

May 21, 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 May 7, 2019 meeting. Motion carried 5-0. Minutes filed. Motion by Mach and seconded by Tostenson to approve the agenda with the deletion of item d under the consent agenda, the Meyer Addition Plat. Motion carried 5-0.

Present from the public were Roger Hopkins, Vince Meyer, John Loeschke, Matt Loeschke, Tim Waldner, Tim Wollschlager, Randy Schmieg, Jada Schmieg, Keith Welberg, Jim DeVaal, Dennis Kohl, Derek Nelson, Lowell Boe, Jerry Bury, Nichole Bury, Juli Freidal, Lonnie Cripps, Toby Schatz, Kyle Stoebner, Tyler Rhud, Bruce Thiebauth and Todd Hiller.

The Chairman called for public comment. Vince Meyer spoke on the condition of roads, tiling, the volume of water flowing through the waterways and raising taxes to improve infrastructure. He also addressed flooding concerns by the Jeff Bunting residence. Randy Schmieg addressed the Commission on the status of assistance on stabilizing the waterway bank by his residence as he believes tiling is the problem for the bank erosion. He relayed information that he had worked with other entities who asked him to comply with removing items not suitable for bank stabilization. He requested the Commission to re-address the bank stabilization issue. Chairman Stengel stated the Corp of Engineers controls the waterways, who had looked at the issue once, but will be contacted to see if any additional information or program is available for assistance.

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, 2019

Cash on Hand	\$5,265.83
Checks in Treasurer's possession	
less than 3 days	\$398,773.91
Cash Items	\$61.85
<b>TOTAL CASH ASSETS ON HAND</b>	<b>\$404,101.59</b>

RECONCILED CHECKING	
First Bank & Trust	\$9,906.48
Interest	\$0.00
Credit Card Transactions/TIF Fee	\$912.44
First Bank & Trust (Svgs)	\$7,263,570.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$352,245.65
<b>TOTAL CASH ASSETS</b>	<b>\$8,030,736.16</b>

**GENERAL LEDGER CASH BALANCES:**

General	\$3,014,959.64
General restricted cash	\$1,500,000.00
Cash Accounts for Offices General Fund	\$605.00
Sp. Revenue	\$284,733.44
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$4,082.98
TIF Apportioning Northern Lights	\$92,925.03
TIF Milbank	\$0.00
TIF Northern Lights	\$352,245.65
Special assessment Land Rent	\$1,393.82
Trust & Agency	\$2,779,790.60
(schools 1,953,271.37, twps 140,412.48, city/town 314,048.50)	
<b>TOTAL GENERAL LEDGER CASH</b>	<b>\$8,030,736.16</b>

Dated this 10th day of May, 2019  
Karen M. Layher  
County Auditor

The Register of Deeds fees for the month of April were \$9,815.25, the Clerk of Courts fees for the month of April were \$14,303.90 and the Sheriff Fees for the month of April were \$3,977.00 with \$2,292.00 receipted into the General Fund. The April statistics for the Detention Center is as follows: Average Daily inmate population 2.13; Number of bookings 19; Work release money collected \$180.00; 24/7 Preliminary Breath Test (PBT) fees collected \$551.00; SCRAM (alcohol detecting bracelet) fees collected \$576.00; 24/7 PBT participants 6; SCRAM (Sobriety Program) participants 3; Calls for Service (does not include walk-in traffic) 376; Accidents investigated 4; Civil papers served 75; Cumulative miles traveled 6,642; 911 calls responded to (including Milbank) 77.

**Drainage:** Chairman Stengel adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. Drainage administrator Krista Atyeo-Gortmaker presented the following permit applications.

Permit DR2019-06 for Dennis Kohl in the SE ¼ and SW ¼ of 3-118-48 in Adams Township. The permit if granted would remove excess water for production. This permit is in addition to a cooperative project begun in 2015. The wetland determination has been received. The outlet is into his existing tile. The Drainage Administrator stated the permit is in order. Motion by Street and seconded by Mach to approve DR2019-06 as presented. Motion carried 5-0.

