

May 21st, 2024  
Regular Meeting

The Deuel County Commissioners met in regular session on May 21st, 2024 at 9:00 AM in the Commission Room of the Courthouse with Chairman Jay Grabow presiding. Those present were Commissioners Jay Grabow, Scott Fieber, Harry Mewherter and Judith Homan. Steve Rhody was absent. Also present was Auditor Courtney Parker as well as several members from the public. The meeting began with prayer and the Pledge of Allegiance. 1) Fieber moved, seconded by Mewherter to approve the agenda as presented with addition of summer help for 4-H. All voted yes and the motion carried.

### **Appointments**

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

Broksieck explained that the SDDOT haul road agreement holds precedence over ours. However, they are amending their haul road agreement to include ours. Broksieck put trail cams up on roads that were not included in the haul road agreement to see if SDDOT was using roads that were not in the agreement. He confirmed they were using roads that were not included in the agreement and when Broksieck asked SDDOT why, they stated they will no longer use the road that is not in the haul road agreement. After Broksieck confronted them there has been no issues and the trail cams remain up with no sightings. 2) Mewherter moved, seconded by Homan to approve the SDDOT Haul Road Agreement Bowes Construction. All voted yes and the motion carried.

Discussion was had on the Purple Wave Contract. There was concern since there was no reserve about what to do with the items, however there's really no other option. Surplus items including the Pontiac Sunfire, Ram Pickup and Chevy Tahoe will go on the June 11<sup>th</sup>, 2024 Government Auction.

#### **9:30 AM – Crystal Springs Rodeo Special Four Day Liquor License**

Cody Krause on behalf of the Crystal Springs Rodeo was in to ask the Board of Commission to grant a Special Four Day Malt Beverage On/Off Sale Liquor License. 3) Homan moved, seconded by Mewherter to approve the Special Four Day Malt Beverage On/Off Sale Liquor License for the Crystal Springs Rodeo on June 26, 27, 28, & 29 for \$250.00. All voted yes and the motion carried.

#### **9:45 AM – Jacob Beutler**

The topic of Jacob Beutler's ag status denial was removed from the table. Donna Rhody explained that it is majorly residential living. If the house was taken off of the land and then the primary use was ag then it would be classified as ag. Jacob asked how many livestock/chickens qualifies it as Ag? The SD Department of Revenue does not define how many. Just defines that it has to classify as ag. Homan asked how big is the difference they are talking about between ag and non ag. Beutler estimated it at \$400.00 a year in property taxes. Donna Rhody told him that they have sales now that they can compare to for small acreages. SDDOR sent Donna Rhody something to provide to Beutler. 4) Mewherter moved, seconded by Homan to state it is not big enough to be considered ag. All voted yes and motion carried. Beutler asked that a letter will be sent to all small acreage owners to let them know that there are two ways to qualify as Ag, \$2,500.00 in income from Ag or livestock on your property.

#### **10:00 AM – GeoTech**

The Board of Commission asked Jason Cook representative of GeoTech to come and talk with them about completing a noise study for the Crystal Springs Feeds. Cook said we need to be subjective and we need to quantitate it. Cook will take data of around the Crystal Springs Feeds and a constant from the highway to compare to. He has done this for the City of Harrisburg for their city water plant. He took a lot of data. It will cost about \$2,000.00 and 8-10 samples at 5-10 minutes each writes down a range of what he sees & hears. Member of the public and Clear Lake City Council member Jamie Hintz stated he is not against it he was there for the information and wants to make everything work for everyone. Weather conditions can play into the decision. The perfect time to get the reading is little to no wind. The plant doesn't run every day. When Cook turns in the tests, it will be in decimals. He wants

very little weather and wind to make the most accurate reading for the county. He can tell how loud it is but will not say if it is acceptable or not. Cody Eastman, owner of Crystal Springs Feeds says there is an external fan. Cook says there can be sound fences put up around the external fan to help with noise. 4) Homan moved, seconded by Fieber to approve the noise study of \$2,000.00 for GeoTech to prepare the findings of a noise study of Crystal Springs Feeds for Deuel County. All voted yes and the motion carried.

**10:15 AM – Virginia Burt**

Burt asked the board to accept a payment plan for her delinquent taxes. Treasurer Jennifer Mewherter stated they are up for tax deed this year. The total amount of outstanding taxes is \$3,322.47. 5) Mewherter moved, seconded by Homan to approve the agreement of \$150.00 per month by 5 PM on 15<sup>th</sup> day of each month until the outstanding taxes are covered. All voted yes and the motion carried.

