

April 18, 2023

The Grant County Commission met at 8 AM with Commissioners Buttke, Mach, Stengel, Street and Tostenson. Chairman Mach called the meeting to order. Motion by Buttke and seconded by Street to approve the minutes of the April 4, 2023, meeting with correcting Chairman Stengel to Mach in the drainage section. Motion carried 5-0. Minutes filed. Motion by Stengel and seconded by Buttke to approve the agenda with the addition of Disaster Declaration 2023-05 to items. Motion carried 5-0.

Present from the public were Tim Wollschlager, Michael Schneck, Ann Grabow and Glenda Reiffenberger. Staff members present were Commissioner Assistant Layher, EM Kevin Schuelke and States Attorney Schwandt.

Public Comment: Chairman Mach called for public comment. There were no comments. Chairman Mach closed the public comment.

The Auditor's Account with the Treasurer for March was noted.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners,
Grant County:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of the County of Grant as of the last day of March, 2023.

Cash on Hand	\$2,696.15
Checks in Treasurer's possession	
less than 3 days	\$48,694.52
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$51,390.67

RECONCILED CHECKING

First Bank & Trust	\$3,920.82
Interest	\$0.00
Credit Card Transactions	\$3,973.36
TIF Fees	\$0.00
First Bank & Trust (Svgs)	\$7,401,436.94

CERTIFICATES OF DEPOSIT

First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$0.00

TOTAL CASH ASSETS**\$7,460,721.79****GENERAL LEDGER CASH BALANCES:**

General	\$3,015,882.49
General restricted cash	\$2,050,000.00
Cash Accounts for Offices General Fund	\$656.00
Sp. Revenue	\$897,543.63
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$568.51
TIF Apportioning	\$0.00
TIF Milbank	\$0.00
TIF Milbank Rosewood	\$0.00
Special Assessment Land Rent	\$0.00
Trust & Agency	\$1,496,071.16
(schools 492,714.11, twps 98,993.89, city/towns 93,969.73)	
ACH Correction	\$0.00

TOTAL GENERAL LEDGER CASH**\$7,460,721.79**

Dated this 10th day of April, 2023

Kathy Folk

County Auditor

The Register of Deeds fees for the month of March were \$10,482.00. The Clerk of Courts fees for the month of March were \$7,629.30. The Sheriff fees for the month of March were \$3,115.70 with \$1,615.70 receipted into the General Fund.

The following statistics for the month of January for the Sheriff's office were presented by report. Average daily inmate population 6.19; Number of bookings 18; Work release money collected \$2,580.00; 24/7 Preliminary Breath Test (PBT) fees collected \$191.00; SCRAM (alcohol detecting bracelet) fees collected \$168.00; 24/7 PBT participants 3; SCRAM (Sobriety Program) participants 1; Calls for Service (does not include walk-in traffic) 353; Accidents investigated 4; Civil papers served 47; Cumulative miles traveled 13,107; 911 calls responded to (including Milbank) 123. The following statistics for the month of February for the Sheriff's office were presented by report. Average daily inmate population 4.14; Number of bookings 23; Work release money collected \$0.00; 24/7 Preliminary Breath Test (PBT) fees collected \$226.00; SCRAM (alcohol detecting bracelet) fees collected \$348.00; 24/7 PBT participants 5; SCRAM (Sobriety Program) participants 3; Calls for Service (does not include walk-in traffic) 357; Accidents investigated 3; Civil papers served 55; Cumulative miles traveled 11,613; 911 calls responded to (including Milbank) 117. The following statistics for the month of March for the Sheriff's office were presented by report. Average daily inmate population 3.09; Number of bookings 18; Work release money collected \$300.00; 24/7 Preliminary Breath Test (PBT) fees collected \$213.00; SCRAM (alcohol

detecting bracelet) fees collected \$374.00; 24/7 PBT participants 6; SCRAM (Sobriety Program) participants 4; Calls for Service (does not include walk-in traffic) 307; Accidents investigated 5; Civil papers served 56; Cumulative miles traveled 13,667; 911 calls responded to (including Milbank) 159.

