

May 7, 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 Street and seconded by Buttke to approve the minutes of the April 16, 2019 meeting. Motion carried 5-0. Minutes filed. Motion by Mach and seconded by Tostenson to approve the agenda. Motion carried 5-0.

Present from the public were Marjorie Schmidt, Mark Mauersberger, David Lau, Charlie Russman, John Loeschke, Tim Wollschlager, Marlyn Johnson, Jacob Wagner, Carroll Pirmantgen, Neil Pauli, Roger Pauli, Jim DeVaal, Lowell Boe, Bobbie Bohlen.

The Chairman called for public comment. Marjorie Schmidt addressed the Commission on using fly ash on the roads to stabilize the base, like was used when the road past her residence was built. Commissioner Mach reported due to Federal guidelines at the power plant, the fly ash now is mixed with lime and this takes away the stabilization of the product and would not be suitable for road repair.

**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 DR2019-03 for Marlyn Johnson for the N ½ SE ¼ of 34-119-49 in Madison Township. The permit if granted would reduce erosion and improve wet areas for production. The outlet is on the adjoining landowner's property owner's land and goes into a grass run. The Drainage Administrator stated the permit is in order and is a cooperative project with DR2019-04. Motion by Tostenson and seconded by Buttke to approve DR2019-03 as presented. Motion carried 4-0 with Commissioner Street excusing himself from the discussion.

Permit DR2019-04 for William Street for the NE ¼ on 34-119-49 in Madison Twp. The permit if granted would reduce surface water erosion and reduce excess moisture from the soil. The project area covers 37 acres. This permit is a cooperative project with the prior permit. The Drainage Administrator stated the permit is in order. Motion by Tostenson and seconded by Mach to approve DR2019-04 as presented. Motion carried 4-0 with Commissioner Street excusing himself from the discussion.

Permit DR2019-05 by applicant Jacob Wagner for landowner Carroll Pirmantgen for the N ½ NW ¼ FRL (Govt Lt 1 & NE ¼ NW ¼) in 18-120-49 in Grant Center Twp. The permit if granted is to convert ditches to tile underground to remove the excess water. Adjoining landowners Neil and Roger Pauli were present. Neil had been contacted about the project but the applicant was unaware of the joint ownership of the adjoining land. Roger stated he is not opposing, but would like to be informed on the project. The Drainage Officer stated the permit is in order. Chairman Stengel commented there seems to be details that need to be worked out. Motion by Buttke and seconded by Tostenson to approve DR2019-05 with a condition the downstream adjoining landowner's signatures are obtained before a permit is issued. Motion carried 5-0.

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

**Highway:** Supt Schultz requested approval for ROW occupancy applications from Whetstone Valley Electric for work being completed Melrose Twp. Motion by Mach and seconded by Buttke to approve the following requests from WVEC. Motion carried 4-0 with Commissioner Tostenson excusing himself from the discussion.

1. ROW 2019-07, Section 15 and 16, Township 121, Range 48, (Melrose) on 145<sup>th</sup> St (Co. Rd 4)
2. ROW 2019-08, Section 14 and 15, Township 121, Range 48, (Melrose) on 145<sup>th</sup> St (Co. Rd 4)

Discussion was held on a county road ROW ditch cleaned out in Section 6 of Melrose Twp. Due to the depth of the clean out, the commissioners had concerns of liability for the county. Auditor Layher was instructed to have the States Attorney write a letter to the landowner or contractor to address the issue.

**Crowned Ridge Wind:** Supt Schultz presented the application for ROW occupancy applications from Crowned Ridge Wind for the transmission lines crossing overhead on county roads. Motion by Tostenson and seconded by Mach to approve the following requests from ROW application. Motion carried 5-0.

