

May 17, 2022

The Grant County Commission met at 8AM with Commissioners Buttke, Mach, Street and Tostenson present. Commissioner Stengel was absent. Motion by Buttke and seconded by Street to approve the minutes of the May 3, 2022, meeting as presented. Motion carried 4-0. Minutes filed. Motion by Buttke and seconded by Street to approve the agenda as presented. Motion carried 4-0.

Members of the public present were Nathan Granquist, Bruce Granquist, Ron Meyer, Paul Anderson, Tom Wollschlager, Bert Loehrer and Dan Loehrer. Members of the staff present were Drainage Officer Berkner and States Attorney Schwandt.

Public Comment: Vice-Chairman Mach called for public comment. There were not any comments. Vice-Chairman Mach closed the public comment.

The Auditor's Account with the Treasurer for the month of April 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 April, 2022.

Cash on Hand	\$2,529.20
Checks in Treasurer's possession less than 3 days	\$837,012.79
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$839,541.99
RECONCILED CHECKING	
First Bank & Trust	\$3,988.96
Interest	\$0.00
Credit Card Transactions	\$3,632.16
TIF Fees	\$0.00
First Bank & Trust (Svgs)	\$12,438,315.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$0.00

TOTAL CASH ASSETS **\$13,285,478.11**

GENERAL LEDGER CASH BALANCES:

General	\$4,153,728.07
General restricted cash	\$2,050,000.00
Cash Accounts for Offices General Fund	\$656.00
Sp. Revenue	\$1,086,016.81
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$6,297.25
TIF Apportioning	\$1,607.62
TIF Milbank	\$0.00
TIF Milbank Rosewood	\$33,689.41
Special Assessment Land Rent	\$0.00
Trust & Agency (schools 543,722.40, twps 105,555.15, city/towns 69,932.18)	\$5,953,482.95

TOTAL GENERAL LEDGER CASH **\$13,285,478.11**

Dated this 9th day of May, 2022
Karen M. Layher
County Auditor

The Clerk of Courts fees for the month of April were \$9,694.96 and the Register of Deeds fees for April were \$12,977.00. The Sheriff fees for the month of April were \$9,061.61 with \$2,302.61 receipted into the General Fund.

Drainage: Vice-Chairman Mach adjourned the Board of Commissioners and convened the Commission acting as the Drainage Board.

Permit DR2022-29 for Bruce Granquist for property owned by Bruce and Janet Granquist for land located in the NE1/4 of 35-119-50 (Stockholm Township). Motion by Tostenson and seconded by Buttke to approve DR2022-29. Drainage Officer Berkner reported this permit is for the northwest corner of a field that was missed under a prior approved permit. The project area is 50 acres with a direct impact of 15 acres. There are not any inlets. There is approximately 6,000 ft of 4-inch laterals with a 10-inch outlet going into the natural run. At a .1% grade with a double wall pipe, water would flow at 340 gallons per minute if running at full capacity. 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 with the note on not enough information on the impact to wildlife.

Applicant Nathan Granquist reiterated he had neglected to add this area of the field to his prior permit that had previously been approved.

Vice-Chairman Mach opened the public comment period for pro and con testimony. There were not any comments. He closed the public portion of the hearing and opened the Board's discussion.

Commissioner Tostenson remarked that he liked the placement of laterals instead of an inlet. The question was asked if the outlet is in the ROW. The applicant replied that the outlet is located 20 to 30 feet off the ROW. Commissioner Buttke asked if the adjacent landowner is being affected. The applicant replied he owns the adjacent land and the water outlets into a natural run. There were not any additional questions. The motion to approve DR2022-29 was stated. Motion carried 4-0.

