

April 18th, 2023
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, April 18th, at 9:00 A.M. in the Commission Room of the Courthouse with Chairperson Homan presiding. Those present were Commissioners Scott Fieber, Judith Homan, Jay Grabow, Steve Rhody and Harry Mewherter. Also present was Auditor Courtney Parker and Deputy Auditor Pam Lynde. The meeting opened with prayer and the pledge of allegiance. 1) Fieber moved, seconded by Grabow to approve the agenda with additions of trees surrounding the courthouse and courthouse grounds, as well as the Lake Cochrane disposing of tree branches. All voted yes and the motion carried.

APPOINTMENTS

9:00 Jamie Broksieck Highway Superintendent

Broksieck discussed several updates he had for the board. He explained Deuel County had 23 spots of flooding over roads initially, but now is down to three. The Highway Department is holding a public meeting with Banner Associates, Inc. and Duinick, Inc. on the 16-mile haul road restoration construction project on Thursday April 20th at 5 PM at the Deuel County Complex. Roads that will be affected are Deuel County Highway 309 (175th St), Highway 6 (172nd St), Highway 513 (482nd Ave), Highway 1 (476th Ave), Highway 313 (469th Ave), and Highway 315 (479th Ave).

9:30 Public Hearing Ordinance H2023-01 Overweight Permits

The Commissioners held the public hearing and first reading for Ordinance #H2023-01 Establishing Overweight Vehicle Permits for County Roads in Deuel County. No one from the public appeared at the hearing. The second reading will be held at the regular commissioner meeting on May 2nd at 9:30 AM.

9:45 County Health Nurse Tammy Baer

Baer presented her quarterly report for January, February and March to the board. Baer attended the following trainings: Pneumococcal webinar, Gestational Diabetes education, VAX Champ, HIPAA training, Mandatory Abuse Reporting, and Counting the Kicks training. Immunizations remain good at the local agency. The annual Immunization Quality Improvement Program visit was performed in January and met all guidelines. The Federal WIC waiver remains in place which allows for phone appointments to be completed. Baer explained that the vast majority of clients have transitioned back into the office. This allows the nurse to collect weight, heights, hemoglobin testing, assess resource needs, maintain nurse-client rapport and provide referrals if needed. Baer continues to screen all women for high-risk pregnancies. She explained February is National Heart Month and talked to 5th graders about heart health as well as doing activities with them. Baer actively participates in the local Healthy Hometown committee that helps conduct positive changes to local communities. She assisted Clear Lake Area Development with a grant for funding a water filling station and benches in Lavin Field.

10:05 4-H Youth Program Advisor Deb Lessman

Lessman gave a brief update on the fair board. She explained that it has strayed from what it used to be when there were volunteers to be assigned on the fair board. Now it is only the parents of children in 4-H that take care of the maintenance on the grounds, etc. so they have decided to dissolve the fair board.

10:10 Clear Lake Area Development Director Sarah Salzer

Salzer met with the Commissioners and gave a quarterly report of the activities of Clear Lake Area Development. Recap of the first quarter of 2023: Chase the Ace just over \$3,000; working with Healthy Hometown committee to put a water filling station in Lavin Field; continuing to work on revitalization committee to find options and uses for the former nursing home. Salzer attended two-day convention that gave her good information and resources that are available to her and the community. They are still working on rezoning the Northside Acres lots. On behalf of Clear Lake Area Development, they are requesting funds to be able to continue to do the work they are doing and continue to enhance Deuel County as a whole. 2) Grabow moved, seconded by Rhody to grant to CLAD \$4,500 for the second quarter. Grabow, Fieber, Rhody and Homan voted yes. Mewherter abstained. Motion carried.

