

June 23, 2017
Regular Meeting

The Deuel County Commissioners met in regular session on Friday June 23 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Jaeger presiding. Those present were Commissioners DeJong, Jaeger and Rhody. Pederson and Dumke were absent. Also present was Auditor Pam Lynde. The meeting opened with prayer and the pledge of allegiance.

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

APPOINTMENTS

9:05 Jamie Hintz Highway Superintendent

Hintz said the county will need to update their current highway and bridge improvement plan by October 15. First District Association of Local Governments will again be offering to provide assistance to counties that wish to utilize the service. 2) Rhody moved, seconded by DeJong to retain First Dist. Association of Local Governments to assist with the development of 2018 County Highway and Bridge Improvement Plan. All voted yes and motion carried.

Hintz recommended changing engineering firms from Aason Engineering to Banner & Associates for consulting services. 3) DeJong moved, seconded by Rhody to retain Banner & Associates for engineering consulting services. All voted in favor of, motion carried.

Hintz said the gas tank monitoring system has been installed. A STIP (State Transportation Improvement Program) meeting will be held June 27 at 10:00 at the First Dist. Office in Watertown. The county has received \$135,670.37 in STIP funding for 2017.

The Highway Dept. will be seal coating 25 miles and will be starting on Tuesday June 27.

4) Rhody moved, seconded by DeJong to purchase a steel utility box from Dakota Bodies at a price of \$4661.00 for 2017 Ford pickup. All voted yes and motion carried.

5) DeJong moved, seconded by Rhody to declare as surplus a 30x24 inch culvert, scrap iron and sell. All voted yes and motion carried.

9:45 Director of Equalization Donna Rhody-Travel

Director Rhody requested approval for two office personnel to attend the SDAAO Conference that will be held Oct. 16-20 with tuition being \$300 per student plus motel and other travel costs; Van Guard users group meeting July 11-12 at Cedar Shores for Director only; Dist. Meeting on July 19 in Roberts County; SD State Geospatial Conference July 25-26 in Mitchell with registration being \$55. 6) Commissioner Rhody moved, seconded by DeJong to approve travel request of Director of Equalization for herself and office staff to attend annual conference, district meeting, Van Guard meeting and SD State Geospatial Conference. All voted yes and the motion carried. Rhody said they will start the reappraisal of Clear Lake on Monday June 26 and will need to use both county vehicles most days for the reappraisal.

10:15 Jeff Krause-Taxes

Krause did not appear and will be contacted to attend the next Commission meeting.

10:30 Joan Sacrison Executive Director Deuel Area Development Inc.

Sacrison gave an overview of the activities of Deuel Area Development Inc. for 2017 and requested funding in the amount of \$15,000 for DADi and \$8,000 for Deuel County Industrial Development Fund project development for 2018 budget. Sacrison said the community garden is up and running; 10x20 plot for \$25; and 20x20 for \$40; has been a joint effort. The first lot has been sold at the housing development in Clear Lake. Joan spoke at One Million Cuts in Aberdeen on Deuel Area Incubator Community Kitchen; she also had a local Google workshop pertaining to getting your business on Google. She said DADi appreciates the support of the Deuel County Commission in the past.

11:00 Drainage Board

7) Rhody moved, seconded by DeJong to adjourn as County Commission and reconvene as the Drainage Board. All voted yes and the motion carried. Daniel Klapprodt presented an application to drain on the NE1/4 lying W of RRROW and E1/2NW1/4 36-113-49 with the later flowing to the south and east into a natural drainway. The estimated length of the drain being 3,500 feet using four to eight inch tile. He had secured the wetland determination and the sign off of adjoining landowners. 8) Rhody moved, seconded by DeJong to approve and issue Drainage Permit #D17-11 to Daniel Klapprodt on the above described property. All voted yes and the motion carried. 9) DeJong moved, seconded by Rhody to adjourn as Drainage Board and reconvene as County Commission. Motion carried.

11:15 State's Attorney John Knight-Referendum Petitions

Knight met with the Commissioners and discussed the Referendum petitions that refer Ordinance B2004-01-23B, An Ordinance to Amend Section 1215 Wind Energy System (WES) Requirements Adopted by Ordinance B2004-01, July 6, 2004, as amended, of the Zoning Ordinance of Deuel County, passed on May 23, 2017, that were received in the Auditor's Office on June 19. The petitions were reviewed by Auditor's Office staff and contain a sufficient number of valid signatures. The petition shall contain the title of the ordinance and the date of its passage (SDCL 7-18A-17). One petition contains the title and date of passage, several petitions contain the ordinance number and the date of passage and several petitions contain the title of the ordinance but do not contain the date of passage. State's Attorney Knight said this creates a question whether they are valid because there is a question on the title and date of passage not being on every petition; State's Attorney Knight said he has a conflict of interest and contacted other attorneys and vast majority of them are presently at the state bar convention. Knight said the Commission should get an independent opinion on this question and the petitions and didn't expect a response today (day of meeting). He recommended to the Commissioners that they seek advice and a determination from an independent attorney. Chairman Jaeger said he would like to have a full board at the meeting also and presently, because of health reasons, two Commissioners are absent. 10) Rhody moved, seconded by DeJong to table any action on the referendum petitions until legal advice is secured from independent counsel and place the petitions on the next regular meeting agenda or schedule a special meeting if needed. All present voted yes and motion carried.

