

The Deuel County Commissioners met in regular session on Tuesday, September 21st at 9:00 a.m. in the Commission Room of the Courthouse with Chairman DeJong presiding. Those present were Commissioners DeJong, Rhody, Jaeger, Homan, and Kreutner. Also present was Auditor Korth and members of the public. The meeting began with prayer and the Pledge of Allegiance. The meeting was then called to order by Chairman DeJong.

Approval of Agenda

- 1) Rhody moved, seconded by Homan to approve the agenda as presented. All voted yes and the motion carried.

APPOINTMENTS

9:00 Public Hearing 2021 Five Year Hwy and Bridge Improvement Plan

The Five Year County Highway and Bridge Improvement Plan was presented and discussed. The Plan includes a bridge inventory list and a project needs list. It also includes a revenue source table and five year project location map. The plan is a short range planning tool that will be developed and updated annually based on needs and identified Deuel County transportation policies. Present for discussion was Jim Dailey and Bill Goetz. The plan, with any suggested changes will be adopted at the October 5th meeting at 9am. A copy of the Plan is available in the Deuel County Auditor's Office. Comments were made unrelated to the 5 year road and bridge plan. Dailey reported concerns about weeds in ditches and lack of mowing. He suggested the Weed Department mow when they are unable to spray. Broksieck and Commissioner Jaeger mentioned concerns of safety if there is lack of experience running equipment. The hearing concluded at 9:15 a.m.

Highway Superintendent Jamie Broksieck

Broksieck met with the Commissioners to discuss highway related issues. An agreement between the County and SDDOT for project PH 00SW(118) PCN 07CG was brought up for discussion again after it was tabled the last meeting. The Board has decided they will not be entering into the Joint Powers Maintenance Agreement with the State. They felt the expense outweighs the purpose. The Commissioners felt there were better solutions to the safety issue.

Mark Junker from Banner Associates Inc. met with the commissioners on the 2021 Bridge Inspection Summary. Junker has been inspecting bridges in Deuel County for 18 years. It is a federal requirement that bridges are inspected at least once every two years. All inspections are in the interest of public safety. Inspections are done on bridges 20 feet and greater. Deuel County has 40 bridges that Banner inspects. Nine of them have weight restrictions. Twelve structures have been replaced since 2000. Repairs, maintenance and preservation were also discussed. Thirteen bridges need replacing within 20 years. Four of those should be replaced within 10 years. Funding through grant money was discussed as well as the Rural Infrastructure grant. Junker thanked the Board for their time and is looking forward to continued partnership with the County.

Discussion was held on the Rural Access Infrastructure Plan and working with First District. Broksieck will obtain an iPad which should include the ArcGIS program license for \$250.00 per year for the purposes of inventory of the small structures. Townships can also go through First District and receive the license at a lower cost. Calvin Musch of Portland Township was present for discussion. 2) Kreutner moved, seconded by Jaeger to approve the purchase of the ArcGIS license for \$250.00 per year and enter an agreement with First District for the Rural Access Infrastructure Plan. All voted yes and motion carried.

9:30 David McCormick of Hendricks Ambulance

McCormick met with the Commissioners as Hendricks Ambulance is in the process of applying to the State of Minnesota for a part-time Advanced Life Support license. Since Hendricks Ambulance serves Deuel County, McCormick was looking for the support of the Board. He requested a letter of support (non-monetary) or resolution to expand their life support services. A resolution will be provided and approved at next meeting.

9:45 Emergency Manager Sheila Monnier

Monnier met with the Commissioners to update them on her department. Presented to the Board was the annual Local Emergency Management Performance Grant (LEMPG) package for 2022. The package contains many exhibits describing the grant, terms and conditions, work topics and an Administrative Manual. 3) Kreutner moved, seconded by Rhody to sign and approve the Agreement between Deuel County and the State of SD, Dept. of Public Safety, Office of Emergency Management for the 2022 LEMPG. All voted yes and motion carried.

Monnier brought the Pre-Disaster Mitigation Plan for 2022-2026 to the Board for approval. 4) Jaeger moved, seconded by Homan to approve, adopt and sign the Pre-Disaster Mitigation Plan 2022-2026 and Resolution #21-25. All voted yes and motion carried.

RESOLUTION #21-25

Deuel County Commission

Resolution Adopting the Deuel County Pre-Disaster Mitigation Plan 2022-2026

WHEREAS, Deuel County received assistance in the preparation of the Deuel County Pre-Disaster Mitigation Plan 2022-2026 from representatives of Deuel County and received funding from the South Dakota Office of Emergency Management / FEMA; and

WHEREAS, several public planning meetings were held between December of 2020 and July 2021 regarding the development and review of the Deuel County Pre-Disaster Mitigation Plan 2022-2026; and

WHEREAS, the Deuel County Pre-Disaster Mitigation Plan 2022-2026 contains several potential future projects to mitigate hazard damage in Deuel County; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has rendered its approval of the Deuel County Pre-Disaster Mitigation Plan on August 30th, 2021; and

WHEREAS, a duly-noticed public hearing was held by the Deuel County Pre-Disaster Mitigation Team on June 14th, 2021 to solicit public comment on the Deuel County Pre-Disaster Mitigation Plan 2022-2026; and

WHEREAS, a duly-noticed public meeting was held by the Deuel County Commission on September 21st, 2021 to formally approve and adopt the final Deuel County Pre-Disaster Mitigation Plan 2022-2026.

