

February 18, 2020

The Grant County Commission met at 8AM 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 February 4, 2020 meeting. Motion carried 5-0. Minutes filed. Motion by Stengel and seconded by Buttke to approve the agenda as presented. Motion carried 5-0.

Members of the public present were Paul Letsche, Austin Hunt, Blaine Gomer, Evan Grong, Leo Reiffenberger, Bruce Granquist, Gordon Hamann, Darwin Johnson, Mark Granquist, Jerry Settje, Eric Anderson, Bob Wollschlager, Adam Koplín, Jordon Dockter and Greg Vavra.

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

The Auditor's Account with the Treasurer for the month of January 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 January, 2020

Cash on Hand	\$1,154.12
Checks in Treasurer's possession	
less than 3 days	\$29,306.59
Cash Items	\$0.00
<b>TOTAL CASH ASSETS ON HAND</b>	<b>\$30,460.71</b>
RECONCILED CHECKING	
First Bank & Trust	\$3,114.25
Interest	\$0.00
Credit Card Transactions/TIF Fee	\$3,490.89
First Bank & Trust (Svgs)	\$5,368,536.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$0.00
<b>TOTAL CASH ASSETS</b>	<b>\$5,405,601.85</b>
<b>GENERAL LEDGER CASH BALANCES:</b>	
General	\$1,848,728.19

General restricted cash	\$1,500,000.00
Cash Accounts for Offices General Fund	\$605.00
Sp. Revenue	\$1,363,801.96
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$0.00
TIF Apportioning Northern Lights	\$0.00
TIF Milbank	\$0.00
TIF Northern Lights	\$0.00
Special assessment Land Rent	\$0.00
Trust & Agency	\$692,466.70
(schools 206,606.10, twps 28,482.75, city/town 32,918.40)	
<b>TOTAL GENERAL LEDGER CASH</b>	<b>\$5,405,601.85</b>

Dated this 12th day of February, 2020

Karen M. Layher

County Auditor

The Register of Deeds fees for the month of January were \$7,815.00, the Clerk of Courts fees for the month of January were \$6,829.09 and the Sheriff Fees for the month of January were \$4,177.00 with \$2,799.00 receipted into the General Fund. The Sheriff Dept statistics for January: Average Daily inmate population 3; Number of bookings 16; Work release money collected \$0.00; 24/7 Preliminary Breath Test (PBT) fees collected \$202.00; SCRAM (alcohol detecting bracelet) fees collected \$0.00; 24/7 PBT participants 3; SCRAM (Sobriety Program) participants 0; Calls for Service (does not include walk-in traffic) 410; Accidents investigated 5; Civil papers served 55; Cumulative miles traveled 9,620; 911 calls responded to (including Milbank) 83.

**Spring Weight Limits:** Commissioner Street addressed the issue of weight limit exemptions for segments of asphalt roads. He asked the Commission to consider the economic impact the LaBolt and Revillo elevators add to the county by employing 32 individuals and adding value to the county through business expansion.

Due to the number of individuals present for the agenda item on weight limits, Commissioner Tostenson motioned, seconded by Stengel to move the meeting to the Community Room of the Courthouse for this segment of the meeting. Motion carried 5-0. Chairman Mach called the meeting back to order and introduced Greg Vavra with the Local Transportation Assistance Program (LTAP). Greg spoke on applying a tonnage restriction on the asphalt roads and the effect of what happens to the road base if a speed limit is used. The strength of the road comes from the base up. A good base of 12 to 14 inches and 2 to 3 inches of asphalt will support a legal load limit. The county needs to protect the roads against wheel rutting

because once the rutting occurs, the base is already compromised with the edge of the asphalt road being the weakest point. He suggested the Commission preserve the current roads and work on building up the bases to support legal limits in the future. Especially the areas going to businesses. LTAP is a resource for local government with the goal to ensure business moves forward.

