The Corson County Board of Commissioners met in the Commissioner Room of the Courthouse on October 3, 2017. Chairman Stephen Keller called the meeting to order at 9:03 a.m. with Shawn Hinsz, Edward Schock, Darren Bauer, and Donald Pazie present. States Attorney Eric Bogue was also in attendance.

Approve Minutes

All voted in favor of a motion by Schock, seconded by Bauer, to approve the minutes of the regular September 7th meeting and the special September 26th budget meeting.

Agenda

All voted in favor of a motion by Bauer, seconded by Pazie, to approve the agenda with the following addition: Sheriff’s Office.

# Court Appointed Attorney Reimbursement

The auditor informed the Commission that the county’s allocated portion of Court Appointed Attorney and Public Defender and Abused and Neglected Child Defense Funds in the amount of $636.59 was received from the State Treasurer. This money is collected by the courts and distributed to the counties to partially reimburse public defense costs. The total expensed for the period July 1, 2016 through June 30, 2017 was $15,861.74.

Travel Authorization

Consensus was to allow Auditor and Deputy Auditor to travel to Pierre on November 8th and 9th to attend the Election Workshop.

Highway Report

Highway Superintendent Benny Joe Schell reported on road conditions, 911 signs, mowing, and graveling roads.

Discussion was held on purchasing fuel tanks for Trail City Highway Shop. Following discussion, all voted in favor of a motion by Bauer, seconded by Hinsz authorizing Superintendent Schell to purchase two fuel tanks for Trail City Highway Shop in the amount of $13,146.49.

Discussion was held on purchasing a water truck. All voted in favor of a motion by Hinsz, seconded by Schock authorizing Superintendent Schell to purchase the 1995 Peterbuilt Water Truck from Macon Construction for $18,000.

Sheriff’s Office

Sheriff Gall discussed storage issues at the jail. Following discussion, all voted in favor of a motion by Pazie, seconded by Hinsz authorizing Sheriff Gall to purchase a storage unit to be placed behind the jail.

Conflict of Interest Policy

Discussion was held on the conflict of interest policy that was adopted at the previous meeting. Following discussion, all voted in favor or a motion by Bauer, seconded by Pazie to repeal the previous conflict of interest policy that was adopted at the September 26th meeting and adopt the following policy:

Conflict of Interest Policy

Corson County (County) seeks to prevent and avoid any conflicts of interest in the conduct of its business operations and to avoid the appearance of such conflicts to the public it serves. Each elected and appointed official has the duty to place the interests of the citizens of Corson County foremost in any dealings on behalf of the County and has a continuing responsibility to comply with this Policy. This policy applies to any County elected or appointed official and any other person who is appointed to serve the County in any capacity pursuant to SDCL Chpt 7-7 (collectively referred to as “Official”).

Conflicts of interest may exist when an Official, or an immediate family member of such Official, has a personal or financial interest clearly separate from that of the general public on a matter before the Official. An immediate family member for purposes of this policy is any person related to an Official within the first degree of consanguinity and includes a spouse, parent, child, grandparent, grandchild or an individual claimed by the Official or his/her spouse as a dependent for federal income tax purposes. Such conflicts of interest may be financial or personal, direct or indirect, and the existence of a conflict of interest is dependent upon the unique facts of a particular situation.

It is the policy of Corson County to follow state law regarding conflicts of interest, and this policy is not intended to be more strict than the applicable requirements of state law. Generally, state law provides that an Official may not have a personal financial interest in any County transaction for the purchase of labor or services, materials or supplies, or real or personal property that belongs to the County. An exception to this general rule may apply if the transaction is reasonable and just, if the contract is made without fraud or deceit, and if the Official discloses the conflict and recuses himself/herself from participation in the decision for which there is a conflict of interest. These exceptions include the following:

1. A contract of $5,000 or less;
2. A contract awarded by competitive bidding procedures if more than one competitive bid is submitted or, if only one competitive bid is submitted, the procedures in SDCL 6-1-2.1 have been followed;
3. A contract for professional services;
4. A contract awarded off of the state contract list at the established price or less;
5. A contract that does not require competitive bidding when there is no other source of supply or services and when the total of any such contracts does not exceed $50,000 for a public improvement or $25,000 for a contract for supplies or services; or
6. A contract with an entity for which competitive bidding is not required unless the majority of the governing body are members or stockholders who collectively have a controlling interest, or any governing board Official is an officer or manager of such entity.

