

July 16, 2019

The Grant County Commission met at 8AM with Commissioners Buttke, Mach, Stengel and Street. Chairman Stengel called the meeting to order. Motion by Mach and seconded by Buttke to approve the minutes of the July 2 and 3, 2019 meetings. Motion carried 4-0. Minutes filed. Motion by Mach and seconded by Street to approve the agenda with removing item 4 from the Consent Agenda and placing the tax deed property under items. Motion carried 4-0. Commissioner Tostenson joined the meeting at 8:02 AM.

Members of the public present were David Kruger, Dennis Kohl, Cliff Steinlicht, Lavonne Kohl, Alex Farrell, Adam Pauli, Rodney Thaden, Dan Scoblic, Eric Anderson and Dick Skoog.

The Chairman called for public comment. No one offered any comments.

The Auditor's account with the Treasurer for the month of June 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 June, 2019

Cash on Hand	\$2,250.91
Checks in Treasurer's possession	
less than 3 days	\$19,191.94
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$21,442.85
RECONCILED CHECKING	
First Bank & Trust	\$3,347.86
Interest	\$0.00
Credit Card Transactions/TIF Fee	\$2,131.90
First Bank & Trust (Svgs)	\$5,779,107.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$539,362.68
TOTAL CASH ASSETS	\$6,345,392.29

GENERAL LEDGER CASH BALANCES:

General	\$2,740,629.60
General restricted cash	\$1,500,000.00
Cash Accounts for Offices General Fund	\$605.00
Sp. Revenue	\$849,370.88
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$0.00
TIF Apportioning Northern Lights	\$0.00
TIF Milbank	\$0.00
TIF Northern Lights	\$539,362.68
Special assessment Land Rent	\$0.00
Trust & Agency	\$715,424.13
(schools 715,424.13, twps 68,307.91, city/town 20,509.37)	
TOTAL GENERAL LEDGER CASH	\$6,345,392.29

Dated this 9th day of July, 2019
Karen M. Layher
County Auditor

The Register of Deeds fees for the month of June were \$7,033.75, the Clerk of Courts fees for the month of June were \$7,035.55 and the Sheriff Fees for the month of June were \$4,193.00 with \$3,865.00 receipted into the General Fund.

Drainage: Chairman Stengel adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. The Drainage Officer presented the following permits.

Drainage Permit DR2019-14 for Eric Anderson in the S1/2SW1/4 of 33-119-49 (Madison Township). The request if granted is to improve crop production. The wetland determination is on file with the adjoining landowner's signature and all other permit information is in order. Commissioner Street toured location and felt it was straight forward project and a good permit. Motion by Street and seconded by Mach to approve Permit DR2019-14 as presented. Motion carried 5-0.

Drainage Permit DR2019-15 by Eric Anderson, for the Jim and Nancy Anderson Revocable Trust in the N1/2 of 4-118-49 (Georgia Township). The request, if granted, would, improve crop production and control erosion. The applicant is adjoining with self-ownership and is not boring any roads. The tile plan and wetland determination is on file. Street also toured this location with the landowner and feels the permit is straight forward and did not see any issues. Motion by Street and seconded by Buttke to approve DR2019-15 as presented. Motion carried 5-0.

Drainage Permit DR2019-16 by LaVonne M Kohl in the SW1/4 & SE1/4 of 35-119-49 (Madison Township). The request, if granted, would, improve crop production and control erosion. This tile project is going into an existing tile into the natural run. The wetland

determination is on file. The Township Supervisors have given approval to bore the road and the adjoining landowner's signature is on file. This will be a coop project in the neighborhood. Motion by Tostenson and seconded by Buttke to approve DR2019-16 as presented. Motion carried 5-0.

