

July 15, 2014
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday July 15 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Pederson presiding. Those present were Commissioners Boone, Dumke, Jaeger, Rhody and Pederson. Also present was Auditor Pam Lynde.

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

APPOINTMENTS

9:05 Jamie Hintz Highway Superintendent

Hintz discussed several highway related issues with the Commissioners. Hintz said new reflective signs are being put up throughout the county with the county roads being done first. This is a mandatory program funded with federal grant dollars through the state. He said the tank monitoring system at the Highway shop stopped working and is being repaired. They are working on seal coating of designated roads within the county and finished dust control on several gravel roads.

9:30 Public Hearing Codington-Clark Electric Coop 20 Year Franchise

A public hearing was held on the petition and request of Codington-Clark Electric Cooperative for a 20 year Franchise to use the highways for rural electrification lines and for the purpose of erecting and maintaining poles and wires to conduct electricity for lighting, heating and power purposes for a period of 20 years. 2) Boone moved, seconded by Jaeger to approve the application and petition for a 20 year franchise with Codington-Clark Electric Cooperative and adopt Resolution #14-14. All voted yes and the motion carried.

STATE OF SOUTH DAKOTA
BOARD
OF
COUNTY OF DEUEL
BEFORE THE HONORABLE
SS OF COUNTY COMMISSIONERS
DEUEL COUNTY, SOUTH DAKOTA

IN THE MATTER OF THE APPLICATION
OF CODINGTON-CLARK ELECTRIC
COOPERATIVE, INC. FOR FRANCHISE
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* RESOLUTION #14-14
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WHEREAS, Codington-Clark Electric Cooperative, Inc., a corporation, filed with the County Auditor of the County of Deuel, South Dakota, its petition and application for the purpose of obtaining and acquiring a franchise to use the highways for rural electrification lines and for the purpose of erecting and maintaining poles and wires to conduct electricity for lighting, heating and power purposes, together with stay wires and braces, in and along, across and under any highway through the county for a period of twenty years; and

WHEREAS, said petition and application was heard by the Board of County Commissioners of said County of Deuel on the 15th day of July, 2014, at the office of said board in the courthouse in the City of Clear Lake, South Dakota, due notice of said hearing having been given by mail, in strict compliance with the requirement of law, to all persons, firms or corporations owning or operating transmission, telegraph and telephone, on or along any part of the highways which the proposed transmission or distribution lines of the applicant is to occupy, all in accordance with the terms and provisions of SDCL 31-26; and

WHEREAS, no person, firm or corporation has appeared in opposition to the granting of such application, and it appearing to the satisfaction of the Board of County Commissioners that no differences have arisen or exist between the applicant, Codington Clark Electric Cooperative, Inc., and any owner of any transmission, telegraph, or telephone line on and along, across and under any part of said highways; and it further appearing to the satisfaction of the board that the construction, operation and maintenance of the applicant's distribution and transmission line as now installed and operating and with additions thereto will not interfere with the maintenance and operation of any other line upon any part of said highways;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Deuel and State of South Dakota that the right to maintain its existing system and to erect and maintain poles and wires for the purpose of conducting and transmitting electricity for lighting, heating, and power purposes over, upon, along, across and under the highways in said County of Deuel for a period of twenty years from and after the date hereof be, and it hereby is granted to said Codington-Clark Electric Cooperative, Inc., subject to the terms and conditions of SDCL 31-26, and also subject to such further reasonable regulations as the Legislature of the State of South Dakota may hereafter prescribe, and the following, to-wit:

- (1) Restore all excavated areas insofar as possible to the original topography, soil configuration, and any part of the roadway that is damaged in the exercise of this franchise.
- (2) Agrees to hold the County harmless from any act of negligence on its part, its agents, or employees in exercise of this franchise.
- (3) All underground crossings of hard-surfaced oil roads shall be bored.
- (4) All underground crossings shall be at 90 degree angles.
- (5) All underground cable shall be installed at the lowest elevation within the right-of-way insofar as possible.
- (6) At no time shall the cable be buried longitudinally under the traveled portion of the roadway.

Dated this 15th day of July, 2014.

Chairman of the Board of County
Commissioners of Deuel County,
State of South Dakota

ATTEST:

County Auditor
(SEAL)

10:00 Tammy Baer-Community Health Quarterly Report

Health Nurse Tammy Baer met with the Commissioners and gave a quarterly update from the Health Nurse Office. Baer stated that WIC numbers have stayed fairly steady. She presented the SD WIC Program annual redeemed amounts and number of authorized retailers for fiscal year 2013 and attended WIC training in Pierre. Baer said the back to school fair will be held again in August and the immunization audit for Community Health was done with no deficiencies noted.