NOW, THEREFORE BE IT RESOLVED that the Deuel County Commission adopts the Deuel County Pre-Disaster Mitigation Plan 2022-2026.

ADOPTED AND SIGNED this 21st day of September, 2021.

Commission Chairman

ATTEST: Auditor

Monnier reported on meetings and classes she has attended as well as other items of interest related to her department.

10:00 Sheriff Cory Borg

Borg met with Commissioners to discuss several items. 5) Rhody moved, seconded by Jaeger to approve the travel for Sargent Burns to travel to Sioux Falls for training October 12th-15th; also on the request of the Auditor, travel approval for the Auditor October 20th and 21st for Election Training in Pierre. All voted yes and motion carried. 6) Kreutner moved, seconded by Homan to approve the police contract with the city of Gary for 2022 with the new contract price of \$36.25/hour approved at July 20th meeting. All voted yes and motion carried.

Borg has completed interviews for his department. 7) Jaeger moved, seconded by DeJong to hire Dillon Krosch for the position of Deputy Sheriff with a starting salary of \$39,520 (Grade 1 Step 1 on Sheriff salary schedule) or \$19.00/hr. to begin when available. All voted yes and motion carried.

10:15 Public Hearing on Transfer of Malt Beverage License and Transfer of Liquor License

A public hearing was held on the applications of Blaine Merritt of State Line Bar & Grill LLC for transfer of malt beverage and SD Farm & Wine license #RB-25121 from Wayne Viessman; and for transfer of Liquor License #RL-5230 from Wayne Viessman all for the State Line Bar & Grill LLC. No other public comment was made for this hearing. 8) Rhody moved, seconded by Kreutner to approve and issue the transfer of malt beverage and SD Farm & Wine license RB-25121 and Liquor License RL-5230 from Wayne Viessman of State Line Bar & Grill to Blaine Merritt of State Line Bar & Grill LLC on described location Cook’s Point Addition, NE1/4SE1/4 of 4-114-47 of Deuel County, SD. All voted yes and motion carried.

10:30 Adopt 2022 Budget and Resolution #21-26

9) Jaeger moved, seconded by Rhody to approve Resolution #21-26 Annual Budget for Deuel County, SD for 2022 with the following changes to the published provisional budget. Roll call vote, all ayes and motion carried.

101-311 Property Tax \$3,168,108; 233-311 \$26,170; 101 General Fund Cash Applied \$984,396; 233 County Building Fund Cash Applied \$8595.

ANNUAL BUDGET FOR DEUEL COUNTY, SD
For the Year January 1, 2022 to December 31, 2022

RESOLUTION 21-26

ADOPTION OF ANNUAL BUDGET FOR DEUEL County, South Dakota.

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, that such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR DEUEL County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2022 and ending December 31, 2022 and the same is hereby approved and adopted by the Board of County Commissioners of Deuel County, South Dakota, this 21st day of September, 2021. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the county auditor Deuel County, South Dakota. The accompanying taxes are levied by Deuel County for the year January 1, 2022 through December 31, 2022.

BOARD OF COUNTY COMMISSIONERS OF DEUEL County, South Dakota

Gary DeJong Chairman _____
Judith Homan Commissioner _____

Steven Rhody	Commissioner	_____
Roger Kreutner	Commissioner	_____
Gary Jaeger	Commissioner	_____
ATTEST: Mary J. Korth	County Auditor	_____

Tax Levy in	DOLLARS	\$'s/\$1000
COUNTY TAX LEVIES		
Within Limited Levy:		
General County Purposes (10-12-9)	3,168,108	3.168
LIMITED LEVY SUBTOTAL (10-12-21)	3,168,108	3.168
OUTSIDE LIMITED LEVY:		
Courthouse Bldg. (7-25-1)	26,170	.026
UNLIMITED LEVY-SUBTOTAL	26,170	.026
TOTAL TAXES LEVIED BY COUNTY	3,194,270	3.194

Dated this 21st day of September, 2021.

These Amounts include the 25% to be distributed to cities.
As of September 21, 2021, these levies are not approved by the Department of Revenue

10:45 HR Representative Natalie Remund

Remund met with the Commissioners with the final draft of the Deuel County Personnel Policies and Procedures Manual. The suggested changes were summarized by Remund and presented. Discussion was held, there will be few amendments before adoption of the Personnel Manual and presentation to employees.

