

December 17, 2024

The Grant County Commission met at 8 AM with Commissioners Buttke, Street, Mach, Stengel and Tostenson present. Chairman Tostenson called the meeting to order. Motion by Mach and seconded by Buttke to approve the December 3rd, 2024, minutes. Motion carried 5-0. Minutes filed. Motion by Street and seconded by Stengel to approve the agenda. Motion carried 5-0.

Present from the public were Keith Pillatzki, Francis Brandenburger, Ben Rethke, Greg Streich, Spencer Street, Grant Street and Joe Kanthak. Staff members present were Commissioner Assistant Layher, Hwy Supt Peterson, Sheriff Owen, Drainage Officer Berkner and States Attorney Schwandt.

Public Comment: Chairman Tostenson called three times for public comment. There were no comments.

The Auditor's Account with the Treasurer for November 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 November 2024.

Cash on Hand	\$2,331.74
Checks in Treasurer's possession	
less than 3 days	\$44,299.38
Cash Items	\$0.00
	\$46,631.12

TOTAL CASH ASSETS ON HAND

RECONCILED CHECKING

First Bank & Trust	\$71,057.46
Interest	\$0.00
Credit Card Transactions	\$12,859.41
First Bank & Trust (Svgs)	\$9,579,249.50

CERTIFICATES OF DEPOSIT

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

TOTAL CASH ASSETS**\$9,709,797.49****GENERAL LEDGER CASH BALANCES:**

General	\$5,334,097.79
General restricted cash	\$1,718,000.00
Cash Accounts for Offices General Fund	\$656.00
Sp. Revenue	(\$236,791.91)
Sp. Revenue restricted cash	\$0.00
Ambulance District	\$4,439.93
Henze Road District	\$0.00
TIF Milbank	\$0.00
TIF Rosewood Mil-3	\$0.00
TIF Koch	\$0.00
Special Assessment Land Rent	\$0.00
Trust & Agency (schools 310,085.58.43, twps 34,104.70 city/towns 29,438.47)	\$2,889,395.68
ACH Correction	\$0.00

TOTAL GENERAL LEDGER CASH**\$9,709,797.49**

Dated this 6th day of December, 2024

Kathy Folk

County Auditor

The Register of Deeds fees for the month of November were \$6,673.75. The Clerk of Courts fees for the month of November were \$6,164.59. The Sheriff fees for the month of November were \$5,299.80 with \$3,279.80 received into the General Fund. Statistics for the months of October and November for the Sheriff's Office were presented by report. October: Average Daily inmate population 5.74; Number of bookings 11; Work release money collected \$820.00; 24/7 Preliminary Breath Test (PBT) fees collected \$276.00; SCRAM (alcohol detecting bracelet) fees collected \$250.00; 24/7 PBT participants 5; SCRAM (Sobriety Program) participants 3; UA participants 6; Calls for Service (does not include walk-in traffic) 262; Accidents investigated 3; Civil papers served 84; Cumulative miles traveled 13,826; 911 calls responded to (including Milbank) 103. November: Average Daily inmate population 3.86; Number of bookings 15; Work release money collected \$560.00; 24/7 Preliminary Breath Test (PBT) fees collected \$477.00; SCRAM (alcohol detecting bracelet) fees collected \$340.00; 24/7 PBT participants 6; SCRAM (Sobriety Program) participants 3; UA participants 5; Calls for Service (does not include walk-in traffic) 334; Accidents investigated 2; Civil papers served 45; Cumulative miles traveled 14,821; 911 calls responded to (including Milbank) 83.

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

Chairman Tostenson called for a motion to bring drainage permits DR2024-75a through DR2024-75e for Ben Rethke and Chad Boehnke back to the table. Motion by Street and seconded by Buttke to bring back to the table permits DR2024-75a to DR2024-75e. Chairman Tostenson called for the vote. Motion carried 5-0.

