

February 6, 2024  
Regular Meeting

The Deuel County Commissioners met in regular session on February 6<sup>th</sup>, 2024. 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. The meeting began with prayer and the Pledge of Allegiance. 1) Rhody moved, seconded by Mewherter to approve the agenda with the addition of the Load Limit Resolution, Pickup and Executive Session for Contractual Matters. All voted yes and the motion carried. 2) Homan moved, seconded by Rhody to approve the minutes from January 4<sup>th</sup> and 17<sup>th</sup> with the corrections to Donna Rhody's salary \$5,869.53 and Dennis Evenson's salary \$1,340.50. All voted yes and the motion carried.

### **Appointments**

#### **9:00 AM - Highway Superintendent Jamie Broksieck**

Broksieck met with the commissioners to discuss a few highway department related matters. He explained that a couple counties are putting load limits on early due to the nice weather and the condition of the roads worsening. Broksieck wants to be proactive and have the resolution in place so he can place the load limits when he thinks it is necessary. 3) Fieber moved, seconded by Homan to approve Resolution 24-03 for Weight Limit Enforcements on Deuel County Roads. All voted yes and the motion carried.

#### **RESOLUTION #24-03**

#### **A RESOLUTION SETTING WEIGHT LIMIT ENFORCEMENTS ON DEUEL COUNTY HIGHWAYS**

WHEREAS, seasonal climatic changes can be detrimental to our highways; and  
WHEREAS, the Deuel County Board of County Commissioners desires the enforcement of weight limitations on Deuel County roads as set forth by the Deuel County Highway Superintendent.

NOW THEREFORE BE IT RESOLVED, the limit on Deuel County highways shall be set as seven (7) ton per axle on all asphalt surface roads when limit signs are in place; and The South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitations on Deuel County highways.

BE IT further RESOLVED that the penalty for the violation of the load restrictions shall be as set forth in SDCL 32-22-55.

Vote of the Deuel County Board of County Commissioners:   5   Yea        Nay

Dated this 6<sup>th</sup> day of February, 2024.

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Jay Grabow, Chairman  
Deuel County Commission

ATTEST:

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Courtney Parker, Auditor  
Deuel County

4) Rhody moved, seconded by Mewherter to hire Justin Bolden at \$23.77 for the mechanic job at the Deuel County Highway Department starting on February 12<sup>th</sup>, 2024. All voted yes and the motion carried.

Broksieck discussed the overlay project on county road 443, 472<sup>nd</sup> Ave North of Highway 212. The overlay includes a 2-inch overlay; ¾ inch leveling lift and 1 ¼ inch top lift. New culverts will be put in

where necessary but a lot of the culverts on this road are concrete and are holding up good. Broksieck explained there are no steep ditches and there are big shoulders on this stretch of road. The six miles of overlay quoted by Banner Associates will not exceed \$35,000.00. 5) Homan moved, seconded by Fieber to approve the overlay project for six miles on county road 443, 472<sup>nd</sup> Ave North of Hwy 212. All voted yes and the motion carried.

**9:45 AM – Veteran Service Officer Dennis Evenson**

Evenson gave a quarterly report on his duties as Veteran Service Officer. Evenson stated Deuel County is comparable to Kingsbury County for number of veterans. Evenson gave a report on helping veterans with getting glasses, hearing aids, and securing nursing homes and care facilities. He stated he loves helping the veterans. Evenson explained there is a bill being talked about that would allow small counties to contract with bigger counties for the Veteran Service Officer position.

**10:00 AM – Zoning Officer Jodi Theisen**

Theisen presented a plat to the Board of Commission. 6) Homan moved, seconded by Mewherter to approve the plat for Tract 1 of Deuel County Switchyard Addition in the N1/2 of the NW1/4 of Section 34, Township 113 North, Range 50 West of the 5<sup>th</sup> P.M., Deuel County, South Dakota and Resolution 24-04. All voted yes and the motion carried.

**COUNTY COMMISSIONER'S CERTIFICATE**

Resolution No. #24-04

A resolution approving the plat of Tract 1 of Deuel County Switchyard Addition in the N1/2 of the NW1/4 of Section 34, Township 113 North, Range 50 West of the 5<sup>th</sup> P.M., Deuel County, South Dakota. Whereas, the plat of the above described property has been executed according to statute, now therefore;

Be it resolved that the County Commission, in and for Deuel County, does hereby approve the said plat of a resolution approving the plat of Tract 1 of Deuel County Switchyard Addition in the N1/2 of the NW1/4 of Section 34, Township 113 North, Range 50 West of the 5<sup>th</sup> P.M., Deuel County, South Dakota. Dated this 6<sup>th</sup> day of February, 2024.

