

October 22, 2019
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, October 22nd at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Rhody presiding. Those present were Commissioners Rhody, Kreutner, Homan and Jaeger. Absent was Commissioner DeJong. 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) Jaeger 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 presented a Road Use Agreement with Deuel Harvest Wind Energy LLC. Present for Deuel Harvest Wind Energy LLC was Michael Svedeman. This agreement is a combination of the County's standard agreement and the agreement proposed by Deuel Harvest Wind Energy LLC. Hintz also presented a map of what roads he recommends for use. Townships affected are Glenwood, Lowe, Herrick, Altamont, and Portland. Discussion was held between Hintz and Svedeman on which are the best routes. The map presented will likely have changes in the future. Hintz expressed concerns if the route is deviated accidentally. Svedeman stated the agreement will be followed and repairs will be at Deuel Harvest Wind Energy LLC expense. Hintz was pleased with the agreement as long as the roads are restored to original condition following evaluation. Hintz will provide the final evaluation as what is in the agreement shows a baseline. Deuel Harvest Wind Energy LLC will restore the roads to original condition or better after use. It outlines responsibilities of all parties. The structures and culverts affected will also be covered for damages per the agreement. Hintz was concerned about the repairs being done with the "labor wage rate". Svedeman stated they will have a contractor in place for repairs, equipment, labor and material. Commissioner Kreutner was concerned about a particular bridge that is on the route. Svedeman has evaluated the current condition of the structure and has determined full replacement may or may not be necessary. Hintz said that particular bridge is scheduled to be replaced next summer. A new map may be devised because of any concerns after future discussion. Township Officer Calvin Musch was present for the meeting and had concerns about future construction on Hwy. 15 and how this will affect detours and this haul road agreement. Commissioner Jaeger was concerned about moisture and soft spots on the roads with this agreement. Hintz said fabric or granite will be a solution for this problem. Jaeger questioned what the load limits are. Svedeman stated there will be damage to roads no matter what the limits are even if it is axled out. The agreement is clear that Deuel Harvest Wind Energy LLC is responsible for repairs. Svedeman said construction should start early November on access roads for turning radiuses and initial plans. There will be downtime during winter and construction will resume in the spring. This particular agreement does not cover Township roads which would fall under a separate agreement. Svedeman explained there are agreements being worked on with the townships. Further discussion was held about the Haul Road Agreement. Musch stated his concerns about township roads. Musch had concerns about the weight on the roads and is also looking at hiring an engineer at Deuel Harvest Wind Energy LLC's expense to evaluate the roads. These concerns follow the damage and the extension of the Hwy 212 project. 2) Jaeger moved, seconded by Homan to approve and sign the Haul Road Agreement with Deuel Harvest

Wind Energy LLC as presented for a proposed route with any future changes to the map provided and any future updates with concern to the County and Townships and weather elements. All voted yes and motion carried.

Musch has a Township meeting upcoming and is requesting County presence at the meeting. He is hoping for Commissioners to attend as this is a joint issue with the roads. They have seen the impact on County and Township roads with the Hwy 212 construction project and the time it is taking to complete the project as it has taken a severe toll on the roads. Musch would like to see a joint effort between County and Townships to be proactive with the Deuel Harvest Wind Energy LLC construction project to avoid the same problems and to be more informed. Svedeman agreed and thought it was best that the County and Townships are doing what is in their best interest.

Also present was Eric Munz, a public liaison officer hired by Deuel Harvest Wind Energy LLC. He is independent and is not employed with Deuel Harvest Wind Energy LLC and reports to the PUC. He acts as a mediator between all parties. He stated the PUC requires a third party hired for the project and that is his capacity. He is a go between for the PUC and those involved with the project. He will be involved if there is conflict. He will always recommend any misunderstandings be worked out within both parties first. He is available to landowners, the County and Townships.

Hintz presented information from John Deere on a loader for purchase that was previously budgeted. John Deere representative Chad Kesteloot was present and gave quotes and information on K-Series Loaders. He presented a quote with equipment breakdown for County needs on a 2020 Loader/Blower in the amount of \$248,268.82. This includes warranty/service calls and training on operation. A presentation was given on all the specifications. A decision will be made at a later date prior to winter.