Drainage Permit DR2019-17 by Otter Tail Power Company in the NE1/4NE1/4 of 14-120-52 (Mazeppa Township). The request, if granted, would ensure the seven acre pad subgrade remains stable over the life of the substation with crown and rainfall to shed according to storm water design and not through tile. This tile was installed under the provisions of the emergency drainage and has been noticed with no objections. A permanent easement had been placed prior to the emergency request for the adjoining landowner and all other pertinent information was collected at the time of the initial drainage. This is the hearing to place the 2018 permit into a permanent status as an approved drainage permit. The Drainage Office recommends approval status at this time. Motion by Tostenson and seconded by Buttke to approve DR2019-17 as presented. Motion carried 5-0.

Commissioner Tostenson recuses from the discussion of next two permits citing a family relationship.

Drainage Permit DR2019-18 by Pauli Farms Inc, for Dale Skoog in the NE ¼ and N1/2 SE1/4 of 31-120-48 (Alban Township). The request, if granted, would, improve farm ground and reduce erosion. The wetland determination and adjoining landowner information is on file for the cooperative permit. Street supports the permit after he had a chance to look at it with the landowners. Motion by Street and seconded by Mach to approve Permit DR2019-18 as presented. Motion carried 4-0.

Drainage Permit DR2019-19 by Cliff Steinlicht in the NW ¼ of 31-120-48 (Alban Township). The request, if granted, would, improve farm ground and reduce erosion. This is a cooperative permit with DR2019-18 and makes the adjoining landowner a part of this project. The wetland determination is on file. Street has toured this project and feels it is a good project. Motion by Street and seconded by Mach to approve DR2019-19 as presented. Motion carried 4-0.

Kilborn Twp: Supervisor David Kruger discussed replacing two culverts between Section 17 and 18 as the culverts are rusted out and water continually goes over the road. Currently the culverts are a 30" and an 18". The request is to replace the two culverts with one culvert sized at 36". This would be a slight increase from 6.7 cubic feet to 7.1 cubic feet. The adjacent landowners are in agreement with the proposed change. Motion by Tostenson and seconded by Buttke to approve the request to install a 36' culvert. Motion carried 5-0.

The Drainage Officer provided the Board with a graph from the USGS on water discharge for the Whetstone River near Big Stone City and reported she is obtaining information from the water collection sites and will provide the information to the Board in the future.

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

Commissioner Stengel welcomed Alex Farrell who is working on his communication badge for Boys Scouts. He talked about his Eagle Scout project at Koch School. Commissioner Tostenson encouraged him to continue his service work in the future.

Highway: Supt Schultz presented for approval two resolutions to be sent to SD DOT to be considered under the Bridge Improvement Grant program for the hydraulic study and preliminary engineering. The estimated cost for this phase of the project is \$30,000 per site. Supt Schultz explained the bridge site would receive more points for a grant award if the Commission would consider increasing the percentage of cost share. After discussion, it was motioned by Street and seconded by Mach to adopt the following resolutions with a 50% cost share. Motion carried 5-0. Resolutions adopted.

2019-23
Bridge Improvement Grant Program
Resolution Authorizing Submission of Applications

WHEREAS, Grant County wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

Structure No. 26-310-056 located 1.0 miles east and 1.4 miles north of Milbank

and WHEREAS, Grant County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

and WHEREAS, Grant County agrees to pay the **50% match** on the Bridge Improvement Grant funds;

and WHEREAS, Grant County hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Vote of Commissioners: Yes : 5 No: 0

Dated at Milbank, SD this 16th day of July 2019.

ATTEST:

Karen M. Layher
County Auditor

Doug Stengel
Chairman/Mayor

2019-24
Bridge Improvement Grant Program
Resolution Authorizing Submission of Applications

WHEREAS, Grant County wishes to submit an application(s) for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER(S) AND LOCATION(S):

Structure No. 26-320-053 located 2.0 miles east and 1.7 miles north of Milbank

and WHEREAS, Grant County certifies that the project(s) are listed in the county's Five-Year County Highway and Bridge Improvement Plan*;

and WHEREAS, Grant County agrees to pay the **50% match** on the Bridge Improvement Grant funds;

and WHEREAS, Grant County hereby authorizes the Bridge Improvement Grant application(s) and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application(s).

