

The Deuel County Commissioners met in regular session on April 7<sup>th</sup> 2026, at 9:00 AM in the Commission Room of the Courthouse with Chairman Jay Grabow presiding. Those present were Commissioners Jay Grabow, Steve Rhody, Scott Fieber, Harry Mewherter and Judith Homan. Also present was Auditor Courtney Parker and many members of the public. The meeting began with prayer and the Pledge of Allegiance. 1) Fieber moved, seconded by Rhody to approve the agenda with additions of easements, granite purchase, crane damage and remove hearing for Brandsrud. All voted yes and the motion carried. 2) Homan moved, seconded by Mewherter to approve the March Minutes. All voted yes and the motion carried.

### **Appointments**

#### **Item #1 Crystal Springs Rodeo Public Hearing Malt Beverage License and Report**

Cody Krause and Chris Ueckert from the Crystal Springs Rodeo Association discussed the dust control the county provides. Grabow stated the county is trying to help eliminate unnecessary costs. Depending on the year the county spends anywhere from \$15,000 to \$40,000 in dust control, wages, blading, machinery wear and tear, etc. for the Crystal Springs Rodeo. Grabow stated other private entities get road haul agreements and they're trying to keep it fair for everyone. Krause and Ueckert as well as the board agreed upon diluting the dust control solution and only providing it for the duration of the rodeo. The highway shop will blade the roads initially before the rodeo and only provide assistance if the rodeo association calls for help.

The association asked the board to grant a Malt Beverage and SD Wine License for the Crystal Springs Rodeo. The association is now going through the state instead of a special four day license issued by the county. Parker stated going forward the licensing will work just as the licenses for Stateline SBG and BlackFork Spirits do. 3) Mewherter moved, seconded by Homan to approve a Malt Beverage and SD Wine License for the 2026 Crystal Springs Rodeo. All voted yes and the motion carried.

#### **Item #2 City of Gary**

Representatives from the Gary City Council came to ask the board to help with the overlay work on Laura and Coteau streets due to them being county roads. The city will do the trench but the county would do the overlay portion. Grabow stated they will open bids and then we will revisit. After opening bids, the commission made a motion. 4) Mewherter moved, seconded by Homan to grind down and lay using the county bid from Bituminous Paving Inc quoted at Hot Mix Class E \$78.00 per ton. All voted yes and the motion carried.

#### **Item #3 at 9:30 AM B2022-01-09A – 2<sup>nd</sup> Reading of Rezoning**

The board held the second reading of B2022-01-09A. Zoning Officer Jodi Theisen read. Grabow opened it up for discussion. There is 71 acres looking to be rezoned. Michelle Oftedahl gave information on utility valuations of Scandinavia in comparison to other townships and the total for the county. Scandinavia has a utility value of 46,252,802 and the County total utility value is 88,827,316. The commission brought up requirements the county would like to put into place during the CUP process. 5) Fieber moved, seconded by Mewherter to approve B2022-01-09A rezoning from AG to CI. Role Call Vote: Homan-aye, Mewherter-aye, Fieber-nay, Rhody-nay, and Grabow-aye. Motion carries.

#### **Item #4 at 9:45 AM B2022-01-11 – 1<sup>st</sup> Reading**

Zoning Officer Jodi Theisen read the first reading of B2022-01-11 for the Board of Commission.

**ORDINANCE NO. B2022-01-11**

**#B2022-01-11, AN ORDINANCE AMENDING ORDINANCE B2022-01, AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR DEUEL COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTERS 11-2, 1967 SDCL, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT HEREWITH.**

BE IT ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Article XII, "General Requirements," adopted by Ordinance B2022-01, as amended, of the Zoning Ordinance of Deuel County be amended by adding language in bold and underline and removing strikeout language:

**Section 1248. Essential Services;**

**Section 1248.01. Applicability.**

**The requirements of these regulations shall apply to overhead electrical transmission lines with a voltage greater than 345 kV**

**Section 1248.02 Federal and State Requirements.**

**Essential Services shall meet or exceed standards and regulations of the South Dakota State Statutes and any other agency of federal or state government with the authority to regulate Essential Services;**

