

February 7, 2023

The Miner County Board of Commissioners met in regular session on February 7, 2023 in the Miner County Courthouse Commission room. Members present: Alex Protsch, Tom Reisch, Joe Bechen, and Mike Clary. Absent: Kathy Faber. Also in attendance were Auditor Susan Connor and Deputy Auditor Rebecca Mommaerts. The flag pledge was recited. Motion by Reisch, seconded by Bechen and carried to approve the agenda. No Commissioner report of meetings attended was given. Auditor Connor reported on the meetings she attended in Pierre for election matters. She also informed them she received an email from the State concerning Homeland Security inventories.

The minutes of the January 17th meeting were approved. No one appeared for public comment.

It was moved by Clary, seconded by Reisch to approve the following claims for payment: Road & Bridge \$59,389.69, Wellmark \$55,397.27, Delta Dental \$1,695.79, Kansas City Life \$484.35, Retirement \$8,256.13, OASI \$11,814.58, Commissioners \$4,655.25, Auditor \$8,234.74, Treasurer \$7,436.25, States Attorney \$5,880.00, Govt Building \$3,225.12, Director of Equalization \$9,070.99, Register of Deeds \$6,986.32, Vet Service \$575.00, Tax Deed Property HHCC \$700.00 (includes Tami Severson at \$700/mo), Sheriff \$12,745.00, Contract Law \$4,346.26, Welfare \$682.56, Co Nurse \$1,473.50, Ambulance \$12,408.12, WIC \$100.00, Extension \$1,473.50, Weed \$1,421.50, Dispatch \$17,156.76, Emergency Mgt \$2,500.75 **JAN PAYROLL**; Josh Esser \$120.00 **AMBULANCE ATTENDANT FEES**; Jury Members \$600.00 **JURY FEES**; Noridian Healthcare Solutions \$688.00 **REVALIDATION FEE**; Jury Members \$175.44 **TRAVEL**; Northwestern Energy \$2,989.98 **UTILITIES**; SDSU Extension \$10,213.00 **4-H PMT TO STATE**; Alliance \$300.00, Triotel \$169.53 **911 CHARGES**; FJM Collections \$55.00 **COLLECTION FEE**; ICAP \$2,027.34 **COMMUNITY ACTION PMT**; SDACC \$77.45 **COURT APPT ATTY FEES**; MidStates Organized Crime \$100.00, SDAAO \$150.00 **DUES**; Ultra \$2,079.00 **EQUIPMENT**; HFCA \$26,735.27, Sturdevant's \$52.21, Wingen's Garage \$2,118.10 **FUEL**; Two Way Solutions \$1,320.00 **HOMELAND SECURITY**; Emergency Safety Education \$135.00 **IN SERVICE EDUCATION**; Co Employee \$196.29 **INSURANCE REIMBURSEMENT**; LeadsOnline \$1,309.00 **INVESTIGATION EXPENSE**; Miner Co Treasurer \$113.71, Stamp Fulfillment Services \$1,366.65 **POSTAGE**; Davison Co Sheriff \$285.00 **PRISONER CARE**; SD Dept of Public Safety \$160.00, Tobins Transfer \$1,251.50 **PROFESSIONAL SERVICE**; Miner Co Pioneer \$403.26 **PUBLISHING**; Judy Calmus \$175.00, Dust-Tex \$133.24, Microfilm Imaging Systems \$385.00 **RENT**; Butler Machinery \$85.00, Climate Systems \$1,016.00, First Dist. Of Local Govts \$7,000.00, Graham Tire \$568.28, HFCA \$430.96, James Valley Landscape \$937.50, Lori Kiehl \$230.76, Kramer Construction \$1,189.50, Office Peeps \$217.80, S&S Contracting \$4,555.11, Ultra \$2,204.65 **REPAIRS**; Kristian Ellendorf \$900.00 **STATE'S ATTY OFFICE EXP ALLOWANCE**; Relx Inc. \$149.00 **SUBSCRIPTION**; Butler Machinery \$259.76, Dakota Data Shred \$71.31, Dakota Riggers \$268.45, Dust-Tex \$353.46, Floor to Ceiling \$1,391.22, Home Service Water \$12.40, Homestead \$7.24, HFCA \$19.00, Jack's Uniforms \$68.89, Lori Kiehl \$71.37, Kimball Midwest \$211.08, Matheson Tri Gas \$36.01, McLeod's \$45.00, Mid-American Research \$479.67, Miner Co Treasurer \$128.55, Office Peeps \$3,372.96, Tim Reisch \$433.33, Cora Schwader \$251.15, SD Continuing Legal Education \$75.00, Tami Severson \$20.00, Shane's Hardware \$80.36, Stamp Fulfillment Services \$150.00, Sturdevant's \$600.49, Ultra \$343.80 **SUPPLIES**; Alliance

