

September 8, 2021
Regular Meeting

The Deuel County Commissioners met in regular session on Wednesday, September 8th 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) Jaeger moved, seconded by Rhody to approve the agenda as presented. All voted yes and the motion carried.

Approval of Minutes:

2) Homan moved, seconded by Kreutner to approve the minutes of the regular meetings August 3rd and 17th and special meetings August 16th and 31st. All voted yes and the motion carried.

APPOINTMENTS

9:00 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 presented. After discussion on costs and logistics of the project, the Board decided to not approve the agreement with the SDDOT at this time. The Board had questions that need to be answered and other options they may consider. This will be revisited next meeting.

Broksieck presented funds paid from the State in the form of a grant for the Brandt Road Flooding by Fox Lake as well as a payment from Avangrid Inc. for the Tatanka Ridge Wind project. 3) Jaeger moved, seconded by Rhody to auto supplement back into the Road and Bridge budget \$68,697.94 from the State of SD for the Brandt Road Flooding and \$53,061.30 from Avangrid Inc. for reimbursement from the Tatanka Ridge Wind project. All voted yes and motion carried.

Broksieck updated the Board on Highway Department issues. There are currently no employment openings at the Highway Department. Gravel sources were also discussed.

The surplus sale at the 4H Fairgrounds was discussed which will be held September 25, 2021. 4) Kreutner moved, seconded by DeJong to surplus a 1990 1/2T Ford F150 4x4 for sale and miscellaneous items for sale of county property. All voted yes and motion carried.

9:30 4-H Director Deb Lessman

Lessman met with the Commissioners to discuss many needed updates and repairs at the 4-H Service Center. She presented a list of updates to bathrooms, flooring, updated lights throughout and the heating system.

Lessman asked for an update on the Deuel County Complex signage (to follow under unfinished business).

9:45 Second Reading Ordinance B2004-01-36A 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 B2004-01-36A was held. The Ordinance Amendment would reclassify the property described as: Lot 2 Cook's Point Third Addition in NE1/4 SE1/4 4-114-47, Norden Township, Deuel County, South Dakota from Agricultural "AG" to Lake Park District "LP". 5) Kreutner moved, seconded by Rhody to approve, adopt and publish notice of adoption of Ordinance B2004-01-36A 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.

10:00 Budget Hearing 2022 Provisional Budget

The scheduled public hearing for the 2022 provisional budget was held. No one appeared for comment. The 2021 certified utility values for Deuel County are \$83,011,788 an increase of \$19,627,252 over

2020 values. Total county valuation is \$1,000,605,807. Tax levies with growth factors are being calculated and the proposed 2022 budget will be adopted at the September 21st commission meeting.

10:15 Joint Hearing with Zoning Board on request of Austin Berwald/Berwald Family RLLP 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 – withdrawn by applicant Austin Berwald on Friday, September 3, 2021 and Hearing canceled.

10:15 Lisa Pederson Clear Lake Chamber of Commerce

Pederson was unable to attend meeting. Lisa Lundberg of the Clear Lake Chamber of Commerce met with the Board to discuss a benefit to be held for Marvin Keimig at the 4H Service Center on Friday, September 10th, 2021. 6) Homan moved, seconded by Jaeger to waive the \$125.00 fee for rental of the 4-H Service Center as a donation for the benefit to be held for Marvin Keimig on September 10th, 2021. All voted yes and motion carried.

10:30 Sheriff Cory Borg

Borg met with Commissioners to discuss several items. 7) Rhody moved, seconded by Kreutner to approve the travel requests for Mindi Dailey for September 13th in Sioux Falls for FBI NICS training; and for Borg for a Sheriff's Conference September 21st through the 23rd in Pierre; also on the request of the DOE, travel approval for the Director of Equalization for a district meeting in Webster, SD on September 15th. All voted yes and motion carried. 8) Jaeger moved, seconded by Homan to approve the cell phone monthly stipend of \$50.00 for Deputy Brueggeman. All voted yes and motion carried. 9) Homan moved, seconded by Jaeger to approve police contracts presented by Borg with the towns of Toronto, Goodwin and Clear Lake for 2022 with the new contract price of \$36.25/hour approved at July 20th meeting. All voted yes and motion carried.

