Board of County Commissioners

Minutes of Proceedings

January 9, 2024

The Turner County Board of Commissioners met in regular session at 8:30 A.M. Roll call was taken and present were Chairman Miller, Ciampa, Kaufman, Van Hove. Hybertson appeared telephonically. Also, present were Auditor Dahl and States Atty. Katelynn Hoffman.

Motion by Kaufman, seconded by Ciampa, to approve the agenda with the addition of getting a contract with Groeneweg or a fall protection plan and proof of insurance. Motion carried.

Motion by Hybertson, seconded by Van Hove, to approve the January 3, 2024 minutes. Motion carried.

OPPORTUNITY FOR PUBLIC COMMENT

No public offered to give comments at this time.

COUNTY BUSINESS

Hwy. Supt. Kent Austin met with the Board to discuss approving the 2024 RAIF grants for the Townships and to approve Resolution #2-24 load limits.

State’s Atty. Katelynn Hoffman met with the Board for the 1st reading of Ordinance #90-24 rezone Christian Sanchez from AG to RR. Hoffman advised court scheduled for that afternoon and to be held in Hutchinson County was canceled due to weather conditions. A 5-day trial is scheduled for the week of May 13, 2024 and will be held in Salem, McCook County. The jury will be comprised of Turner County residents. There will be additional expenses for mileage, among other things. Chairman Miller asked if the Judges have said anything about the time frame or are they ok to be moving to different locations. Hoffman stated that normally the circuit judge and magistrate judge will calendar all of their stuff for a full year. The judges have been able to contact the bench and the other judges that practice in Salem, and our judge is there in the mornings so the afternoons on Tuesday are fine for magistrate court, because it is the same stack week. Circuit court worked out that their judge is on the bench a different day, so we are able to continue to have court there on Thursdays. So long term yes for the year. There is always a chance there may be a judge rotation or schedule change, so our judge is considering having circuit court only 1 time a month. This would make it a full day plus some, because he is normally here at least twice a month with overflow days on Fridays where they hold bigger motion hearings. Some stuff will be done by zoom. The judges have asked permission from the McCook County commission if they are going to be charging any kind of rent, and we have not heard back on that. There may be a chance that they say we have to rent the courtroom facility, bring our own janitorial services, and courtroom security. The clerk has to have their own separate till set for Turner for any fines or costs that are owed on that day would need to be receipted into McCook County and then turned over to Turner. They would need to get a software system.

CEO Eric Kunzweiler with ICAP met with the Board to go over updates with the ICAP programs. Julie Anderson does work in the Courthouse and wanted to personally thank the Commission for their support for her. Kunzweiler stated the biggest thing they have been working on since the pandemic is emergency rental assistance. ICAP has administered about $65 million dollars worldwide. Basically, a family needs to have a covid related hardship to be eligible to receive up to 18 months of rental and utility assistance. There have been 96 families in Turner County that have taken advantage of this program in the last 3 years.

Charman Miller spoke regarding the use of Groeneweg for purposes of snow removal from the courthouse roof. Hoffman stated a fall protection contract should be considered as they’re working on a roof that already has been compromised, or the structural integrity has already been questioned. It’s unclear whether they’re tied off while moving snow and expressed concerns of the county’s liability exposure. Ciampa stated that for any company that comes in to do work on county property, we would need a copy of their certificate of insurance and a contract that they would need to sign that they are liable before beginning to do any of the work.

