

April 1, 2025

The Grant County Commission met at 8 AM with Commissioners Buttke, Street, Mach, Stengel and Tostenson present. Chairman Tostenson called the meeting to order. Motion by Mach and seconded by Buttke to approve the March 18, 2025, minutes. Motion carried 5-0. Minutes filed. Motion by Buttke and seconded by Street to approve the agenda. Motion carried 5-0.

Present from the public was Ben Wollschlager, Tim Wollschlager, Ron Meister, Matt Loeschke, and Paul Anderson. Staff members present were Commissioner Assistant Layher, Hwy Supt Peterson, Drainage Officer Berkner, DOE Steinlicht, Deputy DOE Stotesbery, Sheriff Owen and States Attorney Schwandt.

Public Comment: Chairman Tostenson called for public comment. Ben Wollschlager brought his concerns to the Commission about the Boehnke and Streich drainage permits that were approved at the last meeting. Chairman Tostenson called twice more for public comment. There were no additional comments.

Monthly Report: The Sheriff fees for the month of February were \$5,402.90 with \$3,112.90 received into the General Fund.

Drainage: Chairman Tostenson adjourned the Board of Commissioners and convened the Commission acting as the Drainage Board.

Permit DR2025-07 for Tim Wollschlager for land located within the SE1/4 of 28-119-47 in Vernon East Township

Chairman Tostenson called for a motion to approve drainage permit DR2025-07 for Tim Wollschlager. Motioned by Street and seconded by Stengel to approve permit DR2025-07.

Drainage Officer Berkner reported the drainage project is in the SE1/4 of Section 28 in Vernon East Township within the South Branch of the Yellow Bank River Watershed. The project would amend DR2012-34 by adding approximately 10 acres of lateral perforated tile and 1 inlet to drain through an existing 8" tile as well as tiling approximately 15 additional acres of land. The tile would drain through two new outlets, 1- 5" and 1-6". The design capacity of the 25 acres of new lateral tiling would have a maximum combined output of 125 gallons per minute (gpm) if

installed at a .1% grade and would drain into a designated USGS blue-line waterway. It is Berkner's opinion that the drainage project conforms to questions asked in the county's drainage ordinance.

Chairman Tostenson opened the public hearing asking Wollschlager for any additional comments. Wollschlager said the inlet is adjacent to the waterfowl production area and all water entering the inlet would have to flow through a grassy area before being drained. When asked, Wollschlager also said the inlet would not drain any of the established waterfowl production area.

Chairman Tostenson asked three separate times for both public comments in favor and against the drainage project. No one responded. Tostenson closed the public hearing for DR2025-07 inviting drainage board discussion. All board members agreed it was a straightforward permit. Chairman Tostenson called for the vote. Motion carried 5-0.

DR2025-08a, 08b, 08c and 08d for Matt Loeschke for land located within the W1/2 and SE1/4 of 16-119-48 in Vernon West Township.

Chairman Tostenson called for a motion to approve permits DR2025-08a, 08b, 08c and 08d for Matt Loeschke. Motioned by Buttke and seconded by Street to approve permits DR-2025-08a, 08b, 08c, and 08d, permits for Matt Loeschke.

Berkner reported the drainage projects would tile approximately 110 acres of land within the S1/2 of Section 16 in Vernon West Township within the Yellow Bank River Watershed. The drainage project has two outlets, 1-12" and 1-8". The estimated design flow capacity would be up to 610 gpm and the water would drain directly into a USGS identified blue-line waterway. Berkner stated the installation of the upstream 8" outlet shown in the tiling map may vary slightly. The exact location would be determined by the conditions found during installation. It is Berkner's opinion that the drainage projects conform to questions asked in the county's drainage ordinance.

Chairman Tostenson opened the public hearing asking Loeschke if he had any additional comments. Loeschke said he didn't. Chairman Tostenson asked three separate times for comments in favor and against the drainage project. No one responded. Tostenson closed the public hearing for DR2025-08a, 08b, 08c and 08d and invited drainage board discussion. The board members did not have any concerns about the project. Chairman Tostenson called for the vote. Motion carried 5-0.

Update to complaint on DR2021-19: Berkner reminded the board the penalty phase for an inlet that was installed without a valid drainage permit for DR2021-19, which was tabled at the December 17th, 2024, meeting, would be on the April 15th agenda. Berkner said it seems the parties involved have not come to an agreement to allow for the permitting of the inlet.

Drainage permits application update: Berkner gave an update on the new revised drainage permit application form his office has started to use. The older application was amended at the request of the drainage board to include language that informs the applicant county inspections of their drainage projects may be done when they sign the permit application form. Berkner said the new application form also has the applicant acknowledge that they are responsible for complying with all State and Federal laws and farm program requirements. The changes to the permit were made with the input and approval of both States Attorney Schwandt and Commissioner Assistant Layher.

