

December 17, 2019
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, December 17th at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Rhody presiding. Those present were Commissioners Rhody, DeJong, Kreutner, Homan and Jaeger. 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) DeJong 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. Resolution #19-26 implementing the new Highway Department salary scale was received, read and adopted. 2) Jaeger moved, seconded by Kreutner to accept and adopt the presented Highway Department salary scale and Resolution #19-26. All voted yes and motion carried.

RESOLUTION ADOPTING A REVISED PAY SCALE FOR COUNTY HIGHWAY DEPARTMENT EMPLOYEES RESOLUTION #19-26

WHEREAS, the Deuel County Personnel Policy Manual provides for longevity pay for its regular employees. As part of its regular review of the compensation plan the county has determined that it is necessary to adopt a revised pay scale for County Highway Department employees.

WHEREAS, the County has determined that it is appropriate and beneficial to include longevity pay as part of the compensation plan for County Highway Department employees.

WHEREAS, the compensation plan the county intends to adopt excludes County Highway Department employees from the longevity pay set forth in the County Personnel Policy Manual and the additional pay based upon longevity approved by the Board and included as part of the Salary Resolution #2019-01.

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of County Commissioners hereby excludes all County Highway Department employees from the longevity pay set forth in the Deuel County Personnel Policy Manual and the Salary Resolution #2019-01. Commencing January 1, 2020, Deuel County Highway Department employee's longevity pay shall be incorporated in the regular pay for each employee according to the compensation plan adopted by the county for the County Highway Department.

Adopted by the Deuel County Board of County Commission on December 17, 2019.

Deuel County Board of Commissioners

Attest:

Mary Korth
Deuel County Auditor

Steve Rhody
Chairman

Hintz presented a photo of a bridge similar to the one that will be replaced located from Tunerville: 3 miles east, 2 miles north and $\frac{3}{4}$ miles east. It is bridge number #139-040. Iron will come from True North Steel. The bridge will cost \$54,616 and for steel back walls \$3,355, and a blade runner protection is \$2000.00. This is considered a 50 year bridge for legal loads. Discussion was held on dimensions and material quality of the bridge. Construction expected to start in 2020 depending on weather circumstances.

Discussion was held on the haul routes in the northern part of the county and the impact the loads are having on the roads.

Discussion was held about the stop sign in Gary, SD being made into a permanent sign as motioned at the December 5th Commission Meeting. The Gary City Council made their formal request in the form of a letter presented to the commissioners. The action will now move forward to make the sign located at the corner of 1st Avenue and Coteau Street in Gary, SD a permanent sign.

Hintz presented a Detailed Damage Inspection Report from the US DOT Federal Highway Association. It states high water levels in the confined basin next to the roadway has caused damage to the road and its embankments. Replacement of pre-existing Rip-Rap on both sides of the roadway to protect the roadway embankment and patching the asphalt where needed located 3.5 miles east of Brandt on 188th St between 482nd and 483rd Ave. Hintz presented the quote of \$209,020 for Rip-Rap and repair to the road damage. This is listed as site #1 Project #ER6698. This will be reviewed and approved at a future meeting.

9:30 Custodian Scott Ruby

Ruby met with the Commissioners and discussion was held on the auto scrubber for the courthouse, repairs and maintenance. The battery does not hold a charge and new batteries would be needed for the current machine. Further discussion was held on purchasing something new for the West Hwy 22 building or for the courthouse and future demonstrations for those types of machines. Ruby stated a smaller scrubber is around \$3000.00. The Board is interested in quotes for different types of machines and batteries and doing comparisons in future meetings.

9:45 Director of Equalization Donna Rhody

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

3) DeJong moved, seconded by Jaeger 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 10:50 a.m.

10:30 Will Kruse from Deuel County Shooting Sports

Kruse met with the Commissioners to discuss Deuel County Shooting Sports. Discussion was held on making the West Hwy 22 building ADA compliant as well as changing the door locks, adding curb stops, and adding supplies for the building. Discussion was also held on access to different rooms in the building and who is responsible for custodian duties. Kruse reported on Shooting Sports activities with 80 kids signed up shooting 120 different time slots. Sheriff Borg was present and discussion was held on sharing space for a shooting range. Kruse further explained their season goes through April and they will then remove some inventory. Because of time constraints, Chairman Rhody asked for a list of concerns and to update the Board in the future.

10:45 Cindy Dannenbring Executive Director of ICAP

Dannenbring met with the Commissioners to discuss happenings with Inter-Lakes Community Action. Dannenbring presented some information and an overview of County Services ICAP provides. Tammy Krein is our local representative. Deuel County poverty levels are significantly higher in 2018 than what they were in 2015 which is common in the rural counties in South Dakota. Many more services are being provided to more people in the last couple of years. She presented statistics of the programs compiled in a data report for Deuel County with the number one program used in our county is the 60's Plus Dining which serves 75 seniors in the county. The statistics are available at the Deuel County Auditor's office as well as through Tammy Krein on the first floor of the courthouse who is our ICAP representative. Dannenbring highly acclaimed the Deuel County ICAP Office and Tammy Krein and was confident in the services provided for anyone in need within the county. She went on to further explain ICAP would also be instrumental and available if there was ever a disaster in the county. Dannenbring thanked the Commissioners for their continued support to ICAP.

