

September 20, 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 Mach and seconded by Buttke to approve the minutes for the September 6, 2016 meeting. Motion carried 5-0. Minutes filed. Motion by Tucholke and seconded by Dummann to approve the agenda with the addition of discussion on weed spraying and the hospital donation name plaque. Motion carried 5-0.

Members of the public present were Roger Loeschke, Nancy Johnson, David Kruger, Val Cameron, Tom Pillatzki, Gary Lindeman, Bobbi Bohlen, Jim DeVaal, Ginny Tostenson and Holli Seehafer.

The Auditor's account with the Treasurer for August 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 August, 2016

Cash on Hand	\$2,607.47
Checks in Treasurer's possession less than 3 days	\$19,112.43
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$21,719.90
RECONCILED CHECKING	
First Bank & Trust	\$4,303.64
Credit Card Transactions	\$1,802.10
First Bank & Trust (Svgs)	\$3,640,850.00
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$261,820.89
TOTAL CASH ASSETS	\$3,930,496.53
GENERAL LEDGER CASH BALANCES:	
General	\$2,360,193.07
General restricted cash	\$838,924.00
Cash Accounts for Offices General Fund	\$1,605.00
Sp. Revenue	\$193,274.31
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$0.00
TIF Apportioning Northern Lights	\$0.00

TIF Milbank	\$0.00
TIF Northern Lights	\$261,820.89
Trust & Agency (schools 50,410.40, twps 2,682.64, city/towns 6,973.95)	\$274,679.26
TOTAL GENERAL LEDGER CASH	\$3,930,496.53

Dated this 9th day of September, 2016
 Karen M. Layher
 County Auditor

The Sheriff's fees for the month of August were \$5,083.11 with \$4,372.98 receipted into the County's General Fund. The Register of Deeds fees for the month of August were \$10,768.25. The Clerk of Courts fees for the month of August were \$6,514.22.

Drainage: Chairman Stengel adjourned the Board of Commissioners and convened the commission acting as the Drainage Board. The Drainage Officer presented Permit DR2016-11 for Paul Nelson in the E1/2 NE ¼ of 35-119-48 (Vernon). Krista reported the tile permit is a cooperative permit with Grant Street. There are 5 inlets and 1 outlet. The adjoining landowner's signature has been obtained as well as the signatures of the township supervisors. Motion by Tucholke and seconded by Buttke to approve DR2016-11 as presented. Motion carried 5-0. This concluded the business for the drainage board. Chairman Stengel adjourned the Drainage Board and reconvened the Board of Commissioners.

Highway: Supt Schultz brought forth the motor grader request for proposal from the State of Minnesota for a 2016 John Deere 772G motor grader. This RFP is a competitive bid proposal that allows other government entities to purchase from the listed equipment items. The motor grader selected has 277 hours on it, but the full 7500 hour warranty will be included as well as wing attachment for a total cost of \$304,723.01. Supt Schultz stated this is the best price for a competitively bid grader. Motion by Tucholke and seconded by Dummann to purchase the John Deere motor grader from RDO contingent upon the 2017 budget being adopted and the delivery date of the motor grader to be after January 1, 2017. Motion carried 5-0.

Supt Schultz was presented a certificate of appreciation for 35 years of service with Grant County received from the SD Association of County Commissioners during annual meeting.

Detention Center: Motion by Dummann and seconded by Buttke to approve a maintenance agreement with Larry's Refrigeration for the Grant County Detention Center to perform scheduled preventative maintenance before cooling season begins and to provide a 12 month supply of filters for \$1,100.68. Motion carried 5-0.

Shelter Grant: A brief discussion was held on the additional funding needed for the construction of the shelter. The Commission asked to have LaVonne Kohl, Ken Dahlgren and EM Director Sheryl Ward attend the October 4th meeting.

Joint Meeting with Planning and Zoning: A joint meeting was held with the P&Z Board. Todd Kays, Executive Director for First District, reported he had been working with local officials on the development of the administrative forms, including the vesting form. The recording document has been prepared by States Attorney Reedstrom for the new CAFO ordinance. During the preparation of these forms, an issue surfaced on the vesting requirements for operations under 999 animal units. Currently, the way the new ordinance reads, an existing operation under 1000 animal units would be required to file a manure management and operation plan, a fly and odor plan and a haul road agreement. He questioned if this requirement would deter operators from vesting their operation and if this was the intent of the P & Z Board recommendation to the Commission. Another question Todd asked is does the county want to consider allowing existing operations under 1000 animal units to be vested without having to conform to all the requirements of the new Class E CAFO. If the answer is yes, then an ordinance amendment would need to be considered by the commission.