\$954.17, AT&T \$53.64, Susan Connor \$30.00, Lori Kiehl \$30.00, Tami Severson \$30.00, Verizon \$94.02 **TELEPHONE**; Susan Connor \$457.40, Rob Eggert \$280.14, Kathy Glines \$57.33, Lori Kiehl \$95.88, Ramkota \$328.00, SDACHS \$100.00, Kent Terwilliger \$40.00 **TRAVEL**; Central Electric Coop \$67.04, City of Howard \$7,229.65, Xcel Energy \$73.58 **UTILITIES**; Beadle Co Auditor \$2,000.00 **VICTIMS ADVOCATE**;

Commissioners acknowledge receipt of the following correspondence: Minnehaha Regional JDC Report and ECSD Report.

Director of Equalization Tami Severson joined the meeting to present a request from a third party for GIS information. Motion by Bechen, seconded by Clary to approve the application from CoreLogic for GIS parcel data.

It was moved by Bechen and seconded by Reisch to adopt the following resolution,

RESOLUTION 23-07

BE IT RESOLVED that the plat of Lot 1 of Miner County substation addition in the SE1/4 of Section 20, Township 106, Range 57 West of the 5th principle meridian, Miner County, South Dakota, as described above and drawn hereon, appears to conform to the system of roads, existing plats, and section lines of Miner County and that adequate provisions have been made for access to adjacent unplatted lands and that all provisions of taxes and special assessments upon the lot or addition have been paid and that the plat and the survey thereof have been lawfully executed. Said plat is approved and accepted and the chairman is hereby instructed to endorse on such plat this resolution and to certify the same. Voting aye: Reisch, Bechen, Clary & Protsch. Voting nay: none. Resolution adopted on the 7th day of February, 2023.

Alex Protsch, Chairman
Miner County Board of Commissioners

Attest: Susan Connor, Miner County Auditor

Highway Superintendent Ron Kremppges joined the meeting. A notice will go in the paper this week for an open position coming up at the end of March. Kremppges updated the board on repairs being made to the snowblower. The Mack truck is currently waiting for parts. Kremppges has submitted an application in for Volkswagon Truck Program which would pay 35% of the cost of a new truck, if approved. Kremppges will hopefully know by the next meeting if Miner County's application will be awarded. There is another opportunity in June as well. Next week, there is MSHA training in Mitchell that Ron would like the highway crew to attend. Kremppges stated the highway had a few chips left to haul to Carthage, then they would be starting to crack seal. There are also a few minor projects, like tree clean-up, to complete. There has been no word on the bridge by Carthage yet; it may end up being a 2024 project.

Motion by Reisch, seconded by Clary and carried to sign the agreements with First District of Local Governments for development and maintenance of the GIS Website (\$5,000) and for data maintenance (\$2,000).

Ambulance Billing Manager Gibi Page joined the meeting to give the Commissioners an update on the ambulance charges. Since 2009, the ambulance mileage charge has been \$10.35/mi, which was the maximum Medicare would pay at the time. Now, the Medicare rate is

\$20/mi, and according to the ambulance board policy, the ambulance billing manager can change this mileage rate up to 90% of the Medicare's max (\$18/mi). Page is also changing the load charge up from \$400 to \$650.

The board recessed as a Board of Commissioners and reconvened as a Planning & Zoning Board. A hearing was held, as advertised, to consider an application for a conditional use permit from Syrena Kampa Etvir. The request, if granted, would permit the applicant to run a dog kennel (10 max kennels) with fencing for a dog run on property described as Lot 1 of M.J. Bruner First Add in SW4 of Section 5, T108N, R57W, Carthage Township, Miner County, South Dakota.

Syrena Kampa joined the meeting. Kampa requested a conditional use permit to allow her to install a dog boarding facility on her property in Carthage. The kennels would be in a fenced area, with a double fence at the entry/exit to prevent the dogs from accidentally escaping when people enter or exit the property. Kampa plans on starting with a couple of kennels to expand to a maximum of 10 kennels (with the possibility of two dogs per kennel), and these kennels would be collapsible, not permanent structures. The facility would be seasonal, as her roads are not the greatest in the winter.

Having no further questions, it was moved by Reisch and seconded by Clary that the following Findings be approved:

STATE OF SOUTH DAKOTA)	BEFORE THE MINER COUNTY
	: SS	BOARD OF ADJUSTMENT
COUNTY OF MINER)	
IN THE MATTER OF THE APPLICATION OF)	FINDINGS
SYRENA KAMPA FOR A CONDITIONAL USE)	

FINDINGS

I

That the applicant, Syrena Kampa, has made an application for a conditional use for a boarding facility for dogs with dog kennels outside (10 max kennels) with a fence enclosure so dogs can run/play. The request, if granted, would permit the applicant to install a fence and put up impermanent kennels, as needed, up to 10. The proposed business will be located on Lot 1 of M.J. Bruner First Add of section 5-108-57, Carthage Township, Miner County, South Dakota.

