

February 3, 2015

The Grant County Commission met at 8AM with Commissioners Buttke, Dummann, Mach and Tucholke present. Commissioner Stengel was absent. Chairman Tucholke called the meeting to order. Motion by Dummann and seconded by Mach to approve the minutes of the January 20, 2015 meeting. Motion carried 4-0. Minutes filed. Motion by Mach and seconded by Buttke to approve the agenda. Motion carried 4-0.

Present from the public were Duane Hay and Jim DeVaal.

Highway: Supt Schultz presented a work order for consultant services for a state bid let bridge replacement project. Motion by Dummann and seconded by Buttke to approve Project: BRO 8026(24), PCN: 00ZE for survey and hydraulics study at a maximum cost of \$15,911.92 on Structure 26-300-202 located 3 miles W and 1.2 miles South of Albee over the S Fork of the Yellow Bank River with the completion date of the work order to be December 31, 2016. Motion carried 4-0. Supt. Schultz requested three additional bridges be added to the federal bridge replacement program. Motion by Buttke and seconded by Mach to adopt the following bridge replacement resolutions. Motion carried 4-0. Resolutions adopted.

2015-03

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM
RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS, the Grant County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: Bridge # 26-320-053. Located 2.5 miles East and 1.8 miles North of Milbank

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT: Jim and Karla DeVaal

AND WHEREAS, Grant County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right of way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Grant County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement / rehabilitation for the following reasons:

1. The sufficiency rating is 41.0%.
2. The bridge is not located on a County or Township designated Minimum Maintenance Road.

3. The bridge is located on a school bus route, a mail route, a field to farm to market route.
4. The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Vote of Commissioners: Yes 4 No 0

Dated at Milbank, SD, this 3rd day of February, 2015.

Clayton Tucholke, Chairman

ATTEST:

Karen M. Layher
County Auditor

2015-04

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM
RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS, the Grant County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: Bridge # 26-325-222. Located 0.5 miles South of Revillo

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT: Mark and Kay Lounsberry and Scott and Donna Johnson

AND WHEREAS, Grant County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right of way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Grant County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement / rehabilitation for the following reasons:

1. The sufficiency rating is 41.0%.
2. The bridge is not located on a County or Township designated Minimum Maintenance Road.
3. The bridge is located on a school bus route, a mail route, a field to farm to market route.
4. The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Vote of Commissioners: Yes 4 No 0

Dated at Milbank, SD, this 3rd day of February, 2015.

Clayton Tucholke, Chairman

ATTEST:
Karen M. Layher
County Auditor

2015-05

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM
RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS, the Grant County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: Bridge # 26-275-121. Located 1.5 miles West and 5.1 miles South of Milbank

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT: James Andersen and Jay and Tara Mertens

AND WHEREAS, Grant County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right of way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Grant County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement / rehabilitation for the following reasons:

1. The sufficiency rating is 48.0%.
2. The bridge is not located on a County or Township designated Minimum Maintenance Road.
3. The bridge is located on a school bus route, a mail route, a field to farm to market route.
4. The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED, that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges," the

bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Vote of Commissioners: Yes 4 No 0

Dated at Milbank, SD, this 3rd day of February, 2015.

Clayton Tucholke, Chairman

ATTEST:

Karen M. Layher

County Auditor

Agri Business Grant: Supt Schultz reported he is in the process of obtaining cost estimates for 1 mile of overlay on County Road 8 to submit as a grant project.

Sealed Bids: Motion by Buttke and seconded by Dummann to sell by sealed bids a 1988 Ford truck with a sander and plow with a minimum bid of \$2500. Bids to be received by 8:15 AM on March 3. Motion carried 4-0. Travel: Supt Schultz requested travel approval to attend superintendent short course.

BIDS FOR FUEL

DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
01/20	UPI	1.665		2.195(70/30Mix)
	Cenex	1.77	2.50	1.90

UPI was the low bidder for Ethanol at 1.665 and a blend of Diesel 1 and 2 at 2.195.

