

June 18, 2019

The Grant County Commission met at 8AM with Commissioners Buttke, Mach, Stengel, Street and Tostenson present. Chairman Stengel called the meeting to order. Motion by Mach and seconded by Buttke to approve the minutes of the June 4, 2019 meeting. Motion carried 5-0. Minutes filed. Motion by Mach and seconded by Street to approve the agenda with the deletion of item the Register of Deeds Fee Schedule. Motion carried 5-0.

Present from the public were Mark Mauersberger, John Seffrood, Travis Buttke, Mike McKernan, Joan Frerichs, Shirley Conraads, Francis Van Sambeek, Noel Cummins, Bob Frink, Clayton Olson and Dennis Adelman.

The Auditor's account 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, 2019

Cash on Hand	\$3,429.58
Checks in Treasurer's possession less than 3 days	\$40,541.66
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$43,971.24
RECONCILED CHECKING	
First Bank & Trust	\$2,538.27
Interest	\$0.00
Credit Card Transactions/TIF Fee	\$1,185.56
First Bank & Trust (Svgs)	\$8,181,693.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$445,771.11
TOTAL CASH ASSETS	\$8,675,159.18
GENERAL LEDGER CASH BALANCES:	
General	\$2,935,520.39
General restricted cash	\$1,500,000.00
Cash Accounts for Offices General Fund	\$605.00
Sp. Revenue	\$1,138,199.76

Sp. Revenue restricted cash	\$0.00
Henze Road District	\$1,117.32
TIF Apportioning Northern Lights	\$92,925.03
TIF Milbank	\$1,310.33
TIF Northern Lights	\$445,771.11
Special assessment Land Rent	\$0.00
Trust & Agency	\$2,559,710.24
(schools 1,800,644.71, twps 98,083.03, city/town 174,521.93)	
TOTAL GENERAL LEDGER CASH	\$8,675,159.18

Dated this 7th day of June, 2019
Karen M. Layher
County Auditor

The Register of Deeds fees for the month of May were \$10,246.50, the Clerk of Courts fees for the month of May were \$6,604.41 and the Sheriff Fees for the month of May were \$3,496.55 with \$3,168.55 receipted into the General Fund.

The Chairman called for public comment. Dave Van Veen was present to discuss Lake Albert's water level as he believes there is about two feet of standing water. The County had the outlet cleaned in 2017. He stated he does not have any issue with the culverts. The Game and Fish Office will be contacted as was done before to have them check inlets and water level.

Drainage: Chairman Stengel adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. Two permits were presented for consideration.

Drainage Permit DR2019-10 for Paul Nelson in SW1/4 NE1/4; SE1/4 NW1/4 & Lot 2&3 and W1/2NW1/4 & N1/2 SE1/4 in 2-118-50 (Troy Township). The request, if granted, would improve production. The applicant will have an outlet on his own land. The Supervisors of Stockholm Township have given approval to cut through the road. The NRCS letter is on file. The applicant will run a main line tile and outlet to the creek on the Bethany Bohn property. Signature of adjoining landowner has not been received yet. Motion by Street and seconded by Tostenson to approve Permit DR2019-10 upon condition of receiving the adjoining landowner's signature. Motion carried 5-0.

Drainage Permit DR2019-11 for Geoffrey Street and Cynthia Rieck in E1/2 NE1/4; E1/2 NW1/4 & W1/2NE 1/4; SW1/4 NW1/4 & NW1/4 NW1/4 in 18-118-47 (Adams Township). The request, if granted, would improve the farmland for increased yields and more efficient farming. Commissioner Street excused himself from the meeting. Landowner's Rieck and Street are adding tile lines to an existing tile project. Geoff stated he is doing patterned tiling. The north side of the creek had been done on a previous permit and now he is planning to tile south of the creek. He also presented the signed document for

Cindy Rieck. The NRCS letter is on file. Motion by Tostenson and seconded by Buttke to approve DR2019-11 as presented. Motion carried 4-0.

