

May 18, 2021
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, May 18th at 9:00 a.m. in the Commission Room of the Courthouse with Chairman DeJong presiding. Those present were Commissioners DeJong, Rhody, Jaeger, Homan, and Kreutner. Also present was Auditor Korth. The meeting began with prayer and the Pledge of Allegiance. The meeting was then called to order by Chairman DeJong.

Approval of Agenda

1) Rhody moved, seconded by Kreutner to approve the agenda as presented. All voted yes and the motion carried.

APPOINTMENTS

9:00 Jamie Broksieck Highway Superintendent

Discussion was held on gravel piles in the County. Broksieck informed the Board of a new gravel pile on the northern end of the County. This location and pit is through Rogge Excavating which was previously approved in bid letting. Discussion was held on various gravel suppliers available to Deuel County and their locations.

Discussion was held on annual overweight permits through the State of South Dakota. Broksieck suggested if the State permit is already in place, an additional permit would not be necessary. A permit can be issued like similar counties at no charge.

Broksieck reported on the overlay projects to be completed this year. 2) Jaeger moved, seconded by Rhody to consult bids for the overlay project on County 314 (188th Street) 4.5 miles from 483rd Ave. to the state line east; and on County Road 516 (486th Ave) for 3.5 miles. All voted yes and motion carried.

Broksieck reported on personnel issues. There have been no applicants for the Highway Department. The Department is currently looking for at least two more employees. 3) Homan moved, seconded by Kreutner to accept the resignation of Andy Nosbush and to advertise for blade operator. All voted yes and motion carried.

Broksieck has the signed haul road agreement with SDDOT and R&G construction. This is for County Road 1 (2 miles) and County Road 10 (3 miles) north of Hwy. 212. Invenergy also is using these roads for the wind tower projects. Discussion was held on dust control in this area. Broksieck also reported on dust control costs as he is getting calls on areas in the County. Deuel County's annual total cost on dust control is approximately \$13,000. Neighboring counties do not pay for dust control. Other options (soy) were discussed. Discussion was held on the County no longer supplying dust control at County's cost.

Broksieck reported on quotes he has investigated for the truck body needed by the Department. Because of the shortage of supplies from manufacturers and the ever-changing costs, quotes are very limited. He presented a quote for \$59,000 from Sanitation Products through SourceWell. That is all he was able to obtain. Suggestions were made to form a spec sheet and put it out for bids.

9:30 Keith Goens, Weed Supervisor

Goens reported on an application received by his Department for a part time Weed Sprayer. An interview will be scheduled. Goens wants to hire quickly as he is short-handed. Starting wages were discussed.

Goens reported on grants received to handle poison hemlock this year.

Goens reported on a vehicle needed by the Weed Department as in the 2021 budget. Goens has been looking and vehicles are very limited. 4) Rhody moved, seconded by DeJong to purchase a used pickup using discretion on the value of the vehicle and increasing the funds to purchase to \$35,000. Voting yes: DeJong, Rhody, Homan, and Kreutner. Voting nay: Jaeger. Majority vote, motion carried.

9:45 Joan Sacrison Outgoing Deuel Area Development Director

Sacrison met with the Board as outgoing Director for Deuel Area Development (DADi). She introduced the new Director, Tammy Krein. Krein had been the ICAP director for Deuel County. Sacrison felt confident in

Krein's abilities in the position with grant writing and fundraising. Sacrison reported on the projects and happenings with DADi as she leaves as Director. Sacrison's last day is May 27th and Krein will begin June 1st. The commissioners welcomed her to the position. They also bid farewell to Sacrison and thanked her for her involvement in DADi.

10:00 Jodi Theisen, Zoning Officer

Theisen presented various plats to the Board.

Plats

5) Homan moved, seconded by Jaeger to approve the Plat of Rhyne Third Addition in E1/2SW1/4 of 18-116-50 and Resolution #21-14. All voted yes and the motion carried.

RESOLUTION

#21-14

**PLAT OF RHYNE THIRD ADDITION LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 116 NORTH, RANGE 49 WEST OF THE 5TH P.M.,
DEUEL COUNTY, SOUTH DAKOTA**

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **"Rhyne Third Addition located in the East Half of the Southwest Quarter of Section 18, Township 116 North, Range 50 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 May, 2021

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

6) Homan moved, seconded by Jaeger to approve the Plat of Block 1 Konold Addition in SW1/4 of 7-114-49 and Resolution #21-15. All voted yes and the motion carried.