Courthouse Heating: Maintenance Supervisor Dave Larsen and Gunner Tumlinson with Larry's Refrigeration and Heating who reviewed the proposal to continue with the heating and cooling upgrade for the 2nd floor in the courthouse. Gunner explained modules had been installed in the climate control system to control the power bumps to prevent the system from failing. The project to update the heating and cooling for the west side of the 2nd floor had been completed in 2013. Motion by Dummann and seconded by Buttke to accept the bid from Larry's Refrigeration and Heating to complete the heating and cooling upgrade for the east side of second floor of the courthouse for \$31,794.07. Motion carried 4-0.

Travel: Motion by Mach and seconded by Dummann to approve travel expenses for Hwy Supt Schultz to attend short course in Chamberlain. Motion carried 4-0.

Abatements: Motion by Buttke and seconded by Mach to approve an abatement in the amount of \$865.30 for Parcel: 25.00.67.18, Legal: Consolidated Plat Lots 16-18 & ½ vacated Elms St, Block 67, Big Stone City as the applicant qualified for the Assessment Freeze for the Elderly and Disabled as per SDCL 10-6A-4. Motion carried 4-0. Motion by Mach and seconded by Buttke to approve an abatement in the amount of \$27.46 for Parcel: 26.06.05.20, Legal: Merriams & Kneals Addn 20

lots in Block 5 and in the amount of \$38.52 for Parcel: 26.04.04.26, Legal: Merriams & Kneals Addn 26 lots in Block 4 as the property is exempt from tax. Motion carried 4-0. Motion by Mach and seconded by Dummann to abate \$83.66 in taxes for Parcel: 01.48.21.5003, Legal: East 318' of S 444' in SE Corner of NE ¼ as a loss occurred from fire. Motion carried 4-0. Motion by Dummann and seconded by Buttke to approve the administrative abatements for mobile taxes collected 1 year in advance due to the trailer home being moved and the 2014 taxes had to be paid in advance with a total adjustment credit to the tax record of \$6.94. Motion carried 4-0.

Mitigation Plan: Motion by Buttke and seconded by Mach to approve the adoption of the Grant County South Dakota Multi-Jurisdictional Multi-Hazard Pre-Disaster Mitigation Plan and direct its implementation through the Grant Mitigation Committee with EM Director Sheryl Ward to oversee the implementation and maintenance of the plan. Motion carried 4-0.

Sheriff: Kevin Owen reported he had received a letter from Attorney General Marty Jackley notifying him of a grant award in the amount of \$3015.26 for the purchase of electronic equipment. Motion by Dummann and seconded by Buttke to accept the grant award for the Sheriff's Office. Motion carried 4-0. **Jail:** Sheriff Owen reported the repairs for the jail had not been completed last year and he had returned budget authority of over \$22,000. He would like to move forward with the repair of the ceiling in the work release area and the repainting of the floors and some other minor repairs. The estimated cost is \$13,500. Motion by Mach and seconded by Buttke to approve the repair project for 2015. Motion carried 4-0.

Tobacco Coalition: Present were Milbank Police Chief Boyd Van Vooren, CHN Joan Frerichs, High School Principal Dan Snaza, Chely Wellnitz, Andrea Laskowske, Kaley Withers, Hannah Rick and Sheriff Kevin Owen. The coalition addressed the commission to consider adding the remainder of the courthouse park and the library area as a smoke free area as the public library is visited regularly by youth. Currently, the east portion of the courthouse park and the 4-H grounds are smoke free areas. The commission thanked the group for the efforts and will consider the request.

Health Nurse: Joan Frerichs presented two quarterly reports. She reported on the importance of immunizations and the measles outbreak.

East River Electric: The Board held a public hearing for the purpose to act upon a request from East River Electric Power Cooperative for a 20 year franchise for operating and maintaining a Rural Electrification distribution system in Grant County. Motion by Dummann and seconded by Buttke to approve Resolution 2015-06. Motion carried 4-0. Resolution adopted.

