

October 5, 2021
Regular Meeting

The Deuel County Commissioners met in regular session on Tuesday, October 5th at 9:00 a.m. in the Commission Room of the Courthouse with Chairman DeJong presiding. Those present were Commissioners DeJong, Jaeger, Rhody, Kreutner and Homan as well as Auditor Korth. The meeting began with prayer and the Pledge of Allegiance.

Approval of Agenda

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

Approval of Minutes:

2) Rhody moved, seconded by Jaeger to approve the minutes of the regular meetings September 8th and 21st. All voted yes and the motion carried.

APPOINTMENTS

9:00 Highway Superintendent Jamie Broksieck

Broksieck met with the Commissioners to discuss several highway related issues. Discussion was held on the Five Year Highway Bridge Improvement Plan. The plan is in place as what is required.

3) Kreutner moved, seconded by Homan to approve Resolution #21-28 A Resolution Adopting the Deuel County Five-Year Highway and Bridge Improvement Plan. All voted yes and motion carried.

RESOLUTION #21-28

A RESOLUTION ADOPTING THE DEUEL COUNTY FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN

WHEREAS, the South Dakota Department of Transportation Local Bridge and Improvement Grant Fund requires that in order to be eligible to apply for Bridge Improvement Grant funds, Counties are required to develop a five-year Highway and Bridge Improvement Plan, hereinafter referred to as Plan; and
WHEREAS, Deuel County has utilized the South Dakota Department of Transportation, County Staff, the First District Association of Local Governments, Townships, and the general public in developing the various components of the Plan; and
WHEREAS, the Plan includes maps and lists identifying an inventory of highways and bridges, project needs, and revenue sources; and
WHEREAS, Deuel County held a public meeting on September 21, 2021 to solicit input into the Plan, and the citizens who attended expressed an interest in the Plan; and
WHEREAS, the County will be able to use the Plan as a tool to budget for transportation enhancements and better coordinate transportation issues with other entities;
NOW, THEREFORE, BE IT RESOLVED BY THE DEUEL COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE DEUEL COUNTY FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN IS HEREBY ADOPTED AND IS RECOGNIZED AS THE HIGHWAY AND BRIDGE IMPROVEMENT PLAN FOR DEUEL COUNTY.

Dated at Deuel, South Dakota this 5th day of October, 2021.

Chairman, Board of County Commissioners
Deuel County, South Dakota

ATTEST:

County Auditor,
Deuel County, South Dakota

In other business, an agreement between the County and SDDOT for project PH 00SW(118) PCN 07CG was not approved by the Commissioners at the September 21st meeting. Broksieck received a notice from SDDOT to further discuss the Joint Powers Agreement after last meeting. Commissioner Jaeger spoke with the DOT about spending federal dollars and the other options the Board thought would be sensical. The agreement will avoid county liability in the future according to the State. 4) Jaeger moved, seconded by DeJong to approve and sign the Joint Powers Maintenance and Financial Agreement between Deuel County and SDDOT on Project PH 00SW(118) PCN 07CG. Roll call vote, Kreutner nay, Homan nay, Jaeger aye, Rhody nay, DeJong aye. Motion failed 3-2.

Striping was discussed. Paint and striping costs over the chip sealing will be \$56,447.94 and \$18,898.12 other roads. Paint supply is in high demand; Broksieck had contacted several vendors. Overlay projects were discussed. Mowing is nearing completion depending on harvest. If townships are interested in using county equipment, liability insurance should be provided.

Travel request were received. 5) Rhody moved, seconded by Jaeger to approve the travel requests for Jamie Broksieck for October 20th Road Conference in Sioux Falls; also on the request of Emergency Manager Sheila Monnier travel for State EMS Conference at Pierre, SD on October 27. All voted yes and motion carried.

