

08/01/2017

THE MINNEHAHA COUNTY COMMISSION CONVENE IN A JOINT SESSION WITH THE DELL RAPIDS CITY COUNCIL AT 9:00 A.M., August 1, 2017, pursuant to adjournment on July 25, 2017.

Commissioners present were: Barth, Beninga, Heiberger, and Karsky. Commissioner Bender was absent. Also present were Olivia Larson, Commission Recorder, and Judy Wehrkamp, Senior Deputy State's Attorney.

Dell Rapids City Aldermen present were: Crisp, Haak, Schmidt, Berg, Geraets, and Borchert.

Chair Beninga called the meeting to order.

MOTION by Heiberger, seconded by Karsky, to approve the agenda. 4 ayes.
The City of Dell Rapids concurred.

ROAD VACATION

David Heinold, Planner, was present for the public hearing and gave a briefing on a petition filed by Daniel Witte to vacate the portion of the 66 foot Dedicated Road in Section 8 of Dell Rapids Township. Legal notice of this hearing was published for two consecutive weeks in all three legal newspapers. The street right-of-way was platted, but the 66 foot Dedicated Road was never been constructed. This portion of road does not provide direct access to any properties and is lying adjacent to property owned by Daniel Witte, Russell & Michelle Nelson, William & Gayle Klein, Mitchell & Phyllis Rydberg, and Richard & Valerie Larson. The petitioner, Daniel Witte, 1303 Clark Ave, Dell Rapids, spoke on his contact with the adjacent property owners and his reason for requesting the vacation. MOTION by Barth, seconded by Karsky, to approve Resolution MC17-24. 4 ayes. The City of Dell Rapids concurred.

RESOLUTION MC17-24 RESOLUTION TO VACATE A HIGHWAY

WHEREAS, a public hearing was held on August 1, 2017, pursuant to the provisions of SDCL 31-3-6 and SDCL 31-3-7 to consider a petition to vacate a highway; and

WHEREAS, said hearing was for the purpose of determining whether the public interest will be better served by such proposed vacation; and

WHEREAS, the Board finds that the proposed highway to be vacated does not provide access to public lands.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Minnehaha County Board of Commissioners that the following described highway, is hereby declared vacated:

That portion of the 66 foot Dedicated Road beginning at the north edge of 246th Street also known as South Dakota State Highway 115. Roadway is lying between Lot 1 of Overvaag Tract 2 and Overvaag Tract 8 including Lot 1 and Lots 1 & 2 of Buskerud's Subdivision of Overvaag Tract 7 and extends to the northeast corner of Lot 1 of Buskerud's Subdivision of Overvaag Tract 7 and the northwest corner of Overvaag Tract 8 including Lot 1; all in the SW1/4 of Section 8-T104N-R49W Minnehaha County.

AND BE IT FURTHER RESOLVED, that this resolution be placed on file with the Minnehaha County Auditor, upon concurrence by the City of Dell Rapids and recorded with the Minnehaha County Register of Deeds.

Dated this 1st day of August, 2017.

BOARD OF COUNTY COMMISSIONERS
Gerald Beninga

08/01/2017

Chair

ATTEST:

Olivia Larson, Deputy
County Auditor

MOTION by Barth, seconded by Heiberger, to adjourn. 4 ayes.
The City of Dell Rapids concurred.

The Commission adjourned until the Regular Commission Meeting on Tuesday, August 1, 2017.

APPROVED BY THE COMMISSION:

Gerald Beninga

Chair

ATTEST:

Olivia Larson
Deputy County Auditor