ROW2019-09:

Crossing ID	Township	Twp	Range	Section	Lat	Long
Co Rd 10	Alban West	120N	48W	2	45-32-23.5	96-32-15.6
Co Rd 35	Alban West	120N	48W	14	45-12-30.4	96-33-29.1
Co Rd 12	Alban West	120N	48W	16	45-11-38.7	96-34-44.5
Co Rd 31	Alban West	120N	48W	21	45-11-37.5	96-35-57.3
Co Rd 14	Alban West	120N	48W	30	45-09-53.5	96-38-23.8

Co Rd 26	Madison	119N 49W	1	45-08-09.0	96-39-35.7
Co Rd 19	Madison	119N 49W	19	45-05-56.3	96-45-41.15
Co Rd 13	Stockholm	119N 50W	26	45-05-14.3	96-48-06.1
Co Rd 9-28	Stockholm	119N 50W	28	45-04-41.2	96-50-08.4

Haul Road Agreement: A haul road agreement was provided for the Dakota Range III project. A few minor changes were made from the first agreement approved on June 7, 2018. Commissioner Street requested a condition be added to the agreement of abiding by the weight restrictions adopted by Roberts County for posting during the spring thaw as these are more restrictive than Grant County's. Motion by Street and seconded by Tostenson to authorize Chairman Stengel to sign the haul road agreement with Dakota Range Wind III for the use, repair and improvement of the designated county roads during construction, operation, maintenance and decommission of the projects with Dakota Range Wind III with the added condition of applying the more stringent policy of Roberts's County weight restriction in Grant County during spring thaw. Motion carried 4-1.

Change Order: Supt Schultz presented a change order for the bridge by Trapp's on County Road 31, Project BRO 8026(00)01, PCN 00ZF. The change order of a decrease of \$500 no certification or mill test provided for the 1 ¼ inch pipe. Motion by Mach and seconded by Tostenson to approve Chairman Stengel signing the change order number 3 for the reference bridge project on County Road 31. Motion carried 5-0.

Vernon Twp: Supervisors Lowell Boe, Tim Wollschlager and John Loeschke were present to discuss culverts 5/8 mile south of the intersection of 484<sup>th</sup> Ave and SD Hwy 158. Currently, the site has three culverts with a total of 90.8 total cubic feet. The bridge 1 mile east on 485<sup>th</sup> Ave measures 162 cubic ft. The reason for the discussion is during flooding the road washes out on 484<sup>th</sup> Ave. This has happened three times this spring. The culverts are rusted out and need to be replace. The Supervisors are proposing to install two 8 ft flat bottom culverts with the current 7 ft culvert for a total of 130.5 total cubic ft. or two 7 ft flat bottom culverts for a total of 108.5 total cubic ft. Since this is a request to increase the size of the culverts, the request needs to be heard by the drainage board. Motion by Street and seconded by Buttke to have request on the May 21 agenda for drainage. Motion carried 5-0.

5 Year Highway Plan: Supt Schultz requested adding two additional bridges to the 5 year highway plan due to the deficiency rating from the bridge inspection. Motion by Tostenson and seconded by Street to amend the 2019 5 Year Highway

Plan with the following resolution to include two additional bridges for grant application each year. Motion carried 5-0. Resolutions adopted.

2019-14

BRIDGE IMPROVEMENT GRANT PROGRAM  
RESOLUTION AUTHORIZING 5 YEAR COUNTY PLAN AMENDMENTS

WHEREAS, Grant County wishes to amend their previously approved 5 year County Plan for the Bridge Improvement Grant Program:

ADDITION OF STRUCTURE NUMBER(S) AND LOCATION(S):

26-330-107 8.3 miles North of Albee

26-056-020 10.1 miles west and 2.5 miles North of Marvin

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the Amended 5 Year County Highway and Bridge Improvement Plan, previously approved on 12-14-2018.

Vote of Commissioners: Yes: 5 No: 0

Dated at Milbank, SD, this 7<sup>th</sup> day of May, 2019.

ATTEST:

Karen M. Layher  
County Auditor

Doug Stengel  
Chairman

Motion by Buttke and seconded by Tostenson to adopt the following resolution amending the 5 Year Highway Plan. Motion carried 5-0. Resolution adopted.