Permit DR2019-07 for Matt Loeschke in the NW ¼ of 7-119-47 in Vernon Township. The permit if granted would manage excess water. The wetland determination has been received. A discussion was held on adding a control gate. The applicant stated he is willing to add a control gate if the adjoining tiling projects are willing to add the control gate to their prior permitted projects. Commissioner Street called the question. The Drainage Administrator stated the permit is in order. Motion by Street and seconded by Mach to approve DR2019-07 as presented. Motion carried 5-0.

Permit DR2019-08 for John Loeschke in the NW ¼ SW ¼ and NE ¼ of 6-119-47 in Vernon Township. The permit if granted would manage excess water. The Drainage Administrator stated the permit is in order. The Township Supervisors have signed the application as the tile does go through the township road. The adjacent landowner's signature has been obtained. The outlet is on adjoining landowner's land. Motion by Street and seconded by Buttke to approve DR2019-08 as presented. Motion carried 5-0.

Permit DR2019-09 for Vernon Township for culvert conversion to three 8 ft flat bottom tapered heavy gauge culverts between Section 24 and 19 Vernon Township. The request if granted would alleviate washing out of the road and current culverts. Commissioner Street stated the water runs over the road at this location and has less capacity than the culverts downstream. Motion by Tostenson and seconded by Street to approve permit DR2019-09 as requested to replace the current culverts with three 8 ft flat bottom heavy gauge culverts. Motion carried 5-0.

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

**P & Z:** Administrator Krista Atyeo-Gortmaker requested consideration of a building permit fee waiver for damages caused by the winter snow. The request would allow the county residents to rebuild with the same dimensions and location of the building that was lost during the winter with no cost for a building permit.

Motion by Street and seconded by Tostenson to approve the request as presented. Motion carried 5-0.

**Highway:** The Commission discussed removing an approach on the east side of the county road in Section 4 of Grant Center Township. Landowner Charles Russman, at the May 7 meeting, had discussed the issue of water backing up around his residence. He had indicated he had some surveying done and it is recommended an abandoned approach, in the county ROW, be removed from the east side of the road by his residence as this would help reduce water backing up around his home. Motion by Tostenson and seconded by Buttke to remove the approach upon the landowner's approval. Motion carried 5-0. The water will still flow to the same natural run entering at a point further north on the drainage run.

**Alban Twp:** Supt Schultz stated he had a request from the Alban Township Supervisors for a culvert to replace a bridge on 151<sup>st</sup> St between Section 13 and 24. The Commission requested Supt Schultz to contact the Supervisors to invite them to attend the June 4<sup>th</sup> meeting.

**County Road #39:** Commissioner Street brought forth for discussion the issue of possibly placing tile down the middle of the road in areas of where there are soft spots and then connecting the tile into a natural run. His reason for considering tiling is this road is a heavily traveled road with many trucks using this road and it is not holding up under the present conditions. Due to the spring conditions, all roads are in tough shape. Commissioners Street, Mach and Tostenson and Supt Schultz will make an inspection of County Road 39 and other county roads later today to gather information on this issue.

**Trees:** Jerry and Nicole Bury were present to request planting evergreen trees on the north side of the County Bike Path. Nicole explained they are planning on planting approximately 85 Colorado Spruce evergreen trees 12 to 14 feet apart with a 10 feet clearance of the Bike Path when the trees reach maturity. The trees would assist in soil erosion and wind break. Motion by Tostenson and seconded by Mach to approve the plan for planting trees as presented. Motion carried 5-0.

**Managed Computer Services:** The Commission met with three companies who presented information on the company and services offered for managed computer services. The companies were Connecting Point from Watertown, Infotech from Madison, SD and Scantron from Eagan, MN. Each company made a presentation with the Commission asking the company representatives questions.

