

September 19, 2019
Regular Meeting

The Deuel County Commissioners met in regular session on Thursday, September 19th at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Rhody presiding. Those present were Commissioners DeJong, Rhody, 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) Jaeger moved, seconded by DeJong to approve the agenda as presented. All voted yes and the motion carried.

APPOINTMENTS

9:00 Jamie Hintz Highway Superintendent

Hintz discussed several highway related issues with the Commissioners. Otter Tail Power has a proposed route that is being used for their substation and the road is getting damage. County Road 309 has one mile that is not black topped and that area is in bad shape. Hintz will meet with Otter Tail and discuss. Hintz said they were unaware of road use agreements. Jaeger questioned why that mile wasn't black topped and Hintz said it wasn't in the budget. Discussion was held on FEMA meetings, things have been going as planned with townships. Discussion was held on the road use agreement with Tatanka, nothing has been settled. Hintz said loader buckets are getting thinned and he is looking into replacements. He found one for \$2600.00. Discussion was held on hiring, the position is still open as well. Discussion was held on structures that need rehab according to Mark Junker from Banner. He suggested they get them on the list for repair.

Ed Gruener was present and has concerns for the bridge replacement in his area. He was unaware they are digging a channel near the bridge and he has no way across. He understood that this channel wasn't part of the agreement and most of his acres are on the other side and it is a 12 mile drive around. Bridge replacement is very soon and could be a long process. Gruener is working with the contractor but he voiced his concerns. He is very concerned about road closure near his fields. Chairman Rhody questioned why a culvert by-pass isn't being put in, Hintz said that it simply hasn't been discussed. Hintz said despite the Topeka Shiner issues, an agreement and a bypass culvert can be done and a resolution can be found. Hintz cannot do anything about the diversion of water however. Gruener was concerned about the time frame as well. Further discussion was held on the problems. Gruener also expressed concern about drainage and tiling in the county affecting water flow on his land. Commissioner Jaeger said this year is extraordinary with moisture and further explained policy concerning the NRCS. Chairman Rhody wants updates on the situation with the bridge in the Hidewood and Gruener's concerns.

Commissioner Kreutner questioned the road use agreements for Wind Tower companies. Hintz said there is nothing firm yet but he is working on the situation. Wind tower start dates have not been determined.

Also present was Jim Dailey who asked about the road near Lake Alice and if FEMA is helping in that. Hintz said FEMA has declined a grade raise. Greg Toben and Calvin Musch were present and discussion was held about FEMA meetings and items put into mitigation for the townships.

Discussion was held on gravel availability and shortages in the county.

9:30 Keith Goens Weed Supervisor

Goens met with the Commissioners to discuss several items and give updates. He presented different quotes from various places for a trailer to haul the Kubota as well as dual purpose for Highway department use. It was suggested to look into further options.

2) Jaeger moved, seconded by Homan to table the purchase until next meeting when quotes can be finalized. All voted yes and motion carried.

Discussion was held on spraying issues in the county and weather not cooperating.

9:45 Sheriff Cory Borg

Borg met with the Commissioners to discuss several issues. He presented completed police contracts with the City of Gary for a monthly fee of \$499.80 (5997.60 annual), the City of Goodwin for a monthly fee of \$175.00 (\$2100.00 annual), the City of Astoria for a monthly fee of \$267.71 (\$3212.52 annual), and the City of Brandt for a monthly fee of \$148.75 (1785.00 annual) 3) Jaeger moved, seconded by Homan to approve and sign the police contracts for the City of Gary, the City of Goodwin, the City of Astoria, and the City of Brandt. All voted yes and motion carried.

Borg decided to wait on the vests discussion until a later meeting. Many of the current vests are expired. Their lifetime is usually about 5 years.

Borg has been interviewing for a new deputy for the Department and made his recommendations. 4) DeJong moved, seconded by Kreutner to hire Zach Hulderson as deputy for the Deuel County Sheriff's Department at a rate of \$17.00 per hour and he will need to get certified. He will start September 20, 2019. All voted yes and motion carried.

