

May 16th, 2023  
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, May 16th, at 9:00 A.M. in the Commission Room of the Courthouse with Chairperson Homan presiding. Those present were Commissioners Scott Fieber, Judith Homan, Jay Grabow, Steve Rhody and Harry Mewherter. Also present was Auditor Courtney Parker and several members of the public. The meeting opened with prayer and the pledge of allegiance. 1) Grabow moved, seconded by Mewherter to approve the agenda with the addition of Executive Session. All voted yes and the motion carried.

#### **OLD BUSINESS**

There are 11 trees that are dead around the courthouse that need to be removed. We received three quotes. State Line Tree Service \$11,500.00, TK Trees \$9,792.00 and Kevin's Tree Service Inc. \$4,840.00. 2) Grabow moved, seconded by Mewherter to approve the quote from Kevin's Tree Service Inc. in the amount of \$4,840.00 for removal of 11 trees around courthouse by June 15<sup>th</sup>, 2023. All voted yes and the motion carried. Kevin DeBoer was here from the public.

#### **APPOINTMENTS**

##### **9:00 Highway Superintendent Jamie Broksieck**

Broksieck discussed updates he had for the board. Broksieck presented bids from the Box Culvert Project 20-200-163 bid letting held on Wednesday May 10<sup>th</sup> at 10:00 A.M. There were three bids. Prahm Construction Inc. \$1,131,112.00, BX Civil & Construction, Inc \$1,120,000.00 and Lehtola Builders, Inc \$927,777.36. SDDOT will reimburse the county for 80% of the construction costs through the BIG program. 3) Fieber moved, seconded by Grabow to approve the bid of Lethola Builders, Inc of \$927,777.36 for the Box Culvert Project 20-200-163. All voted yes and the motion carried. Banner Associates, Inc will be engineering the project. SDDOT will also reimburse the county for 80% of Banner's services. 4) Rhody moved, seconded by Grabow to approve the contract from Banner Associates, Inc for their engineering services during construction of Box Culvert Project 20-200-163. All voted yes and the motion carried. The box culvert construction project cannot proceed without Wetland Credit Payment to Tetonka, LLP. The credit payment goes towards benefiting wetlands. 5) Grabow moved, seconded by Mewherter to pay the invoice of \$32,000.00 to Tetonka, LLP for the Wetlands Functional Capacity Unit Credits Purchase Contract. All voted yes and the motion carried.

##### **9:40 Deuel County 4-H Youth Advisor Deb Lessman**

Lessman asked for approval of \$5,000.00 to the 4-H Leaders Association for new livestock pens at the 4-H Service Center. The \$5,000.00 was approved by the 2022 Board of Commissioners, but it was decided to run it through the 2023 Board of Commissioners to make them aware of what the money was going towards. The total cost of the pens will be around \$14,000.00. The Leader's Association will be assembling the pens and setting them up during some evenings the second week in June. The Board had no objections to the funds so the motion from the November 15<sup>th</sup>, 2022 meeting stands.

##### **10:00 Public Hearing & Joint Meeting with Zoning and Planning Board**

The Deuel County Zoning and Planning Board, Dennis Kanengieter, Jay Grabow, Kevin DeBoer, and Mike Dahl met, along with the Commissioners jointly to hold a public hearing on the request of petitioner/owners Jeremy and Rachelle Wipf to issue a

change in zoning classification for property that is described as NE1/4NW1/4NE1/4 & W268' N661.47' NE1/4NE1/4 in Section Twenty (28), Township 113 North, Range 47, West of the 5th P.M., (Scandinavia Township) in Deuel County, South Dakota. Containing 13.35 Acres to "AG" Agricultural District from "CI" Commercial/Industrial District. The Deuel County Zoning Board stated the property meets the necessary requirements of the ordinance. In 2020 Wipf rezoned their property to "CI" Commercial/Industrial District from "AG" Agricultural District. After some additional discussion on the matter, Deuel County Planning Commission member Dahl motioned, seconded by Grabow, to rezone the above-described property from "CI" Commercial/Industrial District to "AG" Agricultural and to waive the rezoning fee. Upon a roll call vote all Deuel County Planning Commission members voted yes and the motion carried. Motion to adjourn was made by DeBoer, second by Grabow. All voted yes and the motion carried.

The Deuel County Planning Commission then recommended to the Commissioners that the above-described property be rezoned to "AG" Agricultural. Upon the recommendation of the Zoning Board, the Commissioners then held the first reading of Ordinance B2022-01-02A. The second reading will be held at the June 6<sup>th</sup> 10:00 A.M.

