REGULAR MEETING OF BRULE COUNTY COMMISSIONERS

FEBRUARY 6, 2025

# The Board of Brule County Commissioners met in regular session at 9:00 a.m. at the Brule County Courthouse. Members present: DeBoer, Dozark, Swanson, Leiferman and Mairose. Also present: Deputy States Attorney Steve Meyer and Janet Petrak, Central Dakota Times.

## **APPROVE MINUTES**

 Commissioner Swanson moved and Commissioner Mairose seconded to approve the minutes of 1-16-2025 minutes. All members voted aye. Motion carried.

**FEMA REIMBURSEMENT**

 Auditor Petrak advised that the County had received money from FEMA for the flooding event that occurred in June, 2024. $206,816.23 was received and will be used to help defray the costs of the damage on 370th Avenue (culverts washed out) and other areas damaged within the County.

**DIRECTOR OF EQUALIZATION**

             Kim Kontz, the Director of Equalization gave a brief overview of how the taxation process works.  The Director of Equalization values the property based on the dimension of the structure and the value of the land.  State laws dictate the percentage for the full and true value, and then the assessed value get equalized down to that factor and rolled over to the Auditor’s Office for the tax levy to be based upon.  The levies in Brule County are froze at the equivalent of the Consumer Price Index (CPI factor) plus growth.   If valuations increase the levy will go down to equalize the tax base for all individuals.

The increase in Assessments for the last year and the upcoming year have been based upon sales (market values increasing) and the manual software update.  Overall Brule County’s tax has increased 4% from 2023 to 2024. Some classes increased substantially, and others decreased.  For instance, in 2023, 65.3% of the taxes that were paid were in the townships versus 64.0% in 2024.   In 2023, 34.7% of the taxes came from the Cities versus 36% in 2024.

**ABATEMENTS**

 Commissioner Swanson moved and Commissioner Leiferman seconded to abate the following parcels within Kimball City that should be tax exempt: 30-180-10-01020 and 30-010-02-1000 and corrected the amount of acres being taxed on a parcel in West Point Township – 27-014-04-0000 – reduced from 69.97 acres to 25 acres. All members voted aye. Motion carried.

**VARIANCES**

 Commissioner Swanson moved and Commissioner Mairose seconded to enter the Board of Adjustment to hear two separate variance requests at 10:00 am and 10:15 am: 1) Jon Deal was granted a 40’ frontage variance and a 20’ back yard variance to erect a new house and deck. After the variance was granted the location of the house was readjusted on the property to erect a garage onto the house which in turn did not meet the setbacks approved. Commissioner Swanson moved and Commissioner Mairose seconded to open the hearing on the Deal variance for discussion. After discussion a roll call vote was taken to grant an additional variance of 5.5’frontage and 4.80’ back yard. Swanson: nay; Leiferman: nay; Dozark: nay; Mairose: nay; DeBoer: nay. The variance was not granted and Deal was given 6 months to rectify the situation.

 2) Todd & Shirley Ashley moved a mobile home into Brule County without receiving a building permit/variance (as the mobile home is too close to the County Road). Attorneys Steve Fox and David Larson were also present for the discussion. Commissioner Swanson moved and Commissioner Dozark seconded to open the hearing on the Ashley variance for discussion. Ashley’s are applying for a 11’ variance frontage to the County Road. Fox explained that the mobile home could not be situated on the property differently due to flooding west of the location of the trailer and a road leading to other outbuildings on the property. Fox also explained that it will be costly to move the mobile home due to no axles or wheels under the mobile home, additional dirt work and moving all the utilities to the mobile home. Board of Adjustment was declared over at 10:45 am to discuss with the Deputy States Attorney regarding the variance. Commissioner Swanson moved and Commissioner Leiferman seconded to enter Board of Adjustment at 10:52 am for a vote on the variance. A roll call vote was taken to grant the variance of 11’. Swanson: nay; Leiferman: aye; Dozark: nay; Mairose: nay; DeBoer: nay.

The motion did not pass and the Ashley’s were give 6 months to rectify the situation. Board of Adjustment declared over at 10:54 am.

**BRULE COUNTY AUDIT**

 Maria Schwader, an Auditor for the Department of Legislative Audit met with the Board to discuss the 2022-2023 audit of Brule County’s financial data. There was only one written comment regarding the unassigned fund balance of the General Fund – exceeded the maximum amount allowed (over 40%) in the amount of $213,000. Brule County Commissioners expressed the following reply: We recognize the error and implemented a plan to alleviate the issue in future budgets.

