

April 5, 2016

The Grant County Commission met at 8AM with Commissioners Buttke, Dummann, Mach, Stengel and Tucholke present. Chairman Stengel called the meeting to order. Motion by Tucholke seconded by Mach to approve the minutes of the March 15, 2016 meeting. Motion carried 5-0. Minutes filed. Motion by Mach and seconded by Buttke to approve the agenda with the addition of discussion items of road/street sign and drainage addendum. Motion carried 5-0.

Members of the public present were Ginny Tostenson with the Valley Express News, Holli Seehafer with the Grant County Review, Marjorie Schmidt, Roger Loeschke, Clayton Whiting, Myron Mueller, Arvin Mueller, Mark Mueller, and Dave Meyer.

**Drainage:** Chairman Stengel adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. Present was Drainage Officer Krista Atyeo-Gortmaker.

Permit DR2016-01 by Mark Mueller in Section 3 and 4-120-47 (Alban Township) tabled from the March 1, 2016 meeting was scheduled for today's meeting.

The drainage administrator reported she has held meetings with the interested parties to assist in facilitating dialog between the parties involved, gathered information and provided mediation for the two sides of the permit to identify the issues of concern and acted accordingly in the best interest of both parties. Krista reported that a large amount of research has been done to this point to gather all necessary definitions and other evidence to help the Mueller's residing in Minnesota to move forward with ditch clean out through DNR as they had agreed upon.

Myron Mueller raised concerns about the one culvert between the slough of proposed outlet and his property on the other side. It was his thought that the culvert would be replaced and enlarged in a couple years and that other tiles would be allowed to connect to the applicant's tile to send more water his direction. He also stated a letter had been sent to P&Z Officer in which he stated he is no longer willing to proceed signing the permit as the adjoining landowner.

Arvin Mueller stated he would still be interested in moving ahead with the process of the cleaning of the ditch on the Minnesota side, but Ryan Bjerke would not be the person to start the process for this type of permit.

Township Supervisor, Dave Meyer stated the water had never gone over the blacktop road in the 30-40 years that he can remember, but he does remember on the township road to the south where the culvert was blocked. The original culvert that remains in the road bed is because of fiber optic cable running through the culvert and the water level. The township supervisors chose to put the new culvert on top of the old one which is essentially holding back water. The replacement culvert could be lowered to the original level. Myron Mueller asked if the culvert was replaced would it be the same size. Dave Meyer replied that the problem wasn't the culvert but the drainage ditch on the Minnesota side that was silted full.

Krista confirmed after reading Myron's letter that he is withdrawing his approval of the project. She recommended to the board to approve the permit 2016-01 as it is an approvable permit that meets the qualifications of the ordinance and it was a courtesy extended to the Minnesota side to assist them with the Minnesota offices for a drainage permit. The drainage permit before the Board would not change the water flow, direction of water flow or the necessity to keep water moving into the USGS water channel. Motion by Tucholke and seconded by Dummann to approve the permit as present. Further discussion. Chairman Stengel called for a vote. Voting aye were Dummann and Tucholke and voting nay were Buttke and Mach. Chairman Stengel voted aye. Motion carried 3 to 2.

Permit DR2016-02 by David Meyer, in Section 20 & 21-120-47 (Alban Twp) to improve the farm land. The Drainage administrator presented the permit and stated it was in order for approval, but a letter had been received in her office that needed consideration prior to making a decision. A letter from the adjoining landowner that made four points of concern was presented to each commissioner to read and a discussion about the Pinkert letter took place. It was decided that these points were made to ensure they had a voice and some safeguards. Meyer agreed to meet with the Pinkerts to talk through their concerns and find an agreeable plan by each party to be presented to the Drainage Administrator before installing the tile.

The drainage board also discussed the benefit of the tile to the county road in this location and asked if the county would be able to add to the permit to include an addition of a tile line in the ditch to move the water into the natural run through Meyer's tile line. Motion by Tucholke and seconded by Dummann to approve the permit with the stipulations that the agreement could be arrived at between Meyer's and Pinkert's and to make an additional drawing for the county ditch to be included in the project to improve the road quality at 486<sup>th</sup> Ave. Motion carried 5-0.