9:45 Sheriff Cory Borg

Borg met with the Commissioners to discuss several issues. He presented the completed police contract with the City of Clear Lake for a monthly fee of \$5338.00 (64,056.00 annual) 3) Homan moved, seconded by Kreutner to approve and sign the police contract for the City of Clear Lake. All voted yes and motion carried.

Discussion was held on needing bullet proof vests for the Sheriff's Department. Many of the current vests are expired. Their lifetime and expiration is 5 years. Five vests are needed for a total of \$5100 which includes vest, carrier and trauma plate from Streicher's out of the Minneapolis area. 4) Jaeger moved, seconded by Kreutner to purchase five vests from Streicher's for the Sheriff's Department in the amount of \$5100.00 total. All voted yes and motion carried.

10:15 Executive Session Pursuant to SDCL 1-25-2(1) Personnel Matter

5) Jaeger moved, seconded by Homan to move into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of a personnel matter. All voted yes and motion carried. Chairman Rhody declared the Commissioners out of Executive Session at 11:00 a.m. 6) Jaeger moved, seconded by Homan to accept the resignation of Zachariah Hulderson in the Sheriff's Department and advertise for a new Sheriff's Deputy immediately. All voted yes and motion carried.

Discussion was held on the need for another vehicle in the Sheriff's Department. Borg is looking at a savings by purchasing off of Federal Surplus Property. He looked at two 2012 Tahoes with very low miles for \$23,000 or \$23,200. With the amount saved from normally purchasing new vehicles as what was budgeted for 2020, Borg would be able to purchase a K-9 replacement. K-9s normally cost \$5000 and \$10,000. This would all affect the 2020 budget and be billed and paid accordingly. 7) Kreutner moved, seconded by Rhody to move forward and begin the process to find a K-9 for Deuel County and approve the purchase for the Sheriff's Department using 2020 budget. All voted yes and motion carried. 8) Jaeger moved, seconded by Homan to purchase a 2012 Chevy Tahoe from Federal Surplus Property in the amount of \$23,200 or less to affect 2020 budget to replace the 2015 Dodge Ram which will then be available for immediate use by Deuel County Emergency Management. All voted yes and motion carried.

10:00 Executive Session Pursuant to SDCL 1-25-2(1) Personnel Matter Register of Deeds Casey Severson

This appointment was canceled by Register of Deeds Casey Severson.

10:15 Sheila Monnier EM Director (11:00 am)

Monnier met with Commissioners about several issues. Discussion was held on Cybersecurity and having good protection in place and proof of it for Homeland Security Grants. She has been in contact with Connecting Point in Watertown to get her a formal document on Cybersecurity for County Software and Internet. There is sensitive information within courthouse record that needs to have the upmost protection. She will be scheduling a review with NCSR (Nationwide Cybersecurity Review) at no cost. This cyber analysis is performed through the State.

Discussion was held on a Conflict of Interest Policy. Recent legislation has required counties to have a Conflict of Interest Policy on record in order to receive state funds and grants. Many counties follow the State of SD Policy and some have adopted their own. Deuel County will be looking into an official conflict of interest policy. At present time Deuel County follows state law. This will be discussed and addressed at future meetings.

FEMA meetings have been going as planned. Site inspection for the County will be October 23rd and County and Township Officials meeting with FEMA will be October 31st at 3pm. Discussion was held on reimbursement information from FEMA. Discussion was held about the basement courthouse floor.

First District has been in contact with Monnier for grant funding and applications.

10:30 Drainage Board/Steve Tekrony (11:15)

9) Jaeger moved, seconded by Homan to adjourn as County Commission and reconvene as Drainage Board. All voted yes and motion carried.

Steve Tekrony requested a permit to drain on the SE1/4 32-115-50. Proposed length of the drain is 3200 feet using 4" tile. Area affected for drainage will be 20 acres. Adjoining landowners had signed Permission To Drain. 10) Kreutner moved, seconded by Homan to approve and issue Drainage Permit #D19-30 to Steve Tekrony to drain on above described property. All voted yes and motion carried.