**JAIL CONTRACTS**

 Commissioner Mairose moved and Commissioner Swanson seconded to approve the following jail contracts with the following Counties to house prisoners with Brule County at $74.00/day: Aurora, Buffalo, Hanson, Hyde, Jerauld, Sanborn and Walworth County. All members voted aye. Motion carried.

**TRAVEL REQUEST**

 Commissioner Swanson moved and Commissioner Mairose seconded to approve a travel request for 4 Jailers to attend a training in Mitchell March 18 & 19, 2025. No cost for the training. All members voted aye. Motion carried.

 Commissioner Swanson moved and Commissioner Leiferman seconded to approve the Highway Superintendent to attend the Highway Short Course in Deadwood, March 18 – 20, 2025. Cost $150.00 registration and two nights motel at $198. All members voted aye. Motion carried.

**WILDFIRE MANAGEMENT RESOLUTION**

 Commissioner Leiferman moved and Commissioner Dozark seconded to adopt the following resolution regarding requesting assistance in suppression of rangeland fires:

**RESOLUTION 2025-2**

A RESOLUTION AUTHORIZING RANGE FIRE REQUEST FOR ASSISTANCE

WHEREAS, state law allows the South Dakota Wildland Fire Coordinator to assist in the suppression of rangeland fires only upon a formal request by a Board of County Commissioners, and

WHEREAS, the South Dakota Wildland Fire Coordinator has requested that a person be officially designated to make such requests, and

WHEREAS, at the time of a fire emergency there is insufficient time to convene the Board to make such requests,

NOW THEREFORE BE IT RESOLVED by the County Commission in and for the County of Brule, State of South Dakota, that any one of the following identified individuals are hereby authorized to request assistance in the suppression of rangeland fires within the County, in and for the County, as specified in SDCL 41-20-8.1, to wit:

1. The then acting **Brule County Sheriff**, now

Darrell Miller

 300 S Courtland, Suite 112 Chamberlain, SD 605-234-4443

2. The then acting **Emergency Manager Director**, now

Katheryn Benton

300 S Courtland, Suite 106 Chamberlain, SD 605-680-0085

1. The then acting **Chamberlain Fire Department Chief**, now

Darby Klein

115 N Courtland St, Chamberlain, SD

605-840-4724

4. The then acting **Kimball Fire Department Chief,** now

Clifford Houser

PO Box 152

Kimball, SD 57355

605-680-9090

5. The then acting **Pukwana Fire Department Chief, now**

Jerry Wingert

622 Main St, Pukwana, SD

605-730-2064

This authority shall continue in force and effect until terminated by a Resolution of the Board.

Duly passed and adopted at a regular meeting of the Commission on the 6th day of February, 2025. Signed at Chamberlain, SD by Chairman Donn DeBoer. Attest: Pamela Petrak, Auditor.

**PERSONNEL**

 Commissioner Swanson moved and Commissioner Mairose seconded to pay Lesley Burfeindt an additional $202.00 so that the annual raise for 2025 matches the elected and appointed officials raise of $1458. All members voted aye. Motion carried.

**SURPLUS PROPERTY**

 Commissioner Dozark moved and Commissioner Mairose seconded to surplus a Swintec 2600 typewriter at no value – no longer works – trashed. All members voted aye. Motion carried.

**PERSONNEL MANUAL**

 The personnel manual was reviewed and a discussion was held on some items that need to be addressed, changed, added, etc. No decision was made at this time, but will be addressed in the future.

**EXECUTIVE SESSION**

 Commissioner Swanson moved and Commissioner Mairose seconded to enter executive session at 10:45 am to discuss legal issues. Executive Session over at 10:51 am.

## **REPORTS & CORRESPONDENCE**

The following reports were received and placed on file in the County Auditor’s office: December Auditor’s Account with the Treasurer, Register of Deeds Statement of Fees, Trial Balance Sheet, Annual Register of Deeds Statement of Fees, DANR, Southeast District Meeting, Dept of Public Safety, Dept of Revenue.

### AUDITOR’S ACCOUNT WITH THE TREASUER

 The Auditor’s Account with the Treasurer showed as of 1-31-2024 a balance of $7,884,726.03 in all state, county, civil, school & trust funds.