RESOLUTION

#21-15

**PLAT OF BLOCK 1 KONOLD ADDITION IN THE SW ¼ OF SECTION 7, T114N,
R49W OF THE 5TH P.M., DEUEL COUNTY, SOUTH DAKOTA**

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the herein **PLAT OF BLOCK 1, KONOLD ADDITION, in the SW ¼ of Section 7, T114N, R49W of the 5th P.M., Deuel County, South Dakota** prepared by Brian D. Ernst, Registered Land Surveyor of the State of South Dakota be and the same is hereby approved.

I, Mary Korth, County Auditor for Deuel County, South Dakota, do certify that the foregoing resolution was passed by the Board of County Commissioners, Deuel County, South Dakota, at the regular meeting on the 18th day of May, 2021.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

**Preliminary Plat of Dakota Bluffs Addition in the E1/2NW1/4 & the NE1/4 of 8-114-47 of the 5th P.M.,
Deuel County, South Dakota**

Theisen presented the preliminary Plat and plans for Dakota Bluffs Addition located in E1/2NW1/4 and NE1/4 of 8-114-47. Several members of the public were present for discussion. Theisen also gave the section of the Zoning Ordinance applicable as well as the Lake Park District rules that apply to these plans. Present was Jon Gorder and Phil Kooima, developers and Jon Heck, engineer for the project. Dakota Bluffs is an addition of 33 lots located west and south of Lake Cochrane. Gorder explained the project to the Board. Gorder already has a list of potential purchasers for these lots. The purpose of these lots is for parking and to get the vehicles off the road for safety concerns. The Lake Cochrane Improvement Association Board had concerns with no covenants on the properties. Representatives from the Association were available for discussion. Alan Armstrong and two other Board members shared concerns of safety for the walking trail; secondly the sanitation/septic system; also what the future plans are for these lots and what structures will be built; additional strain on the Lake; lastly drainage was a concern. Some issues are being addressed. Susan Norgaard spoke and had concerns with several campers on these lots as well as safety on the road with traffic and excess lake traffic. She would like to see more covenants in place. Norgaard was concerned with who is in charge of covenants. Gorder and Kooima replied that this is a homeowner issue. Many concerns and questions were discussed. Norgaard had concerns with the strain on the sewer system. Gorder addressed concerns about the sewer system as he is on that Board; he also suggested septic tanks should be improved for those in that area. Theisen said covenants are above and beyond the Zoning Board. Gorder is putting a covenant that no commercial campground can be built and no one can own more than 2 adjacent properties. He also is giving first chance to nearby property owners to purchase first. They have also spoken to all affected entities such as utilities, highway department and mail service. All entities are in favor of the development. Commissioner Kreutner had questions and concerns about traffic and safety especially with snow removal in the area. Much discussion was held on the development. *The commissioners discussed adding a walking/biking path in the area and that it would be a nice addition to the lake.* Norgaard asked that the preliminary plans not be passed until the LCA does their own research and studies as they felt this has been rushed through. It was explained by the developers that this is a preliminary plan and not approval of the actual plat. Many steps need to take place between this preliminary plan and the final plan. Chairman DeJong would like to see some of the issues resolved between parties before even the preliminary plan be approved. The developers feel they have addressed all the concerns that they are able to, some of the concerns are beyond their scope of power.

The commissioners decided to table the issue until all parties have discussed the issues at length. This would include road safety, sewer, and any possible additional covenants. This will be addressed at the June 1st regular commission meeting.

10:30 Emergency Manager Sheila Monnier

Monnier presented the commissioners with several updates. She presented the PDM schedule and Risk Assessment Worksheet for the County. This is a list of possible projects in Deuel County that would qualify for grant funds if applied. The PDM is on a 5 year cycle and this list is the completion of the project to send to the State. This assessment also gives probability and levels of risk as well as proposed mitigation activities.

Monnier also reported on LEMPG Special Projects and her monthly performance and actions. This was a detailed listing of Monnier's duties and accomplishments from the last quarter.

7) Kreutner moved, seconded by Rhody to approve the travel request for Monnier to attend the SD Healthcare Coalition meeting in Oacoma June 7-9th ;this request will be partially reimbursed by the Healthcare Coalition. All voted yes and motion carried. She reported on the "behind-the-scenes" activity going on with the covid-19 vaccinations.

Monnier reported on the Code Red program with Onsolve. She suggested Deuel County increases their subscription to the program for its many functions. The subscription is not due until the end of the year.

11:00 State's Attorney Jared Gass

Executive Session requested by State's Attorney Gass Pursuant to 1-25-2(3) For the Purpose of Consulting with Legal Counsel

8) Rhody moved, seconded by Kreutner to move into executive session pursuant to SDCL 1-25-2(3) for the purpose of consulting with legal counsel . All voted yes and motion carried.