Members from the public expressed their concerns and ideas. Comments included how the water level effects the road base; businesses such as the elevators need legal access to the state road system to provide their suppliers, from other states, a route into their facilities; if the suppliers cannot reach the facility, the prices of commodities will drop; fix the road system to carry legal load limits; 85% of every dollar spent by the cheese factory goes back to the producer; the producers and the ag businesses are paying a large share of the tax base; roads affect everyone in the county; if there was a road limit around a 2 mile radius of Milbank commerce would stop, give us a way to carry our product to market; are there currently any road breakups; the LaBolt road used to be part of Hwy 77; more economic development will happen with the granting of access; other counties have these large ag facilities built off of state highways; address the problem of the road base; question of how much more damage is done to the road at 8 ton instead of 7 ton per axle— answer from Greg was 15 to 20% more damage; there are businesses outside of the county that are also affected, but understand the commission's goal is to preserve roads; permits do not fix roads, county will need to take the lead; questions raised on allowing cutting through an asphalt road for tiling purposes because materials settle and cause a dip in the road.

Commissioners /Greg Vavra/ Supt Schultz comments. The county has limited funds; not enough funding to build a new road; work together with us, not against us; concrete used in town for portions of roads; 166 miles of county asphalt roads; the 10% overage allowance from the field increases road damage by 50%; wheel tax gives the county an additional 10 pts when applying for bridge grants; license plates fees are much less than surrounding states; the bridge structures cannot take the weight; the bridge infrastructure across the State needs \$329,000,000 to replace and repair; reduced speed on a road with a breakup does help.

Motion by Commissioner Tostenson and seconded by Stengel, for this year only, the weight limit of 7 ton per axle to remain in place with the addition of a permit system, to be managed through the Highway Supt, to allow the permittee to travel designated segments of asphalt roads at legal load limits. The Hwy Supt will

monitor the roads for any breakups and if breakups do occur, the road will be posted as is allowed under state statute. Secondly, to task the Commission, along with the Hwy Supt to put together a plan to move forward with road repair using a high to low priority rating, to seek out funding opportunities, not excluding the consideration of an opt out or implementing additional funding through the road levy. Lastly, to plan to post all asphalt roads at 7 ton per axle in 2021, allowing the producers' time to plan and adjust their equipment with additional axles.

Chairman Mach called for discussion on the motion. Commissioner Street asked why not exempt certain segments of road to allow the access that is needed for these facilities rather than a permit system. Commissioner Tostenson stated this would be an opportunity to permit certain roads and to plan future road repair. Question was asked if there would be an ag exemption or a permit fee. The state of Minnesota by state statute allows an overage of 2 tons for milk haulers. Question was asked if the Commission would consider going back to the resolution passed in 2019 which had a speed limit restriction of 35mph. Discussion of the amount of moisture in the ground. Discussion on the roads used by Valley Queen to get to the State Highways. Commissioner Street asked if Commissioner Tostenson would consider amending the motion to exempt certain road segments to allow access to the state highway system. Commissioner Mach stated the commission needs to consider other industries for access roads. Commissioner Stengel asked if one road segment for going in and out to the state highways would be an acceptable compromise.

Commissioner Tostenson offered to amend his motion to state a producer or a business should submit their request for the segment of county asphalt road they need to remain at legal weight limit. Hwy Supt will present the list of requests at the March 3 meeting for the commission to review and take action on what roads will be exempted from the 7 ton per axle weight limit. Seconded by Stengel. Chairman Mach called for the vote on the motion as amended. Motion carried 5-0.

Chairman Mach thanked everyone for attending and for the good discussion on roads. The Commission reconvened the meeting in the Commissioner meeting room on second floor.

**Highway:** Chairman Mach informed the Commission he had spoken with States Attorney Reedstrom concerning the ROW application from East River Electric to place poles within the county ROW. States Attorney Reedstrom addressed the issue of this being a commission decision based on this project application. It does

not set precedence for any future permit applications. Commissioner Tostenson recused himself from the discussion. Motion by Stengel and seconded by Street to approve ROW 2020-05 for East River Electric as presented in the application. Motion carried 4-0. Supt Schultz presented a ROW occupancy application from RC Technologies for plowing/boring under or through county roads for the installation of fiber optic cables in the townships of Blooming Valley, Lura, Farmington, Osceola, Mazeppa and Twin Brooks. Motion by Stengel and seconded by Street to approve ROW 2020-06 for RC Technologies as presented in the application. Motion carried 5-0. Supt Schultz presented a ROW occupancy application from Dakota Range III for directional boring on county roads for the purpose of conduction of electricity from the wind turbines to the substation as per the map on file. Motion by Stengel and seconded by Buttke to approve permits ROW 2020-07 through ROW 2020-17 for Dakota Range III as presented in the applications. Motion carried 5-0.