9:30 Emergency Manager Sheila Monnier

Monnier met with the Board for updates on her department. She presented a Program Guide from the State Office of EM as well as credentialing forms for each commissioner. This allows the commissioners to be present in emergency situations. Other employees have also been credentialed. 6) Kreutner moved, seconded by Homan to approve and sign the LEMPG formerly SLA quarterly report for Emergency Management. All voted yes and motion carried.

7) Jaeger moved, seconded by Rhody to auto supplement back into the EM budget \$5120.00 which was a grant for the Commodity Flow Study performed in 2021. All voted yes and motion carried.

Monnier further updated the Board on other items within her department and Covid updates within the County.

9:45 Auditor Mary Korth

Korth met with the Commissioners on the staff shortage in her department. Interviews have been completed but the candidate for Deputy Auditor has not been identified as of date. The former employee contracted for assistance and training has not been available for as many hours as she would have liked. Korth also has a mandatory election training conference in Pierre in October which conflicts with October payroll. The normal payroll cutoff date for time sheets is the 19th of every month. Korth expressed to the commissioners she needs this shortened and given an estimation of hours through the 19th of October for all employees. 8) Homan moved, seconded by Jaeger to require that for the payroll month of September/October 2021, pay date October 25th, 2021, that all employees turn in their hours and time sheets to the Auditor's Office no later than 5pm, Friday, October 15th; and for any hours worked October 16th-19th to give the Auditor an estimation of hours. All voted yes and motion carried.

10:00 Second Reading Ordinance B2004-01-38A An Ordinance to Amend Article III Section 302 Adopted by Ordinance B2004-01, July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County

The second reading of Ordinance B2004-01-38A was held. The Ordinance Amendment would reclassify the property described as: East 660' +/- of the North 760' +/- of Gov Lot 1 in E1/2NE1/4 of 5-116-50, Deuel County, South Dakota which upon platting will be known as the Plat of Cotten Addition located in Gov Lot 1 in E1/2NE1/4 of 5-116-50, Deuel County, SD from Agricultural "AG" Commercial "CI" District. 9) Jaeger moved, seconded by Homan to approve, adopt and publish notice of adoption of Ordinance B2004-01-38A An Ordinance to Amend Article III Section 302 Adopted by Ordinance B2004-01, July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County. All voted yes and motion carried.

Due to the amount of public present, the meeting was moved to the Deuel County courtroom on third floor for the public hearings only.

10:15 Joint Public Hearing with the Deuel County Zoning/Planning Commission 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.

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No proponents or opponents commented for the hearing.

The Planning Commission voted to recommend approval of this ordinance to the County Commissioners. Upon roll call vote the motion carried. The Commissioners then held the first reading of 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 will be held at the October 19th regular Commission meeting at 10:30 a.m.

10:45 Joint Hearing with Zoning Board on request of Austin Berwald/Berwald Family RLLP and Ordinance B2004-01-40A to Rezone from Agricultural District to Commercial District for the following described property: West 1630.4' of the South 891.6' of 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 –

A joint public hearing with the Zoning Board was held upon the request/petition of Austin Berwald/Berwald Family RLLP to issue a change in zoning classification for property that is described above in 24-113-50 in Grange Township from Agricultural to Commercial District. The hearing began with State's Attorney Jared Gass reminding the interested parties that the hearing is for the reclassification of the property in question and to try to limit comments. Present for the hearing was Dennis Evenson DCAD, Inc., Tammy Krein DADI, Paul Tschetter Boyce Law Firm, David Coburn East Dakota Beef, Tanya Svec, Jason Svec, Linda Svec, Jeff Watt, Mark and David Buschenfeld, Lilli DiPaula, Nick and Kristianna Siddens, Kimberly Harringa, Sheila Monnier, Jonathan Lundgren, Christina Lind, Seth Evenson, Austin Berwald and Dwayne Gorder.