Dick Strassburg with Tegra Group met with the Board to go over options with the

Courthouse. He stated that his focus is on the process of construction and representing the owners. He started his business in 1996 with a staff of 9 people that include construction, architecture, engineering and finance. Tegra Group has managed several projects including Target Field and Allianz Field both in the Twin Cities, Denny Sanford Premiere Center, Minnehaha County Jail, Minnehaha County Juvenile Justice Center, Clay County and Lincoln County’s new courthouse and law enforcement centers, wastewater treatment facility as well as an ice arena in Watertown. His role is to manage the process, so he hires the engineers, the architects and contractors. He writes a proposal and gets competitive pricing to manage the process. The options would be to figure out the cost to fix the problems in the courthouse, the cost to build a new courthouse, the amount to tear the courthouse down and look at what will be needed in 20 years. Ciampa asked with a commercial building like this how do you price square footage? He answered, depending on what you look at with a one-story building, you have to be careful about circulation, because with a courthouse it would push it to a second level to get everything needed. Jury trials you have to keep the judge safe, keep him separate from whoever is on trial, keep the jurors away from them, not sharing restrooms and all those kinds of things. A 50,000 square foot ballpark would be about $35 million. If it is a bond issue, they partner with the Auditor to help get it all organized. He stated that it will cost 2-3% to manage a project like this, which is not all their fee. He stated that if a project goes over budget, it is because someone wasn’t paying attention to details, not because there is some big mistake. You have to manage the details, it is a lot of work, but that is what needs to be done and on budget. He stated that of all the projects that he has done, only 2 have been over budget and that was during the pandemic and if prices change there is nothing, they can do about it. Renovations are way harder to control the cost because you don’t know what you have, you are not able to guess. Building new you have drawings and then you are able to competitively bid it and bid it smart. Hoffman asked what the timeline is from when you get involved to the project completion if the bond is successful. He stated that it depends when we do the bond and when it would go on the ballot. If it is in November, we would have to have things together by July, with a project like this you would have 1 year design and 2 years construction. They look at it with a contractor to figure out when is the right time to do the bidding. In South Dakota we have the construction management risk delivery method and that is how they do just about everything. He wants the County to make the decisions, not the architect. He stated that he has never seen a courthouse that it is cheaper to renovate than it is to build new, that is the big picture. It is going to be cheaper to build new and be more efficient. Hybertson stated that he is still curious about the process and to have it laid out and what it is going to cost and then they are able to compare apples to apples rather than just talking about it. Strassborg said that he would be able to get us a proposal and a layout on how he would approach it and would be back on January 23rd, 2024. He said that first thing is to get a real general direction, then start spending money on architects and design. Hoffman asked if it was realistic to have this bond issue on the November ballot. He stated that yes, it is, but we have to get going now. First, we would need to hire him, architect, and contractor and get that all up front within the next 60 days. That will give us time to really look at the options of a new building or renovating. Hybertson asked if this is a bid process or just what they want to bring in. Strassborg stated everything would be a bid process with them competitively selecting the architect and engineers by doing interviews with the contractors and then they would have all the estimates. Strassborg said that the big decision here is to see if we have something to salvage, what the cost would be and how much of the renovations we would do, or if it is better to build new. A bond can be 20 to 30 years. Tegra Group just wants to be honest and fair, and advised the Commission to talk to other counties to see how they are as a group, because that is the best way to know about his company.

2024 TWP. RAIF GRANTS

Motion by Kaufman, seconded by Van Hove, to approve the 8 RAIF Twp. grants. The list is in the Auditor’s office. Motion carried.

RESOLUTION #2-24

Turner County Speed Limits & Weight Per Axle Limits

Motion by Van Hove, seconded by Kaufman, to adopt and approve the following resolution. Motion carried.

# **WHEREAS**, the County of Turner, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction,

**WHEREAS**, it appears that said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restrictions as to the weight of vehicles are imposed, and

**NOW, THEREFORE**, pursuant to SDCL 32-14-6 and any laws amendatory thereto, be it resolved that the load limit on all Turner County roads shall be seven (7) tons per axle, 40 ton maximum.

**IT IS FURTHER RESOLVED** that there shall be erected and maintained signs designating provisions of this resolution as provided by state law and that this resolution shall not be effective until or unless such signs are erected and maintained.

**NOW, THEREFORE, BE IT RESOLVED** that the County of Turner shall request the South Dakota Highway Patrol to enter the County of Turner to insure compliance with laws pertaining to vehicle weight and with the weight limitations established by this resolution.

Dated the 9th day of January, 2024

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Mick Miller

Chairperson of the Board of County Commissioners

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Misty Dahl

County Auditor

ORDINANCE #90-24

ZONING DISTRICT AMENDMENT

CHRISTIAN SANCHEZ

Hoffman advised that there was a motion made at the Planning & Zoning level to recommend the approval of the rezone, and that motion failed.

Chairman Miller asked for the applicant to speak. Christian Sanchez stated that he wanted to rezone 10 acres to rural residential, which would be approximately four 2 acre lots. Chairman Miller stated that the concern was a potential for more homes, because when it goes to rural residential it goes to 1 acre per home. The total acres that Sanchez owns is 19.7, but the re-zone is for the 9.6.

Chairman Miller asked if anyone opposed to the ordinance wanted to speak and the following people spoke: Traci Stensaas, Mark Lottman, Ryan Waltner, Cal Lottman, Kenny Alyward and attorney Mitch Peterson. There were also write ins from Kandis Moore, Brice Gilley and Sara Waltner. They all were in agreement that they purchased their land so that they could live in the country, the space, the privacy, quietness, agricultural setting and not be surrounded by multiple homes. More concerns presented were traffic, feels like city living, wouldn’t feel safe to walk or ride a bike due to traffic, sometimes the road is slop and is down to one lane due to drifting, future water pressure, negatively impact the quality of life and the way of life. Other concerns were the nearest Fire or EMT departments that could get out there if something happens and possibly 9 more homes on the number of acres that Sanchez has.

Chairman Miller asked if anyone wanted to speak in favor of the ordinance and no one spoke.

Chairman Miller closed comments.

No action taken on Ordinance #90-24 a Zoning District Amendment for Christian Sanchez to rezone the N 1/2 NW 1/4 SW 1/4 Section 24 Township 100 North Range 52 West of the 5th PM more specifically described as N 1/2 NW 1/4 SW 1/4 (Ex. 650’) Section 24 Township 100 North Range 52 West of the 5th PM, Turner County, South Dakota. Said parcel containing 9.61 acres more or less from A-1 Agricultural to RR Rural Residential District. No action was taken. A second reading has been noticed for Tuesday, January 23, 2024 at 8:45 A.M.