Borg further reported on items related to the Sheriff's Office. The need for cameras located on main street were discussed. Borg felt they were not necessary and would be better served moving them to the courthouse. Applicants have been coming in for the position open in the Sheriff's Office. Vehicle availability and replacements were also discussed.

10:45 Second Readings of Ordinance B2004-01-35C – An Ordinance to Regulate Medical Cannabis Within Deuel County and Companion Licensing Ordinance M2021-01 An Ordinance Creating Licensing Provisions for Cannabis Establishments

The second readings of Ordinance B2004-01-35C and M2021-01 were held. Notice of Adoption as follows: 10) Jaeger moved, seconded by Rhody to approve and adopt Ordinance B2004-01-35C An Ordinance to Regulate Medical Cannabis Within Deuel County as follows in full text. Roll call vote, all voting aye. Motion carried.

ORDINANCE NO. B2004-01-35C

AN ORDINANCE TO REGULATE MEDICAL CANNABIS WITHIN DEUEL COUNTY

AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND ARTICLE XI "ZONING DISTRICTS", SECTION 1102.02, "PERMITTED USES" [CI – COMMERCIAL/INDUSTRIAL DISTRICT]; ARTICLE XII, "GENERAL REGULATIONS; AND ARTICLE V, DEFINITIONS, ADOPTED BY ORDINANCE B2004-01, AS AMENDED, OF THE ZONING ORDINANCE OF DEUEL COUNTY.

BE IT ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Section 1102.02, "Permitted Uses" [CI – COMMERCIAL/INDUSTRIAL DISTRICT, adopted by Ordinance B2004-01 on July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County be amended by adding language in bold and underline font:

02. **Cannabis Dispensary (subject to Section 1217).**

BE IT FURTHER ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that that Article XII, "GENERAL REGULATIONS" adopted by Ordinance B2004-01 on July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County be amended by adding the following Chapter in bold and underline font:

SECTION 1217 CANNABIS DISPENSARIES.

1. Maximum Number of Cannabis Dispensaries.

- a. **In the development and execution of these regulations, it is recognized that there are some uses which because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a potential deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area.**
- b. **The County shall allow up to one cannabis dispensaries provided the time, place, and manner of said dispensaries comply with this ordinance.**

2. Required Separation Distances

- a. **A cannabis dispensary shall be located not less than 1500 feet from a public or private school, public or private parks and playgrounds, public or private youth centers, and swimming pools existing before the date of the cannabis dispensary application;**
- b. **A cannabis dispensary shall be located not less than 1500 feet from any churches, residences, libraries, daycare facilities, other cannabis dispensaries existing before the date of the cannabis dispensary application;**
- c. **Exemption from separation requirements. Any separation distance requirement, other than the State requirement from schools (1,000 feet), may be waived, provided:**
 - i. **The applicant provides documentation waiving the setback requirement from the title holder of the land benefiting from the separation.**
- d. **Prescribed separation/setback distances from certain existing uses are to be measured from the lot line of the property where the dispensary is proposed**

3. Other Locational Requirements

- a. **Permanent or temporary dispensaries are prohibited in all other zoning districts and not eligible for a home occupation use.**
- b. **It shall be unlawful to operate a dispensary in a building which contains a residence or a mixed-use building with commercial and residential uses.**

4. Controlled Access - No cannabis establishment shall share premises with or permit access directly from another medical cannabis establishment, business that sells alcohol or tobacco, or, if allowed by law, other cannabis establishment.

5. Documentation of State Licensure.

- a. **No cannabis dispensary shall acquire, possess, store, deliver transfer, transport, supply or dispense cannabis, cannabis products, paraphernalia without providing documentation of licensure from the State of South Dakota.**

6. The zoning official is authorized to issue permits (building/use) for cannabis dispensaries subject to following:

- a. Submission of a site plan containing the following:
 - i. Any information required for applicable building permit,
 - ii. Ingress and egress plan
 - iii. Parking plan
 - iv. Lighting plan (including security lighting)
 - v. Screening/security fencing plan,
 - vi. Refuse plan;
 - vii. Hours of Operation;
 - viii. Any other information as lawfully may be required by the Zoning official to determine compliance with this ordinance
- b. Documentation of ability to meet setback/separation requirements.
- c. Documentation of State Licensure.

