

February 26, 2019

The Board of County Commissioners met in regular session Tuesday, February 26, 2019 at 9:00 a.m. Members present: Travis Mockler, Phyllis Packard, Leo Powell, Micheal Manning, and Richard Hammond.

Manning moved, seconded by Hammond and carried to approve the agenda with the addition of the IT proposal from Erickson Solutions Group.

Minutes of the February 15, 2019 meeting were approved with a motion by Powell, seconded by Hammond and carried.

Auditor Carri Crum appeared as a Visitor to be Heard to inform the Board that she will be traveling to Pierre February 27th to testify in Senate State Affairs Committee regarding House Bill 1178.

Rachel Gackle met with the Board regarding a Broker of Record Letter and a Professional Services Agreement with Howalt-McDowell for insurance brokerage services. State's Attorney Alexis Tracy said any questions she had regarding the agreement and the letter were resolved prior to the meeting. Manning moved, seconded by Packard and carried to authorize the Chairman to sign the letter and the agreement as presented.

At 9:15 a.m., a public bid opening was held for highway materials. Sealed bids were opened and read aloud. The matter was tabled in order for the Highway Superintendent to look over the bids to ensure they met specifications. Polley will return at the March 5th meeting for bid approval.

At 9:30 a.m., a public bid opening was held for Micro-surfacing. Sealed bids were opened and read aloud. The matter was tabled in order for the engineer, Brad Stangohr with Ulteig, and Polley to review the bids to ensure they met specifications. Polley and Stangohr will return at the March 5th meeting for bid approval.

Shane O'Connor appeared to discuss the bridge removal project granted to Hollaway Construction. O'Connor would like the Board to reconsider the motion and have a public bid opening for the bridge removal. He said he had the low bid in 2012 for two bridge removals and objects to what the County agreed to pay Hollaway for the current projects. Polley said Pollman Excavation had to be called to remove pilings after O'Connor's removal of the bridges, at an added cost. Polley told the Board he will no longer put together bids for Ditch Board because he is tired of people saying he is partial to a specific contractor. He said also the County has Hollaway is already on bid, so he does not legally need to bid the project. O'Connor said he asked to be added to the bidder list, and Polley said he is on the bidder list for excavation. Polley said when Lateral 50 was bid, out of 5 contractors O'Connor and Pollman were the only two to respond. O'Connor asked why he was not afforded the opportunity to bid what Hollaway bid for the highway materials. Polley said the bid was not for excavating. It was for crane work, crane men, and driving pilings, etc. Polley said next year he will give O'Connor a list of what Hollaway bids. Polley said he doesn't recall why the project was bid in 2012, but the project was smaller. The current project involves larger bridges. Powell asked O'Connor if he is a bridge builder because Hollaway also builds bridges. Polley said Hollaway has 2 engineers on staff. Powell said the commissioners have to provide what the County needs, although it would be nice to see the money stay in the county. Polley

said he will include O'Connor next year. Jodi Harnois said he was present as a character reference to O'Connor, and a \$50,000 job can make or break a small business. O'Connor asked what can be done at this point. Mockler said there is nothing at this point because the project is already scheduled. Polley said he will put O'Connor on the list for next year's materials bids as well. Mockler asked what O'Connor would have been able to do for the current materials bids because he was unsure whether O'Connor has a crane. O'Connor said he could hire a crane. Polley said the county is supplying the manpower for the surplus iron and plank because they will be selling it. O'Connor said it is not the county's best interest to use highway personnel for that. Manning said, had Polley known that O'Connor could do crane work, he would have let him know because they would prefer to hire local business. O'Connor said he didn't realize a crane was needed in this application for this year's bridge removals. Hammond suggested that going forward on future like contracts it would be helpful to have an itemized list of tasks and deliverables. Powell said it's a touchy situation with the Vermillion River to make sure the pilings get removed.

Theresa Kocer with Wellmark met with the Board to provide health insurance renewal information. Mockler informed Kocer that the county has signed an agreement with Howalt-McDowell. Kocer presented the 2019 renewal information books to the Board. She reported an overall rate increase of 8.58% if the County stays with the same plan, which will also have changes in benefits due to federal changes. Kocer and Gackle also reviewed other plan comparisons with the Board.

Scot Mannschreck appeared before the Board to request that the tax deed property at 113 Linden be granted a payment plan to pay the delinquent taxes and have his property reconveyed to him. Mockler said the County does not allow payment plans anymore. Tracy said due to statute the County would have to receive the full amount and briefed the Board on the legal timeline for reconveyance. Mockler said he will have a hard time voting to reconvey the property because it sends a bad signal to taxpayers in the County. Manning said he sees both perspectives, but his responsibility is to everyone in the county. Although he wishes the best for Mannschreck, he hopes to not be in this situation again in a few years. Powell said he has a hard time taking property away from someone, but he shares Manning's sentiments. Packard said this is the hardest thing the commissioners have to face, but this is a legal matter. She said the situation is very difficult. Mannschreck asked to be allowed to attempt to come up with the full amount before the next meeting. Hammond said the County has incurred costs to get to this point, and he worries about incurring further costs in the future if the situation happens again. Tracy again reviewed statutes with the Board and said the costs incurred should be conditions for reconveyance, and other conditions are possible. Hammond said the Board needs to know the cost of reconveyance as well. Craig DeVelder was present and encouraged the County to think about the difficulty in selling a property that could have judgements attached to it. He said the only way to get rid of them is a quiet title action, which is complicated. He asked if the County could convey the property to Mannschreck's father instead.

Lauren Hollenbeck met with the Board to present prices for leasing or purchasing a copier from Office Systems Company. She said she recommends purchasing the copier and should have the budget available for it. Packard moved, seconded by Manning and carried to authorize the purchase of the copier and the Chairman's signature on associated documents.

Polley discussed highway matters with the Board. Manning moved, seconded by Powell and carried to declare scrap iron, bridge planks, culverts, and bridge steel surplus and authorize the sale of such items.

Emergency Management Director Layne Stewart presented a Mutual Aid Agreement. Powell moved, seconded by Manning and carried to authorize the Chairman to sign the documents.

Welfare Director Cynthia Aden met with the Board to present Welfare Case #C19-08 for a county burial. Powell moved, seconded by Packard and carried to authorize payment as the individual met welfare guidelines.

Tracy and Polley discussed the culvert issue near the Landeen property. The property has been surveyed. Tracy asked the Board for direction regarding obtaining easements from neighboring property owners and associated appraisal services. It was discussed that Polley should look into an appraisal.

The Board considered a request for an exception to a personnel policy regarding personal leave. The consensus of the Board was to act according to policy and deny the exception.

Gackle discussed health insurance further with the Board. The Board decided that the matter should be placed on the agenda for March 5th. Gackle then presented plan options for Delta Dental. She also discussed the offering of vision insurance and options for the County's life and accidental death policy.

Powell moved, seconded by Manning and carried to authorize the Chairman to sign the proposal from Erickson Solutions Group for IT services for the County.

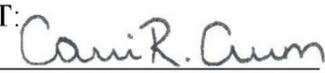
At 12:18 p.m., Powell moved, seconded by Packard and carried to enter an Executive Session for legal matters per SDCL 1-25-2.

At 12:34 p.m., Powell moved, seconded by Packard and carried to exit the Executive Session. No further action was taken.

At 12:35 p.m. Manning moved, seconded by Packard and carried to adjourn and reconvene Tuesday, March 5, 2019 at 9:00 a.m.



Travis Mockler, Chairman
Board of County Commissioners

ATTEST: 

Carri R. Crum, County Auditor