10:30 Deuel County Conservation District

Elois Redlin from the Deuel County Conservation Dist. and Phyllis Niemann met with the Commissioners and gave a report of the activities of the District and requested funding in the amount of \$12,000 for the 2015 budget. Redlin presented the projected budget for 2015 and a summary of the Conservation District's activities through July. Redlin said the District provides services to landowners including tree planting, tree fabric installation and no-till drill rental; in 2014 4320 trees with fabric were installed on 8.6 acres for 8 farms. The no till drill has seeded over 800 acres with probably another 400-500 acres to seed this fall. Niemann thanked the Commissioners for lifting some of the restrictions concerning planting of trees and for their support in the past.

10:45 Suzanne Kappes-Rural Attorney Recruitment Program

Kappes, state court administrator, DJS met with the Commissioners to talk about the Rural Attorney's Recruitment Program. She said the program brings young attorneys to rural areas with the county being involved by committing approximately \$4400 per year towards the program, which would be a five year commitment for the county.

11:00 Drainage

3) Dumke moved, seconded by Jaeger to adjourn as County Commission and reconvene as the Drainage Board. All voted yes and the motion carried. Doug Meyer presented an application to drain on the S1/2 of 15-117-48 with the water flowing north and east and eventually flowing through culvert. He had the wetland determination and sign off of adjoining landowner. 4) Jaeger moved, seconded by Dumke to approve request and issue Drainage Permit #D14-04 to Doug Meyer on the above described property. All voted yes and the motion carried.

11:15 Drainage

Keith Hinderaker presented an application to place drainage tile on the NW1/4 of 30-113-47 with the north run water ending up going north and west to a slough in Section 25 and the southern outlet water will go to drainage ditch and then slough. He had secured the wetland determination and the sign off of adjoining landowners. 5) Boone moved, seconded by Rhody to approve and issue Drainage Permit #D14-05 to Keith Hinderaker on the above described property. All voted yes and the motion carried. 6) Dumke moved, seconded by Jaeger to adjourn as Drainage Board and reconvene as County Commission. All voted yes and the motion carried.

11:45 Sheriff David Solem

Solem met with the Commissioners to discuss several items. 7) Jaeger moved, seconded by Dumke to approve travel expense for dispatcher to attend NIBERS class in Pierre Sept. 16 & 17. All voted yes and the motion carried. Solem also discussed vehicle replacement.

OLD BUSINESS

During repairs to the handicap ramp at the courthouse the contractor discovered structural damage under the ramp also. New estimate presented included the additions of sub structure for \$3400, treated railing \$2100 with upgrade to cedar railing of \$1400. Decking itself will be cedar. 8) Jaeger moved, seconded by Rhody to go with cedar railing and treated sub structure and approve additional repairs needed to the ramp and cost of repairs and materials being approximately \$15,000. All voted yes and the motion carried.

NEW BUSINESS

Warrants

9) Rhody moved, seconded by Dumke to approve the following warrants. All voted yes and the motion carried. AT&T \$158.38 EM Cell Phone, Ottertail Power \$1317.64 Utility, ITC \$2830.56 Phone/Internet, DNB National Bank \$20,700.28 Semi Annual Payment Heat/Cool System Courthouse, McLaughlin Schulz Inc. \$121,740.44 Patching, Cold Mix, Millings.

Server Quote, County Assistance #14-03, Auto Supplement STP Funds to Road & Bridge Budget, Transfer from General Fund to Road & Bridge Fund

10) Dumke moved, seconded by Jaeger to approve purchase of HP ML350 Server plus set up and extended warranty from Ultra Connecting Point for quoted price of \$8480.35. All voted yes and the motion carried.

11) Jaeger moved, seconded by Boone to deny County Assistance Case #14-03. All voted yes and the motion carried.

12) Rhody moved, seconded by Dumke to auto supplement back into the Highway budget unanticipated STP funds in the amount of \$114,687.16. All voted yes and the motion carried.

13) Boone moved, seconded by Jaeger to transfer \$450,000 from General Fund to Road and Bridge Fund per 2014 Budget. All voted yes. Motion carried.

14) Dumke moved, seconded by Pederson to declare following item as surplus no value. All voted yes and motion carried. HP Screen CNT9457466

Health Insurance Renewal

The County's health insurance plan is up for renewal October 1. Options were discussed. Currently the county is on the \$1000 deductible \$25 co pay and \$10/\$25/\$40 Drug Card. An option for \$1250 Deductible with \$30 office co pay and \$15/\$30/\$45 Drug Card was also presented and reviewed. 15) Boone moved, seconded by Rhody to table decision on health insurance until the July 29 special meeting. All voted yes and the motion carried.

Adjournment

There being no further business Dumke moved, seconded by Rhody to adjourn the meeting.

Lynn Pederson Chairman
Deuel County Commission

ATTEST:

Pam L. Lynde, Auditor

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