

June 6, 2017  
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday June 6 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Jaeger presiding. Those present were Commissioners DeJong, Jaeger, Rhody and Pederson. Dumke was absent. Also present was Auditor Pam Lynde. The meeting began with prayer and the Pledge of Allegiance. Chairman Jaeger called the meeting to order.

**Approval of Minutes:**

1) Rhody moved, seconded by Pederson to approve the minutes of the regular meetings of May 2 and 16 and special meeting of May 23. All voted yes and the motion carried.

**Approval of Agenda**

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

**APPOINTMENTS**

**9:05 Highway Superintendent Jamie Hintz**

Hintz met with the Commissioners to discuss several highway related issues. 3) Pederson moved, seconded by DeJong to approve and sign the Striping Agreement with SD DOT for 2017 on cost share basis. All voted yes and motion carried.

The location and use of replacement county vehicles were reviewed.

Hintz talked about the damage to County road #310 and is working with Excel Energy to reimburse county for damage to the road. The 212 detour was discussed; seal coating will start soon with approximately 20 miles being covered.

**9:30 Public Hearing Special Malt Beverage License Crystal Springs Rodeo**

A public hearing was held on the application of the Crystal Springs Rodeo Association Inc. for a special four day on sale malt beverage license for the Crystal Springs Rodeo event. Cody Krause, Marlin Bjerke and Nate Atyeo rodeo committee members attended the hearing. Krause said they have made changes mainly on the camping area of the grounds; still working with security from Sioux Falls. Krause said they are asking for an extra day for the on sale malt beverage license as they will be adding the extreme bull riding event on Wednesday June 21. 4) Rhody moved, seconded by DeJong to approve the special four day on sale malt beverage license for June 21, 22, 23 and 24 2017 to Crystal Springs Rodeo Inc., Clear Lake, SD on the SE4SW4 31-116-48. All voted yes and the motion carried. Security for the rodeo will be from the Sioux Falls/ Vermillion area along with local law enforcement.

**10:00 Weed Supervisor Keith Goens**

Goens met with the Commissioners and asked to hire Tim Koppman and Trevor Frensko to spray on a part time basis. 5) Pederson moved, seconded by Jaeger to hire Tim Koppman and Trevor Frensko at 15.00 hr. as part time seasonal weed sprayers. All voted yes and motion carried.

**10:15 Goodwin Township Supervisor Keith Goens**

Goens, acting as Goodwin Township Supervisor, met with the Commissioners to discuss two miles of gravel that is getting pounded because of the 212 detour and asked if it would be possible to grade the road more often because of the added traffic and truck traffic on the township road. He will discuss with Highway Superintendent Hintz.

### **10:30 Gary Legion Softball/Baseball Program-A Bekaert**

Albert Bekaert met with the Commissioners and requested funding for the Gary American Legion and Auxiliary 109 baseball/softball program for 2017. This year about 60 boys and 76 girls will be involved in the program. He thanked the Commissioners for their past support; expenses of approximately \$5000 last year; income of \$5875. The funds are used to help update equipment, transportation costs and ongoing expenses. 6) Pederson moved, seconded by Rhody to grant to the Gary American Legion \$750 for baseball/softball program. All voted yes and the motion carried.

### **10:45 Jay Gilbertson East Dakota Water Development District**

Gilbertson Executive Director of East Dakota Water Development District, met with the Commissioners to discuss and give an update on the River Basin District proposal. River Basin Natural Resource District; Deuel is in the Red River and Minnesota River District. Created to help with water management; original version was much longer; another task force was created and will be finishing the job; over sight task force; settled on watershed boundaries; governing structure; all of this information took two years. Gilbertson was added to the task force this year and said the task force is going forward; he asked what sort of water issues are there in the area with drainage permitting being one of them. He said they have been talking about technical support for permit granting; resource when needed to share technical support when needed; would be a shared position with other counties. He said he is bringing the county up to speed on what is happening on the matter and would be doing some water quality sampling for the pilot project and try to solve issues and answer questions on land use and natural waterways.

