

July 1, 2014

The Grant County Commission met at 8AM with Commissioners Dummann, Forrette, Mann, Stengel and Tucholke present. Chairman Dummann called the meeting to order. Motion by Tucholke and seconded by Mann to approve the minutes of the June 17, 2014 meeting. Motion carried 5-0. Minutes filed. Motion by Mann and seconded by Forrette to approve the agenda. Motion carried 5-0.

Members of the public present were Todd Lounsbery, John Loeschke, Lowell Boe, Jeff Schuelke and David Kruger

Drainage: Chairman Dummann adjourned the Board of Commissioners and convened the commission acting as the Drainage Board.

Permit DR2014-12 for David Kruger in the W1/2 ex Road & Ex Lts H2, H3, H4, H5, H6 & H7 including Lts 2&3 Reiners Subdivision in the SW1/4 of 32-121-49 (Kilborn Township). This request would allow the landowner to improve farming. The outlet for the tile is located on the applicant's land across the township road and drains into the natural run. The township officials have approved cutting through the township for the placement of the tile. The receipts from the certified letters have been received in the P & Z Office. Motion by Stengel and seconded by Tucholke to approve DR 2014-12. Motion carried 5-0.

Permit DR2014-13 for Todd Lounsbery, in the N1/2 SE1/4 and S1/2 NE1/4 of 35-120-49 (Grant Center Township) and a ROW 2014-16 application to bore under 153rd St (AKA County Road 14)) for the tiling project. The Drainage officer reported the landowner, James Koepke has signed the application. The NRCS letter is on file. The outlet is in a natural run. Motion by Tucholke and seconded by Mann to approve DR 2014 -13. Motion carried 5-0. Motion by Tucholke and seconded by Stengel to approve ROW 2014-16 for applicant Todd Lounsbery to cut through 153rd St (AKA County Road 14) for the placement of a tile for drainage permit DR 2014-13. Motion carried 5-0.

The Vernon Township Supervisors and Earl Lundin were present to discuss culverts located north of 158th St on the crossings of 483rd and 484th Avenues. Earl stated he has flooding occurring in Section 23 of Vernon West and believes the water is being retained on his land due to culverts that were installed after the bridge was removed and replaced with culverts. Members present discussed cleaning out the natural run downstream as only part of the run has been cleaned and discussed culvert replacement, size and depth in this area. After the discussion, the commission directed the parties involved to first devise

a plan for the cleaning out of the natural runs for all the affected landowners and second to review the engineer's culvert recommendation.

Ben Wollschlager addressed the commission on drainage issues on the land he farms and the cleaning out of road ditches. No action taken.

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

Highway: Supt Schultz reported on culvert repair and the graveling of roads.

Zoning Ordinance: The 8:30 AM public hearing was held for the second reading of Ordinance 2004-1M. The proposed ordinance amendment was read with the recommendation of the P & Z Board to amend Subdivision Ordinance Section 302, adopted by Ordinance 2004-01, of the Zoning Ordinance to change the zoning from "A" Agricultural District to "CI" Commercial / Industrial District for the property described as; NE ¼ NE ¼ ex Lot A & Ex Lots 1-3 Big Stone American Legion Addn and Lot 1 Nathan Henrich Subdivision in the NE ¼ in Section 24, Range 47, Big Stone Township, owner Nathan Henrich. Chairman Dummann opened the meeting to public comment. No members of the public were present. Chairman Dummann closed the public portion of the meeting and asked if the commission had any other questions and none were indicated. Chairman Dummann called for a motion. Motion by Stengel and seconded by Forrette to approve the second reading and to adopt Ordinance 2004-1M. Motion carried with Forrette, Mann, Stengel, Tucholke and Dummann voting aye. Nay: 0. The ordinance is on file in the auditor's office.

NOTICE OF ADOPTION

ORDINANCE # 2004-1M

AN ORDINANCE AMENDING SECTION 302 ADOPTED BY ORDINANCE 2004-1, May 25, 2004, AS AMENDED, OF THE ZONING ORDINANCE OF GRANT COUNTY

Notice is hereby given that Ordinance #2004-1M, An Ordinance Amending Section 302 Adopted By Ordinance 2004-1, May 25, 2004 As Amended, Of The Zoning Ordinance Of Grant County was duly adopted by the Board of County Commissioners on the 1st of July, 2014, and will become effective on the 30th of July, 2014.

