

March 3, 2015

The Grant County Commission met at 8AM with Commissioners Buttke, Dummann, Mach, Stengel and Tucholke present. Chairman Tucholke called the meeting to order. Motion by Dummann and seconded by Stengel to approve the minutes of the February 17, 2015 meeting with a correction to change the Marvin Fire Chief name to Rodney Thaden under Fire Range Suppression. Motion carried 5-0. Minutes filed. Motion by Stengel and seconded by Buttke to approve the agenda with the addition of Commissioner Stengel to report on a meeting he had attended on the Whetstone River Project. Motion carried 5-0.

Present from the public were Shirley Wiese, Kenny Wiese, Tyrone Nordquist, Gene Rickard, Deverne Richard, Terry Lee, Bob Capp, Pat Meyer, Vince Meyer, Daniel Scoblic, Denise Scoblic, Keith Welberg, Thomas Pillatzki, Gerry Adolph, Roman Taffe and Holli Seehafer with the Grant County Review.

CAFO: Gene Rickard addressed the commission concerning the proposed 5500 head dairy in Farmington Township. He stated his residence is located two-thirds of a mile from the proposed site and he believes with a large dairy that close to his residence his house valuation would be drastically lowered. He also had concerns on the impact to county and township roads and asked about the criteria for a lagoon. Area resident Terry Lee stated he does not want to live near a large dairy and he has received calls from Codington County residents who had expressed concerns on the impact of water and runoff into the Big Sioux. Deverne Rickard asked the commission to listen to the concerns of the local people and care more for the local constituents. Chairman Tucholke stated the commission can listen to the issues, but it is the Planning and Zoning Board who will have the public hearing on the proposed CAFO permit.

Surplus Bid Opening: Auditor Layher reported one sealed bid had been received for the 1988 Ford truck with sander and plow. Chairman Tucholke opened the bid from Berkner Excavating and Gravel. The bid received was for \$1500.00. The minimum bid set by the commission was \$2500. Motion by Stengel and seconded by Dummann to reject the bid from Berkner Excavating and Gravel. Motion carried 5-0.

Wind: Commissioner Dummann reported he had been approached by a wind farm development company for a lease on county owned property for wind

development. The States Attorney will be contacted for advice on wind development leases.

Travel: Motion by Dummann and seconded by Buttke to approve travel expenses for EM Director Sheryl Ward to attend a class on Multi Hazard Emergency Planning for Schools in Madison. Motion carried 5-0.

First District: Todd Kays, Executive Director for First District, joined the meeting via teleconference, gave a report on the activities of the planning district for 2014. The report included the agency's activities, funding sources, economic development role and staff duties. Some of the county projects the staff has provided assistance to the county include 911 Database Management, E-911 Address Assignment, County Address Range GIS Data Set Maintenance, GIS Data Set Maintenance and IMS Website Maintenance. He also reported on an email he had received from the Division of Agricultural Development which stated while Grant County is in the process of reviewing the zoning ordinance, the site analysis program being completed by the State will be postponed until the review of the county's ordinance is completed. Also, Todd gave a brief review of the process to be used for the Planning and Zoning Board as they review the zoning ordinance. The plan is to meet every three weeks and a public comment period will be part of the meeting. Commissioner Stengel requested the group to meet at least every other week to enable the review to be completed in a timely manner.

Abbey of the Hills: Roman Taffe, one of the owners of the Abbey, explained the current ownership of the Abbey, the 501C(3) tax exempt status designation for the Abbey and explained why the corporation will be requesting a tax exempt status during the Board of Equalization.

Moratorium: Rudy Nef addressed the commission concerning the motion passed on the moratorium. He stated he had served as a commissioner when the first zoning ordinance was approved and he had served as the appointed commissioner on the planning and zoning board. He questioned whether the commission had the legal authority to pass a moratorium. It is his opinion the moratorium changed a county ordinance and due notice should have been given by providing public notice of the proposed change to a county ordinance. He stated both sides of a CAFO have rights and by not providing notice of an ordinance change, property rights were not provided fairly.

Executive Session: Motion by Dummann and seconded by Buttke to enter into executive session at 9:06 AM for the purpose of a personnel issue pursuant to

SDCL 1-25-2 (1) and for the purpose of litigation issues pursuant to SDCL 1-25-2(3). Motion carried 5-0. States Attorney Reedstrom, Sheriff Kevin Owen, Auditor Layher and P & Z Administrator Krista Atyeo-Gortmaker were present. Commissioner Dummann, Sheriff Owen, States Attorney Reedstrom and Krista Atyeo-Gortmaker excused themselves from the executive session at 10:15 AM. Chairman Tucholke declared the meeting open to the public at 10:45 AM. No action taken as a result of the executive session.

Commissioner Dummann excused himself from the meeting at 10:15 AM.

Quit Claim Deed: Motion by Stengel and seconded by Buttke to approve a quit claim deed for Lot Seven (7), Camp's Addition, Town of Twin Brooks as the delinquent property taxes were paid within the 180 day redemption period. Motion carried 4-0.

Sheriff: The commission reviewed the statistics for the month of January for the Detention Center and Sheriff's Office as follows: Average Daily inmate population 5; Number of bookings 22; Work release money collected \$525.00; 24/7 Preliminary Breath Test (PBT) fees collected \$273.00; SCRAM (alcohol detecting bracelet) fees collected \$760.00; 24/7 PBT participants 3; SCRAM (Sobriety Program) participants 4; Calls for Service (does not include walk-in traffic) 79; Accidents investigated 8; Civil papers served 62; Cumulative miles traveled 5166; 911 calls responded to 55.