Drainage: Chairman Mach adjourned the Board of Commissioners and convened the Commission acting as the Drainage Board.

Permit DR2023-11 for Tim Wollschlager for property owned by Timothy Wollschlager and located in the NW1/4 in 4-118-47 (Adams East Township).

Chairman Mach asked for a motion to approve Drainage Permit DR2023-11 for Tim Wollschlager. Motion was made by Buttke with a second by Street.

Drainage Officer Berkner began his report for the permit saying it was for approximately 80 acres of land located in the NW quarter of Section 4 in Adams East Township. Berkner stated the project was located entirely within the South Fork Yellow Bank Watershed and would have 2 inlets and 5 outlets; 3-5", 1-8" and 1-12". In total the five outlets could drain as much as 900 gallons of water per minute (GPM) into a natural vested waterway if the tile was installed at a .1% grade.

Berkner reported the 12" outlet line was being oversized to accommodate for expected future drainage from adjoining lands to the west. The two inlets, that would also drain into the 12" outlet line, are located directly adjacent to the BNSF railroad line that runs east to west and have a history of needing cleaning and maintenance. Berkner has received multiple reports over the last year of it being neglected by railroad maintenance crews. In closing Berkner said he thought the tiling project was supported by the County's Drainage Ordinance.

Chairman Mach asked Wollschlager if he had anything to add to the report. Wollschlager said the two inlets would help eliminate the standing water that collects as the vested waterway crosses the BNSF line three times through partially plugged culverts.

Chairman Mach opened the public hearing asking three times for any comments in support of or against permit DR2023-11 with no one responding. Chairman Mach then closed the public hearing and asked the Board to begin discussion.

During the Drainage Board discussion Wollschlager was asked for additional information on future drainage using his 12" outlet. He responded that there was at least an additional 8 acres that could be added. Wollschlager was also asked to

comment on the ongoing condition of the BNSF culverts. He responded that he was unaware of them ever doing regular maintenance.

Commissioner Tostenson commented that he was aware of other landowners reaching out to railroads for permission to clean out plugged culverts. He was aware of at least one occurrence where that permission was granted. The board suggested to Wollschlager that he try to reach out to BNSF and see what their response might be.

The Board also encouraged Wollschlager to consider a “filtered” type of inlet to help slow down water flow during extremely wet conditions. Wollschlager pointed out that the water being “caught” by the inlets would be in grassy areas.

With no more discussion Chairman Mach called for the vote which passed 5-0.

Permits DR2023-12, DR2023-13, DR2023-14, for DR2023-15 for Michael Schneck for properties owned by Schneck Real Estate LTD Partnership and Kurt Sandt Trust and located in 34-120-48 (Alban West Township).

Chairman Mach asked for a motion to approve Drainage Permits DR2023-12, DR2023-13, DR2023-14, and DR2023-15 for Michael Schneck. Motion was made by Street and seconded by Buttke.

Drainage Officer Berkner began his report for the four permits stating there are approximately 200 acres of adjoining land located in Section 34 in Alban West Township. The projects are located entirely within the North Fork Yellow Bank Watershed and would have up to 4 inlets and 5 outlets, 2-5” and 3-8” that all drain to the west, that would enter a vested waterway flowing north before it enters the river.

Berkner stated the combined 5 outlets could drain as much as 1,130 GPM if the tiles were installed at a .1% grade. During the permitting application process Schneck had eliminated one outlet and the need for boring under County Road 35. Berkner said he was not contacted by any person with regards to the permits. In closing he believes the tiling project is supported by the County’s Drainage Ordinance.

Schneck was asked if he had anything to add to the report. He said he would be available to answer questions if they came up.

Chairman Mach opened the public hearing asking three times for any comments in support of or against permits DR2023-12, DR2023-13, DR2023-14, DR2023-15 with no one responding.

