

**HANSON COUNTY COMMISSIONERS  
MINUTES OF PROCEEDINGS  
Tuesday, April 20, 2021**

Chairman Schoenrock with members Bumgardner, Fox, Kjetland and Waldera present, called the regular meeting of the Hanson County Board of Commissioners to order on Tuesday, April 20, 2021. The County Auditor was also present.

Motion Waldera, seconded by Fox to approve the agenda. Motion carried.

Motion Bumgardner, seconded by Kjetland to approve the April 6<sup>th</sup> meeting minutes and the special meeting minutes from April 13<sup>th</sup> and 16<sup>th</sup>. Motion carried.

Mike Pierson was present for the citizens input session to voice the need for gravel on 413<sup>th</sup> Ave. as the bridge work is now being done and traffic will increase. Pierson also asked if the speed limit could be reduced, going up the hill on 259<sup>th</sup> St., and a speed limit sign be posted. This will be discussed at the next regular meeting.

Nick Mentele, acting Hwy Superintendent, joined the meeting. Motion Kjetland, seconded by Waldera to approve and authorize the Chairman to sign Amendment Number 1 to Agreement Number 614986 for Hanson County Emergency Relief projects. All members voted aye; motion was carried.

Motion Waldera, seconded by Bumgardner to approve and authorize the Chairman to sign the Brosz Engineering Work Order for Consultant Services for the bridges and culverts due for inspection in 2021. All members voted aye; motion carried.

Motion Kjetland, seconded by Fox to authorize the Auditor to conduct an operating transfer of \$200,000.00 from the General Fund to the Road & Bridge fund to cover budgeted expenses for 2021. All voted aye, motion carried.

Mentele gave a progress report on equipment repairs, Hwy work currently being done and the work completed last week. Price quotes were presented for a new sander and the replacement of gravel boxes and hoist. The poor condition of the current gravel trucks was discussed and Mentele will do some research on the possibility of going a different route instead of replacing the gravel boxes. Purchasing a tree puller for the skid loader and a hydraulic thumb for the excavator was discussed as a possible purchase if the expense is justifiable.

Newly installed culverts and blading was also discussed.

Motion Fox, seconded by Bumgardner and carried to recess Board of Commissioners to conduct business as the Drainage Board.

Reconvene Board of Commissioners.

Motion Kjetland, seconded by Fox to continue with the UTV agreement with Interlakes Sports Center, Madison, SD and authorize the Sheriff to sign the agreement when the new UTV is picked up. All voted aye, motion carried.

The March 2021 General Fund Surplus Analysis shows an undesignated General Fund balance of 28%.

Christi Pierson, DOE, presented the following plat for approval. A PLAT OF FISK TRACT 1 IN THE W2 OF THE NW4 OF THE SW4 OF SECTION 25, T 102 N, R 57 W OF THE 5<sup>TH</sup> P.M. CITY OF EMERY, HANSON COUNTY, SD. Motion Kjetland, seconded by Fox to approve said plat. Motion carried.

Motion Kjetland, seconded by Bumgardner to recess Board of Commissioners and convene the County Board of Equalization meeting. All voted aye, motion carried.

Reconvene Board of Commissioners.

Motion Kjetland, seconded by Waldera to enter into executive session at 9:51 a.m. for personnel as defined in SDCL 1-25-2.1. All voted aye, motion carried.

Executive session ended at 10:19 a.m.

Jim Davies, States Attorney, presented the second reading of Ordinance #46. It was moved by Waldera and seconded by Fox that the following ordinance be adopted:

HANSON COUNTY ORDINANCE NO. 46  
AN ORDINANCE FOR THE REGULATION OF THE FIRE HAZARD IN HANSON COUNTY

BE IT ORDAINED by the Hanson County Board of Commissioners that these restrictions regarding open burning are imposed.

1. Hanson County does prohibit and restrict open burning under the conditions set forth herein.
2. No person shall conduct open burning outside of a municipality in Hanson County while the National Weather Service has declared the South Dakota Grassland Fire Danger Index to be in the "Very High" or "Extreme" category or has issued a "Red Flag Warning" for any portion of Hanson County.
3. Any ban imposed under Section 2 above will be automatically suspended when the South Dakota Grasslands Fire Danger Index falls below the "Very High" category or the "Red Flag Warning" has been rescinded by the Nations Weather Service.
4. Exceptions: It is not considered "Open Burning" if:
  - [a] A fire is maintained in any interior fireplace, stove or furnace;

[b] Burning materials are kept in a container sufficient to prohibit the escape of the burning substance, or any sparks, flames or hot ashes there from;

JUSTIFICATION OF ORDINANCE:

[a] Hanson County has the authority to restrict open burning pursuant to SDCL 7-8-20(18);

[b] It is in the interest of public health and safety to have open burning within the county prohibited or limited during the time when certain fire conditions exist;