Attorney Paul Tschetter spoke as a proponent of the rezone. He concurred with Gass that the hearing today is just to reclassify the property from ag to commercial. Any commercial use in the future does have to come before the Zoning Board. He identified compliance with the Zoning Ordinance on behalf of East Dakota Beef on any future concerns and highlighted points to support his argument. He reminded everyone that commercial development in Deuel County generates needed tax dollars. Many questions were asked of Tschetter about the extra traffic generated and load limits on County Road 313. Zoning Board member Dahl

questioned the location and the shallow aquifer. Tschetter responded with the results of meetings with East Dakota District Water Development. East Dakota Beef intends on above ground containment, secondary containment, and monitoring practices to protect the aquifer. He concluded by saying the net effect for Deuel County is positive and all concerns are for future discussions.

Dennis Evenson of Deuel County Ag Development spoke as a proponent. DCAD always encourages ag and entities that produce ag support. He feels there is substantial impact on tax dollars, but does agree it is important to address concerns.

Tanya, Jason and Linda Svec (area landowners) all spoke as opponents of the rezone. They are all area landowners and have concerns about the shallow aquifer. They supported their claims with the Deuel County Comprehensive Land Use Plan and want to protect the environmental quality. Wastewater runoff and drainage issues were also of a big concern.

Jeff Watt, Mark and David Buschenfeld (area landowners) opposing comments were also directed towards the shallow aquifer, future water quality, wastewater management, and water supply concerns. They were not against value-added ag development, but wanted answers for water quality and supply. Proponent Austin Berwald assured the property owners that any water supply concerns are being handled through Brookings-Deuel Rural Water.

Jon Lundgren, property owner, stated that today's hearing will have long term implications. He suggested that the Zoning Board table the rezone until language is put in for the intended use of the ordinance. Much discussion was held between all present and the Deuel County Zoning Board. The Board stressed that many more steps would happen before a commercial operation would be approved.

After much discussion, The Deuel County Zoning Board said 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, simple majority, the motion carried. The Planning and Zoning Commission adjourned.

The Commissioners then held the first reading of Ordinance B2004-01-40A. The second reading will be held at the October 19th regular Commission meeting at 10:45 a.m.

State's Attorney Jared Gass - Executive Session per SDCL 1-25-2(3) for the Purpose of Consulting with Legal Counsel

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

11) Jaeger moved, seconded by Kreutner to have Chairman DeJong declare the meeting out of executive session at 12:49 p.m. All voted yes and motion carried.

UNFINISHED BUSINESS

Upon request of Hendricks Ambulance in regards to support from the Deuel County Board of Commissioners and the regular meeting September 21, 2021, 12) Homan moved, seconded by Kreutner to approve and sign Resolution #21-29 as follows. All voted yes and motion carried.

RESOLUTION #21-29

Deuel County Board of Commissioners

October 5, 2021 Resolution of the Deuel County Board of Commissioners

The Deuel County Board of Commissioners supports the Hendricks Community Hospital Emergency Department Ambulance application to the Emergency Medical Services Regulatory Board to add a Part-time Advanced Life Support License to its existing Basic Life Support License.

WHEREAS, Advanced Life Support skills are defined as special services designed to provide definitive prehospital emergency medical care, including, but not limited to, cardiopulmonary resuscitation, cardiac monitoring, cardiac defibrillation, advanced airway management, intravenous therapy, administration of specified drugs and other medicinal preparations, and other specified techniques and procedures administered by authorized personnel under the direct supervision of a physician medical director at the scene of an emergency, during transport to an acute care Hospital, during interfacility transfer, and while in the emergency department of an acute care Hospital until responsibility is assumed by the medical staff of that Hospital.

WHEREAS, these Advanced Life Support skills are designed to prevent premature mortality of and to reduce the morbidity to Deuel County residents and visitors that arise from critical injuries and illnesses.

NOW, THEREFORE, BE IT RESOLVED, that the Deuel County Board of Commissioners is submitting this resolution of Support for the Hendricks Community Hospital Emergency Department Ambulance to add a part-time Advanced Life Support License to its current Basic Life Support License.

ADOPTED BY THE COUNTY BOARD OF COMMISISONERS AND SIGNED THIS 5TH DAY OF OCTOBER, 2021.

