

April 19, 2011  
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday April 19 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Hanson presiding. Those present were Commissioners Anderson, Hanson, Jaeger, Boone and Pederson. Also present was Auditor Pam Lynde.

**Approval of Agenda** 1) Anderson moved, seconded by Jaeger to approve the agenda as presented. All voted yes and the motion carried.

### **APPOINTMENTS**

#### **9:05 Jamie Hintz Highway Superintendent**

Hintz discussed several highway related issues with the Commissioners. 2) Jaeger moved, seconded by Boone to approve and sign DOT Force Account Agreement for the 2010 Flood beginning May 23, 2010 for Projects ER 6308(09); ER 6308(10); ER 6289(02); ER 6373(02) funding limit of \$59,691.42. All voted yes and the motion carried. Hintz said Norden Township requested that a culvert be upsized on the township road mile north of Brandt and  $\frac{3}{4}$  mile east of Brandt between sections 17 and eight. Hintz said that directly downstream there is a 4x6 box culvert and every year the water flow cuts the road out. Hintz also said that in Rome Township along sections 15 and 22 county road #1 running east and west from Wigdale Lake to School Lake is about the same situation as in Norden Township and suggested that two three foot culverts be put in county road #1 along sections 22 and 15. He said they need to be upsized as water goes north from Wigdale Lake into School Lake.

3) Pederson moved, seconded by Boone to approve Bridge Inspection Work Order for Consultant Services No: B1-12-11 Agreement No. 410491 with Aason Engineering Co. Inc. Watertown, SD Project #BR NBIS(26) with maximum limiting amount of \$5354.77. All voted yes and the motion carried.

Hintz said that dust control will be used again but they are cutting the amount of roads being covered because of the cost. He said they are trying to keep cost of material at \$7,000 to \$8000.

#### **9:30 Sheriff David Solem**

4) Anderson moved, seconded by Boone to approve the jail contract for housing prisoners with Minnehaha County at \$77.26 per day. All voted yes and the motion carried. Solem will get estimates for replacing the carpet in the Sheriff's office.

#### **10:00 Gary Legion**

Ed Nuteson and Leona Stamp on behalf of the Gary American Legion, requested funding for the baseball, softball programs at Gary in the amount of budgeted funding of \$750. He stated they will have about the same amount of kids participating in the baseball/softball programs as previous year. 5) Pederson moved, seconded by Anderson to grant to the Gary Legion \$750 for the youth baseball/softball program. All voted yes and the motion carried.

#### **10:30 Drainage Board**

6) Jaeger moved, seconded by Pederson to adjourn as County Commission and reconvene as Drainage Board. All voted yes and the motion carried.

7) Boone moved, seconded by Pederson to put in one 36" culvert between sections 17 & eight in Norden Twp. along township road. All voted yes and the motion

carried. 8) Jaeger moved, seconded by Anderson to put in two three foot culverts between sections 15 and 22 in Rome Township on county road #1 running east and west between Wigdale and School Lakes. All voted yes and the motion carried.

Engelstad Brothers Farms presented applications for drainage. The first application was to place tile on the S2NE4 32-113-47 with the water flowing north eventually to the creek. Engelstad stated they agreed to place an intake on fence line to run water below ground with six inch tile and through the farmable wetlands they will run solid tile. They had the wetland determination from the NRCS and the approval of the downstream landowner. 9) Anderson moved, seconded by Boone to approve and issue permit #D11-05 on the above described property to Engenstad Brothers Farms. All voted yes and the motion carried.

The second application was to tile the NE4 of 36-113-48 with the water flowing to the north in two places and crossing the township road in two places into section 25. The water will drain into no name creek. They had secured the approval of Scandinavia Township and had secured the wetland determination from the NRCS and had the downstream landowner approval. 10) Anderson moved, seconded by Jaeger to approve and issue drainage permit #D11-06 to the Engelstad Brothers Farms on the above described property. All voted yes and the motion carried.

#### **10:30 Drainage Homan Brothers**

Homan Brothers Partnership presented an application to drain on the SW4 of 2-116-48 in Glenwood Twp with the water flowing to the north to a natural waterway to the NW 4 of section two onto Peterson Estate property. He had the sign off of adjoining landowner and he also rents that portion of the property and the wetland determination from the NRCS. 11) Pederson moved, seconded by Anderson to approve and issue drainage permit #D11-07 to Homan Brothers on the above described property. All voted yes and the motion carried.

Homan also presented an application to drain on behalf of John Homan/Homan Steel Const on the SW1/4 of 32-116-47. He said that all water drains to the west and goes back onto the east to own ground into a damn and then slough; can place solid pipe in FW areas. He had the sign off of the adjoining landowner and the wetland determination from the NRCS. 12) Boone moved, seconded by Jaeger to approve and issue drainage permit #D11-08 to John Homan/Homan Steel Const./Bryan Homan on the above described property. All voted yes and the motion carried. 13) Anderson moved, seconded by Pederson to adjourn as Drainage Board and reconvene as County Commission. All voted yes and the motion carried.

