

**COMMISSIONERS PROCEEDINGS**

**JULY 20, 2021**

Sanborn County Commissioners met in regular session on Tuesday, July 20, at 9:00 a.m. with Chairman Jeff Ebersdorfer presiding. Present was Steve Larson, Paul Larson and Gary Blindauer. Auditor Kami Moody was also present. Motion by P. Larson, seconded by Blindauer, to approve the minutes as presented. All ayes, motion carried.

**CITIZENS INPUT**

Kylie Schlinker was present to observe for Boys Scouts.

Irvin King was present to express his concerns about the potential building of a Hog Confinement.

**HIGHWAY**

Stacy Mendenhall, Highway Superintendent, and Sheri Kogel, Highway Administrative Assistant, met with the board.

Motion by Blindauer, second by P. Larson, to enter executive session at 9:07am for personnel matters. All ayes, motion carried. Exited executive session at 9:19am.

Motion by Blindauer, second by S. Larson to hire the biologist to guide the county with the 404 Permit guidelines for bridge #56-040-027, on 398<sup>th</sup> Ave. All ayes, motion carried.

Motion by S. Larson, second by Blindauer to enter into agreement of amendment #1 with the SD Department of Transportation, regarding the 2019 Highway Infrastructure Program Fund Allocation that were dispersed to be used to perform maintenance, rehabilitate, or replace structures in poor condition. All ayes, motion carried.

AMENDMENT NUMBER 1

AGREEMENT NUMBER 716840

BACKGROUND:

1. On 07/19/2019, the State of South Dakota, acting by and through its Department of Transportation, referred to in this Amendment as the "STATE," and Sanborn County, referred to in this Amendment as the COUNTY, entered into a Funding Agreement, which is referred to in this Amendment as "AGREEMENT," and which was signed by representatives of each party and assigned agreement number 716840 by the STATE.

2. Since the execution of the AGREEMENT, other bridges in addition to those listed in Exhibit A to the AGREEMENT have been classified in poor condition. The parties wish to amend the AGREEMENT to allow these additional bridges to qualify for funding.

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The AGREEMENT is amended to authorize expenditures for replacement or rehabilitation of bridges that do not appear on Exhibit A to the AGREEMENT, provided that the STATE'S Office of Administration has confirmed to the COUNTY, in writing, that the subject bridges are classified in poor condition.

2. Paragraphs 4. and 5. of the AGREEMENT are amended to read as follows:

1. The COUNTY will submit project estimates for the bridges to be funded under this Agreement and file an annual report with the STATE on the progress of the bridge work and expenditures. The COUNTY will send annual reports by January 31st of each year to the Bridge Inspection Engineer, South Dakota Department of Transportation, Office of Administration, 700 East Broadway Avenue, Pierre, South Dakota 57501. The COUNTY will send the annual reports until all projects funded under this AGREEMENT have been completed and fully reported to the STATE.

2. If any funding transferred to the COUNTY under this Agreement is not expended by the COUNTY by December 31, 2025, the COUNTY will return the unused funding to the STATE by February 28, 2026. The annual report due on January 31, 2026, shall identify any unexpended funds.
3. Except as specifically modified by this Amendment, all terms and conditions of the AGREEMENT will remain in full force and effect.
4. The COUNTY has designated its County Commission Chairperson as the COUNTY'S authorized representative and has empowered the Chairperson with the authority to sign this Amendment on behalf of the COUNTY. A copy of the COUNTY'S Commission minutes or resolution authorizing the execution of this Amendment by the Chairperson as the COUNTY'S authorized representative is attached to this Amendment as Exhibit 1. This Amendment is binding upon the signatories not as individuals, but solely in their capacities as officials of their respective organizations and acknowledges proper action of the STATE and the COUNTY to enter into the same.

/s/ Jeff Ebersdorfer, County Commission Chairperson

SEAL

/s/ Kami Moody, County Auditor

### **LIFEQUEST**

Brian Loken, from Lifequest, met with the board to present the request for support, of \$8000, in the year 2022. Motion by S. Larson, second by Blindauer to support the requested amount for Lifequest.

### **DIRECTOR OF EQUALIZATION**

Penny Farris was present to propose an amendment to resolution #20-09. Motion by S. Larson, second by Blindauer to accept the amended resolution. All ayes, motion carried.

Sanborn County Resolution No. 20-09

### **RESOLUTION ADOPTING DISCRETIONARY FORMULA FOR NEW RESIDENTIAL CONSTRUCTION IN RE-DEVELOPMENT NEIGHBORHOOD**

WHEREAS the Board of County Commissioners has, by Ordinance, designated all of Sanborn County as a re-development neighborhood pursuant to SDCL 10-6-56; and

WHEREAS the Board of County Commissioners has the authority pursuant to SDCL 10-6-35.2 (7), after notice to the municipalities of the county, to adopt a formula for reduced taxable value for residential structures constructed in redevelopment neighborhood; and

WHEREAS notice has been given to the municipalities of Woonsocket, Artesian, and Letcher that the County intends to adopt such a formula:

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Sanborn County as follows:

1. That the property specially classified pursuant to SDCL 10-6-35.2 (7) shall be valued for tax purposes as follows:
  - a. For the first tax year following commencement of construction, 20% of the assessed value shall be used for tax purposes;
  - b. For the second year following commencement of construction, 40% of the assessed value shall be used for tax purposes;
  - c. For the third year following commencement of construction, 60% of the assessed value shall be used for tax purposes;
  - d. For the fourth year following commencement of construction, 80% of the assessed value shall be used for tax purposes;
  - e. For the fifth year following commencement of construction, 100% of the assessed value shall be used for tax purposes;
2. That this resolution should apply to structures that are partially constructed as of November 1, 2020, and to structures on which construction is commenced on or after November 1, 2020.