Commission Chairman

ATTEST: Auditor

NEW BUSINESS

Approve Cash Balance Sheet

13) Rhody moved, seconded by Jaeger to approve the cash balance sheet for the month of September. All voted yes and the motion carried.

DEUEL COUNTY AUDITOR'S ACCOUNT WITH TREASURER

END OF MONTH CASH BALANCE	SEPTEMBER 2021
CASH TOTAL	\$ 1,229.93
CHECKS TOTAL	\$ 41,606.75
CASH ITEM	\$ 0
CASH CHANGE SHERIFF	\$ 50.00
TOTAL CASH ON HAND	\$ 42,886.68

CHECKING ACCOUNT BALANCE	\$	259,475.48
MM DNB NATIONAL BANK	\$	4,063.42
PREMIUM MM FB&TRUST TORONTO	\$	5,496,866.76
PREMIUM MM FB&TRUST TORONTO ARP FUNDS	\$	422,596.76
CREDIT CARDS	\$	701.60
CD'S DNB NATIONAL BANK	\$	250,000.00
REVOLVING LOAN	\$	29,448.64
GRAND TOTAL CASH ASSETS	\$	6,506,039.34
GL CASH BALANCE BY FUNDS:		
GENERAL	\$	4,089,453.18
SP REVENUE FUNDS	\$	1,791,402.71
TRUST & AGENCY FUNDS	\$	625,183.45
TOWNSHIPS \$93,379.21	CITIES \$41,650.15	
SCHOOLS \$261,767.89	RURAL FIRE \$3604.20	
TOTAL LEDGER CASH	\$	6,506,039.34

DOE Personnel; Sheriff 2022 Vehicle

It was reported that Deborah Meguire has completed State certification as an appraiser and on the request of Director Rhody, her new step and grade will be effective September 28, 2021. 14) Homan moved, seconded by Kreutner to approve the new step and grade rate of \$18.10/hr. for Deborah Meguire in accordance with the Director of Equalization appraiser pay scale effective September 28, 2021. All voted yes and motion carried.

Sheriff Borg was present for discussion on a 2022 Vehicle for the Sheriff's Office which are rotated out every five years. He is looking at ordering a new vehicle or refurbishing a current one. New engine and transmission for the 2009 Chevy Tahoe is approximately for \$20,000 (includes warranty). State bid is \$34,390.00 for a 2022 Dodge Durango. Iowa state bid is \$32,995 for a limited time, but not guaranteed delivery because of the extreme backorder on vehicles. Borg suggested placing the order for the Durango and if it does not come in timely, to refurbish the Tahoe. 15) Jaeger moved, seconded by Kreutner to approve ordering the 2022 Dodge Durango from State bids for \$32,995 (in 2022 Budget) and to determine a firm delivery date, otherwise to refurbish the 2009 Chevy Tahoe with a delivery date of engine and transmission for the Sheriff's Office. All voted yes and motion carried. 16) Rhody moved, seconded by Homan to approve ordering Smith and Wesson M&P15 Patrol rifles at \$650.00 each (per 2022 budget). All voted yes and motion carried.

APPROVAL OF WARRANTS:

