

ZIEBACH COUNTY COMMISSIONERS

JANUARY 3, 2023

The Ziebach County Commissioners met in regular session at 9:00 AM with Shane Farlee, Bill Henderson, David Pesicka, Rick Farlee and Tucker Stocklin present. Vice-Chairman R. Farlee called the meeting to order.

The following monies were on deposit as of the end of December 2022:

Cash on Hand	\$	200.00
Acct. Closed (M.Eaton)		146.00
In Transit		554.27
1 st Financial Bank, Dupree		2,854.00
Money Market, Dupree		1,723,291.54
CD – 12 Month		142,567.10
CD – 18 Month		<u>147,230.61</u>
TOTAL	\$	2,016,843.52

The following fees were reported for the month of December 2022:

Register of Deeds	\$	1,328.00
-------------------	----	----------

OLD BUSINESS: Emergency Help – Comm. Henderson moved to increase the pay to Bruce Keegan (Emergency Patrol Operator) to \$30.00 per hour, seconded by Comm. Pesicka, all voted aye, motion carried.

OATHS OF OFFICE: Newly elected commissioners Rick Farlee, Shane Farlee and Tucker Stocklin signed their Oaths of Office.

REORGANIZATION: The Auditor called for nominations for chairman for 2023. Comm. Pesicka nominated Rick Farlee for Chairman, Comm. Stocklin moved that nominations cease, seconded by Comm. Henderson, all voted aye, motion carried. Rick Farlee will serve as Chairman for 2023. The Auditor called for nominations for Vice-Chairman for 2023. Comm. Pesicka nominated Bill Henderson, seconded by Comm. Stocklin, all voted aye, motion carried. Bill Henderson will serve as Vice-Chairman for 2023.

STATES ATTORNEY APPOINTMENT: Comm. Henderson moved to adopt the following resolution, seconded by Comm. S. Farlee. Roll Call Vote: 5 Votes For, 0 Votes Against.

**RESOLUTION OF THE ZIEBACH COUNTY COMMISSION
LEGAL SERVICES CONTRACT**

WHEREAS, the County Commission of Ziebach County, hereinafter called Commission, having determined no State’s Attorney has been elected at the General Election, the Commission shall contract with Shane C. Penfield to provide legal services to Ziebach County; and

WHEREAS, the County Commission is permitted in SDCL 7-7-12 to contract with a licensed attorney to serve as State's Attorney and provide legal services, and

WHEREAS, the Commission has approved and confirmed the appointment of Shane C. Penfield of Lemmon, South Dakota, as State's Attorney for Ziebach County,

NOW, THEREFORE, BE IT RESOLVED BY THE ZIEBACH COUNTY COMMISSION AS FOLLOWS:

Pursuant to SDCL 7-7-12, Ziebach County hereinafter referred to as County, enters into this Contract made on this 3rd day of January, 2023, between County and Shane C. Penfield of Lemmon, South Dakota, hereinafter referred to as Attorney,

WITNESSETH:

FIRST: The County hereby appoints and employs said Attorney to represent the County's interests as State's Attorney for Ziebach County pursuant to SDCL Chapter 7-16 to: furnish an opinion upon any matter relating to the affairs of the County or the official duties of such officer when requested by the governing body or any officer or official of the County; conduct the prosecution of all actions or proceedings arising out of the violation of any law or ordinance; and perform such other professional services as may be required by law or ordinance or directed by the governing body.

SECOND: Attorney shall with due diligence render necessary legal services for the above stated purpose(s) on behalf of County;

THIRD: County shall pay the necessary disbursements of Attorney in providing said legal services as set by statute.

FOURTH: Attorney shall be considered a part time State's Attorney as set forth in South Dakota law.

FIFTH: Attorney is to receive compensation for services rendered as follows: The annual salary amount of \$44,950 and any increases as deemed by the County Commission and set in January of each year. Said salary shall be W-2 income with federal tax and customary withholdings. State Retirement benefits shall also be included for compensation for services rendered.

This Resolution and Contract shall be deemed effective as of the date of its passage.