### **11:15 Drainage Board-Kelly Sieh**

7) Rhody moved, seconded by Pederson to adjourn as County Commission and reconvene as the Drainage Board. All voted yes and the motion carried. Sieh met with the Commissioners concerning drainage done by Claremont Colony in 2012 on the N1/2 of 31-115-50. Sieh said the drainage has impacted his land by diverting water onto his property causing damage to his property. The Colony did not obtain permission from Sieh to drain onto his property. A letter was written to the Colony in May of 2014 by the State's Attorney asking them for remedy with Mr. Sieh. Sieh said he met with the township over this drainage; Sieh said have to take the surface water and not subsurface water. State's Attorney Knight said permittee has the right to drain on property but not the right to increase flow and amount of water that causes damage and said this is something the court may have to decide. Knight said the dispute is between the two landowners. The Drainage Board asks parties to work something out between them if at all possible before the Drainage Board gets involved in the matter.

### **11:30 Drainage-Larry Mitchell**

Drainage Officer Casey Severson presented an application on behalf of Larry Mitchell to drain on the NE1/4 & N1/2E1/4 28-113-49 with the water flowing to the south and W1/2NW1/4 of 27-113-49 with the water flowing to the south/southwest into a natural creek. Outlet being in the NE1/4 of 28-113-49 with estimated length of drain being 6000 feet using 6-8 inch tile and outletting to the southwest. He had secured the wetland determination and sign off of adjoining landowner as well as Blom Township concerning the township road. 8) Rhody moved, seconded by Pederson to approve and issue Drainage Permit #D17-09 to Larry Mitchell on the W1/2NW1/4 27-113-49. All voted yes and the motion carried. 9) DeJong moved, seconded by Rhody to approve and issue Drainage Permit #D17-10 to Larry Mitchell on the NE1/4 & N1/2SE1/4 28-113-49 with tile to the north and west into existing drainage tile. All voted yes and motion carried.

10) Pederson moved, seconded by Rhody to adjourn as Drainage Board and reconvene as County Commission. All voted yes and the motion carried.

**11:45 State's Attorney John Knight/Treasurer Mary Korth-Tax Deeds**

State's Attorney Knight met with the Commissioners and discussed several items. State's Attorney Knight and Treasurer Mary Korth recommended taking the following properties for tax deed: Lot 5, Blk 2 Original Plat, Astoria SD; Lots 7-8 Blk 4 Original Plat, Astoria SD; Lot 10 Blk. 1 Harris 2<sup>nd</sup> Addition, Gary, SD. 11) Rhody moved, seconded by DeJong to take a tax deed on the above described properties. All voted yes and the motion carried.

**12:50 Executive Session**

12) Rhody moved, seconded by Pederson to move into Executive Session at 12:50 p.m. to discuss personnel matter. All voted yes and motion carried. (SDCL1-25-2) Chairman Jaeger declared the Commissioners out of Executive Session at 1:00 p.m.

13) Rhody moved, seconded by Pederson to advertise for full time position of Deputy Auditor in Auditor's Office. All voted yes and motion carried.

**UNFINISHED BUSINESS**

**CASH SHEET**

**Approve Cash Balance Sheet**

14) DeJong moved, seconded by Pederson to approve the cash balance sheet for the month of May. All voted yes and the motion carried.

**DEUEL COUNTY AUDITOR'S ACCOUNT  
WITH TREASURER**

<b>END OF MONTH CASH BALANCE</b>	<b>May-17</b>
CASH TOTAL	\$ 1,481.35
CHECKS TOTAL	\$ 11,159.85
CASH ITEM	\$ -
CASH CHANGE SHERIFF	\$ 50.00
TOTAL CASH ASSETS ON HAND	\$ 12,691.20
CHECKING ACCOUNT BALANCE	\$ 738,667.12
MM DNB NATIONAL BANK	\$ 4,057.11
PREMIUM MM FIRST BANK & TRUST OF TORONTO	\$ 5,368,120.81
CREDIT CARDS	\$ 501.45

