

February 20, 2020  
Regular Meeting

The Deuel County Commissioners met in regular session on Thursday, February 20<sup>th</sup> at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Jaeger presiding. Those present were Commissioners DeJong, Kreutner, Homan and Jaeger. Commissioner Rhody joined the meeting by conference call. Also present was Auditor Mary Korth and several members of the public. The meeting began with prayer and the Pledge of Allegiance.

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

### **APPOINTMENTS**

#### **9:00 Jamie Hintz Highway Superintendent**

Hintz met with the Commissioners to discuss several highway related issues. He presented the current township rates for 2020 with a slight increase for blading and snow removal. 2) Kreutner moved, seconded by DeJong to approve the township and town rates for 2020. All voted yes and motion carried.

### **DEUEL COUNTY HIGHWAY DEPARTMENT 2020 TOWNSHIP & TOWN RATES**

#### Hourly rate-With Operator

##### Motor Graders:

Blading	\$61.00
Snow Removal with wing	66.00
Plus additional for overtime, when needed	

#### Hourly rate-Without Operator

##### Trucks:

Dump Truck	32.00
Pickup	10.00
Sander	35.00
Semi Tractor/Truck	65.41

##### Tractors:

Backhoe/Loader	42.00
Dozer & Excavator	35.00
Utility Tractors	20.00
Payloader	75.00
Mowers & Tractor	40.00

##### Other Equipment:

Tow Packer	10.00
Self Propelled Packer	20.00
Steel Faced Roller	15.00
Oil Distributor & Truck	60.00

Power Broom-Pull type	45.00
Power Broom-Hydraulic	70.00
Chip Spreader	30.00
Rotary Snow Blower-Loader	100.00
Lo-Boy Trailer	50.00
Tiltbed Trailer	50.00
Gravel Trailer	50.00
Equipment Trailer	50.00

These rates apply to the equipment only, there will be an additional hourly charge for the operator and overtime, when needed.

Discussion was held on snow removal in the county, equipment takes a toll during the process and there is a lot of expense. Commissioner Homan asked what the comparison is in pricing with like counties. Hintz said we are lowest in the state. Lance Mills was present for the discussion. Mills did a comparison with like counties in the interest of private business blading and the county's charges are very low and make it difficult for competition or anyone interested in starting a new business to help townships with snow removal. For a private business, \$100.00 per hour is what he has found to make it equitable. He approached the Board to consider supporting a new business to keep tax dollars local. He was seeking information on rates and numbers and will be approaching townships to assist in snow removal. Commissioner Jaeger suggested that future increases in rates will likely happen for blading and snow removal. A refresher course in blading was also suggested for the Highway Department.

Hintz also presented the 2020 Initial Boundary Validation Program from the US Census Bureau. Hintz viewed the maps from the Bureau for accuracy and determined the Deuel County legal boundaries are correct. 3) DeJong moved, seconded by Kreutner to approve and sign the 2020 Initial Boundary Validation Program for the US Census Bureau. All voted yes and motion carried.

Hintz received a notice to proceed from Banner Associates on the two structures in the Hidewood. Further discussion will be held at the next meeting.

Hintz received a Hazard Mitigation Grant. Lake Alice is not eligible for the grant for a grade raise because of details in the grant. Fox Lake does fall under the qualifications and rip rap will be placed there. Discussion was held on the flooding of Fox Lake and lowering levels and how it has affected land downstream. Mills questioned if the drainage problem was due to dead trees in water ways and further discussion was held on solutions that have been examined.

**9:45 Sheriff Cory Borg**

Borg met with the Commissioners to discuss several items concerning the Sheriff's Office. The 2018 Dodge Charger was involved in a deer collision accident on Feb. 8<sup>th</sup>. Borg felt the necessary repairs needed could be done by the Deuel County Highway Department so that the vehicle can continue to be used. An insurance claim has been filed.