RESOLUTION 2015-06
AUTHORIZATION TO CONSTRUCT ELECTRIC TRANSMISSION
AND DISTRIBUTION LINES ON THE PUBLIC HIGHWAYS OF
GRANT COUNTY

WHEREAS, East River Electric Power Cooperative, Inc., of Madison, South Dakota, on the 8th day of January, 2015, filed with the County Auditor of Grant County, South Dakota, its duly verified Petition for the purpose of obtaining and acquiring one franchise for both its existing transmission lines and system and the planned extension and future expansion thereof, from Grant County, South Dakota, by and through its County Commissioners, for the right to maintain its existing and future system and to erect and maintain poles and wires for the purpose of transmitting and distributing electricity for lighting, heating and power purposes, in, along, and over the public highways of Grant County, South Dakota, for rural electrification throughout said County and State for a period of twenty years;

WHEREAS, said application was heard and considered by the members of the Board of County Commissioners of said County of Grant, in South Dakota, on the 3rd day of February 2015, at the hour of 9 o'clock a.m., in the Commissioner's Room, in the Courthouse, in the City of Milbank, Grant County, South Dakota, due notice of said hearing having been given by mail as provided by law to all persons, firms or corporations owning or operating transmission, telegraph or telephone lines on or along any part of the highways of said County;

WHEREAS, no person, firm or corporation having appeared in opposition to the granting of such application, and it appearing to the satisfaction of the Board of County Commissioners of said County that the request contained in said Petition should be granted;

THEREFORE, BE IT RESOLVED, by the Grant County Board of Commissioners that the right to construct, maintain and operate poles and wires, both for its existing transmission lines and system, and also for its future extension and expansion, for the purpose of transmitting and distributing electricity for lighting, heating, and power purposes, over, upon, along and across the public highways within Grant County, South Dakota, for rural electrification, on a county-wide basis, for a period of twenty (20) years from and after the date and passage hereof, be, and it hereby is, granted to said East River Electric Power Cooperative, Inc., of Madison, South Dakota, subject to the terms and conditions of Chapter 31-26 of the South Dakota Codified Laws (1984 Revisions).

Dated this 3rd day of February 2015.

APPROVED BY THE COMMISSION:

Clayton Tucholke

Paul Dummann

Marty Buttke

Mike Mach

ATTEST:

By: Karen M. Layher
Grant County Auditor

CAFO: Present were Stacy Weinkauff, Dale Weinkauff, Keith Welberg, Lois Welberg, John Lundin, Gail Whiting, Clayton Whiting, Val Rademacher, Marlys Pillatzke, Loretta Pillatzke, Raymond Buetler, Reane Fox, Dan Loehrer, Patricia Meyer, Vincent Meyer, Dale Tuchscherer, Roger Hopkins, Rodney Thaden, Milt Stengel, Tom Pillatzki. Spokesman for the group, Vince Meyer had questions on the proposed CAFO concerning a tour of a hog facility, shallow aquifer, wells, manure spills within the right of way, haul road agreements, setbacks and the moratorium passed at the last meeting by animal units.

Unfinished Business: The commission reviewed the notice being sent out with the assessment notices stating the farming of the county's road right-of-ways is prohibited. **Moratorium:** The commission discussed the motion on the CAFO permit moratorium passed at the last commission meeting and held a discussion on animal units versus number of animals to be used during the moratorium. Motion by Dummann and seconded by Buttke to rescind the motion from the January 20 meeting on the moratorium of the issuance of CAFO permits over 8000 animal units and to pass a moratorium on the issuance of a CAFO permit over 5700 animals until September 1 to allow a review of the ordinance. Motion carried 3-1 with Mach voting nay.

New Business: None

Correspondence: A thank you note from Community Transit was read thanking the commission for the year end donation. An invitation was received from the Watertown 911 Center to attend the 2nd annual open house to tour the 911 center. Noted the annual report provided to the commission from the SD Game Fish and Parks.

