

July 5, 2022

The Grant County Commission met at 8:00 AM with Commissioners Buttke, Stengel, Street and Mach. Commissioner Tostenson joined by telephone. Chairman Stengel called the meeting to order with a quorum present. Motion by Buttke and seconded by Street to approve the minutes of the June 21 meeting as presented. Motion carried 5-0. Minutes filed. Motion by Mach and seconded by Buttke to approve the agenda as presented. Motion carried 5-0.

Members of the public present were Byron DeBoer, George Mertens, Thomas Hunt, Tom Schuneman and Jerry Zubke. Members of the staff present were Drainage Officer Berkner, Deputy Auditor Kathy Folk and States Attorney Schwandt.

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

The Auditor's report with the Treasurer for the month of May 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 May, 2022.

Cash on Hand	\$1,344.18
Checks in Treasurer's possession less than 3 days	\$28,040.63
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$29,384.81
RECONCILED CHECKING	
First Bank & Trust	\$2,594.29
Interest	\$0.00
Credit Card Transactions	\$1,719.39
TIF Fees	\$0.00
First Bank & Trust (Svgs)	\$9,029,619.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$0.00

TOTAL CASH ASSETS **\$9,063,317.49**

GENERAL LEDGER CASH BALANCES:

General	\$3,243,936.50
General restricted cash	\$2,050,000.00
Cash Accounts for Offices General Fund	\$656.00
Sp. Revenue	\$2,104,795.15
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$34.40
TIF Apportioning	\$0.00
TIF Milbank	\$0.00
TIF Milbank Rosewood	\$0.00
Special Assessment Land Rent	\$0.00
Trust & Agency	\$1,665,894.65
(schools 374,025.00, twps 32,427.45, city/towns 43,782.80)	
ACH Correction	(\$1,999.21)

TOTAL GENERAL LEDGER CASH **\$9,063,317.49**

Dated this 13th day of June, 2022

Karen M. Layher

County Auditor

The Register of Deeds fees for May were \$9,100.25. The Sheriff fees for May were \$5,279.72 with \$2,734.72 receipted into the General Fund.

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

Permit DR2022-40 by Darwin Johnson for property owned by Marlyn Johnson for land located in the S1/2 SE1/4 of Section 21, Madison Township. Motion by Mach and seconded by Street to approve DR2022-40.

Drainage Officer Berkner began his report on Drainage Permit DR2022-40 for Darwin Johnson stating that it was a follow up to drainage permit DR2022-32 which had one parcel inadvertently wrongly identified. Permit DR2022-40 is to correct that mistake.

According to Berkner permit DR2022-40 will naturally drain approximately 40 acres and would share the same 15" outlet as DR2022-32 which could have a maximum flow of 1,000 gallons per minute. The current permit also showed that two inlets would be incorporated into the tile design and that terraces would be used to lessen any soil from being washed away.

Berkner closed by stating that he believes that the six questions found under section 101 of SDCL 46-10A-20 were answered in the affirmative and that the questions found in Section 313 and 317 supported those answers.

Chairman Stengel opened the public hearing for DR2022-40 asking three times for comments for or against the project. There were not any comments for or against and the public comment period was closed. Chairman Stengel then asked for any further discussion from the board. Hearing none, he called for the vote. Motion carried 5-0.

Permit DR2022-38 for George Mertens for property owned by George and Julie Mertens located in LOT 2 LYLE KRUGER'S SUBDIV IN GOVT LTS 3 & 4 & S1/2NW1/4 86.24 ACRES of 2-119-49 Madison Township. Motion by Street and seconded by Buttke to approve DR2022-38.

Berkner presented the staff report on Drainage Permit DR2022-38 stating the permit is seeking to naturally drain approximately 50 acres through a 12" outlet that could flow as much as 550 gallons per minute if it ran at full capacity.

Berkner said that the tile map indicates that two inlets would be utilized. The one inlet would collect water that flowed overland directly from the land to the south. The other inlet would be utilized to catch surface water that has accumulated on the surface where a township culvert is located on the east side of the area to be drained. The culvert is not working properly and is trapping that water. According to Berkner both inlets will help reduce erosion.

The six questions under section 101 as per SDCL 46-10A-20 were answered in the affirmative and the other list of questions in Section 313 and 317 supports the affirmative response.