/s/Jeff Ebersdorfer, Chairman of Sanborn County Commission

Penny Farris proposed a second amendment to resolution #20-10. Motion by P Larson, second by S. Larson to accept the amended resolution. All ayes, motion carried.

Sanborn County Resolution No. 20-10  
Discretionary Formula SDCL 10-6-35.2

WHEREAS, the County of Sanborn, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-35.2. NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-35.2:

- Any new industrial or commercial structure, or any addition, renovation, or reconstruction to an existing structure, located within a designated urban renewal area as defined in SDCL § 11-8-4, if the new structure, addition, renovation, or reconstruction has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(1));
- Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(2));
- Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-35.2(3));
- Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(5)); or
- Any commercial, industrial, or nonresidential agricultural property which increases more than ten thousand dollars in full and true value as a result of reconstruction or renovation of the structure (SDCL § 10-6-35.2(8)); and be it

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and be it  
FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- For the first tax year following construction, 20% of the Pre-Adjustment Value;
- a. For the second tax year the following construction, 40% of the Pre-Adjustment Value;
- b. For the third tax year following construction, 60% of the Pre-Adjustment Value;
- c. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
- d. For the fifth tax year following construction, 100% of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above-described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it  
FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FUTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

/s/Jeff Ebersdorfer, Chairman of Sanborn County Commission

**JAMES RIVER WATER**

Dave Bartel from James River Water District was present to discuss a grant that the Drainage Board applied for. Dave will be back on Tuesday, August 3<sup>rd</sup> to discuss pursuing further plans with the Commissioners, Sanborn County Drainage Board, and Sanborn County Conservation District members.

**LIENS**

Motion by P. Larson, second by Blindauer to pay the proposed bill, that was presented by States Attorney Jeff Larson, to Avera, regarding multiple county residents. County liens will be placed on these residents. All ayes, motion carried.

**REPORTS & BILLS**

Motion by Blindauer, seconded by P. Larson, to pay the following bills. All ayes, motion carried.

SDACO	Monthly Remittance	\$	120.00
State Treasurer	Monthly Remittance	\$	58,517.58
Towns & Townships	Monthly Remittance	\$	71,814.14
FNBO	Monthly Fee	\$	27.56
FNBO	State Remittance	\$	2,407.57
A -OX Welding	Supplies	\$	21.14
Alvine/Weidenaar LLP	Attorney Fees - L. Knight	\$	723.40
Amazon	Supplies	\$	31.52
AT&T	Phone Bill	\$	53.50
Avera Queen of Peace	Employee Drug Screen	\$	114.00
Beadle County Sheriff	Jail Fees	\$	3,120.00
Blue, Wheeler & Banks	Attorney Fees - J. Nagel	\$	913.43
Brooks Oil	Supplies	\$	17,065.70
Butler	Supplies	\$	360.00
C&R Supply	Repairs & Supplies	\$	10,361.52
Center for Education	Dues	\$	159.00
Central Electric	Utilities	\$	321.17
City of Woonsocket	Utilities	\$	82.24
Commtech Inc	Phone Repair	\$	560.00
D & L Tire Service	Repairs	\$	125.00

State of SD	Blood Test	\$	40.00
Dakota Pro Air	Chemical	\$	2,158.40
Duane's Carpet Outlet	Window Blinds	\$	750.00
Express 2	Fuel	\$	157.14
Express Stop	Fuel	\$	19.44
Fastenal	Supplies	\$	220.53
Golden West	Supplies	\$	367.25
Hillyard	Supplies	\$	399.42
Elaine Hilton	Blood Draw	\$	80.00
Howie Electric	Repairs	\$	142.16
HSM Ammunition	Supplies	\$	572.10
Humane Restraint	Supplies	\$	136.50
Jamie Miller	Mileage	\$	16.80
KO's	Repairs	\$	61.75
Alan Larson	Supplies	\$	9.57
Lyle Signs	Signs	\$	297.29
McLeod's	Supplies	\$	89.58
Northwestern Energy	Electricity	\$	1,443.46
Office Peeps	Supplies	\$	1,436.28
Physicians Claims	Ambulance Service Fee	\$	466.10
Quadient Leasing	Postage Machine	\$	616.74
Runnings	Supplies	\$	160.84
Mike Salathe	Supplies	\$	22.80
Santel	Phone Bill	\$	1,255.61
SD Unemployment	Unemployment Ins	\$	321.00
TC Enterprise	Repairs	\$	1,384.90
Tech Solutions	Tech Support	\$	3,190.67
Naomi Terkildsen	Mileage	\$	28.56
Thomson Reuters	Law Books	\$	858.00
TranSource Truck	Supplies	\$	131.95
Waste Management	Utilities	\$	192.00
Wony Foods	Supplies	\$	9.99
Xcel Energy	Utilities	\$	56.40

Jury Members

Jury Duty & Mileage

\$

1048.08

There being no further business before the board, motion by S. Larson, seconded by Blindauer, to adjourn the meeting. Motion carried. The next scheduled meeting will be held on Tuesday August 3, 2021.

Kami Moody

Jeff Ebersdorfer

Sanborn County Auditor

Chairman of the Board, Sanborn County