#### **11:00 Fair Board – Keith Goens**

Goens presented a quote from H-D Electric for installation of 13 each receptacle located at various positions in the dairy/beef cattle portion of the barn at approximate cost of \$1800 plus tax.

He also presented a quote of \$6500 to reroof round roof building at the fairgrounds, which included labor and material. 14) Jaeger moved, seconded by Pederson to replace steel on round roof building at fairgrounds for approximate cost of \$6500. All voted yes and the motion carried.

## **OLD BUSINESS**

15) Jaeger moved, seconded by Pederson to take no action on request of Clear Lake Summer Rec. for additional funding for program. All voted yes and the motion carried.

## **NEW BUSINESS**

### **Warrants**

16) Boone moved, seconded by Pederson to approve warrants paid early. All voted yes and the motion carried. Ottetail Power 1136.23

### **Cell Phone Policy**

Discussion was held on cell phone use by employees and revision to the personnel policy to include additional cell phone use. 17) Pederson moved, seconded by Jaeger to amend personnel policy Section II General Policies, to adopt the following section on regulating the use of private and county owned cell phone and text use during work hours. All voted yes and the motion carried.

### **CELL PHONE USAGE POLICY:**

Telecommunications usage: Calls or text message for personal reasons are not to be made during office/work hours unless absolutely necessary. In the event a personal call is necessary, it should be kept as short a time as possible not to exceed three minutes. Employees receiving personal calls during office hours should discourage the calls by asking those calling not to call unless absolutely necessary. Cell phone/texting use is not allowed when driving any county owned or leased vehicle or while driving their personal vehicle on official county business. Repeated incidents of receiving or making personal telephone calls/text messages during office/work time and/or while driving county owned or leased vehicles or private vehicles on official county business may result in disciplinary action.

### **Travel, EM Dispatch, Extension Service, General Fund Surplus Analysis**

18) Boone moved, seconded by Jaeger to approve travel for Director's office to attend training in Chamberlain May 24 through 27. All voted yes and the motion carried.

Two dispatchers have completed the training for and are certified Emergency Medical Dispatchers.

Brief discussion was held on the restructuring of the Extension Services. Further discussion will be forthcoming when more information is received.

The General Fund Surplus Analysis as of March 31, 2011 was presented. As of March 31, 2011 the unassigned General Fund Balance was \$983,196.92 which reflects 36.02% of the 2011 General Fund budget.

### **12:00 Recess for Lunch**

### **1:15 Reconvene as Board of Equalization**

**1:30 E11-22 Mike Wengler** - #3601 Lot 21 Bostic Beach in Gov. Lots 3-5 in NW1/4 4-114-47. Appellant stated that he believes there are circumstances that make this property less valuable than a normal 50' wide lot in this area and the value increased approximately 33%; outlet for Lake Oliver goes through his property. Wengler said it's closed certain times during the year and now is open; it is a 36" pipe; He stated the lot was valued at \$37,812 and went up to \$56,250 for 2011. The gate is shut on the outlet from June 15 to Oct. 15 by the state Game, Fish and Parks because of high algae bloom; he would like to see half of the increase or approximately \$9,000 increase in property value over previous year. The Director of Equalization Office recommended decreasing

the value of land by 10% to \$50,625 with no change to house value. 1) Pederson moved, seconded by Jaeger to decrease land value by 10% as recommended by Director of Equalization NA-C \$50,625 and no value change to house. All voted yes and the motion carried.

**Elderly Assessment Freeze**

2) Jaeger moved, seconded by Boone to deny Elderly Assessment Freeze application of Rozaline Olson because lack of information to determine disability and approve application of Richard Seese #4885 as he did qualify for elderly assessment freeze but it was received after the due date. All voted yes and the motion carried.

**1:45 E11-23 & E11-24 Art & Steve Gilley** - #3767 Lots 7-8 Blk 4 Original Plat to City of Clear Lake. He stated in a letter that per appraisal that was jointly paid for by both Deuel County and Gilley no other comparable values have changed for 2011 and feels the correct and true value for assessment purposes has not changed & allows equitable appraisals. He thought it should be total value of \$71,372. #3770 Lots 16,17,18,19,20 Blk 4 Original Plat to Town of Clear Lake; same reason as above and felt the value should be \$111,516. He again presented the argument of vacancy rate and says it is high and could easily improve has little meaning when the rate is similar to the county average. He also compared several values of other apartment units in the county. 3) Jaeger moved, seconded by Anderson to make no change to Director's value on parcel #3767 NA-DC2 \$124923 and NA-DC \$4228; no change to parcel #3770 NA-DC2 \$221585 and NA-DC \$8184. All voted yes and the motion carried.

