

March 18, 2014

The Grant County Commission met at 8AM with Commissioners Dummann, Forrette, Mann, and Tucholke present. Chairman Dummann called the meeting to order. Commissioner Stengel was absent. Motion by Tucholke and seconded by Mann to approve the minutes of the March 4, 2014 meeting. Motion carried 4-0. Minutes filed. Motion by Tucholke and seconded by Forrette to approve the agenda. Motion carried 4-0.

The Auditor's Account with the Treasurer for the month of 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, 2014

Cash on Hand	\$1,222.00
Checks in Treasurer's possession less than 3 days	\$24,691.72
Cash Items	\$210.60
TOTAL CASH ASSETS ON HAND	\$26,124.32
RECONCILED CHECKING	
First Bank & Trust	\$3,062.33
Credit Card Transactions	\$65.00
First Bank & Trust (Svgs)	\$2,681,161.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$314,039.51
TOTAL CASH ASSETS	\$3,024,452.16
GENERAL LEDGER CASH BALANCES:	
General	\$1,495,325.18
General restricted cash	\$516,152.00
Sp. Revenue	\$437,842.24
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$231.34
TIF Apportioning Northern Lights	\$0.00
TIF Milbank	\$0.00
TIF Northern Lights	\$314,039.51
Trust & Agency	\$260,861.89

(schools 95,420.48, twps 7,096.17, city/towns
14,812.37)

TOTAL GENERAL LEDGER CASH

\$3,024,452.16

Dated this 7th day of March, 2014
Karen M. Layher
County Auditor

The Sheriff's fees were \$12,066.76 for February with \$5,015.36 receipted into the county general fund. The Register of Deeds fees for the month of February were \$8,212.50. The Clerk of Courts remittance fees for the month of February were \$8,906.27.

The following statistics for the month of February for the Detention Center and Sheriff's Office were presented by report. Average Daily inmate population 9; Number of bookings 13; Work release money collected \$1,945.00; 24/7 Preliminary Breath Test (PBT) fees collected \$239.00; SCRAM (alcohol detecting bracelet) fees collected \$80.00; 24/7 PBT participants 5; SCRAM (Sobriety Program) participants 5; Calls for Service (does not include walk-in traffic) 61; Accidents investigated 12; Civil papers served 32; Cumulative miles traveled 4,373; 911 calls responded to (including Milbank) 41.

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

Members of the public present were Willis Hanson, Kirby Hins, Tim Miller, Lee Issendorf, Don DeBoer, Loren DeBoer, Brian Lowe, Jerry Zubke, Todd Keller, Tyler Keller, Les Peters and Joel O'Brien. Drainage Administrator Krista Atyeo-Gortmaker presented the following permits.

Permit DR2014-02 amending DR2013-13 for Kirby Hins by Jerry Zubke in the E1/2W1/2 of 7-121-48 48 (Melrose Township). Drainage Officer stated the tile will stay back 50 feet from the adjoining property, a pump will be installed and water does go into a natural run. A condition was attached to the original permit to have reasonable shutdown of the pump without affecting drainage to downstream / adjoining landowner. Jerry Zubke acknowledged the condition attached to the original permit as a reasonable condition for the amended permit. Motion by Tucholke and seconded by Forrette to approve permit DR2012-02 with the condition from permit DR 2013-13 attached to DR2012-02. Motion carried 4-0.

Permit DR2014-03 for Willis Hanson in S1/2 SE1/4 of 7121-49 and NE1/4 ex Lots 1&2 Willis Hanson Subdivision in 18-121-49 (Kilborn Township). Drainage Officer reported

the NRCS letter is on file. Downstream landowners voiced concerns at the meeting and written comments were received from three downstream landowners. The concerns expressed were additional water will affect many individuals downstream as the run is a slow meandering waterway. Commissioner Dummann and Stengel had completed an onsite inspection of the proposed drainage project. Motion by Tucholke and seconded by Mann to deny DR2014-03 with a condition that the permit can be brought back at no charge if an agreement is made with the downstream landowners for a community project that will allow the water to flow without causing problems in the progression to the Whetstone. Motion carried 4-0.

Permit DR2014-04 for Willis Hanson in the SE1/4 of 2-121-50 (Osceola Township). Commissioner Dummann reported he had also been on site to look at the proposed drainage and the outlet for this project is into a large ravine and should not be an impact downstream. There were not any other comments. Motion by Mann and seconded by Tucholke to approve DR2014-04 as presented. Motion carried 4-0.

Permit DR2014-05 for Larry Hurley & Sons Family Trust by Joel O'Brien in the E1/2 of 18-120-48 (Alban Township). The Drainage Officer stated the receipts from the certified letters have been received and the NRCS letter is on file. The outlet is into a run owned by the City of Milbank. Motion by Tucholke and seconded by Forrette to approve DR2014-04. Motion carried 4-0.