Chairman Stengel opened the public hearing for DR2022-38 asking three times for comments for or against the project where nobody answered. Chairman Stengel closed the public hearing.

Chairman Stengel opened the board's discussion. The board asked Mertens about the condition of the culvert to the east where he answered that it needs repair, and the water has not been draining properly for many years. Mertens explained that he has spoken to the township supervisors about the problem but that funds were not available to make needed repairs.

Commissioner Street said that he had looked at the proposed drainage project and said that the design made sense and that the two inlets should help reduce erosion and the outlet will have minimal impact.

Commissioner Mach asked local tiling contractor Gerald Zubke, who was at the meeting for another permit, if a french drain would work at this location. Zubke thought that the best way to deal with water backing up at a failing culvert was an open drain inlet as to eliminate the chance of causing more erosion.

With no other comments Chairman Stengel called for the vote. Motion carried 5-0.

Permit DR2022-39 for Todd and Sheree Keller for land located in the E1/2SW1/4 & E 64 RODS OF GOVT LOT 3 & E1/2NW1/4 of 4-121-49, Kilborn Township; Todd and Sheree Keller for land located in the W1/2SW1/4 of 4-121-49, Kilborn Township; Donald and Donna DeBoer Living Trust ET AL for land described as the W 96 RODS OF GOVT LOTS 3, 4 & E1/2NW1/4 in 4-121-49 Kilborn Township. Motion by Mach and seconded by Buttke to approve DR2022-39.

Berkner presented his report and stated the permit is seeking to naturally drain approximately 80 acres through both an 8" and 12" outlet that could flow as much as 735 gallons per minutes combined if it ran at full capacity.

Berkner said this permit is a joint permit between Todd Keller and Byron DeBoer and would eventually drain directly into the North Fork of the Whetstone River flowing into Roberts County to the north before flowing back into Grant County.

The six questions under section 101 as per SDCL 46-10A-20 were answered in the affirmative and the other list of questions in Section 313 and 317 supports the affirmative response.

Chairman Stengel then asked both Keller and DeBoer for any additional information that they would like to add. Keller said that the tiling project would only drain the headlands of his two parcels. DeBoer presented an updated tiling map that showed some additional areas of drainage. Berkner affirmed that the updated map would not affect any of the public notifications that had been sent out or placed in the official newspaper and that he would update the application with the new tiling map.

Chairman Stengel opened the public hearing for DR2022-39 asking three times for comments for or against the project where nobody answered.

Stengel addressed the board that he had personally inspected the project and it seemed a very straight forward tiling project where the water would drain directly into a creek. With no further discussion Chairman Stengel called for the vote. Motion carried 5-0.

Permit DR2022-41 for Tim Stengel for property owned by A.C. Stengel & Sons located in the N 1692.58' OF SW1/4 EX 1.632 ACRES OF LOT H1 of 25-121-48 Melrose Township. Before a motion was considered for Permit DR2022-41 Commissioner Buttke announced that the applicant wanted to table the permit application for 2 to 4 weeks so he and his downstream neighbors would have time to work out some concerns if the permit was granted. Motion by Mach and seconded by Street to table DR2022-41 until the August 2 meeting. Motion carried 5-0.

Permit DR2022-42 for Thomas Hunt for property owned by Thomas and Marlene Hunt located in SHAW'S ADDITION LOTS 1 & 2 EX LOTS H1 & H2 in 3-120-49 in Grant Center Township. Motion by Mach and seconded by Buttke to approve DR2022-42.

Berkner began his report by stating this permit would be an addition to Drainage Permit DR2022-02 which was permitted earlier this year. According to Berkner this permit would naturally drain about an acre of a 4.6-acre residential lot and would share the same 8" outlet as DR2022-02 which could have a maximum flow of 185 gallons per minute. The current permit also showed that three inlets would be incorporated into the tile design and that the area being drained would be a grass lawn and not tilled soil.

Stengel asked for any additional information from the applicant who responded that the area to be drained is typically "soggy and wet" and once the ground gets saturated, he starts to have trouble with water in and around his house.

Chairman Stengel opened the public hearing for DR2022-42 asking three times for comments for or against the project. The only person to speak was Jerry Zubke who responded that this project would have a positive effect stopping water before it could run across his land which is also the location of the outlet for both DR2022-02 and DR2022-42.