### REGISTER OF DEEDS STATEMENT OF FEES

 The Register of Deeds Statement of Fees showed a collection of $11,103.24 for January, 2025.

**APPROVE CLAIMS**

 Commissioner Dozark moved and Commissioner Swanson seconded to approve the following payroll and bills. All members voted aye. Motion carried.

# **GENERAL FUND**

***Salaries:*** Commissioners, 1551.90; Auditor, 3545.21; Treasurer, 4012.41; States Attorney, 6572.81; Assessor, 3299.51; Planning Commission, 366.61; Register of Deeds, 3154.32; Sheriff, 10,088.73; Jail, 12,785.58; Courthouse, 1536.00; Veteran Service, 851.62; Victim Witness Coordinator, 237.82. ***FICA & Medicare:*** First Dakota Bank, 3882.10. ***Retirement:*** SDRS, 2740.52. ***Insurance Reimbursement:*** 4848.11. ***Insurance:*** ABA 5199.27. AT&T Mobility, 40.04; Alvine Law Firm, 2225.50, Axon Enterprise Inc, 2720.15; Black Hills Chemical & Janitorial, 198.57; Bomgaars Supply, 140.96; Bunnell, Doug, 25.36; Central Dakota Times, 491.13; Chamberlain Building Supply, 5.50; Credit Collections Bureau, 18.05; First Dakota Bank, 264.98; Fox Paint & Blinds, 250.00; Hickey Heating, 2408.18; Hopkins Plumbing, Heating and Air, 112.43; Intellipro Security, 227.40; Johnson, Pochop Law Office, 400.70; Lehr Law Office, 1978.30; Lewis Drug, 230.92; Lewis & Clark BHS, 225.00; Mairose & Steele, 4116.14, Maule, Theresa, 67.88; Microfilm Imaging Systems, 409.00; Miller, Darrell, 4122.00; Mitchell Regional 911, 3454.63; National 4H Council, 207.65; Nationwide, 50.00; Northwestern, 3544.77; Office Products Center, 464.39; Papendick, Douglas, 20,207.00; Pennington County Jail, 74.73; Petty Cash, 335.05; Pukwana Town, 151.93; Reliance Telephone, 100.00; Safe N Secure, 605.74; Sanford Health Network, 2814.67; Schaefer, Dean, 24.00; Servall Uniform/Linen, 44.41; SD DOT, 166.94; Steve Smith Law Office, 5580.22; Two Way Solutions, Inc, 329.98; Verizon Wireless, 171.06.

**ROAD & BRIDGE FUND**

***Salaries:*** 13,747.19. ***FICA & Medicare:*** First Dakota Bank, 1012.13. ***Retirement:*** SDRS, 824.85. ***Insurance:*** ABA 2982.97. A & R Truck Equipment, 24.33; Blasius Sanitation, 816.00; Bomgaars Supply, 116.90; C & B Operations, 622.74; Cozine Electric, 102.04; Crossworx Solutions, LLC, 859.05; DMC Wear Parts LLC, 6623.46; JG Welding, 20.30; Northwestern, 761.63; Petty Cash, 26.40; RDO Equipment, 1981.58; Runnings, 89.99; SD DOT,1837.14; Sinkie Auto Repair, 853.48; Titan Machinery, 8709.37.

**EMERGENCY MANAGEMENT FUND**

***Salaries:*** 728.28. ***FICA & Medicare:*** First Dakota Bank, 69.76. ***Retirement:*** SDRS, 43.70. ***Insurance Reimbursement:*** 362.30.

**911 FUND**

Mitchell Regional 911, 23,780.86.

**24/7 SOBRIETY FUND**

***Salaries:*** 2203.58. ***FICA & Medicare:*** First Dakota Bank, 18.35. ***Retirement:*** SDRS, 16.29. ***Insurance Reimbursement:*** 25.40. ***Insurance:*** ABA 8.99.

**REGISTER OF DEEDS MODERNIZATION & PRESERVATION FUND**

Microfilm Imaging Systems, 235.00.

**LEPC FUND**

Two Way Solutions, 435.99.

## **ADJOURNMENT**

 Commissioner Swanson moved and Commissioner Leiferman seconded to adjourn at 12:02 pm with the next meeting being held on 2-20-2025 at 9:00 am. All members voted aye. Motion carried.

ATTEST:

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PAMELA PETRAK DONN DEBOER

BRULE COUNTY AUDITOR BOARD OF BRULE COUNTY COMMISSIONERS