CD'S	\$250,000	DNB	\$ 250,000.00
	\$0	FIRST BANK & TRUST	

REVOLVING LOAN \$ 92,482.55

**GRAND TOTAL CASH ASSETS \$ 6,466,520.24**

GL CASH BALANCE BY FUNDS:

GENERAL \$2,439,124.70

SP REVENUE FUNDS \$2,874,327.35

TRUST & AGENCY FUNDS \$1,153,068.19

townships	\$91,198.93	cities	\$108,167.98
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schools	\$756,358.90	rural fire	\$13,236.10
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**TOTAL GENERAL LEDGER CASH \$6,466,520.24**

**Building Repairs Fairgrounds, July 4 Holiday Meeting Date Changes, Travel, Portion of Fund Balance Transfer**

Discussion was held on repairs needed on the open barn at the fairgrounds. An estimate was received from Clear Lake Building Center for the needed repairs. Estimates were: untreated lumber plus labor \$5398.39; treated lumber plus labor \$5579.43. 15) DeJong moved, seconded by Pederson to approve repairs to open barn at the fairgrounds using estimate of Clear Lake Building Center for labor with treated lumber supplies in amount of \$5579.43. All voted yes and motion carried.

County Auditor Lynde has Initiative and Referendum Task Force meetings in Pierre June 20 & 21. 16) Rhody moved, seconded by Jaeger to approve travel expense for Auditor to attend task Force meetings and health insurance meeting in Sioux Falls. All voted yes and motion carried.

Discussion was held on the July 4th holiday. Because the 4<sup>th</sup> is on Tuesday 17) Pederson moved, seconded by Jaeger to close the Courthouse and all other related offices Monday July 3 and Tuesday July 4 for holiday. All voted yes and motion carried. 18) Rhody moved, seconded by DeJong to change date of second meeting in June to Friday June 23 as several members of the Commission will be gone, and also first meeting in July because of 4<sup>th</sup> of July being on Tuesday, to Thursday July 6 at 9:00 a.m. All voted yes and motion carried.

Discussion was held on the assigned fund balance in the 911 Fund. Because the balance is General Fund dollars that were transferred to the 911 Fund when the County had their own 911 Center/PSAP, 19) Rhody moved, seconded by Pederson to transfer \$130,000 of assigned fund balance in the 911 Fund (207) back to the General Fund (101). All voted yes and the motion carried.

**APPROVAL OF WARRANTS:**

20) Rhody moved, seconded by Pederson to approve all warrants as presented and those paid early to avoid service charge. All voted yes and the motion carried. A&B Business Solutions 478.28 Supplies, A-Ox Welding 439.79 Rental/Supplies, Bjerke Sanitation 218.00 Garbage, Brian's Glass & Door 210.00 Repairs, Brock White Company 2436.00 RoadSaver, Cass County Sheriff's Dept. 42.50 Prof Service, Credit Collections Bureau 27.97 Fees, Clear Lake Building Center 274.43 Repair/Spreader/Supplies, City Of