9) Jaeger moved, seconded by Rhody to have Chairman DeJong declare the meeting out of executive session at 11:45 a.m. All voted yes and motion carried.

UNFINISHED BUSINESS

An independent appraisal was performed by three landowners of Deuel County on Lots H1, H2, H3 & H4 in SE1/4 20-116-50 located in Deuel County, village of Bemis, State of SD. The appraised value of the property is \$310.00. Gass will draft a resolution to sell the above described lots in Bemis by the June 1st regular commission meeting.

NEW BUSINESS

Gopher Bounty Program/American Rescue Plan/Women's Building at Fairgrounds/Revisit Clerk of Courts Bullet Proof Glass

Auditor Korth reported on the County's current pocket gopher bounty program in cooperation with townships and utilities H-D Electric and Brookings-Deuel Rural Water. There is inconsistency with bounties paid among townships. Six townships pay a lesser fee because Sioux Rural Water services all or part of them. Sioux Rural Water has not agreed to be a part of the program. The current program also did not have a set calendar deadline for receipts to be given to the Auditor for reimbursement. To be consistent and not have severely overdue receipts (sometimes up to 4 years old), Auditor Korth requested a deadline of reimbursement request for the calendar year. 10) Homan moved, seconded by Jaeger to set a deadline for gopher bounty receipts to be delivered to the Auditor's Office no later than December 15th of the calendar year that the bounties were submitted. The Auditor will then reimburse in a timely manner. All voted yes and motion carried. Korth will inform the townships of this deadline.

Auditor Korth updated on the American Rescue Plan signed into law by the federal government on March 11, 2021. Korth is working closely with First District as well as the Federal Government on distribution of the funds. There are many requirements and the specifications on which the funds can be used is very limited. Korth reported at recent meetings with other County Auditors and how they are handling the correspondence especially with the Federal Government. It is an extremely time consuming program.

Commissioner Jaeger reported on the status of the Women's Building at the 4-H Fairgrounds. He spoke with Deuel School who has been interested in the building for some time. Due to cost of renovation on the building, the school is no longer interested in this building for their use. The County will need to make a decision on the building; the Highway Department can dismantle the building when time allows. In the meantime, the County will approach the public if there is any interest in tearing down the building for lumber.

Auditor Korth received correspondence from the Unified Judicial System on installing bullet proof glass and a locking door in the Clerk of Courts office located on the second floor of the courthouse. This project was previously proposed in October of 2020 for a cost of \$15,252.00. At that time on the advice from Deuel County State's Attorney, the Board rejected the proposal. Brookings County Third Circuit Court Administrator contacted Auditor Korth stating grant funds are now in place to pay for the entire project. There would be no modification of the historical integrity of the Office. Bullet proof glass along with a locking door for access behind the counter will be installed at no cost to the County. The work would be performed in January or February of 2022.

Public Comments

None at this meeting

Other Business Before the Commissioners

Commissioner Jaeger reported on 911 radio tower coverage in the area. Jaeger gave a map to fellow Board members for dead areas of coverage and the expense to put towers up. The American Rescue Plan and other funds may be able to help with this project.

Commissioner Rhody reported on legislation introduced for legalization of medical/recreational marijuana. A temporary ordinance will be adopted in June. Public notice in the Clear Lake Courier and the County website is in place.

Discussion was held on moving the Emergency Management Office space.

Warrants

11) Rhody moved, seconded by Kreutner to approve warrants paid early and approval of regular warrants to be paid. All voted yes and motion carried. *Warrants to:* Arvest Central Mortgage 344.82 Overpayment, B-D Rural Water 70.00 Utilities, Century Link 358.79 Utilities, City of Watertown 3912.07 911 Surch, Corelogic 3032.77 Overpayment, Dacotah Bank 1147.86 Overpayment, DC Treas 2237.06 Tax Acct, First Bank & Trust 3011.75 Overpayment, First Dakota Title 12.83 Overpayment, HomeLoan Serv 1109.84 Overpayment, LC Sanitary Dist 465.50 Special Assessment, Onsolve \$612.40 Code Red Overage, Raml, Phil 493.98 Overpayment, Stewart Title 224.33 Overpayment, Walter, Betty 29.00 Overpayment, Wells Fargo 1102.23 Overpayment. *Taxes:* Schools 1,756,321.37, Towns 224,150.27, Townships 180,678.16, EDWDD 7674.77, Rural Fire 35,688.42.

Adjournment

There being no further business 12) Kreutner moved, seconded by Homan to adjourn the meeting. All voted yes and motion carried.

Gary DeJong, Chairman
Deuel County Commission

ATTEST:

Mary Korth, Auditor

Published one time at the approximate cost of _____.