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Chairperson

Attest:  
(Seal)  
Auditor

I, Auditor of Deuel County, do hereby certify that at an official meeting on February 6<sup>th</sup>, 2024, the County Commissioners did by resolution approve the plat of Tract 1 of Deuel County Switchyard Addition in the N1/2 of the NW1/4 of the Section 34, Township 113 North, Range 50 West of the 5<sup>th</sup> P.M., Deuel County, South Dakota.

Dated this 16<sup>th</sup> day of February, 2024.

\_\_\_\_\_  
Auditor of Deuel County

Theisen gave an explanation of permit fee changes. They include: \$250 to \$500 for Appeal to BOA-Hearing, Firework Permit is now changed to Firework License, Conditional Use Class C and D over 500 head is \$250 and a special meeting fee from \$625 to \$900 to adjust for the \$150 zoning board member compensation rate increase. 7) Homan moved, seconded by Fieber to approve the Zoning & Building Permit Fee schedule. All voted yes and the motion carried.

Theisen gave her yearly report on the zoning office: new houses 9 down from 16 prior, mobile homes 1, additions 29 up 1 from 2022, out buildings 71 up from 61, removals 18, grain bins/hoppers 12, met tower 3, 1 appeal, 1 apartment, special variance/exceptions down 29 from 46 in the year prior, 4 firework permits, 3 rezonings, 17 shelter belts up from 5, CAFO's 1, Win Energy Systems 1, Amended Ordinance 5, total var/CUP 185 up from 155 in 2022, plats filed 16 down from 26. Plat fees collected are

\$400.00 for 2023 down from \$665.00 in 2022 and total permit fees down \$14,735.53 from year prior \$31,324.96.

**10:15 AM – Sheriff Cory Borg**

Borg discussed why he will not be contracting with Codington County Jail for the year 2024. Codington County is now charging \$130.00 per day per inmate. This is up \$35 per day from last year's contract price. We will now only house inmates at the Brookings County Jail. Borg notified DCI and SD Highway Patrol of the new policy to house in Brookings County.

Borg presented quotes for the new vehicle equipment. M & T Fire and Safety quoted the light bar and siren at \$2420.00. PSECO, Public Safety Equipment Company LLC, quoted \$1091.35 for a console and necessary items for console. 8) Rhody moved, seconded by Homan to approve the purchases of equipment for the 2024 Dodge Durango coming March/April. All voted yes and the motion carried.

Borg talked about the Sheriff's Deputy that died in the line of duty on Friday in Moody County. Borg, Second Vice President of the Sheriff's Association, plans on attending the funeral. Borg has two Deuel County deputies covering shifts so the Moody County Sheriff's Department can mourn the loss of their friend and coworker. Deuel County deputies are still covering Deuel County calls but Borg stated that it is important to help counities when in need.

**10:30 AM – Plainview Dairy Representative Ben Stout**

Stout gave a brief general update on the new dairy. DANR review water permits and the general feedlot permit from state will be public notice on Monday, February 12, 2024. Once public notice time frame is complete, the process will be complete and the permits will be granted. The public notice timeframe will be around 4-6 weeks.

Stout explained that Broksieck received a quote from Banner Associates for around \$110,000.00 for the engineering costs on the roads near the dairy. Stout asked IMEG Corporation (another engineering firm) and they were quoted \$20,000.00 - \$30,000.00. Stout asked if we can compare the two companies and use the least expensive route. The board was in agreeance with that as long as the companies were comparing apples to apples.

Discussion was held on the DOT road access grant and when we need to apply for it. Deuel County would be responsible for grant submittal for one of the following due dates, April 15, June 15, or October 15.

The Deuel County Zoning Board is meeting on the new employee apartments that will go onsite at Plainview Dairy. The apartments will house about 16 people each. Warren Wiesner asked why at the first zoning meeting it was pitched that there would be absolutely no onsite housing and now there are? Stout explained that everything has changed from when they first started. Stout explained that the owners now want housing for their workers.

Stout explained he is informing township officials as things come up and wants to continue open communication with everyone involved.

**10:45 AM – Mary Nosbush**

Nosbush is part of a group that is tracking the CO2 pipeline and figuring out strategies to help protect counties in South Dakota. Nosbush wants to make sure our county is protected when the time comes. Resolution 24-05 would help counties maintain in control instead of a one-size fits all approach. 9) Mewherter moved, seconded by Homan to approve Resolution 24-05 to help contain control at the county level. All voted yes and the motion carried.

