

March 16, 2021
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, March 16th at 9:00 a.m. in the Commission Room of the Courthouse with Chairman DeJong presiding. Those present were Commissioners DeJong, Jaeger, Rhody, Homan, and Kreutner. Also present was Auditor Mary Korth and members of the public. The meeting began with prayer and the Pledge of Allegiance.

Approval of Agenda

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

APPOINTMENTS

9:00 Jamie Broksieck Highway Superintendent

Broksieck met with the Commissioners for several highway issues.

Broksieck brought several resolutions to the Board. 2) Jaeger moved, seconded by Rhody to approve and sign the Bridge Reinspection Program Resolution authorizing Banner Associates Inc. for the inspection work. All voted yes and motion carried.

**BRIDGE REINSPECTION PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS
RESOLUTION #21-08**

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Deuel County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

Deuel County requests SDDOT to hire **Banner Associates** (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. Deuel County will be responsible for the required 20% matching funds.

Dated this 16th day of March, 2021, at Clear Lake, South Dakota.

Board of County Commissioners
Of Deuel County

ATTEST:

Mary Korth
County Auditor

Gary DeJong
Chairman of the Board

Broksieck presented the Federal Bridge Replacement Program and applications. The program is for any single bridge (2) chosen by the County. This is separate from the BIG program. Broksieck presented his choices and recommended the two bridges as follows per resolutions. One of the bridges was denied funding in 2020 and begins the application process over again in 2021.

3) Kreutner moved, seconded by Jaeger to approve and sign the Bridge application and Resolution #21-09 for structure number #20-140-006. All voted yes and motion carried.

**RESOLUTION #21-09
FEDERAL AID BRIDGE REPLACEMENT PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS**

WHEREAS, Deuel County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: 20-140-006
0.6 mi south of intersection 166 St. & 480 Ave.

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT (NAMES & ADDRESSES): Craig & Terry Brandenburg Trust, Revillo, SD 57259; Terry Brandenburg Trust, Revillo, SD 57259

AND WHEREAS, Deuel County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Deuel County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

1. The condition rating is 3 (serious).
3. For Removal project the bridge location will not be eligible for federal or state bridge funds in the event that a bridge is reconstructed. The owner agrees to submit a separate resolution to delete the structure from the National Bridge Inventory upon completion of the project.
4. The bridge is located on a Federal Aid Route , a school bus route , a mail route X, a field to farm to market route X, a lake or recreation access route , or other (please specify) .
4. The load carrying capacity of the existing bridge can or cannot X be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$	<u>540,000</u>
Federal Share (81.95%): \$	<u>442,530</u>
Local Share (18.05%): \$	<u>97,470</u>

Vote of Commissioners/Council: Yes 5 No 0

Dated at Clear Lake, SD, this 16 day of March, 2021.

ATTEST:

County Auditor/City Finance Officer
2021 Federal Bridge Appl Page 2 of 2

Chairman/Mayor

4) Jaeger moved, seconded by Rhody to approve and sign the Bridge application and Resolution #21-10 for structure number #20-151-200. All voted yes and motion carried.

RESOLUTION #21-10

FEDERAL AID BRIDGE REPLACEMENT PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS, Deuel County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: 20-151-200
0.1 mi east of intersection 186 St/481 Ave

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT (NAMES & ADDRESSES): Thurston Squires, Brandt, SD 57218; Arthur & Deanna Anderson, Clear Lake, SD 57226

AND WHEREAS, Deuel County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Deuel County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

1. The condition rating is 4 (poor).
2. For Replacement project the bridge is not located on a County or Township designated No Maintenance or Minimum Maintenance Road.
3. For Removal project the bridge location will not be eligible for federal or state bridge funds in the event that a bridge is reconstructed. The owner agrees to submit a separate resolution to delete the structure from the National Bridge Inventory upon completion of the project.
4. The bridge is located on a Federal Aid Route , a school bus route X, a mail route X, a field to farm to market route X, a lake or recreation access route , or other (please specify) .
4. The load carrying capacity of the existing bridge can or cannot X be improved to carry legal loads by rehabilitation of the existing bridge.

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That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

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Vote of Commissioners/Council: Yes 5 No 0

Dated at Clear Lake, SD, this 16 day of March, 2021.

