

October 3, 2023

The Grant County Commission met at 8 AM with Commissioners Buttke, Mach, Stengel, Street and Tostenson present. Chairman Mach called the meeting to order. Motion by Buttke and seconded by Tostenson to approve the September 19, 2023 minutes. Motion carried 5-0. Minutes filed. Motion by Stengel and seconded by Buttke to approve the agenda. Motion carried 5-0.

Present from the public were: Chase O'Farrell, Josh Wohlleber, Darin Thiele, James Berg, Jon Wold, Bob Spartz, Jay Mertens, James Mertens and Clayton Tucholke. Staff members present were Drainage Officer Berkner and States Attorney Schwandt.

Public Comment: Chairman Mach called for public comment three times. There were no comments.

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

Permit DR2023-65 and DR2023-66 for adjoining land for John Wohlleber.

- a. Permit DR2023-65 for John Wohlleber for property owned by Joel Purdy and located in the N1/2SW1/4 of 1-120-52 (Mazeppa Township)
- b. Permit DR2023-66 for property owned by Wohlleber Enterprises, LLC and located within the S1/2 of 1-120-52 (Mazeppa Township)

Chairman Mach asked for a motion to approve DR2023-65 and DR2023-66 for John Wohlleber. Motion was made by Street and seconded by Tostenson.

Drainage Officer Berkner began his report for DR2023-65 and DR2023-66 stating the two projects were for tiling approximately 70 acres of adjacent land located within the S1/2 of Section 1 in Mazeppa Township within the Big Sioux River Watershed. The drainage projects have no open inlets and would have a 6" outlet flowing south, and a 12" outlet flowing west, both flowing into two natural blue line runs that combine into one run within one mile. Both outlets combined could flow as much as 1.43 gpm, or 1.43 cf/s, if installed at .1% grade.

Berkner said the permittee had indicated the 12" western flowing outlet may be installed over a shorter distance than indicated on the proposed tile map if conditions warranted. If a permit was granted the output flow would be the same and it would still fit into the design footprint currently being considered. Berkner added there is about 70 feet of elevation drop across the project. The permittee had indicated they would be considering a future drainage permit for additional land within the two parcels. That land would be drained to the north before flowing west also within the Big Sioux River Watershed.

Berkner closed his report saying it was his opinion that the project is supported by questions asked in Section 101, 313 and 317 of the county's drainage ordinance.

Chairman Mach asked the permittee for any comments. Chase O'Farrell spoke on Wohlleber's behalf and said the Drainage Officer's report was complete and he would be available for questions.

Chairman Mach opened the public hearing for DR2023-65 and DR2023-66 asking three times for comments in favor or against the two drainage permits with no one responding. Mach closed the public hearing and called for Board discussion.

Commissioner Stengel asked if the nearest downstream culvert under 459th Ave. would be at risk of flooding due to the steep terrain. Berkner said only about half of the S1/2 of Section 1 drains through that culvert and the delayed effect of tile drainage without any inlets should reduce flooding problems.

Berkner also said starting on the section line directly adjacent to the land seeking a permit to the east, all that water is part of the Whetstone River Watershed which flows in the opposite direction to the Mississippi River. The permits being considered flow water toward the Missouri River.

With no more discussion Chairman Mach called for the vote. Motion carried 5-0.

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

HWY: Motion by Tostenson and seconded by Stengel to approve setting the public hearing date of November 7, 2023 for discussing the removal of Main Street in LaBolt from the County's highway road system. Chairman Mach called for Board discussion. Tostenson stated it would be an opportunity for the public to address the Commission with their opinions. Street questioned why the County

doesn't go after other spurs in the County, like to the quarry and north of the Big Stone Legion.

Commissioner Street stated Main Street in LaBolt brings in a lot of ag business to the county. Hwy Supt Peterson stated Main Street in LaBolt was purchased in 2015 from the town and wasn't part of the county road system prior to 2015. Chairman Mach called for the vote. Motion carried 4-1 with Street voting nay.

Bridge Damage: Jay Mertens and James Mertens were present to discuss the damage to bridge 26-271-021. Jay felt he didn't do anything wrong and asked if the County would pay his deductible for the damage to the combine. Hwy Supt Peterson read the engineer's report of the bridge damage and it stated there were two causes for the bridge collapse. 1. The rotting on the south end of the stringers of the bridge; 2. Driving the combine over the bridge with the track hanging over the east end of the bridge. Chairman Mach advised Jay Mertens the County will be in touch with him regarding the damage.