BIDS FOR FUEL

DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
1/03	UPI			2.55
	Cenex			2.675
UPI was the low bidder for a blend of Diesel 1 and 2 at 2.55.				
01/08	UPI			2.55
	Cenex			2.675
UPI was the low bidder for a blend of Diesel 1 and 2 at 2.55.				
01/10	UPI			2.55
	Cenex			2.675
UPI was the low bidder for a blend of Diesel 1 and 2 at 2.55.				
01/10	UPI	2.21		
	Cenex	2.37		
UPI was the low bidder for Ethanol at 2.21.				
01/15	UPI		2.75	
	Cenex		2.80	
UPI was the low bidder for Diesel 1 at 2.75.				
01/23	UPI			2.465
	Cenex			2.50
UPI was the low bidder for a blend of Diesel 1 and 2 at 2.465 for Milbank.				
01/23	UPI			2.465
	Cenex			2.50
UPI was the low bidder for a blend of Diesel 1 and 2 at 2.465 for Marvin.				

**Dept Reports:** Maintenance Supervisor Dave Larsen reported the electrical panel replacement project for the Courthouse had been completed over the past weekend. **Treasurer:** Raynelle Mueller reported the applications for the elderly and disabled assessment freeze are being received, reported on HB 1252, and on delinquent tax letters being prepared. **Assessor:** Kathy Steinlicht reported she is working on the 2020 assessment records in preparation for mailing the assessment notices out by March 1 to all property owners and has been in contact with the Dept of Revenue on the base value for the TIF district being formed by the City of Milbank. **Register of Deeds:** Becky Wellnitz reported new abstract orders are being received for projects, the request for birth records have increased from Minnesota residents, and she is monitoring an online records bill which requires the landowner's consent. **Auditor:** Karen Layher reported the 2017-2018 bi-annual audit is in process, the semimonthly payroll process is going well for the staff, Feb 26 is the annual township association meeting, the Collected/Uncollected tax report for 2019 has been completed indicating 99.35% of taxes being collected, the bank franchise apportionment for \$178,611.58 being apportioned to the taxing authorities.

**Travel:** Motion by Tostenson and seconded by Buttke to approve travel expenses for EM Manager Kevin Schuelke to attend a Flood Fight Operation class in Sioux Falls. Motion carried 5-0.

**EM:** Kevin Schuelke reported the 2020 Homeland Security Grant application period is now open and he would like to continue to seek funding for the PT 25 radio upgrade and also to include a request for additional pagers. Motion by Street and seconded by Stengel to approve applying for the Homeland Security grant listing the equipment as presented. Motion carried 5-0.

**Abatements:** Motion by Stengel and seconded by Buttke to approve the following abatements as presented. Motion carried 5-0.

1. Tax receipt: 199210.0; Partial abatement in the amount of \$31.10 due to the property becoming tax exempt – owned by City of Milbank.
2. Tax receipt: 199213.0; Partial abatement in the amount of \$989.16 due to the property becoming tax exempt – owned by City of Milbank.

**Executive Session:** Motion by Tostenson and seconded by Stengel to enter into executive session at 11:29 AM for the purpose of a personnel issue pursuant to SDCL 1-25-2 (1) and for the purpose of litigation issues pursuant to SDCL 1-25-2(3). Motion carried 5-0. Auditor Layher was present. Chairman Mach declared

the meeting open at 11:44 AM. No action taken as a result of the executive session.

**Unfinished Business:** A proposal from Malone Engineering to provide a design for mechanical and electrical engineering on the proposed 4-H exhibit building for a fee of \$18,500 was discussed. Motion by Tostenson and seconded by Stengel to table until the March 17 meeting. Motion carried 5-0.

