

February 2, 2021

The Grant County Commission met at 8AM with Commissioners Buttke, Mach, Stengel, Street and Tostenson. Chairman Tostenson called the meeting to order and for a motion to approve the minutes. Motion by Mach and seconded by Buttke to approve the minutes of the January 19 and 26, 2021 meetings. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0. Minutes filed. Motion by Street and seconded by Stengel to approve the agenda as presented. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0.

Member of the public present was Jim DeVaal. Kathy Tyler, Jay Gilbertson and Todd Kays joined the meeting telephonically.

The Chairman called for public comment. No member of the public addressed the Commission.

**Drainage:** Chairman Tostenson reviewed the items discussed at the last meeting concerning the drainage ordinance such as; stream capacity, a plan as referenced in state law, if a plan needs to be adopted, the cost of a hydrologist for the county and the applicant of a permit, the mechanism used to notify the citizens of drainage, the notification of landowners two miles downstream, and mediation. Chairman Tostenson stated he would like to ask to postpone the vote on the repeal of the drainage ordinance and to appoint a committee made up of two Commissioners, States Attorney Schwandt, Assistant States Attorney Mark Reedstrom, Auditor Layher, Jay Gilbertson and Todd Kays to review the current ordinance and state laws to determine what can be done to address all the issues that have been brought forth through the discussion process the Commission has had, including the cost of implementing a drainage plan. He would like the committee to meet and review their findings or suggestions at the March 2 meeting with a final report and possible action at the March 16 meeting. Motion by Mach and seconded by Stengel to postpone the vote on the repeal of the drainage ordinance and to form a committee consisting of the prior listed individuals to review the laws, the county drainage ordinance and with findings to be presented on March 2 and a proposed vote on the repeal of the drainage ordinance or action on a new or revised ordinance at the March 16 meeting. Discussion was held on the short time frame for the committee to meet, what could be changed in the ordinance and following

hearing notices if a new ordinance is proposed. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0. Chairman Tostenson appointed himself and Vice Chairman Stengel to serve on the committee.

**Highway:** Supt Schultz requested approval for ROW occupancy applications from Whetstone Valley Electric for work being completed in Alban, Big Stone, Melrose and Osceola Townships. Motion by Mach and seconded by Street to approve the following requests from WVEC. Chairman Tostenson called for a roll call vote. Street aye, Buttke aye, Stengel aye and Mach aye. Commissioner Tostenson recused himself from the vote. Motion carried 4-0.

1. ROW 2021-01, Section 4 & 9, Township 120, Range 48, (Alban) at 480<sup>th</sup> Ave and 149<sup>th</sup> St (Co. Rd 10)
2. ROW 2021-02, Section 3 & 10, Township 121, Range 47, (Big Stone) on 143<sup>th</sup> St (Co. Rd 2)
3. ROW 2021-03, Section 19 & 17, Township 121, Range 48, (Melrose) at 474<sup>th</sup> Ave and 145<sup>th</sup> St (Co. Rd 4)
4. ROW 2021-04, Section 17 & 18, Township 121, Range 48, (Melrose) at 474<sup>th</sup> Ave and North of 145<sup>th</sup> St (Co. Rd 21)
5. ROW 2021-05, Section 27, 28, 33 & 34, Township 121, Range 48, (Melrose) on 476<sup>th</sup> (Co. Rd 23)
6. ROW 2021-06, Section 1, 3, 10 & 12, Township 121, Range 50, (Osceola) on 143<sup>rd</sup> St (Co. Rd 2)
7. ROW 2021-07, Section 17 & 18, Township 121, Range 50, (Osceola) on 462<sup>nd</sup> Ave (Co. Rd 5)

**Otter Tail:** A request was received from Otter Tail to install a gate on a culvert in our ROW to satisfy an EPA regulation. The gate would only be closed when the plant is pumping lake water. The gate is a safety measure to prevent the water from going down the road ditch. Motion by Stengel and seconded by Buttke to approve the installation of the gate on the culvert on Co Rd 34 in accordance the EPA guidelines. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0.