Discussion was held on new 911 address signs needed for the county at a cost of \$1590.00. These are the blue address signs in the county. Wind tower companies need them for each tower and the county is running low on signs. Borg sets up the addresses and the Highway Department installs them. Borg did not have a count on the number of signs the cost covers. 4) Kreutner moved, seconded by Homan to approve the purchase of the 911 signs to come out of the 911 budget in the amount of \$1590.00. All voted yes and motion carried.

Borg informed the Board that the K-9 was received yesterday. It is currently with the handler Kellen and they will be leaving for narcotics training March 1 for six weeks. The dog's name is Demon.

Commissioner Rhody questioned Borg about the Industrial Hemp bill in the state legislature and what additional training that will require. Borg had not investigated that thoroughly but South Dakota rule is that training is minimum 240 hours for canines. Borg will also contact Highway Patrol on what further training is required for the K-9.

**10:15 Zoning Officer Jodi Theisen**

Theisen met with the Commissioners to discuss the vehicle purchased for her use in the County (a 2004 Pontiac Sunfire purchased six months prior). There have been many problems with the vehicle since the purchase. The Highway shop has done some of the repairs as well as Fritz Chevy. Currently the speedometer is stuck and will only run at a certain speed, also the rear wheel is frozen. Fritz Chevy quoted her repairs that amounted to more than the value of the car. The repairs would amount to roughly \$700. Past repairs on the car have been \$310. She felt the value of the car is not worth the current repairs. Commissioner Homan asked if there was another vehicle available to use. Theisen will check on vehicles at the Highway Department.

**10:30 Jim Dailey, Chad Limberg, Casey Magedanz**

Dailey and several other interested parties met with the Commissioners for further discussion on Lake Alice. Limberg and Magedanz could not be present for discussion.

Hintz was present for discussion and told all the parties that he spoke with Mark Junker from Banner Associates concerning the engineering and preliminary quotes for a hydraulic study for Lake Alice. A copy of an email from Banner was presented. Banner had many questions before they could give an accurate estimate. This would depend on scope and scale of the study, number of meetings, environmental concerns, and downstream landowner concerns. With everything entailed Banner thought it would reach a cost of \$70,000 or more.

Commissioner Jaeger commented that State's Attorney John Knight, who could not be present said there is a meeting between the Corps of Engineers and GFP today, Feb. 20<sup>th</sup> in Pierre to decide their involvement in the study and solutions. The Commissioners had not been made aware of this special meeting prior to the morning of the Commission meeting.

Before the study by Banner could begin, several questions were presented by Banner. The results of the meeting with the agencies in Pierre will greatly affect the decisions made from there. Discussion was held on solutions where the Lake can take in more water without flooding. Spring flooding is a huge concern for everyone. Discussion was held on where the water is coming from that has affected that Lake so greatly. Commissioner Kreutner wanted to clarify a permanent solution to drop the lake levels without adversely impacting downstream landowners which would take time as that would be a process to build structures for that to happen.

John Henslin was present for the meeting and was aware of the meeting in Pierre. He believes there will be action taken. He feels spending county funds on a study should not happen and has confidence that the agencies he has been in contact with at the state level will come to a solution. He was happy to give names and numbers of who he has been talking to in Pierre on the subject. Commissioner Jaeger was happy that everyone present could see the quotes from Banner and he personally doesn't feel is the best way to spend taxpayer dollars. Calvin Musch, representative of Portland Township voiced his concerns about the roads in the area. He hopes that if the study is done, to look at the watershed and how it affects township roads downstream. He also was concerned who would be liable for damage to structures downstream as that would be a burden to the township. Jaeger and Hintz felt if the study was done, it would be very thorough and beneficiary for all parties involved in the watershed. Further discussion was held on the history of drainage of the Lake and how things have changed over the years. Hintz felt everyone agrees the Lake needs an outlet structure to handle spring runoff and flooding but the question is how it will be paid for and the government regulations involved.