During the Drainage Board discussion for the 4 permits Schneck was asked to give additional details about the 4 planned inlets. Schneck said the inlets would be 8" in size and 3 of them would be installed for sure and only a 4th if it was deemed necessary during the installation process. Schneck also was asked if they would be "open", unfiltered inlets. He responded yes.

Schneck was asked by Tostenson to expand on the need for the 4th inlet. Schneck stated since the redesign and eliminating crossing the road, there may be a need for an additional inlet but stated again that was yet to be determined and would be reported if it is installed.

The Board asked where the surface water flows currently. Schneck answered that most of it flows to the east under County Road 35 through culverts which he said can take a couple of days. He said the permit designs being considered would be taking that same surface water directly to the vested waterway to the west. The board then asked Schneck to consider using filtered inlets where possible.

Another Commission discussion centered around future drainage permitting in the county where it was asked "have landowners reached a limit" on land that needs tiling where it was mentioned that there are "definitely less potholes" around that aren't considered certified wetlands.

Because of recent Spring flooding on the Whetstone River near Big Stone City it was asked of Drainage Officer Berkner to provide and make available additional information on the number of drainage permits issued by the county in the Whetstone River Watershed to be presented at a later time.

Chairman Mach called for the vote to approve DR2023-12, DR2023-13, DR2023-14, and DR2023-15 permits. Motion carried 5-0.

This concluded the business for the Drainage Board. Chairman Mach adjourned the Drainage Board and reconvened as the Board of Commissioners.

Highway: Supt Peterson had reviewed the rip rap, sand, and gravel bids with Commissioner Assistant Layher earlier and the motions are correct from the April 4th bid letting. No further action was necessary.

Motion by Street and seconded by Buttke to authorize the advertising of Box Culvert Project 26-270-237 for bids, pending SDDOT bid letting authorization. Motion carried 5-0.

Motion by Stengel and seconded by Street to authorize the advertising of Box Culvert Project 26-310-177 for bids, pending SD DOT bid letting authorization. Motion carried 5-0.

Supt Peterson showed the Commissioners aerial views and pictures of the flood damage the highway department has responded to. He suggested we have Banner Engineering reinspect several of the bridges after the flooding has subsided. Right now, Supt Peterson has eleven roads closed and 51 areas with problems and he has more to look at.

Permit: Dakota Air Spray submitted a permit to land aircraft on county roads. The applicant must follow SDCL 50-2-2.1 and Administrative Rule 70:02:02:08 which requires the highway superintendent to be notified. Certificate of insurance is on file with applicant assuming all liability. The agreement is only for 2023. Motion by Tostenson and seconded by Stengel to approve the permit for the calendar year 2023. Motion carried 5-0.

Budget Supplement: The budget supplement hearing for the Rural Access Infrastructure Funds was held with no members of the public present. The purpose of the budget supplement of \$200,000 is to adopt budget authority for the change to budget #295 RAIF for reimbursement to the qualified townships for their 2023 culvert projects. The source of cash being from the State RAIF Grant in General Fund 101 in the amount of \$200,000. Motion by Buttke and seconded by Tostenson to approve the budget supplement with the source of cash being a state grant in the General Fund 101. Motion carried 5-0.

Department Reports: Librarian Tammy Wollschlager reported they are finishing the school year programs and preparing for the summer reading kickoff on May 31. Their current adult ELL classes are continuing through the end of May with 66 people enrolled in the program and averaging 45 a week attending. She gave the Commissioners a copy of the library's 2022 annual report. Magazines, periodicals, and computer use are plummeting, but her program numbers are up on their special events.

Treasurer Karla DeVaal reported that the tax season is in full swing and motor vehicle renewals are not slowing down. The new staff is doing well. They are trying to educate the customers on what they need to bring in for MV transactions.