Kerwin handed out a report prepared by Banner Engineering for asphalt pavement repair and replacement options for these segments of roads. The first segment is for two miles by LaBolt, CR 18, from 476<sup>th</sup> Ave to 478<sup>th</sup> Ave (Hwy 15) and two miles of CR 34 from 484<sup>th</sup> Ave to 486<sup>th</sup> Ave (Hwy 109) by the Ethanol Plant. Chairman Tostenson requested to place the report on the February 16 agenda to allow the Commission time to read the report.

Commissioner Street asked if County Road 19 was going to be used as a detour road for the rebuilding of Hwy 15 the State is planning. He questioned when CR 19 was scheduled for an asphalt lift and if the County should wait until both phases of the Highway 15 project is completed. The county highway plan is for County Rd 19 to receive an asphalt lift from State Hwy 12 going south for 6 miles in 2021 including the replacement of the bridge by the Threshing Bee grounds. The asphalt plan is to continue with asphalt on CR 19 going south to the Deuel County line.

Annual Bid Letting: Motion by Mach and seconded by Stengel to set April 1 at 1 PM for the opening of the annual bid letting for highway supplies with the acceptance of the bids on April 6. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0.

**DOE:** Kathy Steinlicht met with the Commission to discuss HB1099. The bill proposes changing the ag exemption from 10,000 to 100,000. Kathy provided the following report showing how this change would affect Grant County. There are 496 parcels with an AG exemption at the present time and the decrease in value with the added exemption change to 100,000 will be a decrease of \$11,689,614 in valuation. This is approximately 19% of our total AG building value in Grant County. Of the new construction for 2021, Ag buildings accounted for 13.4% of the total growth. Any portion that is exempt cannot be considered as growth either. The loss of growth or valuation would be a huge impact on counties and would push a larger tax burden over to the owner-occupied and the Non-Ag tax parcels. Kathy also figured the impact of changing the exemption amount to 50,000 instead of 100,000. Grant County would see a decrease in Ag building value of \$7,942,245 with a 50,000 Ag exemption and accounts for a 12.8% decrease in the Ag building value for Grant County. In Grant County, Ag land and buildings account for almost 65% of our total value and Non-Ag at 35%. The Commission requested Kathy to submit her data as testimony at the committee hearing and to keep the Commission advised of this bill.

**Special License:** The hearing for a special event malt beverage license was held with no members of the public present. The request for the special license is by the Revillo Fire Dept for the purpose of two fundraisers to be held on March 6 and 27 at the former Grant-Deuel School. Certificate of insurance will be provided by the City of Revillo. Motion by Street and seconded by Buttke to approve the two-malt beverage special event licenses for the Revillo Fire Dept and to waive the \$100 fee

for each license. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0.

**Travel:** Motion by Mach and seconded by Buttke to approve expenses for Commissioners, officials or staff who will need to attend the 2021 legislative session. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0.

**Vehicle Bid Opening:** The bid opening for the sale of the 2015 Chevy Tahoe and the 2014 Dodge Durango was held with no member of the public present. The following bids were received.

	Tahoe	Durango
Bryce Johnson	\$3,005	\$3,505
Uriah Tullous	\$100	\$3,501.09
Jamie Pekelder	NA	\$4,126
Drew Tschakert	\$1,200	NA
Yousef Dabbagh	\$2,668	\$2,668

Motion by Street and seconded by Stengel to accept the bid of \$4,126 from Jamie Pekelder for the Durango and the bid of \$3,005 from Bryce Johnson for the Tahoe and to declare both vehicles as surplus. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0.

