

August 20, 2019
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, August 20 at 9:00 a.m. in the Commission Room of the Courthouse with Chairman Rhody presiding. Those present were Commissioners DeJong, Rhody, Homan, Kreutner, and Jaeger. Also present was Auditor Mary Korth. The meeting began with prayer and the Pledge of Allegiance. **Approval of Agenda** 1) Jaeger moved, seconded by DeJong to approve the agenda as presented. All voted yes and the motion carried.

APPOINTMENTS

9:00 Jamie Hintz Highway Superintendent

Hintz discussed several highway related issues with the Commissioners.

Barnhart Crane & Rigging will be hauling a turbine generator for Otter Tail Power Co. on county roads with a weight of close to a million pounds this fall in the southwest part of the county. Hintz was looking for ideas for the cost of a permit for a million pounds. He proposed \$1000. The route hasn't been finalized and there is time for a decision on the use permit. Hintz will compare to other counties if they have had this heavy of a weight before.

The five year road and bridge plan will hold its public hearing Thursday, September 19th. The plan is moving along as scheduled. Sometimes plans are changed in smaller counties because weather conditions can adversely change things. Spot seal coating was discussed as one issue that has been affected by this year's weather. Catch up on culvert and road repair may happen on Fridays.

Mark Schilling has applied for a right-of-way occupancy to bore under Road 515. 2) Jaeger moved, seconded by Kreutner to approve the right-of-way occupancy granted to Mark Schilling. All voted yes and motion carried.

The bids for the bridge replacement in the Hidewood (Bridge 139-040) will be coming in and opened Aug 28 through Banner.

Invenergy has applied for a Road Use Agreement. It is a standard agreement and states the road will be put back to original condition or better. Hintz will be talking to Invenergy before anything is signed.

3) DeJong moved, seconded by Kreutner to move into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of a personnel matter. All voted yes and motion carried. Chairman Rhody declared the Commissioners out of Executive Session at 9:26 am. 4) Homan moved, seconded by DeJong to hire Ryan Severson as full time truck driver for the Highway Dept. at a rate of \$15.50/hr to begin as soon as notified. All voted yes and motion carried.

Discussion was held on a copier that is Wi-Fi capable for the Highway Dept. The copier given to them from Register of Deeds may not be capable for their needs. This will be discussed at upcoming meetings after more research.

9:30 Keith Goens Weed Supervisor

Goens met with the Commissioners to discuss several items and give updates. Damp conditions have hampered spraying. He hopes things pick up this fall. He presented different quotes from various places for a trailer to haul the Kubota. He isn't ready to purchase without more research on size of water tanks that he will be using and how they will be hauled. This trailer purchase will be for long term use and shared with the Highway Dept. Goens is planning on attending a Weed Commission Meeting and Weed Tour in Rapid City on September 10th and

11th. 5) DeJong moved, seconded by Rhody to approve the travel and lodging request for Goens to attend Weed meetings in Rapid City in September. All voted yes and motion carried.

9:45 Dawn Fritz and Deb Lessman

Fritz and Lessman met with the commissioners to discuss the pending move for Extension/4-H to the county building located on West Hwy 22. Discussion was held about concerns in the building. Lessman presented a hand out of her requests and changes to rooms and offices at the new location. She also researched ADA to make sure her changes will be in compliance. She requested some updating needed within the new building. She had contacted the Clear Lake Lumber yard to see if they could do these changes. She reported that the roof leaks as well. Commissioner Jaeger asked for specific quotes. Lessman will get the quotes for future meetings. Discussion was held on lock changes, electrical changes as well as items that are left from the prior owner. Chairman Rhody thanked her for her presentation and research. Changes and repairs will be addressed starting with roof repair and pest control.

10:00 Public Hearing Drainage Board on NE1/4 36-114-48

6) Homan moved, seconded by Kreutner to adjourn as County Commission and reconvene as Drainage Board. All voted yes and motion carried.