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

Highway: Supt Schultz stated Grant Center Township had made a request to change a yield sign to a STOP sign. Motion by Tucholke and seconded by Forrette to adopt the following resolution. Motion carried 4-0. Resolution adopted.

Resolution 2014-13

A resolution for the placement of a STOP sign

A resolution to establish the placement of a STOP sign in place of a yield sign at the intersection of 475th Avenue and 150th Street in the SW corner of the intersection in Section 16 in Grant Center, 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 32-29-1 and 32-29-2.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Grant County approves the placement of a STOP sign at the intersection of 475th Ave and 150th St located in the SW corner of Section 16 in Grant Center Township.

BE IT ALSO RESOLVED, that a violation of this resolution is a class 2 misdemeanor, punishable by a term of imprisonment not to exceed thirty days in the county jail or a fine not to exceed two hundred dollars, or both.

Dated this 18st day of March, 2014.

Paul Dumann
Chairman

ATTEST:
Karen M. Layher
Auditor

Grant Center Township requested permission to install a warning sign to watch for children on 150th St at the city limits of Milbank. The commission did not have any objections to the sign placement.

First District: Executive Director Todd Kays met with commission to discuss haul road agreements as part of the zoning ordinance. Currently the Planning and Zoning Board has the option to add conditions to a conditional use permit. He informed the commission there were two ways for the commission to consider amending the zoning ordinance for haul road agreements. One way would be to amend the ordinance with language on what should be included in a haul road agreement or the commission could use an administrative document to ensure the conversations between the townships or county and the applicant are held. The commission asked Todd to work on preparing an administrative document to be discussed at a future meeting. Also present were David Krueger and Rodney Thaden who spoke on working with the townships to be part of the discussion on haul road agreements.

Todd also reported on the County's activities with First District for the past year. First District has assisted Grant County with 911 database management, E-911 addressing assigning, GIS projects such as IMS website, centerline road, rural address point layer and parcel data set maintenance.

Tax Deed Sale: Motion by Tucholke and seconded by Mann to remove from the tax deed sale the property listed in the Town of Marvin as Lots 5-13, inclusive,

Block 1, Charlestown Addition. Motion carried 4-0. Motion by Tucholke and seconded by Forrette to adopt the following resolution to transfer the lots in exchange for \$1.00 to the Marvin Fire Department. Motion carried 4-0. Resolution adopted.

RESOLUTION 2014-14
TAX DEED PROPERTY TO MARVIN FIRE DEPARTMENT

WHEREAS, Grant County has a Tax Deed to certain property, and wishes to deed such property to Marvin Fire Department, Town of Marvin, and

WHEREAS, SDCL 6-5-2 gives Grant County, a political subdivision of the State of South Dakota, the power to convey and transfer any real property which is now or may hereafter be held or owned by it to another subdivision of the State of South Dakota, and

WHEREAS, the Grant County Board of Commissioners deems it advisable and to the best interests of the public to convey such property to the Marvin Fire Department, Town of Marvin, a political subdivision of the State of South Dakota, and

THEREFORE, be it resolved on a motion of Tucholke, seconded by Forrette that Grant County execute and deliver a Quit Claim Deed to Marvin Fire Department, Town of Marvin for the following described property:

Parcel: 20.03.01.13, Lots 5-13, inclusive, Block 1, Charlestown Addition, Town of Marvin

BE IT ALSO RESOLVED, Marvin Fire Department, Town of Marvin shall pay to Grant County the sum of one dollar (\$1.00) for the described property.

Upon roll call the Commissioners voted 4 yeas and 0 nays.

Whereupon the Chairman declared the same to be duly passed and adopted.

Dated this 18th day of March, 2014 at Milbank, South Dakota.

Paul Dummann
Chairman

ATTEST:

Karen M. Layher
Grant County Auditor

At the public auction the following property was sold.

Twin Brooks

Parcel: 24.02.01.06, Legal Description: Lots 5 & 6, Block 1, Laselle's Addition, Town of Twin Brooks. Sold to Chad Novy for \$175.00.

Parcel: 24.00.02.07, Legal Description: Lots 6 & 7, Block 2, Original Townsite, Town of Twin Brooks. Sold to Dan Borns for \$50.00.

Parcel: 24.00.02.13, Legal Description: Lots 10-13, Block 2, Original Townsite, Town of Twin Brooks. Sold to Dan Borns for \$100.00.

Milbank

Parcel: 26.14.07.11, Legal Description: Lot 11, Block 7, South Side Addition, City of Milbank. Sold to Gary Rethke for \$500.00.

Parcel: 26.00.29.11, Legal Description: Lot 11, Block 29, Original Townsite, City of Milbank. Sold to Kristina Farrell for \$6,750.00.

