

The Roberts County Commissioners met at 9:00 am in regular session with Dennis Jensen, Faye Johnston, Tim Zempel, Tom Vergeldt and Don Carlson present. Chairman Jensen presiding. Jason Deutsch-Sisseton Courier livestream.

The Pledge of Allegiance was recited.

Motion by Johnston, seconded by Carlson to approve the agenda as presented and the August 23, 2022 minutes. All voted aye, motion carried.

PUBLIC COMMENT

Chairman Jensen mentioned the donated cabinet from Woodland Cabinetry has been hung up to house the donated Courthouse memorabilia from retired Chief Justice Gilbertson.

EMEERGENCY MANAGEMENT

Jim Pearson and Sheriff Appel met with the Commissioners and discussed the Homeland Security Grant. Pearson has a quote for 8 Kenwood Viking radios for \$23,206.40 which would be distributed to the sheriff dept, Emergency Mgmt and command center (LEPC Trailer). The 8 radios would be purchased thru the grant program. There is also a chance of receiving 4 more radios to be used throughout the county which would not be covered by grant money. Sheriff Appel explained how and why these additional radios are needed for area schools and Highway Dept.

Motion by Zempel, seconded by Johnston to authorize payment of \$23,206.00 for 8 Kenwood Viking radios thru Homeland Security Grant. All voted aye, motion carried.

SHERIFF

Tyler Appel-Sheriff met with the Commissioners and submitted prisoner count of 67. Appel also updated the Commissioners on the K-9 unit. Deputy Angerhofer will be leaving for training in September.

Appel also asked to declare the dishwasher and clothes dryer for the jail as surplus. Motion by Zempel, seconded by Vergeldt to declare the dishwasher and clothes dryer as surplus equipment. All voted aye, motion carried.

PUBLIC HEARING

Danny Smiens -Attorney at Law for BDM Rural Water System met with the Commissioners and Pat Stickland-Highway Dept. via phone to discuss the application for BDM Rural Water system Inc. for franchise. There was no opposition from the public for the hearing. Stickland had no issues involving county right of ways with adopting the resolution

RESOLUTION

Motion by Zempel, seconded by Vergeldt to adopt the following resolution. All vote aye, motion carried.

Resolution No. 2022-41

Resolution No. 2022-41, granting BDM Water Systems, Inc., a county-wide authorization for the purpose of the continued placement, repair, and maintenance of pipeline and related appurtenances and the construction and maintenance of new pipeline and related appurtenances for the Roberts County portion of the BDM Rural Water System, Inc., water system.

BDM Rural Water System, Inc. applied to the Roberts County Board of the County Commissioners for authorization to construct, repair, and maintain its water system on, over, across, or under public highways and rights-of-way for the purpose of providing rural water service in Roberts County, South Dakota. Notice was duly given by mail of the application of BDM Rural Water System Inc. to all persons, firms, or corporations owning or operating electric, telephone, or telegraph lines within Roberts County, South Dakota, in compliance with SDCL 31-26-13. All comments received were considered by the Roberts County Commissioners. This resolution was adopted according to SDCL Ch. 31-26, and in particular SDCL 31-26-24 and 31-26-25 by the Roberts County Board of County Commissioners at a regular meeting, which was held in the Commissioner's Room in the Courthouse in the Courthouse in the City of Sisseton, Roberts County, South Dakota, on the 30th day of August, 2022. All Commissioners were present. After discussion, the following resolution was numbered 2022 and upon motion duly made, seconded, and carried was unanimously adopted:

BE IT RESOLVED that BDM Rural Water System, Inc., a South Dakota Non-profit Corporation, will be allowed and permitted to run an underground pipeline for transmitting water or all purposes for which said corporation was formed along any and all public rights-of-way, including pipelines, appurtenances, all rights-of-wat between all sections in Roberts County, South Dakota, so long as said transmission and

distribution pipe is buried, so as not to interfere with the building of any roads or causing and liability to the County.

BE IT FURTHER RESOLVED that BDM Rural Water System, Inc. will bear the expenses or costs associated in the construction and operating of the water system.

BE IT FURTHER RESOLVED that when a pipeline is installed in the public right-of-way must be restored to as near its original condition as is practical with normal construction methods.