This concluded the business of the Drainage Board. Chairman Tostenson adjourned the Drainage Board and reconvened as the Board of Commissioners.

Highway Annual Bid Letting: Supt Peterson presented the bids for consideration from the annual highway bid letting. They were received and opened on March 27, 2025, at 1 PM as per the bid notice. The Commission awarded the following bids.

1. Precast Concrete Pipes, Box Culverts and Bridge Deck Units

Rinker was the only bidder. Rates on file

Motion by Buttke and seconded by Mach to accept the bid from Rinker. Motion carried 5-0.

2. Pea Gravel for Chip Sealing:

LG Everist: \$12.55 per ton

Northern Con-AGG: \$7.35 per ton

Motion by Stengel and seconded by Mach to accept bids from both LG Everist and Northern Con-AGG: Motion carried 5-0.

3. Class 5 Gravel:

Flat Rate: \$7.25 per ton

Flat Rate was the only bidder for that area. Motion by Stengel and seconded by Buttke to accept Flat Rate bid. Motion carried 5-0.

4. Sand for winter salt/sand mix (per ton):

LG Everist: \$4.50 per ton

LG Everist was the only bidder. Motion by Stengel and seconded by Buttke to accept the sand bid from LG Everist. Motion carried 5-0.

5. Paver Laid Asphalt for 5.5 miles:

Bituminous: \$67.00 per ton

Asphalt Paving: \$82.10 per ton

Motion by Mach and seconded by Street to accept the Bituminous bid of \$67.00 per ton for paver laid asphalt. Motion carried 5-0.

6. Asphalt Patching 100 ft to 1,000 ft. Price per ton:

Bituminous bid for short patches 100' to 1,000' in length at \$165.00 per ton was the only bid. Motion by Street and seconded by Mach to accept the Bituminous bid. Motion carried 5-0.

7. Asphalt Patching Extra Dig Out Areas (Price per ton): Bituminous was the only bidder at \$165 per ton. Motion by Stengel and seconded by Mach to accept the Bituminous bid. Motion carried 5-0.

8. Asphalt FOB. Price per ton:

Bituminous: \$85.00 per ton

Bituminous was the only bidder. Motion by Stengel and seconded by Street to accept the Bituminous bid of \$85.00 per ton. Motion carried 5-0.

9. Chip & Fog Sealing 5-10 miles (county supplies chips):

Bituminous: using CSS1-H \$33.00 per ton

Bituminous: using AE150S \$220.00 per ton

Bituminous was the only bidder. Motion by Stengel and seconded by Street to accept the Bituminous bids. Motion carried 5-0.

HWY: Permit: Dakota Air Spray submitted a permit to land aircraft on county roads. The applicant must follow SDCL 50-2-2.1 and Administrative Rule 70:02:02:08 which requires the highway superintendent to be notified. The certificate of insurance is on file with the applicant assuming all liability. The agreement is only for 2025. Motion by Mach and seconded by Stengel to approve the permit for the calendar year 2025. Motion carried 5-0. **ROW Applications:** Supt Peterson presented two right-of-way applications for approval. The first-ROW

application ROW 2025-01 for Ben Rethke to bore under 485th Avenue between Sections 25 and 30 in Big Stone Township. Motion by Mach and seconded by Stengel to approve ROW 2025-01 for Ben Rethke. Motion carried 5-0. The second-ROW application ROW 2025-02 for Lance Frogner to bore two road crossings on 155th Street, and one road crossing on 480th Avenue in Sections 5, 8 and 4 in Vernon West Township. Motion by Mach and seconded by Stengel to approve ROW 2025-02 for Lance Frogner. Motion carried 5-0.

Lot Prep: Supt Peterson stated their machines are ready to go to remove three trees on the new garage lot. They will start when the weather is good and will only gravel on the west side of the lot and leave the east side as grass. BIG Grants: Supt Peterson explained the BIG Grant application process and the different types of highway grants.

Kent Roe: Cancelled due to the weather.

DOE: Kathy Steinlicht and Deputy DOE Taylor Stotesbery met with the Board as part of the annual review of the DOE office as per SDCL 10-3-14. Steinlicht stated she will be retiring effective June 20, 2025, and asked the Commission to appoint Deputy DOE Stotesbery to be the Director effective June 23, 2025. Motion by Buttke and seconded by Stengel to approve the appointment of Taylor Stotesbery to Director of Equalization effective June 23, 2025, at \$29.65 per hour. Motion carried 5-0. Steinlicht also reported they are in the process of preparing for the equalization meeting next week.