10:30 Public Hearing and Joint Meeting with Zoning and Planning Board

The Deuel County Planning and Zoning Board, Mike Dahl, Paul Brandt, Scott Fieber and Jay Grabow met, along with the Commissioners jointly to hold a public hearing on the request of petitioner Cody Krause and land owners Jogchum and Maartje Andringa to issue a change in zoning classification for property that is described as East 638' +/- of the North 490' +/-, Less Lot H-1 of Block 2 Langerock Addition in N1/2NE1/4 of Section Twenty-Eight (28) Township One Hundred Fifteen (115) North, Range Forty-Nine (49) West of the 5th P.M., Deuel County, South Dakota which upon approval of the plat will be known as the Plat of Lot 1 Krause Addition in N1/2 of the NE 1/4 of Section Twenty-Eight (28), Township One Hundred Fifteen (115) North, Range Forty-Nine (49) West of the 5th P.M., Deuel County, South Dakota. The rezoning would be from "AG" Agricultural District to "CI" Commercial/Industrial District. Dahl moved, seconded by Fieber to approve Brandt as temporary Chair of the Zoning Board. All voted yes and motion carried. Dahl moved, seconded by Fieber to approve the agenda of Zoning Board as presented. All Zoning Board members voted yes and motion carried. Krause stated that he will be purchasing this property and would be using property for a Contractor's Shop and Yard for his construction business. Dahl moved, seconded by Grabow to approve the rezoning of the above-described property to "CI" Commercial/Industrial District from "AG" Agricultural District. Upon a roll call vote all Zoning Board members voted yes and the motion carried. The Zoning Board then recommended to the Commissioners that the above-described property be rezoned to "CI Commercial/Industrial District.

Dahl moved, seconded by Grabow to approve Plat of Lot 1 Krause Addition in N1/2 of the NE 1/4 of Section Twenty-Eight (28), Township One Hundred Fifteen (115) North, Range Forty-Nine (49) West of the 5th P.M., Deuel County, South Dakota. All Zoning Board members voted yes motion carried.

Grabow moved, seconded by Fieber to adjourn the Zoning Board meeting. All Zoning Board members voted yes; motion carried.

3) Mewherter moved, seconded by Grabow to approve Plat of Lot 1 Krause Addition in N1/2 of the NE 1/4 of Section Twenty-Eight (28), Township One Hundred Fifteen (115) North, Range Forty-Nine (49) West of the 5th P.M., Deuel County, South Dakota and Resolution 23-13. All voted yes and motion carried.

RESOLUTION

#23-13

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **“Krause Addition Located in the North Half of the Northeast Quarter of Section 28, Township 115 North, Range 49 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 18th day of April, 2023.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

(SEAL)

County Auditor, Deuel County, South Dakota

Upon the recommendation of the Zoning Board, the Commissioners then held the first reading of Ordinance B2022-01-01A An Ordinance Entitled, An Ordinance to Amend Article III Section 302 Adopted by Ordinance #B2022-01, November 15, 2022, as amended of the Zoning Ordinance of Deuel County. The second reading will be held May 2 at 10:00 a.m.

10:45 Zoning Officer Jodi Theisen

Theisen presented three plats for approval to the commissioners. 4) Mewherter moved, seconded by Grabow to approve plat of “Lot 6 Morning View Addition Located in the Southwest Quarter of Section 14, Township 114 North, Range 49 West of the 5th P.M. Deuel County, South Dakota” and Resolution 23-10. All voted yes and motion carried.

RESOLUTION

#23-10

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **Lot 6 Morning View Addition Located in the Southwest Quarter of Section 14, Township 114 North, Range 49 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 18th day of April, 2023.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

(SEAL)

County Auditor, Deuel County, South Dakota

5) Rhody moved, seconded by Fieber to approve plat of “Lot 29A of Shady Beach in Gov’t Lot 7, Section 4, T114N, R47W of the 5th P.M. Deuel County, South Dakota” and Resolution 23-11. All voted yes and motion carried.