**New Business:** A copy of the proposed ordinance amendment for campgrounds was provided to the Commission. The P & Z will hold a hearing on March 10 on the proposed amendment to be sent to the Commission.

**Correspondence:** Thank you card from the Revillo Fire Dept for the funding of bunker gear.

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

1. Approve plats:

2020-03

**RESOLUTION**

BE IT RESOLVED by the Board of County Commissioners of Grant County, South Dakota, that the plat entitled “ **Lots 1, 2, and 3 Reich’s Fourth Addition, located in the Northwest Quarter of Section 12, Township 120 North, Range 49 West of the 5<sup>th</sup> P.M., Grant County, South Dakota,**” which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of the Resolution and certify the same.

Dated this 18<sup>th</sup> day of February, 2020.

Michael J. Mach  
Chairman, Board of County Commissioners  
Grant County, South Dakota

ATTEST:

Karen M. Layher  
County Auditor, Grant County, South Dakota

2020-04

**County Commission Resolution**

It was moved by Commissioner Street, seconded by Commissioner Stengel, motion carried that the **Lot 2 of Cory and Haley Harms Addition** located in the W1/2SW1/4 of Section

20, Township 121 North, Range 47 West of the 5<sup>th</sup> P.M., Grant County, South Dakota, as described above and hereon be approved and accepted and the Chairman is hereby instructed to endorse on such plat this resolution and to certify the same.

Michael J. Mach  
Chairman, Board of County Commissioners  
Grant County, South Dakota

2020-05

### **County Commission Resolution**

It was moved by Commissioner Street, seconded by Commissioner Stengel, motion carried that the **Lot 1 of Dereck Trapp Addition** in the NE1/4 of Section 19, Township 121 North, Range 47 West of the 5<sup>th</sup> P.M., Grant County, South Dakota, as described above and hereon be approved and accepted and the Chairman is hereby instructed to endorse on such plat this resolution and to certify the same.

Michael J. Mach  
Chairman, Board of County Commissioners  
Grant County, South Dakota

2020-06

### **County Commission Resolution**

It was moved by Commissioner Street, seconded by Commissioner Stengel, motion carried that the **Lot 1 of Twin Valley Tire Addition** located in the SE1/4 of Section 12, Township 120 North, Range 49 West of the 5<sup>th</sup> P.M., Grant County, South Dakota, as described above and hereon be approved and accepted and the Chairman is hereby instructed to endorse on such plat this resolution and to certify the same.

Michael J. Mach  
Chairman, Board of County Commissioners  
Grant County, South Dakota

2. Approve John Madsen, Robert Frink and Diane Cummins as volunteers in the VSO office effective 02/19/2020
3. Approve \$30 per month cell phone stipend for VSO Scott Malimanek effective 02-01-2020
4. Approve change in stipend for cell phone for Maintenance Supervisor Dave Larsen from \$15 to \$30 per month effective 02-01-2020

**Claims:** Motion by Stengel and seconded by Tostenson to approve the claims as presented. Motion carried 5-0. A-OX WELDING, supplies 453.84; AMERICAN LIBRARY ASSOC., dues 220.00; AUSTIN, HINDERAKER, HOPPER, STRAIT, court appt atty 2,064.40; AVERA QUEEN OF PEACE, DOT testing 141.10; BERENS, supplies 482.80; BORNS GROUP, mailing expense 1,060.29; BUREAU OF INFORMATION, email & internet 532.00; CENTURYLINK, phones 592.39; CHS, diesel 2,612.50; CRAIG DEBOER, car wash 128.52; DAKTECH, supplies 126.00; DARCY LOCKWOOD, prof. services 18.00; GALE GROUP, books 172.71; GALL'S, minor equip 658.45; FOOD-N-FUEL, prisoner