Commissioner Street re-joined the meeting.

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

Highway: Supt Schultz presented a request from the Twin Brooks Twp Board to remove a bridge on 153rd St and to replace with two 8' culverts. Clerk Mike McKernan reported the township has had a lot of repair bills with this bridge as the sidewalls keep caving in. The current capacity of the bridge is 144' and with the change in the culverts, the capacity would be 100.5'. Any back up of water would be into a pasture. The landowner will need to be contacted. Supt Schultz reported the plan would be to have the bridge crew remove the bridge, set and level the culvert, the county providing the culverts with the township finishing the back fill and riprap on the culverts. Motion by Street and seconded by Buttke to approve the plan as presented by Supt Schultz. Motion carried 4-0 with Commissioner Tostenson recusing himself from the discussion. **ROW:** A request from Moldenhauer Trust/ William Tostenson Operator was given consideration to remove excess dirt and debris from the road ROW on County Road 8 in Section 12 of Mazeppa and Section 7 of Twin Brooks Township. This request will be done to re-establish the correct grade in the ditch and re-place the dirt in the adjacent fields. Motion by Street and seconded by Buttke to approve ROW 2019-10 with the condition the Hwy Supt Schultz inspects the project during and at the completion of the project. Motion carried 4-0 with Commissioner Tostenson recusing himself from this item of business. **Stockholm Township:** The Commission reviewed a request from the Stockholm Supervisors to remove a bridge between Section 3 & 4 on 469th St. Supt Schultz is recommending the bridge crew remove the bridge and set in a culvert with a 10' diameter and 60' long. The Township Supervisors have agreed to backfill and provide the rip rap. Also, a culvert collapsed on the road going into the cemetery. The Supervisors have requested a 60" culvert which they would install though a contractor. Motion by Tostenson and seconded by Street to approve the two requests as presented. Motion carried 5-0. **ROW:** Supt Kerwin Schultz presented the following ROW occupancy application from Century Link for County Road 8 and 457th Ave in Section 36,20,25,30,31,29,32 and 28 in Lura and Farmington Townships where fiber optic is and has been installed. He reported he had reviewed the request and he recommends approval. Motion by Mach and seconded by Buttke to approve the ROW 2019-11 as presented. Motion carried 5-0. **Priority Plan:** Commissioner Tostenson for prioritizing work on the gravel roads, the County needs to look for new revenue sources, maybe through a road levy or

consider designating the revenue from the wind energy to roads. Discussion held on requirements of a road levy, scarifying, digging out the soft spots and packing the site with granite fines. Discussion continued on implementing a road levy and dollars to be generated due to the development of wind towers. Supt Schultz stated it is very difficult to plan work areas on gravel roads because each winter and spring brings new challenges and may alter a plan.

BIDS FOR FUEL				
DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
05/15	UPI	2.44		2.40
	Cenex	2.72		2.50

UPI was the low bidder for Ethanol at 2.44 and for Diesel 2 at 2.40.

05/29	UPI	2.50		2.45
	Cenex	2.72		2.50

UPI was the low bidder for Ethanol at 2.50 and for Diesel 2 at 2.45.

American Legion: Commander Dennis Adelman, Noel Cummins, Bob Frink, Clayton Olson and Francis Van Sambeek, members of the Birch Miller Post #9 American Legion were present as the Commission adopted a resolution honoring the Legion on their 100th Anniversary. The Legion program is founded on the four pillars of service to veterans, national defense, Americanism and children and youth. The Commission thanked all Legion members for all the organization does for veterans, their commitment to volunteer work and for their service to our country. Motion by Tostenson and seconded by Buttke to adopt the following resolution. Motion carried 5-0. Resolution adopted.