With no other comments Stengel closed the public hearing and asked for discussion from the board. Commissioners Mach and Buttke asked if there would be room for any other adjoining residential landowners to hook up to this tile

project. Jerry Zubke answered yes but stated that for some of the adjoining landowners it may be cheaper for them to run directly to the creek if it became necessary.

There were no other questions from the Board. Chairman Stengel called for the vote. Motion carried 5-0.

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

Budget Supplement: The budget supplement hearing was held with no members of the public present. The purpose of the budget supplement of \$24,000 is to adopt budget authority associated with the dispatch services of regular traffic with Watertown dispatch. The source of cash is from the General Fund transferred to fund 207. Motion by Street and seconded by Buttke to approve the budget supplement of \$24,000 to department #225 the 911 service budget and the cash being transferred to fund 207. Motion carried 5-0.

Highway: Supt Schultz presented a right-of-way occupancy application from Adam Pauli DBA Pauli Farms, LLC for the installation of a DW pipe across 151st St in Section 20 of Alban West Twp. Motion by Street and seconded by Buttke to approve ROW2022-09 occupancy application for Pauli Farms to cut through 151st St in Section 20 of Alban West Twp. Motion carried 4-0 with Commissioner Tostenson recusing himself from the discussion and vote. **Intersection:** A letter from a county resident was received expressing concern of the crop blocking the view for traffic traveling north on 482nd Ave and turning west onto 149th St (AKA CR #10). As per Ordinance 1995-3 cropping within the county's ROW is prohibited. Motion by Tostenson and seconded by Mach to send a letter to the landowner to have the crop cut down that is in the ROW within seven days of the receipt of notification. If not cut down, the County will mow the rows of crop within the ROW. Motion carried 5-0. **Tile:** Jerry Zubke and Supt Schultz discussed the county's tile on the north side of County Road 4 by Leslie Rethke. The County had installed this tile many years ago to alleviate standing water. The question asked was if the Commission would consider as a joint project lowering and extending the tile to move the water north. This item will be put on the July 19 agenda.

Travel: Motion by Street and seconded by Buttke to approve travel expenses for Administrative Assistant Brittany Folk to attend 24-7 workshop in Sioux Falls. Motion carried 5-0.

2023 Budget: Departments meeting with the Commission for the 2023 budget requests were as follows: Highway and 5-year Plan: Supt Schultz; Weed: Nathan Mueller; Library: Jody Carlson; Historical Society: Arlo and Paulette Levisen; Soil Conservation: Amy Sis; Treasurer: Karla DeVaal. The budget hearings with other departments will continue Wednesday, July 6, 2022.

Commissioner Tostenson left the meeting at 10:45 am.

First District: Motion by Street and seconded by Buttke to adopt the following resolution. Motion carried 4-0. Resolution adopted.

2022-08

**RESOLUTION TO CONTINUE SUPPORT FOR THE
FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS
DURING FISCAL YEAR 2023
(OCTOBER 1, 2022 – SEPTEMBER 30, 2023)**

The Grant County Board of County Commissioners, having adopted and signed a Joint Cooperative Agreement on the 6th day of April, 1972, creating the First Planning and Development District, Model Rural Development Program, do hereby agree to renew their participation in the Joint Cooperative Agreement for the Fiscal Year 2023 (October 1, 2022-September 30, 2023). To support the Joint Cooperative Agreement and the activities of the district staff, the Grant County Board of County Commissioners will provide \$17,335.00 to the First District Association of Local Governments during the aforementioned Fiscal Year 2023 period.

ADOPTION:

Adopted this 5th day of July, 2022
Douglas Stengel, Chair
Grant County Commission

ATTEST:

Karen M. Layher
Grant County Auditor

Consent: Motion by Street and seconded by Buttke to approve the consent agenda. Motion carried 4-0.