Reville Ditch: Motion by Street and seconded by Buttke to transfer the ownership of the Reville ditch parcel that was purchased in 2013 for ditch repairs back to Adams Township. Chairman Mach called for the vote. Motion carried 5-0. A resolution to transfer ownership of the land will be considered at the next meeting.

Bid Opening: The bid opening for the sale of the 2007 CAT Motor Grader SN APN 01133 was held with Darin Thiele present from the City of Milbank. The following bids were received.

Joseph Benthin	\$ 72,700
Roy Stolpman	\$ 66,100
Tom Wipf	\$ 66,250
City of Milbank	\$ 70,000
Bituminous Paving Inc.	\$ 47,250

After Board discussion the motion was made by Stengel and seconded by Tostenson to reject all bids. Motion carried 5-0. Motion by Tostenson and seconded by Buttke not to readvertise for bids. Motion carried 5-0.

Big Stone Cemetery Road: Hwy Supt Peterson requested the Big Stone cemetery road to become a minimum maintenance road due to winter snow removal. Commissioners Stengel and Tostenson attended the Big Stone City council meeting and Big Stone City is fine with the cemetery road becoming a minimum

maintenance road. Motion by Stengel and seconded by Buttke to adopt the following resolution. Motion carried 5-0. Resolution adopted.

Resolution 2023-12
A resolution for the placement of a Minimum Maintenance sign

A resolution to establish the placement of a minimum maintenance sign at the NW corner going 765 feet south of the centerline of State Highway 109 on Locust Street for a distance of approximately 3,285 ft on the county road from latitude/longitude 45.291556/-96.471086 to 45.292613/-96.483617 in Section 18 in Big Stone Township, Grant County, South Dakota.

WHEREAS, Grant County recognizes a responsibility to determine placement of signs upon the highways within its jurisdiction pursuant to SDCL 31-12-46 and 31-12-47.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Grant County approves the placement of a minimum maintenance sign in the NW corner of 18-121-46/47 located at the intersection of 486th Avenue and 145th Street in Big Stone Township, Grant County, South Dakota.

Dated this 3rd day of October, 2023.

Michael J. Mach, Chairman

ATTEST:
Kathy Folk, Auditor

Executive Session: Motion by Stengel and seconded by Buttke to enter executive session at 9:50 AM for the purpose of a personnel issue(s) pursuant to SDCL 1-25-2 (1) and litigation issues per SDCL 1-25-2 (3). Motion carried 5-0. Hwy Supt Peterson, Auditor Folk and States Attorney Schwandt were present. Chairman Mach declared the meeting open to the public at 10:40 AM. No action was taken because of the executive session.

EM: EM Director Kevin Schuelke talked to the Commission about the school bus training for the local fire departments. He asked if the County could help with the cost of the training. The Commission directed Auditor Folk to pay the \$500 fee out of Budget #221 Fire Protection.

Commissioner Assistant Layher joined the meeting at 10:55 AM.

Travel: None

County Assistance: None.

4-H Livestock Building: An estimate was received from Ryan Adelman of Graceville for \$4,200 to replace the tin on the livestock building. Motion by Tostenson and seconded by Stengel to accept the estimate from Ryan Adelman for the 4-H livestock building repairs. Motion carried 5-0.

Jail Remodel: Commissioner Assistant Layher stated she had contacted Cory Johnson with Johnson Construction who had previously drew up plans for remodeling the jail and detention center. Johnson would like to meet with the Commission to discuss plans for a jail remodel. Motion by Buttke and seconded by Stengel to approve a planning meeting with Johnson Construction for obtaining estimates on a remodel to the jail. Motion carried 5-0.

Unfinished Business: Commissioners Stengel and Mach attended the First District picnic in Watertown and reported First District has 226 special work projects they are working on in the eleven counties they cover. Currently they are updating the County's 911 map and looking into jail and courthouse security grants.

Commissioner Assistant Layher stated Climate Air has nullified their contract with Grant County for maintenance on the HVAC system at the 4-H Complex due to a conflict of interest. Larry's Refrigeration will be contacted for a HVAC maintenance contract proposal as they partner with Climate Air.

New Business: None

Correspondence: Auditor Folk handed out information for the 27th Annual Legislative Banquet from the Coteau Area Conservation Districts on October 16.