Commissioner Stengel excused himself from the meeting at 10:00 AM. Vice-Chairman Mach assumed the chair.

**Travel:** Motion by Tostenson and seconded by Buttke to approve travel for CHN Clerical Assistant Jessica Anderson to attend WIC training in Pierre. Motion carried 4-0.

**County Assistance:** Motion by Street and seconded by Buttke to deny case PR 2019-05. 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 3-0 with Commissioner Tostenson excusing himself from the vote.

**Northern Lights/TIF:** Auditor Layher reported the second half of the 2018 payable in 2019 taxes have been received from the Northern Lights Ethanol Plant (POET). With these tax dollars being received, the TIF Fund has enough funds to pay off the bonds. The closure of the TIF fund will allow the county and other taxing entities to receive the tax dollars in 2020. Motion by Street and seconded by Tostenson to authorize issuing the final bond payment to First Bank and Trust in Brookings and to finalize the closing of the Northern Nights Tax Increment Financing District. Motion carried 4-0.

**Managed Computer Services:** The Commission discussed the three presentations and contracting with a company for managed computer services. The proposal is for the company selected to manage the network, firewalls, backups, servers and computer replacements for offices in the county. All three companies did an excellent presentation of the services they provide. Motion by Tostenson and seconded by Street to authorize Auditor Layher and Deputy Auditor Gill to contact Scantron to draw up a contract for managed computer services for the Commission to review. Motion carried 4-0.

**Cash Transfers:** Motion by Street and seconded by Buttke to approve the cash transfer as per the 2019 budget. Motion carried 4-0.

FROM	TO	AMOUNT
101 General	201 Highway Fund	700,000

**Executive Session:** Motion by Tostenson and seconded by Buttke to enter into executive session at 10:58 AM for the purpose of personnel issues pursuant to SDCL 1-25-2 (1). Motion carried 4-0. Chairman Stengel joined the meeting at

11:20 AM. Chairman Stengel declared the meeting open to the public at 11:30 AM.

**Alcohol License:** Auditor Layher reported the final license renewal for the 2019 package off-sale Malt Beverage and SD Farm Wine licenses was received. Motion by Mach and seconded by Street to approve the renewal of the license as presented for the period of July 1, 2019 through June 30, 2020. Motion carried 5-0.

1. The Abbey of the Hills Inn and Retreat Center located in Lot 1 and Lot 2, Gilbert Hess Subdivision in the NE ¼ and in E ½ NW ¼ in Section 35, Township 121 North, Range 50 West of the 5<sup>th</sup> P.M in Grant County, South Dakota, for Retail (on-off sale) Malt Beverage and SD Farm Wine.

**Unfinished Business:** None

**New Business:** An inspection report from Renodry USA was given to the Commission for their review. Technicians from the company had conducted a visual inspection of the basement walls and a masonry conductivity test for dampness within the cement was completed. The report indicates the building needs to be dehydrated. No action at this meeting.

**Correspondence:** The annual meeting of the Grant County Economic Development Corporation will be at noon on May 23 at the Visitor Center.

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

1. Approve plats:

RESOLUTION  
2019-14

BE IT RESOLVED by the Board of County Commissioners of Grant County, South Dakota, that the plat entitled: "Lot 4 of Layher Ranch Subdivision located in the South Half of the Southeast Quarter of Section 20, Township 121 North, Range 48 West of the 5<sup>th</sup> P.M., in the County of Grant, 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 21<sup>st</sup> day of May, 2019.

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

ATTEST:  
Karen M. Layher

County Auditor, Grant County, South Dakota

2019-15  
COUNTY COMMISSION RESOLUTION

It was moved by Commissioner Mach, seconded by Commissioner Buttke, motion carried that LOT 1 of NEILAND AND BONITA NELSON ADDITION LOCATED IN THE SE ¼ OF SECTION 35, TOWNSHIP 119 NORTH, RANGE 48 WEST OF THE 5<sup>th</sup> 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.

