

March 20, 2018

The Grant County Commission met at 8AM with Commissioners Buttke, Dummann, Mach and Stengel. Commissioner Street absent. Chairman Buttke called the meeting to order. Motion by Mach and seconded by Stengel to approve the minutes of the March 6, 2018 meeting. Motion carried 4-0. Minutes filed. Motion by Mach and seconded by Stengel to approve the agenda with the deletion of item 8 - cash transfers. Motion carried 4-0.

Members from the public were Kelly Owen, Kristie Mogen, Teresa Kaaz, Derek Nelson, Paul Nelson, Marlyn Johnson, William Tostenson, Mark Erickson, Vince Meyer, Randy Schmeig, Bob Hicks, Jim DeVaal, Jake Peterson, Christian Reimche, Dan Scoblic, Denise Scoblic, Greg Wall, Kathy Tyler, Tim Tyler, Bobbi Bohlen, George Holborn, Ruby Holborn, Patricia Meyer, Kevin Krakow and Dan Seurer.

The Auditor's account with the Treasurer for February 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 February, 2018

Cash on Hand	\$2,141.33
Checks in Treasurer's possession	
less than 3 days	\$23,584.50
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$25,725.83
RECONCILED CHECKING	
First Bank & Trust	\$23,065.68
Interest	\$0.00
Credit Card Transactions	\$2,615.47
First Bank & Trust (Svgs)	\$4,087,061.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$340,125.91
TOTAL CASH ASSETS	\$4,478,593.89

GENERAL LEDGER CASH BALANCES:

General	\$1,694,236.35
General restricted cash	\$1,500,000.00
Cash Accounts for Offices General Fund	\$605.00
Sp. Revenue	\$219,921.94
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$287.15
TIF Apportioning Northern Lights	\$0.00
TIF Milbank	\$0.00
TIF Northern Lights	\$340,125.91
Trust & Agency	\$723,417.54
(schools 270,619.56, twps 19,218.83, city/town 40,425.50)	

TOTAL GENERAL LEDGER CASH **\$4,478,593.89**

Dated this 12th day of March, 2018
Karen M. Layher
County Auditor

Sheriff's fees for the month of February were \$8,405.68 with \$4,021.09 receipted into the County's General Fund. The Register of Deeds fees for the month of February were \$6,207.50. The Clerk of Courts fees for the month of February were \$13,772.58.

Drainage: Chairman Buttke adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. The Drainage Administrator presented the following permit.

Permit DR2018-02 by Marlyn Johnson in 02-118-49 (Georgia Twp). The request, if granted, would allow the landowner to install sediment dams and control erosion to improve productivity. The wetland determination is completed, letters have been returned with signature for three riparian landowners and the tile map drawing has been received. Motion by Dummann and seconded by Stengel to approve DR2018-02 as presented. Motion carried 4-0.

Permit DR2018-03 by Marlyn Johnson and Ben Johnson in 29-119-49 (Madison Twp). Krista reported the request, if granted, would allow the landowners to improve areas for crop production. Three letters from riparian landowners were signed for and the wetland determination has been received in addition to the tile drawing maps. Motion by Dummann and seconded by Stengel to approve DR2018-03 as presented. Motion carried 4-0.

Permit DR2018-04 by Jim DeVaal in 04-120-48 (Georgia Twp). The request, if granted, would allow the landowner to improve farming practices. This permit is a previously

completed project that contained vested drainage that was converted to modern tile. The landowner did not know this type of conversion requires a new permit. Four letters were sent out to the required two mile downstream riparian landowners. The project did not involve wetland areas and flows from 50' on the applicant's own property through an existing culvert. Motion by Dummann and seconded by Stengel to approve DR2018-04 as presented. Motion carried 4-0.

Commissioner Street arrived at 8:13 AM after discussion had occurred on the drainage permits.