Permit DR2022-30 for Ronald Meyer for property owned by Ronald Meyer for land located in the NE1/4 of 20-118-49 (Georgia Township). Motion by Street and seconded by Buttke to approve DR2022-30. Drainage Officer Berkner reported this permit has a total of six inlets with four of the inlets taking the water to a dam or settling pond area before exiting into a natural grass run. One of the inlets is on the property line of Meyer and Tom Wollschlager, who will have a permit being presented at a meeting in June. There is a 15-inch outlet on the adjoining landowner's land, who has given his written approval. The project area is 160 acres with a direct impact of 125 acres. At a .1% grade with a double wall pipe, water would flow at 1,000 gallons per minute if running at full capacity. 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 for Section 101. This is a not a pattern tiling project. The applicant is just working on the trouble areas in the field. Applicant Ron Meyer offered no additional comments.

Vice-Chairman Mach opened the public comment period for pro and con comments. Tom Wollschlager spoke in favor of the project as he is the adjoining landowner and would like to tie into the proposed outlet through his own permit. There was not any opponent testimony. Vice-Chairman Mach closed the public portion of the hearing and opened the Board's discussion.

Commissioner Tostenson asked for clarification on the outlet location and if all the inlets go to the wetland area. Drainage Officer Berkner and the applicant clarified that four of the inlets go to a stock dam. The water exits to a grass waterway when the water in the dam reaches a certain height. The other two inlets go directly to the natural run. Commissioner Tostenson asked the applicant to consider French drains on the two outlets that do not go to the dam. The discussion continued on the outlet being in a grass

waterway, the man-made dam, the project area does not have any wetland determination, and to discuss with the tiler about using a French drain on the two outlets that do not go into the dam. There were not any additional questions. The motion to approve DR2022-29 was stated. Motion carried 4-0.

Permit DR2022-20 for Ron Anderson for property owned by Ron and Linda Anderson Living Trust for property located in (a) SE1/4 EX LOT 1 EBSSENS SECOND ADDITION in 20-119-48; (b) S1/2SW1/4 EX LT 1, EBSSENS SUBDIV IN SW1/4SW1/4 in 21-119-48; (c) NE1/4 EX LOT H-3 in 21-119-48 (Vernon Township). Commissioner Street recused himself from this permit hearing. Motion by Tostenson and seconded by Buttke to motion back to the table DR2022-20 and to allow discussion with the applicant and the public members present. Motion carried 3-0.

Drainage Officer Berkner provided information to the Board to re-familiarize them with the project as questions and concerns had been asked from downstream landowners; The Roger Heller Marital Trust, Dan Loehrer, Bert Loehrer and Kent Beyer.

During his presentation, Berkner said the project would have water draining from approximately 250 tiled from parts of three separate quarter sections flowing toward the northeast to a 15-inch outlet located in the westside of the Larry Loehrer residence. Then the flows north through a culvert under SD Hwy 158. The tile outlet could flow at a maximum capacity of 1000 gallons per minute if the pipe was full. The tile map provided proposed the use of three inlets in Section 21, where surface water was to be collected and added to the main 15-inch drainage tile to avoid further erosion and reduce pollution.

Berkner stated the drainage project is all gravity fed with no pumps and exiting drainage water enters a grass ditch that crosses SD Highway 158 multiple times as it meanders east approximately 4 miles before entering what eventually becomes the South Branch of the Yellow Bank River.

Berkner reported the Heller Trust permit DR2014-19, which was also considered along with drainage permits DR2014-18 and DR2014-20, has two lift pumps, one in Section 15 and another in Section 23, but stated he is unable to find documentation for both pumps where the joint design of those three permits indicated only using one pump, which was to be located solely in Section 23. Berkner said he realized this may be another matter to be addressed separately but thought the Drainage Board should be aware of the non-permitted pump located in Section 15.

Berkner also gave an update on a conversation he has had with downstream landowner Kent Beyer who still has concerns about the additional water that could cause further problems to his land near the intersections of SD Hwy 158 (157th St.) and 482nd Ave. Beyer has stated that in his opinion the culverts in that area need maintenance.

Berkner stated that one suggestion Beyer made to reduce the amount of water flowing north and east is that water from the Section 20 portion of the proposed project could possibly be drained to the south before it flowed east. Berkner added that county GIS maps indicated that the elevation of the two culverts, the Anderson proposed culvert which flowed east and then north, and the one proposed by Beyer which would flow south and then east are both at the same 1172 feet elevation and that both waterways join about 2 to 3 miles east downstream from the Beyer, Heller Trust land and both Loehrer's properties.

