



Charles Mix County Commission

Nick Stotz, Chairman
Keith Mushitz, Vice Chairman
Colin Soukup, Commissioner

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CHARLES MIX COUNTY Board of Commissioners Regular Session – August 24, 2023

The Charles Mix County Board of Commissioners met in Regular Session at the County Courthouse on Thursday, August 24, 2023, in the Commission Room. Chairman Nick Stotz opened the meeting with the Pledge of Allegiance and called the meeting to order at 10:00 am with Vice Chairman Keith Mushitz, Commissioner Colin Soukup, and Auditor Jason Gant present.

Agenda:

A motion was made by Mushitz and seconded by Soukup to approve the agenda. All in favor, motion carried.

Minutes:

A motion was made by Mushitz and seconded by Soukup to approve the minutes from the August 10, 2023, Board of Commissioners regular meeting. All in favor, motion carried.

Bills:

A motion was made by Soukup and seconded by Mushitz to approve the bills for August 24, 2023. All in favor, motion carried.

Plats:

A motion was made by Soukup and seconded by Mushitz to approve the PLAT of Tract 1 in Lot F being a Subdivision of a Portion of Government Lot 6, located in Section 3, T96N, R65W of the 5th P.M., White Swan Township near 383rd Ave and 292nd St, Charles Mix County, South Dakota. All in favor, motion carried.

A motion was made by Mushitz and seconded by Soukup to approve the PLAT of Lot 1, Qualm Second Subdivision located in the SW1/4 of Section 13, T99N, R70W of the 5th P.M., La Roche Township near 355th Ave and SD Hwy 44, Charles Mix County, South Dakota. All in favor, motion carried.

Highway Department:

Superintendent Doug Cimpl updated the Commission on returning the speed limit on 386th Avenue between SD Highway 50 and SD Highway 46 back to 55 mph, new Lake Andes Highway Shop update, gravel purchases, and Geddes Shop update. It was agreed to just trade-in the heavy equipment versus selling at public auction, however should another government wish to purchase them, that would be considered. No action taken.

Emergency Management Department:

Emergency Management Director Mike Kotab updated the Commission on H&H Study, fire department grants, radios, and office duties. No action taken.

4-H Extension:

4-H Youth Program Advisor Lesley Rygaard updated the Commission on Achievement Days, school programming, updating facilities, and increasing participation in 4-H. No action taken.

Personnel:

A motion was made by Stotz and seconded by Soukup to approve the termination of Gina McCarthy as part time 4-H Extension Assistant effective 8/24/23. Soukup and Stotz in favor, Mushitz abstaining, motion carried.

Speed Limit Ordinance:

The second reading of Ordinance No. 2023-201 to reduce the speed limit on 282nd Street that runs in between 359th Avenue and 360th Avenue near the Platte Creek Recreation Area to thirty (30) miles per hour took place.

A motion was made by Soukup and seconded by Mushitz to approve Ordinance No. 2023-201. All in favor, motion carried.

Ordinance No. 2023--201

An ordinance regulating speed limit enforcement over a portion of 282nd Street in Charles Mix County and further providing penalties for violation of the terms of the ordinance and repealing all prior ordinances in conflict with the provision of this ordinance.

WHEREAS, State Law SDCL 32-25-9.1 gives the county the authority to determine and establish the speed zones upon any highway under its jurisdiction; and

WHEREAS, the Board of Charles Mix County Commissioners desires the enforcement of speed limitation on the portion of 282nd Street that runs in between 359th Avenue and 360th Avenue, as set forth and posted by the Charles Mix County Highway Superintendent.

NOW THEREFORE, BE IT ORDAINED BY THE CHARLES MIX COUNTY COMMISSION: The speed limit on the portion of 282nd Street as described above shall be set at thirty (30) miles per hour (mph) which will be designated by the posting of signs. Further, the Charles Mix County Sheriff's Office is hereby authorized to enforce speed limitations and Charles Mix County requests that the Charles Mix County Sheriff assist in enforcing said speed limitations.