**10:30 AM – Sheriff Cory Borg**

Borg discussed vehicle damage to the pickup due to a deer. Dennis Fairchild's quote for repairs is \$9,654.80. If it doesn't match up with insurance estimates then we will look elsewhere. It was stated the reason they quoted Fairchild is because the pickup is in Gary because that's where the deputy lives.

The 911 contract has been contracted with Watertown since 2016. We are charged for emergency landline and cell phone services. Legislature moved the surcharge from \$1.25 to \$2.00 starting July 1 through December 31. There's also another contract for 2025 & 2026. 6) Fieber moved, seconded by Mewherter to approve the 911 contracts with Watertown from July 1 through 2026. All voted yes and the motion carried.

**10:45 AM – Brent Moeller**

Missouri River Energy Services representative Brent Moeller gave a brief presentation about the 145 megawatt power plant they are looking at building in Deuel County near Toronto, SD. This is not for profit and government sanctioned. This is a natural gas pipeline and a hub for diesel fuel. 61 members including Brookings and Watertown make up Missouri River Energy Services. Municipals formed the Missouri River Energy Services. Moeller said they won't make decision until next year if they will move forward or not. The power plant would help reliability, cost effectiveness and inject power into the power grid locally. They are obligated to provide energy to their members. They will have enough capacity to meet the members needs. This will have state of the art emission controls. There will be a 4-mile 345 KV transmission line to an existing Astoria substation. This facility will increase property tax base, offer 4-6 full time job positions, local services, increased local grid reliability, increased local hire of labor force during construction, provides replacement energy supply as coal is retired, increased reliability during major weather events, and fast ramp up to serve the grid reliability (5 minutes to full power operations). The project would start in 2024 with permitting, 2025 surveys & engineering design, 2026 pre-construction activities, 2027-2028 construction, and 2029 power plant in operation. They would have silencers on the stacks of the facility. There will be sound deadening technologies to help with the noise. He hopes that the public won't be able to tell if it is running or not. They will take baseline noise studies around where the plant would sit to ensure they won't be too loud. Missouri River Energy Services has been in contact with Brookings-Deuel Rural Water to see if they could fill the 2,000-gallon tank for fire safety. Moeller stated they may need a well because the water company may not want to fill the tank. This plant includes 7-8 engines and is estimated around \$300 million. A plant similar to this one is being built in the Omaha area with these specific engines. Next steps are to reach out to the county and the people to be transparent. There will be a public open house held on June 11<sup>th</sup>, 2024 between 4-6 PM at the Toronto Leganger Lutheran Church.

**11:15 AM – Zoning Officer Jodi Theisen**

7) Homan moved, seconded by Mewherter to approve Plat of **“TRISTEN AND MARA KWASNIEWSKI ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in Government Lot 3 of Section 3, T114N, R49W of the 5<sup>th</sup> P.M., Deuel County, South Dakota”**. All voted yes and the motion carried.

COUNTY COMMISSION RESOLUTION

Resolution No. 24-14

Be it resolved by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **“TRISTEN AND MARA KWASNIEWSKI ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in Government Lot 3 of Section 3, T114N, 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 21st day of May, 2024.

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Chairman, Board of County Commissioners  
Deuel County, South Dakota

ATTEST:

\_\_\_\_\_(SEAL)

County Auditor  
Deuel County, South Dakota

**11:15 AM – Executive Session Pursuant to SDCL 1-25-2 (3) Consulting Legal Counsel for Litigation Matters**

8) Fieber moved, seconded by Mewherter move into Executive Session Pursuant to SDCL 1-25-2 (3) to discuss a litigation matter. All voted yes and the motion carried. Chairman Grabow declared the Commissioners out of Executive Session at 11:50 AM. No action was taken.

**12:00 PM – Executive Session Pursuant to SDCL 1-25-2 (1) Personnel Matters**

9) Fieber moved, seconded by Mewherter move into Executive Session Pursuant to SDCL 1-25-2 (1) to discuss a personnel matter. All voted yes and the motion carried. Chairman Grabow declared the Commissioners out of Executive Session at 12:15 PM. No action was taken.