Drainage Officer Berkner gave an update on the permits. They are for tiling approximately 100 acres in the S1/2 of Section 36 in Big Stone Township. A final vote by the drainage board was tabled twice at the request of the permittee so possible design changes could be made to address the concerns of downstream landowners, Keith Pillatzki and Greg Streich. The downstream landowners estimated since there isn't a natural blue-line outlet for the water being drained, they could lose 35 to 40 acres of production area to possible higher water levels.

Drainage board discussion followed and Rethke, Pillatzki and Streich were allowed to make comments and answer questions. The three of them believe a solution to the flooding concerns could be made if they work together on sharing a common design. Rethke asked to present the shared design at the February 4th drainage board meeting.

States Attorney Schwandt reminded the parties involved that any changes to the original design of Rethke's, and any new design for Pillatzki and Streich, would have to have proper public notices before being heard by the drainage board. Motion by Stengel and seconded by Buttke to table the drainage permits until the February 4th meeting. Chairman Tostenson called for the vote. Motion carried 5-0.

Chairman Tostenson asked Berkner to give an update on DR2023-32 and DR2023-33 for Dennis Kohl, located in the W1/2 of Section 28 in Vernon West Township. At the last meeting Berkner was asked to work with Kohl on updating his original drainage permits' design that were approved in 2023. Berkner said he met with Kohl and Kohl made the required permit application to amend his original drainage permits to add a lift pump. He also wanted the flexibility to install an additional inlet if needed. Berkner added in the permit application Kohl asked to install approximately 600 feet of new tiling, with its own open inlet, to run adjacent to the county's road ditch on the north side of 159th Street. Berkner said the drainage permit application is scheduled for the January 7th drainage board meeting.

Chairman Tostenson called for a motion to continue discussion on a complaint of a non-permitted drainage inlet in Section 10 of Adams East Township that was tabled at the December 3rd drainage board meeting. Motion by Stengel and seconded by Buttke to bring back to the table the drainage complaint from Section 10 of Adams East Township. Chairman Tostenson called for the vote. Motion carried 5-0.

Berkner gave an update on the inlet that had been installed without a drainage permit by Joe Kanthak, the owner of the land in Section 10, as part of DR2021-19 with an out-letting main which crossed Kanthak's land and connects to a 24" tile main owned by Francis Brandenburger. Berkner added the county had asked Kanthak to disconnect the same inlet in 2022. It was closed without incident and the county considered the matter closed. Berkner said this fall Brandenburger had contacted the drainage office again stating the same inlet had been re-connected sometime over the summer without Brandenburger's permission, and without the required county drainage permit. Berkner concluded since the last meeting both Kanthak and Brandenburger have agreed to work together to properly permit the inlet. They expect the permit to be applied for over the next few months.

Chairman Tostenson reminded the board whether the parties had worked out a solution to have the inlet properly permitted, it was done without a drainage permit. Therefore, there is still an issue. States Attorney Schwandt stated the county drainage ordinance allows for a civil penalty to be assessed if they choose to do so as they have with other past drainage violations. The drainage board then agreed that a penalty should be assessed and discussed possible penalty amounts to consider. After a lengthy discussion Schwandt suggested that the board consider the actual penalty amount at a future drainage board meeting.

Kanthak and Brandenburger thought they would have everything worked out by the April 15th drainage board meeting. Motion by Mach and seconded by Stengel to table the penalty phase to coincide with the future drainage permit to allow the inlet no later than April 15th. Chairman Tostenson called for the vote. Motion carried 4-0 with Street abstaining from the vote.

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

Hwy Dept: **New Hire:** Hwy Supt Peterson requested approval to hire Landon Stallman as the highway mechanic. Motion by Stengel and seconded by Buttke to

approve hiring Landon Stallman as a mechanic at \$23.35 per hour effective 12-16-24. Chairman Tostenson called for the vote. Motion carried 5-0.

Pickup Purchase: Supt Peterson requested approval for purchasing a 2024 Dodge Ram Diesel Crew Cab pickup from Aberdeen Chrysler for \$66,076. Motion by Mach and seconded by Street to approve purchasing the 2024 Dodge Ram pickup for \$66,076. Motion carried 5-0. Peterson requested approval to purchase a Flat-Bed and accessories for \$4,400 from Aberdeen Chrysler. Motion by Street and seconded by Buttke to approve the purchase of the Flat-Bed and accessories for \$4,400. Motion carried 5-0.

