

The Deuel County Commissioners met in regular session on Tuesday, October 19th 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. The meeting began with prayer and the Pledge of Allegiance. The meeting was then called to order by Chairman DeJong.

Approval of Agenda

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

APPOINTMENTS

9:00 Highway Superintendent Jamie Broksieck

Broksieck met with the Commissioners to discuss highway related issues. Broksieck reported on the County's work on the site curve in Rome Township on the County line. Flashing lights have been installed. Rumble strips vs. an approach were discussed. Other highway related issues were discussed such as mowing being completed, paint on chip sealing complete, and Broksieck is currently working on the small structure inventory. Contact will be made with township officials again on their inventories. Post construction and evaluations concerning wind towers were discussed as well.

9:30 Public Hearing on New Malt Beverage License

A public hearing was held on the application of Blaine Merritt of State Line Bar & Grill LLC for new malt beverage license. No public comment was made for this hearing. 2) Rhody moved, seconded by Kreutner to approve and issue the malt beverage application for license to Blaine Merritt of State Line Bar & Grill LLC on described location Cook's Point Third Addition, NE1/4SE1/4 of 4-114-47 of Deuel County, SD. All voted yes and motion carried.

9:45 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 on all amendments. Employee meetings will be scheduled to present the manual and answer any questions. 3) Rhody moved, seconded by DeJong to approve the new Deuel County Personnel Policies and Procedures Manual for all new and current employees of Deuel County effective October 19, 2021. All voted yes and motion carried.

10:00 Auditor Mary Korth

Korth met with the Commissioners about a new hire for her department. Interviews have been completed for Deputy Auditor. 4) Homan moved, seconded by Jaeger to approve hiring Stacy Irish as Deputy Auditor at Step 1 Grade 1 on the Courthouse Deputies pay scale at \$15.20 per hour to begin October 25, 2021. All voted yes and motion carried.

Korth reviewed more information on the federal funding through ARPA (American Rescue Plan Act). SDACCO has engaged with Eide Bailly to provide consulting services for these funds. Any and all questions will go through First District Association of local Governments. Deuel County's share for the consulting services will be paid directly from the ARPA funds received. 5) Jaeger moved, seconded by Rhody to approve consulting services with Eide Bailly for guidance on ARPA funds and pay the initial assessment service of \$2,000.00 using ARPA funds. All voted yes and motion carried.

10:15 Community Health Nurse Tammy Baer Quarterly Report

Baer met with the Commissioners and gave them a quarterly update of the Community Health Nurse Office activities. She gave an overview of the stats within the quarter ending September 2021. Client contacts and WIC Caseloads were reported. Flu vaccines started Sept. 23 and have kept them busy. August 9th was the Back To School Fair which was very successful. Covid-19 booster vaccines have been approved but there are further steps before they can be distributed.

6) Kreutner moved, seconded by Homan 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. Chairman DeJong declared the meeting out of executive session at 10:25am.

Due to the amount of public in attendance, the public meetings scheduled for 10:30 a.m. and 10:45 a.m. were moved to the third floor courtroom of the courthouse.

10:30 Second Reading Ordinance B2004-01-39B – An Ordinance to Amend Section 1102.03, “Special Exceptions” (Article IX: “CI – Commercial/Industrial District to Include “Slaughterhouse”); Article XIV, “General Standards for Custom Processing and Slaughterhouse Activities”, Adopted by Ordinance B2004-01, As Amended, of the Zoning Ordinance of Deuel County.

The second reading of Ordinance B2004-01-39B was held. The meeting was opened to public comments.

Attorney Paul Tschetter of Boyce Law Firm spoke on behalf of the Applicant in favor of the proposed amendment.

DCAD (Deuel County Ag Development) Dennis Evenson spoke on behalf of the Board of Directors (all present) in favor of the ordinance.

Aaron Svec, property owner also spoke in favor of this ordinance.

Attorney Craig Evenson spoke on behalf of Deuel Area Development Inc. as a proponent of the ordinance change.

Tammy Krein of DADi distributed an impact scenario to the commissioners which shows tax revenue increase for Deuel County for economic development.

