

The Roberts County Commissioners met at 9:00 am in regular session with Tom Vergeldt, Don Carlson, Faye Johnston, Tim Zempel and Kristi Fritz present. Jason Deutsch-Sisseton Courier livestream. Chairman Vergeldt presiding. Vergeldt called the meeting to order and led the pledge of allegiance.

MINUTES/AGENDA

Motion by Johnston, seconded by Zempel to approve the agenda and minutes the December 12, 2023 minutes as amended. All voted aye, motion carried.

PUBLIC COMMENT

There was no public comment.

KRAIG ARCHER

Kraig Archer met with the Commissioners and discussed a proposal for a court security grant to upgrade/add cameras to the courthouse. If approved the grant would reimburse 75% of the cost. No decision at this time.

STATES ATTORNEY

Dylan Kirchmeier-States Attorney gave an update on the 2023 case load for his office.

SHERIFF

Tyler Appel-Sheriff presented a prisoner count of 73. Appel also discussed prisoner care billings and current daily rates for housing prisoners for other entities. Appel has looked into purchasing versus renting a 6 yard dumpster for garbage disposal at the jail.

Appel also discussed hiring a part time deputy and another full-time school resource/patrol deputy. The sheriff department has been awarded another \$125,000 grant to be used over the next 3 years for a resource officer. No decisions made today.

HIGHWAY

Stickland discussed the two applications for bridge improvement grant (BIG) funds he'd received from the SD DOT. Motion by Zempel, seconded by Carlson to authorize Chairman Vergeldt to sign agreements for Bridge 55-140-37 and 55-181-170 with the SD Dept of Transportation. All voted aye, motion carried.

Stickland also gave an update on other bridge work and the highway dept had received \$253,453 from FEMA due to repair work after the spring flooding in March of 2023.

Holiday hours at the Highway Dept are as follows per the Union contract: With Christmas and New Years Eve being on a Sunday they will work a half a day on Thursday, Dec. 21 and 28th. Closed on Monday, Dec. 25th and Jan. 1st.

LANDFILL

Jamie Dahl-Landfill Mgr. met with the Commissioners and discussed the compactor repair work. The landfill will be closed on Monday, Dec. 25th and Jan. 1st.

RIGHT OF WAY VACATE HEARING

Kim Schroeder-Zoning Adm. and Nick Heinecke-Director of Eq presented the right of way application request from Wayne & Cathleen Janitschke for vacation of a public right of way in Oak Bay Subdivision. The Janitschkes teleconferenced in via telephone. No one else appeared. Schoeder had received phone call from a neighbor earlier regarding an easement they believed to existed. Schroeder and Jay Tasa- Roberts County Register of Deeds was unable to verify an easement existed regarding the public right of way.

RESOLUTION 2023-39

RESOLUTION 2023-39

A RESOLUTION TO APPROVE THE VACATION OF A PUBLIC RIGHT-OF-WAY

WHEREAS, a Petition for the Vacation of Right-of-Way has been presented to the Roberts County Board of Commissioners. Said right of way petitioned for vacation is described as:

The portion of Oak Bay Drive lying adjacent to E2 of Lot 30 and the E2 of Lot 32, Oak Bay Subdivision in the W2SW4 and Gov't Lot 1 & 2 in Sec 8-122-47 Lockwood Twp.

WHEREAS, Wayne B & Cathleen Janitschke have signed the Petition for Vacation of Right-of-Way indicating that they have reviewed the Petition and consent to the vacation of the right-of-way described in the Petition.

WHEREAS, Petitioners agree to dedicate an easement for the purpose of providing ingress/egress for maintenance of any public utilities which may occupy the existing right-of-way at the time of this action.

WHEREAS, pursuant to public notice, hearing was held before the Board of County Commissioners on December 19 at 10:30 a.m., at which time the Petition for vacation was submitted for examination and no protest having been made, motion was made and seconded that the following Resolution be adopted:

BE IT RESOLVED that the unnamed right-of-way described above shall be and is hereby vacated, and the County Auditor is hereby authorized and directed to certify this Resolution as a matter of record.

Dated at Sisseton, South Dakota this 19th day of December, 2023.

The above and foregoing Resolution was moved for adoption by Commissioner Zempel, seconded by Commissioner Carlson, and all voted aye; thereupon the Chairman declared the same to be duly passed and adopted.

Tom Vergeldt, Chairperson

Attest: Kristi Fritz, Auditor

AUTOMATIC BUDGET SUPPLEMENT

Motion by Carlson, seconded by Johnston to do an automatic supplement to the Court Appointed Attorney 101-153-422 and the means of finance 101-0-341.42 for \$34,534.74 due to unanticipated revenue. All voted aye, motion carried.

Motion by Carlson, seconded by Johnston to do an automatic supplement to the Jail expenditure budget 101-212-426 and the means of finance (101-0-342.32 12,431.76; 101-0-342.35 6,860.00; 101-0-342.36 38,959.50; 101-342.38 212,930.00) for \$271,181.26 due to unanticipated revenue. All voted aye, motion carried.