Vote of Commissioners: Yes: 5 No: 0

Dated at Milbank, SD this 16th day of July 2019.

ATTEST:

Karen M. Layher
County Auditor

Doug Stengel
Chairman/Mayor

5 Year Highway Plan: The plan was updated as per the request by the commission to add \$25,000 for the replacement of a bridge to a culvert in 2020. This would increase the plan from two to three structures being replaced with culverts. Also, the plan reflects the proposed increase in revenue based on the road levy.

Melrose/Big Stone Twp: Supervisor Dan Scoblic was present to continue discussion on the request presented at the last meeting for assistance on a large

culvert located in Section 20 of Melrose and Section 21 of Big Stone Township on 481st Ave. The request is for approximately 35 yards of concrete to repair and extend the existing concrete to prevent future erosion. Dan also requested assistance from the County to provide an excavator/operator to prepare the site and to tap in the rip rap. The estimated cost of the concrete is approximately \$10,000. Motion by Mach and seconded by Tostenson to approve the request as presented with the Township providing advance notice to the Hwy Supt when the excavator/operator will be needed on site. Motion carried 5-0.

Sheriff: Kevin Owen reported the June statistics as follows: Average Daily inmate population 7; Number of bookings 26; Work release money collected \$1,540.00; 24/7 Preliminary Breath Test (PBT) fees collected \$204.00; SCRAM (alcohol detecting bracelet) fees collected \$698.00; 24/7 PBT participants 5; SCRAM (Sobriety Program) participants 4; Calls for Service (does not include walk-in traffic) 404; Accidents investigated 2; Civil papers served 81; Cumulative miles traveled 7,625; 911 calls responded to (including Milbank) – report not available.

Omitted Property Hearing: The hearing to add omitted property to the 2018 assessment year was held at 9:30 AM. The appellants were not present. Parcel 03.99.00.14, Legal of Mobile Home on Leased Site at Hansen Trailer Court. The mobile home is being purchased and moved. The valuation of the trailer house needs to be assessed and current year property taxes paid. Motion by Tostenson and seconded by Buttke to correct parcel 03.99.00.14 to add an assessed value of 11,344 with prorated taxes due of \$61.24 for the tax year 2018. Motion carried 5-0.

Travel: Motion by Mach and seconded by Buttke to approve travel expenses for Treasurer Mueller and Auditor staff of John Gill, Kathy Folk and Stephanie Pauli to attend the SDACES software workshop in Chamberlain. Motion carried 5-0.

Lawn Tractor: Commissioner Buttke presented the quote from Kibble Equipment for trading in the 2010 John Deere 720 lawn tractor with attachments and purchasing a 2019 John Deere model 730 with cab, rotary broom, snow blower and deck. Trade in cost is \$16,216.00 Motion Buttke and seconded by Tostenson to approve purchasing the John Deere 730 tractor and attachments and declaring surplus the 2010 JD tractor and attachments for trade in. Motion carried 5-0.

Managed Computer Service: Motion by Mach and seconded by Tostenson to move the Scantron contract to the August 6th meeting. Motion carried 5-0.

2020 Provisional Budget: The Commission reviewed the proposed adjustments for the 2020 Provisional Budget which are on file in the Auditor's Office. Total

expense for the General Fund is \$5,807,057 and for the Highway Fund \$4,324,390. Motion by Mach and seconded by Street to approve the provisional budget for publication and the following resolution for the public hearing on the 2020 budget. Motion carried 5-0. Resolution adopted.

2019-22

Resolution

ADOPTION OF PROVISIONAL BUDGET FOR
GRANT COUNTY, SOUTH DAKOTA

NOTICE IS HEREBY GIVEN: That the Board of County Commissioners of Grant County, will meet in the Courthouse at Milbank, South Dakota on Tuesday, September 3, 2019 at 9:00 AM for the purpose of considering the foregoing Provisional Budget for the year 2020 and the various items, schedules, amounts and appropriations set forth therein and as many days thereafter as is deemed necessary until the final adoption of the budget on the 30th day of September, 2019. At such time any interested person may appear either in person or by a representative, and will be given an opportunity for a full and complete discussion of all purposes, objectives, items, schedules, appropriations, estimates, amounts and matter set forth and contained in the Provisional Budget.