Steve Tekrony also requested a permit to drain on the NE1/4 10-114-50. Proposed length of the drain is 3000 feet using 4" tile. Area affected for drainage will be 32 acres. Adjoining landowners had signed Permission To Drain. 11) Jaeger moved, seconded by Kreutner to approve and issue Drainage Permit #D19-29 to Steve Tekrony to drain on above described property. All voted yes and motion carried.

11:00 Drainage Board/Brian DeBough (11:30)

Brian DeBough requested a permit to drain on the N1/2SW1/4 of 26-113-48. Proposed length of the drain is 1718 feet using 5" tile. Area affected for drainage will be 120 acres. Adjoining landowners had signed Permission To Drain. 12) Homan moved, seconded by Jaeger to approve and issue Drainage Permit #D19-28 to Brian DeBough to drain on above described property. All voted yes and motion carried.

Brian DeBough also requested a permit to drain on the S1/2NW1/4 and the N1/2NW1/4 of 27-113-48. Proposed length of the drain is 5702 feet using 5" tile. Area affected for drainage will be 45 acres. Adjoining landowners had signed Permission To Drain. 13) Homan moved, seconded by Kreutner to approve and issue Drainage Permit #D19-27 to Brian DeBough to drain on above described property. All voted yes and motion carried.

14) Jaeger moved, seconded by Homan to adjourn as Drainage Board and reconvene as County Commission. All voted yes and motion carried.

11:30 Custodian Scott Ruby (11:45)

Scott Ruby approached the Commissioners about the Courthouse Floor. Sealing of the floor needs to be done. He has scheduled the sealing over the Veteran's Day weekend to give it time to get it done without public foot traffic.

Discussion was held on wages for his position. He still has concerns that he is not being fairly compensated for his duties especially in the absence of the part time maintenance person and Ruby overlapping duties.

UNFINISHED BUSINESS

Discussion was held about the County owned building on Hwy 22. The Commissioners held a cleaning day in preparation for Shooting Sports to move into the building. Shooting Sports is now in the back part of the facility.

There is a need for a floor scrubber for upkeep in the building. Various models and quotes have been examined. Custodian Ruby suggested getting a floor scrubber from Hillyard, a vendor the County uses from Sioux Falls. They provide an excellent service contract. A service contract is imperative when considering cost. Hillyard is willing to do a demonstration.

Discussion was held on the current Extension building and snow removal costs for that facility.

Discussion was held on insuring the contents of the building. Contents of the building as well as a forklift in the building will be protected under the County insurance. Shooting Sports does not fall under the County's policy and are aware they need their own policy for what they own within the building.

NEW BUSINESS

Approve Cash Balance Sheet

15) Homan moved, seconded by Rhody to approve the cash balance sheet for the month of September. Roll call vote, all voted yes. Motion carried.

DEUEL COUNTY AUDITOR'S ACCOUNT WITH TREASURER

**END OF MONTH CASH
BALANCE**

Sept-2019

CASH TOTAL \$ 1,278.63

CHECKS TOTAL \$ 27,371.31

CASH ITEM \$ 10.00

CASH CHANGE SHERIFF \$ 50.00

TOTAL CASH ASSETS ON
HAND \$ 28,709.94

CHECKING ACCOUNT
BALANCE \$ 633,685.47

MM DNB NATIONAL BANK \$ 4,061.85

PREMIUM MM FIRST BANK & TRUST OF
TORONTO \$4,579,244.32

CREDIT CARDS \$ 476.90

CD'S \$250,000 DNB \$ 250,000.00

FIRST BANK &
\$0 TRUST

REVOLVING
LOAN \$ 117,467.92

**GRAND TOTAL CASH
ASSETS \$5,613,646.40**

GL CASH BALANCE BY FUNDS:

GENERAL \$2,416,280.63

SP REVENUE FUNDS \$2,770,434.01

TRUST & AGENCY
FUNDS \$ 426,931.76

townships \$78,577.84 cities \$33,042.65

schools \$156,210.38 rural fire \$2,000.99

**TOTAL GENERAL LEDGER
CASH \$5,613,646.40**

Plat

16) Kreutner moved, seconded by Jaeger to approve the Plat of Lounsbery Addition in NE1/4 12-117-48 and Resolution #19-23. All voted yes and the motion carried.