Parcel: 26.22.09.12, Legal Description: Lot 12, Block 9, West End Addition, City of Milbank. Sold to Upper Midwest Investments for \$2500.00.

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.

Tobacco Coalition: Present were Milbank High School Counselor Heidi Wellnitz, Milbank Police Chief Boyd Van Vooren, Chely Wellnitz, Andrea Laskowske, Kaley Withers, Maddie Foss and Sheriff Kevin Owen. The coalition addressed the commission to consider an ordinance to declare county property smoke free. The 4-H grounds and the Courthouse Park were areas the coalition would like to see smoke free areas as children and adolescents frequent these areas. The commission stated they would consider the information presented, but must consider the impact to all of the public. The commission asked to have the item placed on the April 1st agenda at 9:30 AM.

4-H: Advisor Sara Koepke requested approval to hire Jessica Strom as the summer assistant. Motion by Tucholke and seconded by Forrette to approve hiring Jessica Strom beginning May12 through August 29, 2014 at the rate of \$9.90 per hour. Motion carried 4-0.

Library: Motion by Forrette and seconded by Mann to enter into executive session at 10:16AM for the purpose of a personnel issue(s) pursuant to SDCL 1-25-2 (1). Motion carried 4-0. Auditor Layher and Library Board President Marge Bohn were present. Marge Bohn was excused at 10:28AM. Chairman Dummann declared the meeting open to the public at 10:36AM. Motion by Mann and seconded by Forrette to approve hiring of Jody Carlson as Library Director effective April 1 at a salary of \$3000.00 per month with a review to be completed by the Library Board prior to the six month anniversary of hiring. Motion carried 4-0. Motion by Tucholke and seconded by Mann to approve Dave Dashiell moving from a full time position to a part time position at 19.5 hour per week with no benefits and to advertize for a part time custodial position. Motion carried 4-0.

P & Z: Krista Atye-Gortmaker presented the findings and motion from the P & Z board's recommendation of amending Subdivision Ordinance Section 203, Plat Review Fee changing from \$10.00 to \$40.00. Also, to amend Section 402, Final Plat Information to include the use permanent black ink on the mylar, uniform plat size added of 11 X 17, to include lot number where applicable on the plat, adding language on recovered monuments and monuments set, add language on description of previous plats vacated, to include easements dedicated, vacated or released by the plat and to change the word engineer to surveyor. Motion by Forrette and seconded by Mann to approve the first reading of Ordinance 2004-2B amending Article IV, Section 203 Plat Fee and Section 402 Final Plat Information and to hold a 2nd reading and public hearing on April 15 at 9 AM. Motion carried 4-0.

Travel: Motion by Mann and seconded by Tucholke to approve travel expenses for Director of Equalization Kathy Steinlicht and Deputy Ryan Gruba to attend Annual Conference in Deadwood and to attend Annual Assessor School in Pierre; approve travel expenses for EM Director Sheryl Ward to attend Disaster Services Training in Sioux Falls. Motion carried 4-0.

Abatements: Motion by Forrette and seconded by Mann to approve an abatement of \$33.98 for Tax Bill 139030 on a 1976 16 X 80 Chickasha mobile home as the owner, Myron and Phyllis Roggenbuck, qualified for an owner occupied levy rate for the year 2014. Motion carried 4-0. Motion by Forrette and seconded by Tucholke to approve an abatement of \$51.84 for the tax years 2010-2013 for a 1974 – 14X70 Regal Mobile Home as the distress warrants are deemed uncollectable by the sheriff and to authorize Treasurer Mueller to cancel the distress warrant. Motion carried 4-0.

Courthouse Repair: The commission discussed the quote from Mid-Continental Restoration Company for a courthouse tuck pointing project. Another company will be contacted for a quote.

Consent: Motion by Tucholke and seconded by Mann to approve the consent agenda. Motion carried 4-0.

1. Approve Plat:

2014-15

Be it resolved by the Board of Commissioners of Grant County, South Dakota, that the plat know and described as Lot 1, J & M SUBDIVISION, located in the SE ¼ of Section 18, Township 121 North, Range 47 West of the 5th P.M., Grant County, South Dakota, is approved and the County Auditor is directed to endorse on such plat a copy of this resolution and certify the same thereon.

Adopted this 18th day of March, 2014.