Karen M. Layher
Grant County Auditor
Milbank, South Dakota

Northern Lights: The following resolution was presented for closing the Northern Lights Tax Increment District Fund. The final payment on the bonds was completed in June. First Bank and Trust in Brookings has issued the remaining fund balance of \$15,326.24 to the County which will be apportioned to the appropriate taxing authorities in August. Motion Buttke and seconded by Street to adopt the following resolution. Motion carried 5-0. Resolution adopted.

Grant County Resolution 2019-21

Resolution Dissolving Northern Lights Ethanol TIF District

Whereas, Northern Lights Ethanol TIF District, hereinafter referred to as Northern Light, was established on or about March 18, 2002; and

Whereas, the positive tax increments during the term of this TIF have been deposited in a special debt fund, for the payment of the incurred authorized debt and expenses of the TIF, and

Whereas, all debts and expenses of Northern Light have been paid in full, and pursuant to SDCL 11-9-46, the TIF shall terminate and the District will be dissolved when the payment of all projected costs and all tax incremental bonds and notes have been paid;

Now, therefore, be it resolved, that the Northern Lights Ethanol TIF District is hereby dissolved, inasmuch as the payment of all projected costs and all tax incremental bonds and notes have been paid in full.

Dated at Milbank, SD this 16th day of July 2019.

Doug Stengel
Chairman,
Grant County Commission

ATTEST:

Karen M Layher,
Grant County Auditor

Tax Deed: Auditor Layher informed the Commission on the judgements against the two parcels in Milbank taken by the County under the tax deed process. Judgements are attached to property. With the amount of judgments against the property, it is unlikely the County could sell the property for the amount due and would anyone submit a bid knowing judgments are attached. Motion by Tostenson and seconded by Mach to authorize the States Attorney and the Auditor to negotiate a settlement on the liens and to set a public auction sale date of Sept 3. Motion carried 5-0.

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

1. Approve plats:

2019-25

County Commission Resolution

It was moved by Commissioner Street, seconded by Commissioner Buttke, motion carried that the **Lot 1 of James and Donna Arten Addition** located in the S1/2SE1/4, of Section 5, Township 121 North, Range 51 West of the 5th P.M., Grant County, South Dakota (Former Sisseton and Wahpeton Indian Reservation), 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.

Doug Stengel, Chairman
Board of County Commissioners
Grant County, South Dakota

2019-26

Resolution

BE IT RESOLVED, by the Board of County Commissioners of Grant County, South Dakota, that the plat entitled: “**Lot 4, Pauli Subdivision located in the Southeast Quarter of Section 18, Township 120 North, Range 49 West of the 5th 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 this Resolution and certify the same.

Dated this 16th day of July, 2019.

Doug Stengel, Chairman
Board of County Commissioners
Grant County, South Dakota

ATTEST:

Karen M Layher,

County Auditor, Grant County, South Dakota

2019-27

County Commission Resolution

It was moved by Commissioner Street, seconded by Commissioner Buttke, motion carried that the **Lot 3 of Adolph’s 1st Addition** located in Government Lots 5 and 6 of Section 6, Township 120 North, Range 51 West of the 5th P.M., Grant County, South Dakota (Former Sisseton and Wahpeton Indian Reservation), 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.

Doug Stengel, Chairman
Board of County Commissioners
Grant County, South Dakota

2. Approve step increase to 6 months at \$21.90 for Orville Folk effective 7-14-19
3. Approve step increase to 6 months at \$17.65 for David Schulte effective 7-14-19

Unfinished Business: Auditor Layher reported she had discussion with the States Attorney concerning the approach on the Mary and Dean Opitz land in Section 4 of Grant Center Twp. His advice to the Commission is to have all parties involved present at a Commission meeting to reach an agreement on the culvert/approach and drainage issue. Auditor Layher informed the Commission she had received an email on the water measurements for Lake Albert. The lake was measured on June 19 and measured 18” above the high water mark. The Game, Fish and Parks does not own the outlet control. The Commission asked the Hwy Supt to check the outlet culvert for any blockage.

