

March 15, 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 and seconded by Mach to approve the minutes of the March 1, 2016 meeting. Motion carried 5-0. Minutes filed. Motion by Mach and seconded by Buttke to approve the agenda. Motion carried 5-0.

Members of the public present were Roger Loeschke, Ginny Tostenson, Kathy Tyler, Jason Mischel, Jim DeVaal, Terry Fasteen, Barth Adolph and Milt Stengel.

The Auditor's account with the Treasurer for February was noted.

**AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER**

To the Honorable Board of County Commissioners,  
Grant County:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of the County of Grant as of the last day of February , 2016

Cash on Hand	\$2,506.68
Checks in Treasurer's possession	
less than 3 days	\$53,877.03
Cash Items	\$0.00
<b>TOTAL CASH ASSETS ON HAND</b>	<b>\$56,383.71</b>

**RECONCILED CHECKING**

First Bank & Trust	\$12,234.83
Credit Card Transactions	\$2,029.47
First Bank & Trust (Svgs)	\$3,795,709.12
<b>CERTIFICATES OF DEPOSIT</b>	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$320,076.72

**TOTAL CASH ASSETS** **\$4,186,433.85**

**GENERAL LEDGER CASH BALANCES:**

General	\$1,839,256.77
General restricted cash	\$950,152.00
Cash Accounts for Offices General Fund	\$1,605.00
Sp. Revenue	\$278,053.44
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$0.00
TIF Apportioning Northern Lights	\$0.00
TIF Milbank	\$0.00

TIF Northern Lights Trust & Agency (schools 371,969.51, twps 22,054.04, city/towns 58,778.42)	\$320,076.72 \$797,289.92
<b>TOTAL GENERAL LEDGER CASH</b>	<b>\$4,186,433.85</b>

Dated this 7th day of March, 2016

Karen M. Layher  
County Auditor

The Sheriff's fees for the month of February were \$13,555.60 with \$3,740.60 received into the County's General Fund. The Register of Deeds fees for the month of February were \$6,636.25. The Clerk of Courts remittance fees for the month of February were \$9,698.95.

**Highway:** Supt Schultz presented a work order for consultant services for a state bid let bridge replacement project located near the intersection of County Road 4 and 31. This is a 94' span pre-stressed concrete girder bridge. Motion by Dummann and seconded by Buttke to approve Project: BRO 8026(25), PCN: 00ZF for design work at a maximum cost of \$27,249.73 on Structure 26-310-031 located 4 miles North and 2 miles East of Milbank with the completion date of the work order to be December 31, 2018. Motion carried 5-0.

#### BIDS FOR FUEL

DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
02/19	UPI	No Bid		No Bid
	Cenex	1.47		1.45

Cenex was the low bidder for Ethanol at 1.47 and for Diesel 2 at 1.45.

**Cash Transfers:** Motion by Tucholke and seconded by Buttke to approve the cash transfer as per the 2016 budget. Motion carried 5-0.

FROM	TO	AMOUNT
101 General	201 Highway Fund	250,000

**General Fund Report:** Auditor Layher discussed the general fund cash analysis report. Under SDCL 7-21-18.1 the law states the general fund undesignated cash balance of the general fund may not exceed 40% of all general fund appropriations contained in the budget for the next fiscal year. The unassigned cash for December 31, 2015 is \$1,319,097.04 and the percentage is 27.97% of the 40% cash test.

**POD:** A grant award of \$6,500 has been awarded to the county for the purpose of Point of Dispensing (POD) development. The SD Dept of Health Office of Public

Health Preparedness oversees the grant and the POD program. The funds can be used for consultant fees to develop or update the POD plan as well as plan and execute drills. Motion by Mach and seconded by Dummann to authorize Chairman Stengel to sign the Grant Agreement for the POD funding of \$6500. Motion carried 5-0. **Facilitator:** Motion by Mach and seconded by Buttke to approve a POD Contractor Agreement with JoAnn Paulson to fulfill the role of POD facilitator at a rate of \$25 per hour with the fees to be paid from the POD grant award of \$6500. Motion carried 5-0.

**Shelter Grant:** Motion by Tucholke and seconded by Dummann to approve signing the contract with Civil Design Inc for professional services for the trailer park shelter contingent upon receiving the matching funds. Motion carried 5-0.

**Library:** Motion by Tucholke and seconded by Dummann to approve the hiring of Pat Rensch as a part time assistant librarian at the main library effective March 22 at a rate of \$12.15 per hour. Motion carried 5-0.