Travel: Commissioner Assistant Layher requested travel approval for department heads to travel to the 2025 legislative session if needed. Motion by Buttke and seconded by Stengel to approve department heads travel to the 2025 legislative session. Motion carried 5-0.

County Assistance: None

Post Election Audit: Auditor Folk presented the results of the Post Election Audit for the November 5, 2024, general election. The Public Utilities Commissioner race and Amendment H in precinct Milbank 1-1 were audited by a three-person board. After manually counting the races, the results of both races matched the election night tabulator count and county canvass with 100% accuracy.

Auto Supplement: Motion by Buttke and seconded by Stengel to approve an auto supplement of revenue and expense of \$10,000 to 624 Drainage for penalty reimbursement. Motion carried 5-0.

PC Quote: Motion by Buttke and seconded by Stengel to approve the computer replacement quote from SecurServ per the 2025 budget for \$18,364.14 for 11 computers and installation. Motion carried 5-0.

Chairlift: Motion by Stengel and seconded by Buttke to approve the maintenance agreement with Access Elevator for one site visit in 2025 for \$600 for the chairlift. Motion carried 5-0.

Elevator Change Order: Commissioner Assistant Layher presented two change orders for the elevator project. The first is rerouting the plumbing line in the basement janitorial sink and installing a sump pump and electrical lines for \$8,329. The second is to move pipes for the chiller unit on second and third floor that are

currently where the elevator shaft will be for \$2,807. Motion by Mach and seconded by Stengel to approve the two change orders from Hasslen Construction for the elevator project. Motion carried 5-0. Layher also stated the insulation of some of the chiller pipes in the basement ceiling need to be replaced due to age and moisture condensation. Hasslen's estimate to strip the insulation off the pipes and add new insulation to be less than \$5,000. Motion by Street and seconded by Buttke to approve Layher to sign the change order for the pipe insulation if under \$5,000. Motion carried 5-0.

Garage and Gazebo: The Commission discussed where to move the garage, gazebo and possible future use of the old jail.

Unfinished Business: None

New Business: Commissioner Tostenson gave an update from the Grant County Development Corporation.

Correspondence: Auditor Folk stated Summit Carbon Solutions application information was received in her office and is on file for future reference.

Claims: Motion by Stengel and seconded by Buttke to approve the claims. Motion carried 5-0. ACCESS ELEVATOR, repairs & maint 577.54; ADVANCED TECHNOLOGIES, supplies 119.96; AGVISORY, prof services 25,000.00; AVERA QUEEN OF PEACE, health services 363.00; BANNER, contracted proj 13,367.06; BORNS GROUP, mailing expense 1,407.15; CHS, diesel & ethanol 11,407.36; CITY OF MILBANK, water & sewer 200.89; CORRIE QUALE, supplies 150.00; CRAIG DEBOER, car wash card 102.96; DETCO, supplies 252.39; DOUGLAS BOHLEN, lot purchase 16,500.00; EASTSIDE EQUIPMENT, repairs & maint 194.16; FIRST BANK & TRUST/VISA, supplies, meals, mailing exp 1,634.98; GRANT COUNTY REVIEW, publishing 910.09; GRANT-ROBERTS RURAL WATER, water usage 41.50; GREEN ROBY OVIATT, court appt atty 1,364.50; INGRAM, books 2,121.14; INTER-LAKES COMMUNITY ACTION, service worker 2,628.00; ITC, phone & internet 2,315.32; ISTATE TRUCK CENTER, parts 213.35; JASON SACKREITER, garbage service 330.00; LEWIS FAMILY DRUG, supplies 435.72; LOCATORS AND SUPPLIES, supplies 813.58; MICROFILM IMAGING SYSTEMS, scanner rent 862.00; MIDCO, lib internet 108.92; MILBANK AUTO PARTS, parts & supplies 247.70; MNB CLEANING, prof services 700.00; NORTHWESTERN ENERGY, natural gas 183.48; NOVAK SANITARY SERVICE, shredding service