Unfinished Business: None

New Business: 4-H agent Sara Koepke reported she had been asked by Extension to prepare and teach a pilot program entitled "Know Your Farmer, Choose Your Plate". The program would be taught to students attending OST this summer. The county will receive a \$500 grant for Sara's time to prepare the lesson plans. Commissioner Stengel reported he had attended the public hearing on the Whetstone River Restoration Project. The project could impact County Road 47 depending on the final plan used for the project. Funding for the project will also need to be established.

Correspondence: None

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

1. Set March 17 at 9 AM for the land sale of the property obtained by the county under the Tax Deed process – one parcel
2. Set March 17 at 9:05 AM for the land lease sale for the county land to be leased in 2015
3. Set March 26 at 11 AM for the annual Highway Dept bid opening for materials used with consideration of bids to be on April 7 at 8:15 AM
4. Approve annual support agreement for Live Scan finger print software in the amount of \$5388.00 from 7-1-15 to 6-30-16

Claims: Motion by Stengel and seconded by Mach to approve the claims as presented. Motion carried 4-0. A-OX WELDING, supplies 126.82; KRISTINA ATYEO GORTMAKER, reimbursement 4,250.00; BERKNER EXCAVATING, drill press 1,500.00; BUREAU OF INFO & TELE, email & internet 374.00; CENTER POINT, books 298.98; CENTURYLINK, phone 586.75; CONSOLIDATED READY MIX, river gravel 408.75; CREATIVE ED, books 453.24; DEMCO, lib supplies 155.48; DESIGN ELECTRONICS, equip 209.96; EAST RIVER ELECTRIC, tower rent 576.00; ELECTION SYSTEMS & SOFTWARE, maintenance 5,604.00; EQUIPMENT BLADES, blades 2,846.00; FIRST BANK & TRUST, supplies 65.93; G & K SERVICES, supplies 180.15; GLOBAL GOVT ED, comp supplies 490.00; GRANT CO EC & DEV BD, alloca 8,750.00; GRANT CO REVIEW, subsc 36.00; GRANT CO CONSERVATION, alloca 5,000.00; GRANT-ROBERTS RURAL WATER, rural water 77.80; GRANT/ROBERTS AMBULANCE, allocation 2,458.33; HARTMAN'S, supplies 7.29; INGRAM, books 111.99; JOHNSON FEED, road salt 2,180.64; LEWIS FAMILY DRUG, supplies 37.90; LIBRARIAN'S BOOKS EXPRESS, books 568.10; MADSEN AUTOMOTIVE, parts 532.29; MCLEOD'S, supplies 403.46; MICROMARKETING, DVD 14.93; MIDCONTINENT COMMUNICATION, internet 68.90; CITY OF MILBANK, water & sewer 582.42; MOMAR, supplies 163.01; NATL 4-H COUNCIL/SUPPLY, supplies 103.81; NELSON LAW OFFICE, alloca 3,633.00; NORTHWESTERN ENERGY, nat gas 1,963.26; OFFICE PEEPS, labels 7.70; PENWORTHY CO, books 227.40; REED ELSEVIER, on line charges 695.00; SANFORD HEALTH, prof serv 2,100.00; DEAN SCHAEFER COURT REPORT, prof serv 30.00; SCHUNEMAN EQUIP, parts 45.44; SDSU PRINT LAB, supplies 238.05; SEEHAFFER HARDWARE HANK, supplies 499.22; ST WILLIAMS, prof serv 175.50; TYLER COMPUTER, supplies 25.00; UPI PETROLEUM, diesel fuel & gas 2,649.00; WW WALLWORK, parts 163.32; CITY OF WATERTOWN, 911 surcharge 5,385.20; XEROX, copier rent 140.05; YANKTON CO TREAS, prof serv 113.75. TOTAL: \$ 57,313.82.

JUROR FEES: \$627.70.

Payroll for the following departments and offices for the month of February 2015 are as follows: COMMISSIONERS 4783.75; AUDITOR 14,625.56; TREASURER 9577.75; STATES ATTORNEY 10,371.50; CUSTODIANS 5110.45; DIR. OF EQUALIZATION 6295.00; REG. OF DEEDS 6426.01; VET. SERV. OFFICER 1206.58; SHERIFF 17,662.13; COMMUNICATION CTR 11,728.01; PUBLIC HEALTH NURSE 2900.20; ICAP 642.60; VISITING NEIGHBOR 3093.40; LIBRARY 11,281.06; 4-H 3446.44; WEED CONTROL 3663.68; PLAN & ZONING 1540.13; ROAD & BRIDGE 49,045.62; EMERGENCY MANAGEMENT 3076.80; CORONER 210.90. TOTAL: \$166,687.57.

Payroll Claims: FIRST BANK & TRUST, Fed WH 16,284.95; FIRST BANK & TRUST, FICA WH & Match 20,208.14; FIRST BANK & TRUST, MEDICARE WH & Match 4726.12; AMERICAN FAMILY LIFE, AFLAC ins. 1692.68; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 41,545.48; DEARBORN NATIONAL, life ins. 220.86; LEGAL SHIELD, deduction 172.30; OFFICE OF CHILD SUPPORT, deduction 566.00; OPTILEGRA, ins 370.81; ROGENBURG LAW, deduction 350.00; SDSR SUPPLEMENTAL, deduction 90.00; SDRS, retire 18,540.58. TOTAL: \$104,767.92.

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 March 17 and April 7 and 21, 2015 at 8 AM. Motion by Mach and seconded by Buttke to adjourn the meeting. Motion carried 4-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Clayton Tucholke, Chairman, Grant County Comm.