11:15 Joint Public Hearing/First Reading on Request of request of Brian Cotten to Rezone from Agricultural District to Commercial District for the following described property: E 660' +/- of the N 760' +/- of Gov Lot 1 in E1/2 NE1/4 of 5-116-50 West of the 5th P.M., Deuel County, South Dakota which upon platting will be known as the Plat of Cotten Addition located in Gov Lot 1 in the E1/2 NE1/4 of 5-116-50 West of the 5th P.M., Deuel County, South Dakota

A joint public hearing with the Zoning Board was held upon the request/petition of Brian Cotten to issue a change in zoning classification for property that is described above in 5-116-50, Goodwin Township from Agricultural to Commercial District. The property will be used for sale of seed, grain and chemical storage. Cotten is the owner/operator of BC Ag. The Deuel County Zoning Board stated the property meets all the requirements of the ordinance. The Planning Commission voted to recommend approval of this ordinance to the County Commissioners. Upon roll call vote the motion carried. Upon approval of below plat, The Planning and Zoning Commission adjourned.

The Commissioners continued the public hearing for questions on the rezoning classification. No public was present for comments or questions.

The Commissioners then held the first reading of Ordinance B2004-01-38A. The second reading will be held at the October 5th regular Commission meeting at 10:00 a.m.

Plat

10) Jaeger moved, seconded by Homan to approve the Plat of Cotten Addition Located in Government Lot 1 in E1/2 of NE1/4 of 5-116-50 West of the 5th P.M., Deuel County, SD and Resolution #21-27. All voted yes and the motion carried.

RESOLUTION #21-27

BE IT RESOLVED by the Board of County Commissioners of Deuel County, South Dakota, that the plat entitled: **“Cotten Addition Located in Government Lot 1 in the East Half of the Northeast Quarter of Section 5,**

Township 116 North, Range 50 West 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 21st day of September, 2021

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

11:45 State’s Attorney Jared Gass

Executive Session per SDCL 1-25-2(3) for the Purpose of Consulting with Legal Counsel

11) Jaeger moved, seconded by Kreutner to move into executive session per SDCL 1-25-2(3) for the purpose of consulting with legal counsel. All voted yes and motion carried.

12) Rhody moved, seconded by Kreutner to have Chairman DeJong declare the meeting out of executive session at 12:43 p.m. All voted yes and motion carried.

HR Representative Natalie Remund Executive Session per SDCL 1-25-2(1) for a Personnel Matter

13) Kreutner moved, seconded by Rhody to move into executive session per SDCL 1-25-2(1) for a personnel matter. All voted yes and motion carried.

14) Jaeger moved, seconded by DeJong to have Chairman DeJong declare the meeting out of executive session at 1:12 p.m. All voted yes and motion carried.

UNFINISHED BUSINESS

A quote was secured for the signage at Deuel County Complex by Deb Lessman, 4-H Director. The quote is from Stein Sign Display in the amount of \$2400.00 installed. 15) Jaeger moved, seconded by Homan for the approval of a sign installed by Stein Sign Display in the amount of \$2400.00 for Deuel County Complex. All voted yes and motion carried.

NEW BUSINESS

15) Jaeger moved, seconded by Kreutner to approve County Assistance #21-02 county burial. All voted yes and motion carried.

Discussion was held on concerns of a fuel tank variance applied to the Zoning Officer on behalf of DeBoer Construction. The fuel tank is located within very close proximity of the Deuel County Complex west of Clear Lake. The Zoning Board was looking for guidance from the Commissioners before granting the variance on the location in regards to insurance on the building. A Safety Benefits Inc. representative reported to the Auditor there was no concern as long as there are barricades and bunkers in place for protection and to

contact state and local fire officials for any further guidance. The Board of Commissioners were in agreement with SBI in regards to safety and insurance on County property and advised the Zoning Board of their consent.

Public Comments

Present for comments were Bill Goetz, Jim Dailey and Calvin Musch. Goetz questioned repairing township roads after wind tower damage and the post construction survey. The commissioners do not have information at this time. Musch had concerns as well with Invenergy and isn't intending on signing off on the township roads. Right-of-Way easements were discussed.

Warrants

16) Homan moved, seconded by Jaeger to approve warrants paid early and approval of regular warrants to be paid. All voted yes and motion carried. *Warrants to:* B-D Rural Water 73.50 Utilities, Century Link 358.79 Utilities, City of Wtn Fin Office 3931.35 911 Surch, DC Treasurer 16.64 Tax Account, Detco 252.47 Supplies, Green Roby Oviatt 248.10 CAA Fees, H-D Electric 6656.85 Repairs and 266.40 Utilities, Nosbush Plumbing & Heating 95.85 Repairs, RC Technologies 150.00 Utilities, Tri State Water 17.97 Supplies; SD Dept. of Rev 116335.45 Fees to State, SDACO 176.00 M&P Due to State. *Taxes:* Schools 33059.07, Towns 6576.14, Townships 3284.82, EDWDD 137.37, Rural Fire 592.05.

Adjournment

There being no further business 17) Rhody moved, seconded by Kreutner to adjourn the meeting. All voted yes and motion carried.

Gary DeJong, Chairman
Deuel County Commission

ATTEST:

Mary Korth, Auditor

Published one time at the approximate cost of _____.