Claims: Motion by Stengel and seconded by Buttke to approve the claims with the addition of BX Civil Construction box culvert project 26-030-067 for \$170,270.20. Motion carried 5-0. MNB CLEANING, prof services 700.00; AUSTIN, STRAIT, BENSON, THOLE, court appt atty 513.60; AUTOVALUE, repairs & maint, supplies 1,673.92; BIG STONE CO SHERIFF, prof services 62.75; BX CIVIL & CONSTRUCTION, box culvert proj 170,270.20; CCP INDUSTRIES, supplies

315.94; CHS, diesel 6,469.83; CITY OF MILBANK, water & sewer 560.97; COLEPAPERS, supplies 1,401.36; CUMMINS, repairs & maint 3,841.34; DAKOTA COUNTY MN, prof services 80.00; DAKOTA FLUID POWER, repairs & maint 442.28; DEADWOOD RESORTS, motel 240.00; DELORIS RUFER, lib rent 100.00; DETCO INDUSTRIES, supplies 2,068.33; DUANE ATHEY, repairs & maint 122.00; FIRST BANK & TRUST, supplies 118.29; FISHER SAND & GRAVEL, supplies 1,656.57; FLAT RATE, rip-rap 6,367.90; G & R CONTROLS, repairs & maint 2,317.21; FOOD-N-FUEL, inmate meals 618.00; GRAJCZYK LAW OFFICE, court appt atty 3,400.00; GRANT CO EC & DEV BOARD, allocation 8,750.00; GRANT/ROBERTS AMBULANCE, allocation 2,458.33; HELSPER, MCCARTY & RASMUSSEN, court appt atty 1,605.00; MARSHALL & SWIFT/BOECKH, ref books 3,748.05; MICROMARKETING, audio/visual 51.99; MIDAMERICA BOOKS, books 157.65; MIDCO, library internet 103.92; MILBANK AUTO PARTS, parts & supplies 2,292.91; MILBANK FIRE DEPT, reimbursement 158.49; MOTOROLA SOLUTIONS, computer repairs & maint 2,470.00; NORTHWESTERN ENERGY, natural gas 53.59; QUILL, supplies 975.97; R.D. OFFUTT, repairs & maint 8,679.71; RAMKOTA, motel 303.99; REGENCY MIDWEST, motel 605.00; SANDRA FONDER, prof services 29.17; SANFORD HEALTH, health services 714.00; SCANTRON, prof services 294.05; SD DEPT OF PUBLIC SAFETY, teletype 2,340.00; SD DEPT TRANSPORTATION, hwy project 41,172.59; THE SHOP, repairs & maint 360.00; ST WILLIAMS CARE CENTER, inmate laundry 231.00; STAR LAUNDRY, rental 253.35; TRUENORTH STEEL, culverts 38,953.20; UNZEN MOTORS, repairs & maint 656.34; VALLEY RENTAL & RECYCLING, allocation 650.00; WEST CENTRAL COMMUNICATION, minor equipment 25,071.62; XEROX, copier rent 181.73. TOTAL: \$346,662.14.

Payroll for the following departments and offices for the September 28, 2023, payroll are as follows: COMMISSIONERS 7,215.10; AUDITOR 7,835.40; ELECTION 114.68; TREASURER 6,098.94; STATES ATTORNEY 7,449.00; CUSTODIANS 3,681.60; DIR. OF EQUALIZATION 5,125.80; REG. OF DEEDS 5,198.81; VET. SERV. OFFICER 1,393.20; SHERIFF 16,596.37; COMMUNICATION CTR 7,681.70; PUBLIC HEALTH NURSE 1,416.00; ICAP 21.00; VISITING NEIGHBOR 2,137.85; LIBRARY 9,221.10; 4-H 4,065.41; WEED CONTROL 3,018.45; P&Z 3,852.60; DRAINAGE 832.68; ROAD & BRIDGE 36,693.30; EMERGENCY MANAGEMENT 2,772.00. TOTAL: \$132,420.99.

Payroll Claims: FIRST BANK & TRUST, Fed WH 9,587.90; FIRST BANK & TRUST, FICA WH & Match 15,936.90; FIRST BANK & TRUST, Medicare WH

& Match 3,727.34; ACCOUNTS MANAGEMENT, deduction 84.04; AMERICAN FAMILY LIFE, AFLAC ins. 1,457.32; ARGUS DENTAL, ins 530.96; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 54,394.87; COLONIAL LIFE, ins 37.98; DEARBORN NATIONAL, life ins. 297.21; LEGAL SHIELD, deduction 38.85; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; OPTILEGRA, ins 357.12; SDRS SUPPLEMENTAL, deduction 1,428.83; SDRS, retire 14,751.84. TOTAL: \$102,841.16.

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 October 17, November 7 and 21, December 5, 19 and 29, 2023 at 8 AM. Motion by Buttke and seconded by Street to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Kathy Folk, Grant County Auditor

Michael J. Mach, Chairman, Grant County Commissioners