7. All Cannabis Establishments are required to be constructed in conformance with the 2021 Edition of the International Building Code and International Fire Code.

BE IT FURTHER ORDAINED by the Board of County Commissioners of Deuel County, South Dakota: that Article II, "DEFINITIONS" adopted by Ordinance B2004-01 on July 6th, 2004, as amended, of the Zoning Ordinance of Deuel County be amended by adding the following Definitions in bold and underline font:

Section 223a. Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. (hemp) and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

Section 223b. Cannabis Cultivation Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

Section 223c. Cannabis Dispensary: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

Section 223d. Cannabis Establishment: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

Section 223e. Cannabis Product Manufacturing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

Section 223f. Cannabis Products: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof, and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures.

Section 223g. Cannabis Testing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

Passed and adopted this 8th day of September, 2021.

Gary DeJong
Chairperson
Deuel County, SD

Mary Korth
Auditor
Deuel County, SD

Notice of adoption of **Licensing Provisions for Cannabis Establishments:**

Public comments from constituents were brought to Commissioner Jaeger on the licensing fees. It was thought to be excessive and they wanted to see the amount brought to half that amount at \$12,500. This is an annual fee and that is why the concern was noted. The ordinance will stand with original fees and changes can be examined in the future.

11) Homan moved, seconded by Kreutner to approve and adopt Ordinance M2021-01 An Ordinance Creating Licensing Provisions for Cannabis Establishments as follows in full text for adoption. Roll call vote, all ayes. Motion carried.

COMPANION LICENSING ORDINANCE TO BE USED WITH COUNTIES UTILIZING ZONING

ORDINANCE M2021-01

AN ORDINANCE CREATING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS

BE IT ORDAINED by the Board of County Commissioners of Deuel County that An Ordinance Creating Licensing Provisions for Cannabis Establishments is as follows:

ARTICLE 01: PURPOSE AND INTENT

The Board of County Commissioners of Deuel County enacts the following licensing ordinances in order to ensure that cannabis establishments within the unincorporated areas of the County operate in a manner which complies with state laws and regulations, protects the health, safety, and welfare of the general public, prevents potential conflicts and issues arising from ownership and employees, recognizes certain safety and security considerations, and minimizes risk of unauthorized use or access of cannabis by the general public.

ARTICLE 02: DEFINITIONS

Unless an alternative definition is explicitly stated in this section, this chapter utilizes the definitions for cannabis-related terms which are defined by SDCL 34-20G-1.

Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

Cannabis Cultivation Facility: this term is defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

Cannabis Dispensary: this term is defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

Cannabis Establishment: cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

Cannabis Product Manufacturing Facility: this term is defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

Cannabis Products: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof, and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures

Cannabis Testing Facility: this term is defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

Department: the South Dakota Department of Health

ARTICLE 03: LICENSE REQUIRED

- (a) No cannabis establishment may be located or operate in the unincorporated area of the County without the appropriate valid and current cannabis establishment license issued by the County pursuant to this article. A violation of this provision is subject to the general penalty provision in Chapter Article 16. Each day of the violation constitutes a separate offense.
- (b) No cannabis establishment may be located or operate in the unincorporated area of the County without the appropriate valid and current cannabis establishment registration certificate issued by the Department pursuant to rules promulgated under SDCL 34-20G. A violation of this provision is subject to the general penalty provision in Article 16. Each day of the violation constitutes a separate offense.

ARTICLE 04: LICENSE APPLICATION

- (a) An application for a cannabis establishment license must be made on a form provided by the County. No other application form will be considered.
- (b) The applicant must submit the following:
 1. Application fee of \$25,000. The County will reimburse \$2,500 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.

2. An application that will include, but is not limited to, the following:
 - i. The legal name of the prospective cannabis establishment;
 - ii. The physical address of the prospective cannabis establishment that meets the zoning requirements as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder.
 - iii. The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment.
 - iv. Any additional information requested by the County.