Present for the Hearing was Todd Boyd, Willis and Donna Kurtenbach, Paul Peterson, Alex Mastellar (attorney for Rex Van Dyke), and State's Attorney John Knight.

Attorney Mastellar approached the Board. He had sent a letter, application and agreement to the Board and is hoping for a resolution at this time. The drainage issue would be resolved by running the tile further and onto Jim Peterson's land as he has signed off the Permission To Drain. Jim Peterson viewed the situation in person at the site. This would essentially bypass the Kurtenbach's land and resolve the problem.

Todd Boyd said there was no objection and expressed some concerns about possible tile size difference and some wording of the original Drainage Ordinance which causes misunderstandings. Paul Peterson read from the original Drainage Ordinance and expressed concerns of his own. Willis Kurtenbach was concerned about how long the work will take; Mastellar responded that it is ready to be completed now and will be done in 2019.

State's Attorney Knight commented that the solution presented if not objected should resolve the issue. The motion should be made by the Board.

Rex Van Dyke represented by Alex Mastellar requested a permit to drain on the SW1/4 of 25-114-48. Proposed length of the drain is 2000 feet using 4" tile. Adjoining landowners had signed off Permission To Drain. 7) DeJong moved, seconded by Kreutner to approve and issue Drainage Permit #D19-18 to Rex Van Dyke to drain on above described property amending to include the original area; the project must be completed by November 1st, 2019. Existing tile cannot be enlarged or altered except as proposed in the plan as of today. All voted yes and motion carried.

10:15 Drainage

Bryan Kerkaert requested a permit to drain on the N1/2 of 15-113-47 and the N1/2 of 16-113-47. Proposed length of the drain is 3000 feet using 4" tile. Due to unforeseen circumstances, not all signatures have been obtained so this will wait for a future meeting. Terry Milton also approached the board with questions if he would need a permit as well; he will make application with the Drainage Officer. The Drainage Board has tabled the permit. 8) Jaeger moved, seconded by Rhody to postpone and table the Drainage Permit #D19-17 to Bryan Kerkaert to drain on above described property. All voted yes and motion carried.

Drainage Officer Theisen presented a map for a request from Agri-Partners to drain their own property to protect their buildings. Theisen felt it doesn't fit the ordinance but is rather a construction issue, a permit is not required.

9) Jaeger moved, seconded by Homan to adjourn as Drainage Board and reconvene as County Commission. All voted yes and motion carried.

10:30 Patti Ruby Clear Lake City Library

Ruby met with the Commissioners to discuss funding for the Clear Lake City Library's program called Makerspace for the children's section. She reported 72 of the 217 library cards issued are from rural residents. She also mentioned the many services provided that don't require a library card. She requested \$1000 donation for the Makerspace program. Chairman Rhody thanked Ruby for her time and this will be discussed at upcoming meetings.

10:45 Sheila Monnier EM Director Review and Approve 2020 SLA

Discussion was held on the 2020 SLA between the State of SD and Deuel County. The reimbursement amount is \$22,508 for the Emergency Management position. 10) DeJong moved, seconded by Kreutner to approve and sign the State of SD Dept. of Public Safety Office of EM 2020 Local Emergency Management Performance Grant (now known as LEMPG). All voted yes and motion carried.

Discussion was held on the FEMA timeline. Updates were given on damage assessments and timelines.

Discussion was held about the carpet removal in the courthouse basement and continuing the work on the floor.

Monnier presented a quote for radio upgrades for Emergency Management to supply to the Highway Shop. This was budgeted in the 2019 budget year. 11) Kreutner moved, seconded by Homan to purchase radio upgrades from VanTek Communications in the amount of \$25,733.60. All voted yes and motion carried.