PLATS/RESOLUTIONS

Motion by Zempel, seconded by Johnston to approve the following resolutions previously approved by Planning and Zoning-All voted aye, motion carried:

RESOLUTION 2023-40

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular session that the plat of Casey 2nd Addition in Govt. Lot 2, Section 12, T123N, R49W of the 5th P.M. Roberts County, South Dakota be approved this 19th day of December, 2023 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Kristi Fritz-Roberts County Auditor

Tom Vergeldt-Commissioner Chairman

RESOLUTION 2023-41

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular session that the plat of Lot 12A and Lot 19A of Tract 1, Govt Lot 3 of Section 1, T122N, R48W of the 5th P.M., Wildwood Beach, Big Stone Lake Survey and Subd, Roberts County, South Dakota in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Kristi Fritz-Roberts County Auditor

Tom Vergeldt-Commissioner Chairman

RESOLUTION 2023-42

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular session that the plat of S & A Farms Addition located in the SE1/4NE1/4 of Section 4, T127N, R49W of the 5th P.M. Roberts County, South Dakota be approved this 19th day of December, 2023 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Kristi Fritz-Roberts County Auditor

Tom Vergeldt-Commissioner Chairman

RESOLUTION 2023-43

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular session that the plat of J Porter Addition in the NE1/4 of Section 21, T122N, R49W of the 5th P.M. Roberts County, South Dakota be approved this 19th day of December, 2023 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Kristi Fritz-Roberts County Auditor

Tom Vergeldt-Commissioner Chairman

RESOLUTION 2023-44

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular session that the plat Tracts 1-5 within the private road in the plat of blocks 1 & 2 and Lots 6, 7, 8 in Lot B in Govt Lot 1 in the SE1/4 of SE1/4, Section 2-T122N, R48W of the 5th P.M. Roberts County, South Dakota be approved this 19th day of December, 2023 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.

Kristi Fritz-Roberts County Auditor

Tom Vergeldt-Commissioner Chairman

RESOLUTION 2023-45

Be it resolved by the Board of County Commissioners of Roberts County, South Dakota, in regular session that the plat of Lot 1, Lot 2 & Lot 3 of Brandenburger's

Subdivision of the SE1/4SW1/4 and SW1/SE1/4 of Section 27, T129N, §49W of the 5th P.M., Lake Traverse Lands, Roberts County, South Dakota be approved this 19th day of December, 2023 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.
Kristi Fritz-Roberts County Auditor Tom Vergeldt-Commissioner Chairman

EXECUTIVE SESSION

Motion by Johnston, seconded by Zempel to convene into executive session at 11:02 am discuss personnel pursuant to SDCL 1-25-2(1). Chairman Vergeldt declared the meeting out of personnel and into litigation pursuant to SDCL 1-25-2(3) at 12:39 pm. Chairman Vergeldt declared back into regular session at 12:45 pm.

CLAIMS

Motion by Zempel, seconded by Carlson to pay the following claims: JUDICIAL-Supplies & Mat/Certified Languages 57.75, Jury/Brayden Bernard 51.02, Roberta Bohlen 101.00, Brandon Gieser 65.30, Karla Karst 62.24, Sylvia Martenson 80.60, Patricia Schubert 51.02, Katie Smith 75.50, Kathleen Storm 101.00, Wanda Varns 51.02, Total 696.45; AUDITOR-Repairs & Maint/Executive Mgmt 52.75, Ultra 381.67, Total 434.42; TREASURER-Repairs & Maint/Ultra 381.66, Total 381.66; STATES ATTY-Prof Serv/Bridgeway Counseling 5000.00, Total 5000.00; COURT APP ATTY-Prof Services/Delaney Nielsen & Sannes 262.35, Doody Law 1572.90, Total 1835.25; DIR OF EQUAL-Repair & Maint/Ultra 381.67, Total 381.67; SHERIFF-Supplies & Mat/CHS 2652.50, National Test System 296.74, Repairs & Maint/Mary Gruetner 141.86, Pomps Tire 720.00, Sisseton Automotive 64.91, Total 3876.01; JAIL-Utilities/CHS 2136.08, Care of Prisoner/CDP 2696.10, Dept of Health 400.00, Carissa Oien 72.00, Pennington Co Jail 669.69, Summit Foods 3949.20, Repairs & Maint/Doug Hamm Plumbing 107.10, Total 10030.17 MENTALLY ILL-Services/CDP 931.07, Total 931.07; WEED-Utilities/Otter Tail Power 26.34, Total 26.34: PAYROLL/Commissioner 1991.53, Auditor 4576.13, Treasure 5714.14, States Atty 8204.87, Gov Bldg 1871.43, Dir Equal 8035.70, Reg of Deeds 3719.10, Veteran Serv 2055.93, Sheriff 17644.33, Jail 32157.78, Dispatchers 12128.82, Juv Det 4622.68, Nurse 1464.90, WIC 1733.04, Extension 1740.17, Weed 45.62, Planning & Zoning 1853.92, Road & Bridge 33156.66, 911 Tele 5200.36, Emergency Mgmt 321.35, 24/7 2799.94, Landfill 12817.75, Total 163856.15. TOTAL 187449.19. New Hires: Marlon Bautista/Jail/20.00, Randy Paquibot/Jail/20.00, Daniel Albright/Dispatch/17.01

ADJOURN

Motion by Johnston, seconded by Zempel to adjourn until Tuesday, December 26, 2023. All voted aye. Motion carried. Adjourned at 12:45 pm.