ARTICLE 05: ISSUANCE OF LICENSE

- (a) The County will issue a license unless:
 1. The applicant has made a false statement on the application or submits false records or documentation; or
 2. Any owners, principal officer, or board member of the applicant is under the age of twenty-one (21) years; or
 3. Any owner, principal officer, or board member of the applicant has been convicted of a felony offense in the previous ten (10) years in any jurisdiction; or
 4. The proposed location does not meet the applicable zoning requirements under Ordinance #B2004-01-35C or
 5. The proposed location does not meet all location requirements under SDCL 34-20G and the administrative rules promulgated thereunder; or
 6. The license is to be used for a business prohibited by state or local law, statute, rule, ordinance, or regulation; or
 7. Any owner, principal officer, or board member of the applicant has had a cannabis establishment license revoked by any governmental entity of Deuel County or the State of South Dakota or any other State, City or County; or
 8. An applicant, or an owner, principal officer, or board member thereof, is overdue in payment to the County of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or
 9. The applicant will not be operating the business for which the license would be issued.
- (b) In the case of an application for a cannabis dispensary license, the County will reject the application if the limit on the number of cannabis dispensaries has been reached.
- (c) The license must be posted in a conspicuous place at or near the entrance to the cannabis establishment so that it may be easily read at any time.

ARTICLE 06: COUNTY NEUTRALITY AS TO APPLICANTS

- (a) Upon request from the Department as to the County's preference of applicants, the County will neither support nor

oppose any registration certificate application under consideration by the Department. Likewise, if inquiry is made by the Department, the County will abstain from endorsing any application as beneficial to the community.

ARTICLE 07: NUMBER OF CANNABIS DISPENSARIES

- (a) No more than one (1) cannabis dispensaries shall be allowed to operate in the unincorporated area of the County at any time.

ARTICLE 08: EXPIRATION OF LICENSE AND RENEWAL

- (a) Each license expires one year from the date of issuance and may be renewed only by making application as provided in Section Article 04. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.
- (b) The renewal fee is \$25,000. The County will reimburse \$2,500 for applicants who fail to obtain a renewal of their registration certificate from the Department.
- (c) Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the County may order closure of the cannabis establishment.
- (d) If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

ARTICLE 09: SUSPENSION

- (a) A license may be suspended if the license holder or an employee or agent of the license holder:
 - 1. Violates or is otherwise not in compliance with any section of this article;
 - 2. Consumes or smokes or allows any person to consume or smoke cannabis on the premises of the cannabis establishment; or
 - 3. Knowingly dispenses or provides cannabis or cannabis products to an individual or business to whom it is unlawful to provide cannabis or cannabis products.
- (b) A license may be suspended if the license holder has its Department-issued registration certificate suspended, revoked, or not renewed by the Department or if the registration certificate is expired.
- (c) A license may be suspended if the license holder creates or allows to be created a public nuisance at the cannabis establishment.

ARTICLE 10: REVOCATION

- (a) A license may be revoked if the license is suspended under Section Article 09 and the cause for the suspension is not remedied.
- (b) A license may be revoked if the license is subject to suspension under Section Article 09 because of a violation outlined in that section and the license has been previously suspended in the preceding 24 months.
- (c) A license is subject to revocation if a license holder or employee of a license holder:

1. Gave false or misleading information in the material submitted during the application process;
2. Knowingly allowed possession, use, or sale of non-cannabis controlled substances on the premises;
3. Operated the cannabis establishment or the business of the cannabis establishment for which a license is required under this article while the license was suspended;
4. Repeated violations of any Section or Article of this Ordinance;
5. Operated a function of a cannabis establishment for which the license holder was not licensed (e.g., a licensed cannabis cultivation facility conducting cannabis testing functions without a cannabis testing establishment license);
6. A license holder, or an owner, principal officer, or board member thereof, is delinquent in payment to the city, county, or state for any taxes or fees related to the cannabis establishment;
7. A license holder, or an owner, principal officers, or board member thereof, has been convicted of, or continues to employ an employee who has been convicted of, a disqualifying felony offense as defined by SDCL 34-20G; or
8. The license holder has its Department-issued registration certificate suspended, revoked, or not renewed or the registration certificate is expired.
9. The license holder allows a public nuisance to continue after notice from the County.