Mark Schmidt, interested party also spoke as a proponent of the ordinance change.

The Board of Commissioners discussed the ordinance. Commissioner Jaeger suggested adding language for clarification of the ordinance. 7) Jaeger moved, seconded by Kreutner to amend Ordinance B2004-01-39B to **An Ordinance to Amend Section 1102.03, “Special Exceptions” (Article IX: “CI – Commercial/Industrial District to Include “ Custom Processing and Slaughterhouse”); Article XIV, “General Standards for Custom Processing and Slaughterhouse Activities”, Adopted by Ordinance B2004-01, As Amended, of the Zoning Ordinance of Deuel County.** Upon roll call vote, all ayes and motion carried. The first reading of the amended ordinance was then held. The second reading will be on Tuesday, November 2, 2021 at 10am.

10:45 Second Reading Ordinance B2004-01-40A – Section 302 adopted by Ordinance B2004-01 July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County be amended to classify the following property: West 1630.4’ of the South 891.6’ of the SW1/4 of 24-113-50, Grange Township, Deuel County, SD which upon platting will be known as the Plat of East Dakota Beef Addition located in SW1/4 of 24-113-50, Grange Township, Deuel County, SD To “CI” Commercial/Industrial from “AG” Agricultural District

The second reading of Ordinance B2004-01-40A was held. The meeting was opened to public comments.

Proponents of the Ordinance amendment were as follows:

Attorney Paul Tschetter appeared on behalf of the Applicant setting forth Applicant’s position as to the benefit of re-zoning the property to “CI”.

Cody Kenyon of DCAD spoke in favor of the re-zone.

Ron Gorder spoke in favor of the re-zone.

Attorney Craig Evenson of DADi stated he was not lobbying for any specifics but reported on the economic impact according to state models from the Governor’s Office of Economic Development.

Opponents of the proposed amended ordinance are as follows:

Linda Svec, Aaron Svec, Roger Svec, Tanya Svec, Nick Siddens, Kris Siddens, John Lundgren and Mark Buschenfeld all spoke as opponents to the re-zoning request.

Aaron Svec presented maps of the site and the shallow aquifer to the commissioners. His presentation cited information from the Comprehensive Land Use Plan.

After public comment, the board convened executive session for purposes of consulting with legal counsel.

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

8) Jaeger moved, seconded by Rhody 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. Chairman DeJong declared the meeting out of executive session at 12:35 p.m.

9) Regular session re-convening, Jaeger moved, seconded by Kreutner to approve and adopt Ordinance B2004-01-40A Section 302 adopted by Ordinance B2004-01 July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County be amended to classify the following property: West 1630.4' of the South 891.6' of the SW1/4 of 24-113-50, Grange Township, Deuel County, SD which upon platting will be known as the Plat of East Dakota Beef Addition located in SW1/4 of 24-113-50, Grange Township, Deuel County, SD To "CI" Commercial/Industrial from "AG" Agricultural District. Following discussion, Chairman DeJong called for the vote. Roll call vote: Jaeger aye, Homan nay, Kreutner aye, Rhody nay, DeJong nay. Motion failed.

UNFINISHED BUSINESS

No unfinished business.

NEW BUSINESS

Warrants

10) Jaeger moved, seconded by Kreutner 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 36.00 Utilities, Bowes Construction 1367.63 Supplies, DC Treasurer 217.10 Tax Account, DNB 80.98 Supplies, First Bank & Trust 32.05 Supplies, H-D Electric 259.44 Utilities, ITC 172.33 Utilities, Northwestern Energy 10.00 Utilities, Otter Tail Power 1145.46 Utilities, RC Technologies 150.00 Utilities, Tri State Water 17.97 Supplies; SD Dept. of Rev 143078.67 Fees to State, SDACO 250.00 M&P Due to State. *Taxes:* Schools 261767.95, Towns 50421.01, Townships 113451.61, EDWDD 772.88, Rural Fire 3604.20.

Public Comments

No further public comments beyond the hearings above.

Adjournment

There being no further business 11) Jaeger 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 _____.