Ordinance 2004-1M

AN ORDINANCE ENTITLED, an ordinance to amend Section 302 adopted by Ordinance 2004-1, May 25, 2004, as amended, of the Zoning Ordinance of Grant County.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GRANT COUNTY, SOUTH DAKOTA: that Section 302 adopted by Ordinance 2004-1, May 25, 2004, as amended, of the Zoning Ordinance of Grant County be amended to classify the following property:

NE ¼ NE ¼ ex Lot A & Ex Lots 1-3 Big Stone American Legion Addn and Lot 1 Nathan Henrich Subdivision in the NE ¼ in Section 24, Range 47, Big Stone Township, from agricultural to industrial / commercial

Passed and adopted this 1st day of July, 2014.

Paul Dummann
Chairperson

ATTEST:
Karen M. Layher
Auditor

This ordinance shall become effective 20 days after publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum in timely involved prior thereto.

1st Reading: June 17, 2014
2nd Reading: July 1, 2014
Published: July 9, 2014
Effective: July 30, 2014

County Assistance: Motion by Forrette and seconded by Stengel to deny case PR 2014-04. Motion carried 5-0.

Travel: Motion by Stengel and seconded by Tucholke to approve travel for Danielle Brady to attend WIC training in Pierre and for 4-H Advisor Sara Koepke to attend the State 4-H Horse and State Fair in Huron and to attend the NAE 4-HA Conference in Minneapolis. Motion carried 5-0.

Weed Grant Award: The County has received notice of a grant award in the amount of \$7,504 to be used for mosquito control to fight West Nile during the period of July 1, 2014 to June 30, 2015. Motion by Forrette and seconded by Stengel to accept the grant award funding. Motion carried 5-0.

Cash Transfers: Motion by Tucholke and seconded by Forrette to approve the cash transfer from General Fund as per the 2014 budget. Motion carried 5-0.

FROM	TO	AMOUNT
101 General	201 Highway Fund	500,000

101 General	226 EM Fund	20,000
101 General	248 24/7 Fund	4,337
101 General	766 Law Library	3,000
Total		527,337

First District: The contract with First District for FY2015 was reviewed and it was moved by Forrette and seconded by Stengel to adopt the following resolution. Motion carried 5-0. Resolution adopted.

2014-28

RESOLUTION TO CONTINUE SUPPORT FOR THE
FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS
DURING FISCAL YEAR 2015
(OCTOBER 1, 2014 – SEPTEMBER 30, 2015)

The Grant County Board of County Commissioners, having adopted and signed a Joint Cooperative Agreement on the 6th day of April, 1972, creating the First Planning and Development District, Model Rural Development Program, do hereby agree to renew their participation in the Joint Cooperative Agreement for the Fiscal Year 2015 (October 1, 2014- September 30, 2015). To support the Joint Cooperative Agreement and the activities of the District staff, the Grant County Board of County Commissioners will provide \$13,685.61 to the First District Association of Local Governments during the aforementioned Fiscal Year 2015 period.

ADOPTION:

Adopted this 1st day of July, 2014
Paul Dummann, Chairman
Grant County Commission

ATTEST:

Karen M. Layher
Grant County Auditor

2015 Provisional Budget: The Board reviewed the final adjustments for the Provisional Budget which are on file in the Auditor’s Office. Total expense for the General Fund is \$3,107,345 and for the Highway Fund \$2,810,636. Motion by Mann and seconded by Forrette to approve the provisional budget for publication and the following resolution for the public hearing on the 2015 budget. Motion carried 5-0. Resolution adopted.

Resolution 2014-29
ADOPTION OF PROVISIONAL BUDGET FOR
GRANT COUNTY, SOUTH DAKOTA

NOTICE IS HEREBY GIVEN: That the Board of County Commissioners of Grant County, will meet in the Courthouse at Milbank, South Dakota on Tuesday, September 2, 2014 at 9:00 AM for the purpose of considering the foregoing Provisional Budget for the year 2015 and the various items, schedules, amounts and appropriations set forth therein and as many days thereafter as is deemed necessary until the final adoption of the budget on the 30th day of September, 2014. At such time any interested person may appear either in person or by a representative, and will be given an opportunity for a full and complete discussion of all purposes, objectives, items, schedules, appropriations, estimates, amounts and matter set forth and contained in the Provisional Budget.

Karen M. Layher
Grant County Auditor
Milbank, South Dakota

Codington Clark Franchise: The 9 AM hearing for the purpose to act upon a request from Codington Clark Electric for a 20 year franchise granting to the cooperative their right to use public right-of-ways to install, maintain and operate their system to provide electric service in the county. Present from Codington-Clark was David Zaug. After hearing the request, it was motioned by Tucholke and seconded by Stengel to approve Resolution 2014-27. Motion carried 5-0. Resolution adopted.