**Section 1248.03. General Provisions.**

**1. Setback Requirements**

- a. The foundations of towers associated with transmission lines with voltage greater than 345 kV must have a setback of 2,000 feet from any existing inhabited residence in all Zoning Districts. This includes, but is not limited to, support structures greater than 100 feet tall, base diameters of 25 feet in width, or wing spans of 30 feet.**
  
- b. An existing inhabited residence is defined as a residence that is occupied prior to whichever occurs first:**
  - i. the transmission line developer's filing of a facility permit application with the South Dakota Public Utilities Commission, or**
  - ii. the developer's filing of a conditional use permit (CUP) application with the county.**
  
- c. The owners of an inhabited residence shall have the right to waive the 2,000-foot setback requirement. Such a waiver must be in writing and filed with the Zoning Office prior to construction of the tower subject to the waiver. The minimum**

**setback under a waiver shall not be less than 125% of the height of the tower, measured from the nearest point of the existing inhabited residence.**

BE IT FURTHER ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Article XI, "Zoning Districts," Section 1101 "A" Agricultural District, Section 1101.04 Conditional Uses, adopted by Ordinance B2022-01, as amended, of the Zoning Ordinance of Deuel County be amended by adding language in bold and underline language:

12. Essential service; **provided they meet the requirements of Section 1248;**

This ordinance shall become effective upon the date of publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum in timely involved prior thereto.

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 Chairperson

\_\_\_\_\_  
 Auditor

1st Reading: April 7, 2026  
 2nd Reading: April 21, 2026  
 Adopted: April 21, 2026  
 Published: April 22, 2026  
 Effective: May 12, 2026

Sam Froelke and Steve January discussed concern with the setback being from the powerline not the structures. 6) Fieber moved, seconded by Rhody to approve the 2<sup>nd</sup> reading of B2022-01-11 at April 21<sup>st</sup>, 2026 at 9:30 AM. All voted yes and the motion carried.

**Item #5 at 10:00 AM Bid Letting 309 Stabilization and 313 Paving Bid Presentation**

Waylon Blasius and Noah Zacher from Banner Associates presented bids for projects County Road 309 Stabilization and County Road 313 Paving from bid opening on April 6<sup>th</sup>, 2026 at 1:30 pm in the commission room. Banner estimated the stabilization of County Road 309 at \$146,063.00. Bids presented were from DeBoer Construction Inc. \$87,167.50, Bowes Construction Inc. \$61,694.00, Rounds Construction Company \$67,539.50 and Kesteloot Excavation \$64,078.75. 7) Fieber moved, seconded by Mewherter to approve Bowes Construction Inc. in the amount of \$61,694.00. All voted yes and the motion carried.

Banner estimated paving for County Road 313 at \$1,160,520. Bids presented were from Bituminous Paving Inc. at \$1,234,810.00, Central Specialties Inc. at \$1,409,811.00, Bowes Construction Inc. at \$981,013.60 and Duininck Inc. at \$1,107,907.00. All voted yes and the motion carried. 8) Mewherter moved, seconded by Fieber to approve Bowes Construction Inc. in the amount of \$981,013.60. All voted yes and the motion carried.

**Item #6 at 10:15 AM Bid Letting**

DEUEL COUNTY BID LETTING April 7th, 2026 AT 10:15 AM			
Items	BIDDERS		
Fuel #1&#2 Diesel, Hi-speed	2 - Cole's Petroleum (Madison, SD)	1 - Vollan Oil (Hendricks, MN)	
Fieldmaster No. 2 Fuel (Dyed)	\$ 3.2350 per gallon	\$ 3.55 per gallon	
No. 1 Fuel (Dyed)	\$ 3.38 per gallon	\$ 3.85 per gallon	
Ethanol 10%	\$ 2.82 per gallon	\$ 3.28 per gallon	
9) Rhody moved, seconded by Mewherter to reject all bids and rebid for a three month period. All voted yes and the motion carried.			