ARTICLE 11: SUSPENSION AND REVOCATION PROCESS

- (a) The license holder will receive a notice of intent to suspend or notice of intent to revoke informing the license holder of the violation and the County's intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.
- (b) If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the County Commission Chairperson, Auditor, and Sheriff.
- (c) A suspension will be for thirty (30) days and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder exercises its rights to process and appeal, in which case the suspension takes effect upon the final determination of suspension.
- (d) A revocation will be for one (1) year and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder appeals the revocation, in which case the revocation takes effect upon the final determination of revocation.
- (e) The license holder who has had the license revoked may not be issued any cannabis establishment license for one year from the date the revocation became effective.

ARTICLE 12: APPEAL

An applicant or license holder who has been denied a license or renewal of a license or who has had a license suspended or revoked under this article may appeal to the Board of County Commissioners by submitting a written appeal within ten (10) days of the postmark on the notice of denial, nonrenewal, suspension, or revocation. The written appeal must be submitted to the Auditor of Deuel County at the Deuel County Courthouse, 408 4th St West, Clear Lake, South Dakota, 57226. The appeal will be considered by the Board of County Commissioners at a regularly scheduled meeting within one month of the receipt of the appeal.

ARTICLE 13: LICENSES NOT TRANSFERRABLE

No cannabis establishment license holder may transfer the license to any other person or entity either with or without consideration, nor may a license holder operate a cannabis establishment at any place other than the address designated in the application.

ARTICLE 14: HOURS OF OPERATION FOR DISPENSARIES

No cannabis dispensary may operate between the hours of 10:00 p.m. and 10:00 a.m. .any day of the week.

ARTICLE 15: LIABILITY FOR VIOLATIONS

Notwithstanding anything to the contrary, for the purposes of this article, an act by an employee or agent of a cannabis establishment that constitutes grounds for suspension or revocation will be imputed to the cannabis establishment license holder for purposes of finding a violation of this article, or for purposes of license denial, suspension, or revocation, only if an officer, director or general partner or a person who managed, supervised or controlled the operation of the cannabis establishment, knowingly allowed such act to occur on the premises.

ARTICLE 16: PENALTIES

Any person who operates or causes to be operated a cannabis establishment without a valid license or in violation of this article is subject to a suit for injunction as well as prosecution for ordinance violations. Such violations are punishable by a maximum fine of five hundred dollars (\$500.00) for each violation. Each day a cannabis establishment so operates is a separate offense or violation.

Severability. The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Passed and adopted this 8th day of September, 2021.

Gary DeJong
Chairperson
Deuel County, SD

Mary Korth
Auditor
Deuel County, SD

11:00 Auditor Mary Korth - Executive Session per SDCL 1-25-2(1) for Personnel Matter

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

13) Rhody moved, seconded by DeJong to have Chairman DeJong declare the meeting out of executive session at 11:47 a.m. All voted yes and motion carried.

14) Kreutner moved, seconded by Homan to accept the resignation of Brittanee Collins as deputy in the Auditor's Office and to approve advertising for a full-time deputy in the Auditor's Office. All voted yes and motion carried.

15) Rhody moved, seconded by Jaeger to approve contracting Brittanee Collins to work in the Auditor's Office on an as needed basis at the rate of \$20.00/hr. upon acceptance of the offer. All voted yes and motion carried.

11:30 State's Attorney Jared Gass

Gass updated the Commissioners on various items he has been working on related to his office.

Gass is in the process of drafting a resolution for an amended Covid policy for Deuel County employees. This will follow after feedback from other amended resolutions examples from other counties.

A surplus property auction will be determined at a later date for tax deed properties from the past that the County now owns.

UNFINISHED BUSINESS

4-H Director Deb Lessman was present for discussion on the Deuel County Complex signage. The Board would like Deb Lessman to get a current updated price on a sign installed using the example of Robert's County 4-H Community Center. She will have that quote ready by next meeting.

NEW BUSINESS

Approve Cash Balance Sheet

16) Rhody moved, seconded by Homan to approve the cash balance sheet for the month of August. All voted yes and the motion carried.