The Board continued their discussion and asked questions of Paul Anderson, Dan Loehrer and Bert Loehrer on pumps, cleaning out of the ditch and over the permit being considered is overland water done by gravity, no lift pump involved for this permit.

Commissioner Mach expressed concern with the outlet and the two pumps, one in Section 15 and the other in Section 23 that reportedly runs continually and if surface drainage would add to the pump lifting the water.

Commissioner Tostenson expressed three concerns. 1. Do we consider the pump on the Heller land receiving the water. 2. Section 317 refers to the adverse effect to downstream landowners. 3. Section 101 refers to a hardship for the person receiving the water. He ended his remarks stating this is a very complex permit.

Commissioner Mach asked States Attorney Schwandt what options the board has. Schwandt replied for good cause, because of the complexity of the permit, it can be postponed or the Board votes on the permit.

Motion by Tostenson and seconded by Buttke to postpone action on permit DR2022-20 until June 21 to allow the applicant and landowners time to discuss a solution and for the Board to have additional time to review the complexity of the permit. Motion carried 3-0.

This concluded the business for the Drainage Board. Vice-Chairman Mach adjourned the Drainage Board and reconvened as the Board of Commissioners.

Highway: Supt. Schultz presented a right-of-way occupancy application from Northwestern Energy for the installation of a gas line. Motion by Street and seconded by Buttke to approve ROW2022-08 occupancy application for Northwestern Energy on County Road #12 in Section 23 and 24 of Grant Center Twp. Motion carried 4-0.

The 2022 pavement striping agreement with DOT for the striping of the center line of asphalt roads was reviewed. The agreement is for approximately 43.5 miles of striping. The county's 40% share is \$1,528.96. The county's amount over the allocated limit is \$3,986.22 for a total cost to the county of \$5,515.18. Motion by Tostenson and seconded by Buttke to approve signing the agreement for pavement marking. Motion carried 4-0.

Asphalt Roads: Banner submitted a letter of contract for engineering services for year three of the asphalt pavement inventory project. The information collected through core samples of the asphalt road would assist with decision making of repair and maintenance of the roads. The contract would be for 32.1 miles of core samples for a cost of \$28,500. Motion by Tostenson and seconded by Street to approve signing the contract with Banner for year three of core samples of the asphalt roads. Motion carried 4-0.

Rumble Strips: Motion by Buttke and seconded by Street to sign the agreement for two rumble strip/pavement marking projects identified as Roadway Safety Improvement Project Number PH 0010(157) PCN06U8 with 100% of the project funded by the State. Motion carried 4-0.

Treasurer: Karla DeVaal discussed hiring a deputy to replace Cathy Schuelke who resigned to take a position with the State of SD. The Commission gave their approval to move forward with advertising the deputy position.

Travel: Motion by Tostenson and seconded by Buttke to approve travel expenses for EM Director Kevin Schuelke to attend the SD Incident Management Assistance Team exercise in Custer. Motion carried 4-0.

Township Bonds: Motion by Street and seconded by Buttke to approve the filing of the clerk and treasurer bonds in the Auditor's Office. Motion carried 4-0.

Computer: Motion by Tostenson and seconded by Buttke to approve a server replacement due to age and combining of two servers at a cost of \$15,669.67. Motion carried 4-0.

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

1. Approval of Sue Christensen as a Big Stone City Library volunteer
2. Approval to set June 21 at 9:30 am for a budget supplement hearing for fund 207 for \$24,000

Executive Session: Motion by Buttke and seconded by Street to enter executive session at 10:25 AM for the purpose of litigation issues pursuant to SDCL 1-25-2 (3). Motion carried 4-0. States Attorney Schwandt and Auditor Layher were present. Vice-Chairman Mach declared the meeting open to the public at 10:55 AM. No action taken because of the executive session.