**Executive Session:** Motion by Mach and seconded by Stengel to enter executive session at 9:16 AM for the purpose of personnel issues pursuant to SDCL 1-25-2 (1). Chairman Tostenson called for a roll call vote Buttke aye, Street aye, Stengel aye, Mach aye, and Tostenson aye. Motion carried 5-0. Auditor Layher and Sheriff Owen were present. Chairman Tostenson declared the meeting open to the public at 9:56 AM. Motion by Buttke and seconded Street to approve advertising and hiring a part-time Visiting Neighbor Aid for a maximum of 19 hours per week. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0.

**Reports:** VSO Scott Malimanek reported on the COVID vaccines available through the VA in Sioux Falls and the scheduling of the DAV drivers and the veterans. He reported he had opened 10 compensation cases and two pension cases. Traffic to the office is down, but he is making home visits. The Commission asked Scott to track phone calls and client appointments and report this to the Commission each month.

Library: Jody Carlson reported the library services have changed because of COVID. Programming has changed from being held at the library to sending the programming home with the children with only the prizes being picked up at the library. The reading programs are still being held for the different age groups from a reading list from the State and to vote for the books they like. She is hoping the Breakfast with the Bunny can be held outdoors, but no decision has been made yet. The adult centerpiece program was well received. Curbside service is offered for book pickup. Looking forward to again being a center for social gathering at the Library. Numbers of participants will be down this year because of COVID. The repair costs for the roof units for heating and air conditioning continue to be a concern. Commissioner Buttke will work with maintenance on the issue of repairs. Jody thanked the Commission for adding another full-time position in the 2021 budget.

4-H: Sara Koepke reported the Shooting Sports program has started and there are 73 youth enrolled in the four disciplines of shooting and archery. Volunteers are being certified in rifle and archery so there will be more helpers on the line to assist with the youth. The Lego contest organized by Bill and Kathy Steinlicht was a great success with 43 participants. A virtual program entitled Healthy Habits is being prepared for a class at Koch School. The Adopt a Cow program is continuing to be a huge success and a Youth AI Day is being planned for the age group of 11-18 years. A rabbit show is being planned by adult volunteer Jody Carlson to be held at the 4-H grounds. The Building Committee is working with the engineer and is hoping bid letting will be ready in March.

Soil Conservation: Amy Sis reported there were only three sites of trees planted for a total of 8 acres in 2020. The flyer advertising trees this year has produced a lot of phone calls and orders. She reported on the cover crop grants for the local producers. There are 646 acres of seeding booked for 2021 and 8 sites for a total of 21 acres of trees to be planted, CRP re-enrollments, promoting Arbor Day, the tractor is being offered for sale and a tractor will be leased.

EM: Kevin Schuelke reported on the POD meeting held last week. The POD has been under the Dept of Health and it is uncertain what role DOH will have with POD in the future or if the County will need to contract with an independent contractor to facilitate the POD plan. The Pre-Disaster Mitigation Plan has been approved and the reimbursement from FEMA has been received. Discussed COVID vaccinations and the possibility of using the POD if a larger number of vaccines are received. A HMEP exercise is being planned with the fire department personnel. Kevin is working on issuing new ID cards for required personnel. The

2021 Homeland Security grant process has begun, and a list of equipment needs is being put together. Discussed drone training, grant funds for dry fire hydrants for the SD side of Big Stone Lake, radio and paging problems which is being worked on by Motorola and the 911 provider out of MN. Parts are ordered for the repair, discussed issues between digital and analog pagers and the need for another tower location. A suggestion was made for a meeting of the surrounding counties, law enforcement personnel and EM to discuss the radio, paging and tower issues. Chairman Tostenson asked Kevin to report back at the March 2 meeting on the paging issue and with a draft letter on the need for an additional tower. Discussed setting up a meeting with local fire depts to discuss grant funding opportunities.

**Range Fire Suppression:** A letter from the SD Dept. of Agriculture Wild Land Fire Suppression was reviewed. The letter requested the Commission provide the department with a list of individuals who would be authorized to request assistance from the State of South Dakota, under the County Rangeland Fire Protection Agreement. Motion by Mach and seconded by Stengel to approve the following resolution for appointing designees authorized to request state fire assistance. Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0. Resolution adopted.

