

August 18, 2020
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, August 18 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Jaeger presiding. Those present were Commissioners Jaeger, DeJong, Homan and Kreutner. Commissioner Rhody was present by Zoom platform as well as State's Attorney John Knight. Because of the Zoom platform, Chairman Jaeger requested all motions be made on roll call vote. Also present was Auditor Mary Korth. The meeting began with prayer and the Pledge of Allegiance.

Approval of Agenda

1) Rhody moved, seconded by DeJong to approve the agenda as presented. Roll call vote, all yes and the motion carried.

APPOINTMENTS

9:00 Jamie Hintz Highway Superintendent

Hintz along with Foreman Jamie Broksieck met with the Commissioners to discuss several items. 2) Homan moved, seconded by Kreutner to approve travel request of Jamie Broksieck and Marty Brown to attend Highway Superintendent Certification in Pierre October 1st. Roll call vote, all yes and the motion carried.

Hintz presented photos of the bridges constructed in the Hidewood. Discussion was held on the bridges and how construction is coming.

Discussion was held on hiring personnel for blade operator. 3) DeJong moved, seconded by Kreutner to advertise to for a blade operator for the highway department. Roll call vote, all yes and the motion carried.

4) Rhody moved, seconded by DeJong to advertise the pony truss bridge on sealed bids. Roll call vote, all yes and the motion carried.

Hintz presented quotes for new fuel pumps that are set up like the state pumps and gallons would be tracked at the Highway Shop. The old one is a 1968 pump that has run 1.6M gallons per side to date. Sioux Equipment quote came in at \$26,008 for a replacement pump not including electrical work. Westmor Industries came in at \$26,400 for a similar pump. This all includes installation and equipment but not wiring. 5) Rhody moved, seconded by Kreutner to approve a purchase of a new fuel pump system for the Highway Shop from Westmor Industries in the amount of \$26,400 as the County has a history and working relationship with Westmor. Electrical work will be done separately. Roll call vote, all yes and the motion carried.

Discussion was held on the interview for the Highway Superintendent position and was arranged.

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

6) DeJong moved, seconded by Homan to move into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of a personnel matter. Roll call vote, all yes and the motion carried. Chairman Jaeger declared the Commissioners out of Executive Session at 9:50 a.m.

9:45 Sheriff Cory Borg

Borg met with commissioners to discuss replacing pistols for the Sheriff's Department. Borg received a quote from Jay Gislason of FMJ Arms in Gary SD. This would replace the current four Glock 22 40 cal pistols. 7) Homan moved, seconded by DeJong to approve the purchase of five Sig Sauer P320

9mm pistols, to include 3 magazines per pistol, and night sights for a total cost of \$3099.15 in addition to new holsters and light attachments for the pistols while surplus the four Glock 22 40 cal pistols to use on trade. Roll call vote, all yes and the motion carried.

10:00 Public Hearing/First Reading on Request of Olerud Enterprises LLC/Charles and Darlene Langerock to Rezone from Agricultural District to Commercial District for the following described property: A strip of land immediately to the South and East of Block One Agri Partners Addition, running 100' South of the Southwest corner of Block One Agri Partners Addition and 220' East of the Northeast Corner of Block One Agri Partners Addition in the NW1/4NE1/4 28-115-49. Which upon platting to be included in the Plat of Block One Agri Partners Second Addition in the NW1/4NE1/4 28-115-49

A joint public hearing with the Zoning Board was held upon the request/petition of Olerud Enterprises LLC and Charles and Darlene Langerock to issue a change in zoning classification for property that is described above in 28-115-49 Clear Lake Township from Agricultural to Commercial. The property will be used for chemicals which is an addition for Agri Partners' business. The Deuel County Zoning Board stated the property meets all the requirements of the ordinance. The Planning Commission will vote to recommend approval of this ordinance to the County Commissioners. Roll call vote: Kanengieter-yes; DeBoer-yes; Dahl-yes; Homan-yes; motion carried. The Planning and Zoning Commission adjourned.

The Commissioners then held the first reading of Ordinance B2004-01-30A. The second reading will be held at the September 1st meeting at 10:30 a.m.

10:30 Emergency Manager Sheila Monnier

Monnier discussed updates and items related to her department. She presented the 2021 Local Emergency Management Performance Grant Agreement for signatures which was approved last meeting.

The AEDs were delivered and will be installed. There was some discussion about the spike in Covid-19 cases in Deuel County.

11:00 Director of Equalization Donna Rhody

Director Rhody asked for the increase for her deputy on a six month probation raise which was brought up at a previous meeting. The commissioners will take into consideration all the information and make a decision next week.

Discussion was held on a hearing presented to the Office of Hearing Examiners (OHE) in Pierre, SD. This was an appeal that was taken beyond county level by a Deuel County taxpayer. The findings of OHE affirmed the position of the DOE with Deuel County under the defense of State's Attorney John Knight.

Director Rhody presented her own research and pay scale for her office and her deputies. Much discussion was held on the subject.

11:30 State's Attorney John Knight

Knight drafted a rental agreement for events for the West Building for the commissioners to review. Knight had looked at the building to revise the agreement to include certain square footage. He will bring it to next meeting.

Discussion was held on the repealing of Deuel County's Drainage Ordinance from 1989. Knight has everything prepared to advertise to amend the ordinance. The board felt they needed some more information and some further questions answered before they decide to repeal or amend. The questions will be addressed at a future meeting before a hearing is scheduled to repeal the ordinance.