NEW BUSINESS

Warrants

11) DeJong moved, seconded by Rhody to approve warrants paid early. All voted yes and the motion carried. SDACO \$218 M&P Funds Due to State, SDDOR \$128281.25 Funds Due to State, Ottertail Power \$1380.16 Utility, ITC \$184.92 Phone/Internet Hwy, Brookings Deuel Rural Water \$77.80 Water, H-D Electric 237.30 Utility, City of Watertown \$4288.16 911 Surcharge, Century Link \$358.79 911 Trunk Lines, Lamb Motor Co. \$30,757 2017 Ford Pickup Hwy., Peden Cole Legion Post \$750 Grant for Softball/Baseball Program, DC Treasurer \$21.20 Lic./Reg. Fee Pickup, Matthew Bender & Co \$49.44 Law Book, Ottertail Power \$56.61 Utility, Verizon \$376.48 Sheriff Cell Phones.

Police Contract Toronto, Resolution #17-16 First District Support

The police contract with the town of Toronto was presented and discussed. The town pointed out that section 4.5 Reporting: concerning a monthly report of activities, has not been presented to the Council. Commissioners said they will make sure the report gets done and will be sent to Toronto. 12) DeJong moved, seconded by Jaeger to approve and sign police contract with the Town of Toronto from July 1, 2017 to June 30, 2018. All present voted yes and the motion carried.

13) DeJong moved, seconded by Rhody to approve Resolution #17-16 Resolution to Continue Support for the First District Association of Local Governments During Fiscal Year 2018. All voted yes and the motion carried.

RESOLUTION TO CONTINUE SUPPORT FOR THE FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS DURING FISCAL YEAR 2018 RESOLUTION #17-16

(October 1, 2017-September 30, 2018)

The Deuel County Board of County Commissioners, having adopted and signed a Joint Cooperative Agreement on the 11th day of April, 1972, creating the First Planning and Development District, Model Rural Development Program, do hereby agree to renew their participation in the Joint Cooperative Agreement for Fiscal Year 2018 (October 1, 2017-September 30, 2018). To support the Joint Cooperative Agreement and the activities of the District staff, the Deuel County Board of County Commissioners will provide \$10433.47 to the First District Association of Local Governments during the aforementioned Fiscal Year 2018 period.

ADOPTION:

Adopted this 23rd day of June, 2017

Gary Jaeger, Chairman

Deuel County Commission

ATTEST:

Pam L. Lynde

Deuel County Auditor

Plats

14) Rhody moved, seconded by DeJong to approve the Plat of Bandemer Addition in NW1/4 22-113-48 and Resolution #17-14. All voted yes and the motion carried.

COUNTY COMMISSION
RESOLUTION #17-14

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: “**BANDEMER ADDITION to the Northwest Quarter of Section 22, Township 113 North, Range 48 West of the 5th P.M., in the County of Deuel, South Dakota**” which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated this 23rd day of June, 2017

Chairman, Board of County Commissioners
Deuel County, South Dakota

Pam L. Lynde
County Auditor
Deuel County, South Dakota

15) Rhody moved, seconded by DeJong to approve the Plat of Koosman Addition in N1/2SW1/4 of Section 18-117-47 and Resolution #17-15. All voted yes and the motion carried.

RESOLUTION
#17-15

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: “**Koosman Addition, in the North Half of the Southwest Quarter of Section 18, Township 117 North, Range 47 West of the 5th P.M., Deuel County, South Dakota**”, which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated this 23rd day of June, 2017.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor, Deuel County, South Dakota

Maintenance of County Vehicles, Sioux Valley Commission Meeting Deuel County Host, Request to use Courthouse Lawn for Dog Day and Request to use Fairgrounds

Discussion was held on the maintenance of County owned vehicles that are not in any specific department and the need for someone to make sure maintenance is done on the vehicles so they are ready for use when needed.

The Sioux Valley Commission quarterly meeting will be held in Clear Lake in August.

The Clear Lake Commercial Club has requested the use of the courthouse lawn for Dog Day Aug. 18 due to the fact that main street cannot be closed this year. The lawn would be used for public seating and face painting. 16) DeJong moved, seconded by Rhody to allow Commercial Club to use courthouse lawn on Friday Aug. 18 beginning at 5:00 p.m. All voted yes and motion carried.

17) DeJong moved, seconded by Rhody to approve the use of fairgrounds for consignment auction in August. All voted yes and motion carried.

Adjournment

There being no further business DeJong moved, seconded by Rhody to adjourn the meeting. Motion carried. Meeting adjourned.

Chairman
Deuel County Commission

ATTEST:

Pam L. Lynde, Auditor

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