Big Stone City resident Randy Schmeig addressed the Commission on his concern of tiling permits adding additional water into the natural runs. He questioned how much additional water can be dumped into the run as it affects his property with the erosion of the river bank. Commissioner Stengel explained tiling releases water at a steady rate through the tile as a controlled flow. The over land flooding caused by a large amount of rain at one time contributes to soil erosion. Randy stated he was told this is a county issue and needs help stabilizing the river bank. Commissioner Stengel will talk to other levels of government for advice.

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

4-H: Advisor Sara Koepke presented a proposal for the building of an 80' X 180' multi-purpose building at the 4-H grounds. Estimated cost of construction is \$544,000. This structure would replace the existing static exhibit building which is in need of repair and does not provide adequate storage, bathrooms and space for both the archery and shooting sports programs. Her goal is to bring the 4-H programs under one location. Currently, the 4-H archery program is held in conjunction with the Valley Archers' in the Valley Queen building on Main Street. Two members of the Valley Archers, Scott Dahl and Steve Cramer, spoke of working with the county on an agreement to use the new facility and the possibility of donating to the project in addition to paying rent. The general consensus of the Commission was positive to research funding options for the proposed project and agreed a committee should be formed to research this proposal. Motion by Dummann and seconded by Street to appoint Commissioner Buttke, who is the building and grounds commissioner to serve on the 4-H Static Exhibit Building Committee. Motion carried 5-0.

Highway: Motion by Dummann and seconded by Street to set April 3 for the annual bid letting of highway supplies with the bid opening to be March 30 at 1PM and the acceptance of the bids to be at the April 3 meeting at 8:15 AM. Motion carried 5-0.

Wind Energy: The Commission opened a discussion on setbacks for non-participants of wind towers. Kelly Owen had asked to address the agenda item. He stated he is farmer / rancher in the Stockholm area and would like to pass the land and way of life onto his children. His concerns with wind energy are being surrounded by the wind towers, the massive size of the towers, the change to the landscape and the effect on individual's lives and the livestock. He addressed the Commission as an individual and representing others. He requested to have entered into the record a resolution he read entitled: Resolution Creating Safe Setbacks from Industrial Wind Turbines (IWT). The final paragraph of the resolution reads, Be it therefore Resolved: To uphold Grant County Compiled Zoning Ordinance dated 1-25-2018 Grant County establishes a requirement for best practice aircraft lighting detection system and an Industrial Wind Turbine 2-mile setback from a nonparticipating owner property line, allowing for a waiver. The entire resolution is on file in the Auditor's Office.

Commissioner Dummann and Street expressed that good points had been made by Kelly Owen as there are long term effects of the towers for the landowners and having the P & Z Board review the regulations would be good. Kelly Owen also expressed concerns of the blinking red lights at night and the flicker effect from the blades. He asked the Commissioners to place a moratorium on wind energy to allow the Commission time to review and update the regulations on wind energy and make it work for everyone.

Discussion was held on opening the section of the ordinance on wind energy and placing a moratorium. Currently two wind farms have received a conditional use permits and another wind farm is going through the State permit process first before applying at the local level. Auditor Layher suggested a special meeting be called because the States Attorney was not available to answer questions on the moratorium or the Commission could motion for the section of regulations on wind energy be opened for review by the P & Z Board.

Auditor Layher suggested trying to contact the States Attorney or First District of Local Government for advice. The Commissioner asked Auditor Layher to make the phone calls and to report back to the meeting on the information obtained. Auditor left the meeting after the appointment for the Historical Society to make the phone calls.

Sheriff: Kevin Owen presented the following statistics for the month of February for the Detention Center were: Average Daily inmate population 6.67; Number of bookings 24; Work release money collected \$1,150.00; 24/7 Preliminary Breath Test (PBT) fees collected \$1,551.00; SCRAM (alcohol detecting bracelet) fees collected \$136.00; 24/7 PBT participants 7; SCRAM (Sobriety Program) participants 3; Calls for Service (does not include walk-in traffic) 317; Accidents investigated 5; Civil papers served 63; Cumulative miles traveled 5,094; 911 calls responded to (including Milbank) 56. 911 Annual Report: The 2017 911 Annual report was reviewed. The fund balance at year end is \$32,525.62. The 911 Fund revenues were \$92,549.27 with \$100,280.04 of expenses.