OLD BUSINESS

It was decided to order new chairs for the Commission and to post a help-wanted advertisement for a Veterans Officer.

NEW BUSINESS

No new business at this time.

EXECUTIVE SESSION

Motion by Ciampa, seconded by Van Hove, to enter into executive session at 9:24 A.M. for legal matters per SDCL 1-25-2(3). Motion carried.

Chairman Miller declared executive session over at 10:18 A.M. No action.

RECESS

Motion by Van Hove, seconded by Kaufman, to enter into recess at 10:18 A.M. Motion carried.

RECONVENE

Motion by Van Hove, seconded by Kaufman to reconvene at 10:52 A.M. Motion carried.

CLAIMS

Motion by Kaufman, seconded by Van Hove, to approve the following claims. Motion carried.

A & B Business Solutions 139.45 copier/main. agree., Active Data Systems 66.50 maint. agree., Amazon 843.51 supp., Alexis Andersen 750.00 ded., Appeara 423.92 service, AT & T Mobility 1376.86 phone/wifi, Avera Medical Group Occupation 29.40 service, Billion Southtown 1717.98 maint., Bluepeak 2255.91 phone, Butler Machinery Company 23.72 supp., City of Parker 1331.25 util., Cemcast Pipe & Precast 1350.00 supp., Century Business Products 615.90 copier/main. agree., Tony Ciampa 48.96 mileage, Deep Foundation Group 55,879.93 service, Denning Autobody 312.00 repair, Fed Ex 36.13 service, Brad Georgeson 187.26 supp/escrow, Graham Tire Company 924.65 supp., Jared Hybertson 234.60 mileage I & S Group 10,898.75 service, Infotech 4047.50 service, Jack’s Uniforms & Equipment 1044.83 equip./uniforms, Linda Kasten 50.00 service, Mark Kaufman 73.44 mileage, Kettwig Electric 208.07 service, Kruse Law Office 6009.64 cont., Lincoln County Auditor 26,731.21 ment. ill/911, Lincoln County Sheriff 7402.50 service, McLeod’s 737.54 supp., Menards 45.67 supp., Microfilm Imaging Systems 110.00 supp./printer rent, Mick Miller 91.80 mileage, Minnehaha County 6024.16 jail/care of poor, Mohr Designs 1195.12 supp., New Century Press 222.88 publ., The New Era 100.00 publ., Northwesten Energy 1709.79 util., Office Advantage 65.00 supp., Parker Ace Hardware 738.69 supp., Parker Farm & Auto 1018.12 supp., Parker Pharmacy 4.98 supp., Planning & Development District III 4000.00 supp., Presto X 103.73 service, Prorate Services 40.00 service, Pump-N Stuff Centerville 15.00 fuel, RBS Sanitation 315.00 service, Amanda Rand 750.00 ded., Richard Rand 49.59 supp., SDACO 292.00 m & p fees, SD Achieve DBA Lifescape 2280.00 per diem, SD Public Health Lab 165.00 service, Schmidt Country 7.14 supp., Sign Solutions 2083.53 supp., SD Dept. of Revenue 136,385.14 fees, SD Dept. of Transportation 8841.29 service, Southeastern Electric 16.50 service, TCESA 30.00 reg., Verizon 205.78 phone, White Cap 348.45 supp., Kristen Wilke 40.29 mileage, Juror fees 1052.10 mtg./mileage total 294,098.16

RAISES

Denise Hanten will receive a .58 cent hourly years of service raise, new hourly salary $32.40 effective for the 1/12/24 payroll.

Joshua Kraemer will receive a .58 cent hourly quarterly raise, new hourly salary $19.86 effective for the 1/12/24 payroll.

Wolfgang Rothschadl will receive a .10 cent hourly quarterly raise, new hourly salary $21.82 effective for the 1/12/24 payroll.

Michelle Kraemer will receive a $4.06 hourly merit raise, per commissioner meeting on 11/14/23, new hourly rate $22.00 effective 1/8/24.

Katelynn Hoffman will receive a $100.00 monthly years of service raise, new salary $114,602.52 effective for the 1/12/24 payroll.

Amanda Rand will receive a $100.00 monthly years of service raise, new salary $49,981.08 effective for the 1/12/24 payroll.

Coral Nordmann will receive a .62 cent hourly years of service raise, new hourly salary $21.52 effective for the 1/12/24 payroll.

ADJOURNMENT

Motion by Kaufman, seconded by Ciampa, to adjourn. Motion carried.

Next meeting, a regular meeting, is set for January 23, 2024.

BOARD OF COUNTY COMMISSIONERS

TURNER COUNTY, SOUTH DAKOTA

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Mick Miller, Chairman

ATTEST: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Misty Dahl

Turner County Auditor

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