ATTEST:

County Auditor/City Finance Officer
2021 Federal Bridge Appl Page 2 of 2

Chairman/Mayor

DEUEL COUNTY BID LETTING MARCH 16, 2021
SEE FOLLOWING CHART (next page)

TIME	ITEM	BIDDER	#1	#2	#3
9:20	Hot & Cold Mix Asphalt		Bituminous Paving Inc	Duininck Inc	Bowes Const. Inc.
5)	Homan moved, second by Jaeger	Hot Mix	\$ 62.00 ton Odessa Pit FOB	Type D 58-28	\$ 60.00 Class E Type 1
	to award the bid of Hot Mix and Cold Mix	Hot Mix	\$ 66.00 ton fine hot mix Odessa	\$ 67.50 w 30% RAP	\$ 51.50 E/1 with RAP
	to Bituminous Paving and Bowes Const depending on location of project as they had the lowest bids.	Cold Mix	\$ 135.00 ton cold mix Odessa	\$ 155.00 ton cold mix	\$ 62.00 Class E Type 2
	All voted yes and motion carried.		and \$ 2.50 /gal tack oil		\$ 52.50 E/2 with RAP
					\$ 66.00 Class G Type 1
					\$ 56.00 G/1 with RAP
					\$ 68.00 Class G Type 2
					\$ 57.00 G/2 with RAP
9:25	Bituminous Road Oil		Flint Hills Resources	Jebro Inc	
6)	Rhody moved, second by Kreutner	MC 3000	\$592.00 Ton delivered	\$590.64 Ton delivered	
	to accept bid of Jebro Inc. for				
	MC 3000 road oil as they gave the lowest bid. All voted yes and the motion carried.				
9:30	Fuel #1 Diesel, Ruby Fieldmaster				
7)	Jaeger moved, second by Rhody		DC Farmers Union	Coles Petroleum	
	to accept bid of Cole's Petroleum for #1		Ruby Fieldmaster \$2.32 gal	Dyed No. 2 Diesel \$2.28 gal.	
	Diesel Fuel. At locked price \$2.53 and		Tank Wagon Delivery \$2.42 gal	Dyed No. 1 Diesel \$2.53 gal.	
	RF (Dyed #2) \$2.28 as that was low bid.		No. 1 Fuel \$2.57 gal		
	Cost for April 1, 2021-March 31, 2022		Tank Wagon Delivery \$2.67 gal		
	All voted yes and motion carried.				
9:35	Unleaded Gas & Gasohol		DC Farmers Union	Coles Petroleum	
8)	Jaeger moved, second by Rhody to accept bid of Coles for Ethanol at \$2.48 gal. All voted yes and motion carried.	E10, 87 Octane Gas	\$2.68 gal	\$2.48 gal	
9:40	Gravel Crushing		DS Construction	Rogge Excavating	Brownlee Construction
9)	Rhody moved, seconded by Kreutner to accept all bids aside from DS Const. due to location choices for gravel crushing as they were four lowest bids.		\$8.00 per ton	\$6.25 per ton ¾" Pedersen pit	\$6.35 per ton ¾" Schmahl pit
	All voted yes and motion carried.		Sterzinger Crushing	Bowes Construction Inc.	
			\$5.61 per ton ¾" Arnie Krause pit	\$5.50 per ton ¾" Pedersen pit	
				Or Watertown Fannin pit	
10)	Homan moved, seconded by Jaeger to accept the bid for culverts awarded to True North Steel of Beadle County				
	All voted yes and motion carried.				
9:45	Weed Chemicals				
11)	Jaeger moved, seconded by Rhody to accept low bids on chemicals for each bidder. And to give Weed Supervisor Keith Goens authority to use discretion to choose local suppliers or state bids. With The exception of Tordon to a state bid only		DC Farmers Union	Helena Chemical	Agri-Partners
		Amine #4	\$ 11.80 gal	2-4D \$ 11.40 gal	2-4D \$ 12.95
		LV6	\$ 18.66 gal	VL6 Ester \$ 17.50 gal	LV6 2-4D Ester \$ 17.50 gal
		Freelex		Corteva or Unison \$ 19.75 gal	
		Tordon 22k	\$ 62.11 gal	Tordon \$ 56.00 gal	Toredon 22k \$ 57.10 gal
	All voted yes and motion carried.	Chapparral	\$ 85.04 lb.	(Opensight) Corteva \$ 75.00 lb.	Chapparral \$ 84.19 lb.
		Opensight	\$ 95.55 lb.		
	All chemicals delivered to County Shop	Milestone	\$ 330.32		Milestone \$ 292.00 gal
	In 2.5 gal. containers	Preference	\$ 28.91		NIS 90 \$ 17.20 gal

Broksieck further reported on State Highway STIP Funds received in the amount of \$174418.17. Discussion was held on other highway related issues.