Chairman Jaeger was concerned about right of way occupancy and if a drainage ordinance was repealed, would a public notice be required for draining into a right of way. Commissioner Rhody had concerns on how the permitting process would be handled going forward and if downstream landowners are given notice. Commissioner Homan stated in her experience there are rules and criteria to follow before someone gets a permit. Commissioner Kreutner reported on tax dollars levied and dispersed to East Dakota Water Development District. In 2019 the annual total to EDWDD was \$22,696.89 and to date (through June pay July 2020) \$13,037.11 has been dispersed. Much discussion was held on the Drainage Ordinance and how it could be handled in the future. They are looking into more information and will schedule a presenter for an upcoming meeting.

Chairman Jaeger requested discussion on water along roadway but discovered this was a non-issue for the county, but rather a township issue.

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

8) Rhody moved, seconded by Kreutner to move into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of a personnel matter. Roll call vote, all yes and the motion carried. Chairman Jaeger declared the Commissioners out of Executive Session at 12:15 p.m.

OLD BUSINESS

Discussion was held on the need for a Human Resources position for Deuel County. The commissioners are interested in having an HR person from other entities come to speak at a meeting so they can research and see if it would be beneficial for Deuel County.

NEW BUSINESS

Plats

9) DeJong moved, seconded by Kreutner to approve the Plat of Block 1, Agri Partners Second Addition located in NW1/4NE1/4 28-115-49 and Resolution #20-28. Roll call vote, all yes and the motion carried.

RESOLUTION

#20-28

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **“BLOCK 1, AGRI PARTNERS SECOND ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the NW1/4 of the NE1/4 of Section 28, T115N, R49W 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 August, 2020

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

Change Meeting Date/Consignment Sale Date/Auto Supplement

10) Kreutner moved, seconded by Homan to change the meeting date of the second regular meeting in September to Thursday, September 17th due to conflicts with fall convention. Roll call vote, all yes and the motion carried.

Nathan Tjaden requested to hold a consignment sale at the Deuel County Fairgrounds on Saturday, September 26th. The County will also add surplus items for sale to the consignment sale.

11) Rhody moved, seconded by Homan to auto supplement back into the sheriff's budget \$12,950 which was the insurance proceeds from the 2016 Ford Explorer deemed a total loss. Roll call vote, all yes and the motion carried.

12) Kreutner moved, seconded by DeJong to auto supplement back into the Emergency Management budget \$4,800 which was the support from TC Energy Foundation for the AEDs and their installation. Roll call vote, all yes and the motion carried.

Revolving Loan Fund

First District Development Corp., who handles the processing of the county revolving loan fund, has made a loan in the amount of \$96,200 to a Deuel County business. Discussion was held to consider the adoption of the following departmental budget supplement to the 2020 Deuel County budget, in order to carry on the indispensable functions of Deuel County. 13) DeJong moved, seconded by Homan to approve loan and to advertise and hold a supplemental budget hearing September 17. Roll call vote, all yes and the motion carried.

Extension Budget

Discussion of Adoption of Supplemental Budget

Discussion was held to consider the adoption of the following departmental budget supplement to the 2020 Deuel County budget, in order to carry on the indispensable functions of Deuel County. Approval to advertise and hold a supplemental budget hearing will be decided next meeting.

Public Comments

There were no public comments at this meeting.

Commissioner Rhody reported on the walk through with Otter Tail on the heating and cooling system in the courthouse. The courthouse boiler was installed in 2012 and the chiller is working well so different equipment isn't needed at this time. Something to consider would be replacing the lights in the courthouse going to LEDs and getting a rebate on the lights from Otter Tail.

Warrants

14) Homan moved, seconded by Jaeger to approve warrants paid early and approval of regular warrants to be paid. Roll call vote, all yes and the motion carried. *Warrants to* AED Superstore 4575.00 AEDs with Grant, Boettcher Window Supply 56087.01 Partial Window Payment, Boudston Builders 16421.74 Partial Window Payment, Brookings Auto Mall 46590.00 Highway Pickup, B-D Rural Water 83.20 Utilities, Brandon Bury 157.33 Overpayment Taxes, Century Link 358.79 Utilities, City of Want Fin Office 3946.84 and 3972.47 911 Surch, DCFU 265.57 911 Repair, DC Treas 26.20 Fees and 439.61 Refunds, Deuel County Abstract 369.50 Closing Costs, First District Dev Co 96200.00 Rev Loan, H-D Electric 262.92 Utilities, ITC 179.65 Utilities, McLeods 400.00 Election Supplies, Byron Nogelmeier

315.00 Scram Due to State, Otter Tail 1830.93 Utilities, Joyce McCormick 70.40 Refund, Sanford 806.88 Flex Fees, SD Counties 555.00 Registration, Thomson Reuters 402.26 Books, Tri State Water 34.90 Supplies, Zoning Board 3484.36 Meetings and Travel, Dept of Rev 117085.22 Fees Due to State, SDACO 256.00 M&P. *Taxes:* Schools 17,072.12, Towns 2,734.16, Townships 18,293.51, EDWDD 48.90, Rural Fire 195.36, LC Sanitary District 1701.44. *Fire Insurance Premiums To:* Astoria FD 1429.14, Brandt FD 3981.70, CL FD 10,318.07, Estelline FD 1480.07, Gary FD 3564.80, Goodwin FD 2613.10, Hendricks FD 393.42, Reville FD 669.73, Toronto FD 2656.12.

Adjournment

There being no further business 15) Homan moved, seconded by Kreutner to adjourn the meeting. Roll call vote, all yes and the motion carried.

Gary Jaeger, Chairman
Deuel County Commission

ATTEST:

Mary Korth, Auditor

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