**Grant County Resolution of Adoption**

RESOLUTION 2019-15

A RESOLUTION ADOPTING THE **AMENDED** GRANT COUNTY FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN

WHEREAS, the South Dakota Department of Transportation Local Bridge and Improvement Grant Fund requires that in order to be eligible to apply for Bridge Improvement Grant funds, Counties are required to develop a five-year Highway and Bridge Improvement Plan, hereinafter referred to as Plan; and

WHEREAS, Grant County has utilized the South Dakota Department of Transportation, County Staff, the First District Association of Local Governments, Townships, and the general public in developing the various components of the Plan; and

WHEREAS, the Plan includes maps and lists identifying an inventory of highways and bridges, project needs, and revenue sources; and

WHEREAS, Grant County held a public meeting on September 4, 2018 to solicit input into the Plan, and the citizens who attended expressed an interest in the Plan; and

WHEREAS, the County will be able to use the Plan as a tool to budget for transportation enhancements and better coordinate transportation issues with other entities;

NOW, THEREFORE, BE IT RESOLVED BY THE GRANT COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE GRANT COUNTY **AMENDED** FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN IS HEREBY ADOPTED AND IS RECOGNIZED AS THE HIGHWAY AND BRIDGE IMPROVEMENT PLAN FOR GRANT COUNTY.

Dated at Grant, South Dakota this 7<sup>th</sup> day of May, 2019.

ATTEST: Karen M. Layher  
Grant County Auditor

Doug Stengel  
Grant County Commissioner Chair

Approach: Landowner Charles Russman discussed the issue of water backing up around his residence. He stated he has 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. The issue of removing the approach will be added to May 21 agenda.

		BIDS FOR FUEL		
DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
04/03	UPI			2.553
	Cenex		2.95	2.565 2.40
UPI was the bidder approved for a blend of Diesel 1 and 2 at an average of 2.553.				
04/08	UPI			2.43
	Cenex			2.45
UPI was the bidder approved for Diesel 2 at 2.43.				
04/12	UPI	2.595		
	Cenex	2.57		
Cenex was the low bidder for Ethanol at a cost of 2.57.				
04/15	UPI			2.36
	Cenex			2.45
UPI was the low bidder for Diesel 2 at 2.36.				
04/16	UPI			2.40
	Cenex			2.45
UPI was the low bidder for Diesel 2 at 2.40.				

04/30	UPI	2.51	2.44
	Cenex	2.72	2.50

UPI was the low bidder for Ethanol at 2.51 and for Diesel 2 at 2.44.

**Economic Development:** Director Bobbie Bohlen invited the Commission members to attend the ED Annual meeting at noon on May 23 at the Milbank Visitor Center. Also, a brochure entitled Your Guide to the Glacial Lakes Region listing local events and interesting sites to visit has been printed through the Stronger Economics Together (SET) program. Bobbie also reported on a new sales and use tax rebate program that would allow the county to apply for a refund of the sales and use tax on an agricultural development project.

**4-H Building Project:** Advisor Sara Koepke presented information on a cost estimate from Architect Katie Krantz, with the firm of VanDeWalle Architects, LLC. The information regarding the construction of an 80 X 180 building included a cost and code analysis. This size of building would require a sprinkler system. The estimated cost of construction is \$852,000 to \$1,076,000. Sara stated she would like to meet with her building committee next for their input on cost and structure size. In addition to the building information, a review of programs and enrollment was provided to the Commission.

**VSO:** Scott Malimanek presented the statistics for March and April on the number of Veterans he had assisted. The report indicates whether it was a walk-in, a phone call or by appointment and length of time spent with the veteran.

**Travel:** Motion by Buttke and seconded by Tostenson to approve travel expenses for Hwy Bookkeeper William Steinlicht to attend Office Workshop in Pierre, EM Director Kevin Schuelke to attend Preparedness Planning for Rural Communities in Pierre and DOE Kathy Steinlicht and Deputy Casey Cameron to attend Annual Training in Pierre. Motion carried 5-0.