1. Approve agreement with SD Dept of Health for WIC services-contract amount is \$3,117.67
2. Approve step increase for PT Librarian Cindy Jungers to step 5 at \$16.15 per hour

3. Approve hiring of Mary Hagen as FT Deputy Auditor effective 7-05-22 at \$19.05 per hour
4. Approve Tammy Wollschlager as Interim Library Director effective 7-1-22 at \$20.50 per hour
5. Approve Jody Carlson as PT Library consultant effective 7-1-22 at \$23.59 per hour
6. Approve change order for computer server replacement to include SQL license for \$6,489.00
7. Approve list of volunteers for Milbank Library: Kelly, Avery, Charlie Whitesitt; Dana, Armando Chan; Uziel Lopez
8. Declare surplus items of fax machines, printers, IT items, outdated publications and reference materials – list on file in the Auditor’s Office

Unfinished Business: None

New Business: None

Correspondence: None

Claims: Motion by Buttke and seconded by Street to approve the claims. Motion carried 4-0. BERKNER EXCAVATING, repairs 285.00; BUTLER MACHINERY, supplies 546.78; C&C CARPET CLEANING, prof services 254.89; CENGAGE LEARNING, books 39.88; CENTER POINT, books 136.49; CITY OF MILBANK, water & sewer 395.89; CLAIMS ASSOCIATES, insurance reimburse 5,000.00; CODY KELLY, prof services 200.00; DELORIS RUFER, lib rent 100.00; GRANT/ROBERTS AMBULANCE, allocation 2,458.33; MIDCO, lib internet 103.94; MILBANK AREA CHAMBER, supplies 200.00; MN DEPT OF TRANSPORTATION, tower rent 300.00; MUNDWILER FUNERAL HOME, prof services 4,124.00; NASASP, dues 39.00; NATHAN PETERS, summer reading program 210.00; NORTHWESTERN ENERGY, natural gas 1,037.40; OVERHEAD DOOR, repairs & maint 358.67; PRAHM CONSTRUCTION, hwy proj 24,002.43; RIVER STREET PETROLEUM, ethanol & diesel 12,213.87; RONGLIEN EXCAVATING, gravel 7,249.45; SCANTRON, prof services 225.42; SCOTT BRATLAND, court appt atty 4,211.65; SD DEPT OF LEGIS AUDIT, prof services 14,962.50; SD DEPT TRANSPORTATION, hwy proj 6,356.42; SDAAO, registration 350.00; TROY HOYLES, prof services 650.00; VALLEY RENTAL & RECYCLING, allocation 650.00; WEST CENTRAL COMMUNICATION, repair & maint 417.00. TOTAL: \$87,079.01.

Payroll for the following departments and offices for the June 28, 2022, payroll are as follows: COMMISSIONERS 3,335.90; AUDITOR 7,780.42; ELECTION 1,360.96; TREASURER 3,948.81; STATES ATTORNEY 7,116.60; CUSTODIANS 3,317.68; DIR. OF EQUALIZATION 4,219.20; REG. OF DEEDS

4,244.16; VET. SERV. OFFICER 1,211.10; SHERIFF 14,399.35; COMMUNICATION CTR 7,400.14; PUBLIC HEALTH NURSE 959.06; ICAP 240.50; VISITING NEIGHBOR 2,093.55; LIBRARY 11,935.90; 4-H 3,667.63; WEED CONTROL 3,326.45; P&Z 5,009.95; DRAINAGE 529.10; ROAD & BRIDGE 36,557.84; EMERGENCY MANAGEMENT 2,133.00. TOTAL: \$124,787.30.

Payroll Claims: FIRST BANK & TRUST, Fed WH 9,762.92; FIRST BANK & TRUST, FICA WH & Match 15,175.78; FIRST BANK & TRUST, Medicare WH & Match 3,549.34; AAA COLLECTIONS, deduction 23.72; ACCOUNTS MANAGEMENT, deduction 145.32; AMERICAN FAMILY LIFE, AFLAC ins. 1,507.22; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 50,343.02; COLONIAL LIFE, ins 37.98; DEARBORN NATIONAL, life ins. 260.91; LEGAL SHIELD, deduction 76.70; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; OPTILEGRA, ins 462.53; SDRS SUPPLEMENTAL, deduction 1,454.33; SDRS SUPPLEMENTAL, special pay 5,139.64; SDRS SUPPLEMENTAL, fee 45.00; SDRS, retire 13,182.73. TOTAL: \$101,377.14.

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 July 6 and 19 and August 2 and 16, 2022 at 8 AM. Motion by Mach and seconded by Buttke to adjourn the meeting. Motion carried 4-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Douglas Stengel, Chairman, Grant County Comm.