Unfinished Business: 4-H Advisor Sara Koepke provided the Commission with an approximate cost of \$54,200 for items such as tables, chairs, office furniture and appliances needed to furnish the building.

New Business: The Commission discussed the May 12th storm damage and approving a resolution to declare a disaster at a future meeting.

Correspondence: None

Claims: Motion by Buttke and seconded by Street to approve the claims. Motion carried 4-0. A-OX WELDING, supplies 17.11; BANNER, hwy proj 2,261.74; BERENS MARKET, inmate groceries 419.26; BORNS GROUP, mailing expense 1,100.69; BOYER FORD TRUCKS, repairs & maint 1,406.12; BUTLER, repair & supplies 1,643.12; CENGAGE LEARNING, book 21.69; CENTURYLINK, phone 152.12; CERTIFIED LANGUAGES, prof services 16.50; CHS, diesel fuel 7,862.67; CITY OF MILBANK, water & sewer 305.94; CLIMATE AIR, maintenance 2,496.07; CODY KELLY, prof services 200.00; COLLABORATIVE SUMMER LIB, supplies 5.88; CONSOLIDATED READY MIX, gravel 10,600.87; CRAIG DEBOER, car wash usage 369.36; ELECTION SYSTEMS & SOFTWARE, prof services 350.00; EQUIPMENT BLADES, supplies 218.98; FARM & HOME PUBLISHERS, reference books 125.00; FIRST BANK & TRUST, supplies 222.82; FIRST DISTRICT, prof services 3,800.00; FISHER SAND & GRAVEL, gravel 2,864.59; FOELL, PC, dot physical 80.00; G & R CONTROLS, repairs & maint 33.94; GALL'S, supplies 62.60; GRANT COUNTY REVIEW, publishing 1,655.17; GRANT-ROBERTS RURAL WATER, water

usage 41.70; INGRAM, books 753.13; ITC, phone & internet 1,430.63; ISTATE TRUCK CENTER, repair & maint 154.22; JASON SACKREITER, garbage service 230.00; JEREMY WIESE, supplies 11.27; LARRY'S REFRIGERATION, repair & maint 171.93; LEWIS & CLARK BEHAVIORAL, prof services 184.00; LEWIS, supplies 279.80; MCLEOD'S PRINTING, supplies 81.31; MICROFILM IMAGING SYSTEMS, scanner rent 620.00; MIDWEST TRUCK & PARTS, repairs & maint 2,014.41; MUNDWILER FUNERAL HOME, prof services 3,500.00; NORTHERN STATE UNIVERSITY, motel 121.45; NORTHWESTERN ENERGY, natural gas 392.54; NOVAK SANITARY SERVICE, shredding service 52.80; OTTER TAIL POWER, electricity 3,149.40; OXYGEN SERVICE, supplies 265.00; PETERS DISTRIBUTING, minor equip 2,184.89; PHOENIX SUPPLY, inmate supplies 1,575.85; QUICK PRO LUBE, oil chgs 163.93; QUILL, supplies 113.97; RC TECHNOLOGIES, 911 transport & tower rent 95.96; REGENCY MIDWEST VENTURES, motel 659.94; RELX, online charges 725.00; RUNNINGS, supplies 157.94; SCANTRON, prof services & minor equip 15,645.03; SDAAO, registration 350.00; SD ASSN CO COMMISSIONERS, clerp 523.00; SD BUREAU OF ADMIN, supplies 243.60; SDSU EXTENSION, registration 210.00; STATE OF SD, supplies & automotive equip 20,963.50; STEVEN RHODY, prof services 225.00; THE PENWORTHY, books 152.77; TRIGGER INTERACTIVE, minor equip 2,240.61; VALLEY OFFICE PRODUCTS, supplies 2,028.53; VALLEY SHOPPER, publishing 53.16; VERIZON COMMUNICATIONS, hotspot 38.52; VISA, furniture, gas, books, motel 2,163.12; WEST CENTRAL COMMUNICATION, repairs & maint 504.00; WHETSTONE VALLEY ELECTRIC, electricity 867.02; YANKTON COUNTY TREASURER, prof services 127.50. TOTAL: \$103,758.67.