COUNTY COMMISSION RESOLUTION

#23-11

Be it resolved by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: “**Lot 29A of Shady Beach in Gov’t Lot 7, Section 4, T114N, R47W 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 18th day of April, 2023.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

_____(SEAL)
County Auditor
Deuel County, South Dakota

6) Fieber moved, seconded by Grabow to approve plat of “Lots 1 And 2 of Mamer’s Third Addition in the NE ¼ Of Section 21, Township 114 North, Range 47 West of the 5th P.M., Deuel County, South Dakota” and Resolution 23-12. All voted yes and motion carried.

COUNTY COMMISSIONERS

#23-12

I hereby certify that the plat of **LOTS 1 AND 2 OF MAMER’S THIRD ADDITION IN THE NE ¼ OF SECTION 21, TOWNSHIP 114 NORTH, RANGE 47 WEST OF THE 5TH P.M., DEUEL COUNTY, SOUTH DAKOTA** was duly submitted to the Deuel County Board of County Commissioners, and that after due consideration the Board approved said plat at its meeting held on the 18th day of April, 2023.

Dated this 18th day of April, 2023.

ATTEST: _____
Chairman, Board of Commissioners
Deuel County, South Dakota

11:00 Gary Legion/Legion Auxiliary Youth Programs

Melinda Jensen spoke to the board on the youth baseball and softball programs in Gary. She explained numbers are tentative as kids continue to sign up but they will have three T-ball teams, 12 college teams, 4 minor teams. They also will have a 10U & 12U softball teams. 7) Grabow moved, seconded by Mewherter to donate \$500.00 to Gary Legion Auxiliary Youth Programs for the youth baseball and softball programs. All voted yes and motion carried.

11:10 Sheriff Cory Borg

Borg said that the judge’s chair in the courtroom could use some repair or improvements. The board wanted to keep the integrity of the chair and leave as is to preserve its historical value.

NEW BUSINESS

Approve Resolution 23-09 Deuel County Housing Redevelopment Board; Opioid Settlements

8) Rhody moved, seconded by Fieber to approve the Resolution 23-09 Deuel County Housing and Redevelopment Board Commission. All voted yes and the motion carried.

RESOLUTION #23-09

CHAIRMAN’S CERTIFICATE OF APPOINTMENT OF COMMISSIONERS OF THE DEUEL COUNTY HOUSING AND REDEVELOPMENT COMMISSION

Pursuant to South Dakota Codified Law 11-7-12 and by virtue of my office as Chairperson, I hereby reappoint two (2) persons hereinafter named to serve as Commissioners of the Deuel County Housing and Redevelopment Commission and to serve until their term is expired appearing after their names, respectively from the date of this certificate. Term expiration can result in reappointment. (Other current Board Members are: Russell Hamann, Gary DeJong and Jennifer Mewherter, all terms expiring 1/31/2027)

Rachel Pfaffendorf – 1/31/2026

Sandy Koenecke – 1/31/2026

The preceding Board of Commissioners of the Deuel County Housing and Redevelopment Commission hereby renew and abdicate all authority to the Brookings County Housing and Redevelopment Commission accepting all financial reports and independent audit reports of the Brookings County Housing and Redevelopment Commission of Brookings, South Dakota.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SIGNED MY NAME AS Chairperson of the Deuel County Board of Commissioners, in Clear Lake, South Dakota, this 17th day of April, 2023.

Motion by Rhody seconded by Fieber to approve Chairperson’s appointments.

Voting aye: All

Voting nay: None

Motion carried.

Dated April 17, 2023

DEUEL COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson

ATTEST:

County Auditor

9) Fieber moved, seconded by Grabow to approve participation in the Opioid Settlements from Teva, Allergan, CVS, Walgreens and Walmart. All voted yes and the motion carried.

Warrants

10) Grabow moved, seconded by Rhody to approve warrants presented and those that were paid early. All voted yes and the motion carried.