Dailey asked if there were other contractors contacted for perhaps a lower price. The county always uses Banner and feels they would do the best job. Dailey said everyone should be on the same page with studies and solutions as to not waste money and hurry things along and dispel confusion. Members present would like to see a visit from a representative from the Corps of Engineers and GFP in Pierre to see the situation first hand. Calvin Musch wanted to know what type of structure specifically would be built. The county doesn't have a lot of information on what that would be, Hintz suspected something similar as to what works on other area lakes and it would be a simple solution, however County involvement at this point wouldn't be the best fiscal solution. It was determined to see what the decisions of the Corps of Engineers and GFP at today's meeting in Pierre will be and everyone will be kept informed.

### **OLD BUSINESS**

#### **County West Building**

Commissioner DeJong presented a quote to roof the outside furnace unit at the West Building from the Clear Lake Building Center in the amount of \$4862.13. Commissioner Jaeger also presented the quotes from Clear Lake Building Center to remodel offices at the County West Building including doors, windows and other necessary adjustments to make the building ADA compliant in the amount of \$5448.00. This does not include flooring which would be an additional \$5000.00 plus \$3000.00 installation. 5) Homan moved, seconded by Kreutner to approve the Clear Lake Building Center perform the work to roof the furnace unit at the County West building in the amount of \$4862.13 and to remodel the offices at that location for the amount of \$5448.00 and to include new flooring in the amount of \$5000 plus \$3000 installation. All voted yes and motion carried.

#### **Courthouse Basement**

Commissioner DeJong presented a quote to replace the handrail for the steps leading to the basement in the amount of \$1241.04. He also presented a quote from Total Epoxy Systems from Brookings in the amount of \$11331.66 to patch, prep and epoxy the floor with a liquid granite chip system. This would include partial basement floor (not east side) and steps. Discussion was held on delaying the flooring and handrails because the costs are getting very expensive for these improvements. Rather, because Extension is moving to the West building, it presents opportunities to free up other office spaces with other moves. These moves would involve contacting the City of Clear Lake concerning the downtown Extension Building which Commissioner Jaeger will do. An air exchange or heat system to keep the mold from reoccurring in the basement will be looked at for future meetings. 6) Kreutner moved, seconded by Homan to have INTEK from Sioux Falls remove the mold from the courthouse basement at a maximum cost of \$15,068.50. All voted yes and motion carried.

### **NEW BUSINESS**

#### **Plat**

7) Homan moved, seconded by Jaeger to approve the Plat of Kullman's Conservation Easement Tract 1 located in NW1/4 of 20-116-48 and Resolution #20-04. All voted yes and the motion carried.

### **RESOLUTION**

#### **#20-04**

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat of: **"KULLMAN'S CONSERVATION EASEMENT TRACT 1"** in the Northwest Quarter of Section 20, Township 116 North, Range 48 West of the 5<sup>th</sup> Principal Meridian, Deuel County 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 20<sup>th</sup> day of February, 2020.

\_\_\_\_\_  
Chairman, Board of County Commissioners  
Deuel County, South Dakota

ATTEST:

\_\_\_\_\_  
County Auditor,  
Deuel County, South Dakota

**Resolution #20-05 Voting Precincts**

8) Kreutner moved, seconded by Homan to approve and sign Resolution #20-05 that establishes voting precincts for the Primary and General Election 2020. All voted yes and the motion carried.

**RESOLUTION #20-05**

WHEREAS, Deuel County must establish polling places in each precinct, for the Primary Election to be held on Tuesday June 2, 2020 and the General Election to be held on Tuesday November 3, 2020:

PRECINCTS

LOCATION OF VOTING

THEREFORE BE IT RESOLVED, that the polling places in each precinct in Deuel County shall be as follows:

# 1 ALTAMONT, PORTLAND & LOWE TWPS., ALTAMONT INC. – DAKOTA RIDGE LODGE,

ALTAMONT

# 3 BRANDT & NORDEN TWPS., BRANDT INC. – BRANDT COMMUNITY CENTER

# 4 CLEAR LAKE INC. – WARD 1 – COMMUNITY CENTER - CLEAR LAKE

# 5 CLEAR LAKE INC. – WARD 2 – COMMUNITY CENTER - CLEAR LAKE

# 6 CLEAR LAKE INC. – WARD 3 – COMMUNITY CENTER - CLEAR LAKE

# 7 GOODWIN TWP., GOODWIN INC. ROME TWP. – GOODWIN FIRE HALL

# 8 GLENWOOD, HERRICK & ANTELOPE VALLEY TWPS., GARY, INC. – GARY FIRE HALL

# 9 HAVANA , CLEAR LAKE & HIWEDWOOD TWPS. – CLEAR LAKE COMMUNITY – CENTER

#10 SCANDINAVIA TWP., ASTORIA INC. – LEGION HALL ASTORIA

#11 BLOM TWP., TORONTO INC., GRANGE TWP. - TORONTO COMMUNITY ROOM  
(fire hall)