**2:00 E11-25 Doug Meyer** - #2679 SE4 Less H2 & H3 in 15-117-48; He stated that the buildings are all falling down and feel they have no value at all. 4) Boone moved, seconded by Jaeger to decrease value of AG-A1 from \$3799 to \$828 – bunker silo per recommendation of Director of Equalization and no change to AG-A \$169213. All voted yes and the motion carried.

**2:15 E11-26 Arlin Schumacher** - #2880 S545' of W744' of NW4 of 26-117-49; Schumacher stated that he would like the home assessed in the same manner as like property. DOE stated they applied the correction of house square footage which brought the value to \$69987 which was higher than local board recommendation of \$65000. The NA-C1S (house) went from \$51146 to \$46448 because of correction of footage from 1344 to 1248 sq. feet; He stated house is 35 years old and kept in good repair and he said the value went up last year about 50% and was up again this year and felt it went up too much. 5) Boone moved, seconded by Jaeger to accept value of Director of Equalization recommendation on the property. NA-C1 \$1339; NA-C1-S \$46,448; NA-C-S \$22,200. All voted yes and the motion carried.

**2:30 E11-27 Randy & Deb Petrick** - #4350 Lots 8-9 Bjerke Add. Town of Clear Lake; Petrick stated that a recent appraisal was valued lower than the assessed value and would like to see the property assessed in the same manner as like property. Local board lowered value of home to \$188000. The Director recommended it stay at the assessed valuation and presented a worksheet with several similar property comparisons with like values. 6) Anderson moved, seconded by Pederson to accept value of Director of Equalization recommendation on the above described property. NA-D1-S \$197982; NA-DS \$3165. All voted yes and the motion carried.

**2:45 E11-28 Gary Giese** - #5534 Lot 2 Angle Sub in N2 25-115-49; Giese felt the property was valued too high compared to others. Purchased land Jan. 8 for \$17580;

homes is \$252,618; Gary Giese compared Knox property or Fritz property; three bedrooms; 2.5 baths; full basement; same heating system; has a lower assessed value. The main floor of his home is 2064 sq. feet; and most of basement is finished. He said it is assessed at more than it cost to build and thinks the \$252,618 is overwhelming for value of just home. 7) Boone moved, seconded by Jaeger to make no change to Director value of NA-C1-S \$252618; NA-C-S \$17720; NA-C1 \$29259. All voted yes and the motion carried.;

**3:00 E11- East Central Development – #5691 S392' NW1/4 less tower add. & less road row 22-115-49 Town of Clear Lake;** The Application for Tax Exempt Status of the above described property was brought on the table for discussion. Director stated that East Central has made application for tax exempt status for 2011 on this parcel. The application stated that the property is intended for economic development use, currently being rented as agricultural land until development occurs. Several members of the Development Corporation stated they are trying to make improvements to the property so the development of the area can become a reality. The Development Corporation has eight board members and is completely voluntary and is a tax exempt nonprofit.

8) Boone moved, seconded by Jaeger to approve the application for tax exempt status on the above described property. All voted yes and the motion carried.

**3:15 E11-29 Steve Hansen - #1527 W2 3-115-49;** The Director stated that a correction of basement square footage, finish and extra bathroom was applied and correction was greater than the local board value given to the house, which was \$35,000 with Director value being \$55,836. He stated that he felt the assessed value of the house is higher than homes of comparable size and age; Director changed or lowered value from \$66245 to \$55836 because of depreciation, square footage difference and comparable properties. 9) Pederson moved, seconded by Anderson to lower value of above described property to Director's recommendation of NA-A1-S \$55836. All voted yes and the motion carried.

**3:30 E11-30 Kathi & Kelly Nordgaard -#3626 Lots 8,9,10,11 and Lots 8-A, 9A, 10A, 11A Severson's Bay Gov't Lot 5 NE1/4 5-114-47;** Local board corrected the land value as Director's Office made a clerical error was \$155,555 should have been \$115,555; Nordgaard feels the land value should be at \$80000. Lake front value was \$428 in 2010 per front foot and in 2011 is \$722; she is questioning the land value not house property; she said the land value went up 46%. Nordgaard stated that she couldn't come up with any specific formula used for how values were arrived at around the lake. Nordgaard said a big concern to her is the inconsistency of lot values around the lake. The Director stated that all properties are supposed to be assessed at market value and Lake Cochrane is presently much lower than market value. Director Rhody also stated that from Severson's Bay vs. Agnes Bay there are sales to show that there are different qualities to each parcel. Nordgaard stated Lake Kampeska lots are figured on a flat rate basis and they don't take into account where on the lake the property is located. 10) Boone moved, seconded by Anderson to accept Assessor's recommendation on the property NA-C-S \$115,555. All voted yes and the motion carried

**Adjournment**

There being no further business Anderson moved, seconded by Jaeger to adjourn until the May 3 regular meeting.

Chairman Donald Hanson  
Deuel County Commission

ATTEST:

Pam L. Lynde, Auditor

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