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

1. Approve plat:

2016-08

BE IT RESOLVED by the Board of County Commissioners of Grant County, South Dakota, that the plat entitled: "Lots 1 & 2 of Kannas Second Addition in the Southeast Quarter of Section 35, Township 120 North, Range 51 West of the 5<sup>th</sup> P.M., in the County of Grant, South Dakota" which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Dated at Milbank, South Dakota, this 15<sup>th</sup> day of March, 2016

Doug Stengel  
Chairman, Board of County Commissioners  
Grant County, South Dakota

ATTEST:

Karen M. Layher  
County Auditor, Grant County, South Dakota

2. Approve Memorandum of Understanding with SDSU Extension for the 4-H Advisor
3. Approve annual 911 report to be filed with the State 911 Office
4. Approve facility use agreement with WVEC for use of facilities for the Primary and General Election

5. Approve auto supplement of revenue and expense in the amount of \$2,969.61 to EM #226 Fund for the reimbursement of protective suits from the 2015 Homeland Security Grant
6. Approve auto supplement of revenue and expense in the amount of \$17,188.50 to EM #226 Fund for the reimbursement of portable radios, microphones and chargers from the 2015 Homeland Security Grant
7. Declare surplus to be discarded RCA TV from jail area, serial number 750318472

**Manure Pipes:** Kathy Tyler addressed the commission on manure hoses in the road right-of-ways. She stated the issue had been discussed last fall with the commission and she had understood the legislators would be contacted about the issue to see if legislation could be introduced to determine who controls the ROW. No legislation was introduced on this issue. She believes the law allows the commission to approve utility lines in the ROW, but the placement of hoses above ground requires the permission of the landowner. She asked the commission to pass an ordinance on the use of the ROW for manure hoses with the inclusion of landowner signing an agreement for the use of the ROW. She stated she understands the use of hoses for manure application saves the road from damage and is done for safety reasons. A memorandum she had received from her attorney gave an opinion the county cannot grant access for hoses. It is her opinion the county does not own the ROW, the landowner does, but the law gives the commission authority for utilities in the ROW. She stated if the facility is a good neighbor, it will not be an issue to sign an agreement for running the hoses in the ROW. The Commission discussed the damage done to the roads versus hauling the manure with trucks over the roads. The number of vehicles on the roads hauling manure presents a safety hazard for the public. The commission discussed a permit application the States Attorney had reviewed. The permit would require the licensee to have insurance and to be responsible for any leaks, clean up and road damage incurred when hoses were put in the ditches. Commissioner Tucholke asked that personal issues be set aside, be a good neighbor and allow the pipes. Sheriff Owen asked all individuals to be civil and if he was contacted he would refer the caller to the commission. Chairman Stengel stated the commission needed to break for the land lease sale and land sale and the discussion would continue after the sale. Discussion continued on being a good neighbor, safety concerns, road damage and control of the ROW. After a review of the permit application to be used for manure hoses in the ROW, Commissioner Tucholke moved to approve the limited license permit, seconded by Buttke. Commissioner Mach stated the city controls the boulevards in the city. Commissioner Tucholke remarked the permit

can be changed at a future meeting if needed as it is an administrative form. Chairman Stengel called for the vote. Motion carried 5-0.

**Tax Deed Sale:** The tax deed sale was held at 9 AM on the first floor of the courthouse. At the public auction the following property was offered for sale.

**Strandburg:** Parcel 23.00.03.01, Legal Description: Lot 1, Block 3, Original Townsite, Town of Strandburg. No bids were received.

**Land Lease:** The land lease sale was held at 9:00 AM and the following bids were received:

1. Part of the NW ¼ NW ¼ 33-120-47 (About 15 Acres) Alban Twp. leased to Mielitz Brothers for \$600.00.
2. S ½ NE ¼ of 8-120-51 (40 Acres) Mazeppa Twp. The lease will be offered to John Moes, who has leased the land in prior years.

**BSSE:** Terry Fasten with the firm KLJ stated his firm is working on the BSSE project for the lines crossing over the county roads. He presented a map indicating the eleven sites where the lines would be crossing over the county road right-of-ways. There will be five poles per mile. The wires will be thirty feet above the road. The line is expected to be energized in 2017-2018. As per SDCL 49-41B-38A a public infrastructure restoration bond has been filed with the State. The bond does cover the county in the event of any damage to roads or bridges. Motion by Tucholke and seconded by Dummann to approve ROW 2016-02 for the BSSE project to cross a public road or section line road. Motion carried 5-0.

**Sheriff:** Kevin Owen presented the statistics for the month of February for the Detention Center and Sheriff's Office as follows: Average Daily inmate population 10; Number of bookings 41; Work release money collected \$1,250.00; 24/7 Preliminary Breath Test (PBT) fees collected \$138.00; SCRAM (alcohol detecting bracelet) fees collected \$752.00; 24/7 PBT participants 2; SCRAM (Sobriety Program) participants 5; Calls for Service (does not include walk-in traffic) 400; Accidents investigated 11; Civil papers served 63; Cumulative miles traveled 5786; 911 calls responded to 46.