Paul Dummann asked to discuss an amendment of the original permit DR2015-04 by Greg Kasuske which was originally done as a cooperative project with DR2015-05 with Pauli

Farms, Inc. Dummann wanted to update the board on the request they will see at the next meeting that will ask for additional pattern tile and a pump installation. Kasuske would like to proceed with the pump installation as the landowner that requested the conditional to be placed on the original permit had appeared in the office of the Drainage Administrator to grant permission to Kasuske to go ahead with the proposal from his perspective. The board stipulated for Kasuske to be able to move forward with the pump installation but if for any reason it would need to be removed he would do so at his own cost.

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

**Highway:** Chairman Stengel asked Marjorie Schmidt to address the commission concerning her road. She stated her dad had built the half mile road years ago out of fly ash from the power plant as an experiment to determine how good the material would be for a road base and as short cut road for her into Milbank. She questioned why the 911 sign is now installed when the entire road is located on her property. Township Supervisor Dave Meyer stated the township does maintain the road and has the liability for the road. If a road is private the township would not maintain and the liability of the road would be the landowners. Discussion continued on the designation of public road and property taxes. The entire county is being signed according to the federal sign regulations and the street signs are used with the 911 address system to locate residences when a 911 call occurs.

**ROW:** Supt. Schultz presented a request for right-of-way occupancy from Grant Roberts Rural Water for the water line installation project Grant Roberts in Section 15 of Alban Township on 151<sup>st</sup> St. Motion by Tucholke and seconded by Buttke to approve the right-of-way application ROW 2016-04 from Grant Roberts Rural Water for the water line project. Motion carried 5-0.

**Annual Highway Bids:** The bids for the annual highway bid letting that were received and opened on March 30, 2016 at 11AM as per the bid notice were reviewed for consideration. The Board awarded the following bids.

**1. Paver Laid Asphalt**

**Bituminous Paving, Inc** - Short patches 100' to 1000' in length \$75.00 per ton. 1-3 miles of Class D asphalt overlay \$62.00 per ton. For Class D Asphalt picked up at plant is \$59.00 per ton.

Motion by Mach and seconded by Dummann to accept the bid of Bituminous Paving. Motion carried 5-0.

**2. Liquid Asphalts**

MC 70

MC3000

<b>Jebro</b>	634.75	534.75
<b>Flint Hills</b>		548.58

Motion by Tucholke and seconded by Buttke to accept the bid of Jebro Hills.  
 Motion carried 5-0.

**3. Rental Rates on Equipment:**

**Butler** Equipment price list on file

Motion by Mach and seconded by Tucholke to accept the bid for equipment rental from Butler. Motion carried 5-0.

**4. Rip Rap**

<b>Fisher Sand &amp; Gravel</b>	Rip Rap \$15.00 per ton
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Motion by Mach and seconded by Buttke to accept the bid for rip rap from Fisher Sand and Gravel. Motion carried 5-0.

**5. 3/4" Crushed Gravel/Chips/Sand (per ton)**

	Gravel	Chips	Sand
<b>Fisher Sand &amp; Gravel</b>	\$8.75(Granite)	\$17.00	
<b>GCC Ready Mix</b>	3.35(gravel)	4.80	3.60

Motion by Buttke and seconded by Mach to accept both bids from Fisher and GCC. Motion carried 5-0.

**6. Pre-stressed Concrete Decking**

**Concrete Box Culvert**

	20'	30'	40'	7X3	8X6	10X4
<b>Foretta</b>	\$2366.00 ea.	\$3288.00 ea.	\$4225.00 ea.	\$356.00	\$419.00	\$430.00

Motion by Mach and seconded by Buttke to accept the bid of Foretta. Motion carried 5-0.