DEUEL COUNTY AUDITOR'S ACCOUNT WITH TREASURER

END OF MONTH CASH BALANCE	AUGUST 2021
CASH TOTAL	\$ 1,312.87
CHECKS TOTAL	\$ 7,363.66
CASH ITEM	\$ 0
CASH CHANGE SHERIFF	\$ 50.00
TOTAL CASH ON HAND	\$ 8,726.53
CHECKING ACCOUNT BALANCE	\$ 183,463.55
MM DNB NATIONAL BANK	\$ 4,063.39

PREMIUM MM FB&TRUST TORONTO	\$ 5,846,386.23
PREMIUM MM FB&TRUST TORONTO ARP FUNDS	\$ 422,579.40
CREDIT CARDS	\$ 1,026.40
CD'S DNB NATIONAL BANK	\$ 250,000.00
REVOLVING LOAN	\$ 28,826.73
GRAND TOTAL CASH ASSETS	\$ 6,745,072.23
GL CASH BALANCE BY FUNDS:	
GENERAL	\$ 4,143,232.81
SP REVENUE FUNDS	\$ 2,276,183.99
TRUST & AGENCY FUNDS	\$ 325,655.43
TOWNSHIPS \$61,641.67	CITIES \$22,867.65
SCHOOLS \$33,059.07	RURAL FIRE \$592.05
TOTAL LEDGER CASH	\$ 6,745,072.23

Deuel County Health Insurance Rates

Health insurance and rates for 2022 were discussed and finalized. 17) Jaeger moved, seconded by Homan to approve the renewal of health insurance with the Sanford Health Plan Classic \$1000 deductible single and \$2000 for plus one and family; \$10/25/40 Prescription drug coverage for the 2022 plan year beginning January 1, 2022. There is a slight increase in the health insurance premium for Deuel County of 2%. The employee will be responsible for the first \$500/single and all of the plus one or family deductible, with the county reimbursing the employee for the next \$500/single with the Auditor's Office administrating the reimbursement plan. The county will be paying the single premium as it has done in the past. There are no changes to the plan aside from the 2% increase. All voted yes and motion carried.

APPROVAL OF WARRANTS:

18) 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 135.89 Supplies, A-Ox Welding Supply Company In 259.72 Repair/Supplies, Diane Anderson 84.44 Pro Service/Travel, Appeara 352.63 Rental, At&T Mobility 200.20 Utilities, Auto Value Parts Store 105.96 Supplies, Banner Associates Inc 7410.50 Pro Service, Autoland 705.87 Overpayment, Brookings Deuel Rural Water 36.00 Utilities, Bjerke Sanitation 270.00 Utilities, Bowes Construction Inc 1273.12 Supplies, Boyer Trucks 1226.09 Repair, Lisa Brandt 56.72 Judge/Travel, Bratland Law 623.70 Caa, Buffalo Ridge Concrere, Inc 2750.00 Supplies, Credit Collections Bureau 4.45 Caa, Clear