**Deuel County Board of Commissioners  
Clear Lake, SD**

**Resolution 24-05, Deuel County Local Control Resolution**

Whereas: Local control is an important principle of the United States of America, our U.S. Constitution and the State of South Dakota;

Whereas: South Dakota has a long history of allowing counties, municipalities and townships to adopt local zoning ordinances that benefit local jurisdictions and their citizens;

Whereas: SB201 and other legislation threatens local control, and would adopt a top down, one size fits all, setback that could harm the compatible use of the land and does not allow citizens to have a voice at the local level;

Whereas: the board of Deuel County Commissioners continues to support counties, municipalities and townships having the authority to adopt ordinances that are appropriate for each unique jurisdiction. Now therefore, be it resolved, by the Board of Deuel County Commissioners that we are opposed to any legislation that would adopt a top down, one size fits all, statewide setback that eliminates the local control of counties, municipalities and townships.

Be it further resolved that a copy of this resolution shall be furnished to the following: Governor Kristi Noem, District 4 Senator John Wiik, District 4 Representative Fred Deutsch, District 4 Representative Stephanie Sauder, District 5 Senator Lee Schoenbeck, District 5 Representative Hugh Bartels, District 5 Representative Byron Callies and District 8 Senator Casey Crabtree.

Dated this 6<sup>th</sup> day of February, 2024 at Clear Lake, SD.

Mewherter moved for the adoption of Resolution Number 24-05, Homan seconded the foregoing motion. Upon a roll call vote, thereon, all voted yes and the motion carried. Motion and Resolution Number 24-05 was declared February 6<sup>th</sup>, 2024.

**11:00 Executive Session- Pursuant to SDCL 1-25-2 (3)**

10) Homan moved, seconded by Rhody to move into Executive Session Pursuant to SDCL 1-25-2 (3) to discuss a contractual matter. All voted yes and the motion carried. Chairman Grabow declared the Commissioners out of Executive Session at 11:30 A.M. No action was taken.

**Old Business**

11) Homan moved, seconded by Fieber to approve quarterly funds of \$4,500.00 for CLAD. All voted yes and the motion carried.

**New Business**

12) Homan moved, seconded by Fieber to approved to surplus the following items snow brush for mower, four ROD computers, and two chairs from ROD office. All voted yes and the motion carried.

Auditor Parker brought up the need for pest control at the courthouse. Parker is getting a quote from Pest B Dead as they currently service the 4-H Complex and 4-H Service Center.

13) Fieber moved, seconded by Mewherter to approve the purchase of new banners for around the courthouse from Display Sales for \$1,050.00. All voted yes and the motion carried.

14) Rhody moved, seconded by Mewherter to approve the cash balance sheet for January 2024. All voted yes and the motion carried.

**DEUEL COUNTY AUDITOR'S ACCOUNT WITH TREASURER  
END OF MONTH CASH BALANCE- JANUARY 2024**

CASH TOTAL	\$ 1,558.60
CHECKS TOTAL	\$ 22,058.31
CASH ITEM	\$ -
CASH CHANGE SHERIFF	\$ 50.00
TOTAL CASH ASSETS ON HAND	\$ 23,666.91
CHECKING ACCOUNT BALANCE	\$ 561,961.65
PREMIUM MM FIRST BANK & TRUST OF TORONTO	\$ 4,228,297.20
SD FIT	\$ 1,001,710.43
CREDIT CARDS	\$ 416.30

CD	DNB	\$	250,000.00
	FB&T	\$	-
INTERST EARNED \$19,671.13			
REVOLVING LOAN		\$	37,750.25
<b>GRAND TOTAL CASH ASSETS</b>		<b>\$</b>	<b>6,103,802.74</b>
GL CASH BALANCE BY FUNDS:			
GENERAL		\$	3,478,245.73
SP REVENUE FUNDS		\$	2,083,232.71
TRUST & AGENCY FUNDS		\$	542,479.30
Townships	\$55,667.74	Cities	\$43,147.27
Schools	\$274,924.62	Rural Fire	\$5,118.72
<b>TOTAL GENERAL LEDGER CASH</b>		<b>\$</b>	<b>6,103,957.74</b>

15) Homan moved, seconded by Fieber to approve cyber security contract with Dakota State University at no expense to Deuel County. All voted yes and the motion carried.

Parker discussed the SBI Safety Report with the Board of Commission. Appropriate steps will be taken to fix the areas of concern.

### Approval of Warrants

16) Homan moved, seconded by Rhody to pay warrants as presented. All voted yes and the motion carried.