4-H Advisor Sara Koepke reported on their programs: Food Fun 4-H, OST Sewing Club and Virtual Kid Care. Shooting Sports is wrapping up and she is getting ready for summer programs. The new building has held the indoor Easter Egg Hunt, the State EOC meeting, veteran's group meetings and National Ag Week Conference. In May there will be graduation receptions held there. The AED has been installed. She is getting a quote for a commercial refrigerator. She has applied for a grant to cover the cost of a live stream connection and cameras in the livestock building. The cost for three cameras and installation is \$3,279. The quote from Whetstone Valley Electric for the fire alarm system is \$26,406. Commissioner Tostenson asked Koepke to research building up the driveway into the 4-H grounds and/or pavement of it and getting more partitions for the building.

Travel: None

County Assistance: Motion by Stengel and seconded by Buttke to deny case PR2023-01. Motion carried 5-0.

Cash Transfers: Motion by Tostenson and seconded by Stengel to approve the cash transfers as per the 2023 budget. Motion carried 5-0.

FROM	TO	
AMOUNT		
101 General Fund	226 EM Fund	45,000
101 General Fund	766 Law Library Fund	4,100

Executive Session: None

Unfinished Business: None

New Business: Chairman Mach asked Commissioner Assistant Layher to get quotes for putting in stop signs with flashing lights at the intersection of 482nd Avenue and 149th Street.

Disaster Declaration: Motion by Street and seconded by Buttke to approve the following disaster resolution. Motion carried 5-0. Resolution adopted.

2023-05

RESOLUTION FOR DECLARATION OF EMERGENCY/DISASTER

WHEREAS, GRANT COUNTY, South Dakota, has suffered severe infrastructure damage, brought on by the 2023 Spring Flood on dates of April 11-13, 2023.

WHEREAS, GRANT COUNTY has committed all available resources and taken all possible actions within the jurisdictional boundaries to combat and to alleviate the emergency/disaster, local resources are not adequate to cope with the situation.

NOW, THEREFORE, BE IT RESOLVED by the Grant County Commission at a regular meeting held on April 18, 2023, it is hereby requested that the Governor declare an emergency/disaster to exist for the County of Grant, South Dakota.

Date: April 18, 2023

Michael J. Mach, Chairman,
Grant County Commissioners

ATTEST:
Kathy Folk
Grant County Auditor

Correspondence: None

Claims: Motion by Stengel and seconded by Street to approve the claims. Motion carried 5-0. 15 HOTEL GROUP, motel 2,047.00; A-OX WELDING, supplies 16.03; ACCESS ELEVATOR, repair & maint 1,227.14; ADVANCED TECHNOLOGIES, supplies 57.98; ANN TUCHSCHERER, prof services 1,200.00; BEACON CENTER, 1st qtr domestic abuse 180.00; BERENS MARKET, inmate groceries and supplies 380.27; BIEN PHARMACY, inmate rx 96.26; BORNS GROUP, mailing expense 3,565.12; BOYER FORD TRUCKS, supplies 302.87; BUTLER, parts 4,469.62; CENTER POINT, books 495.69; CITY OF MILBANK, water & sewer 513.11; CITY OF WATERTOWN, 911 surcharge 6,262.99; CODY KELLY, prof services 160.00; COLEPAPERS, supplies 431.56; COLLEEN NATALIE, prof services 1,200.00; CONSOLIDATED READY MIX, sand 107.19; CRAIG DEBOER, car wash usage 469.56; FARM & HOME PUBLISHERS, reference books 250.00; FIRST BANK & TRUST/VISA, gas, motel, equip 6,094.10; FIRST DISTRICT, prof services 350.00; GRANT CO LIBRARY, supplies 257.00; GRANT CO REVIEW, publishing 1,798.29; GRANT-ROBERTS RURAL WATER, water usage 38.70; HELSPER, MCCARTY & RASMUSSEN, court appt atty 3,918.05; HUMAN SERVICE AGENCY, 2nd qtr appropriations, 8,272.30; INGRAM, books 1,415.55; INTER-LAKES COMMUNITY ACT, service worker 2,628.00; ITC, phone &