**RESOLUTION 2019-17
RESOLUTION TO ESTABLISH 2019 AS
THE AMERICAN LEGION CENTENNIAL YEAR**

WHEREAS, The American Legion has been a staunch advocate for veterans and their families since 1919; and

WHEREAS, The American Legion was founded on the four pillars of care for veterans, a strong national defense, Americanism, and children and youth; and

WHEREAS, The American Legion has played a leading role in initiatives and breakthroughs that have affected the lives of Americans in every community, from U.S. Flag Code to the GI Bill; and

WHEREAS, Birch Miller Post #9, Milbank was organized on July 7, 1919 and has fulfilled the Legion's Congressionally chartered mission since 1919 through programs such as, Honor Guard, Department of Veterans Affairs Oversight and Support, Veterans Service, Veterans Relief Poppy Program, Veterans Graves Registration, Veterans Graves Decoration, National Security, Flag Education, Community Service Awards, Patriotic Events, Legislative Action, American Legion

Baseball, Boys State, Girls State, Student Oratory Program, Youth Trooper Academy, School Awards, Veterans in the Classroom, Scouting Support, Public Relations; and

WHEREAS, Milbank is the birthplace of American Legion Baseball beginning July 17, 1925; and

WHEREAS, The American Legion is celebrating its centennial in 2019; and

WHEREAS, on the date set forth herein below, at a regular meeting date of the Board of County Commissioners for the year 2019, the commission having considered and approved the following action, now therefore

BE IT RESOLVED, by the Grant County Board of Commissioners, that the year 2019 be celebrated throughout Grant County, South Dakota as The American Legion Centennial Year.

Approved this 18th day of June, 2019, at the regular meeting of the Board of Commissioners for Grant County.

Doug Stengel, Chairman
Grant County Commission

ATTEST:
Karen Layher
Grant County Auditor

Plat: Register of Deeds Becky Wellnitz requested a correction to the Commissioner's resolution for a plat recorded in 1988. The plat was filed with the correct legal description, but the Commissioner's resolution read SE ¼ and should been the NW ¼. Motion by Mach and seconded by Tostenson to adopt the following resolution. Motion carried 5-0. Resolution adopted.

AMENDED RESOLUTION

2019-19

WHEREAS, a typographical error was discovered in the legal description contained in a prior Resolution approval of the Plat of Lot 1 Folk's Third Subdivision dated December 21, 1988, which should be corrected;

WHEREAS, the correct legal description is: Lot 1 Folk's Third Subdivision in the NW ¼ of Section 13, Township 121 North, Range 48 West of the 5th P.M., Grant County, South Dakota;

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Grant County, South Dakota, that the Plat entitled:

“Lot 1 Folk’s Third Subdivision in the NW ¼ of Section 13, Township 121 North, Range 48 West of the 5th P.M., Grant County, South Dakota”

which has been submitted for examination pursuant to law, which has been duly examined, and approved and accepted by the Grant County Planning Commission, 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 18 day of June, 2019

ATTEST:

Karen M. Layher
Grant County Auditor

Doug Stengel, Chairman
Grant County Commission

Haul Road: Mark Mauersberger from Apex was present to request an additional road be added to the haul agreement for the Dakota Range III project. The road location is in Farmington Twp on 149th St (AKA CR 8) east of the interstate to 458th Ave proceeding south to 150th Street. Motion by Tostenson and seconded by Buttke to approve the addition of the previously described to be added to the agreement with all the same conditions of the agreement to apply to this section of road. Motion carried 5-0.

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

1. Approve plat:

PLAT OF:
LOTS 1 AND 2 OF OLSON SUBDIVISION SHEET 3 OF 3
RESOLUTION

Document#**2019-18**

BE IT RESOLVED by the Board of County Commissioners of Grant County, South Dakota, that the plat entitled: “ LOTS 1 AND 2 OF OLSON SUBDIVISION IN THE COUNTY OF GRANT, SOUTH DAKOTA located in the Northeast Quarter (NE ¼) OF Section 13, T121N, R52W 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 18st day of June, 2019.