11:00 Executive Session Pursuant to SDCL 1-25-2(1) Personnel Matter

12) Jaeger moved, seconded by DeJong to move into Executive Session pursuant to SDCL 1-25-2(1) for the purpose of a personnel matter. All voted yes and motion carried. Chairman Rhody declared the Commissioners out of Executive Session at 11:37 am. 13) DeJong moved, seconded by Rhody to advertise for a full time deputy in the Sheriff's Office. All voted yes and motion carried.

11:15 Jan Brooks from Fischer Rounds of Watertown

Brooks met with the Commissioners to give a side by side comparison of health insurance rates for county employees of what Deuel County currently has in place and what is offered by Wellmark. She gave what could be offered to the employees as 3 different plans including different deductibles and an HSA. The Commissioners thought it would be best to get some employee input and future meetings with employees will be scheduled before a decision is made.

11:30 State's Attorney John Knight

Knight met with the Commissioners to discuss several legal issues. Discussion was held on the lawsuits concerning Invenegy as well as the permits of the wind towers.

UNFINISHED BUSINESS

4-H Building Repair/ Pest Control at West County Building

A quote was presented from the Clear Lake Building Center to roof the Women's Building at the 4-H Grounds with steel and do some additional repairs. 14) DeJong moved, seconded by Homan to have the Clear Lake Building Center repair and roof the Women's Building at the 4-H Grounds in the amount of \$11,863.31. All voted yes and motion carried.

Commissioner DeJong presented more quotes for pest control for the West Hwy 22 County Building. Tony LaFramboise of Pests B Dead, Brookings, SD will be contacted to perform the pest control at the County building on West Hwy 22 and contract services for future pest control.


NEW BUSINESS

Director of Equalization Donna Rhody could not be present for the meeting. Auditor Korth presented on behalf of Rhody a request from onX, a reputable hunting application/website to purchase the Deuel County parcel shapefile through GIS to present landowner information on their website. Because of the special circumstance, DOE Rhody requested Commissioner approval for the request. The agreement has already been signed between Holly Eissinger of onX and DOE Donna Rhody. 15) Jaeger moved, seconded by DeJong to approve the request of onX to purchase the Deuel County parcel shapefile from the Director of Equalization. All voted yes and motion carried.

Warrants

16) Kreutner moved, seconded Homan by to approve warrants paid early and any additional warrants presented for payment. All voted yes and motion carried. Warrants to Zoning Board (non-payroll) as follows: Mike Dahl 1000.00, Dennis Kanengieter 1413.80, Paul Brandt 1302.50, Kevin DeBoer 1376.00; James Jenson 15.00 correction overcharge drainage permit, Doyle Thompson 15.00 correction overcharge drainage permit, Postmaster 110.00 postage, Tarpon Towers II LLC 10.00 tower land, City of Wtn Fin Office 4080.94 911 Surcharge, McLeod's 9.70 tickets, Dakota Territories 115.00 Sheriff Conference, NW Energy 42.74 Utilities, Otter Tail 1696.46 Utilities, B-D Rural Water 59.60 Utilities, H-D Electric 278.58 Utilities, DCFU 16.50 Supplies, ITC 158.51 Utilities, Sanford Flex 4.52; 4-H Judges as follows: Jim Effling 83.40, Cole Hoyer 109.44, Bob Rennolet 90.00, Grady Ruble 325.20; 4-H Natl Council 145.10 supplies; Fire Ins Premiums Paid as follows: Astoria Fire Dept. 1368.72, Brandt Fire Dept. 3789.03, Cl Lake Fire Dept. 9776.10, Estelline Fire Dept. 1396.58, Gary Fire Dept. 3374.10, Goodwin Fire Dept. 2500.15, Hendricks Fire Dept. 378.11, Revillo Fire Dept. 632.79, Toronto Fire Dept. 2520.89

There being no further business 17) Kreutner moved, seconded by Homan to adjourn the meeting.



ATTEST:

Mary Korth, Auditor

Published one time at the approximate cost of _____.

Chairman
Deuel County Commission