II

That the proposed use of said realty is specifically prohibited by the zoning ordinance without applicant first obtaining a conditional use, for which they have applied.

III

That upon said application, notice of hearing was given as required by the Miner County Zoning Ordinance by mailing to the adjoining landowners and by publication.

IV

That hearing upon said application was held on February 7, 2023 in the Commission Room of the Miner County Courthouse.

V

That applicant, Syrena Kampa, appeared in person.

VII

That no written or oral testimony was received in opposition to granting said conditional use.

VIII

That a presentation in support of said conditional use and testimony on behalf of said conditional use was received at the hearing and that no concerns to the granting of the conditional use were received at the hearing.

NOW, THEREFORE, that application, testimony at the hearing having been considered, it is the FINDING of the Miner County Board of Adjustment that the application of Syrena Kampa for a conditional use be approved for the following reasons:

- 1) That the Miner County Board of Adjustment is empowered under Section 505 of the Miner County Zoning Ordinance to grant with conditions the conditional use and that the granting of the conditional use will not adversely affect the public interest.
- 2) That the Miner County Board of Adjustment certifies compliance with the specific rules governing individual conditional uses.
- 3) That the Miner County Board of Adjustment is able to make the applicable findings required by Section 505, Subsection 4 & 5 of the ordinance, which are considered prerequisite to the granting of a conditional use.

IX

That the Board of Adjustment vote upon approval of such application was four in favor thereof and none opposed thereto.

It is, therefore, ORDERED that said application to install and operate a boarding facility for dogs with dog kennels outside – 10 max kennels with fence enclosure. The proposed site will be located at Lot 1 of M.J. Bruner First Add of Section 5-108-57, Carthage Township, Miner County, South Dakota be approved.

Dated this 7th day of February, 2023.

Alex Protsch, Chairman
Miner County Board of Adjustment

Attest: Susan Connor, Secretary

The board adjourned as a Planning and Zoning Board and reconvened as a Board of Commissioners.

Sheriff Rob Eggert joined the meeting to make a request to not pay the Tobin's Transfer bill for \$1,251.50 out of his Sheriff budget, as he felt it was a courthouse matter, not a Sheriff matter. It was the courthouse sewer issues caused the Sheriff's office to move everything out of jail cells to the pod. The Commissioners decided the bill should be paid out of the Sheriff budget, due to the fact that the work on the room needed to be done regardless, and the jail room is used solely for the Sheriff's office. The Commissioners informed Eggert if he overspent his budget at the end of the year, the Commissioners could address his budget at that time. Eggert discussed future plans for radios and tower/communication issues. Eggert also highlighted the need to keep the spare truck as a Sheriff vehicle due to repairs that need to be completed on the other two vehicles.

Register of Deeds Karla Neises requested a level increase for her deputy, Gibi Page, starting February 1st. Reisch made a motion to approve the level raise for Gibi Page, from level 8 to level 9, effective February 1st, seconded by Bechen and carried.

Motion by Bechen, seconded by Reisch and carried to approve the following resolution:

RESOLUTION 23-08

WHEREAS, the South Dakota Wildland Fire Coordinator is authorized to assist in fighting range fires through the State, and

WHEREAS, a county must formally request his assistance pursuant to SDCL 41-20-8.1;

NOW THEREFORE BE IT RESOLVED, that the Miner County Commissioners do hereby designate the following persons with the authority to request assistance from the State Wildland Fire Coordinator in fighting range fires: Emergency Management Director Kent Terwilliger & Commissioner Mike Clary.

Voting aye: Bechen, Reisch and Protsch. Voting nay: none. Resolution approved this 1st day of February, 2022.

Alex Protsch, Chairman
Miner County Board of Commissioners

Attest: Susan Connor, Miner County Auditor

Auditor Connor gave an update on the coroner position/issues. She has received the job description from State's Attorney Ellendorf and would like the Commissioners to review. Also, there is currently a free coroner online class available until the end of March, so it would be beneficial to fill the position in time for the new hire to utilize that class, if needed. The job description will be added to the next agenda and interviews will be set up for applicants.

It was moved by Bechen, seconded by Clary and carried to move into Executive Session at 11:07am (SDCL 1-25-2 (1) & (3)). The board returned to regular session at 12:06pm.

It was moved by Bechen, seconded by Clary and carried to authorize the auditor to make the following operating transfer as provided for in the 2023 budget from General Fund to Emergency Management \$20,000.

Having no further business, the meeting adjourned to February 21st. Dated this 7th day of February, 2023.

Alex Protsch, Chairman
Miner County Board of Commissioners

Attest: Susan Connor, Miner County Auditor