internet 2,182.09; ISTATE TRUCK CENTER, parts 234.37; JACK'S BODY SHOP, repair & maint 929.00; JASON SACKREITER, garbage service 305.00; LEWIS, supplies 356.62; MICROFILM IMAGING SYSTEMS, scanner rent 642.00; MICROMARKETING, audio-visuals 44.99; MILBANK AREA HOSPITAL AVERA, health services 110.83; MOMAR, supplies 290.15; NORTHWESTERN ENERGY, natural gas 1,030.37; OTTER TAIL POWER, electricity 3,881.67; RC TECHNOLOGIES, 911 transport & tower rent 95.96; RELX, online charges 725.00; RIVER STREET PETROLEUM, ethanol & diesel 14,108.73; RUNNINGS, supplies 2,410.37; SANDRA FONDER, prof services 87.50; SCANTRON, prof services 2,159.99; SDAAO, registration 470.00; SIOUX FALLS EXTENDED STAY, motel 1,764.00; STATE OF SD, supplies 52.00; TOWN OF STRANDBURG, lib internet 264.48; TRAPP PLUMBING, repair & maint 465.63; TWIN VALLEY TIRE, repair & maint 34.33; VALLEY OFFICE PRODUCTS, supplies and furniture 1,817.21; VALLEY SHOPPER, publishing 166.08; VERIZON, hotspot 38.52; WHETSTONE HOME CENTER, supplies 178.38; WHETSTONE VALLEY ELECTRIC, electricity 1,105.62; XEROX, copier rent 418.46; ZEM'S, contracted projects 3,254.97. TOTAL: \$87,828.70.

MONTHLY FEES: SDACO, ROD modernization fee 208.00; SD DEPT OF REVENUE, monthly fees 227,675.48; SDACC, workshop registration 110.00. TOTAL: \$227,993.48.

Payroll for the following departments and offices for the April 14, 2023, payroll are as follows: COMMISSIONERS 7,202.10; AUDITOR 7,754.88; ELECTION 119.89; TREASURER 5,730.14; STATES ATTORNEY 7,298.20; CUSTODIANS 3,009.50; DIR. OF EQUALIZATION 4,395.20; REG. OF DEEDS 4,567.30; VET. SERV. OFFICER 1,315.80; SHERIFF 16,384.04; COMMUNICATION CTR 7,884.06; PUBLIC HEALTH NURSE 1,256.40; ICAP 70.00; VISITING NEIGHBOR 1,934.60; LIBRARY 7,567.18; 4-H 3,984.44; WEED CONTROL 2,111.40; P&Z 1,163.58; DRAINAGE 736.58; ROAD & BRIDGE 38,593.58; EMERGENCY MANAGEMENT 2,520.00. TOTAL: \$125,598.87.

Payroll Claims: FIRST BANK & TRUST, Fed WH 9,610.67; FIRST BANK & TRUST, FICA WH & Match 15,108.08; FIRST BANK & TRUST, Medicare WH & Match 3,533.34; ACCOUNTS MANAGEMENT, deduction 90.55; AMERICAN FAMILY LIFE, AFLAC ins. 1,585.19; ARGUS DENTAL, ins 655.43; WELLMARK-BLUE CROSS OF SD, Employee health ins. 1,953.95; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; SDRS SUPPLEMENTAL, deduction 1,488.83; SDRS, retire 14,187.72. TOTAL: \$48,423.76.

Consent: Motion by Street and seconded by Buttke to approve the consent agenda.
Motion carried 5-0.

1. Approve Lisa Athey as a volunteer for the Library Summer Reading program in Milbank
2. Approve correcting the wage for Cheryl Schweer from \$16.25 to \$17.85 for library associate
3. Set County land lease sale for May 2 at 9 am

It is the policy of Grant County, South Dakota, not to discriminate against the handicapped in employment or the provision of service.

The next scheduled meeting dates will be May 2 and 16 and June 6 and 20, 2023 at 8 AM. Motion by Stengel and seconded by Tostenson to adjourn the meeting.
Motion carried 5-0. Meeting adjourned.

Kathy Folk, Grant County Auditor

Michael J. Mach, Chairman, Grant County Commission