Brookings Deuel Rural Water 144.50 Utilities, H-D Electric Coop, Inc 1031.87 Utilities, ITC 2198.91 Utilities, Northwestern Energy 759.77 Utilities, Ottertail Power Co 1427.89 Utilities, RC Technologies 150.00 Utilities, South Dakota Dept Of Revenue 166390.27 Fees Due to State, SDACO 158.00 Due to State, Tri State Water Inc 11.29 Water, City of Watertown 3911.50 911 Surcharge, SD Dept. Of Labor & Regulation 1053.48 Unemployment, HealthEquity 20.00 Flex Fee, New York Life 294.94 Term Life Insurance, Gary Hudiburgh 525.51 Overpayment of Taxes, SD Dept of Labor 683.72 Excise Tax, CU Mortgage Direct 1864.61 Overpayment of Taxes, Alan Thiewes 26.32 Juror Fee, Mileage, Bryce Martinell 10.00 Juror Fee, Carol Fieber 69.38 Juror Fee, Mileage, Carol Resmen 12.04 Juror Fee, Mileage, Christopher Ludvigson 52.04 Juror Fee, Mileage, Cody Scarrott 20.20 Juror Fee, Mileage, Connie Rabine 27.34 Juror Fee, Mileage, Coral Berg 50.00 Juror Fee, David Houdek 50.00 Juror Fee, Eric Kriz 10.00 Juror Fee, Eugene Hamann 52.04 Juror Fee, Mileage, Hunter Corothers 10.00 Juror Fee, Jane Gubrud 25.30 Juror Fee, Mileage, Jennifer Pederson 25.30 Juror Fee, Mileage, John Roelofsen 63.26 Juror Fee, Mileage, Kathryn Holen 10.00 Juror Fee, Kay Wieber 16.12 Juror Fee, Mileage, Kelli DeRoy 19.18 Juror Fee, Mileage, Linda Goodroad 18.16 Juror Fee, Mileage, Lorolia Gruener 57.14 Juror Fee, Mileage, Mckenzie Lorenzen 63.26 Juror Fee, Mileage, Michael Engebretson 80.60 Juror Fee, Mileage, Michelle Pederson 60.20 Juror Fee, Mileage, Robert Olheiser 10.00 Juror Fee, Sharon Voss 50.00 Juror Fee, Sherri Rauen 67.34 Juror Fee, Mileage, Tamara Pommer 10.00 Juror Fee, **Taxes:** Schools- 1,242,622.47, Townships- 393,445.81, Cities- 62,826.62, EDWD- 1,103.91, Upper Deer Creek- 2.37, Rural Fire- 5,790.75

Adjournment

There being no further business Fieber moved, seconded by Grabow to adjourn the Commission meeting.

11)Rhody moved, seconded by Grabow to reconvene as the Board of Equalization for 2023. All voted yes, motion carried.

Board of Equalization

#E23-06 Justin & Jayda Templeton

RECORD #: 6141

LEGAL: Jayda Templeton Addition in NW ¼ 20-117-50

Reason for appealing is due to house fire. 12) Fieber moved, seconded by Grabow to approve the recommendation of the Director on appeal #E23-06 status record #6141 to lower assessed value of house from \$130,137 to \$10,628. All voted yes and the motion carried.

#E23-07 Fromm Property Holdings LLLP

RECORD #: 2074

LEGAL: E ½ NW ¼ & Government Lots 1-4 & E ½ SW ¼ & SE ¼ (ADA S ½ NW ¼) in 18-116-48

Reason for appealing is due to discrepancy of 34.47 acres in current survey of 1963 platted land. 13) Grabow moved, seconded by Rhody to approve the recommendation of the Director on appeal #23-07 of record #2074 to lower AG-A assessed value from

\$725,634 to \$673,033 contingent upon the land survey being registered with the Register of Deeds by May 2nd. All voted yes and the motion carried.

14) Fieber moved, seconded by Grabow to approve the elderly freeze & disabled application that was filed late. All voted yes and the motion carried.

Adjournment

There being no further business Fieber moved, seconded by Mewherter to adjourn as the Board of Equalization for 2023.

Chairperson Judith Homan
Deuel County Commission

Attest:

Courtney Parker, Auditor

Published One Time at The Approximate Cost Of _____.