- 1. Purpose: To protect the health, safety and general welfare of the residents of Charles Mix County by enforcing vehicle speed limits on 282nd Street as described above.
- 2. Unlawful Acts: It shall be unlawful to operate any "vehicle," as hereinafter defined, on the portion of 282nd Street described above, within Charles Mix County, at a speed greater than that provided for herein.

3. Definitions:

A. Vehicle: Any motor vehicle.

4. Posting of Restrictions: Signs shall be posted in order to identify the speed limitations that are being enforced on 282nd Street. Signs shall be posted at locations determined by the County Highway Superintendent, and approved by the Charles Mix County Commissioners.

5. Penalty: Any person violating any provision of this ordinance shall be guilty of a misdemeanor, punishable upon conviction by a fine not to exceed five hundred (\$500.00) dollars, plus costs and/or imprisonment in the county jail for a period not to exceed thirty (30) days.

6. Severability: This ordinance and the various parts, sections, paragraphs, and subsections, sentences, phrases, and clauses thereof are hereby declared to be severable. If a court of competent jurisdiction adjudges any part, section, paragraph, subsection, sentence, phrase, or clause unconstitutional or invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Chairman of the Board
Charles Mix County Commission

ATTEST:
County Auditor

Passed and adopted by the Charles Mix County Commissioners, Charles Mix County, South Dakota on the first reading on the ____ day of _____, 2023, by the following vote:

Ayes:

Nays:

Absent:

Passed and adopted by the Charles Mix County Commissioners, Charles Mix County, South Dakota on the second reading on the ____ day of _____, 2023, by the following vote:

Ayes:

Nays:

Absent:

Date of Publication _____

Chairman of the Board
Charles Mix County Commission

ATTEST:
County Auditor

SD Department of Health:

A motion was made by Mushitz and seconded by Soukup to approve the the new contract from the SD Department of Health for the WIC program. All in favor, motion carried.

Personnel:

- A motion was made by Soukup and seconded by Mushitz to
 - Approve the resignation of Drew Avant, Highway Crewman, effective 8/30/23
 - Approve staff travel to SD County Convention in Sioux Falls on 9/11-13/23
- All in favor, motion carried.

2024 Budget:

Auditor Gant reviewed the 2024 Budget. No action taken.

Auditor Update:

Auditor Gant reviewed the check to the Platte-Geddes School District, changes coming to County nurse program, County owned land, Tax Sale set for September 28th online with four properties for sale, SD County Convention, and the SD County Assn Resolutions for the 2024 Legislative Session. No action taken.

Next Meetings:

The next Commission meetings are at 10:00 am on Tuesday, September 5th at the Courthouse and at 10:00 am on Thursday, September 28th at the Courthouse.

Adjourn:

A motion was made by Soukup and seconded by Mushitz to adjourn at 12:05 pm until the next Regular Session Tuesday, September 5, 2023, at 10:00 am at the Courthouse. All in favor, motion carried.



