

November 19, 2019
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, November 19th at 9:00 a.m. in the Commission Room of the Courthouse with interim Chairman DeJong presiding. Those present were Commissioners DeJong, Kreutner, Homan and Jaeger. Commissioner Rhody was present through conference call via speaker phone. 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 met with the Commissioners to discuss several highway related issues. Hintz presented the Deuel County Highway Safety Manual. This is a first edition. Hintz was advised by legal counsel to implement this manual. Most other counties have one in place and Hintz gave this for review before adoption at a future meeting.

Hintz also is looking into a blanket permit for Invenergy. The haul road permit is being closely followed and is working well. Work has begun on the project.

Discussion was held on the new wage scale for the Highway. There is a meeting for salaries at a future date.

Discussion was held on a drainage issue with Bindert property and county roads. This is in reference to Drainage Permit 19-07 from June 19, 2019. Hintz sees some unsafe procedures and things that are not permitted. Hintz will contact the owner to address these issues. Commissioner Jaeger made comments that the job wasn't done properly and is affecting culverts in the area. This needs to be rectified as well as obtaining a right of way occupancy. Hintz felt the county road in question is possibly being saturated.

Discussion was held on drainage issues in Hidewood Township. Water was over the road and the County has been doing cleaning of the area there to help the situation. Discussion was held on the property owner and the waste being put there.

James Dailey was present questioning the county on whether the ditch near Lake Alice (north side) will be cleaned out by the County. He feels it needs to be done, even by a private entity because time is of the essence. He feels it should only take a day or so and understands cost is an issue. Dailey would take up the cost of the issue himself to preserve lake resources. Discussion was held on culverts in the area. Hintz understands the urgency of the situation and offered other ideas by working on the slough. Dailey is concerned about safety issues in the area. Commissioner Jaeger suggested Hintz and his men work on cleaning out the waterways necessary first and go from there and not hire a private contractor. The County Highway department is very busy with other areas of work however Hintz will make this a priority. Hintz thought perhaps within the next two weeks they can begin checking elevations and cleaning the area. Commissioner DeJong stated that the work will get done and Hintz will be in charge of the manpower and equipment to do the job.

9:45 4-H Advisor Deb Lessman

Lessman met with the Commissioners to discuss policies for the use of the County Building on Highway 22. Lessman first presented an overview of what her department does. A large portion of her duties is involved in education. She presented a calendar of her schedule and

classes held for kids involved in 4H. Classes include Deuel Cloverbuds, iGrow Readers Program as well as several 4H related meetings. She outlined activities related to Achievement Days as well as involvement in the State Fair and more projects going into 2020. Discussion was then held about her concerns for the west Hwy 22 County Building. Currently tables and chairs are being shared between that building for Shooting Sports and the 4H Service Center.

Commissioner DeJong is going to get tables from Menards to supply the building. Lessman has been purchasing supplies for the building. She has concerns about supplies and custodial duties as well as plumbing issues. Lessman suggested a building name. A policy for the 4H Service Center was presented as well as questions on an agreement. She would like ITC Service in the west building as well as The Clear Lake Building Center to begin some work out there for Extension. A large interior wall was built by Shooting Sports that runs the length of the building and is able to be taken down during the off season of Shooting Sports. Shooting Sports season is January through April in which the building would be unavailable for other activities. Lessman stated that Shooting Sports would like to share ideas in the policy making procedure in a future meeting. Lessman was concerned about HIPAA laws and Extension information being stored there in the future that needs to be off limits to Shooting Sports. Commissioner DeJong was in touch with Brian's Glass and Door about re-doing the locks on all the doors of the building. They will assess the situation, give a quote and begin work. Discussion was held on which areas of the building will be used for storage for Shooting Sports as well as more space for Extension. Sheriff Borg was present and offered to look into the possibility to build a pistol range in the building which would be a permanent fixture. This would replace the officers using shooting ranges within the county at a cost. Discussion was held on the benefits of having an indoor range for our law enforcement in Deuel County and perhaps other counties using it as well.

Custodial duties and a future policy was discussed. John Knight will look at the policy and come up with a resolution for adoption. Supplies will be purchased and the Commissioners will approach Hintz on the custodial duties.

10:15 Executive Session Pursuant to SDCL 9-34-19 Regarding Economic Development

2) Kreutner moved, seconded by Homan to move into Executive Session pursuant to SDCL 9-34-19 regarding economic development. All voted yes and motion carried. Interim Chairman DeJong declared the Commissioners out of Executive Session at 10:55 a.m.