Annual Report: The 2024 annual report was presented to the Commission by Auditor Folk. The revenue and expense categories were explained. January 1, 2024, beginning net position for all funds was \$8,194,268.72 and the December 31, 2024, net position balance for all funds was \$7,826,111.54 indicating a decrease of assets of \$368,157.18. Motion by Mach and seconded by Street to accept the annual report as presented. Motion carried 5-0. The annual report is on file in the Auditor's Office.

SD FIT: Auditor Folk informed the Commission that the bond funds will be deposited into the county's SD FIT account on April 10th. The county will be able to transfer the necessary bond funds into their regular checking account by phone, ACH, wire or online when they need to pay the construction expenses for the new detention center.

Travel: Commissioner Assistant Layher requested travel approval for ROD Becky Wellnitz to attend the Spring Conference in Pierre and Auditor Kathy Folk to attend DOR training in Pierre. Motion by Buttke and seconded by Street to approve the travel requests. Motion carried 5-0.

County Assistance: None

Change Orders: Commissioner Assistant Layher presented a change order from Hasslen Construction for the elevator project. The basement stairs aren't anchored well and there is too much movement in them. The original estimate for the stairs was \$5,388 and changed to \$8,631. Motion by Stengel and seconded by Buttke to approve the Hasslen Construction stairs change order. Motion carried 5-0.

Website Quote: Commissioner Assistant Layher received a quote from Production Monkeys to update the county website for \$13,100. The update will make the website more conducive for cell phone users and organize the website for better usability. Motion by Street and seconded by Buttke to approve the quote of \$13,100 to update the county website. Motion carried 5-0.

Abatements: Motion by Buttke and seconded by Street to approve the following abatements. Commissioner Stengel abstained from voting. Motion carried 4-0.

1. Bill number: 241654.0; Tax year: 2024; Abatement: \$711.30: Reason: Owner Occupied status was removed in error
2. Bill number: 240963.0; Tax year: 2024; Abatement: \$2,533.54: Reason: House burned
3. Bill number: 248348.0; Tax year: 2024; Abatement: \$506.06: Reason: Changed to tax exempt status
4. Bill number: 240762.0; Tax year: 2024; Abatement: \$658.82: Reason: Due to qualified disabled veterans' exemption
5. Bill number: 246490.0; Tax year: 2024; Abatement: \$5.92: Reason: Changed to tax exempt status
6. Bill number: 246217.0; Tax year: 2024; Abatement: \$3.21: Reason: Changed to tax exempt status
7. Bill number: 246216.0; Tax year: 2024; Abatement: \$9.28: Reason: Changed to tax exempt status
8. Bill number: 246214.0; Tax year: 2024; Abatement: \$12.66: Reason: Changed to tax exempt status
9. Bill number: 246215.0; Tax year: 2024; Abatement: \$14.53: Reason: Change to tax exempt status

10. Bill number: 242604.0; Tax year: 2024; Abatement: \$233.58: Reason: Change to tax exempt status
11. Bill number: 244394.0; Tax year: 2024; Abatement: \$1,630.60: Reason: House is listed on parcel in error.
12. Bill number: 240843.0; Tax year: 2024; Abatement: \$1,864.50: Reason: Due to qualified disabled veterans' exemption

Unfinished Business: None

New Business: Commissioner Stengel reported ICAP is trying to start an endowment to help fund ICAP. They are looking for three people from Grant County for consideration to serve on that board. Commissioner Assistant Layher reported the City of Milbank has asked the county to take over the care of the Flynn Trail. The Commissioners discussed whether the county is responsible for taking it over as this is not county property. Hasslen Construction is ready to do a walk-through punch list of the elevator project on April 14. The groundbreaking for the new detention center will be on April 22nd. Commissioner Assistant Layher will have the burping machine for the 4H Complex heating system replaced for \$400 due to the leak in the heating system. Layher informed the Commission that Governor Rhoden closed the State offices for Good Friday and Easter Monday. Discussion was held about whether to change the County's holidays with no action taken. The Governor's Homeowner Tax Relief Proposal was discussed. Layher also stated there is a sewer pipe the length of the courthouse that needs to be replaced in the basement. A quote was received from Hasslen Construction for \$16,600. There is sufficient funding in the 2025 government building budget to cover this expense.