**Paid Early:** Sanford Health Plan \$26,848.74- Health Insurance, SD Dept of Revenue \$176.77- 2<sup>nd</sup> Half of Sales Tax, SD Dept of Revenue \$652.57- Excise Tax, US Postmaster \$2000.00- Postage for Machine, First Bank & Trust \$3038.55- Credit Card, City of Watertown \$3974.12- 911 Surcharge,

**Current Warrants:** A&B Business Solutions 102.35 Supplies, A&B Business Solutions 684.88 Supplies, Appera 209.22 Rug Rental, AT&T Mobility 272.27 Utilities, Auto Body Specialties 2055.05 Repairs & Supplies, Auto Value Parts Store 376.00 Repairs / Supplies, Banner Associates Inc 865.00 Prof. Services, Birmingham & CWACH Law 316.95 BMI/ CAA Fees, Bjerke Sanitation 365.00 Garbage, Cartney Bearing & Supply Co 25.90 Repair, Codington Co. Sheriff's 217.37 Prisoner Care, Clear Lake Building Center 239.14 Supplies, City Of Clear Lake 246.74 Utilities, Clear Lake Courier 1235.76 Publishing's, Clear Lake Veterinary Clinic 87.01 Supplies, Cole's Petroleum Products, Inc 10531.07 Fuel, Dakota Data Shred 58.23 Shredding Service, DakotAbilities 180.00 1st Qtr Funds, Deuel County Motor Supply Inc 390.18 Repairs / Supplies, Dk Diesel Injection Inc 401.01 Supplies, Eastside Equipment 160.21 Repair, First Bank & Trust 2988.12 Cc Statement, First Dist. Assoc Local Gov't 250.00 Prof. Data Collection Fees, First Dist Dev Co 1403.55 Rev. Loan Interest, Glacial Lakes And Prairies 449.00 2024 Support, Goldstar Products 1009.70 Supplies, H-D Electric Coop, Inc 474.58 Utilities, High Mountain 110.00 Dc Bucks, I-State Truck Centers 208.76 Repair, ITC 1822.42 Utilities, John Deere Financial 262.23 Supplies, Josefina Koopmans 172.44 Prof. Services, L G Everist Inc 20710.31 Pea Rock, Lewis Drug 10.00 Dc Bucks, Blue Tarp Financial, Inc 17.94 Supplies, Maynards 47.85 Supplies, Mcleod's 155.54 Warning Tickets, Menards 223.44 Supplies, Mid-States Organized Crime Inf 100.00 2024 Membership Fees, Napa Auto Parts 231.38 Supplies, Byron Nogelmeier 210.00 Scram Fees, Norden Twp Gopher Bounty 196.00 Pocket Gophers, Dennis Nosbush 125.00 Repair, Northwestern Energy 2816.70 Utilities, New York Life Insurance Co 270.38 Life Ins., Office Peeps Inc 1510.11 Supplies, Ottetail Power Co 1155.84 Utilities, Pizza & Burger Shack 140.00 Dc Bucks, Primeau Forensics, Ltd 555.00 Prof. Services, RC Technologies 150.00 911 Utilities, Ron's Saw Shop 214.49 Supplies, Running's Supply Inc 47.96 Supplies, Scandinavia Township 55724.88 Raif Reimbursement, South Dakota Dept Of Revenue 122316.53 EOM Fees, SDACO 326.00 M & P Fees, Sd Public Assurance Alliance 100718.08 Annual Liab/Auto Ins., Sign Solutions 1137.10 Supplies, Stan

Houston Equipment Co, Inc 97.00 Repairs, The Alibi 20.00 Dc Bucks, Transwest - Sioux Falls 250.84 Repairs, Two Way Solutions Inc 176.92 Supplies, W.W. Tire Service Inc 70.00 Repair, West Central Communication Inc 526.20 Supplies, Wheelco Truck & Trailer Parts 877.50 Repairs / Supplies, Watertown Ford - Bobcat 761.17 Repairs, Watertown Police Dept. 500.00 Annual Zuercher Software

### **Payroll**

**January Payroll:** Commissioners \$10,228.64, Election \$133.57, Auditor's Office \$10,453.45, Treasurer's Office \$11,203.26, State's Attorney's Office \$8,264.26, General Gov't Building \$6,075.90, Director of Equalization Office \$16,936.43, Register of Deeds Office \$9,365.47, Veteran Service Officer \$1,443.05, GIS \$759.13, Sheriff's Dept. \$49,567.20, County Assist \$400.92, 4-H \$0.00, Extension Office \$3,786.64, Weed & Pest \$2,258.07, Planning & Zoning \$5,300.45, Road & Bridge \$76,813.01, Civil Defense \$430.99

### **Public Comment**

There was no public comment.

### **Adjournment**

There being no further business 17) Fieber moved, seconded by Homan to adjourn. All voted yes and the motion carried.

ATTEST:

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Courtney Parker, Auditor

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Jay Grabow, Chairman

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