

May 5, 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 Stengel and seconded by Buttke to approve the minutes of the April 21, 2015 meeting. Motion carried 5-0. Motion by Stengel and seconded by Buttke to amend the previous motion to approve the minutes to include a correction to the section on the Rezoning to correct the wording from commercial to agriculture to agriculture to commercial. Motion carried 5-0. Corrected minutes filed. Motion by Stengel and seconded by Buttke to approve the agenda with the addition of a report of the quarterly 911 meeting held in Watertown. Motion carried 5-0.

Members of the public present were Jerry Zubke, Kate Capp, Laura Krebsbach, Kathy Tyler, Ann Loeschke, Holli Seehafer with the Grant County Review and Holly Hilbrands with KMSD.

Highway: Supt Schultz reported on road and bridge projects. He reported an engine went out on the scraper and the replacement cost of the engine is \$12,000. The replacement cost for the engine on the 1999 International truck is estimated to be \$17,000. County Road #33 is being cut down and reshaped by DeVaal's in Melrose Township. Discussion was held on the traffic increase on County Road #4 due to Hwy 12 detour even though the county road is not the designated detour. A bridge on County Road # 14 (AKA 153rd St) by Victory Farms will be replaced starting this week. The road will be closed for through traffic for approximately one month.

BIDS FOR FUEL

DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
04/09	UPI	2.086		1.978
	Cenex	2.22		2.10

UPI was the low bidder for Ethanol at 2.086 and for Diesel #2 at 1.978.

DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
04/22	UPI			2.074
	Cenex			2.25

UPI was the low bidder for Diesel 2 at 2.074

Travel: Motion by Dummann and seconded by Buttke to approve travel expense for States Attorney to attend Annual Conference in Deadwood, for Hwy Secretary

Jennifer Wellnitz to attend D-Ware Conference in Deadwood and for Commissioner Tucholke and Auditor Layher to attend the annual NACO Conference in Charlotte. Motion carried 5-0.

West Nile Grant: Weed Supervisor Nathan Mueller requested approval to apply for the SD Dept of Health West Nile Virus Prevention Funding Opportunity Grant. The grant funds may be used for labor costs and the purchase of chemicals in mosquito control. Grant awards will vary depending upon the applying jurisdiction's population and the number of human West Nile cases. Motion by Stengel and seconded by Buttke to approve submitting the application for the West Nile grant funding. Motion carried 5-0.

General Fund Report: Auditor Layher discussed the general fund cash analysis report. Under SDCL 7-21-18.1 the law states the general fund unassigned 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 March 31, 2015 is \$774,047.34 and the percentage is 16.47% of the 40% general fund cash test. This report is done by the modified accrual basis and includes accounts payable of \$87,607.30. Motion by Buttke and seconded by Stengel to approve filing the report with SD Dept of Legislative Audit. Motion carried 5-0.

Township Bonds: SDCL 8-6-1 and 8-7-1 state the bond shall be for an amount set by and approved by the board of township supervisors for the office of the township clerk and treasurer with the amount of the bond set to be approximately the amount of dollars received in the fiscal year. Auditor Layher suggested the statute be reviewed at the next annual township association meeting as some townships may want to discuss increasing the amount of coverage. Motion by Mach and seconded by Dummann to approve the filing of the bonds in the Auditor's Office. Motion carried 5-0.

Courthouse: Commissioner Buttke reported on repair needed to the inside wall of the front entrance to the courthouse. Due to condensation behind the oak paneling, the cement has disintegrated. Hasslen Construction has provided a quote to remove the oak paneling, mill new trim work that is broken, repair the cement wall and apply a vapor barrier for a cost not to exceed \$3900. Motion by Buttke and seconded by Mach to accept the quote from Hasslen Construction for the repair project. Motion carried 5-0.

Payroll: Auditor Layher requested approval to move forward with the direct deposits ACH transactions for payroll beginning with the August payroll. All

employee checks generated through the payroll system will be an ACH transaction. The business solution department of First Bank and Trust will be assisting the Auditor's Office with the transfer program and training. Motion by Dummann and seconded by Buttke to approve signing the documents with First Bank and Trust for processing payroll ACH transactions. Motion carried 5-0.

Community Health Nurse: Joan Frerichs reported the updated Local Community Health Resource Guide has been completed and is ready to be distributed. The guide has a list of many shared resources in the area that can benefit various clients and other departments in the community.

Executive Session: Motion by Stengel and seconded by Mach to enter into executive session at 8:45 AM for the purpose of a personnel issue pursuant to SDCL 1-25-2 (1). Motion carried 5-0. Auditor Layher was present. Chairman Tucholke declared the meeting open to the public at 8:52 AM. No action taken as a result of the executive session.

911: Commissioner Stengel reported he had attended the quarterly 911 meeting in Watertown. He stated Deuel County has now signed a contract with Watertown for dispatching services. Also, the county's base radios will need to be upgraded as they will not be supported by a maintenance contract as they are not compatible with the new 911 system. Sheriff Owen and EM Director Ward will be contacted to review this issue.

