13; PUBLIC DEFENDER-Services/Cameron Law 133333.33, Doody Law 13333.33, Total 26666.66; COURT APP ATTY-Prof Serv/Delaney Nielsen & Sannes 547.13, Doody Law 425.50, Total 972.63; GOV BLDG-Rental/Venture Comm 256.04, Other/First Savings Bank 38.05, Total 240.09; DIR OF EQUAL-Rental/Great American Fin 102.42, 4H Leaders 37.50, Supplies & Mat/Great American Fin Serv 108.04, Rosholt Review 17.28, Valley Office Prod 21.23, McLeods Printing 260.00, Utilities 94.84; Total 641.31; REG OF DEEDS-Utilities/Venture Comm 91.72, Supplies/Microfilm Imaging 50.00, Total 141.72; VETERAN SERV-Utilities/Venture Comm 119.57, Supplies & Mat/Sisseton Courier 32.00, Valley Office 2.75, Total 154.32; SHERIFF-Workers Comp/SDML Work Comp 257.00, Supplies & Mat/ACE 8.62, Amazon 112.13, CHS 1475.16, Galls 552.14, Jeans Bridal 10.00, Other/Nat'l Sheriff Assn 250.00, Repairs & Maint/Steves Service 729.22, Total 3394.27; JAIL-Care of Prisoner/ACE 65.16, Cole Paper 2860.93, Creative Prod 629.35, Gideon Current 34.00, Federal Supply USA 797.50, Mary Gruetner 30.00, JoAnn Labelle 700.00, Amazon 1306.93, National Test Sys 725.20, Summit Food 8607.01, Xerox 10.78, Utilities/CHS 1049.90, Venture Comm 1208.23, Rentals 80.18, 24-7/Pharmchem 448.40, Kylee Appel 34.00, Samantha Enwiller 118.66, Total 18706.23; MENTALLY ILL-Services/Fox Law 40.00, Delaney Nielsen & Sannes 300.00, Lucy Youngberg 214.00, Total 554.00; EXTENSION-Utilities/Venture Comm 158.87, Total 158.87; WEED-Utility/Otter Tail Pwr 19.16, Total 19.16; PLANNING & ZONING-Publishing/Rosholt Review 58.68, Sisseton Courier 28.73, Utilities/Venture Comm 84.89, Total 172.30; HWY & BRIDGE-Rental/A-Ox 112.79, Supplies & Mat/A-Ox 224.60, Aramark 43.24, Auto Value 8.49, CHS 412.82, Newman Traffic Signs 242.14, SD Dept of Ag 100.00, Sioux Valley Co-op 1777.63, Stillson Serv 5816.60, Valley Office 15.00, Xerox 70.74, Professional Fee/AGC 665.00, SD DOT 99.13, Repairs/Auto Value 296.54, Butler Machine Co 164.75, First Call Auto Parts 45.98, Imperial Supplies 103.85, Little Falls Machinery 26.82, RDO Equip 2261.13, Sanitation Prod 244.79, SD DOT 347.37, Twin Valley Tire 157.81, Utilities/Dakota Waste 95.00, Otter Tail Pwr 397.60, Verizon 62.25, Venture Comm 153.59, Spec Bridge Fund/IMEG 3171.32, Travel & Conf/Pat Stickland 139.42, Teals Market 35.05, Workers Comp/SDML Workmens Comp 257.00, Rental/Swanston Equip 4200.00, Total 21748.45, LANDFILL-Supplies/Auto Value 391.37, Thelin Auto 227.98, Valley Office 199.32, Automotive Trans & Gear 4198.89, Utilities/BDM 52.95, Venture Comm 149.32, Prof Fees/Geotek Engineering 7550.00, Helms & Assoc 6487.50, Repairs & Maint/Trash Flow 45.00, Cummins Sales & Serv 1679.94, Health Ins Reimb 1755.60, Travel & Conf/James Dahl 50.00, Total 22787.87; DEL TAX PMT-892.16; 911 TELE-Utilities/RC Tech 583.30, Total 583.30, EM MGMT-Utilities/RC Tech 42.48, Venture Comm 49.67, Total 98.15; PAYROLL: Commissioner 4600.44, Auditor 5190.80, Treasurer 7023.30, States Atty 9765.70, Gov Bldg 2551.64, Dir of Equal 7544.35, Reg of Deeds 5011.93, Veteran Serv 1823.56, Sheriff 23598.35, Jail 38040.24, Dispatch 19962.05, Juv Det 5452.15, Nurse 2168.51, WIC 2200.53, Extension 2174.77, Weed 24.78, Planning & Zoning 2270.23, Road & Bridge 28071.54, 911Tele 5916.43, Emergency Mgmt 1497.52, 24-7 2921.56, Landfill 11848.84, Total 189659.22. TOTAL 297723.81

ADJOURN

Motion by Johnston, seconded by Zempel to adjourn until Tuesday, April 2, 2024. All voted aye. Motion carried. Adjourned at 11:45 am.