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

2019-16  
COUNTY COMMISSION RESOLUTION

It was moved by Commissioner Mach, seconded by Commissioner Buttke, motion carried that LOTS 4 OF STUART AND LUCILLE SIME ADDITION LOCATED IN THE S1/2 SE1/4 OF SECTION 14, TOWNSHIP 118 NORTH, RANGE 48 WEST OF THE 5<sup>TH</sup> 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.

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

2. Approve hiring of James Beyer as PT Dispatcher effective 5-8-2019 at a rate of \$14.80 per hour
3. Approve hiring of Jason Tiesing as FT Truck Driver for Highway Dept effective 5-13-2019 at a rate of \$17.40 per hour

**Claims:** Motion by Buttke and seconded by Tostenson to approve the claims as presented. Motion carried 5-0. 15 HOTEL GROUP INC, hotel 534.00; A-OX WELDING SUPPLY CO, supplies 15.87; AL'S BODY SHOP, repair 470.00; BIEN PHARMACY, prisoner R/X 165.30; BREWSTER BUILDING CENTER, supplies 64.17; BUREAU OF INFO & TELE, internet & email 570.25; CENTER POINT, books 396.18; CENTURYLINK, phone 591.43; COLEPAPERS, supplies 311.22; CONSOLIDATED READY MIX, gravel 3,571.97; CRAIG DEBOER, car wash 129.36; DAVID LLOYD TENNEBOE, prof services 200.00; DIAMOND PRODUCTS CO, prof services 181.81; EMERY PRATT CO, books 16.82; FISHER SAND & GRAVEL, rip rap, 2,168.81; FREMAREK INC, supplies 455.20; GJT INC, prisoner meals 304.50; GOVERNORS INN, hotel 71.00; GRANT CO TREASURER, license fee 21.20; GRANT COUNTY REVIEW, reference book, 247.00; HARTMAN'S, inmate groceries 316.16; INGRAM

LIBRARY SERVICES, books 732.64; INTER-LAKES COMM ACT, May worker 2,337.17; LABOLT FARMERS GRAIN, supplies 14.50; LARRY'S REFRIGERATION, gas boiler 3,672.00; LAUGHING MATTERS, prof services 400.00; LEWIS FAMILY DRUG, clock 38.97; MCLOED'S PRINTING, supplies 519.80; MICROFILM IMAGING SYSTEMS, rent 472.00; MICROMARKETING, DVD 12.99; MILBANK AREA HOSPITAL AVERA, LEPC mtg meals 811.50; NORTHWESTERN ENERGY, nat gas 514.30; OTTER TAIL POWER, electricity 3,972.47; PCMG INC, supplies 401.96; PETTY CASH, postage 8.05; RDO EQUIPMENT, supplies 235.46; RELX INC, online charges 727.00; RENAE SUE KRUSE THORNTON, mental illness board 211.40; ROCKMOUNT RESEARCH & ALLOY, repairs 1,765.06; ROY STOLPMAN, rock & stone 7550.18; SD PUB ASSURANCE ALLIANCE, insurance 405.98; SEEHAFFER HARDWARE, supplies 4.99; SPECIALTY MFG CO, trailer 5,870.00, ST WILLIAMS CARE CENTER, inmate laundry 84.60; STAR LAUNDRY, supplies 97.27; STERN OIL CO, oil & grease 4,283.09; THE PENWORTHY CO, books 119.73; VALLEY OFFICE PRODUCTS, supplies 820.58; VERIZON WIRELESS, hotspot 38.52; WHETSTONE VALLEY ELECTRIC, electricity 674.02; XEROX, copier rent 843.67. TOTAL: 48,442.15.

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 4 and 18, 2019 at 8 AM. Motion by Tostenson 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.