**7. Corrugated Metal Culverts:** Motion by Tucholke and seconded by Buttke to purchase culverts from True North Steel as per the Beadle County Bid approved on January 4, 2016 as allowed per SDCL 5-18A-22(3). Motion carried 5-0.

**Manure Pipe License:** Motion by Tucholke and seconded by Buttke to approve the limited license for temporary manure pipes/hoses within the county right-of-way to Teton on County Road 4, 31, 33 and 2 in Big Stone Township. Motion carried 5-0.

**BIDS FOR FUEL**

DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
03/08	UPI	1.61		
	Cenex	No Bid		
UPI was the low bidder for Ethanol at 1.61.				
03/25	UPI	1.806		1.485
	Cenex	1.807		1.55

UPI was the low bidder for Ethanol at 1.806 and for Diesel 2 at 1.485.

**Drainage:** Chairman Stengel adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. Present was P & Z Officer Krista Atyeo-Gortmaker who requested approval for a ROW occupancy to install a culvert in County Road 39, AKA 486<sup>th</sup> Ave, in Section 21, Township 120, Range 47 as part of the Dave Meyer Drainage Permit 2016-02 which had been approved earlier in the meeting. Motion by Tucholke and seconded by Buttke to approve ROW 2016-03 application of occupancy for a tile to be installed in the county road. Motion carried 5-0.

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

**VSO:** A request from VSO Scott Malimanek to change his office hours to 8 AM to 11:30AM and 12:30 PM to 3:30 PM for Tuesday and Wednesday and 8 AM to 2:30 PM for Thursday was received. Motion by Tucholke and seconded by Mach to approve the request. Motion carried 5-0.

**Referendum Petitions:** Auditor Layher reported petitions had been received in her office. The referendum petition for Zoning Ordinance 2016-1 has been checked and contained 391 valid signatures. The minimum signature requirement was 263. Motion by Mach and seconded by Buttke to accept the findings on the referendum petitions and to set the referendum date of the election to be in conjunction with the Primary Election to be held on June 7, 2016. Motion carried 5-0.

**Library:** Director Jody Carlson requested approval for the addition of a page position. She stated she is not requesting any additional funding for the new position. The reason of her request is due to the loss of the Experience Works position, the hours for the library volunteers have increased and she does not want to overextend the generosity of the volunteers. Motion by Mach and seconded by Buttke to approve the page position. Motion carried 5-0.

**Travel:** Motion by Tucholke and seconded by Buttke to approve travel expenses for DOE Kathy Steinlicht and Deputy Ryan Gruba to attend the NCRAAO 2016 Conference in Des Moines, IA. Motion carried 5-0.

**County Assistance:** Motion by Tucholke and seconded by Buttke to approve case 2016-02. Motion carried 5-0.

**Executive Session:** Motion by Dummann and seconded by Mach to enter into executive session at 9:50 AM for the purpose of a personnel issue pursuant to

SDCL 1-25-2 (1). Motion carried 5-0. Auditor Layher was present. Chairman Stengel declared the meeting open to the public at 10:02 AM. No action taken as a result of the executive session.

**Custodian:** Motion by Dummann and seconded by Buttke to approve the hiring of Candy Mohnsen as a part-time custodian effective April 6 at a rate of \$12.05 per hour. Motion carried 5-0.

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

1. Approve signing Letter of Agreement with SD Weed and Pest Commission for the weed grant in the amount of \$5700 for the year 07-01-2016 to 06-01-2017
2. Approve signing the 2015 Joint Powers Agreement with the State of SD for noxious weed control of state road right-of ways within Grant County for a contract amount of \$24,735.00 during the period of 05-01-2016 to 04-30-2017
3. Approve application to the SD Dept of Health to request a grant of \$10,000 for mosquito control and mosquito surveillance
4. Approve the list of volunteers from the Snowmobile Club as on file in Auditor's Office
5. Approve the list of volunteers for weather spotters as on file in the Auditor's Office
6. Approve LEPC list of volunteers as on file in the Auditor's Office

**Unfinished Business:** Auditor Layher reported the matching funds for the shelter grant have been gifted to the county from the Flynn Estate. Chairman Stengel signed the agreement with Civil Design Engineers.