17) Jaeger moved, seconded by Rhody to approve all warrants as presented and those paid early to avoid service charge. All voted yes and the motion carried. *Warrants To:* A&B Business Solutions 579.38 Supplies, A-Ox Welding Supply Company In 167.01 Supplies/Rental, Appera 538.18 Rental, At&T Mobility 200.20 Utilities, Auto Value Parts Store 89.98 Repairs, Axon Enterprise Inc 1680.00 Supplies, Banner Associates Inc 13619.95 Bridge/Rd Inspection, Bjerke Sanitation 270.00 Garbage, Boyer Trucks 634.84 Repairs, Bratland Law 1472.10 Caa Fees, Butler Machinery Co 5263.20 Repairs/Supplies, Credit Collections Bureau 4.45 Co Assist Lien, Clear Lake Building Center 32.94 Supplies, City Of Clear Lake 157.79 Utilities, Clear Lake Courier 1752.68 Publishing/Supplies, Codington County Auditor 85.00 Prisoner Care, Cole's Petroleum Products, Inc 6766.16 Diesel Supplies, Brittanee Collins 65.00 Contract Services, Deuel County Conservation Dist 6750.00 Support-Qrt 2, 3 & 4, Deuel County Farmers Union Oil 993.48 Repairs/Supplies/Utilities, Deuel County Motor Supply Inc 258.51 Repairs/Supplies, Deuel County Treasurer 194.09 Del Tax Acct Record#4551, Diamond Mowers Inc 1144.04 Repairs/Supplies, DNB 80.98 Supplies, Fedex 15.44 Prof Serv, First Bank & Trust 1661.12 Credit Card Charges, Fritz Chevrolet Inc 38.42 Repairs, Dawn Fritz 84.84 Travel, Galls, Llc 581.04 Supplies, Grant Co Sheriff's Office 302.70 Transport, Houseman Funeral & Cremation 2600.00 Co Burial, Human Service Agency 2864.25 Agency/Ser Hills 4th Qrt, Itc 1990.09 Utilities, Kibble Equipment Llc 545.25 Repairs/Supplies, Blue Tarp Financial, Inc 838.22 Supplies, Maynards 29.42 Supplies, Jennifer Mewherter 500.00 Ins Deductible 2021, Microfilm Imaging Systems 90.00 Rental, Multi Business Solutions Inc 1500.00 Prof Serv, Byron Nogelmeier 160.00 24/7 Scram, Northwestern Energy 78.48 Utilities, Office Peeps Inc 907.42 Supplies, Ottetail Power Co 95.49 Utilities, Pests B Dead Llc 175.00 Prof Serv, Pheasantland Industries 337.10 Supplies, Powerplan Oib 1394.99 Supplies, Quadient Leasing Usa Inc 672.63 Rental 10-21-21 To 1-20-22, Ramkota Hotel&Conference Cente 1127.00 Travel, Best Western Ramkota Hotel 808.00 Travel, Ramkota Hotel 154.00 Travel, Running's Supply Inc 154.50 Repairs/Supplies, Sanford Health 5.00 Prof Serv, Sanford Health Plan 15.00 Flex Fees, Sanford Clinic 2929.77 Health Nurse Contract, Sd Dept of Revenue 146.05 Excise Tax, Sd Dept Of Transportation 1260.09 Bridge Inspections, Sd Dept Of Transportation 1364.50 Fuel, Stan Houston Equipment Co, Inc 463.99 Repairs/Supplies, Sterzinger Crushing Inc 5801.60 Gravel Supplies, Truenorth Steel Inc 24372.52 Supplies, Twin Valley Tire Inc 1460.75 Repairs, Ultra Bright Lightz Llc 879.98 Supplies, Ultra-Connecting Point 533.00 Prof Serv, Van Diest Supply Company 7254.00 Supplies, W Tire Service Inc-Wtn 1342.04 Repairs, Wheelco Truck & Trailer Parts 115.63 Repairs/Supplies. *Payroll:* Commissioners 9269.42, Election 130.29, Auditor Office 14,242.82, Treasurer Office 9140.93, State's Atty Office 7701.75, Gen Building 5549.18, Dir of Equal Office 13,836.30, Reg of Deeds Office 7840.25, VSO 1289.55, GIS 652.71, Sheriff's Dept 31,438.73, County Assist 397.36, 4-H Service 313.76, Extension 2873.52, Weed 4491.29, Zoning 4504.77, Hwy Dept 59,249.21, Emerg Mngmt 3516.94, DNB National Bank 12.87 Payroll Proc.

Public Comments

No further public comments given outside of public hearings.

There being no further business, 18) Homan moved, seconded by Kreutner to adjourn. All voted yes and motion carried. Meeting adjourned.

Mary J Korth, County Auditor

Gary DeJong, Chairman

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