Historical Society: President for the Society Arlo Levisen, brought forth a request for additional financial assistance to assist with the re-shingling project of the house and the school located across the street from the Justice Museum. He explained to keep in the building period of the structures, wood shingles would be correct. The quote he has received from Lapp Builders is \$19,250 for the house and \$7452 for the school. The cost of asphalt shingles would be approximately half. Arlo suggested completing one building per year. The yearly allocation received from the county goes for the insurance, utilities and curator. A discussion was held on wood versus asphalt. Motion by Street and seconded by Dummann to allocate funding of \$3000 for the asphalt project of the school. Motion failed 0-5. Motion by Street and seconded by Dummann to allocate \$6000 for the wood shingle project of the school building. Motion carried 5-0.

Auditor Layher left the meeting to make phone the phone calls and Deputy Auditor Joan Czmowski took over minutes for the meeting.

Economic Development: Executive Director Bobbi Bohlen reported from the survey they are looking into the areas of education, economy and school life. Milbank graduates who had left and came back to Grant County attended Career Day and gave the students an insight on what opportunities are available in Grant County. She is also working on grant requests for infrastructure and school. Economic development is helping Milbank School to partner up with Lake Area Technical School on credited classes for Juniors and Seniors.

Land Lease: The land lease sale was held at 9:15 AM and the following bids were received:

1. S ½ NE ¼ of 8-120-51 (40 Acres) Mazeppa Twp. The lease will be offered to John Moes who has leased the land in prior years for \$40 per acre.

2. Part of the NW ¼ NW ¼ 33-120-47 (About 15 Acres) Alban Twp. leased to Mielitz Brothers for \$600.00.

Wind Energy: Auditor Layher reported she was unable to contact the States Attorney but had spoken with Todd Kays at First District. As indicated before the Commission may motion for the P & Z to review the wind energy regulations and make recommendations back to the Commission. A special meeting may be called. The issue of a moratorium needs to be placed on the agenda before any action may be taken. Motion by Dummann and seconded by Street to set a special meeting for March 27 at 10 AM for item one: a discussion on the county zoning regulations regarding Wind Energy Systems (WES) and possible action to request the P & Z Board to review existing regulations and make a recommendation(s) to the Commission regarding the zoning regulations on Wind Energy Systems and item two: being a discussion and possible action on a moratorium of Wind Energy Systems during the review process of the WES regulations. Motion carried 5-0.

Dakota Range Wind: A request from the wind project to submit the project letter of support approved by the Commission in October of 2017 to the PUC for the public hearing. No action was taken, letter will not be sent.

Travel: Motion Dummann and seconded by Stengel to approve travel expenses for Hwy Supt Schultz to attend an asphalt Conference in Pierre. Motion carried 5-0.

General Fund Report: Auditor Layher reviewed the general fund cash analysis report. Under SDCL 7-21-18.1 the law states the general fund unassigned cash balance of the general fund may not exceed 40% of all general fund appropriations contained in the budget for the next fiscal year. The unassigned cash for December 31, 2017 is \$1,067,379.37 and the percentage is 20.49% of the 40% general fund cash test. This report is done by the modified accrual basis and includes accounts payable of \$36,084.80. Motion by Stengel and seconded by Mach to approve filing the report with SD Dept of Legislative Audit. Motion carried 5-0.

Courthouse: Motion by Street and seconded by Stengel to approve the quote of \$8,872.03 from Larry's Refrigeration and Heating for the replacement of the thirteen cooling valves on first floor and the basement for the completion of the HVAC project in the Courthouse. Motion carried 5-0.

Election Precincts: Auditor Layher requested approval to establish the use of all 18 precincts for the Primary and General Elections in 2018 as under SD Election

Rules, the precinct ID must be printed on the ballot. Motion by Stengel and seconded by Street to approve assigning all eighteen election precincts for 2018. Motion carried 5-0.

