

August 20, 2019
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, August 20 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Rhody presiding. Those present were Commissioners DeJong, Rhody, Homan, Kreutner, and Jaeger. Also present was Auditor Mary Korth. 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.

Barnhart Crane & Rigging will be hauling a turbine generator for Otter Tail Power Co. on county roads with a weight of close to a million pounds this fall in the southwest part of the county. Hintz was looking for ideas for the cost of a permit for a million pounds. He proposed \$1000. The route hasn't been finalized and there is time for a decision on the use permit. Hintz will compare to other counties if they have had this heavy of a weight before.

The five year road and bridge plan will hold its public hearing Thursday, September 19th. The plan is moving along as scheduled. Sometimes plans are changed in smaller counties because weather conditions can adversely change things. Spot seal coating was discussed as one issue that has been affected by this year's weather. Catch up on culvert and road repair may happen on Fridays.

Mark Schilling has applied for a right-of-way occupancy to bore under Road 515. 2) Jaeger moved, seconded by Kreutner to approve the right-of-way occupancy granted to Mark Schilling. All voted yes and motion carried.

The bids for the bridge replacement in the Hidewood (Bridge 139-040) will be coming in and opened Aug 28 through Banner.

Invenergy has applied for a Road Use Agreement. It is a standard agreement and states the road will be put back to original condition or better. Hintz will be talking to Invenergy before anything is signed.

3) DeJong moved, seconded by Kreutner 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 9:26 am. 4) Homan moved, seconded by DeJong to hire Ryan Severson as full time truck driver for the Highway Dept. at a rate of \$15.50/hr to begin as soon as notified. All voted yes and motion carried.

Discussion was held on a copier that is Wi-Fi capable for the Highway Dept. The copier given to them from Register of Deeds may not be capable for their needs. This will be discussed at upcoming meetings after more research.

9:30 Keith Goens Weed Supervisor

Goens met with the Commissioners to discuss several items and give updates. Damp conditions have hampered spraying. He hopes things pick up this fall. He presented different quotes from various places for a trailer to haul the Kubota. He isn't ready to purchase without more research on size of water tanks that he will be using and how they will be hauled. This trailer purchase will be for long term use and shared with the Highway Dept. Goens is planning on attending a Weed Commission Meeting and Weed Tour in Rapid City on September 10th and

11th. 5) DeJong moved, seconded by Rhody to approve the travel and lodging request for Goens to attend Weed meetings in Rapid City in September. All voted yes and motion carried.

9:45 Dawn Fritz and Deb Lessman

Fritz and Lessman met with the commissioners to discuss the pending move for Extension/4-H to the county building located on West Hwy 22. Discussion was held about concerns in the building. Lessman presented a hand out of her requests and changes to rooms and offices at the new location. She also researched ADA to make sure her changes will be in compliance. She requested some updating needed within the new building. She had contacted the Clear Lake Lumber yard to see if they could do these changes. She reported that the roof leaks as well. Commissioner Jaeger asked for specific quotes. Lessman will get the quotes for future meetings. Discussion was held on lock changes, electrical changes as well as items that are left from the prior owner. Chairman Rhody thanked her for her presentation and research. Changes and repairs will be addressed starting with roof repair and pest control.

10:00 Public Hearing Drainage Board on NE1/4 36-114-48

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

Present for the Hearing was Todd Boyd, Willis and Donna Kurtenbach, Paul Peterson, Alex Mastellar (attorney for Rex Van Dyke), and State's Attorney John Knight.

Attorney Mastellar approached the Board. He had sent a letter, application and agreement to the Board and is hoping for a resolution at this time. The drainage issue would be resolved by running the tile further and onto Jim Peterson's land as he has signed off the Permission To Drain. Jim Peterson viewed the situation in person at the site. This would essentially bypass the Kurtenbach's land and resolve the problem.

Todd Boyd said there was no objection and expressed some concerns about possible tile size difference and some wording of the original Drainage Ordinance which causes misunderstandings. Paul Peterson read from the original Drainage Ordinance and expressed concerns of his own. Willis Kurtenbach was concerned about how long the work will take; Mastellar responded that it is ready to be completed now and will be done in 2019.

State's Attorney Knight commented that the solution presented if not objected should resolve the issue. The motion should be made by the Board.

Rex Van Dyke represented by Alex Mastellar requested a permit to drain on the SW1/4 of 25-114-48. Proposed length of the drain is 2000 feet using 4" tile. Adjoining landowners had signed off Permission To Drain. 7) DeJong moved, seconded by Kreutner to approve and issue Drainage Permit #D19-18 to Rex Van Dyke to drain on above described property amending to include the original area; the project must be completed by November 1st, 2019. Existing tile cannot be enlarged or altered except as proposed in the plan as of today. All voted yes and motion carried.

10:15 Drainage

Bryan Kerkaert requested a permit to drain on the N1/2 of 15-113-47 and the N1/2 of 16-113-47. Proposed length of the drain is 3000 feet using 4" tile. Due to unforeseen circumstances, not all signatures have been obtained so this will wait for a future meeting. Terry Milton also approached the board with questions if he would need a permit as well; he will make application with the Drainage Officer. The Drainage Board has tabled the permit. 8) Jaeger moved, seconded by Rhody to postpone and table the Drainage Permit #D19-17 to Bryan Kerkaert to drain on above described property. All voted yes and motion carried.