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

1. Approve lease agreement with the State of SD for the rent of BIT office space at \$220 per month in the courthouse
2. Approve automatic supplement of revenue and expense in the amount of \$4370.00 for the reimbursement of pagers through the 2014 Homeland Security Grant
3. Approve Heather Voeltz as a Big Stone City Branch Library volunteer effective 1-8-2015

Claims: Motion by Dummann and seconded by Buttke to approve the claims as presented. Motion carried 4-0. AMERICAN STAMP, badges 36.18; AVERA QUEEN OF PEACE, lab 55.40; BUREAU OF INFO & TELE, email & internet 374.00; CENTER POINT, books 110.96; CREATIVE CO, books 283.09; APEX CLEANERS, prof serv 35.00; FIRST DISTRICT, alloca 6,842.81; TRAPP PLUMBING, repair 145.86; FOOD-N-FUEL, carwash 30.00; GLACIAL LAKES TOURISM, alloca 784.00; GLOBAL, server 4,484.81; GRANT CO HISTORICAL SOC, alloca 5,000.00; GRANT CO SHERIFF DEPT, postage & expense fund 709.19; GRANT COUNTY 4-H ASSOC, alloca 2,500.00; GRANT/ROBERTS AMBULANCE, alloca 2,458.33; HARLAND TECH, maint 220.68; HUMAN SERVICE AGCY, alloca 7,874.75; INTER-LAKES COMM ACT, worker 2,203.58; LOCATORS AND SUPPLIES, supplies 252.47; MCLEOD'S, supplies 186.82; MICROMARKETING, books 141.94; MILBANK COMMUNICATIONS, maint 952.50; CITY OF MILBANK, water & sewer 579.25; NATL AUTO DEALERS ASSOC, car guide 75.00; NEWMAN SIGNS, supplies 293.19; NORTHWESTERN ENERGY, nat gas 2,313.96; PAUL DUMMANN, reimburse 4,250.00; SANDRA FONDER, prof serv 50.00; SANFORD HEALTH, prof serv 2,280.00; SD EMERGENCY MGMT ASSN, dues & regis 70.00; ST WILLIAMS, laundry & prisoner meals 485.10; STATE PROPERTY MANAGEMENT, comp equip 846.00; THOMSON REUTERS, ref mat 270.00; TYLER COMPUTER, comp supplies 34.00; UNZEN, oil chg 67.36; XEROX, copier rent 56.47. TOTAL: \$47,352.70.

Payroll for the following departments and offices for the month of January 2015 are as follows: COMMISSIONERS 5054.95; AUDITOR 10,813.15; TREASURER 8794.13; STATES ATTORNEY 9712.30; CUSTODIANS 4212.00; DIR. OF EQUALIZATION 5655.19; REG. OF DEEDS 5048.08; VET. SERV. OFFICER 1336.63; SHERIFF 16,614.01; COMMUNICATION CTR 10,287.97; PUBLIC HEALTH NURSE 2669.80; ICAP 520.20; VISITING NEIGHBOR

2689.03; LIBRARY 10,921.41; 4-H 2404.88; WEED CONTROL 2427.60; PLAN & ZONING 1798.20; ROAD & BRIDGE 33,854.55; EMERGENCY MANAGEMENT 2409.75. TOTAL: \$137,223.83.

Payroll Claims: FIRST BANK & TRUST, Fed WH 17,128.13; FIRST BANK & TRUST, FICA WH & Match 20,839.42; FIRST BANK & TRUST, MEDICARE WH & Match 4873.76; AMERICAN FAMILY LIFE, AFLAC ins. 1798.22; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 39,981.18; DEARBORN NATIONAL, life ins. 220.86; LEGAL SHIELD, deduction 172.30; OFFICE OF CHILD SUPPORT, deduction 566.00; OPTILEGRA, ins 331.79; ROGENBURG LAW, deduction 350.00; SDSR SUPPLEMENTAL, deduction 90.00; SDRS, retire 18,986.79. TOTAL: \$105,338.45.

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 February 17 and March 3 and 17, 2015 at 8 AM. Motion by Dummann and seconded by Mach to adjourn the meeting. Motion carried 4-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Clayton Tucholke, Chairman, Grant County Comm.