

November 20, 2018  
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday November 20 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman DeJong presiding. Those present were Commissioners DeJong, Dumke, Rhody, Jaeger and Pederson. Also present was Auditor Pam Lynde and Commissioner elect Roger Kreutner. 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 Jamie Hintz Highway Superintendent**

Hintz discussed the two bridges that the county plans on putting into the BIG program; Structure 20-065-189 3.5 miles W & 2.9 miles S of Clear Lake on 472A Ave. over Hidewood Creek and Structure 20-065-196 3.5 miles W & 3.4 miles S of Clear Lake on 472A Ave over Tributary to Hidewood Creek. Hintz said he is working on getting easements on these structures. Several Right of Way Certificates for the projects will need to be signed and approved also. Hintz talked about the possible purchase of a tractor mower in 2019.

##### **9:30 Treasurer/Auditor Elect Mary Korth**

Korth met with the Commissioners to discuss the appointment of a Treasurer beginning in 2019 and hiring a Deputy Treasurer. Korth said she will resign her position as Treasurer as of March 1, 2019 because she was elected to the position of County Auditor with the term beginning March 1, 2019. Korth recommended the appointment of Jennifer Mewherter to the position of Treasurer and requested advertising for an additional employee in the Treasurer's Office. 2) Jaeger moved, seconded by Dumke to advertise for position in Treasurer's Office. All voted yes and motion carried.

##### **10:00 Sealed Bid Opening for Lots 7 & 8 Blk. 4 Town of Astoria**

Sealed bids were opened for the sale of county property of Lots 7 and 8 Block 4 in the town of Astoria. There was one bid received. 3) Rhody moved, seconded by Pederson to accept bid of Shannon Crooks in the amount of 2620.00 and issue a quit claim deed to Crooks for Lots 7 and 8, Block 4, Town of Astoria when payment is received. All voted yes and motion carried.

##### **10:15 Sargent Cory Borg-Vehicle Purchase**

At a prior meeting Borg had presented quotes for a new 2019 vehicle for the Sheriff's Dept. The cost of the Dodge Charger AWD off the state bid list would be 24179.00; with added equipment after purchase cost will be 28429.00. State bid is with Wagner Auto of Pierre. 4) Rhody moved, seconded by Dumke to purchase a 2019 Dodge Charger at the cost of 24179.00 off state bid from Wagner Auto. All voted yes and motion carried. Borg said Deputy Bruce Kittelson will be retiring January 8.

##### **10:30 Public Hearing/First Reading on Request of Elliot and McKenzie Lorenzen to Rezone from Ag to Commercial SE1/4 Lorenzen Add. 21-115-47**

A joint public hearing with the Zoning Board was held upon the request/petition of Elliot and McKenzie Lorenzen to issue a change in zoning classification for property that is described as Lorenzen Addition located in the SE1/4 of 21-115-47 Herrick Township from Agricultural to Commercial. Lorenzen will use the property for Ag

equipment sales. The Deuel County Zoning Board stated the property meets all the requirements of the ordinance and recommended to the Commissioners that the above described property be rezoned to Commercial. The first reading of Ordinance B2004-01-26A was then held. The second reading will be held at the next regular meeting on December 4 at 10:00 a.m.

#### **10:45 State's Attorney John Knight**

Knight met with the Commissioners to discuss several items. The County has been served with the Petition for Writ of Certiorari-Ehlebracht v. Deuel County Board of Adjustment, in the matter of Special Exception Permit Application of Crowned Ridge Wind II, LLC, challenging a decision that the Zoning Board has made. Knight will contact the Public Assurance Alliance to defend the County in this matter. Knight said ultimately the judge will make a decision whether the Zoning Board acted properly when granting the special exception.

Knight had prepared a Quit Claim Deed to the City of Gary for Lots Ten-Eleven (10-11) in Block One (1) First Railroad Addition, Town of Gary, Deuel County, South Dakota. The County had taken the property for tax deed. 5) Pederson moved, seconded by Dumke to declare as surplus and quit claim to the City of Gary Lots Ten-Eleven (10-11) in Block One (1) First Railroad Addition, Town of Gary, Deuel County, South Dakota. All voted yes and motion carried.

#### **11:00 Drainage Board**

6) Dumke moved, seconded by Rhody to adjourn as County Commission and reconvene as the Drainage Board. All voted yes and the motion carried. Charles Atyeo requested a permit to drain on the E1/2NE1/4 of 21-115-50 with the water flowing to the south into a natural drainway. He had the sign off of adjoining landowner and also had the wetland determination on the property. 7) Jaeger moved, seconded by Pederson to approve and issue Drainage Permit #D18-30 to Charles Atyeo on above described property. All voted yes and motion carried.

#### **11:15 Drainage Board**

The 11:15 appointment cancelled.

#### **11:30 Drainage Board**

Keith and Terri Goens requested a permit to drain on the N2SE4 of 23-116-50 with the water flowing to the north into a natural drainway with the length of the drain being approximately 9000 feet using four and six inch tile. They had the sign off of adjoining landowner and also had the wetland determination on the property. 8) Dumke moved, seconded by Rhody to approve and issue Drainage Permit #D18-32 to Keith and Terri Goens on above described property. All voted yes and motion carried. 9) Dumke moved, seconded by Jaeger to adjourn as the Drainage Board and reconvene as County Commission. All voted yes and motion carried.