<b>Road Oil</b>	<b>2 - Jebro Inc. (Sioux City, IA)</b>	<b>1 - Flint Hills Resources(Marshall, MN)</b>	
MC 3000	\$ 4.122 per gallon / \$988.82 per ton	N/A	
AE-150S	Demurrage Charge after 1.5 hrs at	\$ 736.00 per ton	
CRS-2P	\$ per hour	\$ 751.00 per ton	
10) Fieber moved, seconded by Mewherter accept bid of Jebro Inc. MC 3000 road oil. All voted yes and the motion carried.			
<b>Hot &amp; Cold Mix Asphalt</b>	<b>3- Duinick (Watertown, SD)</b>	<b>1- Bowes Construction Inc. (Brookings, SD)</b>	<b>2- Bituminous Paving, Inc. (Odessa)</b>
Hot Mix Class E	\$ 83.00 per ton	\$ 66.50 per ton	\$ 78.00 per ton
Hot Mix Class G	\$ 96.00 per ton	\$ 75.00 per ton	NA
Cold Mix	\$ 175.00 per ton	NA	\$ 165.00 per ton
Tack Oil	\$ 6.25 per gallon	NA	\$ 4.00 per gallon
11) Homan moved, seconded by Rhody to accept Bowes Construction Inc. and Bituminous Paving Inc. for Hot Mix, Cold Mix and Tack Oil. All voted yes and the motion carried.			
<b>3/4" Crushed Gravel</b>	<b>4- Rogge Excavating Inc. (Ghent, MN)</b>	<b>2- Bowes Construction Inc. (Brookings, SD)</b>	<b>3- Brownlee Aggregates Inc. (Wadena, MN)</b> <b>1- Serzinger Crushing Inc. (Taunton, MA)</b>
	\$ 8.00 per ton from Estelline Pit	\$ 6.00 per ton from Miller Pit	\$ 9.90 per ton from Swanz Pit \$ 6.25 per ton Arne Krause Pit
	\$ 8.00 per ton from 6 Mi N. of 212 & 15		\$ 7.75 per ton from Brandsrud Pit
12) Mewherter moved, seconded by Fieber to accept all bids for 3/4" crushed gravel. All voted yes and the motion carried.			
<b>Weed Chemicals</b>	<b>1- Van Diest Supply Company (Yankton, SD)</b>	<b>2- Agri Partners (Clear Lake, SD)</b>	<b>3- Hefty Seed</b>
Tordon 22K	\$ 48.80 per gallon	\$ 52.00 per gallon	\$ 63.83 per gallon & 2.5 gallons
2-4D Amine	\$ 15.50 per gallon	\$ 22.00 per gallon	\$ 22.08 per gallon & 2.5 gallons
Grazon	\$ 49.84 per gallon	\$ 51.00 per gallon	\$ 55.03 per gallon & 2.5 gallons
LV6	\$ 23.74 per gallon	\$ 30.00 per gallon	\$ 33.58 per gallon & 2.5 gallons
Milestone	\$ 285.00 per gallon	\$ 338.00 per gallon	\$ 325.00 per gallon & 2.5 gallons
Chapparel	\$ 120.00 per pound	\$ 96.00 per pound	\$ 101.27 per pound
Highnoon	\$ 98.00 per gallon	\$ 108.00 per gallon	\$ 120.02 per gallon & 2.5 gallons
13) Rhody moved, seconded by Grabow to accept all bids for weed chemicals. All voted yes and the motion carried.			

Highway Superintendent Jamie Broskeick had a few things to discuss with the commission. Temporary easements are needed for the rehab on bridge 20-050-273 on county road 313. 14) Mewherter moved, seconded by Rhody to approve the temporary easement with MA Gorder Land. All voted yes and the motion carried. 15) Fieber moved, seconded by Homan to approve a temporary easement with Roger and Linda Svec. All voted yes and the motion carried. 16) Rhody moved, seconded by Grabow to approve a temporary easement with John Krause. All voted yes and the motion carried.

17) Mewherter moved, seconded by Fieber to approve the purchase of 1.5 inch granite in the amount of \$16,500 to repair soft spots on roads. All voted yes and the motion carried.