STATE OF SOUTH DAKOTA

BEFORE THE HONORABLE BOARD
SS OF COUNTY COMMISSIONERS OF
GRANT COUNTY, SOUTH DAKOTA

COUNTY OF GRANT

IN THE MATTER OF THE APPLICATION
OF CODINGTON-CLARK ELECTRIC
COOPERATIVE, INC. FOR FRANCHISE

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RESOLUTION 2014-27

WHEREAS, Codington-Clark Electric Cooperative, Inc., a corporation, filed with the County Auditor of the County of Grant, South Dakota, its petition and application for the purpose of obtaining and acquiring a franchise to use the highways for rural electrification lines and for the purpose of erecting and maintaining poles and wires to conduct electricity for lighting, heating and power purposes, together with stay wires and braces, in and along, across and under any highway through the county for a period of twenty years; and

WHEREAS, said petition and application was heard by the Board of County Commissioners of said County of Grant on the 1st day of July, 2014, at the office of said board in the courthouse in the City of Milbank, South Dakota, due notice of said hearing having been given by mail, in strict compliance with the requirement of law, to all persons, firms or corporations owning or operating transmission, telegraph and telephone, on or along any part of the highways which the proposed transmission or distribution lines of the applicant is to occupy, all in accordance with the terms and provisions of SDCL 31-26; and

WHEREAS, no person, firm or corporation has appeared in opposition to the granting of such application, and it appearing to the satisfaction of the Board of County Commissioners that no differences have arisen or exist between the applicant, Codington-Clark Electric Cooperative, Inc., and any owner of any transmission, telegraph, or telephone line on and along, across and under any part of said highways; and it further appearing to the satisfaction of the board that the construction, operation and maintenance of the applicant's distribution and transmission line as now installed and operating and with additions thereto will not interfere with the maintenance and operation of any other line upon any part of said highways;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Grant and State of South Dakota that the right to maintain its existing system and to erect and maintain poles and wires for the purpose of conducting and transmitting electricity for lighting, heating, and power purposes over, upon, along, across and under the highways in said County of Grant for a period of twenty years from and after the date hereof be, and it hereby is granted to said Codington-Clark Electric Cooperative, Inc., subject to the terms and conditions of SDCL 31-26, and also subject to such further reasonable regulations as the Legislature of the State of South Dakota may hereafter prescribe, and the following, to-wit:

- (1) Restore all excavated areas insofar as possible to the original topography, soil configuration, and any part of the roadway that is damaged in the exercise of this franchise.
- (2) Agrees to hold the County harmless from any act of negligence on its part, its agents, or employees in exercise of this franchise.
- (3) All underground crossings of hard-surfaced oil roads shall be bored.
- (4) All underground crossings shall be at 90 degree angles.
- (5) All underground cable shall be installed at the lowest elevation within the right-of-way insofar as possible.
- (6) At no time shall the cable be buried longitudinally under the traveled portion of the roadway.

Dated this 1st day of July, 2014.

Paul Dumann
Chairman of the Board of County
Commissioners of Grant County,
State of South Dakota

ATTEST:
Karen Layher
County Auditor

Sheriff: Kevin Owen discussed terminating the cell phone plan the county has for the deputies and instead paying a stipend to each deputy for the use of their personal cell phone. The current cell phone bill is \$96.95 and over usage costs have occurred. Sheriff Owen suggested a stipend of \$30.00 per month for each deputy for use of their personal cell phone. Motion by Forrette and seconded by Tucholke to approve the request from Sheriff Owen for the stipend request and to cancel the contract with Verizon. Motion carried 5-0.

Consent Agenda: Motion by Mann and seconded by Forrette to approve the consent agenda. Motion carried 5-0.

1. Approve Nick VanLith as a temporary truck driver for the Highway department effective 6-17-14 at \$14.80 per hour
2. Approve James Krause as a temporary truck driver for the Highway department effective 6-10-14 at \$14.80 per hour
3. Approve the hiring of Teresa Adolph as a PT Librarian effective 7-1-14 at \$11.45 per hour
4. Approve hiring of Danielle Brady as Community Health Nurse Secretary effective 7-1-14 at \$12.40 per hour
5. Declare surplus a black TV support bracket from the jail inventory (no number)
6. Declare surplus Hon office chair with arms, broken, fixed asset number 511-8363
7. Declare surplus Nakajma Typewriter AE-740, fixed asset 211-055
8. Declare surplus a small metal cart used in the Jail, no fixed asset
9. Declare surplus from the ICAP Office, a metal desk, fixed asset 435-0093
10. Declare surplus from the Library inventory a Gateway F3600 computer and monitor, serial number 0026748360, fixed asset 511-8617

