

May 16, 2017
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday May 16 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Jaeger presiding. Those present were Commissioners DeJong, Dumke, Jaeger, Rhody and Pederson. Also present was Auditor Pam Lynde. The meeting opened with prayer and the pledge of allegiance.

Approval of Agenda 1) Pederson moved, seconded by Dumke to approve the agenda as presented. All voted yes and the motion carried.

APPOINTMENTS

9:05 Emergency Manager/Deputy Sheriff Cory Borg

Borg talked about the P25 upgrade that will be needed for all current digital radios; in 2023 state is moving digital to P25; had quote from Sioux Falls Two Way for five new radios; will get \$400.00 back per radio; \$10,810.60 total cost after trade in for five radios; one in SO; three in EOC and one to Gary for mobile EOC. Commissioners and Borg had discussed previously that the county would purchase five new radios per year. 2) Pederson moved, seconded by DeJong to purchase five digital radios from Sioux Falls Two-Way for total cost of \$10,810.60. All voted yes and motion carried.

Borg said they will need additional part time dispatchers to cover office during the rodeo. 3) DeJong moved, seconded by Rhody to hire Heidi Trautner and Carol Cockx as temporary part time dispatchers for approximately three shifts for rodeo weekend at \$13.35 hr. All voted yes and motion carried.

Borg told the Commissioners that the 911 repeater on the Clear Lake water tower had to be replaced with cost of repairs being approximately \$3000 for antenna and battery backup from Sioux Falls Two Way radio. 4) Pederson moved, seconded by Rhody to upgrade 911 repeater and purchase battery backup. All voted yes and motion carried.

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

A public hearing was scheduled 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. 5) DeJong moved, seconded by Dumke to table the special four day license application for on sale malt beverages to Crystal Springs Rodeo Inc., Clear Lake, SD on the SE4SW4 31-116-48 until the June 6 meeting. All voted yes and the motion carried.

10:00 Request for Abatement on Abandoned Mobile Homes-City of Clear Lake

Finance Officer Ellen Schmahl presented two applications for abatement of taxes. Both requests had to do with mobile homes that had been abandoned and no longer livable. City has taken possession of the mobile homes. 6) Dumke moved, seconded by Rhody to approve tax abatement for 2015 payable 2016, 2016 payable 2017 and 2017 payable 2018 on mobile home on property at: Jorvigs Court, Lots 24-35, Block 1, Original Plat, City of Clear Lake, Deuel County SD (113 6th St. E) and 2016 payable 2017 and 2017 payable 2018 on mobile home on property at Mel Maas Court, Lots 16-21, Block 1, Original Plat, City of Clear Lake, Deuel County, SD (111 6th St E). All voted yes and motion carried.

10:30 Jamie Hintz Highway Superintendent

Hintz said the county did receive three bridge improvement grants through the BIG program with SD DOT; \$16,800 on structure 065189 located 5.5 W and 9.1 N or Toronto; structure 065196 located 5.5 W and 8.4 N of Toronto in amount of \$20,800; third grant received was for structure 153210 located 2.3E and 1N of Brandt with award being \$20,800.

Hintz said the leak detection system for the underground storage tank needs to be replaced with approximate cost being \$6500 to \$7000 to replace and install; Midwest Pump will do the install. 7) Rhody moved, seconded by Dumke to replace leak detection system at Highway Dept. All voted yes and motion carried.

8) Rhody moved, seconded by DeJong to purchase overhead garage door for storage shed with cost being \$2700. All voted yes and motion carried.

Hintz talked about the damage to County road #310 that was done during the construction of utility poles by Excel Energy and would recommend an overlay of approximately three miles to bring the road back to preconstruction condition.

11:00 Drainage Board-Clarmont Hutterian Brethren-cancelled; no one appeared at the hearing

11:30 State's Attorney John Knight

Knight met with the Commissioners and discussed several items.

NEW BUSINESS

Warrants

9) Rhody moved, seconded by DeJong to approve warrants paid early. All voted yes and the motion carried. SDACO \$300 M&P Funds Due to State, SDDOR \$70751.75 Funds Due to State, Ottertail Power \$1216.10 Utility, ITC \$178.51 Phone/Internet Hwy, Brookings Deuel Rural Water \$48.30 Water, RC Technologies \$150.00 911 Signal, Northwestern Energy 224.35 Utility, H-D Electric 296.70 Utility, City of Watertown \$4784.53 911 Surcharge, Century Link \$358.79 911 Trunk Lines.

Auto Supplement EM Budget, ES&S Contract

10) Dumke moved, seconded by Pederson to auto supplement back into the Emergency Management Budget \$13,125 unanticipated revenue for DSR Grant. All voted yes and the motion carried.

11) Dumke moved, seconded by Rhody to approve and sign Election Services Agreement between Election Systems & Software, LLC and Deuel County for election programming and services of ballot layout, coding and voice file services, ballot printing services. All voted yes and the motion carried.

Plats

12) Rhody moved, seconded by Pederson to approve the Plat of Engelstad Farms Bin Site Second Addition in NW1/4 24-113-48 and Resolution #17-11. All voted yes and the motion carried.

COUNTY COMMISSION

RESOLUTION #17-11

Be it resolved by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: "ENGELSTAD FARMS BIN SITE SECOND ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the Northwest Quarter (NW1/4) of Section 24, T113N, R48W 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 16th day of May, 2017

Chairman, Board of County Commissioners
Deuel County, South Dakota

Pam L. Lynde
County Auditor
Deuel County, South Dakota

13) Dumke moved, seconded by Rhody to approve the Plat of Moetown Addition in Gov't Lot 9 in the SW1/4SW1/41/4 of Section 7-116-48 and Resolution #17-12. All voted yes and the motion carried.