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

2. Approve Diane Stewart and Raimi Kelzer as volunteers at the Big Stone Branch Library for work comp purposes effective 5-25-2019

Unfinished Business: None

New Business: None

Correspondence: Auditor Layher reported Governor Noem has designated Friday July 5 for the States offices to be closed. As per the county policy to follow the state declared closings, the county offices will be closed on July 4 and 5.

Claims: Motion by Mach and seconded by Buttke to approve the claims as presented. Motion carried 5-0. A-OX WELDING SUPPLY, welding cylinders 224.67; AL'S BODY SHOP, fender repair 260.00; AVERA MCKENNAN, prisoner care 324.89; BERENS WAREHOUSE, supplies 406.36; BERNIE HUNHOFF, SD magazine 25.00; BORNS GROUP, mailing expense 1,178.41; BROWNLEE CONSTRUCTION, crushed gravel 30,763.20; BUREAU OF INFORMATION, email & internet 570.25; BUTLER MACHINERY, parts & repair 7,457.11; CENTER POINT, books 115.49; CENTURLINK, phone 591.43; COLEPAPERS, air filters 296.35; COLONIAL RESEARCH CHEMICAL, supplies 252.98; CONSOLIDATED READY MIX, hwy project 146.25; EMERY PRATT COMPANY, books 15.65; FISHER SAND & GRAVEL, rip rap 5,798.28; GALE GROUP, books 91.75; GJT INC., prisoner meals 561.75; GRANT COUNTY REVIEW, publishing 602.49; HARTMAN'S, supplies 582.51; INGRAM LIBRARY SERVICES, books 812.67; INTER-LAKES COMMUNITY, worker 2,337.17; INTERSTATE TELECOMMUNICATION, internet 159.71; JASON DOUCETTE, reimbursement 21.00; KIBBLE EQUIPMENT, parts & repair 9.75; LINCOLN COUNTY AUDITOR, prof. services 281.25; MAC'S, supplies 159.96; MACH 3 ENTERPRISES, prof. services 350.00; MICROMARKETING, audio/visuals 75.94; MILBANK AREA CHAMBER, supplies 200.00; MILBANK AREA HOSPITAL, BLAB 749.00; MILBANK WINWATER WORKS, prof. services 8,981.16; NOVAK SANITARY SERVICE, prof. services 94.82; OTTER TAIL POWER CORP, electricity 3,138.95; PCMG,

prof. services 21.00; PETTY CASH, postage 8.05; QUICK PRO LUBE, oil change 135.47; QUILL CORP., supplies 168.93; RC TECHNOLOGIES, 911 transport & tower rent 95.96; RELX, online charges 861.43; ROGER A. BRIGGS, supplies 28.98; RYAN MAGEDANZ, repairs 391.60; SANDRA FONDER, prof. services 50.00; SD DEPT OF HEALTH, BLABS 495.00; SD DEPT TRANS, hwy projects 60,117.25; SEEHAFFER HARDWARE, supplies 31.80; ST WILLIAMS CARE CENTER, prof. services 213.30; STEPHANIE JONES, reimbursement 9.00; STERN OIL COMPANY, supplies 681.94; SUBWAY, meals 76.57; TWIN VALLEY TIRE, tires 743.88; UNZEN MOTORS, repairs 1,516.41; UPI PETROLEUM, diesel fuel 2,622.60; VALLEY OFFICE PRODUCTS, supplies 1,198.09; VANDER HAAGS, supplies 125.00; VERIZON WIRELESS, hotspot 38.52; VISA, gas, hotel, books 1,944.43; WHETSTONE VALLEY ELECTRIC, electricity 699.92; WILLIAM E. COESTER, prof. services 300.00; XEROX CAPITAL SERVICES, copier rent 591.07; ZEM'S FRESH STARTS, supplies 26.10. TOTAL: 140,828.50

SDACO, ROD modernization fee 338.00; SD DEPT OF REVENUE, monthly fees 181,592.67. TOTAL: \$181,930.67.

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 2, 3(budget) and 16, 2019 at 8 AM. Motion by Mach and seconded by Buttke to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Doug Stengel, Chairman, Grant County Comm.