MARCH MONTHLY FEES: SD DEPT OF HEALTH, 1st & 2nd qtr county health nurse, 3,906.50; SDACO, ROD modernization fee 286.00; SD DEPT OF REVENUE, monthly fees 194,106.43. TOTAL: \$198,298.93.

APRIL MONTHLY FEES: SDACO, ROD modernization fee 348.00; SD DEPT OF REVENUE, monthly fees 188,112.22; SD DEPT OF REVENUE, sales & use tax 161.50. TOTAL: \$188,621.72.

Payroll for the following departments and offices for the April 14, 2022, payroll are as follows: COMMISSIONERS 3,335.90; AUDITOR 7,944.92; ELECTION 307.73; TREASURER 5,409.10; STATES ATTORNEY 7,116.60; CUSTODIANS 3,018.95; DIR. OF EQUALIZATION 4,219.20; REG. OF DEEDS 4,556.54; VET. SERV. OFFICER 1,211.10; SHERIFF 13,561.48; COMMUNICATION CTR 6,402.30; PUBLIC HEALTH NURSE 980.38; ICAP 377.00; VISITING NEIGHBOR 1,858.88; LIBRARY 7,691.64; 4-H 3,850.66; WEED CONTROL

2,356.35; P&Z 1,098.90; DRAINAGE 732.60; ROAD & BRIDGE 36,521.11; EMERGENCY MANAGEMENT 2,416.50. TOTAL: \$114,967.84.

Payroll Claims: FIRST BANK & TRUST, Fed WH 8,994.96; FIRST BANK & TRUST, FICA WH & Match 14,024.22; FIRST BANK & TRUST, Medicare WH & Match 3,279.92; AAA COLLECTIONS, deduction 23.72; ACCOUNTS MANAGEMENT, deduction 100.00; AMERICAN FAMILY LIFE, AFLAC ins. 1,425.44; WELLMARK-BLUE CROSS OF SD, Employee health ins. 919.79; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; SDRS SUPPLEMENTAL, deduction 1,454.33; SDRS, retire 12,657.52. TOTAL: \$43,089.90.

Payroll for the following departments and offices for the May 13, 2022, payroll are as follows: COMMISSIONERS 3,335.90; AUDITOR 8,433.97; ELECTION 428.95; TREASURER 5,463.25; STATES ATTORNEY 7,116.60; CUSTODIANS 3,168.48; DIR. OF EQUALIZATION 4,219.21; REG. OF DEEDS 4,458.63; VET. SERV. OFFICER 1,211.10; SHERIFF 13,668.15; COMMUNICATION CTR 6,805.81; PUBLIC HEALTH NURSE 954.80; ICAP 409.50; VISITING NEIGHBOR 1,957.03; LIBRARY 7,613.61; 4-H 3,767.35; WEED CONTROL 1,865.55; P&Z 1,302.40; DRAINAGE 488.40; ROAD & BRIDGE 31,671.80; EMERGENCY MANAGEMENT 2,376.00. TOTAL: \$110,716.49.

Payroll Claims: FIRST BANK & TRUST, Fed WH 8,425.49; FIRST BANK & TRUST, FICA WH & Match 13,488.38; FIRST BANK & TRUST, Medicare WH & Match 3,154.54; AAA COLLECTIONS, deduction 23.72; ACCOUNTS MANAGEMENT, deduction 100.00; AMERICAN FAMILY LIFE, AFLAC ins. 1,507.22; WELLMARK-BLUE CROSS OF SD, Employee health ins. 919.79; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; SDRS SUPPLEMENTAL, deduction 1,454.33; SDRS, retire 12,413.73. TOTAL: \$41,697.20.

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 June 9 and 21 and July 5, 6 and 19, 2022 at 8 AM. Motion by Tostenson and seconded by Buttke to adjourn the meeting. Motion carried 4-0. Meeting adjourned.