COMMISSION RESOLUTION
RESOLUTION
#17-12

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: "MOETOWN ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, located in Government Lot 9 (SW1/4SW1/4) in Section 7, T116N, R48W 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 16th day of May, 2017.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor, Deuel County, South Dakota

Community Health Nurse Contract 2017-18, County Rangeland Fire Protection Agreement

14) Pederson moved, seconded by DeJong to approve and sign the 2017-18 Community Health Nurse Contract between the State of SD, Sanford Medical Center Deuel County and Deuel County in the amount of \$32,764. All voted yes and the motion carried.

15) Rhody moved, seconded by Pederson to approve and sign county rangeland fire protection agreement between the SD Dept. of Agriculture, Wildland Fire Division and Deuel County and adopt Resolution #17-13. All voted yes and motion carried.

RESOLUTION #17-13
A RESOLUTION TO REQUEST ASSISTANCE FROM
THE STATE WILDLAND FIRE COORDINATOR
TO SUPPRESS RANGE LAND FIRE

WHEREAS, SDCL 41-20-8.1 allows the county to request assistance from the state wild land fire coordinator to suppress any range fire within the county;

WHEREAS SDCL 41-20-8.1 states that the county may designate a person to request assistance from the state wild land fire coordinator to suppress any range fire within the county;

NOW THEREFORE BE IT RESOLVED THAT the list of individuals set forth below, are hereby authorized to request rangeland fire assistance, on behalf of Deuel County as specified in SDCL 41-20A-11. The authority to request assistance as provided shall continue in full force and effect until terminated or modified by resolution of the Deuel County Board of Commissioners.

Cory Borg, Emergency Management Director
PO Box 217
Clear Lake, SD 57226 605-874-8189

David Solem, Sheriff
P.O. Box 217
Clear Lake, SD 57226 605-874-8212

As the persons in authority to request, when necessary, assistance from the state wild land fire coordinator to suppress range fires within Deuel County.

BE IT HEREBY RESOLVED, that Cory Borg, Emergency Management Director, is appointed County Rural Fire Coordinator for Deuel County. The County Rural Fire Coordinator is hereby authorized to act as a single point of contact, on behalf of Deuel County, in dealing with administrative matters such as burn bans, billings, or questions about this Rangeland Fire Agreement specific to the County. This authority shall continue in full force and effect until terminated or modified by resolution of the Deuel County Board of Commissioners.

Dated this 16th day of May, 2017.

Gary Jaeger, Chairman
Deuel County Commission

ATTEST:

Pam L. Lynde, Auditor

12:00 Recess for Lunch

The Commissioners recessed for lunch.

1:30 Reconvene for Public Hearing and First Reading of Ordinance B2004-01-23B

The meeting reconvened at the Clear Lake Community Center. Chairman Jaeger called the meeting to order and began with the Pledge of Allegiance. The purpose of the meeting was to hold a public hearing and first reading of Ordinance B2004-01-23B An Ordinance to Amend Section 1215 Wind Energy System (WES) Requirements Adopted by Ordinance B2004-01, July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County. The Commissioners may schedule a second reading date.

The public was then given the opportunity to speak at the hearing:

Speakers May 16, 2017 Public Hearing; Ordinance B2004-01-23B

1. Tim Froehlke- Froehlke said wind power is financial house of cards for wind companies; 1) government credits 2) advantages 3) cheap natural gas 4) dodging cash payments; even with advantages companies say they need more; told by companies will be more jobs; will anyone want to move here; don't want land taken from them; consider more severe setbacks
2. Ron Ruud – Thank you for holding people accountable; thank you for watching out
3. Will Stone- Wind companies have more time to get out their agenda; they talk about their bottom line, what about my bottom line; they have an all or none attitude; need a nonbiased expert to check on noise problems; money can't buy everything
4. Linda VanDyke- Thanked Commissioners and Zoning Board for their work on the ordinance; said they run a medium size farm and have always paid their taxes; talked about issue of safety and hunters; shot their dog; many things can cause accidents; shooting fireworks at lake; pheasants raised in confinement is that fair with a lot more killed by hunters than wind towers; asked for one and a half mile setback from Lake Cochrane; why is Cochrane different setback than other lakes; would like a new house next year instead of a tractor
5. Susan Norgaard – have put all they have into their home, didn't inherit the land; asked how many people want this to be over with show of hands; who wants this to go to a public vote; how many persons are for responsible wind; majority are for responsible wind energy; remember the word responsible; thank you for holding people accountable

First Reading Ordinance B2004-01-23B

Chairman Jaeger then asked if the Commissioners had any questions, there being none, he proceeded with the hearing and asked State's Attorney Knight to read Ordinance B2004-01-23B An Ordinance to Amend Section 1215 Wind Energy System (WES) Requirements Adopted by Ordinance B2004-01, July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County. The first reading of the proposed ordinance was held.

Chairman Jaeger thanked everyone for their patience and for their participation. Jaeger said the second reading of the ordinance will be held at a special meeting on Tuesday May 23 at 9:00 a.m. at the Commission Chambers of the Deuel County Courthouse located at 408 4th St. W, Clear Lake, SD.

Adjournment

There being no further business Dumke moved, seconded by Pederson to adjourn the meeting. A roll call vote was had: Pederson-yes; Rhody-yes; Dumke-yes; DeJong-yes; Jaeger-yes. Motion carried. Meeting adjourned.

Chairman
Deuel County Commission

ATTEST:

Pam L. Lynde, Auditor

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