Lake Building Center 1525.64 Supplies, City Of Clear Lake 319.98 Utilities, City of Wtn Fin Office 3911.22 911 Surch, Clear Lake Courier 1337.00 Publishing, Clear Lake Veterinary Clinic 56.78 Pro Service, Codington County Auditor 343.99 Prisoner Care, Cole's Petroleum Products, Inc 5179.60 Supplies, Cowboy Country Stores 184.52 Supplies, D & L Digging Inc 2378.44 Contract Work, Dakota Portable Toilets, Inc 450.00 Rental, Deuel County Farmers Union Oil 1447.47 Repair/Supplies, Deuel County Motor Supply Inc 475.10 Repair/Supplies, Detco 1169.00 Supplies, John Eilertson 207.12 Judge Fee/Travel, First Bank & Trust 2552.47 Credit Card, FDT 75.00 Taxes, First Dist. Assoc Local Gov't 6400.00 Support, Fisher Sand And Gravel Co 2886.08 Supplies, Fritz Chevrolet Inc 2184.33 Repair, Dawn Fritz 18.48 Travel, Green Roby Oviatt Llp 1367.70 Caa, H-D Electric Coop, Inc 2199.60 Repairs/Utilities, Heiman Inc 109.00 Pro Service, Hillyard/Sioux Falls 231.79 Supplies, Holiday Inn Express Hotel 259.49 Travel, Hollaway Bridge&Culvert,Inc 99659.47 Contract Work, I-State Truck Center 105.78 Repair, Inter-Lakes Comm Action Inc 3471.50 Support Aug,Sep, Itc 2237.53 Utilities, J & L Machine & Welding Inc 100.00 Repair, Jebro Inc 281180.82 Supplies, Wes Jennings 100.00 Pro Servic E, Joshua Johnson 90.00 Pro Service, Johnson Controls 1233.08 Repair, Jurgens Printing, Inc 885.00 Supplies, Kibble Equipment Llc 191.33 Repair, Dale Knode 201.84 Pro Service/Travel, Anita Knutson 47318 197th St 71.84 Pro Service/Trael, Josefina Koopmans 186.96 Travel/Pro Service, Jolene Krause 50.00 Judge Fee, L G Everist Inc 3155.66 Supplies, Lake Area Door 273.47 Repair, Austin Langemeier 242.40 Judge Fee/Travel, Deb Lessman 519.40 Travel/Supplys, Patty Lessman 108.80 Judge Fee/Travel, Ashley Lewis 78.56 Pro Service/Travel, Linciln County 59.40 Support, Matthew Bender & Co., Inc. 132.43 Books, Maynards 88.70 Supplies, Mcleod's 124.50 Supplies, Microfilm Imaging Systems 1170.00 Rental, Multi Business Solutions Inc 1500.00 Pro Service, Newman Traffic Signs 423.86 Supplies, B Nogelmeier 140.00 24/7, Jerry Nolz 75.20 Judge Fee/Travel, Mary Nosbush 62.60 Judge Fee/Travel, Dennis Nosbush 3214.29 Repair, Northwestern Energy 172.43 Utilities, Office Peeps Inc 3285.05 Supplies/Minor Equipt, Ottertail Power Co 1377.32 Utilities, Powerplan Oib 2661.28 Repair, Quadient, Inc 73.88 Supplies, Running's Supply Inc 671.16 Supplies/Repair, Sanford Health 229.00 Pro Service, Sanford Health Plan 15.00 Flex, Sanford Clinic 2929.77 Health Nurse, Sd Dept of Revenue 75.00 Malt Bevg Lic, Sd Dept Of Transportation 1187.28 Pro Service, Sd Dept Of Transportation 1783.19 Fuel, State Of Sd 420.00 Pro Service, Stan Houston Equipment Co, Inc 2076.30 Repair/Supplies, Stee Electric Llc 344.32 Pro Service, Sterzinger Crushing, Inc 58240.00 Supplies, Thomson Reuters - West 440.27 Books, Titan Machinery-Watertown 157.74 Repairs, Transource Truck & Equip Inc 192.14 Repair, Ultra-Connecting Point 12308.00 Pro Service, Van Diest Supply Company 234.00 Supplies, Andy Weber 100.20 Pro Service/Travel, Westmor Industries, Llc 2719.39 Repair, Wheelco Truck & Trailer Parts 300.90 Repair, Jennifer Zirbel 100.40 Pro Service/Travel. *Payroll*: Commissioners 9172.88, Election 130.29, Auditor Office 15779.71, Treasurer Office 9431.40, State's Atty Office 7966.95, Gen Building 6264.43, Dir of Equal Office 14446.35, Reg of Deeds Office 7912.81, VSO 1289.55, GIS 652.71, Sheriff's Dept 32699.25, County Assist 397.36, Extension 3927.16, Weed 1853.41, Zoning 4504.77, Hwy Dept 66446.63, Emerg Mngmt 3510.77, DNB National Bank 13.08 Payroll Proc.

Public Comments

Public comments were given via Commissioner Jaeger during the approval of the Licensing for Medical Cannabis Ordinance.

A comment (request) was brought to Chairman DeJong from Chad Schiernbeck of Deuel School that there would be fireworks after the homecoming football game September 17th at the football field (north of the field). This would be on the approval of the City Office and the Clear Lake Fire Department. This is within city limits but the Board appreciated the information.

There being no further business, 19) Rhody moved, seconded by Homan to adjourn. All voted yes and motion carried. Meeting adjourned.

Mary J Korth, County Auditor

Gary DeJong, Chairman

Published One Time at the Approximate Cost of _____.