5. Notification of the Hanson County's office or Mitchell Regional 911 center (911 dispatch) is required before a controlled burn is conducted.
6. Violations of this Ordinance are deemed to be a public nuisance in addition the potential criminal penalties listed.
7. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed as they apply to this Ordinance.
8. Penalty. Penalty for each violation of this ordinance shall be that as specified under Hanson County Ordinance #44 or any amendment thereto. This constitutes what is commonly considered to be a class 2 misdemeanor under South Dakota law, with a fine of up to \$2,000.00 or 30 days in jail, or punishable by both such fine and imprisonment.
9. Definition of terms:
  - [a] Open burning is the intentional burning of any substance, natural or manmade, and the intentional casting off of any burning substance whether natural or manmade.
  - [b] The use of fireworks is deemed to be open burning.
  - [c] The escape of any burning substance or of any sparks, flames or hot ashes from any fire container is deemed open burning and constitutes a presumption that the container was insufficient to meet the exception from the definition of open burning.
  - [d] A controlled burn is any fire deliberately set for the purpose of cleaning or clearing property which is kept under constant supervision and has had adequate protection measures taken for the situation.
10. This Ordinance shall become effective immediately upon the passage at a second reading.

Dated April 20, 2021.

/s/ Gary Schoenrock, Chairman  
Hanson County Commission

ATTEST:

/s/ Lesa Trabing

Hanson County Auditor  
(SEAL)

First reading: April 6, 2021

Second reading: April 20, 2021.

Effective date: 20 days after publication.

Further discussion took place concerning options to generate additional revenue to improve and repair county roads and purchase needed equipment. An Opt Out or Road & Bridge levy are the options currently being looked at. The cost of the needed gravel and other road projects for the next five years will be studied further to come up with the dollar amount of additional revenue needed and the number of years it will be needed. An election for this decision and the election timeline were reviewed in order to start collecting the additional revenue in 2022 if approved.

Applications will be accepted until Friday, April 30, 2021 at 4:30 p.m. for the Highway Superintendent position.

It was moved by Fox, seconded by Waldera, and carried to allow payment of the following bills. SALARIES: Commissioners: 2,126.55, Auditor: 2,815.00, Treasurer: 3,333.43, States Attorney: 2,455.40, Custodian: 1,759.09, Director of Equalization: 4,722.62, Register of Deeds: 2,603.41, Veterans Service: 316.74, Sheriff: 8,169.76, Nurse Clerical: 759.91, Extension: 945.52, Drainage: 121.09, Planning & Zoning: 647.56, Highway: 19,867.70, E911: 89.59, Emergency & Disaster: 302.75. BILLS: Advantage Auto, 300.88, windshield; Alex City, 108.54, water, sewer; Appera, 188.30, mats, towels, mops; Avera Queen of Peace, 468.00, blood alcohols; Axon, 162.00, small equipment; Brule County, 2,340.00, jail bill; BIT, 65.75, email, access fee; C & B, 59.68, coupler; DSG, 86.60, pipe; Davison County Sheriff, 1,235.00, jail bill; Dick's Body Shop, 5,385.10, hail damage repairs; Farmers Alliance, 139.75, gas, repairs, oil change; Hollaway Construction, 39,387.83, partial 413th bridge payment; Hughes County Sheriff, 240.00, jail bill; Jack's Uniforms, 276.07, equipment; Lawson, 1,563.51, bits, caps, screws; Lewis Drug, 4.99, jail meds; Lodge at Deadwood, 196.00, lodging; MARC, 615.23, cleaning supplies; McLeod's, 370.00, floor mats; Mitchell Iron & Supply, 161.45, parts; Mitchell Regional 911, 1,250.00, qrtly ambulance contract; Morgan Theeler, 3,000.00, public defender; New Century Press, 702.26, publishing; Northwestern, 244.75, heat; Office Advantage, 2,426.99, hardware lease, managed services; SD Office of Family Services, 2,724.50, 1<sup>st</sup> and 2<sup>nd</sup> quarter nurse contract; On Sight, 6,709.81, panic system, keyless door entry (grant reimbursement); Pennington County Jail, 74.73, transport inmate; RDO, 230.55, slope meter; Running's, 821.51, jack, coupler, pump, grass seed; Terri Lembcke Schildhauer, 420.80, court reporting transcripts; Gary Schoenrock, 47.88, mileage; State of SD, 80.00, blood alcohols; SD Unemployment, 658.90, qrtly surcharge; SDACO, 555.00, registration; Sturdevant's, 540.74, filters, conductor; Shannon Tegethoff, 58.80, mileage; Thomson Reuters, 626.99, info charges; Triotel, 969.52, phone bill; Ulteig, 430.00, bridge engineering; Verizon, 71.96, cell bill; Visa, 330.89, AVG, auger, supplies; Dava Wermers, 424.70, court appointed attorney; Xcel, 2,044.00, electric bill.

Being as there was no further business for the day, motion Waldera, seconded by Bumgardner to adjourn until Friday, May 7, 2021. All voted aye, motion carried.

Gary Schoenrock, Chairman  
Hanson County Board of Commissioners

ATTEST:  
Lesa Trabing, Auditor  
(SEAL)

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