5) Kreutner moved, seconded by Rhody to approve travel, lodging and registration for Deputy Smith to attend MGIA National Training Conference in Sioux Falls in May of 2020 and Deputy Wiik to go to a firearms instruction class in Watertown on October 7th. All voted yes and motion carried.

10:00 Public Hearing 2020 Five Year Hwy and Bridge Improvement Plan

The Five Year County Highway and Bridge Improvement Plan was presented and discussed. The Plan includes a bridge inventory list and a project needs list. It also includes a revenue source table and five year project location map. The plan is a short range planning tool that will be developed and updated annually based on needs and identified Deuel County transportation policies. Present for the meeting were several township officers and members of the public. The plan, with any suggested changes will be adopted at the October 1st meeting.

Discussion was held on bridge replacement and costs and matching funds. Larger counties that have more money are able to get replacements easier and so competition for small counties like Deuel is difficult. Commissioner Jaeger brought up weather related issues in South Dakota and how the funds will be allocated and how this will affect bridge replacement plan. Many counties with larger rivers have larger issues in comparison to Deuel. This current plan is very similar to last year's plan. Chairman Rhody expressed concerns about deteriorating culverts. Hintz said they have prioritized that this spring and summer fighting moisture conditions.

Discussion was held on prioritization of culverts and all the different highway projects in the County.

The Bridge Improvement Plan was reviewed and discussed. A copy of the Plan is available in the Deuel County Auditor's Office. The meeting concluded at 10:45 a.m.

Public Comments:

James Dailey asked about paving in the future. He asked about contracting paving out. Hintz said they are patching as contractors are busy and hard to find. Hamlin and Brookings counties are contracted for paving.

Calvin Musch questioned hydraulic studies. He feels the process is too long and extensive. Some areas are not very big drainage areas and can be simple fixes such as tubes rather than bridges.

10:30 Adopt 2020 Budget and Resolution #19-20 (postponed to 11:55 a.m.)

10:45 Executive Session Pursuant to SDCL 1-25-2(1) Personnel Matter

6) Jaeger moved, seconded by DeJong 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 11:10 a.m.

11:00 Drainage Board/Joe Uckert

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

Joe Uckert requested a renewal permit to drain on the SW1/4 34-116-49. Proposed length of the drain is 6800-7000 feet using 4-6-8" tile. Area affected for drainage will be 50 acres. Adjoining landowners had signed Permission To Drain. 8) Jaeger moved, seconded by Homan to approve and issue Drainage Permit #D19-20 to Joe Uckert to drain on above described property. All voted yes and motion carried.

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

11:15 Sheila Monnier EM Director Cyber Security

Monnier met with Commissioners about several issues. She gave updates on her activities and training sessions. She presented the commissioners with an overview of her activities along with the 2019 Nationwide Cybersecurity Review (NCSR). Evaluation of Cybersecurity is necessary for Homeland Security Funds. She will check into the cost of our cyber security analysis. Literal security was also discussed.

Discussion was held on active shooter training and some focus on that. She also discussed COOP plans (the Continuity of Operation Plans for our County Offices). She will be moving forward with the COOP plans as well. Discussion was held on the EOP (Emergency Operations Plan) created in 2003 and needs to be reviewed.

Issues with the basement and her office conditions were also discussed. She has met with FEMA representative and has been working closely with him. They will have site inspection October 14th.

11:30 Executive Session Pursuant to SDCL 1-25-2(1) Personnel Matter

10) Jaeger moved, seconded by DeJong 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 11:45 a.m.

11:45 State's Attorney John Knight

Knight met with the Commissioners to discuss several items. Knight had prepared a Quit Claim Deed to the City of Toronto for Lot 8 Blk 8, Original Plat, Town of Toronto, Deuel County. The county had taken the property for tax deed. 11) DeJong moved, seconded by Homan to declare as surplus and quit claim to the City of Toronto Lot 8 Blk 8, Original Plat, Town of Toronto, Deuel County, South Dakota. All voted yes and motion carried.

Discussion was held with Knight on the drainage ditch near Lake Alice per the public's request.

11:55 Adopt 2020 Budget and Resolution #19-20

12) DeJong moved, seconded by Jaeger to approve Resolution #19-20 Annual Budget for Deuel County, SD for 2020 with following changes to the published provisional budget. All voted yes and motion carried.