Clear Lake 526.60 Water/Sewer, Clear Lake Courier 727.10 Publication, Clear Lake Computer Service 174.99 Prof Service, Codington County Auditor 1778.29 Prisoner Care/Prof Serv/Meds, Dakota Portable Toilets 450.00 Rental, Deuel County Farmers Union Oil 13976.65 Supplies/Diesel/Utility, Deuel County Motor Supply 279.44 Repairs/Supplies, DCN Insurance 2725.00 Ambulance Liability Insurance, Duininck, Inc 598.56 Cold Mix, Dust-Tex Service 110.07 Rug Rental, First Bank & Trust Credit 33.87 Travel, Dawn Fritz 78.12 Travel, Galls 1291.80 Supplies, Keith Goens 283.80 Mileage/Supplies, Dwayne Gorder 62.60 Meeting/Mileage, Green Roby Oviatt 629.80 CAA Fee, H-D Electric 563.86 Repairs/Supplies, Heiman Inc 88.00 Maintenance, Helena Chemical Supplies, George Holborn 112.60 Zoning Meeting/Mileage, Holy Name Boy Scouts Troop 209 400.00 Flags, ICAP 2989.66 Support, ITC 2117.56 Utilities, Best Western Kelly Inn 285.00 Travel/Conference, Kustom Signals Inc 2472.00 Radar Guns, L G Everist 13754.63 Gravel, Deb Lessman 172.13 Travel/Supplies, Lewis Family Drug 79.58 County Assistance, Lifescape 240.00 Prof Service, The Lodge At Deadwood 237.00 Travel, Pam Lynde 12.78 Supplies, Macksteel Warehouse 7.39 Supplies, Craig Magedanz 110.92 Weed Meeting/Mileage, Maynards 140.41 Supplies, Menards 387.92 Supplies/Repairs, Microfilm Imaging Systems 320.00 ROD Scan Equip. Rental, Modern Ag 246.00 Supplies, Moody County 77.00 S Valley Comm. Meeting Registration Fee, Northwestern Energy 442.29 Utilities, Office Peeps 1402.27 Supplies/Repairs/Minor Equip, Ottertail Power 20.06 Utilities, Nathan Palm 159.24 Weed Meeting/Mileage, Postmaster 116.00 Rental, RC Technologies 150.00 911 Signal, SD Dept. of Revenue/Remittance Center 1755.00 2015 Final Audit Fees, Rhomar Industries 786.34 Repair, Running's Supply 15.45 Supplies, Branden Salzer 62.60 Weed Meeting/Mileage, Sanford Health Plan 20.00 Prof Service, Sanford Clinic 2703.33 Health Nurse Contract, Schaeffer Mfg. Co. 429.04 Supplies, SD DOT 1215.17 Fuel, Sioux Falls Two Way 5243.94 Repair/Supplies/Prof Service, Sirchie 388.07 Evidence Bags/Collection Kits, Star Laundry 68.94 Mats, Amy Tvedt 56.25 Web Site Services, Ultra Max 215.00 Ammunition, Van Diest Supply Company 5920.48 Weed Chemical, Wheelco Truck & Trailer Parts 82.55 Repairs, Melissa Anderson 1322.65 Refund of Overpayment, Ottertail 62.79 Utility Hwy., Verizon 376.46 Cell Phones Sheriff, Art Mabry 60.00 SCRAM Due to State, DNB National Bank 12.66 Payroll Process Fee, Josh Sanow 220.18 Tax Acct., Lynn Bren 18.30 Refund Overpayment, Sanford 55.55 Flex Run, Sanford Health 20.00 Flex Run, Brookings Deuel Rural Water 48.30 Utility Hwy., Schools 1590319.96 Taxes, Cities 148032.96 Taxes, Townships 139582.09 Taxes, EDWDD 6338.83 Taxes, Rural Fire Dist. 27181.03 Taxes, Sanford Health 25.00 Flex Run, DC Treasurer 10598.96 Tax Acct., Dave Cook 189.72 Refund Overpayment, Great Western Bank 366.98 Refund Overpayment, Joyce Cook 31.23 Refund Overpayment, Plains Commerce Bank 3.04 Refund Overpayment, Triple M Dairy 30.00 Overpayment Refund, Wayne Boeke 659.42 Refund Overpayment, William Johnson 370.71 Refund/Overpayment, David Orthaus 72.40 Refund/Overpayment, Payroll: Commissioners 8030.65, Elections 127.61, Auditor's Office 11138.89, Treasurer's Office 8055.45, State's Attorney's Office 7329.12, General Gov't Building 4534.40, Director of Equalization Office 11805.44, Register of Deeds Office 5453.74, Veteran Service Officer 1090.32, Sheriff's Dept. 28723.89, County Assistance 390.39, 4-H Service Center 268.50, Extension Office 2328.77, Drainage 116.38, Planning & Zoning 1067.64, Road & Bridge Fund 59526.83, Emergency Management 1259.09.

**Adjournment**

There being no further business Pederson moved, seconded by DeJong to adjourn.  
The next regular meeting will be held Friday June 23.

Gary Jaeger, Chairman

ATTEST: Pam L. Lynde, County Auditor

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