10:00 Second Reading Zoning Ordinance B2004-01-33A

The second reading of Ordinance B2004-01-33A was held. The Ordinance Amendment would reclassify the property described as: Part of the TeGantvoort Addition in SW1/4SW1/4 of Section 24-114-49 West of the 5th P.M., Brandt Township, Deuel County, SD. Which upon platting to be included in Block 2 Nielsen Addition in SW1/4SW1/4 of Section 24-114-49 West of the 5th P.M., Brandt Township, Deuel County, SD from Agricultural "AG" to Commercial District "C1". No further testimony given beyond the prior discussion which was addressed. 12) Homan moved, seconded by Kreutner to approve, adopt and publish notice of adoption of Ordinance B2004-01-33A, An Ordinance Entitled, An Ordinance to Amend Article III Section 302 Adopted by Ordinance B2004-01, July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County. All voted yes and the motion carried.

10:15 Zoning Officer Jodi Theisen - Plats

12) Jaeger moved, seconded by Rhody to approve the Plat of Parker Second Addition located in 4-114-50 and Resolution #21-11. All voted yes and motion carried.

RESOLUTION

#21-11

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **"Parker Second Addition, in the Southeast Quarter of Section 4, Township 114 North, Range 50 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 16th day of March, 2021

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

13) Homan moved, seconded by DeJong to approve the Plat of Lot 1 of NWE Addition located in 34-117-49 and Resolution #21-12. All voted yes and motion carried.

RESOLUTION

#21-12

BE IT RESOLVED by the County Commission of Deuel County, South Dakota, that the plat showing: **"LOT 1 OF NWE ADDITION IN LOT X, IN THE SE ¼ OF SECTION 34, TOWNSHIP 117 NORTH, RANGE 49 WEST OF THE 5TH P.M., DEUEL COUNTY, SOUTH DAKOTA"** having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3 and any amendments thereof.

I hereby certify that the preceding is a correct copy of the resolution duly passed by the County Commissioners of Deuel County, South Dakota at a meeting held on the 16th day of March, 2021.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

10:30 Joint Public Hearing/First Reading on Request of request of Will Stone Rezone from Agricultural District to Lake Park District for the following described property: Lot 19 Grabow Second Addition in the NE1/4 of 5-114-47 West of the 5th P.M., Norden Township, Deuel County, South Dakota

A joint public hearing with the Zoning Board was held upon the request/petition of Will Stone to issue a change in zoning classification for property that is described above in 5-114-47, Norden Township from Agricultural to Lake Park District. The property will be used for camping which is located near a bed and breakfast. After discussion, the Deuel County Zoning Board stated the property meets all the requirements of the ordinance. The Planning Commission will vote to recommend approval of this ordinance to the County Commissioners. Upon vote the motion carried. The Planning and Zoning Commission adjourned.

The Commissioners continued the public hearing for questions on the rezoning classification.

The Commissioners then held the first reading of Ordinance B2004-01-34A. The second reading will be held at the April 6th regular Commission meeting at 9:30 a.m.

11:00 Deb Lessman for Extension Office

Lessman met with the Commissioners to discuss several things. She wanted to clarify that she secured signage quotes for the Extension Office (or Deuel County Complex) on the request of the commissioners. This included the 4-H logo as well as SDSU logo (both illuminated) at a cost of \$3894.00 plus \$50.00 acquisition. After further discussion with Shooting Sports leaders it was determined that there was no need for a Shooting Sports logo to be a part of the signage. Commissioner Jaeger suggested to contact LATC to see if the students there would be interested in doing the project through courses offered there. They asked Lessman to look into other quotes before committing to Stein Sign.

Discussion was held between Lessman and the Board about the needs of the Extension Office and the availability of capital outlay funds. Lessman gave some history on the 4-H Service Center. She suggested updates on flooring, bathrooms and bleachers for the Fairgrounds. A capital outlay resolution amendment to add capital outlay funds from the general fund will be presented next meeting by Auditor Korth. This will be for updates to the 4-H Service Center and Grounds as well as Courthouse improvements.

Discussion was held on a grant available through LWCF (Land & Water Conservation Fund). This fund matches federal money to acquire park land and develop public outdoor recreation facilities. An inspection report to verify previous grant funds used for the Deuel County Horse Show Ring was received. 14) Jaeger moved, seconded by Rhody to approve and sign the compliance inspection report of the Deuel County Horse Show Ring ensuring the entire park property is still available for public outdoor recreational use and checking on the condition of the facilities. All voted yes and motion carried.

11:30 Emergency Manager Sheila Monnier

Monnier met with the Commissioners to discuss the PDM (Pre-Disaster Mitigation). She would like the Board to review the PDM and if they have any suggestions or concerns to please let her know very soon as she is having upcoming meetings involving the PDM.