Unfinished Business: None

New Business: Auditor Layher reported Librarian Jody Carlson will be advertising for staff due to a resignation and scheduling issues with part-time staffing, but there will not be any additional impact to the 2018 budget.

Correspondence: A copy of the 2017 Sales Ratio and Compliance Audit Report from SD Dept of Revenue was given to the Commission for their review. The Commission is invited to attend the First District Governing Body meeting in Watertown on March 29 at 4 PM.

Holiday Closing: Auditor Layher reported Governor Daugaard has designated Monday April 2 for offices to be closed to allow employees time with family for Easter. As per the county policy to follow the state declared closings, the county offices will be closed on Monday, April 2.

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

1. Approve Plats:

2018-04

COUNTY COMMISSION RESOLUTION

Lots 1 of Cory and Haley Harms Addition, located in W1/2SW1/4 of Section 20, Township 121 North, Range 47 West of the 5th 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.

Marty Buttke, Chairman
Board of Commissioners
Grant County, South Dakota

2018-05

RESOLUTION BY THE BOARD OF COUNTY COMMISSION GRANT COUNTY SOUTH DAKOTA
“Be it resolved by the Board of County Commissioners of Grant County, South Dakota in regular meeting assembled that the plat of Lot A and Lot B in Lot 1 of the Jeremiah McFarland Subdivision, located in the south half of the north half of the southeast quarter (S1/2 N1/2SE1/4) and the south half of the north half of the southwest quarter (S1/2N1/2SW1/4) of Section thirty-one (31), Township one hundred twenty (120) North, Range fourty-seven (47) West of the 5th P.M., Grant County, South Dakota be approved this 20th day of March, 2018 in accordance with the provisions of SDCL 11-3 and all acts amendatory thereto.” I, Karen M.

Layher, County Auditor of Grant County, South Dakota, certify that this is a true copy of the resolution adopted by the Board of Commissioners of Grant County, South Dakota.
Dated this 20th day of March, 2018.

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

2018-06
Resolution

BE IT RESOLVED by the Board of County Commissioners of Grant County, South Dakota the plat entitled: "Lot 1 of 1892 Olson Homestead Addition in the County of Grant, South Dakota, located in the Southwest Quarter (SW1/4) of Section 8, T 121 N, R 52 W of the 5th P.M., in the former Sisseton Wahpeton Indian Reservation in 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 20th day of March, 2018.

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

1. Set April 3 at 8:45 AM for hearing on application for a one day Special Event Malt Beverage License by David Rufer for an event at the Pride of the Cats Building , formerly the Grant Deuel School on April 7th
2. Approve Annette Redepenny as Deputy Treasurer effective April 9 at \$15.40 per hour
3. Declare surplus a 1993 Chevy 350 Pickup (4 door), 1967 Ferguson Steel Face Roller, 2006 Monroe Sander, 1967 Case Tractor, a 1979 Wildcat Blower and (2) black cloth/silver frame chairs-asset number 1302 and 1818

Claims: Motion by Stengel and seconded by Street to approve the claims as presented. Motion carried 5-0. A-OX WELDING, supplies 18.04; BERENS, supplies 24.68; BIRSCHBACH EQUIP, parts 252.00; BORNS GROUP, mailing expense 2,829.30; BUREAU OF INFO & TELE, internet & email 505.75; BUTLER, shipping expense 13.51; CENTER POINT, books 551.67; CENTURLINK, phone 588.67; CERTIFIED LANGUAGES INTERN, prof service 31.35; CITY OF WATERTOWN, 911 surcharge 6,464.82; MILBANK GLASS & MORE, mirror 102.86; CRAIG DEBOER, car wash 100.00; DELORIS J RUFER, rent 100.00; DEMCO, supplies 149.34; DEUTSCH PRINTING, subscription 90.00; LONGRIDER BOOKS, books 726.58; EMERY PRATT, books 96.82; EQUIPMENT BLADES, parts 134.00; FLOWER SHOPPE, supplies 45.00; GALE GROUP, book 12.00; FOOD-N-FUEL, prisoner meals 1,218.00; GRANT CO SHERIFF, postage 9.95; GRANT CO REVIEW, publishing 987.19; HARTMAN'S, 4-H supplies & prisoner meals 983.68; HASSLEN, contract project 725.00; INGRAM, books 576.30; INTER-LAKES COMM ACT, worker 2,192.00;

