

Monday January 22, 2024

The Deuel County Zoning Board met on Monday, January 22, 2024 at 6:30 p.m., in the Commissioner's Room of the Courthouse in Clear Lake. Those present were members, Jay Grabow, Kevin DeBoer, Mike Dahl, Mike Lammers, States Attorney Craig Evenson, and Zoning Officer Jodi Theisen.

Vice Chairman Kevin DeBoer called the meeting to order.

Theisen welcomed and introduced Mike Lammers to the Board, he was appointed by the Deuel County Commissioners to replace Paul Brandt's position.

DeBoer asked if the board, or any staff member, had anything to add to the agenda with none being offered.

DeBoer asked for any seated board member if they think they need to recuse themselves from any discussion topics on the agenda, or from voting on an agenda item with no board member responding.

Motion by Grabow, seconded by Lammers, to approve the January 22, 2024, Agenda. All voted in favor and motion carried.

The minutes from the December 11, 2023 & January 17, 2024 meeting were discussed. Motion by Grabow, seconded by DeBoer, to approve the amended December 11, 2023 & January 17, 2024 minutes. All voted in favor and motion carried.

Motion by DeBoer, to nominate Kanengieter as 2024 Chairman, that nominations cease, an unanimous ballot be cast for Kanengieter. Dahl seconded the motion. Roll call vote; DeBoer-yes, Lammers-yes, Grabow-yes, Dahl-yes, and the motion carried.

Motion by Dahl, to nominate DeBoer as 2024 Vice Chairman, that nominations cease, an unanimous ballot be cast for DeBoer. Grabow seconded the motion. Roll call vote; DeBoer-yes, Lammers-yes, Grabow-yes, Dahl-yes, and the motion carried.

Motion by Grabow, seconded by Dahl to adjourn as the Deuel County Planning Commission and convene as the Deuel County Board of Adjustment. Motion passed unanimously. Vice Chairman DeBoer called the meeting to order.

ITEM ONE

Motion by Grabow, seconded by Lammers to approve a Condition Use Permit request by the applicant, Jerae Wire - East River Electric Power Coop, and land Owner, Christine Watt to construct an electrical switch yard (Deuel Switchyard Addition) and to erect 95' private internal communication tower in AG District on property in the N1/2NW1/4 (to be known upon platting as Tract 1 of Deuel Switchyard Addition in the N1/2NW1/4) of Section 34-113-50, Grange Township, Deuel County, South Dakota. This property will be transferred between East River Electric Power Coop and Christine Watt at a later date. Wire, per phone, stated the new 115 kV switching station is needed by East River to accommodate load growth, mitigate potential voltage violations and thermal overloads, and to improve reliability in the Deuel County area. This switching station is to protect the WAPA line. The temporary interconnect on the WAPA Watertown to Brookings 115 kV line is being placed into service for the Toronto Tap and Toronto Substation project. The fence, tower and control building will meet all the setbacks. They will have a sign; signage being located on the entrance gates approximately 2' x 4'; commercial grade work lights during emergency or work situation. Please see Findings of Fact and Conclusions of Law on file with this application. Motion passed unanimously.

Motion by Grabow, seconded by DeBoer to adjourn as the Deuel County Board of Adjustment and convene as the Deuel County Planning Commission. Motion passed unanimously. Vice Chairman DeBoer called the meeting to order.

The board discussed the 2024 building permit fees and the difference of total fee amounts paid in 2023 versus 2022. They decided to change the "Fireworks permits" to "Fireworks Licenses" so it matches the updated applications from the B2022-01 Ordinance. They had discussion about separating the fee for Class D CAFO fee into two separate fees. The Class D over 500 head would be \$500 and The Class D under 500 head would be \$250 since they require different information to be provided to the Zoning Officer. The Board also increased the special meeting fee from \$625 to \$900 and the appeal to BOA hearing from \$250 to \$500.

Motion by Dahl, second by Grabow, to approve the changes above and recommend the 2024 Building Permit Fees Schedule to the Deuel County Commissioners. Motion passed unanimously.

Motion by Grabow, seconded by DeBoer to adjourn as the Deuel County Board of Adjustment and convene as the Deuel County Planning Commission. Motion passed unanimously. Vice Chairman DeBoer called the meeting to order.

ITEM TWO


Motion by Grabow, seconded by Lammers, to approve Tract 1 of Deuel Switchyard Addition in of the N1/2NW1/4 Section 34, Township 113 North, Range 50 West of the 5th P.M., Deuel County, South Dakota contingent that the taxes for the of 2024 get paid before the Commissioners meeting on January 17, 2024. Motion passed unanimously.

Mary Nosbush had discussion with the Board about CO2 Pipeline Ordinances and looked over other Counties CO2 Pipeline Ordinances and had discussion. No decision was made on ordinance and language and will discuss in future meetings.


Theisen and the Deuel County Board of Adjustment discuss upcoming applications and meeting dates. Theisen informed the board about sending a certified letter to Erik Wallerts about his property east of Clear Lake and as of January 8, 2024 the Zoning office has not received a response to the 2nd certified letter sent on December 19, 2023. Theisen did some research about dealership licenses. States Attorney Evenson will send letter to Wallerts about the certified letter and about the expired building permit. Discussion was held concerning a loading chute in a vacated section line. Theisen stated that the Zoning Office does not require a building permit for livestock fencing and that the loading chute is considered part of the livestock fencing since it is connected to the fence and is located out of the road right-of-way.

Theisen discussed with the board about an amendment to the ordinance, the section about signage: the maximum cumulative amount of all on-premise signage. The board advised Theisen to modify the section and have a joint hearing with the Commissioners in February for the amendment hearing.

Motion by DeBoer, seconded by Fieber to adjourn the meeting at 8:36 p.m... All voted in favor and motion carried.



Jodi Theisen
Zoning Officer



Dennis Kanengieter
Chairman, Zoning Board