Correspondence: None

Claims: Motion by Stengel and seconded by Buttke to approve the claims. Motion carried 5-0. ADVANCED TECHNOLOGIES, supplies 118.50; AUTOVALUE, supplies 10.79; CENTER POINT, books 461.97; CITY OF MILBANK, water & sewer 774.49; CITY OF WATERTOWN, 911 surcharge 10,316.46; DEADWOOD RESORTS, motel 315.00; DELORIS RUFER, lib rent 100.00; DR BRYAN JOHNSON, prof. services 227.00; FREMAREK, supplies 379.79; G A JOHNSON CONSTRUCTION, prof services 75,877.69; GRAJCZYK LAW OFFICE, court appt atty 3,600.00; GRANT/ROBERTS AMBULANCE, prof services 489.00; GREEN ROBY OVIATT, court appt atty 3,643.30; HASSLEN CONSTRUCTION, contracted proj 166,296.55; HMN ARCHITECTS, prof services 5,891.75; INSIGHT, supplies 26.50; JD POWER, supplies 215.00; JOHN DEERE

FINANCIAL, parts 5.47; LARRY'S REFRIGERATION, repair & maint 532.80; LEWIS FAMILY DRUG, supplies 91.52; MIDCO, lib internet 111.04; MILBANK AUTO PARTS, supplies 1,467.61; MOTOROLA SOLUTIONS, equipment 14,831.82; NORTHWESTERN ENERGY, natural gas 1,829.21; QUICK PRO LUBE, repair & maint 188.47; RELX, online charges 762.00; ROBERTS CO SHERIFF, prof services 6,180.30; SANDRA FONDER, prof services 120.00; SD DEPT OF PUBLIC SAFETY, teletype 2,340.00; SD PUB ASSURANCE ALLIANCE, insurance 818.78; STAR LAUNDRY, supplies 19.20; SUPERIOR CAPITAL HOLDINGS, supplies 157.36; TITAN MACHINERY, supplies 154.26; TRAPP PLUMBING, repairs & maint 124.44; TWIN VALLEY TIRE, tire repair 31.73; VALLEY RENTAL & RECYCLING, allocation 650.00; MATHISON MOTORS, auto equip 16,000.00; GRANT CO TREASURER, title & lic 53.40. TOTAL: \$315,213.20.

Payroll for the following departments and offices for the March 28, 2025, payroll are as follows: COMMISSIONERS 8,120.60; AUDITOR 10,372.08; ELECTION 177.86; TREASURER 6,392.08; STATES ATTORNEY 8,016.90; CUSTODIANS 4,153.60; DIR. OF EQUALIZATION 7,026.21; REG. OF DEEDS 5,332.71; VET. SERV. OFFICER 1,360.00; SHERIFF 18,557.04; COMMUNICATION CTR 7,641.00; VISITING NEIGHBOR 1,824.29; LIBRARY 10,354.30; 4-H 4,187.90; WEED CONTROL 2,287.40; P&Z 3,568.40; DRAINAGE 932.00; ROAD & BRIDGE 32,520.11; EMERGENCY MANAGEMENT 2,803.95. TOTAL: \$135,628.43.

Payroll Claims: FIRST BANK & TRUST, Fed WH 7,281.92; FIRST BANK & TRUST, FICA WH & Match 16,322.04; FIRST BANK & TRUST, Medicare WH & Match 3,817.38; ACCOUNTS MANAGEMENT, deduction 90.88; MESSERIL/KRAMER PA, deduction 285.94; AMERICAN FAMILY LIFE, AFLAC ins. 1,586.31; RELIANCE STANDARD LIFE DENTAL, ins. 420.90; RELIANCE STANDARD LIFE VISION, ins. 346.06; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 55,058.30; RELIANCE STANDARD BASE, life ins. 379.94; RELIANCE STANDARD SUPPLEMENTAL, life ins. 142.76; MASA, air ambulance 327.00; COLONIAL LIFE, ins. 27.07; LEGAL SHIELD, deduction 38.85; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 2,833.00; SDRS SUPPLEMENTAL, deduction 1,623.33; SDRS, retire 15,235.89. TOTAL: \$105,817.57.

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

1. Automatic supplement of \$27,850 to the Sheriff budget due to insurance claim on vehicle.
2. Approve step increase for Kevin Huber, highway dept., to 6-month rate of \$23.10 effective 3-9-2025.
3. Approve step increase for Yvette Johnson, library dept., to step 2 rate of \$18.65 effective 3-19-2025.
4. Declare surplus a HP Office Jet Printer Pro 9025e, fixed asset number 10943, unrepairable.

Executive Session: Motion by Mach and seconded by Stengel to enter executive session at 11:22 AM for the purpose of a personnel issue(s) pursuant to SDCL 1-25-2 (1) and/or building plans per SDCL 1-25-2(6g). Motion carried 5-0. Commissioner Assistant Layher, States Attorney Schwandt and Auditor Folk were present. Chairman Tostenson declared the meeting open to the public at 12:05 PM. No action was taken because of the executive session.

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 8 (Equalization), and 15, 2025. The May 6 and 20, 2025, meetings will be held at the new Grant County Commission room in the courthouse basement at 8 AM. Motion by Stengel and seconded by Street to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Kathy Folk, Grant County Auditor

William Tostenson, Chairman, Grant County Commissioners