11:00 Drainage Board Marion Oviatt

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

Marion Oviatt and Todd Nielsen requested a permit to drain on the NW1/4 22-114-48. Proposed length of the drain is 16,500 feet using 5-6" tile. Area affected for drainage will be 25 acres. Adjoining landowners had signed Permission To Drain. 4) Homan moved, seconded by Kreutner to approve and issue Drainage Permit #D19-32 to Marion Oviatt to drain on above described property. All voted yes and motion carried.

Drainage Public Comments: Willis and Donna Kurtenbach were present for the meeting concerned about the ongoing drainage dispute with Rex VanDyke. VanDyke's Attorney Alex Masteller was not present but previously gave his comments to Auditor Korth for discussion at the meeting. He stated that a tiling company was finishing up drainage jobs near White, SD and will work on the drainage for VanDyke within the next week or two. He also stated any problems or concerns can be addressed by coming to him first as he can answer questions before bringing the issue back to the Drainage Board. Kurtenbachs stated they have concerns because timing has always been an issue and they don't want to see this go on any

longer even if there are unforeseen delays like weather, etc. because the project has already breached many deadlines.

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

Public Comments: John Henslin was present and had concerns about if there were any new developments with Lake Alice. He wanted the Commissioners to keep him informed if anything should progress with the lake level and how it affects his property.

11:30 State's Attorney John Knight

Knight met with the commissioners to discuss several issues. He is drafting a conflict of interest policy and the resolution that will follow the state statute. Furthermore a second option is the county could adopt a more comprehensive policy in which an ethics officer would be in charge of complaints and concerns of conflicts of interest. Discussion was held on both versions. Knight presented both versions and the Board can decide which to adopt. Discussion was held on an old copier in the State's Attorney's Office 6) Jaeger moved, seconded by DeJong to surplus the Toshiba E-Studio 35 copier in the State's Attorney's Office at no value. All voted yes and motion carried.

UNFINISHED BUSINESS

Discussion was held concerning the Courthouse basement floor and what needs to be done to finish it. Reimbursement from FEMA requires an insurance claim to be filed on the damage. The Commissioners decided not to pursue an insurance claim concerning the Courthouse basement. Also presented to the commissioners was a medical note of concern for the health of Emergency Management Sheila Monnier related to environmental exposure at the work place. The suggestion was made to make appropriate accommodations for her office space. A thorough mold inspection will need to be scheduled for the courthouse basement to assess the conditions.

The forklift left as surplus at the Hwy 22 building from purchase does not appear to be working because the battery is bad and the charger may be faulty. Many options were given on what to do with the forklift and the battery/charger as far as disposal.

NEW BUSINESS

Contingency Transfer; Election/Welfare Official Salary

7) Jaeger moved, seconded by DeJong to transfer \$54 from Contingency to State's Attorney Budget 101-151-422 and to transfer \$1050 from Contingency to Planning/Zoning 101-711-434.30. All voted yes and motion carried.

8) Jaeger moved, seconded by Homan to pay Auditor Korth for her duties as an Election Official for \$100/month from election salary budget as well as Welfare Official at \$300/month for her duties in that area beginning December 2019 payroll. All voted yes and motion carried.

Warrants

9) Kreutner moved, seconded by Homan to approve warrants paid early and any additional warrants presented for payment. All voted yes and motion carried. Warrants to Century Link 358.79 Utilities, DC Treas 3139.09 Tax Acct, DC Treas 21.20 Title Transfer, Otter Tail 1235.94 Utilities, B-D Rural Water 69.50 Utilities, H-D Electric 748.42 Utilities, ITC 166.77 Utilities. Overpayment of Taxes: Central Loan Admin 474.38, Brandon Collins 128.42, HomeLoan 626.75, Dennis Korbel 112.76, Angel Oeltjenbruns 373.13, Marvin Ovall 43.22, PMP Capital 57.21, SunTrust Bank 1631.17, Ron Tvedt 238.44, Joe Uckert 234.17. Dept of Rev

73,957.67 Fees Due to State, SDACO 296.00 M&P. Taxes: Schools 1,680,116.68, Towns 169,875.43, Townships 127,798.06, EDWDD 6427.18, Rural Fire 28,185.15.

Adjournment

There being no further business 10) Kreutner moved, seconded by Homan to adjourn the meeting.

Chairman
Deuel County Commission

ATTEST:

Mary Korth, Auditor

Published one time at the approximate cost of _____.