No Official who is authorized in her/her official capacity to sell or lease any property or to make any contract may be personally interested, directly or indirectly, in any such sale, lease, or contract.

Procedure When Conflicts of Interest Exist

If an Official has a disqualifying interest in a matter before the body on which the Official serves, he/she shall disclose the conflict to the body prior to its consideration of the matter. Once this disclosure is made, the Official shall not:

* Formally participate in the official discussion;
* Participate or remain in any executive session;
* Vote on the matter

If the Official has a conflict of interest in the matter and chooses to participate in the discussion, the Official should leave the dais and speak on the item from the audience as a member of the public.

Disclosure is required by an Official in each of the following situations:

1. When the board member has an interest in a contract or receives a direct benefit from a contract.
2. If the spouse of the county board member has an interest in a contract or receives a direct benefit from a contract.
3. If another person with whom the board member lives and commingles assets has an interest in a contract or receives a direct benefit from a contract.

An Official derives a direct benefit from a contract, or their spouse or other person with whom assets are commingled derives a direct benefit from a contract:

1. If the person has more than a five percent (5%) ownership or other interest in an entity that is a party to the contract;
2. If the person derives income, compensation or commission directly from the contract or from the entity that is party to the contract;
3. If the person acquires property under the contract; or
4. If the person serves on the board of an entity that derives income directly from the contract or acquires property under the contract.

If in doubt whether an actual conflict exists, this policy also requires disclosure of possible or potential conflicts.

Procedures When Officials Fail to Disclose Conflict of Interest

If it is alleged that an Official has a disqualifying conflict of interest in a matter before the County, or a board, committee, or commission on which the Official serves, and if the Official does not voluntarily refrain from participating in the matter, then the Official may be disqualified from officially participating in consideration of the matter upon a two-thirds vote of the board, committee, or commission on which the Official serves. The board, committee, or commission voting to disqualify such Official must make a specific finding of the disqualifying conflict of interest for which it has excluded the Official from participating in the matter under consideration. An Official disqualified in this manner may not participate in the official discussion, any executive session, or any vote on the matter.

If any Official desires assistance to determine if that Official, or another Official, has a disqualifying conflict of interest, the Official may request an advisory opinion from the State’s Attorney. Such opinion shall be made available to all members of the board, committee, or commission about which the opinion is provided, but shall not be available for public inspection unless a majority of the members of the board, committee, or commission to which the opinion is provided votes to make such opinion public.

Any Official who knowingly violates this policy will be subject to disciplinary action.

Treasurer

Treasurer Heather Gall met with commission to discuss surplus property. Joe Wicks was also in attendance for the discussion. No action taken.

Surplus Property Sale

The following property was sold at public auction:

McIntosh City

Lot 8 & 9 Block OT McIntosh—Purchased by John Wicks for $275

E 90’ of Lot 14 Block 13 OT McIntosh—Purchased by John Wick for $160

Lot 2 Block 15 OT McIntosh—Purchased by Dave Lopez for $300

Morristown

Lot 2 Block 16 OT and Lots 10, 11, 12 Block 32 Ginthers 1st Addition Morristown—Purchased by Robert Hotaling for $250