ZIEBACH COUNTY

By: Rick Farlee, Commission Chair

ATTEST:

Cindy Longbrake, Auditor

ATTORNEY:

By: Shane C. Penfield, Attorney

Date Passed: 01-03-2023

Votes for: 5 Votes Against: 0

MEETINGS: The Ziebach County Commissioners shall meet the 1st Wednesday of Each Month, unless otherwise noted.

BOARD POSITIONS: Chairman R. Farlee appointed the following board positions:

1. Planning & Zoning Board – Rick Farlee
2. Emergency Management Board – Shane Farlee
3. Nurse's Advisory Board – David Pesicka
4. 4-H Advisory Board – Tucker Stocklin
5. Weed & Pest Board – Bill Henderson

DESIGNATIONS: Comm. Henderson moved to leave the following designations as is, seconded by Comm.

Stocklin, all voted aye, motion carried.

1. The Official Newspaper for Ziebach County will be the West River Eagle.

2. The Official Depository for Ziebach County will be the 1st Financial Bank, Dupree.
3. The Courthouse parking lot, the first floor of the Courthouse and the County Highway Department yards are places to hold chattel mortgage sales.

FUND INVESTMENT: Comm. S. Farlee moved to authorize the County Treasurer to invest all idle funds to gain maximum interest for the benefit of Ziebach County, in accordance with SDCL 4-5-8. Seconded by Comm. Pesicka, all voted aye, motion carried.

MILEAGE & PERDIEM: Comm. Stocklin moved to set mileage and per diem at the current state rates, except that actual costs for lodging will be allowed with board approval; and the mileage charged by the Sheriff for serving papers will be set at 6 cents over current state rates. Seconded by Comm. Henderson, all voted aye, motion carried.

ELECTION FEES: Comm. Henderson moved to set the fee for election officials at \$12.00 per hour for hours worked, current state mileage for delivery of election supplies and results, and a \$30.00 attendance fee for election school. Seconded by Comm. S. Farlee, all voted aye, motion carried.

BURIAL FEES: Comm. Pesicka moved to set the indigent burial fee paid by the County at \$1600 plus mileage not to exceed a maximum of \$2000, seconded by Comm. Henderson, all voted aye, motion carried.

MACHINE HIRE RATES: Comm. S. Farlee moved to set hourly machine hire rates as follows, seconded by Comm. Stocklin, all voted aye, motion carried:

Patrol	\$100.00 per hour	Front-end Loader	\$100.00 per hour
Backhoe	\$70.00 per hour	Skid Steer Loader	\$50.00 per hour

(All to include an operator and a maximum hire of 6 hours, minimum of 1 hour, use depending on availability at the discretion of the Highway Superintendent.)

FUEL QUOTES: The following quotes for diesel and gas were received: Dupree Oil LLC – E-10 Gas, \$2.99; Dyed #1 DSL, \$4.34. Farmers Union Oil Co. – NL Gas, \$3.159; SNL Gas, \$2.929; Dyed #1 DSL, Bid Day of Delivery; Dyed #2 DSL, \$3.67 (winter treated). Comm. Stocklin moved to accept the bid from Dupree Oil LLC for Dyed #1 Diesel and the bids from Farmers Union Oil Co. for Gas, seconded by Comm. Pesicka, all voted aye, motion carried.

DIESEL BIDS: Comm. Henderson moved to call for bids for diesel two days prior to needed delivery, seconded by Comm. S. Farlee, all voted aye, motion carried. This will take effect beginning February 1, 2023.

SALARIES: Discussion was held on wage raises for 2023. As raises were included in the budget for 2023, Comm. Stocklin moved to give a \$.95 per hour raise or the equivalent thereto - \$2225.00 per year; and an additional \$1.00 per hour to the Highway Superintendent, seconded by Comm. Pesicka, all vote aye, motion carried. The fee for Emergency Manager, V.S.O., and Coroner will remain the same. The Commissioners will receive \$520.00 per month. Salaries will be set as follows:

Gary Cudmore, Sheriff	\$52,235 Annually
Michael Deneui, Deputy Sheriff	\$45,305 Annually
Shane Penfield, States Attorney	\$47,175 Annually
Jessica Donovan, Treasurer	\$46,625 Annually
Cindy Longbrake, Auditor	\$46,625 Annually
Nannette Farlee, Register of Deeds	\$46,625 Annually
Misty Williams, Dir. Of Equalization	\$46,625 Annually
Dean Little Hawk, Custodian	\$18.95 per hour
Phoebe Lemke, CHN & WIC Secretary	\$18.95 per hour
Tasha Tibbs, Deputy Treasurer	\$18.95 per hour
Tristen Gage, Deputy AUD/ROD	\$17.95 per hour (probation)
Jeff Jensen, Highway Superintendent	\$22.98 per hour
Casey Gage, Equipment Operator	\$19.98 per hour
Chisum Farlee, Equipment Operator	\$19.98 per hour
Dillon Dupree, Equipment Operator	\$18.98 per hour
Dennis McMurtry, Equipment Operator	\$19.98 per hour
Arthur Clifton, Equipment Operator	\$19.98 per hour
Weed Spraying	\$ 2.50 per hour Additional
Emergency Manager	\$9,600 Annually
Veterans Service Officer	\$4,800 Annually
James Brooks, Coroner	\$75.00 per death
Carla Stambach, Deputy Coroner	\$75.00 per death
Mike Deneui, Deputy Coroner	\$75.00 per death
Rick Farlee, Commissioner	\$520.00 per month
Bill Henderson, Commissioner	\$520.00 per month
David Pesicka, Commissioner	\$520.00 per month plus \$350.00 Insurance Bonus
Shane Farlee, Commissioner	\$520.00 per month
Tucker Stocklin, Commissioner	\$520.00 per month

EQUAL OPPORTUNITY EMPLOYMENT: The Board reviewed and signed the Statement of Equal Opportunity Employment along with the other elected officials.

EOE OFFICER: Gary Cudmore was appointed as the Ziebach County Equal Opportunity Employment Officer.

HWY. DEPT. REPORT: Jeff Jensen, Highway Superintendent presented his written report to the Board. Also discussed was snow plowing and snow blower repair.

SHERIFF REPORT: Gary Cudmore, Sheriff presented his monthly vehicle reports to the Board. He reported that December was a very busy month for the Sheriff's office.

EMERGENCY MANAGER: A discussion was held in regards to Dewey County's invitation to combine the Emergency Manager position in the two counties. This would be a greater cost for Ziebach County and would require a detailed contract. Shane Farlee and Tucker Stocklin will meet with Dewey County to further discuss the option.

CLAIMS: The following claims were audited and ordered paid:

1ST FINANCIAL BANK USA	60,082.06	5TH PAYMENT ON CAT GRADERS
BUTLER INSURANCE AGENCY	53,189.00	2023 INSURANCE
BUTLER MACHINERY CO.	156.19	REPAIRS
CRST TELEPHONE AUTHORITY	863.59	PHONE & INTERNET
DUPREE OIL LLC	4.95	STARTING FLUID
FAITH LUMBER COMPANY	29.58	SUPPLIES
FARMERS UNION OIL CO.	78.12	SUPPLIES
GROUP RESOURCES, INC.	1256.44	DEDUCTIBLE
MOREAU-GRAND ELECTRIC	3148.64	ELECTRICITY
POWERPLAN BF	498.83	FILTERS
SD ASSOC OF CO OFFICIALS	716.15	2023 DUES
SD ASSOC OF CO OFFICIALS	1312.00	2023 SDACC & NACO DUES
SDML WORKER'S COMP. FUND	13,952.00	WORKERS COMP
WAR HAWK EMERGENCY MGT.	4500.00	2023 OPERATING EXPENSE

CHN QUARTERLY REPORT: Mary Harris, Community Health Nurse presented the Quarterly Report for the Community Health Office to the Board.

NEXT MEETING: The Ziebach County Commissioners will meet on Wednesday, February 8, 2023.

ADJOURNMENT: As there was no further business before the Board, Comm. Pesicka moved to adjourn at 11:05 AM, seconded by Comm. Henderson, all voted aye, meeting adjourned.

ATTEST:

Cindy Longbrake, Auditor

Rick Farlee, Chairman

Published once at the total approximate cost of _____.