101-311 Property Tax \$2,902,166; 233-311 \$22,520
 101 General Fund Cash Applied \$389,445
 233 County Building Fund Cash Applied \$207,235

ANNUAL BUDGET FOR DEUEL COUNTY, SD
 For the Year January 1, 2020 to December 31, 2020

RESOLUTION 19-20

ADOPTION OF ANNUAL BUDGET FOR DEUEL County, South Dakota.

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, that such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR DEUEL County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2020 and ending December 31, 2020 and the same is hereby approved and adopted by the Board of County Commissioners of Deuel County, South Dakota, this 19th day of September, 2019. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Deuel County, South Dakota. The accompanying taxes are levied by Deuel County for the year January 1, 2020 through December 31, 2020.

BOARD OF COUNTY COMMISSIONERS OF DEUEL County, South Dakota

Steven Rhody	Chairman	_____
Judith Homan	Commissioner	_____
Gary Jaeger	Commissioner	_____
Roger Kreutner	Commissioner	_____
Gary DeJong	Commissioner	_____

ATTEST: Mary J. Korth County Auditor _____

Tax Levy in		
COUNTY TAX LEVIES	DOLLARS	\$'s/\$1000
Within Limited Levy:		
General County Purposes (10-12-9)	2,902,166	3.051
LIMITED LEVY SUBTOTAL (10-12-21)	2,902,166	3.051
OUTSIDE LIMITED LEVY:		
Courthouse Bldg. (7-25-1)	22,520	.024
UNLIMITED LEVY-SUBTOTAL	22,520	.024
TOTAL TAXES LEVIED BY COUNTY	2,924,686	3.075

Dated this 19th day of September, 2020.

These Amounts include the 25% to be distributed to cities.

As of September 19, 2019, these levies are not approved by the Department of Revenue

12:00 Custodian Scott Ruby

Ruby met with the Commissioners to discuss his wages as Custodian. He presented minutes from June of 2014 and previous discussions with commissioners about expansion of his duties and compensation for them.

UNFINISHED BUSINESS

NEW BUSINESS

Plat

13) Homan moved, seconded by Rhody to approve the Plat of Stangeland’s Hidewood Addition in NW1/4 12-114-50 and Resolution #19-21. All voted yes and the motion carried.

RESOLUTION

#19-21

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **“STANGELAND’S HIDEWOOD ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the Northwest Quarter (NW1/4) of Section 12, T114N, R50W 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 19th day of September, 2019.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

Meeting Date Change

14) Jaeger moved, seconded by Kreutner to change the meeting date of the second regular meeting in October to October 22nd due to Native American Day Holiday and conflicting vacation schedules. All voted yes and motion carried.

15) Jaeger moved, seconded by Kreutner to approve the travel request for the Auditor to attend PT-74 training and levy training with the Department of Revenue in Pierre on October 9th. All voted yes and motion carried.

Warrants

16) Homan moved, seconded by Kreutner to approve warrants paid early and any additional warrants presented for payment. All voted yes and motion carried. Warrants to Brookings Deuel RW 104.50 utilities, Otter Tail 1600.15 utilities, H-D Electric 482.00 utilities, ITC 166.78 utilities, NW Energy 11.33 utilities, Tri-State Water 23.50 supplies, SD Dept. of Rev 106,078.15 MV fees, SDACO 272.00 M&P, Dept. of Rev 83.44 excise tax, Byron Nogelmeir 105.00 24/7 program, Sanford 25.00 flex, Schools 37,384.46 taxes, Towns 4653.69 taxes, Townships 1900.98 taxes, EDWDD 119.95 taxes, Rural Fire 526.89 taxes

Public Comments: Jim Dailey and Greg Toben were present and asked for updates on Lake Alice. They are asking for some cleaning of ditches that can be done at present time. They believe this could be done yet this fall and without intervention from other entities. Commissioner Jaeger said this is often left up to landowners and farmers. Dailey has received permission from the landowner to proceed forward with ditch cleaning. He asked to have a commissioner come and view the situation and get things resolved. They will wait for the permission letter from the landowner and proceed within a reasonable time frame.

Adjournment

There being no further business 17) 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 _____.