Nick Stotz, Chairman



Jason Gant, Auditor

C O U N C I L R E P O R T 8-24-2023 COMMISSIONERS GENERAL FUND GANT, JASON RANDALL RESERVOIR MTG 155.04 COMMISH PLATTE MTG 31.62 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 1,639.80_ TOTAL: 1,826.46 CONTINGENCY GENERAL FUND PLATTE-GEDDES SCHOOL #11-5 2022 PAY 2023 TAXES 287,292.78_ TOTAL: 287,292.78 INSURANCE GENERAL FUND SD PUBLIC ASSURANCE ALLIANCE 29558 (22 NH TRACTOR) 162.40_ TOTAL: 162.40 COURTS GENERAL FUND VERIZON BUSINESS 764033000X26 102.87_ TOTAL: 102.87 AUDITOR GENERAL FUND GANT, JASON SDACES 86.70 AVANT, MELISSA SDACES MILEAGE 116.28 SDACES MEALS 10.00 AVANT, PEG MILEAGE 70.38 LAKE ANDES WAVE 2023 SUBSCRIPTION 50.00 MCLEOD'S OFFICE SUPPLY 2550 198.90 OFFICE PRODUCTS CENTER INC 759999 41.55 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 5,868.15_ TOTAL: 6,441.96 TREASURER GENERAL FUND MCLEOD'S OFFICE SUPPLY 2550 553.14 OFFICE PRODUCTS CENTER INC 759999 35.00 757542 4.50 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 4,106.05_ TOTAL: 4,698.69 STATES ATTORNEY GENERAL FUND OFFICE PRODUCTS CENTER INC 757441 108.82 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 7,601.27_ TOTAL: 7,710.09 COURT APPOINTED ATTY GENERAL FUND STEKLY LAW OFFICE, PROF CR 23-148 335.91 CR22-127'146 851.81 11M21-73 592.46 DAILEY LAW, PROF LLC 11CRI22-351 1,077.35 SWIER LAW FIRM PROF. LLC CRI 20-204 401.70 CRI 20-123 401.70 GOEHRING, KEITH CRI 22-312 524.26 CRI 19-333 702.18 KERNER, BRAD CR 23-18 313.10 CR 23-162 292.90 CR 23-67 262.60 WHALEN, TIMOTHY R 11CRI23-98 533.85 11JUV22-19 391.75 11CRI 13-291 501.20 11CRI21-3 880.35_ TOTAL: 8,063.12 ABUSED/NEG CHILD DEFEN GENERAL FUND STEFFEN, SANDY 11JUV 21-39 3,767.12 SWIER LAW FIRM PROF. LLC JUV 19-43 1,346.40 WHALEN, TIMOTHY R 11JUV22-28 1,328.70_ TOTAL: 6,442.22 GOVERNMENT BLDGS GENERAL FUND APPEARA 4636-00000 77.98 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 2,204.57_ TOTAL: 2,282.55 DIR OF EQUALIZATION GENERAL FUND K TIRE AND OIL LLC IMPALA TIRE 23.00 U.S. BANK 4484 7345 5002 4559 257.11 VANGUARD APPRAISALS INC 20750 262.50 MARSHALL & SWIFT/BOECKH, LLC 275077 1,946.95 MCLEOD'S OFFICE SUPPLY 2568 513.97 MICROFILM IMAGING SYSTEMS CHAMIXEQU 120.00 OFFICE PRODUCTS CENTER INC 759999 35.00 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 5,496.90_ TOTAL: 8,655.43 REGISTER OF DEEDS GENERAL FUND MCLEOD'S OFFICE SUPPLY 2550 227.43 OFFICE PRODUCTS CENTER INC 759999 35.00 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 4,433.48_ TOTAL: 4,695.91 VETERANS SERVICE GENERAL FUND DAVID ISEBRANDS FUEL 31.69 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 1,213.85 GIS GENERAL FUND **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 1,910.32_ TOTAL: 3,155.86 SHERIFF GENERAL FUND U.S. BANK 4484 7345 5002 4559 804.49 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 21,832.11_ TOTAL: 22,636.60 JAIL GENERAL FUND CAHOY'S GENERAL STORE 0000000016 475.80 BRECKE PEST CONTROL LLC 1707 110.00 U.S. BANK 4484 7345 5002 4559 301.04 VISION CARE ASSOCIATES LLP 45196187 179.00 45196187 265.00 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 14,280.85_ TOTAL: 15,611.69 CORONER GENERAL FUND PHYSICIANS LABORATORY, P.C. 4951 6,130.00 SANFORD MEDICAL CENTER 30005038 7,194.00_ TOTAL: 13,324.00 JUVENILE DETENTION GENERAL FUND MINNEHAHA CO JUVENILE DETENTION CENTER HOUSING 20,409.60 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 130.01 NURSE GENERAL FUND **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 1,426.72_ TOTAL: 21,966.33 WIC GENERAL FUND **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 1,525.17_ TOTAL: 1,525.17 COUNTY FAIR GENERAL FUND REZAC, JOSEPHINE MILEAGE 25.91 KNODE, DALE JUDGE & MILEAGE 280.78 ELIZABETH ANTONSEN JUDGE & MILEAGE 56.42 EILERTSON, JOHN JUDGE 541.98 NAAZ, SAWYER JUDGE & MILEAGE 231.42 MCCARTHY, GINA ACHIEVEMENT MILAGE 15.30 CHARLES MIX COUNTY SADDLE CLUB FENCING SUPPLIES 675.00 SOLES, SHAWN JUDGE & MILEAGE