**Item #7 Weed Superintendent Keith Goens**

18) Homan moved, seconded by Rhody to approve a travel request Goens asked for a travel request to Homan, Rhody

The Deuel County Weed and Pest Office are hosting a Pocket Gopher Trapping Seminar and Demo presented by Pete Harper of the South Dakota Trapper’s Association on May 9<sup>th</sup> at 1:00 PM. For more information, please call 605-237-9037. RSVP by April 23<sup>rd</sup>!

**Item #8 CLAD Director Deb Adkins**

Adkins thanked the commissioners for all they do for Deuel County. Adkins presented her quarterly report stating the Clear Lake Fire Department dance was good and it provides money to Deuel County businesses for signage. Adkins spent a week in Pierre for Governor’s State of the State Address at the Capitol, Pre-State of the State Address and The Governor’s House. Adkins stated the Isaac Walton Foundation is working on revitalizing the Deuel County chapter. CLAD has been busy acquiring DADi debt and assets and working through legalities. All paperwork has been completed. DADi has a loan they weren’t able to pay so the bank pushed the loan payment of \$30,000 out until May 1<sup>st</sup>. CLAD is asking for help with \$20,000 and CLAD will pay \$10,000. Adkins stated they are not able to TIF the new industrial park so all the water services going in and the road, CLAD will have to pay for if they can’t find any grants as of now. There is an expansion of business and storage units going up in the industrial park now. Grabow asked can the assets they are acquiring be sold to cover the debts? Adkins stated there is land at Pheasant Run and the nursing home land. Cody Krause, CLAD President, stated right now it’s just a cash flow issue. Krause also stated Adkins has been working her tail off with the DADi takeover. The lots are not appealing because of the size, which is what they will work on going forward. Kris

Christianson suggested a small business fair and/or job fair. Grabow stated Adkins and Christianson should get together to figure out the fair. Adkins asked for quarterly support funds in the amount of \$5,000 and \$10,000 to help cover the DADi debt. 19) Homan moved, seconded by Mewherter to approve quarterly funds in the amount of \$5,000 and \$10,000 to help pay off DADi loan. All voted yes and the motion carries.

**Item #11:18 AM Executive Session pursuant to SDCL 1-25-2(1) Personnel Matters & SDCL 1-25-2(3) Contractual Matters**

20) Mewherter moved, seconded by Fieber to move into Executive Session Pursuant to SDCL 1-25-2(1) for Personnel Matters. All voted yes and the motion carried. No action was taken. At 11:40 AM the board switched to Executive Session Pursuant to Contractual Matters 1-25-2(3). Grabow declared the Commissioners out of Executive Session at 12:14 PM. No action was taken.

**New Business**

21) Fieber moved, seconded by Mewherter to approve poll pads in the amount of \$31,560.08. All voted yes and motion carried. Roll call vote: Homan-yay, Mewherter-Yay, Fieber-Yay, Rhody-Yay, Grabow-Yay. Motion carries.

22) Fieber moved, seconded by Grabow to approve Malt Beverage licenses for Stateline Sports Bar and Grill and Black Fork Spirits. All voted yes and motion carried.

23) Rhody moved, seconded by Homan to approve abatements due to elderly and disabled and veterans programs. All voted yes and motion carried.

24) Fieber moved, seconded by Mewherter to approve move the first regular meeting in June to June 4th. All voted yes and motion carried.

**Approval of Warrants:**

25) Rhody moved, seconded by Mewherter to pay warrants as presented. All voted yes and motion carried.