**Malt Beverage Licenses for 2019:** Auditor Layher reported two renewal for the 2019 package off-sale Malt Beverage and SD Farm Wine licenses were complete. The state law was changed effective 7-1-2011 to remove the public hearing requirement for renewals of licenses. Motion by Mach and seconded by Street to approve the renewal of the licenses as presented for the period of July 1, 2019 through June 30, 2020. Motion carried 5-0.

1. Bitter Sweet Lodge located at 15196 455<sup>th</sup> Ave., in Lura Township with a legal description of SW ¼ corner of the SW ¼ SW ¼, Section 7, Township 120, Range 51, Grant County for Retail (off-sale) Package Malt Beverage

2. Gertje Van Lith Post 229 American Legion Club, located in Lot A NE1/4 NE1/4 (4.82A) Section 24, Township 121, Range 47, in Grant County, South Dakota for Retail (off-sale) Package Malt Beverage

**Computer Services:** Auditor Layher and Deputy John Gill discussed with the Commission a proposal for the county to contract with a company for managed computer services. The proposal is for the company selected to manage the network, firewalls, backups, servers, computer replacements for offices in the county. The Commission requested to meet with three of the companies on the May 21<sup>st</sup> meeting.

**Unfinished Business:** None

**New Business:** Commissioner Buttke reported there was a request for a couple of park benches for the Courthouse property. Approximate cost is \$500. The Commission agreed to proceed with purchasing two benches. Auditor Layher informed the Commission she had a request from Jerry and Nichole Bury to plant a row of trees on south side of the county bike path. The Commission requested to see a proposal of the layout and type of trees to be planted.

**Correspondence:** Noted the 2019 First Quarter Statistics report from Community Health Nurse.

**Claims:** Motion by Buttke and seconded by Street to approve the claims as presented. Motion carried 5-0. 3-D SPECIALTIES, supplies 318.51; A-OX WELDING SUPPLY, supplies 14.91; ACCESS ELEVATOR, preventative maintenance 450.00; ARAMARK CORPORATION, meals 190.00; AUTOVALUE, supplies 217.22; AVERA ST LUKE'S, co assist. 60.00; BANNER ASSOCIATES, prof. services 2,399.00; BERENS, supplies 224.13; BORNES GROUP, mailing expense 1,002.34; BRENDA L HOLTQUIST, prof. service 84.00; BUREAU OF INFORMATION, email & internet 510.75; BUTLER MACHINERY, parts & repair 2,237.88; CENTER POINT, books 472.30; CHELSEA OLSON, reimbursement 19.00; CHS, ethanol 2,058.57; CITY OF MILBANK, water 540.24; CITY OF WATERTOWN, 911 surcharge 6,347.99; CLIMATE AIR, maintenance 2,354.77; COLONIAL RESEARCH CHEMICAL, supplies 671.12; CONSOLIDATED READY MIX, hwy project 4,751.43; CREATIVE CO, books 21.95; DALE'S ALIGNMENT SERVICE, alignment & parts 391.40; DELORIS J RUFER, lib rent 100.00; EMERY PRATT COMPANY, books 81.77; FISHER SAND & GRAVEL, rip rap 1,729.11; FLAT RATE, semi 50,000; FOELL PC, DOT exam 60.00; FREMAREK, supplies 177.14; GJT INC.,