Dated this 20th day of February, 2020.

Gary Jaeger, Chairman  
Deuel County Commission

ATTEST:

Mary Korth, Auditor

**Surplus Items Register of Deeds; Abatement of Taxes; Student Gov't Day; Easter Holiday; Travel**

Discussion was held on the recent replacement and upgrades of the computers in the Register of Deed's Office. 9) Homan moved, seconded by Rhody to surplus the two tower computers in the Register of Deeds Office serial #MXL21812C7 and 2UA32927BG as well as an HP P221 monitor serial #3CQ3171BSH at no value and to have the hard drives wiped and computers recycled through Ultra Connecting Point. All voted yes and motion carried.

A lot acquired by the City of Clear Lake in September 2019 was again discussed for tax abatement. It was found that no money was exchanged and there was no purchase agreement between buyer and seller. The City claims the property is of no value and they are unable to sell it, they could only give it away as a charitable contribution. 10) Homan moved, seconded by DeJong to abate all taxes and special assessments for the year 2019 payable 2020 on Lot 19 & W21'E103'N3' of Lot 18, Blk 14, Original Plat, City of Clear Lake in the amount of \$886.94 due to the current owner's tax exempt status which is The City of Clear Lake. All voted yes and motion carried.

Auditor Korth and the Board of Commissioners announce that Student Government Day will be held, Monday, March 2<sup>nd</sup> at the Deuel County Courthouse.

Governor Kristi Noem is granting administrative leave on Friday, April 10 and Monday, April 13 to all state employees for the Easter holiday. All State Offices and the Executive Branch agencies will be closed on those days. 11) DeJong moved, seconded by Kreutner to close the courthouse and outlying departments all day Friday April 10<sup>th</sup> and reopen Monday, April 13<sup>th</sup> at 8am. All voted yes and motion carried.

12) DeJong moved, seconded by Kreutner to approve travel expense for the Commissioners and Welfare Official to attend Commissioner/Welfare workshop in Pierre March 10<sup>th</sup> and 11<sup>th</sup> and for all county officials for travel to the Sioux Valley District meeting held in Watertown on Wednesday, March 18<sup>th</sup>. All voted yes and motion carried.

**Public Comments**

There were no public comments at this meeting.

**Warrants**

13) DeJong moved, seconded by Jaeger to approve warrants paid early and approval of regular warrants to be paid. All voted yes and motion carried. *Warrants to* Brock Nothem 44.67 Overpayment Taxes, Toben Farms 410.70 Overpayment Taxes, Code 2 K9 Service 2500.00 Dog, H-D Electric 951.99 Utilities, RC Technologies 150.00 Utilities, Watertown PD 500.00 Contract, Sanford 16.90 Flex, Otter Tail 1285.49 Utilities, B-D Rural Water 102.20 Utilities, Century Link 358.79 Utilities, City of Clear Lake 227.96 Utilities, ITC 162.45 Utilities, NW Energy 676.21 Utilities, Tri State Water 62.00 Supplies,

Runnings 100.00 Correction, Dept of Rev 349.06 Excise Tax and 99,018.15 Fees Due to State, SDACO  
194.00 M&P. Taxes: Schools 240,318.61, Towns 16,320.72, Townships 17,147.61, EDWDD 967.87,  
Rural Fire 4458.51

**Adjournment**

There being no further business 14) Kreutner moved, seconded by Homan to adjourn the meeting.

Chairman  
Deuel County Commission

ATTEST:

Mary Korth, Auditor

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