**Paid Early:** IBC 2410.00 MERP EMPLOYEE CLAIMS, SDDOR 70.88 EXCISE TAX, IBC 190.00 EMPLOYEE CLAIMS, IBC 1928.74 EMPLOYEE CLAIMS

**Warrants:** A&B BUSINESS SOLUTIONS 612.48 SUPPLIES, AT&T MOBILITY 417.40 UTILITIES, AUSTIN LAW OFFICE 928.85 CAA FEE, AVERA OCCUPATIONAL MEDICINE-SF 75.40 DOT TESTING, BANNER ASSOCIATES INC 55971.50 PROF. SERVICES, BROOKINGS DEUEL RURAL WATER 49.00 UTILITIES, BJERKE SANITATION 230.00 GARBAGE, BRIAN'S GLASS & DOOR INC 1880.00 EXT DOOR REPAIR, BUTLER MACHINERY CO 78.70 REPAIR, CARTNEY BEARING & SUPPLY CO 228.91 REPAIR, CINTAS CORP 51.31 RUGS, CLEAR LAKE BUILDING CENTER 1023.49 REPAIR, CITY OF CLEAR LAKE 250.00 UTILITIES, CLEAR LAKE COURIER 1543.75 NEWSPAPER PUBLICATIONS, COLE'S PETROLEUM PRODUCTS, INC 7249.50 FUEL, TWOTREES TECHNOLOGIES 5266.93 CONNECT CARE, COWBOY COUNTRY STORES 71.57 SUPPLIES, CRAFTCO, INC. 110.74 REPAIR, DAKOTA DATA SHRED 87.61 SHRED BIN RENTAL, DAKOTABILITIES 180.00 2ND QTR SUPPORT, DEUEL COUNTY FARMERS UNION OIL 3156.22 REPAIR, DEUEL COUNTY TREASURER 124.42 DELINQ TAXES, FIRST BANK & TRUST 1860.19 CC STATEMENT, FIRST DAKOTA TITLE 97.97 OVR PMT TAX/TITLE FEES, FLEETPRIDE 22.39 REPAIR, H-D ELECTRIC COOP, INC 1072.07 UTILITIES, HERRICK TOWNSHIP 1304.00 POCKET GOPHERS, HUMAN SERVICE AGENCY 3286.25 2ND QTR SUPPORT, INTER-LAKES COMM ACTION INC 1379.75 APRIL SUPPORT, JOHNSON CONTROLS BLDG SOL, LLC 10914.00 BOILER REPAIR, JOSH ROGNESS 138.21 OVR PMT TAX/TITLE FEES, KINGSBURY COUNTY 70.00 SIOUX VALLEY MTG REG. FEE, M & T FIRE AND SAFETY 200.00 SUPPLIES, BLUE TARP FINANCIAL, INC 54.32 REPAIR, MATTHEW BENDER & CO., INC. 130.43 COURT RULE BOOKS, MAYNARDS 6.37 SUPPLIES, MICROFILM IMAGING

SYSTEMS 90.00 SCANNER RENT, MOTION INDUSTRIES 45.94 REPAIR, BYRON  
NOGELMEIER 45.00 MARCH SCRAM, NORTHERN TRUCK EQUIPMENT CORP 658.86  
REPAIR, NORTHWESTERN ENERGY 1888.05 UTILITIES, OFFICE PEEPS INC 147.04  
SUPPLIES, OTTERTAIL POWER CO 103.94 UTILITIES, PESTS B DEAD LLC 465.00 QTRLY  
MAINTENANCE, PIZZA & BURGER SHACK 400.00 ANNUAL MTG WEED MEAL, POWERPLAN  
OIB 111.27 REPAIR, QUADIENT LEASING USA INC 786.60 2ND QTR LEASE PMT, RC  
TECHNOLOGIES 150.00 911 UTILITIES, RICHARDSON, WYLY, WISE, 179.00 PROF.  
SERVICE, RUNNING'S SUPPLY INC 411.02 SUPPLIES, SANITATION PRODUCTS INC 322.31  
REPAIR, SD DEPT OF TRANSPORTATION 3078.19 BRIDGE INSPECTIONS, SOUTH DAKOTA  
DEPT OF REVENUE 137656.21 END OF MONTH FEES, SDAAO 1650.00 MAY4&5TH USPAP  
COURSE FEE, SDACO 176.00 M&P FEES

**Public Comment**

There was no public comment.

**Adjournment:**

There being no further business 26) Mewherter moved, seconded by Fieber to  
adjourn. All voted yes and the motion carried.

ATTEST:

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Courtney Parker, Auditor

Published one time at the approximate cost of

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Jay Grabow, Chairman