New Business: None

Correspondence: The Commission reviewed information received from the Dept of Social Services on a request supporting the establishment of a 211 phone line resource helpline. No action taken.

Claims: Motion by Mach and seconded by Buttke to approve the claims as presented. Motion carried 5-0. BANNER ASSOC., prof. services 19,560.00; BEACON CENTER, allocation 427.50; BERENS WAREHOUSE, supplies 184.04; BORNS GROUP, mailing expense 914.12; CENTER POINT, books 413.80; CENTURYLINK, phone 591.43; CITY OF MILBANK, water & sewer 344.62; CUMMINS CENTRAL POWER, maintenance 322.56; DEADWOOD RESORTS, motel 744.00; DELORES KELLY, prof. services 100.00; FISHER SAND & GRAVEL, hwy project 218.08; GALL'S, supplies 58.87; GJT INC., prisoner meals 770.25; GRANT CO TREASURER, postage 61.65; GRANT COUNTY REVIEW, publishing 1,954.87; GRANT-ROBERTS RURAL WATER, rural water 36.40; HARTMAN'S, supplies 34.44; HUMAN SERVICE AGENCY, allocation 7,682.19; INGRAM LIBRARY SERVICES, books 978.11; INTER-LAKES COMMUNITY, worker 2,337.17; ITC, internet 119.76; JOANN PAULSON, prof. services 1,142.08; JOURNEY GROUP COMP., prof. services 13,061.83; LEWIS FAMILY DRUG, supplies 26.97; MARK W ST MARTIN, supplies 338.80; MATHESON TRI-GAS, supplies 35.65; MCLEOD'S PRINTING & OFFICE, supplies 280.40; MICROFILM IMAGING SYSTEMS, scanner rent 472.00; MICROMARKETING, books 45.99; MILBANK AUTO PARTS, parts 2,329.85; NORTHWESTERN ENERGY, natural gas 15.06; OTTER TAIL POWER CORP., electricity 3,945.46; PCMG, supplies 449.75; PETERS DISTRIBUTING, prof. services 303.57; PETTY CASH, postage 4.39; PLATINUM CHEMICALS, supplies 456.00; QUICK PRO LUBE, repairs 116.99;

RC TECHNOLOGIES, 911 transport & tower rent 95.96; RDO EQUIPMENT, parts 731.84; RELX, online charges 727.00; RUNNINGS SUPPLY, supplies 464.73; SD DEPT OF HEALTH, allocation & blab 2,459.25; SD DEPT OF LABOR, unemployment insurance 2,412.00; SD DEPT OF REVENUE, sales, use, & excise tax 76.11; SEEHAFFER HARDWARE, supplies 8.18; ST WILLIAMS CARE CENTER, prisoner laundry 349.20; STAR TRIBUNE COMPANY, subscription 166.92; TECH ONE, supplies 137.00; MYRA THOMPSON, reimbursement 589.21; TRUENORTH STEEL, culverts 25,704.26; UNZEN MOTORS, repairs 854.99; UPI PETROLEUM, diesel 4,948.23; VALLEY OFFICE PRODUCTS, supplies 761.23; VERIZON WIRELESS, hotspot 38.52; VISA, books, gas, supplies 692.44; WHETSTONE HOME CENTER, supplies 26.30; WHETSTONE VALLEY ELECTRIC, electricity 537.14; WITTROCK & SON, garbage service 157.50; XEROX CAPITAL SERVICES, copier rent 883.36. TOTAL: 103,700.02.

SDACO, ROD modernization fee 214.00; SD DEPT OF REVENUE, monthly fees 148,668.50. TOTAL: \$148,882.50.

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 Tuesday August 6 and 20 and September 3, 2019 at 8 AM. Motion by Mach and seconded by Tostenson to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Doug Stengel, Chairman, Grant County Comm.