RESOLUTION 2021-03

A Resolution for selecting designees authorized to request firefighting resources on behalf of the County Board of Commissioners:

“BE IT HEREBY RESOLVED, that the list of individuals set forth below, are hereby authorized to request rangeland fire assistance, on behalf of the County of Grant as specified in SDCL 41-20A-11. The authority to request assistance as provided shall continue in full force and effect until terminated or modified by resolution of the County of Grant Board of Commissioners.”

County Fire Assistance Authorization List: Effective Date: February 2, 2021.

Name of Individual	Position
Kevin Schuelke	Milbank Fire Chief / EM Director
Joe Wiik	Big Stone City Fire Chief
Tim Meyer	Revilla Fire Chief
Rodney Thaden	Marvin Fire Chief
Ryan Pekelder	Stockholm Fire Chief
Mike Mach	Commissioner
William Tostenson	Commissioner
Marty Buttke	Commissioner
Doug Stengel	Commissioner
William Street	Commissioner

Kevin Owen  
Ryan Bakeberg  
Jeremy Steffensen  
Orville Folk

Sheriff  
Deputy Sheriff  
Deputy Sheriff  
Deputy Sheriff

Dated this 2<sup>nd</sup> day of February, 2021.

William J. Tostenson, Chairman  
Board of Commissioners

ATTEST:

Karen M. Layher, Auditor

**Unfinished Business:** None

**New Business:** None

**Correspondence:** None

**Claims:** Motion by Stengel and seconded by Street to approve the claims. Chairman Tostenson called for a roll call vote. Street aye, Buttke aye, Stengel aye, Mach aye, and Tostenson aye. Motion carried 5-0. ADVANCED TECHNOLOGIES, supplies 32.99; AMERICAN LIBRARY ASSOC, dues 225.00; CENTER POINT, books 453.57; CENTURYLINK, phone 452.73; CHS, ethanol 1,688.72; CITY OF MILBANK, water & sewer 599.89; CRIMESTAR, support renewal 2,100.00; D-WARE, maint agreement 4,600.00; DARCY LOCKWOOD, prof services 15.00; DELORIS RUFER, lib rent 100.00; FEDEX, postage 39.88; FIRST DISTRICT, dues 8,170.67; G & R CONTROLS, maint 2,137.00; GARY FREDRICHSEN, repairs & maint 5,153.07; FOOD-N-FUEL, inmate meals 273.00; GRANT CO SOIL CONSERVATION, allocation 12,000.00; GRANT COUNTY REVIEW, publishing 988.16; GRANT/ROBERTS AMBULANCE, allocation & supplies 2,625.33; HARTMAN'S, prisoner groceries 150.83; HOPE KARELS, supplies 45.00; INSIGHT, supplies 484.83; ISTATE TRUCK CENTER, parts 85.15; JACKSON SCHWANDT, court appt atty 397.70; JUROR FEES, grand jury 667.36; KRISTIN WOODALL, prof services 129.20; LEWIS, supplies 29.94; LUCILLE LEWNO, prof services 165.00; MARK KATTERHAGEN, prof services 15.00; MCLEOD'S, supplies 250.00; MICROMARKETING, audio/visuals 142.57; MIDCONTINENT, lib internet 85.00; MIDWEST TRUCK & PARTS, parts 108.52; MILBANK AREA HOSPITAL AVERA, blabs 1,071.00; MOTOROLA SOLUTIONS, minor equipment 41,177.34; MUNDWILER FUNERAL HOME, prof services 3,500.00; NORTHERN TRUCK, parts 3,286.18; NORTHWESTERN ENERGY, natural gas 1,283.10; PETERS DISTRIBUTING, repair & maint 554.44; PETTY CASH,