Claims: Motion by Stengel and seconded by Forrette to approve the claims as presented. Motion carried 5-0. AL'S BODY SHOP, repair 60.00; ALCO, supplies 4.99; BERENS, jury trial supplies 11.73; CENTER POINT, books 427.97; CLIMATE AIR, maint & support 2,354.77; COLONIAL RESEARCH CHEM CORP, supplies 147.22; DAKOTA COMMUNICATIONS, parts 123.95; DEADWOOD RESORTS, rooms 1,048.96; DEMCO, supplies 110.58; DESIGN ELECTRONICS, supplies 15.96; FARM & HOME PUBLISHERS, ref mat 24.60; BERNIECE FOLK, supplies 54.98; GLOBAL GOV/ED, comp supplies 921.68; GRANT CO 4H LEADERS, postage 4.12; GRANT CO EC & DEV BOARD, alloca 17,500.00; GRANT CO SHERIFF DEPT, postage 16.80; GRANT

COUNTY 4-H ASSOC, alloca 5,000.00; GRANT-ROBERTS RURAL WATER, water 75.25; GRANT/ROBERTS AMBULANCE, alloca 2,458.33; HARTMAN'S, jury trial supplies 7.78; J&J PIZZA, jury trial supplies 47.97; JOHNSON FEED, road salt 2,669.99; WINDOW WORLD, repair 60.00; LARRY'S REFRIGERATION, prof serv 110.50; MIDCONTINENT COMM, internet 68.90; MILBANK CHAMBER OF COMMERICE, alloca 1000.00; MILBANK COMM, equip 16,577.40; MILBANK LUMBER, supplies 28.00; CITY OF MILBANK, water & sewer 618.00; MN DEPT OF TRANS, tower rent 300.00; NATL AUTO DEALERS, ref mat 105.00; NORTHWESTERN ENERGY, nat gas 47.60; OFFICE PEEPS, supplies 44.79; I-29 EM VEHICLE PRODUCTS, parts & labor 1,050.00; MILBANK GLASS & MORE, prof serv 329.70; REED ELSEVIER, prof serv 661.00; RELIABLE, supplies 92.23; GENE RUDEBUSCH, reimburse 12.00; SCHUNEMAN EQUIP, supplies 16.44; STERN OIL CO, oil 3,163.15; APEX CLEANERS, prof serv 35.00; QUICK PRO LUBE, oil chg 46.52; TRUENORTH STEEL, blades 1,472.00; TWIN VALLEY TIRE, repair 18.87; TYLER COMPUTER, supplies 116.00; WITTROCK & SON, garbage service 530.00; ZEM'S FRESH START, election school supplies 10.20; ZOLL MEDICAL, recert AED 400.00. TOTALS: \$60,000.93.

Payroll for the following departments and offices for the month of JUNE 2014 are as follows: COMMISSIONERS 4726.95; AUDITOR 15,938.28; TREASURER 9994.01; STATES ATTORNEY 10,049.31; CUSTODIANS 6176.50; DIR. OF EQUALIZATION 6058.93; REG. OF DEEDS 6091.38; VET. SERV. OFFICER 1169.00; SHERIFF 16,639.98; COMMUNICATION CTR 12,410.33; EMERGENCY MANAGEMENT 2992.80; ROAD & BRIDGE 47,233.23; PUBLIC HEALTH NURSE 3392.70; VISITING NEIGHBOR 3420.55; ICAP 623.70; LIBRARY 10,716.89; 4-H 4268.30; WEED CONTROL 3829.98; PLAN & ZONING 1586.74; VISITING NEIGHBOR BD 100.00; LIBRARY BD 375.00; PLANNING & ZONING BD 1700.00. TOTAL: \$169,494.56.

Payroll Claims: FIRST BANK & TRUST, Fed WH 16,117.42; FIRST BANK & TRUST, FICA & Med WH & Match 25,385.42; SDRS, retire 18,208.98; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 37,715.75; DEARBORN NATIONAL, life ins. 246.36; AMERICAN FAMILY LIFE, AFLAC ins. 1816.13; LEGAL SHIELD, deduction 197.20; OPTILEGRA, ins 293.71; SDSRF, deduction 90.00; OFFICE OF CHILD SUPPORT, deduction 566.00; ROGENBURG LAW, deduction 350.00. TOTAL: \$100,986.97.

Unfinished Business: None

New Business: None

Correspondence: The commission reviewed the letter from SDDVA Secretary Larry Zimmerman on Operation Reaching All Veterans. The letter reported on the progress of contacting all veterans in SD. A summer study meeting, authorized by the legislature will be held in Watertown to discuss highway needs and financing. Supt Schultz and Auditor Layher will be attending.

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 July 8 and 15 and August 5 and 19, 2014 at 8AM. Motion by Stengel and seconded by Forrette to adjourn the meeting, motion carried 5-0. Meeting adjourned.

Karen M. Layer, Grant County Auditor

Paul Dummann, Chairman, Grant County Comm.