prisoner meals 241.50; GRANT CO AUDITOR, postage 1.99; GRANT CO HISTORICAL SOCIETY, allocation 6,945.00; GRANT CO TREASURER, postage 61.85; GRANT CO REVIEW, publishing 387.20; GRANT-ROBERTS RURAL, water 44.80; GRANT/ROBERTS AMBULANCE, allocation 2,458.33; GUY H MACKNER, books 952.92; HEARST BUSINESS MEDIA CORP, reference books 180.00; INTERSTATE TELECOMM., 911 transport 1,219.91; ISTATE TRUCK CENTER, parts 355.62; JB SEAMLESS GUTTERS, repair 40.00; JOHNSON FEED, supplies 2,608.65; JULIE NOLZ, supplies 35.00; KIBBLE EQUIP., repairs & supplies 329.82; LARRY'S REFRIGERATION, gas boiler 3,672.00; LINCOLN COUNTY AUDITOR, prof. services 332.70; MAS MODERN MARKETING, supplies 161.40; MICROMARKETING, cd books 171.96; MIDCONTINENT COMMUNICATION, internet 90.53; MILBANK AUTO PARTS, supplies 1,159.35; MILBANK COMMUNICATIONS, supplies 121.00; MILBANK WINWATER WORKS, prof. service 102.88; MUNDWILER, co. assist. 3,100.00; NASASP, membership 39.00; NELSON LAW OFFICE, court apt atty. 4,088.98; NORTHERN STATE UNIVERSITY, housing 200.00; NORTHWESTERN ENERGY, natural gas 1,337.33; NOVAK SANITARY SERVICE, shredding service 56.00; OFFICE PEEPS, supplies 98.57; PARACLETE PRESS, books 12.59; PCMG, supplies 83.88; PETERS DISTRIBUTING, prof. services 584.01; PETTY CASH, state lab 3.66; QUICK PRO LUBE, oil change 127.01; RC TECHNOLOGIES, 911 transport & tower rent 95.96; REGENCY MIDWEST VENTURES, registration 202.00; ROBERT OLSON, reimbursement 20.00; RUNNINGS SUPPLY, supplies 613.40; SANDRA FONDER, prof. services 50.00; SDACC, registration 75.00; SDAAO, registration 700.00; ST WILLIAMS CARE CENTER, prof. services 90.90; STATE OF SD, supplies 149.00; STURDEVANTS, supplies 19.80; TECH ONE, supplies 49.93; TRACY L GRANT, prof. service 240.00; TROY HOYLES, co. assist 500.00; TRUENORTH STEEL, supplies 17,655.68; TWIN VALLEY TIRE, repair and supplies 1,628.59; UPI, ethanol & diesel 13,406.67; VALLEY RENTAL, allocation 650.00; VALLEY SHOPPER, domestic abuse 53.16; VISA, books, projector & access, supplies 1,506.84; WAYDE FRAASCH, CRP recertification 150.00; WHETSTONE HOME CENTER, supplies 94.49; WITTROCK & SON, garbage service 157.50. TOTAL: 146,999.89

Payroll for the following departments and offices for the month of April 2019 are as follows: COMMISSIONERS 5260.60; AUDITOR 19,913.99; TREASURER 9878.45; STATES ATTORNEY 11,537.34; CUSTODIANS 5588.20; DIR. OF EQUALIZATION 6863.61; REG. OF DEEDS 7043.72; VET. SERV. OFFICER 1356.88; SHERIFF 20,569.34; COMMUNICATION CTR 12,873.36; PUBLIC HEALTH NURSE 1527.16; ICAP 652.65; VISITING NEIGHBOR 3021.77; LIBRARY 12,332.39; 4-H 6092.06; WEED CONTROL 3474.90; PLAN &



ZONING 1893.75; ROAD & BRIDGE 59,923.55; EMERGENCY MANAGEMENT 3314.70. TOTAL: \$193,118.42.

Payroll Claims: FIRST BANK & TRUST, Fed WH 15,908.81; FIRST BANK & TRUST, FICA WH & Match 23,543.74; FIRST BANK & TRUST, Medicare WH & Match 5506.24; AMERICAN FAMILY LIFE, AFLAC ins. 2160.56; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 47,432.58; DEARBORN NATIONAL, life ins. 286.37; LEGAL SHIELD, deduction 88.65; OPTILEGRA, ins 379.28; SDRS SUPPLEMENTAL, deduction 3295.00; SDRS, retire 21,042.01; COLONIAL LIFE INS, ins 98.67. TOTAL: \$119,741.91.

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 May 21 and June 4 and 18, 2019 at 8 AM. Motion by Mach seconded by Street to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

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Karen M. Layher, Grant County Auditor

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Doug Stengel, Chairman, Grant County Comm.