Parcel J Outlot C Morristown—Purchased by Johnathan Cooper for $2,200

Onan Generator with Transfer Switch—Purchased by Johnathan Cooper for $500

Tan Rollaway File—Purchased by Rickey Schell for $13

Card File Organizers—Purchased by Eric Bogue for $8

Logitech Keyboard—Purchased by Darren Bauer for $3

Ricoh 2020 Copier with Fax—Purchased by John Powell for $10

Post Hole Digger—Purchased by John Powell for $25

2001 Chevy Blazer—Purchased by John Powell for $1,750

Ricoh Copier—Purchased by Heather Gall for $10

Ricoh Copier—Purchased by Amber Glines for $10

3 Inch Gas Water Pump—Purchased by Charles Glines for $30

2 Loader Tires 20-5-25—Purchased by Charles Glines for $100

Electro Magic Steam Cleaner—Purchased by Charles Glines for $275

Honda Generator EX 1000—Purchased by Jack Hoffman for $50

Honda Generator EX 650—Purchased by Jack Hoffman for $170

Cutting Torch Kit with Plastic Case—Purchased by Lance Miller for $200

6 Foot Table—Purchased by Lance Miller for $15

3- 8 Foot Tables—Purchased by Lance Miller for $51

2001 Dodge ¾ Ton Pickup—Purchased by Lance Miller for $1,750

Hobart Wire Feed Welder—Purchased by Mitch Chase for $50

12- 8 Foot Tables—Purchased by Shawn Hinsz for $204

No bids were received for other property.

Cash Balance

Pursuant to SDCL 7-21-18.1, the total unreserved, undesignated fund balance of the general fund of the county as of September 30, 2017 is $950,363.78 which is 53.09% of the total general fund appropriations.

Register of Deeds

Register of Deeds, Diane Anderson met with the board to discuss plat approval requirements. No action taken.

Assessor

Assessor, Amy Schriock informed the board that she will be taking the Assessor Certification Test in Rapid City on October 27th.

Amy presented information on purchasing a Trimble Handheld GPS Unit. Consensus of the board was to authorize Amy to purchase a Trimble Handheld GPS Unit.

Statement of Fees Collected Approved:

Register of Deeds, September, 2017: $2,588.75; Petty Cash: $50.00

Auditor’s Account with Treasurer

August 2017 Cash on hand: $1,525.00, Checks in Treasurer’s possession less than 3 days: $3,033.52, Demand Deposits: $88,907.23, Time Deposits: $3,636,429.94, Petty Cash Accounts: $2,657.00

The following bills were presented and ordered paid out of their respective funds:

Salaries of officials and employees by department:

Commission 3333.35

Auditor 6066.66

Treasurer 6077.66

States Attorney 3856.66

General Government Buildings 5497.80

Director of Equalization Wages 2666.66

Register of Deeds 4992.50

Veterans Service Officer Wages 258.75

Sheriff 17171.70

Coroner 76.00

4-H Secretary 1300.00

Weed & Pest 78.75

Road & Bridge 29550.48

E911 333.34

OASI 5900.17

South Dakota Retirement System 4878.77

Group Insurance 15048.46

The following bills were presented and ordered paid out of their respective funds:

A&B BUSINESS, INC 354.78 Office Supplies, AG A/C RESCUE 718.92 Parts/Labor, AVERA QUEEN OF PEACE 135.50 Lab Fees, AVERA ST LUKE'S CLINIC DIV 128.00 Prisoner Care, DARREN BAUER 82.98 Meeting/Mileage, BEADLE'S CHEVROLET 89.88 Mud Guards, BEADLE'S SALES 317.73 Parts/Labor, TAMMY BERTOLOTTO 240.00 Meals/Mileage, BIEGLER EQUIPMENT 78.52 Hitch Pin/Flat Steel/Oil, BOX BUTTE COUNTY COURT 2.50 Cert/Auth Copy Fees, BRIDGE CITY BAIT & SM ENGINE 59.97 Chain Saw Repair, BUTLER MACHINERY 254.72 Shop Supplies/Turn Buckle, LOYSON CARDA 104.16 Mileage, CEDAR SHORE RESORT 94.95 Lodging, CENTURYLINK 74.05 Long Distance, CENTURYLINK 919.07 Monthly Service, CITY OF MCINTOSH 156.00 Utilities, CITY OF MCLAUGHLIN 76.50 Utilities, CITY OF MOBRIDGE 1670.75 E-911 Remittance, CRAWFORD TRUCKS & EQUIPMENT 299.80 Expansion Valve.Filter,Element, THE CURRENT CONNECTION 95.99 Toner Cartridge, DAWNE DONNER 211.08 Mileage/Meals/Lodging, FARMERS UNION OIL 125.41 Paint,Brake Clnr,RVAF,BlueGard, G & O PAPER SUPPLIES 174.00 Paper Towels, HEATHER GALL 100.00 UA Collections, KEITH GALL 173.19 Meals/Mileage/Postage, GTC AUTO PARTS INC 319.22 Bearings/Oil Seals/Oil, DICK HACH 111.96 Meeting/Mileage, SHAWN HINSZ 268.38 Mileage, JOHNSEN TRAILER SALES INC 386.54 Rings/Equalizer Casts,Bolts, LINCOLN COUNTY 129.40 Mental Illness Expense, LINDSKOV IMPLEMENT 66.75 Filters/Filter Wrench, CHRIS LYNCH 108.60 Meeting/Mileage, SHAWN MADISON 70.40 Witness Fee/Mileage, MID AMERICAN RESEARCH CHEMICAL 287.74 Thermal Lock/Gloves, MCINTOSH CO-OP 10862.49 Ethanol/Diesel, MCINTOSH POSTMASTER 650.00 Annual Box Rent, MCLEOD'S PRINTING & SUPPLY 159.45 Tax Notices/Copy Paper/Sheets, SID MILLIKEN 113.64 Meeting/Mileage, MOBRIDGE REGIONAL HOSPITAL 69.00 Lab Fees, MOREAU GRAND ELECTRIC 124.01 Utilities, NADA USED CAR GUIDE 115.00 Subscription, CORSON SIOUX NEWS MESSENGER 302.33 Publishing, NW TIRE INC 2316.74 Tires, DONALD PAZIE 60.48 Mileage, PHARMCHEM, INC 150.00 Sweat Patch Analysis, PRAXAIR DISTRIBUTION INC 222.50 Cylinder Rental, PUBLIC SAFETY CENTER 75.97 Resp,Valve,Adj Straps,Noseclip, RAMKOTA HOTEL BISMARCK 245.70 Lodging, R D O EQUIPMENT COMPANY 166.87 Bulb/Turbo Saver, RUNNINGS FARM & FLEET 264.18 Mats/K-9 Supplies, ED SCHOCK 147.00 Mileage, SD 24/7 SOBRIETY PROGRAM 507.00 24/7 State Fees, SD DEPT OF TRANSPORTATION 201.11 Cost Share-Bridge Inspections, SD ASS'N OF COUNTY OFFICIALS 152.00 M & P Fund, SERVALL 173.09 Rug Service, SOUTH DAKOTA GFP 127.00 Hunting/Fishing Licenses, STANDING ROCK TELECOM 280.25 Wireless Service, STATE TREASURER 38738.87 Lab Fees/Motor V/Drivers Lic, SUNMASTER AUTO GLASS 2537.74 Parts/Labor, US RECORDS MIDWEST LLC 2185.57 Binders,Envelopes,Tabs, VANGUARD APPRAISALS, INC 3800.00 Software Training Hours, WALWORTH COUNTY SHERIFF'S DEPT 3420.00 Board of Prisoners, WEST RIVER COOP TELEPHONE CO. 143.85 Internet Service, CORSON COUNTY TREASURER 200.00 Partial Payment, CORSON COUNTY TREASURER 1248.32 Partial Payment, SDSU SD LTAP 100.00 Registration Fee, VISA 274.29 Gas/Anitfreeze, AFLAC 48.66 Partial Cancer/Intensive Care Premium, PRINCIPAL LIFE INS CO 109.27 Cobra Dental/Vision Premium

Adjourn

All voted in favor of a motion by Hinsz, seconded by Schock to adjourn at 3:00 p.m. The next regular commission meeting will be held November 7, 2017.

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Tammy Bertolotto, Corson County Auditor Stephen Keller, Commission Chairman

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