RESOLUTION

#19-23

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **“Lounsbery Addition, Located in the Northeast Quarter of Section 12, Township 117 North, Range 48 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 22nd day of October, 2019.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

Meeting Date Change/Travel/Holiday Leave

17) Jaeger moved, seconded by Rhody to change the meeting date of the first regular meeting in December to December 5th due to the late Thanksgiving Holiday. All voted yes and motion carried.

18) Jaeger moved, seconded by Homan to approve travel expense for all County Officials to attend the Sioux Valley Commission meeting held in Beadle County on November 20th and approve the travel request for the Auditor to attend levy training with the Department of Revenue in Pierre on October 25th. All voted yes and motion carried.

Governor Kristi Noem is granting administrative leave on Friday, November 29th for the Thanksgiving Holiday and Monday December 23rd through Wednesday December 25th to all state employees for the Christmas holiday. All State Offices and the Executive Branch agencies will be closed on those days. 19) Jaeger moved, seconded by Homan to close the courthouse and outlying departments on December 24th and 25th for the Christmas Holiday. According to Deuel County policy, the Courthouse will be closed Thursday and Friday November 28th and 29th for the Thanksgiving Holiday and January 1st for the New Year's Holiday. All voted yes and motion carried.

A County Christmas Holiday Party hosted by the Commissioners will be held on Saturday, December 14th, 2019 at 5:00 p.m. at the Hwy. 22 West County building in appreciation for all county employees. Details will be distributed to the employees in the future.

Discussion was held on request for use of the 4H Service Center in the fall and winter months. The Commissioners felt it best that the current policy will remain in place for use of the service center for events as in the past. Any use is subject to the Service Center Rental which currently stands at \$125.00.

Discussion was held on Deuel County's current credit card policy as well as charge accounts held with certain vendors. Charge accounts for vendors through the highway department were discussed. Lists for approved signers for charge accounts need to be updated and will be examined. Commissioner Jaeger had concerns of approved signers with vendors as well as our credit card policy. Credit card policies have been examined in other counties. Auditor Korth presented information comparing Deuel County's current policy in place to what other counties are using. Korth will meet with the State's Attorney to go over the credit card policy and bring information to future meetings.

After further discussion and that Andrew Nosbush has successfully completed the six month probationary period, 20) Homan moved, seconded by Kreutner to approve a pay increase of .50 per hour for Andrew Nosbush effective October 21. All voted yes and the motion carried.

Warrants

21) Jaeger moved, seconded by Kreutner to approve warrants paid early and any additional warrants presented for payment. All voted yes and motion carried. Warrants to DC Cenex 7393.92 replacing prior check wrong amt, Cod Cty 5192.81 replacing prior check printing error, Schuchards 6675.00 trailer, DC Treas 21.20 transfer and plate, Matthew Bender & Co 110.43 court rules, City of Watn 4043.32 911 Surch, Byron Nogelmeir 70.00 24/7 fees, Sanford 126.63 flex, First Bank & Trust 2205.21 credit card, RC Technologies 150.00 911 lines, B-D Rural Water 134.20 utilities, Century Link 358.79 utilities, H-D Electric 522.85 utilities, ITC 2169.22 utilities, Otter Tail 1483.16 utilities, NW Energy 12.13 utilities, Dept of Rev 93018.86 motor veh fees and 106.55 excise tax, SDACO 246.00 M&P. Weed Board: Dwayne Gorder 62.60, Craig Magedanz 60.92, Nathan Palm 59.24, Branden Salzer 62.60 all meetings and mileage. Taxes: Schools 156210.38, Towns 41561.30, Townships 98201.66, EDWDD 461.31, Rural Fire 2000.97. Lake Coch Sanitary Dist 284.34 assessment.

Public Comments: There were no public comments at this meeting

Adjournment

There being no further business 22) Jaeger moved, seconded by Rhody to adjourn the meeting.

Chairman
Deuel County Commission

ATTEST:

Mary Korth, Auditor

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