**Executive Session:** None

**Unfinished Business:** None

**New Business:** Grant County will be hosting the Lake Region District meeting on April 21.

**Correspondence:** None

**Claims:** Motion by Mach and seconded by Buttke to approve the claims as presented. Motion carried 5-0 A-OX WELDING, supplies 384.99; AMERICAN LIB ASSOC, dues 209.00; AVERA-MILBANK HOSPITAL, prisoner care 8,374.90; BIEN PHARMACY, prisoner care 26.64; BLAIN GATZ, reimburse 5,350.00; BORNS GROUP, mailing expense 2,854.34; BRENDA L HOLTQUIST, prof serv 105.00; BUTLER MACHINERY, parts 174.76; CENTER POINT, books 125.21; CENTURYLINK, phone 584.69; COLEPAPERS, supplies 198.52; COUNTRY, subsc 15.00; CRAIG DEBOER, car wash usage 38.32; CUSTODIAN SERVICES, parts 172.00; DELORIS J RUFER, rent 100.00; DESIGN ELECTRONICS, camera 165.97; DEUTSCH PRINTING, subsc 45.00; DON HAUkos, prof serv 50.00; EQUIPMENT BLADES, blades 2,231.82; FAMILY FUN, subsc 19.95; FLOWER SHOPPE, supplies 45.00; G & K SERVICES, supplies 216.56; GRANT CO SHERIFF, postage 8.82; GRANT CO REVIEW, publishing 763.66; GRANT-ROBERTS RURAL WATER, rural water 36.40; HARTMAN'S, prisoner meals & supplies 1,134.57; HEDAHL'S, parts 17.57; INGRAM, books & AV 905.26; INTER-LAKES COMM ACTION, worker 2,206.08; INTERSTATE TELECOMMUNICATION, 911, internet & phone 1,300.10; TREVETT CAFÉ, prisoner meals 1,412.25; LABOLT DEVELOP CO, lib rent & internet 70.00; TRAPP PLUMBING, repair 470.02; LEWIS FAMILY DRUG, prisoner care 175.23; LIBRARIAN'S BOOKS, books 502.61; MAC'S, parts & supplies 16.64; MACK STEEL, parts 20.32; MODERN MARKETING, summer rdg program supplies 225.78; METRO COUNT USA, traffic counters 2,270.00; MICROFILM IMAGING, scanner rent 307.00; MICROMARKETING, DVD 124.69; MIDAMERICA BOOKS, books 300.15; MILBANK AUTO PARTS, parts & supplies 1,074.54; MILBANK WINWATER WORKS, supplies 26.77; MILLER CONSULTATIONS & ELECTIONS, ballot box 128.96; NASASP, dues 39.00; NATIONAL SHERIFFS ASSOC, dues 58.00; NELSON LAW OFFICE, alloca 3,742.00; NORTHERN TRUCK EQUIP, supplies 143.19; NORTHWESTERN ENERGY, nat gas 366.72; OFFICE PEEPS, supplies 212.36; OTTER TAIL POWER CO, electricity 4,030.40; PCMG-GLOBAL, laptop 312.99; POSTMASTER, postage 129.00; QUICK PRO LUBE, oil change 81.97; RANNY GRADY, books 35.00; RC TECHNOLOGIES, tower rent & 911 transport 95.96; REAL MANUFACTURING, tubing 283.33; RELIANCE, phone cards 500.00; ROBERTS CO SHERIFF, prisoner housing 900.00; ROGER A. BRIGGS, parts 561.97; ROY STOLPMAN, hwy project 9,439.76; RUNNINGS, supplies 424.63;

RYAN MAGEDANZ, prof serv 307.77; SAFETY-KLEEN SYSTEMS, supplies 307.53; SD ASSN CO COMM, CLERP 1,682.27; SD DEPT OF REVENUE, sales & use tax 295.11; SD DEPT TRANS, hwy projects 2,058.12; SD POLICE CHIEF'S ASSOC, regis 170.00; SD HIST SOC, dues 40.00; SDAE4-HP, regis 40.00; SEEHAFER HARDWARE, supplies 402.10; STATE OF SD, supplies 1,422.31; STATE PROPERTY MANAGEMENT, mower 1,500.00; SWIFT COUNTY, prof serv 85.00; TECH ONE, supplies 90.00; TWIN VALLEY TIRE, tires & service 599.00; VALLEY OFFICE PRODUCTS, supplies 1,046.73; VALLEY SHOPPER, publishing 159.39; VANDER HAAGS, parts 250.00; VERIZON, hotspot 38.52; VISA, gas, books, domain fee 401.89; WATERTOWN IRON & METAL, tubing 8.00; WHETSTONE VALLEY ELECTRIC, repair 2,291.86; WITTROCK & SON, garbage service 150.00; XEROX, copier rent 781.07; ZEM'S FRESH STARTS, jury trial supplies 39.45. TOTAL: \$70,507.49

SD ATTY GENERAL 582.00; SDACO 218.00. TOTAL: \$800.00.

JUROR FEES: \$975.48.

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 5 and 19, 2016 at 8 AM. The County and the Consolidated Board of Equalization begins on April 12, 2016. Motion by Mach and seconded by Buttke 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.