11:35 Sheriff Cory Borg

Borg met with the commissioners to discuss building a shooting range for the Sheriff's Department at the Highway Shop on the east side. The Department's shooting practice has increased to a minimum of 4 times a year and it would be convenient to hold it at the County Highway Shop. This would not increase insurance costs. 15) Kreutner moved, seconded by Homan to approve the Sheriff's Department to set up a shooting range at the Highway Shop outside of city limits. All voted yes and motion carried.

Discussion was held on the Crystal Springs Ranch Rodeo and plans for security involving the large event planned for this year.

Borg was appointed to the 24/7 Advisory Board through the Attorney General's Office on March 10th.

11:50 State's Attorney Jared Gass

Gass was unavailable at meeting time.

NEW BUSINESS

Approve Cash Balance Sheet

16) Rhody moved, seconded by DeJong to approve the cash balance sheet for the month of February. All voted yes and the motion carried.

DEUEL COUNTY AUDITOR'S ACCOUNT WITH TREASURER

END OF MONTH CASH BALANCE	FEB 2021
CASH TOTAL	\$ 1,662.85
CHECKS TOTAL	\$ 28,711.53
CASH ITEM	\$ 0
CASH CHANGE SHERIFF	\$ 50.00
TOTAL CASH ASSETS ON HAND	\$ 30,424.38
CHECKING ACCOUNT BALANCE	\$ 598,299.37
MM DNB NATIONAL BANK	\$ 4,063.21
PREMIUM MM FIRST BANK & TRUST OF TORONTO	\$4,743,544.65
CREDIT CARDS	\$ 1,512.40
CD'S \$250,000 DNB	\$ 250,000.00
\$0 FIRST BANK & TRUST	
REVOLVING LOAN	\$ 25,095.40

GRAND TOTAL CASH ASSETS	\$5,652,939.41
GL CASH BALANCE BY FUNDS:	
GENERAL	\$3,620,524.10
SP REVENUE FUNDS	\$1,481,055.00
TRUST & AGENCY FUNDS	\$ 551,360.31
townships \$71,102.98 cities \$38,738.94	
schools \$230,354.69 rural fire \$4,867.15	
TOTAL GENERAL LEDGER CASH	\$5,652,939.41

Annual Financial Report 2020/County Burial 21-01/Easter Holiday

The 2020 Annual Financial Report was presented by Auditor Mary Korth. Discussion was held on the report. 17) Homan moved, seconded by Rhody to approve the 2020 Annual Financial Report of Governmental Funds-Modified Basis and publication of said report as the report was accepted and filed by the Department of Legislative Audit. All voted yes and the motion carried.

18) Kreutner moved, seconded by DeJong to approve County Assistance #21-01 county burial. All voted yes and motion carried.

In striving to strengthen South Dakota families, Governor Kristi Noem is granting administrative leave on Friday, April 2 and Monday, April 5 to all state employees for the Easter holiday. All State Offices and the Executive Branch agencies will be closed on those days. 19) Rhody moved, seconded by Jaeger to close the courthouse and outlying departments all day Friday April 2nd and reopen Monday, April 5th at 8am. All voted yes and motion carried.

Warrants

20) Kreutner moved, seconded by DeJong to approve warrants paid early and approval of regular warrants to be paid. All voted yes and motion carried. *Warrants to* B-D Rural Water 36.00 Utilities, Century Link 358.79 Utilities, Cl Lake Bld Center 839.42 Repairs & Supplies, City of Clear Lake 154.77 Utilities, Clear Lake Twp 438.00 Gopher Bounty, Cowboy Country Store 22.91 Supplies, Regina Poslusny 30.68 Tax Acct, H-D Electric 474.58 Utilities, Hidewood Twp 113.50 Gopher Bounty, ITC 294.61 Utilities, Byron Nogelmeier 70.00 24/7 Fees, Otter Tail 1044.23 Utilities, Tri-State Water 17.97 Supplies, Save Your Fork \$35.00 Supplies, USPS \$2000.00 Postage, SDACO 244.00 M&P, SD DOR 148,299.98 Fees Due to State. *Taxes:* Schools 230,354.69, Towns 25035.02, Townships 21770.88, EDWDD 1037.45, Rural Fire 4867.15.

Public Comments

Jim Dailey was present for public comments. He asked if anything had been done as far as live streaming or broadcasting the commission meetings. ITC will be contacted for prices and ideas.

Dailey had some comments about weed spraying in the County and suggested those employees could take over the mowing ditches in the County for weed control as often times conditions aren't right for spraying.

Adjournment

21) Kreutner moved, seconded by Homan to adjourn. All voted yes and motion carried. Meeting adjourned.

Mary J Korth, County Auditor

Gary DeJong, Chairman

Published One Time at the Approximate Cost of _____.