**10:15 Zoning Officer Jodi Theisen**

Theisen presented three plats for approval to the commissioners. 6) Rhody moved, seconded by Grabow to approve plat of "LOT 1 OF TORONTO SUBSTATION ADDITION IN THE SE ¼ OF SECTION 26, TOWNSHIP 113, RANGE 50 WEST OF THE 5<sup>TH</sup> PRINCIPLE MERIDIAN, DEUEL COUNTY, SOUTH DAKOTA." and Resolution 23-14. All voted yes and motion carried.

**COUNTY COMMISSIONER'S CERTIFICATE**

RESOLUTION NO. #23-14

A RESOLUTION APPROVING THE PLAT OF LOT 1 OF TORONTO SUBSTATION ADDITION IN THE SE ¼ OF SECTION 26, TOWNSHIP 113, RANGE 50 WEST OF THE 5<sup>TH</sup> PRINCIPLE MERIDIAN, DEUEL COUNTY, SOUTH DAKOTA.

WHEREAS, THE PLAT OF THE ABOVE DESCRIBED PROPERTY HAS BEEN EXECUTED ACCORDING TO STATUTE, NOW THEREFORE;

BE IT RESOLVED THAT THE COUNTY COMMISSION, IN AND FOR DEUEL COUNTY, DOES HEREBY APPROVE THE SAID PLAT OF A RESOLUTION APPROVING THE PLAT OF LOT 1 OF TORONTO SUBSTATION ADDITION IN THE SE ¼ OF SECTION 26, TOWNSHIP 113, RANGE 50 WEST OF THE 5<sup>TH</sup> PRINCIPLE MERIDIAN, DEUEL COUNTY, SOUTH DAKOTA.

DATED THIS 16TH DAY OF MAY, 2023.

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CHAIRPERSON

ATTEST:

(SEAL)

AUDITOR

I, AUDITOR OF DEUEL COUNTY, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING ON MAY 16<sup>TH</sup>, 2023, THE COUNTY COMMISSIONERS DID

BY RESOLUTION APPROVE THE PLAT OF LAT 1 OF TORONTO SUBSTATION ADDITION IN THE SE ¼ OF SECTION 26, TOWNSHIP 113, RANGE 50 WEST OF THE 5<sup>TH</sup> PRINCIPLE MERIDIAN, DEUEL COUNTY, SOUTH DAKOTA.  
DATED THIS 16<sup>TH</sup> DAY OF MAY, 2023.

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AUDITOR OF DEUEL COUNTY

7) Fieber moved, seconded by Grabow to approve plat of “GARY HOFFMAN ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the South Half (S1/2) of Section 23, T113N, R48W of the 5<sup>th</sup> P.M., Deuel County, South Dakota,” and Resolution 23-15. All voted yes and motion carried.

**COUNTY COMMISSION RESOLUTION**

Resolution No. #23-15

Be it resolved by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: “**GARY HOFFMAN ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the South Half (S1/2) of Section 23, T113N, R48W of the 5<sup>th</sup> 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 16th day of May, 2023.

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Chairman, Board of County Commissioners,  
Deuel County, South Dakota

ATTEST:

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County Auditor,  
Deuel County, South Dakota

8) Mewherter moved, seconded by Grabow to approve plat of “BRANDSRUD FFH ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the Northwest Quarter (NW1/4) of Section 26, T117N, R49W of the 5<sup>th</sup> P.M., Deuel County, South Dakota,” and Resolution 23-16. All voted yes and motion carried.

**COUNTY COMMISSION RESOLUTION**

Resolution No. #23-16

Be it resolved by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: “**BRANDSRUD FFH ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the Northwest Quarter (NW1/4) of Section 26, T117N, R49W of the 5<sup>th</sup> 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 16th day of May, 2023.

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Chairman, Board of County Commissioners,  
Deuel County, South Dakota

ATTEST:

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County Auditor,  
Deuel County, South Dakota

**10:30 Public Hearing-Crystal Springs & Stateline Malt Beverage On-Off Sale  
Liquor License**

A public hearing was held on the application of the Crystal Springs Ranch Rodeo Association Inc. for a special four day on sale malt beverage license for the Crystal Springs Ranch Rodeo event. Cody Krause was present for Crystal Springs Rodeo Inc. and gave some updates on the rodeo. Krause stated they had good attendance last year. Campers are down but rodeo attendance is up. This year they will have two different bands on Friday and Saturday nights. Krause thanked the County for all their support. 9) Grabow moved, seconded by Fieber to approve and issue the special four day on sale malt beverage license for June 21, 22, 23, & 24 2023 to Crystal Springs Rodeo Inc., Clear Lake, SD on the SE4SW4 31-116-48. All voted yes and motion carried.