ITC, 911 transport 1,253.99; KIBBLE EQUIP, parts 13.25; LABOLT DEVELOPMENT, internet & rent 90.00; LARRY J TRAPP, repair 190.33; LEARNING OPPORTUNITIES, books 496.39; LEWIS FAMILY DRUG, prisoner RX & supplies 87.67; LIBRARIANS' BOOK EXPRESS, books 342.41; LIBRARY SALES, books 314.97; MICROFILM IMAGING SYSTEMS, scanner rent 417.00; MICROMARKETING, supplies 100.94; MIDAMERICA BOOKS, books 323.10; MIDCONTINENT, internet 90.53; MIDWEST POWERSPORTS, key 11.79; MILBANK AREA HOSPITAL, BLAB 404.00; MILBANK COMMUNICATIONS, radio 643.93; MILBANK WINWATER WORKS, parts 18.72; MOMAR, supplies 157.10; NELSON LAW OFFICE, allocation 3,969.88; NORTHERN TRUCK EQUIP, parts 174.54; NORTHWESTERN ENERGY, nat gas 438.49; NOVAK, shredding service 187.74; OFFICE PEEPS, supplies 32.40; OLDE MILL HOSPITALITY, room 87.20; OTTER TAIL POWER CO, electricity 4,706.55; PCMG, printer 315.00; QUICK PRO LUBE, tires 628.00; QUILL, supplies 83.15; RC TECHNOLOGIES, 911 transport & tower rent 95.96; RDO EQUIP, parts & repair 2,153.88; RELIANCE, phone cards 500.00; RELX, online chgs 705.00; ROGER A. BRIGGS, parts 58.30; RUNNINGS, supplies 786.04; RYAN MAGEDANZ, parts & repair 402.63; SCOTT R BRATLAND, ct appt atty 13,536.51; SD ASSN CO COMM, CLERP 3,311.00; SD DEPT OF REVENUE, BLAB 987.49; SD EM MGMT ASSN, dues & regis 95.00; SD POLICE CHIEF'S ASSOC, regis 85.00; SD STATE HISTORICAL SOC, dues 40.00; SDSU EXTENSION, regis 30.00; SEEHAFFER, supplies 63.57; SHOPKO, supplies 119.98; ST WILLIAMS, inmate laundry 327.60; STAR LAUNDRY, prof service 41.32; TECH ONE, prof service 253.75; THE WINDOW PLACE, windows 1,387.76; TOWN OF STRANDBURG, internet 272.40; TWIN VALLEY TIRE, tires 2,197.70; TYLER TECHNOLOGIES, training 137.50; UPI, ethanol & diesel 8,145.52; VALLEY OFFICE, supplies 1,070.39; VALLEY SHOPPER, publishing 92.57; VERIZON WIRELESS, hot spot 38.52; VISA, gas, books, iPad 876.79; WHETSTONE HOME CENTER, supplies 121.94; WHETSTONE VALLEY ELECTRIC, primary rental, electricity 1,131.79; XEROX, copier rent 743.89. TOTAL: \$74,917.38.

SD ATTY GENERAL, 24/7 PART FEE & SCRAM 278.00; SDACO, ROD MODERIZATION FEE 254.00. TOTAL: \$532.00.

Bill Tostenson asked to address the Commission on wind energy tax credits at the Federal level.

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 27 (Special Meeting) and April 3, 10 (Equalization) and 17, 2018 at 8 AM. Motion by Mach seconded by Stengel to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Marty Buttke, Chairman, Grant County Comm.