11:00 Matt Wagner of Lake Cochrane

Wagner was invited by the Commissioners and State's Attorney John Knight to attend the meeting to discuss the public access on his property on Lake Cochrane. Alan Armstrong from the Lake Cochrane Association was present for discussion also and presented a map of the actual easement in question. Wagner approached the Board and explained when he purchased the lot in 2017 he had done his due diligence by extensive research and gaining building permits that were in compliance with zoning ordinances. He had hired two attorneys to review everything to make sure he was within compliance of the law. He further explained he has never denied anyone access to the lake. He has never heard a personal complaint from anyone other than John Appelen and State's Attorney John Knight. He has heard hear-say but nothing personal. His expectation as a homeowner is that he has property rights which includes 75 feet of shore property. If he were to alter his property in the way he has been asked, that would reduce his shore property to 50 feet and he doesn't find that reasonable. He is not interested in putting up signage, markings or changing his property in any way. His claim is that he is not denying access to the lake. The dedication which was part of the purchase of the property states he has rights to the property as a homeowner as long as he is not restricting access to the lake which he feels he is in compliance with. The dedication includes a 16 ft. strip of land across Wagner's property that cannot restrict access to the lake. Chairman Rhody spoke of different solutions to the problem so people are aware of the access. Wagner stated he is not restricting access to the lake in accordance to the dedication. State's Attorney John Knight was present for meeting. He said the access is shown a little differently than the way Wagner understood when he first bought the property which shows on the plat. Knight also said that Wagner came to the Zoning Board for permission to pour the concrete driveway but that is not something the zoning board can

approve. The Zoning Board gives no building permits for concrete. Knight commented he was told snow has been piled in the way of the access. Wagner said it is natural drifting only. Knight suggested solutions to the problem by better defining a pathway from the driveway to the water as a reasonable compromise without using a sign. Wagner is not interested in changing his property. Ron Ruud was present and made comments that certain individuals are just not comfortable driving across grass and gave some alternate suggestions to change the access without taking away from the beauty of the property. Wagner stated he will see how his current situation goes but it still remains his choice on what to do with the property. Armstrong from the Lake Association stated as long as Wagner allows access to the lake they do not have a concern. He would be back to bring up concerns if he finds the access is blocked. He knows people will just be uncomfortable driving across Wagner's grass. Wagner's position is that he is protecting what is rightfully his.

11:30 State's Attorney John Knight

Knight met with the commissioners to discuss issues related to his office.

UNFINISHED BUSINESS

Discussion was held concerning the Courthouse basement and testing for mold related to the health concerns of Emergency Management Director Sheila Monnier. In June 2019, the topic was addressed and a quote from GeoTek from Sioux Falls was presented at that time. The quote was rejected for cost and other avenues were taken instead. DeJong contacted Mold Testing Services out of Sioux Falls and received a quote for mold testing for \$1185.35. Discussion was held on whether the floor should be finished first or mold testing first. No decisions made until Mold Testing Services from Sioux Falls is contacted again for further recommendations. Chairman Rhody would like to see the stairway and doorway to the basement changed as well to make an attractive entrance.

DeJong spoke with Brian's Glass & Door to install a combination lock on the west door on the south side of the Hwy 22 County Building. That estimate is between \$400 and \$500.

Discussion was held on quotes from Hillyard out of Sioux Falls on floor care machines. DeJong presented information and quotes for floor cleaners and will request demonstration from a representative after the next regular meeting. All of the brochures and information presented were thoroughly reviewed.

Discussion was held on snow removal behind the downtown Extension Building. Gunderson Law Firm sent a letter to the Commissioners stating they are paying the City of Clear Lake for 100% of the snow removal. In the letter, Gunderson's offered to bill the County for their portion of the snow removal. 4) Kreutner moved, seconded by Homan to pay costs to Gunderson Law Firm and accept future billings from the law firm rather than the City of Clear Lake for snow removal at the downtown Extension building. All voted yes and motion carried.

NEW BUSINESS

End of Year Meeting/Travel

The Deuel County Commissioners will hold a special meeting on Tuesday, December 31 at 9:00am in the Commissioner's Room of the Courthouse to pay all bills for 2019. Bills should be submitted to the Auditor's Office by Friday, December 27 at 5:00pm in order to be paid on the 31st. This will run in the official newspaper, The Clear Lake Courier in the December 18th and 23rd editions.

5) Homan moved, seconded by Kreutner to approve the travel request of Sheriff Cory Borg to attend a rapid assessment workshop called G205 Recovery from Disaster which is part

of the Emergency Management classes in the advanced professional series. The class will be held in Fargo, ND January 6 through 9 of 2020. All voted yes and motion carried.

Warrants

6) Jaeger 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, Rome Twp 602.00 Gopher Bounty, B-D Rural Water 114.40 Utilities, H-D Electric 381.32 Utilities, Johnson Controls 2657.10 Repairs, Otter Tail 1166.32 Utilities, Postmaster 1170.00 Postage, State Treas 12.49 Overpayment State Error, STI/SPFA 20.00 Tank Service, Dept of Rev 188.32 Excise Tax and 84,568.29 Fees Due to State, SDACO 196.00 M&P. Taxes: Schools 779,966.17, Towns 86,511.59, Townships 57,028.70, EDWDD 2984.65, Rural Fire 12,988.94, Upper Deer 107.07.

Adjournment

There being no further business 7) 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 _____.