67.48 HOFELDT, GWEN JUDGE & MILEAGE 25.00 KOENIG, KATIE JUDGE & MILEAGE 42.09 MIKE DANGEL
 SECURITY 4-H 150.00 BOMGAARS SUPPLY INC 003-306-9 5.98 ROBERT KRAMER JUDGE 500.16 GARY
 SCHELSKE JUDGE & MILEAGE 265.69 COUNTY EXTENSION GENERAL FUND **PAYROLL EXPENSES
 8/11/2023 - 8/11/2023 1,085.17_ TOTAL: 3,968.38 WEED GENERAL FUND U.S. BANK 4484 7345 5002
 4559 971.59 BOMGAARS SUPPLY INC 003-306-9 62.17 003-306-9 31.97 003-306-9 25.67 003-306-9 4.99
 003-306-9 38.34 VANDIEST SUPPLY COMPANY 18310000 3,852.00 **PAYROLL EXPENSES 8/11/2023 -
 8/11/2023 3,023.97_ TOTAL: 8,010.70 HIGHWAY COUNTY ROAD & BRID I-STATE TRUCK CENTER 95809
 1,423.34 GARRETT TIRES & TREADS 2976783 1,764.66 2977215 4,920.71 SUMMIT CONTRACTING 4234
 132,793.56 4298 66,149.89 4169 42,925.74 3D OIL & LP, LLC C67877,F12944,25643 3,635.25
 PRODUCTIVITY PLUS ACCOUNT PS0109413-1 226.50 PS0111556-1 177.00 U.S. BANK 4484 7345 5002
 4559 675.17 AVERA ST BENEDICT PR.CHM.HWY 50.00 PLATTE BODY SHOP 2013 DODGE PICKUP 4,552.80
 BOMGAARS SUPPLY INC 003-008-1 33.32 BUTLER MACHINERY COMPANY C15163 1,373.80 C15163
 435.20 CHARLES MIX ELECTRIC 860501 167.44 COMMERCIAL STATE BANK 0471 525.24 C&B
 OPERATIONS LLC 1214 65.99 1214 91.83 MIDWEST AG CENTER 304725,304598 31.95 304725,304598
 17.28 NORTHWESTERN ENERGY 4104669-9 24.66 3671726-2 63.57 PLATTE LUMBER SUPPLY 130253 #79
 35.91 RON'S AUTO GLASS REPAIR GLASS FOR #128 & 124 CAT'S 800.00 GLASS FOR #128 & 124 CAT'S
 800.00 TRANSOURCE #81-41P36598 494.69 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 23,338.29_
 TOTAL: 287,593.79 COMMUNICATIONS CENTER 911 SERVICE FUND **PAYROLL EXPENSES 8/11/2023 -
 8/11/2023 9,506.19_ TOTAL: 9,506.19 EMERGENCY DISASTER EMERGENCY & DISAST MICHAEL KOTAB
 RUNNING BOARDS 625.05 BATTERY FOR RANGER 112.77 IPAWS INFO 52.08 CHARLES MIX ELECTRIC
 860501 48.83 JAIL 24/7 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 981.68_ TOTAL: 1,820.41
 **PAYROLL EXPENSES 8/11/2023 - 8/11/2023 2,426.21_ TOTAL: 2,426.21 NON-DEPARTMENTAL STATE
 MOTOR HILL, MATTHEW MV REFUND 110.00_ TOTAL: 110.00 LAW LIBRARY LAW LIBRARY THOMSON
 REUTERS - WEST 1000197136 4,728.00_ TOTAL: 4,728.00 ===== FUND TOTALS
 ===== 101 GENERAL FUND 428,573.21 201 COUNTY ROAD & BRIDGE 287,593.79 207 911
 SERVICE FUND 9,506.19 226 EMERGENCY & DISASTER 3,264.94 248 24/7 981.68 742 STATE MOTOR
 110.00 766 LAW LIBRARY 4,728.00 ----- GRAND TOTAL: 734,757.81