473.85; OTTER TAIL POWER, electricity 2,476.09; QUICK PRO LUBE, repairs & maint 135.49; RC TECHNOLOGIES, 911 transport 95.96; RIVER STREET PETROLEUM, ethanol 1,919.20; RUNNINGS; supplies 1,009.31; SANDRA FONDER, prof services 130.00; SCANTRON, prof services 12,711.03; SD DEPT TRANSPORTATION, contracted proj 103,716.27; SD SECRETARY OF STATE, insurance 30.00; THE SHOP, parts 13.65; ST WILLIAMS CARE CENTER, inmate laundry 49.00; STAR LAUNDRY, rentals 179.71; STATE OF SD, supplies 166.35; THOMSON REUTERS, ref books 321.60; TRUENORTH STEEL, culverts 33,165.00; TWIN VALLEY TIRE, repairs & maint 4,253.08; VALLEY OFFICE PRODUCTS, supplies 1,533.05; VALLEY SHOPPER, publishing; 28.83; VERIZON, hotspot 38.52; WHETSTONE HOME CENTER, supplies 491.48; WHETSTONE VALLEY ELECTRIC, electricity 721.53; XEROX, copier rent 858.00. TOTAL: \$249,069.75.

MONTHLY FEES: SD DEPT OF HEALTH, SDACO, ROD modernization fee 162.00; SD DEPT OF REVENUE, monthly fees 198,555.59. TOTAL: \$198,717.59.

Payroll for the following departments and offices for December 13, 2024, payroll are as follows: COMMISSIONERS 7,861.04; AUDITOR 11,469.94; ELECTION 360.75; TREASURER 5,841.44; STATES ATTORNEY 7,571.14; CUSTODIANS 3,558.90; DIR. OF EQUALIZATION 4,672.21; REG. OF DEEDS 4,919.58; VET. SERV. OFFICER 1,483.20; SHERIFF 19,803.45; COMMUNICATION CTR 11,085.65; VISITING NEIGHBOR 1,800.18; LIBRARY 8,976.33; 4-H 4,237.58; WEED CONTROL 2,221.40; P&Z 1,389.90; DRAINAGE 598.90; ROAD & BRIDGE 32,216.73; EMERGENCY MANAGEMENT 2,574.00. TOTAL: \$132,642.32.

Payroll Claims: FIRST BANK & TRUST, Fed WH 9,385.56; FIRST BANK & TRUST, FICA WH & Match 16,036.28; FIRST BANK & TRUST, Medicare WH & Match 3,750.40; ACCOUNTS MANAGEMENT, deduction 52.17; BREIT & BOOMSMA, 27.69; AMERICAN FAMILY LIFE, AFLAC ins. 1,612.48; RELIANCE STANDARD LIFE DENTAL, ins. 402.10; RELIANCE STANDARD SUPPLEMENT LIFE, ins. 142.76; WELLMARK-BLUE CROSS OF SD, Employee health ins. 1,881.18; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 1,325.00; SDRS SUPPLEMENTAL, deduction 1,458.33; SDRS, retire 15,205.96. TOTAL: \$51,279.91.

Executive Session: Motion by Mach and seconded by Buttke to enter executive session at 10:30 AM for the purpose of a personnel issue(s) pursuant to SDCL 1-25-2 (1). Motion carried 5-0. Commissioner Assistant Layher and Auditor Folk were present. Chairman Tostenson declared the meeting open to the public at 11:15

AM. Motion by Mach and seconded by Buttke to approve hiring Wade Leddy as deputy DOE at \$22.65 per hour effective 12-30-24. Motion carried 5-0.

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 date will be December 31, 2024, at the 4-H Complex. Starting in January the meetings will be moved to the Grant County Library. The January meeting dates are January 7 and 21, 2025 at 8 AM. Motion by Stengel and seconded by Buttke to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Kathy Folk, Grant County Auditor

William Tostenson, Chairman, Grant County Commissioners