BE IT FURTHER RESOLVED that the installation of such pipeline and appurtenances in the public right-of-way will conform to plans and specifications to be submitted to the County, prior to construction, for review and comment, and must include the following conditions:

1. Notice Prior to Starting Work: Before starting construction work, the County Highway Superintendent or other designated employee of the County will be notified at least 48 hours in advance of the time work is to begin.
2. Minimum Interference with Traffic: All work will be planned and carried out so as to minimize inconvenience to the traveling public.
3. Storage of Material: No material may be stored within eight feet from the edge of pavement or traveled way or within the shoulder line unless otherwise approved by the County Highway Superintendent.
4. Clean Up Right-of-Way: Upon completion of work, litter will be removed from the right-of-way, and it will be left in a presentable a condition as before work started,
5. Care of Drainage: If the contemplated work interferes with established drainage, provisions will be incorporated in the project during construction to maintain normal drainage.
6. Location Plans: Upon completion of the work, a copy of the "as built" drawings will be furnished to the County for their records and use.
7. Maintenance: The pipelines and appurtenances placed in the County right-of-way will be maintained and reasonable care exercised in inspecting and repairing any portion of the right-of-way and pay all expenses or costs to the County which occurs as a result of the operation and maintenance of the pipelines and appurtenances.
8. Paved and FAS(Future Paved) Roadways: Pipelines installed perpendicular to asphalt or concrete paved roadways will be installed by boring or jacking methods or by an open cut. Pipelines installed longitudinally in a right-of-way will be by and open cut. Minimum of one-half of paved surfacing will be left clear and open to traffic at all times. All lanes will remain clear and open during the hours of darkness.
9. Graveled and Other Roadways: Pipelines installed transversely or longitudinally in a graveled or other road right-of-way will be by an open cut method. Roadways may be closed during construction of crossing, provided a detour signing in maintained. All lanes will remain clear and open during the hours of darkness.
10. Depth of Pipelines: Pipelines will be placed in a depth of cover consistent with design standards for water pipelines for the area. Where additional pipeline cover is necessary to accommodate future roadways, vertical and horizontal roadway designed clearances, the County will be advised BDM Rural water System, Inc. at the time of the County review of the need for change in pipeline cover.

Adopted this 30 day of August, 2022.

ATTEST: Kristi Fritz- Auditor

Dennis Jensen-Chairman

EXECUIVE SESSION

Motion by Carlson, seconded by Johnston to convene into Executive Session at 11:05 to discuss personnel pursuant to SDCL 1-25-2(1). Motion carried. Jensen declared meeting back into regular session at 12:15.

CLAIMS

Motion by Zempel, seconded by Vergeldt to pay the following claims-motion carried:
COMMISSIONER - Other/SD Retirement 45.00, Total 45.00; AUDITOR - Supplies & Maint/Cardmember Serv 53.46, Ultra 374.00, Executive Mgmt Finance 42.50, Total 469.96; TREASURER - Supplies & Mat/Cardmember Serv 644.35, Ultra 514.00, Total 1158.35 COURT APP
ATTY - Prof Services/Delaney Nielsen & Sannes 811.80, Mitch Vilhauer 401.38, Total 1213.18; GOV BLDG - Furn & Minor Equip/Rinas Electric 39665.85, Total 39665.85; DIR OF
EQUAL - Supplies & Mat/Marshall & Swift 1609.90, Ultra 679.00, Other/SD Retirement Sys

9934.92, Total 12223.82; REG OF DEEDS - Supplies & Mat/Jay Tasa 10.64, Total 10.64; VETERAN SERV - Travel & Conf/Ramkota Motel 144.00, Supplies & Mat/Ultra 5.00, Total 149.00; SHERIFF - Supplies & Mat/Amazon 153.25, Cal's Repair 1721.06, Cardmember Serv 923.33, Poms Tire Serv 635.70, Sisseton Automotive 88.34, Repairs & Maint/The Shop 279.56, Total 3801.24; JAIL-Care of Prisoner/Amazon 1517.46, Bob Barker 473.00, Cardmember 1342.50, Eagle Engraving 90.95, Grant-Roberts Ambulance 2072.00, Mid American Research Chemical 967.55, National Test Sys 452.04, Summit Food 8853.49, Ultra 1955.00, Utilities/Dakota Waste 195.50, Total 17919.49; MENTALLY ILL - Services/Lincoln Co Treasurer 191.90, Total 191.90; 4H BLDG-Utilities/Otter Tail Power 486.74, Total 486.74; HWY & BRIDGE-Health Ins reimbursement 4651.32, Total 4651.32, EMERGENCY MGMT-LEPC Expense/Summit Fire Dept 117.13, Total 117.13; LANDFILL-Professional Fees/Geotek Eng 1270.00, Utilities/BDM Rural Water 41.00, Repairs & Maint/John a Tennis 272.00, Supplies/Valley Office Prod 95.40, Total 1678.40, JUDICIAL - Grand Jury Fee/Scott Anderson 86.96, Katlyn Chaloupka 69.32, David Hamman 72.68, Wayne Jarman 75.20, Ladonna Kriz 65.12, Weston Levenson 59.24, Brittany Pedersen 77.72, Kallani Quinn 50.84, Colin Tritz 73.52, Total 630.60. TOTAL 84412.62

ADJOURN

Motion by Carlson, seconded by Vergeldt to adjourn until Tuesday, September 6, 2022. Motion carried. Adjourned at 12:15.