

August 23, 2021

The Grant County Commission met in special session at 8 AM with Commissioners Buttke, Mach, Stengel, Street and Tostenson present. Chairman Tostenson called the meeting to order with a quorum present. Motion by Mach and seconded by Buttke to approve the agenda. Motion carried 5-0.

Members of the public present from Big Stone City were Robert Athey, Randy Athey, Steve Brown, and present from the Town of Twin Brooks was Paul Spolar. Staff members present were P & Z Officer Steve Berkner and States Attorney Jackson Schwandt. Todd Kays with First District joined by Zoom.

The first item of discussion was with the town council members in attendance on the actions their boards have taken on a cannabis ordinance. Todd Kays was asked to provide an overview of the development of the rules and the sample ordinance prepared by legal counsel through SDPAA. The rules are expected to be approved with an effective date of early October. The temporary ordinance, if adopted by an entity, for cannabis goes away after the rules are adopted. If the towns have zoning ordinances, the council could act on the cannabis ordinance to regulate having just one dispensary. If a town does not have zoning regulations, it would take 8 to 10 weeks to establish zoning regulations before adopting an ordinance on cannabis. Once the rules from the State are effective there would not be a limit on the number of licenses available, unless the town or county has adopted licensing and zoning regulations.

The next agenda item was a discussion with the States Attorney on Drainage Ordinance 1997-1C. Chairman Tostenson opened the discussion with asking the question of what data or information the Drainage Board needs to consider for answering the six questions in Section 101 of the ordinance. States Attorney Schwandt advised each permit needs to have at least one fact of finding for basing the approval or the denial of the permit. The Commission's discussion continued with these items: capacity of blue line water ways; time of flow; amount of flow; overland drainage; outlets; size of tile; volume of water; the interpretation of subjective words within Section 101; requesting a hydrological study. A suggestion was made to request additional information on the application from the applicant as this would assist with the Board's decision making process. The application is

an administrative form and can be changed to request additional information. Drainage Officer Berkner was tasked with drafting a revised permit form.

The last item of business was a video conference with Tammy Williams with the SDDOT on HB 1259 the rural access of infrastructure inventory process. Funding has been provided from the State. The intent of the legislation is to provide funding to enable counties and townships to inventory their small structures, identify needs and plan improvements, and fund construction, rehabilitation, and maintenance of small structures. For the inventory process, the County has received \$64,956.00. The inventory must be completed by May 2022.

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 August 31(special meeting), September 7 and 21, 2021, at 8 AM. Motion by Buttke and seconded by Mach to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

William J. Tostenson, Chairman, Grant County Commission