meals 504.00; GRANT COUNTY REVIEW, publishing 1,011.31; GRANT-ROBERTS RURAL WATER, water usage 36.40; INTER-LAKES COMM ACTION, service worker 2,414.42; INTERSTATE TELECOMM., phone & internet 1,484.75; JACKSON SCHWANDT, court appt atty 594.29; JD POWER, reference book 99.00; KERRI COOK-HUBER, prof. services 60.00; KEVIN MEYER, supplies 179.99; LEANN K KUPER, repair & maint 160.00; LEWIS & CLARK BEHAVIORAL, prof. services 178.00; LEWIS FAMILY DRUG, supplies 27.36; LINCOLN COUNTY AUDITOR, prof. services 345.50; LUCILLE M LEWNO, prof. services 116.50; MARK KATTERHAGEN, prof. services 18.00; MCLEOD'S, supplies 409.99; MICROFILM IMAGING SYSTEMS, scanner rent 562.00; MICROMARKETING, books 156.97; MIDWEST TRUCK & PARTS, parts 1,446.75; MILBANK AUTO PARTS, parts & supplies 1,515.21; MOMAR, supplies 180.84; MUNDWILER FUNERAL HOME, prof. services 3,444.10; NORTHERN TRUCK EQUIPMENT, parts 184.33; NOVAK SANITARY SERVICE, shredding service 62.42; OFFICE PEEPS, supplies 350.55; OTTER TAIL POWER, electricity 4,358.79; PETERS DISTRIBUTING, supplies 149.99; PETTY CASH, postage 3.80; RC TECHNOLOGIES, 911 transport & tower rent 95.96; RELX, online charges 725.00; SAFETY-KLEEN SYSTEMS, supplies 234.26; SCANTRON CORP., prof. services & minor equip 23,798.96; SD ASSN COUNTY HWY SUPTS, dues 275.00; SD ATTORNEY GENERAL, CAM & PBT fees 121.00; ST WILLIAMS CARE CENTER, prisoner laundry 275.40; STATE OF SD, prof. services 360.00; TRANSOURCE TRUCK, parts 90.98; TRAPP PLUMBING, repairs 660.03; TWIN VALLEY TIRE, oil chg 34.15; UPI PETROLEUM, gas, diesel fuel 3,839.84; VALLEY OFFICE, supplies 371.46; VERIZON, hotspot 38.52; VISA, books, minor equip, motel 1,359.45; WHETSTONE HOME CENTER, repairs 12.99; WHETSTONE VALLEY ELECTRIC, electricity & supplies 1,311.58; XEROX, copier rent 866.16; YANKTON COUNTY SHERIFF, prof. services 50.00; YANKTON COUNTY TREASURER, prof. services 132.20. TOTAL: \$63,971.20.

MONTHLY FEES: SDACO, ROD modernization fee 262.00; SD DEPT OF REVENUE, monthly fees 174,165.58; SD DEPT OF HEALTH, county health nurse 1,869.75. TOTAL: \$176,297.33.

Payroll for the following departments and offices for the February 14, 2020 payroll are as follows: COMMISSIONERS 2708.40; AUDITOR 10,272.19; TREASURER 5535.66; STATES ATTORNEY 6133.55; CUSTODIANS 3308.18; DIR. OF EQUALIZATION 4117.63; REG. OF DEEDS 3870.06; VET. SERV. OFFICER 871.00; SHERIFF 12,384.63; COMMUNICATION CTR 6531.68;

PUBLIC HEALTH NURSE 901.90; ICAP 365.80; VISITING NEIGHBOR 1491.50; LIBRARY 7252.68; 4-H 3377.67; WEED CONTROL 2088.30; P&Z 1080.80; ROAD & BRIDGE 32,779.66; EMERGENCY MANAGEMENT 1940.40. TOTAL: \$107,011.69.

Payroll Claims: FIRST BANK & TRUST, Fed WH 8877.65; FIRST BANK & TRUST, FICA WH & Match 13,060.98; FIRST BANK & TRUST, Medicare WH & Match 3054.68; AMERICAN FAMILY LIFE, AFLAC ins. 1390.26; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 686.72; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 262.50; SDRS SUPPLEMENTAL, deduction 1195.83; SDRS, retire 11,760.74. TOTAL: \$40,289.36.

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 March 3 and 17, 2020 at 8 AM. Motion by Tostenson and seconded by Stengel to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

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Karen M. Layher, Grant County Auditor

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Mike Mach, Chairman, Grant County Comm.