Vesting a CAFO is for the land and not the landowner and stays with the land after ownership changes. This is to allow existing operations to continue operation unencumbered from the new setbacks and to expand by a certain number of animal units.

Through discussion with the P & Z Board members, it was stated the intent of the P & Z Board was to allow an existing operator under 1000 animal units to expand up to 1999 unencumbered by the new setback regulations and only operations of over 1000 animal units would be required to go through the permitting process.

A question was asked if a landowner is not vested and decides to improve his operation by increasing, what would be the process. The landowner would have to start from the beginning as a new CAFO and go through the variance, conditional use permit and setbacks as a new CAFO. States Attorney Reedstrom and Todd Kays advised the commission if the revised ordinance does not meet the intent of

either the P & Z or the commission, the ordinance needs to be opened up and changes made to clarify the vesting process.

The vesting process to record a CAFO should be a simple process according to States Attorney Mark Reedstrom. The vesting document should state the number of animal units on a particular day. He recommends the vesting document include an affidavit stating on the date of signing what numbers the vested CAFO has with a signature and filed in the courthouse. He suggested the commission take this discussion under advisement and consider what sections of the ordinance would need to be amended at the next commission meeting and have the P & Z Board make their recommendations back to the commission as required under an ordinance amendment, if that is their intent. Auditor Layher was instructed to place the CAFO Ordinance on the October 4th agenda.

Drainage Ordinance: States Attorney Mark Reedstrom was asked to address to the commission for a discussion of the pros and cons of a county drainage ordinance. Currently, drainage in the county is handled by the commission as the drainage board. About one half of the South Dakota Counties do not have drainage boards. In this area, Grant County, Deuel and Roberts County have an ordinance on drainage. Other surrounding counties have repealed their drainage ordinance. He stated the reason other counties have repealed their drainage ordinance because managing water rights is a very complicated and risky business. Recently, the state has implemented a statewide mediation board to assist both parties to resolve a drainage dispute or the court system is another option to resolve disputes. If the commission would consider repealing the ordinance, it would reduce the board's liability. Commissioner Tucholke stated the commission acting as the drainage board looks at each drainage permit on a one to one basis and has concerns of the state mediation board would not look at each case on an individual basis.

Dummann stated the county has good intent to help and protect the landowners by having the drainage board. Commissioner Stengel asked if the ordinance was repealed could there be another ordinance passed to require tiling projects be registered at the county level. Mark replied a registration for tiling projects at the county level could be implemented. He stated he is bringing forth this information to the board for discussion and it is the Commission's decision if any change would be implemented through the ordinance process of two readings and a public hearing. No action taken.

Economic Development: Director Bobbi Bohlen reported on the IRP funds, application sent into the Governor's Office of Ec Development, potential land

purchase, remodeling of house on 1st Street, new members on the board and the meetings held for community engagement of housing issues. She also reported the Development Board will have a new site analysis plan done for both industrial and livestock operations.

2017 Budget: Auditor Layher presented the revisions to the Provisional budget for the Commission’s consideration. Motion by Tucholke and seconded by Mach to approve the following list of revisions to the Provisional Budget. Motion carried 5-0.

General Fund

Revenue

Cash Applied	13,899	
Property Taxes	9,701	Adjusted for State Assessed Utility Growth
Total Revenue	9,701	

Expense

Commissioners	-4,959	Reduced Insurance Rate
Elections	-434	Reduced Insurance Rate
Auditor	-4,525	Reduced Insurance Rate
Treasurer	-3,719	Reduced Insurance Rate
States Attorney	-2,480	Reduced Insurance Rate
Gov’t Buildings	-7,917	Staff/ Rate Changes/Reduced Ins Rate
	77,008	Tuck pointing Moved to 2017
Equalization	-2,480	Reduced Insurance Rate
Register of Deeds	-2,480	Reduced Insurance Rate
	-4,344	Equipment Rent to Fund 250
Sheriff	-7,377	Staff/Rate changes/Reduced Insurance Rate
Jail	-5,851	Reduced Insurance Rate
Community Health Nurse	-1,192	Reduced Insurance Rate
Library	-3,523	Staff/Rate changes/Reduced Insurance Rate
Historical Sites	2,000	LaBolt Park
Extension/4-H	-1,240	Reduced Insurance Rate
Weed	-1,240	Reduced Insurance Rate
Planning and Zoning	-1,240	Reduced Insurance Rate
Operating Transfers	-1,587	Changes in EM and 24/7