Zoning Ordinance: The second reading of Ordinance 2004-1N was held with Chairman Tucholke reading the proposed amended to the ordinance. The purpose of the amendment is to amend section 302 of the zoning ordinance to allow the change in land use from agriculture to commercial. Chairman Tucholke opened the public comment portion of the hearing and asked for anyone in favor or opposed to the amendment to speak. No members of the public present spoke. Chairman Tucholke closed the public portion of the hearing. He asked if any members of the Commission had any questions and with none offered, it was motioned by Stengel and seconded by Mach to approve the second reading and to adopt Ordinance 2004-1N an ordinance amending section 302, adopted by Ordinance 2004-1 on May 25, 2004, of the zoning ordinance of Grant County rezoning a parcel of land as described in Ordinance 2004-1N. Vote: 5 aye, 0 nay. Motion carried.

**NOTICE OF ADOPTION
ORDINANCE # 2004-1N**

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 #2004-1N, 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 5th of May, 2015, and will become effective on the 26th of May, 2015.

Ordinance 2004-1N

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:

Lot 2 Derecks Subdivision in NE1/4 of Section 19, Township 121, Range 47 of the 5th Principal Meridian, Grant County, South Dakota (Melrose Township), from agricultural to commercial.

Passed and adopted this 5th day of May, 2015.

Clayton Tucholke
Chairman

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: April 21, 2015

2nd Reading: May 5, 2015

Published: May 6, 2015

Effective: May 26, 2015

P & Z: Kathy Tyler addressed the commission concerning the conditions placed upon the conditional use permit issued to Teton Farms. She is of the opinion the conditions placed upon the permit have not been met. The trees have not been planted, but she has been informed the trees have been ordered through soil conservation. She stated she has researched bio-filters and is concerned the bio-filters at the site will not be adequate. The commission asked Kathy to present the information to the Planning and Zoning board at the May 11 meeting.

Unfinished Business: None

New Business: Discussion of the revised mileage, meals and lodging rates taking effect 7-1-2015. First District and Supt Schultz will be contacted on the Agri Business grant application deadline.

Correspondence: Commissioner Mach asked for a copy of the compliance letters from DENR.

Claims: Motion by Stengel and seconded by Mach to approve the claims as presented. Motion carried 5-0. AVERA QUEEN OF PEACE, lab 110.80; BENCO PRODUCTS, equip 1,665.00; BERENS, supplies 369.16; BUREAU OF INFO & TELE, email & internet 416.00; CENTER POINT, books 82.36; CITY OF MILBANK, water & sewer 568.50; CITY OF WATERTOWN, 911 contract 6,222.68; D-WARE, regis 100.00; DESIGN ELECTRONICS, supplies 138.17; FARM & HOME PUBLISHERS, ref mat 26.80; GRANT-ROBERTS RURAL WATER, rural water 36.40; GRANT/ROBERTS AMBULANCE, alloca 2,458.33; GREEN ROBY OVIATT LLP, ct appt atty 243.00; HEARST MEDIA, ref mat 108.00; LARRY'S REFRIG & HEAT, contract project 31,794.07; LIBRARY SALES, books 878.91; SUNSET GRAPHICS, prof service 525.00; MICROMARKETING, CD & books 83.97; MIKE & JO'S BODY & GLASS, equip 1,700.00; MILBANK AUTO PARTS, parts & supplies 1,028.81; MILBANK COMMUNICATIONS, maint 952.50; NORTHWESTERN ENERGY, nat gas 859.31; OFFICE PEEPS, supplies 102.62; REAL MANUFACTURING, iron 211.68; SAFARILAND, supplies 67.35; SANDRA FONDER, prof serv 25.00; SD DEPT TRANSPORTATION, contract project 2,586.00; VISA, gas, books & equip 1520.85. TOTAL: \$54,881.27.

Payroll for the following departments and offices for the month of April 2015 are as follows: COMMISSIONERS 4783.75; AUDITOR 13,889.47; TREASURER 9213.86; STATES ATTORNEY 10,371.50; CUSTODIANS 4895.10; DIR. OF EQUALIZATION 6295.00; REG. OF DEEDS 6521.70; VET. SERV. OFFICER 1213.80; SHERIFF 17,111.74; COMMUNICATION CTR 12,102.29; PUBLIC HEALTH NURSE 2788.80; ICAP 642.60; VISITING NEIGHBOR 2911.30; LIBRARY 11,148.78; 4-H 3539.75; WEED CONTROL 3318.45; PLAN & ZONING 1964.70; ROAD & BRIDGE 49,465.54; EMERGENCY MANAGEMENT 3291.01. TOTAL: \$165,469.14.

It is the policy of Grant County, South Dakota, not to discriminate against the handicapped in employment or the provision of service.

The next meeting will be May 19 and June 2 and 16, 2015 at 8 AM. Motion by Stengel and seconded by Dummann to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Clayton Tucholke, Chairman, Grant County Comm.