postage 3.80; QUICK PRO LUBE, oil chg & repairs 522.93; RC TECHNOLOGIES, 911 transport & tower rent 95.96; RIVER STREET PETROLEUM, diesel 2,398.50; ROCKMOUNT RESEARCH, supplies 247.42; RYAN MAGEDANZ, prof services 2,210.46; SANDRA FONDER, prof services 80.00; SCOTT BRATLAND, court appt atty 4,088.98; SD DEPT OF HEALTH, blabs 410.00; SD DEPT TRANSPORTATION, hwy proj 3,026.59; SDLA, dues 40.00; THE SHOP, repair & maint 125.00; ST WILLIAMS, inmate laundry 66.60; STATE OF SD, supplies 248.50; TROY HOYLES, prof services 550.00; TWIN VALLEY TIRE, supplies 74.15; TWO WAY SOLUTIONS, repair & maint 399.72; VALLEY RENTAL & RECYCLING, allocation 650.00; WAYDE FRAASCH, CPR recert 250.00; WHETSTONE HOME CENTER, supplies 196.32; XEROX, copier rent 751.98. TOTAL: \$111,720.08.

MONTHLY FEES: SDACO, ROD modernization fee 362.00; SD DEPT OF REVENUE, monthly fees 122,993.04. TOTAL: \$123,355.04.

Payroll for the following departments and offices for the January 28, 2021 payroll are as follows: COMMISSIONERS 3,223.90; AUDITOR 8,584.48; ELECTION 76.29; TREASURER 4,032.65; STATES ATTORNEY 6,051.42; CUSTODIANS 3,165.85; DIR. OF EQUALIZATION 3,974.56; REG. OF DEEDS 4,072.14; VET. SERV. OFFICER 1,171.50; SHERIFF 13,973.81; COMMUNICATION CTR 7,117.60; PUBLIC HEALTH NURSE 841.50; ICAP 82.23; VISITING NEIGHBOR 1,800.98; LIBRARY 7,221.10; 4-H 3,605.20; WEED CONTROL 1,957.40; ROAD & BRIDGE 32,635.18; EMERGENCY MANAGEMENT 2,288.00. TOTAL: \$105,875.79.

Payroll Claims: FIRST BANK & TRUST, Fed WH 8,130.03; FIRST BANK & TRUST, FICA WH & Match 12,756.22; FIRST BANK & TRUST, Medicare WH & Match 2,983.28; AAA COLLECTIONS, deduction 33.42; AMERICAN FAMILY LIFE, AFLAC ins. 1,417.19; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 51,431.54; COLONIAL LIFE INS, ins 37.98; DEARBORN NATIONAL, life ins. 276.77; LEGAL SHIELD, deduction 63.75; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; OPTILEGRA, ins 450.56; SDRS SUPPLEMENTAL, deduction 1,195.83; SDRS, retire 12,138.10. TOTAL: \$91,124.67.

**Consent:** Motion by Stengel and seconded by Buttke to approve the consent agenda as presented. Chairman Tostenson called for a roll call vote. Street aye, Buttke aye, Stengel aye and Mach aye. Commissioner Tostenson recused himself from the vote. Motion carried 4-0.



1. Approve Community Health Nurse contract for 2021 in the amount of \$7,629 with the Dept of Health
2. Approve the 2021 D-Ware contract for \$4,600 for the highway project accounting software
3. Approve step increase to 1 year at \$19.45 per hour for Hwy employee Paul Tostenson effective 1-21-2021
4. Approve new hire for dispatcher, Caroline Hieb, effective January 21, 2021 at \$16.20 per hour

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 February 16 and March 2 and 16, 2021 at 8 AM. Motion by Mach and seconded by Stengel to adjourn the meeting.

Chairman Tostenson called for a roll call vote. Buttke aye, Street aye, Stengel aye, Mach aye and Tostenson aye. Motion carried 5-0. Meeting adjourned.

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Karen M. Layher, Grant County Auditor

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William J. Tostenson, Chairman, Grant County Commission