Total Expense 22,420

Net Fund Impact 12,719

Highway Fund

Revenue

Cash Applied -20,833

Expense

Highway	-20,833	Staff/Rate changes/Reduced Insurance Rate
<u>911 Fund</u>		
Revenue		
Cash Applied	4,100	
Expense		
Communications Center	4,100	Watertown Contract Change
<u>EM Fund</u>		
Revenue		
Operating Transfers In	-1,240	
Expense		
EM	-1,240	Reduced Insurance Rate
<u>24/7 Fund</u>		
Revenue		
Operating Transfers In	-347	
Expense		
Jail	-347	Reduced Insurance Rate

Motion by Stengel and seconded by Buttke to approve the changes to the Provisional budget. Motion carried 5-0. Motion by Buttke and seconded by Mach to adopt the following resolution to establish the tax call and levy. Motion carried 5-0. Resolution adopted.

2016-21

ANNUAL BUDGET FOR GRANT COUNTY, SD
For the year January 1, 2017 to December 31, 2017

ADOPTION OF ANNUAL BUDGET FOR
GRANT COUNTY, SOUTH DAKOTA

Whereas (7-21-5 thru 13)SDCL, provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the county and all its institutions and agencies for such fiscal year and, Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, that such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR Grant County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2017 and ending December 31, 2017 and the same is hereby approved and adopted by the Board of County Commissioners of Grant County,

South Dakota this 20th day of September, 2016. The Annual Budget so adopted is available for public inspection during normal business hours at the office of county auditor Grant County, South Dakota. The accompanying taxes are levied by Grant County for the year January 1, 2017 through December 31, 2017.

BOARD OF COUNTY COMMISSIONERS OF Grant, County, South Dakota.

Doug Stengel, Chairman
Mike Mach, Commissioner
Clayton Tucholke, Commissioner
Paul Dummann, Commissioner
Marty Buttke, Commissioner

ATTEST:

Karen M. Layher
County Auditor

COUNTY TAX LEVIES	DOLLARS	\$'s/1000
GENERAL COUNTY PURPOSES	\$4,017,204	\$3.643
LIMITED AND UNLIMITED	\$4,017,204	\$3.643
TOTAL TAXES LEVIED BY COUNTY	\$4,017,204	\$3.643

Hospital: Chairman Stengel reported he had received a call asking how the Commission wanted the name to read on the name plaque for the county's donation to the new hospital. The Commission agreed the plaque should read: Grant County

Travel: Motion by Buttke and seconded by Tucholke to approve travel for EM Director Sheryl Ward to attend Annual EM Conference in Aberdeen. Motion carried 5-0.

County Assistance: None

Executive Session: Motion by Dummann and seconded by Buttke to enter into executive session at 11:00 AM for the purpose of a personnel issues pursuant to SDCL 1-25-2 (1). Motion carried 5-0. Auditor Layher was present. Chairman Stengel declared the meeting open to the public at 11:15 AM. No action taken as a result of the executive session.

Unfinished Business: None

New Business: None

Correspondence: None

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

1. Approve Plat:

2016-22

County Commission Resolution

It was moved by Commissioner Dummann, seconded by Commissioner Mach, motion carried that the LOTS 2 AND 3 OF FREIWALD ADDITION, LOCATED IN GOVERNMENT LOTS 1, 2, 7 AND 8 OF SECTION 5, TOWNSHIP 120 NORTH, RANGE 47 WEST OF THE 5TH P.M., Grant County, South Dakota, as described above and hereon be approved and accepted and the Chairman is hereby instructed to endorse on such plat this resolution and to certify the same.

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

Weed Spraying: The Commission discussed weed spraying schedule and the presence of thistles in the ROW.