**New Business:** Equalization hearing will be April 12 beginning at 8AM. Today is the final day appeals can be filed.

**Correspondence:** None

**Claims:** Motion by Mach and seconded by Buttke to approve the claims as presented. Motion carried 5-0. AVERA-MEDICAL CTR, prisoner care 1,231.34; AVERA-MILBANK AREA HOSPITAL, BLAB 639.00; AVERA ST LUKES RADIOLOGY, prisoner care 265.20; BERENS, supplies 349.16; BOB BARKER CO, supplies 79.20; BUREAU OF INFO & TELE, internet & email 440.00; CHS-BORDER STATES, diesel fuel & ethanol 2,423.88; CITY OF MILBANK, water & sewer 618.87; CITY OF WATERTOWN, 911 surcharge 6,184.53; DON ROWLAND, prof serv 750.00; ELECTION SYSTEMS, maint 5,604.00; GRANT-ROBERTS RURAL WATER, rural water 36.40; GRANT/ROBERTS AMBULANCE, allocation 2,458.33; HARTMAN'S, supplies 26.65; INGRAM,

books 23.78; MCLEOD'S, supplies 279.55; MICROMARKETING, DVD's 122.95; MIDCONTINENT, internet 68.90; MILBANK AUTO PARTS, parts & supplies 736.02; MUNDWILER FUNERAL HOME, co assist 3,100.00; NCRAAO, regis 580.00; NORTHWESTERN ENERGY, nat gas 1,222.90; QUILL, supplies 426.11; REGENCY, rooms 581.94; RELIANCE, phone cards 500.00; SANFORD HEALTH, prof serv 2,250.00; SCOTT JONGBLOED, prof serv 750.00; SD ASSN CO COMM, CLERP 1,081.00; ST WILLIAMS, prof serv & prisoner meals 958.35; THE PENWORTHY CO, books 62.45; TYLER TECHNOLOGIES, equip 625.00; VISA, gas, supplies & books 575.60; WHETSTONE VALLEY ELECTRIC, election rental 50.00; WILLIAM E COESTER, ct appt atty 3,161.08. TOTAL: \$38,262.19.

Payroll for the following departments and offices for the month of March 2016 are as follows: COMMISSIONERS 4922.75; AUDITOR 14,912.43; TREASURER 8963.61; STATES ATTORNEY 10,557.70; CUSTODIANS 5167.66; DIR. OF EQUALIZATION 6245.36; REG. OF DEEDS 6629.86; VET. SERV. OFFICER 1631.55; SHERIFF 17,473.85; COMMUNICATION CTR 12,494.51; PUBLIC HEALTH NURSE 2217.60; ICAP 661.50; VISITING NEIGHBOR 3022.93; LIBRARY 11,453.25; 4-H 3615.30; WEED CONTROL 3946.91; PLAN & ZONING 5330.10; ROAD & BRIDGE 49,561.94; EMERGENCY MANAGEMENT 3224.40; CORONER 362.00. TOTAL: \$172,395.21.

Payroll Claims: FIRST BANK & TRUST, Fed WH 17,101.34; FIRST BANK & TRUST, FICA WH & Match 20,838.82; FIRST BANK & TRUST, Medicare WH & Match 4873.60; AMERICAN FAMILY LIFE, AFLAC ins. 1643.24; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 46,157.02; DEARBORN NATIONAL, life ins. 234.36; LEGAL SHIELD, deduction 159.35; OFFICE OF CHILD SUPPORT, deduction 566.00; OPTILEGRA, ins 343.32; SDSR SUPPLEMENTAL, deduction 150.00; SDSR, retire 19,031.21. TOTAL: \$111,098.26.

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 April 19 and May 3 and 17, 2016 at 8 AM. Motion by Mach and seconded by Buttke to adjourn the meeting. Motion carried 5-0. Meeting adjourned.