#### **11:45 Weed Supervisor Keith Goens**

Goens gave a report on the activities of the Weed Dept. Goens said because of the very cold fall he has quite a bit of spray carryover. He said the state roads were sprayed twice and well as the county roads and townships sprayed once. He said he has applied for poison hemlock and parsnip grants for 2020 and he attended the District meeting at Stratford.

## NEW BUSINESS

### Warrants

10) Rhody moved, seconded by Jaeger to approve warrants paid early and additional warrants as presented for payment. All voted yes and the motion carried. SD Dept. of Revenue 84161.97 Funds Due to State, SDACO 214.00 M&P Due to State, SD Dept of Revenue 101.01 Excise Tax, Byron Nogelmeier 30.00 24/7 Program, Century Link 359.79 911 Trunk Lines, Kingsbury County 88.00 SV Commission Meeting Registration, AT& T Mobility 625.90 Sheriff Office Cell Phones, Astoria Legion Post 103 50.00 Election Rental, Nancy Barondeau 175.00 Election Worker, Tim Begalka 50.00 Resolution Board, Kim Berwald 201.04 Election Worker/Travel, Brandt Inc 100.00 Election Rental, Linda Broksieck 177.60 Election Worker/Travel, Joan Bruinsma 178.44 Election Worker/Travel, Fay Buchholtz 175.00 Election Worker, Judy Carlson 165.00 Election Worker, Linda Dailey 173.40 Election Worker/Travel, Dakota Ridge Inc 25.00 Election Rental, Margaret Ann DeBoer 170.46 Election Worker/Travel, Marian Denekamp 200.20 Election Worker/Travel, Marcile Djonne 165.00 Election Worker, Janice Engelstad 181.80 Election Worker/Travel, Linda Goodroad 165.00 Election Worker, Sonja Hanson 209.44 Election Worker/Travel, Joann Horner 165.00 Election Worker, Judy Hunt 196.84 Election Worker/Travel, Mary Jane Ingalls 165.00 Election Worker, Beverly Johnson 165.00 Election Worker, Bernice Jorvig 165.00 Election Worker, Diane Kjenstad 180.46 Election Worker/Travel, June Klemann 165.00 Election Worker, Shirley Larson 206.92 Election Worker/Travel, Ruth Lenning 178.44 Election Worker/Travel, Gloria J Orthaus 180.12 Election Worker/Travel, Rachel A Pfaffendorf 175.00 Election Worker, Barbara Schiefelbein 165.00 Election Worker, Mavis Stoltenburg 165.00 Election Worker, Pamela Taylor 140.00 Election Worker, Leona Tesch 165.00 Election Worker, Toronto Fire Hall 50.00 Election Rental, Dean Trautman 50.00 Resolution Board, Loretta Tvedt 165.00 Election Worker, Elonne Veen 165.00 Election Worker.

### Plats

11) Rhody moved, seconded by Dumke to approve Plat of Toering Addition in the SW4 4-115-50 and Resolution #18-25. All voted yes and motion carried.

### COUNTY COMMISSION RESOLUTION

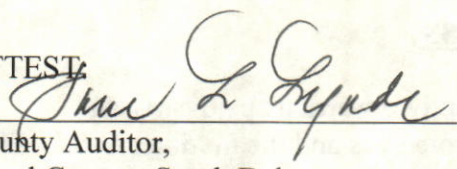
Resolution No. 18-25

Be it resolved by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **“TOERING ADDITION IN THE COUNTY OF DEUEL, SOUTH DAKOTA, Located in the Southwest Quarter (SW1/4) of Section 4, T115N, R50W of the 5<sup>th</sup> P.M., Deuel County, South Dakota, Subject to Public Road Right of Way”** 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 20th day of November, 2018.

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Chairman, Board of County Commissioners  
Deuel County, South Dakota

ATTEST:

  
County Auditor,  
Deuel County, South Dakota

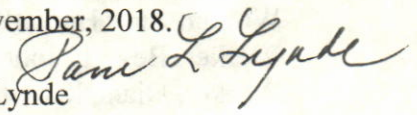
12) Pederson moved, seconded by Jaeger to approve Plat of Block 1, Toft Addition Located in the NW1/4 19-115-49 and Resolution #18-26. All voted yes and motion carried.

**COUNTY COMMISSIONERS**

**#18-26**

Be it resolved by the Board of County Commissioners, Deuel County, South Dakota, that the herein PLAT OF BLOCK 1, TOFT ADDITION in the NW1/4 of Section 19, T115N, R47W of the 5<sup>th</sup> P.M., Deuel County, South Dakota, prepared by Brian D. Ernst, Registered Land Surveyor of the State of South Dakota be and the same is hereby approved.

I, Pam L Lynde, County Auditor for Deuel County, South Dakota, do certify that the foregoing resolution was passed by the Board of County Commissioners, Deuel County, South Dakota, at the regular meeting on the 20th day of November, 2018.

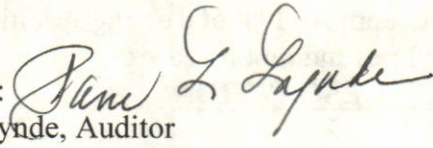
  
Pam L. Lynde  
Deuel County Auditor

**Public Comments:** There were no public comments at this meeting.

**Adjournment**

There being no further business Pederson moved, seconded by Dumke to adjourn the meeting.

Chairman  
Deuel County Commission

ATTEST:   
Pam L. Lynde, Auditor

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