10) Grabow moved, seconded by Rhody to approve the on-off sale malt beverage license application for Stateline SBG LLC. All voted yes and motion carried. .

**10:35 Sheriff Cory Borg**

Borg brought forward his last quote for body cams. This topic was tabled from last meeting until Borg received the final quote from Lenslock. Lenslock gave him a quote for two different types of cameras. The newer style bodycams use the voice and body movement recognition. These were quoted at \$37,340.00 for eight cameras. The current style of body cams from Lenslock can be hooked up to the lights on the squad cars and is quoted at \$25,340.00. Lenslock can get the current cameras to the department in three weeks. Lenslock was the lowest of the three quotes; Motorola \$52,000.00 for 6-8 cameras and Axon \$36,000.00 for six cameras on a five-year contract without storage. 11) Grabow moved, seconded by Fieber to approve the quote from Lenslock in the amount of \$25,340.00 for the six current style cameras. All voted yes and the motion carried.

Borg presented bringing in a PRN Deputy for Crystal Springs Rodeo. Hiring someone as a PRN would save on OT hours/wages for the department. 12) Rhody moved, seconded by Mewherter to approve the PRN Deputy, Lori Smith, for the four days of Crystal Springs Rodeo. All voted yes and the motion carried. 13) Mewherter moved, seconded by Grabow to approve rate of pay at \$26.68 for Lori Smith. All voted yes and the motion carried.

**NEW BUSINESS**

**ES&S Contract, Advertise for Deputy Auditor Position, Travel Request for Lisa Jorvig, Surplus Items**

14) Grabow moved, seconded by Rhody to approve the contract with ES&S for elections. All voted yes and the motion carried.

15) Grabow moved, seconded by Mewherter to approve advertising for the Deputy Auditor position. All voted yes and the motion carried.

16) Rhody moved, seconded by Fieber to approve the travel request for Lisa Jorvig to attend the South Dakota Association of County Highway Superintendents in Pierre on June 13<sup>th</sup>. All voted yes and the motion carried.

17) Grabow moved, seconded by Fieber to surplus the following items from the Courthouse, no value: 2012 Dodge Ram; totaled, digital video system, Motorola radios, portable Johnson radio, hold up alarm system, sheriff data base program, 911 computer, 357 Ruger pistol, 5 hon chairs, and a fan. All voted yes and the motion carried.

**Warrants**

18) Grabow moved, seconded by Rhody to approve warrants presented and those that were paid early. All voted yes and the motion carried.

**Warrants Paid Early:** Brookings-Deuel Rural Water \$99.75 -Utility, Century Link \$358.79 -911, City of Watertown \$3974.17 -911 Surcharge, H-D Electric \$327.12 - Utility, HealthEquity \$10.00 -Flex Fee, HealthEquity \$40.00 -Employee Claim, NeoPost \$2,000.00 -Postage, NorthWestern \$887.25 -Utility, Ottetail \$46.10 -Utility, SDACC \$100.00 -Hwy Conference, SD Dept of Revenue \$18.79 -Excise Tax, Transource \$48.81- Hwy Supplies; Taxes: Schools \$2,109,255.44, Cities \$261,721.24, Townships \$174,893.50, Upper Deer \$37.82, EDWDD \$7,562.79, RFD \$39,543.03, Lake Cochrane Sanitary District \$229.00

**11:05 Executive Session Pursuant to SDCL 1-25-2-(1) Personnel Matter**

19) Fieber moved, seconded by Rhody to move into Executive Session pursuant to SDCL 1-25-2(1) to discuss a personnel matter. All voted yes and the motion carried. Chairperson Homan declared the Commissioners out of Executive Session at 11:15 A.M.

**Public Comment**

There were no other public comments.

**Adjournment**

There being no further business moved Grabow, seconded by Mewherter to adjourn the Commission meeting.

Chairperson Judith Homan  
Deuel County Commission

Attest:

Courtney Parker, Auditor

Published One Time at The Approximate Cost Of \_\_\_\_\_.