Claims: Motion by Mach and seconded by Buttke to approve the claims as presented. Motion carried 5-0. A-OX WELDING, supplies 62.06; ALCOPRO, repair 94.00; AVERA-MILBANK AREA HOSPITAL, BLAB 288.00; AVERA-ST LUKE'S, prisoner care 4,262.02; BERENS, supplies 460.45; BITUMINOUS PAVING, hwy projects 2,864.82; BORNS GROUP, mailing expense 912.60; BRENDA L HOLTQUIST, prof service 98.00; BROWN CLINIC, DOT exam 282.00; CCP INDUSTRIES, supplies 286.77; CENTER POINT, books 535.94; CENTURYLINK, phone 587.45; CHIROPRACTIC IN MOTION, DOT exam 120.00; CHS-BORDER STATES, diesel & ethanol 2,920.86; CIVIL DESIGN, prof service 525.00; COLEPAPERS, supplies 125.33; CONSOLIDATED READY MIX, hwy projects 22,331.29; CRAIG DEBOER, car wash usage 21.04; DELORIS J RUFER, rent 100.00; DON HAUKOS, prof service 42.00; FISHER SAND & GRAVEL, hwy projects 365.85; FORTERRA PIPE & PRECAST, hwy projects 23,893.00; G & K SERVICES, supplies 355.80; GEORGE B BOOS, ct appt atty 1,058.00; GRANT CO EC & DEV BD, allocation 8,750.00; GRANT CO REVIEW, publishing 1,285.90; GRAY CONSTRUCTION, hwy project 922.00; HARTMAN'S, supplies 2.03; HEDAHL'S, parts & supplies 145.74; IGROW, registration 100.00; INGRAM, books 1,187.51; INTER-LAKES COMM ACTION, worker 2,206.08; ITC, 91 & internet 1,159.78; TREVETT'S, prisoner meals 383.25; KATHLEEN PARISOT, refer mat 55.00; KLEINS, project supplies

77.33; KRISTIN A WOODALL, prof service 149.60; LABOLT DEVELOPMENT, internet & rent 70.00; LEWIS FAMILY DRUG, prisoner care & supplies 76.37; LINCOLN CO AUDITOR, mental illness bd 65.67; MAC'S, supplies 131.60; MARSHALL & SWIFT, reference material 3,454.05; MCLEOD'S, election supplies 149.00; MICROFILM IMAGING, scanner rent 362.00; MICROMARKETING, DVD & books 56.49; MIDWEST TRUCK & PARTS, parts 176.06; MINNEHAHA CO AUDITOR, mental illness bd 108.00; MT LIBRARY SERVICES, books 30.00; NARTEC, supplies 91.04; NATL 4-H COUNCIL, supplies 41.31; NELSON LAW OFFICE, allocation 3,742.00; NORTH CENTRAL, parts & repair 1,049.43; OFFICE PEEPS, supplies 431.35; OTTER TAIL POWER, electricity 3,869.59; QUILL, supplies 755.65; RC TECHNOLOGIES, 911 transport & tower rent 95.96; REED ELSEVIER, on line chgs 695.00; RUNNINGS, supplies 330.81; SCHUNEMAN EQUIP, parts 5.70; SD DEPT OF REVENUE, sales & use tax 118.52; SD DEPT TRANS, hwy projects 1,234.80; SDSU EXTENSION, registration 20.00; SEEHAFFER HARDWARE, supplies 131.83; ST WILLIAMS, prisoner laundry 195.30; PHEASANTLAND IND, supplies 533.47; STENGEL SEED, repair 24.75; TECH ONE, supplies 288.00; THE PENWORTHY CO, books 57.72; TRACIE JIBBENS, website maint 240.00; TWIN VALLEY TIRE, oil chg 110.09; UNZEN, repair & parts 668.30; UPI, ethanol & diesel 8,634.14; VALLEY OFFICE, supplies 1,170.48; VALLEY SHOPPER, publishing 72.45; VERIZON, hotspot 38.52; WHETSTONE VALLEY ELECTRIC, electricity 736.09; WITTROCK & SON, garbage service 150.00; XEROX, copier rent 800.40; YANKTON CO SHERIFF, prisoner care 50.00. TOTALS: \$110,078.44.

GRAND JURY FEES: \$593.00.

SD ATTY GENERAL 220.00; SDACO 302.00. TOTAL: \$522.00.

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 October 4 and 18, 2016 at 8 AM. Motion by Mach and seconded by Buttke to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

Doug Stengel, Chairman, Grant County Comm.