**New Business**

Discussion was had on the closing of the Courthouse in the winter months and the 250% or 2.5 times the salaries being paid out to the Sheriff and Highway Departments during that time. The topic was tabled.

10) Homan moved, seconded by Mewherter to approve the Malt Beverage On/Off Sale & SD Wine Farms License to Stateline Bar and Grill. All voted yes and the motion carried.

11) Fieber moved, seconded by Grabow to approve the county burial for Marlo Jean Hofman. All voted yes and the motion carried.

Discussion was had on the July 4<sup>th</sup> holiday. Governor Noem gave state employees Friday July 5<sup>th</sup> off as well since July 4<sup>th</sup> lands on a Thursday this year. 12) Homan moved, seconded by Fieber to approve Friday July 5<sup>th</sup> off for Deuel County Employees. All voted yes and the motion carried.

13) Homan moved, seconded by Fieber to approve Lisa Brandt as summer help for 4-H/Extension at \$14.00/hour capped at 300 hours. All voted yes and the motion carried.

**Approval of Warrants**

14) Homan moved, seconded by Grabow to pay warrants as presented. All voted yes and the motion carried.

**Paid Early:** Brookings-Deuel Water System \$156.45 Utilities; Century Link \$358.79 911 Utilities; Deuel County Cenex \$252.62 Repairs and Supplies; ITC \$1357.02 Utilities; Tri-State Water \$35.90 Utilities; City Of Watertown \$3997.34 911 Surcharge;

**Taxes:** Schools- \$2,039,162.67; Townships- \$167,615.33; Towns- \$273,473.03; EDWD- \$7,136.48; Upper Deer Creek- \$34.35; Rural Fire- \$38,077.96

**Current Warrants:** A&B Business Solutions \$336.38 – Supplies; A-OX Welding Supply Co \$56.62 Rental; Appera \$188.84 Rentals; Banner Associates Inc \$15,346.70 Prof Services; Brookings Co Sheriff’s Office \$6,270.00 Prisoner Housing; Beadle County Sheriff’s Office \$190.00 Prisoner Housing; Butler Machinery Co \$2,067.32 Repairs; Cartney Bearing & Supply Co \$807.18 Repairs; CentralSquare Technologies LLC \$3,666.15 Prof Services; Clear Lake Building Center \$78.61 Supplies; Cole’s Petroleum Products Inc \$3,675.98 Fuel Supplies; Connecting Point \$2,257.25 Prof Services; Deuel County Motor Supply Inc \$800.00 Minor Equipment; Election Systems & Software Inc \$1,378.10 Supplies; Farm & Home Publishers LTD \$260.00 Plat Books; First Bank & Trust \$2,043.95 CC; Fisher Sand & Gravel Co \$5,285.61 Supplies; FleetPride \$252.57 Repairs; Fritz Chevrolet \$1,073.97 Repairs & Maintenance; Galls LLC \$105.36 Supplies; Martin Grabow \$69.19 Repairs; Green Roby Oviatt LLP \$1,283.00 CAA Fees; H-D Electric Coop Inc \$946.94 Repairs & Maintenance; L G Everist Inc \$2,640.54 Supplies; The Lodge At Deadwood \$222.00 Travel & Conference; M & T Fire and Safety \$187.24 Minor Equipment; Blue Tarp Financial \$88.99 Supplies; Menards \$62.66 Supplies; Dennis Nosbush \$613.27 Repairs; Office Peeps \$1,785.32 Supplies; Ottertail Power Co \$44.73 Utilities; Pheasantland Industries \$186.21 Supplies; Runnings Supply \$62.99 Supplies; Sanford Health \$174.00 Prof Service; Sanford Clinic \$3,198.67 Health Nurse; SD Dept of Health \$220.00 Prof Service; SD Dept of Transportation \$3,703.14 Fuel Supplies; SDAO \$470.00 Conference Registration; SDSU Extension \$11,200.03 4-H Salary Share; Stan Houston Equipment \$229.00 Supplies; Titan Machinery-Watertown \$8.50 Repairs & Maintenance; VanDiest Supply Co \$10,723.20 Supply; West Central Communication Inc \$60.00 Repairs

**Public Comment**

There was no public comment.

**Adjournment**

There being no further business 15) Homan moved, seconded by Grabow to adjourn. All voted yes and the motion carried.

ATTEST:

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Courtney Parker, Auditor

\_\_\_\_\_  
Jay Grabow, Chairman

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