Paul Dummann, Chairman,
Board of Commissioners
Grant County, South Dakota

ATTEST:

Karen M. Layher
County Auditor

2. Declare surplus: Dell DHM Xp Computer, Fixed asset 511-9595; (2) Dell LCD Monitor, fixed asset 511-9599 and 511-9600; Gateway 4500D Monitor Software, fixed asset 511-9176; Aurora Vicon PTZ Control (part of Video Recording Set)
3. Declare surplus the Diesel John Deere garden tractor, mower and broom, fixed asset number 161-9457, to be sold at auction
4. Declare surplus 2008 Dodge Durango, fixed asset number 211-9472, to be sold by sealed bids
5. Approve 6 month step increase to \$18.85 per hour for Deputy Sheriff Jeremy Steffenson effective 02-12-2014
6. Approve 6 month step increase to \$15.75 per hour for Hwy Dept worker Michael Schaffer effective 03-03-2014
7. Approve auto supplement of expense and revenue of \$3500 to #226 EM for reimbursement under the FY2013 HLS Grant for safety glass in doors
8. Approve list of Library volunteers on file in Auditor's Office effective for March 2014
9. Approve election agreement with Election System & Software for ballot printing, ballot layout, coding and voice file coding

10. Approve Reallocation Funding Grant in the amount of \$3596 for Ballistic Vests / Sheriff's Office

Unfinished Business: None

New Business: Auditor Layher reviewed the timeline for 2015 budget.

Correspondence: None

Claims: Motion by Mann and seconded by Forrette to approve the claims as presented. Motion carried 4-0. A-OX WELDING SUPPLY, rent & supplies 127.79; AL'S BODY SHOP, repair 748.55; AVERA-MILBANK HOSPITAL, lab 567.00; BERENS, mtg supplies 2.55; BORN'S GROUP, postage 2,693.20; ROGER'S ELECTRIC MOTOR SERVICE, grinder 138.55; BUREAU OF INFO & TELE, internet & email 346.00; CCP INDUSTRIES, supplies 345.08; CENTURION HOLDINGS, software 384.00; CENTURYLINK, 911 & phone 585.79; DEMCO, supplies 157.12; DEUTSCH PRINTING, subsc 45.00; SANDRA FONDER, prof service 100.00; FREMAREK, supplies 249.66; GAME & FISH, subsc 18.00; GLOBAL GOV/ED, comp supplies 69.47; GRANT CO REVIEW, publishing 616.48; HARTMAN'S, groceries for prisoners 470.30; HEDAHL'S, parts & supplies 255.58; BRENDA HOLTQUIST, prof serv 80.50; DENNIS HOYLES, prof serv 450.00; INGRAM, books & AV 795.05; INTER-LAKES COMM ACT, worker 1,950.67; ITC, 911, internet & phone 1,122.26; LABOLT DEVELOP, internet & rent 70.00; LARSON LAW, ct appt atty 1,552.05; LIEBE DRUG, supplies 33.96; MCLEOD'S, supplies 303.40; MICROFILM IMAGING, rent 295.00; MICROMARKETING, DVD's 522.33; MIDCONTINENT COMM, internet 68.90; MILBANK AUTO PARTS, parts & supplies 856.52; MOMAR, equip 284.84; MUNDWILER, prof serv 3,225.00; NACVSO, dues 30.00; NCRAAO, regis 560.00; NELSON LAW OFFICE, alloca 3,527.16; NORTH CENTRAL INT'L, starter & parts 879.23; NORTHERN TRUCK EQUIP, seal kit 83.17; NOVAK SANITARY SERVICE, prof serv 241.68; OFFICE PEEPS, supplies 332.96; OTTER TAIL POWER CO, electricity 3,793.60; THE PENWORTHY CO, books 162.60; RC COMMUNICATIONS, 911 & tower rent 95.96; DELORIS RUFER, rent 100.00; RUNNINGS, supplies 459.75; SAFETY-KLEEN, prof serv 270.17; SD DEPT OF REVENUE, Regis, sales, use & excise tax 630.78; SDVSOA, regis & dues 150.00; SEEHAFFER HARDWARE HANK, supplies 267.72; TOWN OF STRANDBURG, rent 293.00; QUICK PRO LUBE, oil chg 112.49; TREVETT'S CAFÉ, prisoner meals 582.75; TWIN VALLEY TIRE, parts 77.70; TYLER COMPUTER, comp supplies 180.00;

UNZEN MOTORS, parts 215.90; UPI PETROLEUM, gas 2,568.73; VALLEY OFFICE, supplies 215.97; THE VALLEY SHOPPER, publishing 164.22; VERIZON WIRELESS, phone 96.92; CITY OF WATERTOWN, 911 surcharge 6,392.11; WHETSTONE VALLEY ELEC COOP, electricity 891.46; WITTROCK & SON, garbage service 159.00; XEROX, copier rent 815.10; ZEM'S FRESH STARTS, mtg supplies 16.05; TOTALS: \$ 43,896.78.

State Fees: SDACO, ROD Modernization fee 274.00; SD ATTORNEY GEN, 24-7 fee 10.00. Total 284.00

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 1 and 15, 2014 at 8 AM. The County and the Consolidated Board of Equalization begins on April 8, 2014 for the assessment year 2014. Motion by Forrette and seconded by Mann to adjourn the meeting. Motion carried 4-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Paul Dummann, Chairman, Grant County Commission