

August 5, 2025

The Grant County Commission met at 8 AM with Commissioners Buttke, Street, Tostenson, and Stengel present. Commissioner Mach was absent. Chairman Tostenson called the meeting to order. Motion by Buttke and seconded by Street to approve the July 15, 2025, minutes. Motion carried 4-0. Minutes filed. Commissioner Assistant Layher requested to add three claims for RAIF Fund reimbursement to the claims for a total of \$129,424.94. Auditor Folk corrected the company name of Otter Tail to Antora Energy for the 9:30 speaker. Motion by Street and seconded by Buttke to approve the agenda with the changes stated. Motion carried 4-0.

Present from the public were Francis Brandenburger, Dan Brandenburger, Geoff Street, Grant Street, Spencer Street, Loren Tucholke, Mark Wollschlager, Dave Copelan, Jordan Kearns, Tom Bence, Roger Risty, Sonja Nordbye, Linda and Amy Kleinberg. Staff members present were Commissioner Assistant Layher, Hwy Supt Peterson, Drainage Officer Berkner, EM Director Schuelke, Librarian Wollschlager and States Attorney Schwandt.

Public Comment: Chairman Tostenson called for public comment. There were no comments.

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

Drainage permit DR2025-33 for Grant Street for land located within the NW1/4 of Section 8 in Adams East Twp.

Chairman Tostenson called for a motion to approve drainage permit DR2025-33 for Grant Street. Motion by Street and seconded by Buttke to approve permit DR2025-33.

Drainage Officer Berkner reported the drainage permit is for tiling 30 acres located in the South Branch of the Yellow Bank Watershed. Berkner said the project would have one 8" outlet and up to two inlets. The design out letting flow rate of the lateral tile would be as much as 140 gallons per minute (gpm) if installed at a .1% grade with the inlet draining into a blue-line waterway. Berkner stated it is his opinion that the drainage project conforms to the county's drainage ordinance.

Chairman Tostenson asked Grant Street for any additional comments. He said the project would use 5" perforated lateral tile. Tostenson opened the public hearing for DR2025-33 asking three separate times for comments in favor or against the drainage project. No one responded. Tostenson closed the public hearing inviting drainage board discussion. Grant Street was asked for more details concerning the need for the two inlets and if the main outlet would empty into a grassy waterway or directly into the creek. Grant Street said the immediate plan is to only install one inlet and wait and see if there is a need for the second. The outlet would be directly into the creek. Tostenson called for the vote. Motion carried 4-0.

Drainage permit DR2025-34 for Joe M. Kanthak for land located in Gov't Lots 1-4 of Section 10 in Adams East Township.

Chairman Tostenson called for a motion to approve drainage permit DR2025-34 for Joe M. Kanthak. Motion by Stengel and seconded by Buttke to approve permit DR2025-34.

Berkner reported the drainage project is for a 15 acre project in the South Branch of the Yellow Bank River Watershed that is modifying and adding to past permitted drainage permits in Section 10 that would be drained with the aid of a pump. Berkner explained the overall design would add an open inlet and 15 acres of lateral tile that would drain into a sump. A solar pump would lift the water and pump it north eventually connecting to existing tile. Berkner added as that water flowed north, Kanthak had indicated an additional 8" out letting tile would be added to the older permitted designs to aid in draining what has backed up into a neighboring field's drainage ditch. In total Berkner estimated the 15 acres of lateral tile would drain as much as 100 gpm if installed at a .1% grade. The solar pump would not be discharged at that rate. Berkner stated it is his opinion that the project's design conforms to the county's drainage ordinance. Berkner stated Kanthak was unavailable to attend the hearing, but he may be available by phone if necessary.

Chairman Tostenson opened the public hearing for DR2025-34 asking the board if they thought it was necessary to call Kanthak. No one responded. Tostenson then asked 3 times for any public comments in favor or against the drainage project. Francis Brandenburger said he thought the design would be a good one if it is installed as indicated in the report. Brandenburger explained he is concerned that the inlet being installed is in the same spot as an inlet that was removed earlier in 2025 under penalty by the county that connected to Brandenburger's main tile without his permission and without the required county drainage permit.

Brandenburger said he thought it is best the new inlet and lateral tile be inspected during installation, so it does not drain through his main that passes directly underneath the area seeking a permit. Brandenburger stressed he thought the stated design was a good one as long as it drained north. Berkner stated he would be available to make the inspection if necessary.

With no more public comments, Tostenson closed the public hearing inviting board discussion. A motion was made by Buttke and seconded by Stengel to amend the original motion that a condition be added to the motion a county verification would be necessary to inspect the final connection of the proposed inlet. After a short discussion for the amendment, Tostenson called for the vote. Motion carried 4-0. Tostenson redirected the board to discuss the original motion, now amended. After brief discussion. Tostenson called for the vote. Motion carried 4-0.

Drainage permit DR2025-35a and DR2025-35b for Joe M. Kanthak for land located within the SE1/4 of Section 4 in Adams East Township.

Chairman Tostenson called for a motion to approve drainage permit DR2025-35a and DR2025-35b for Joe M. Kanthak. Motion by Street and seconded by Buttke to approve DR2025-35a and DR2025-35b.

Berkner stated the permit is for 20-acres in the South Branch of the Yellow Bank River Watershed. The drainage project is to modify past permitted drainage designs within the section which included adding both an inlet and approximately 20 acres of lateral tile that would drain through an existing 12" out letting tile. Berkner estimated the additional lateral tile would have a maximum design capacity of approximately 150 gpm if installed at a .1% grade, but the existing 12" tile it is being connected to would be restricted to the maximum capacity of the existing 12" main which is 500 gpm. Berkner stated it is his opinion that the project's design conforms to the county's drainage ordinance.

Chairman Tostenson opened the public hearing asking three separate times for comments in favor or against the projects. No one responded. Tostenson closed the public hearing inviting board discussion, reminding the board that Kanthak could be reached by phone if necessary. Tostenson asked Berkner to identify past concerns of neighboring landowners of flooding between Sections 4 and 10 where this outlet, and the previous permitted outlet, drains across from each other. Berkner stated the area that flooded is just upstream of both outlets and is where a bridge was replaced years ago with an Army Corp of Engineers approved spillway

that had three culverts. Adams Township closed that portion of the road, vacating about 1,000 feet of their road. The township gave that section of road back to the two abutting landowners. A compromise was made to install the spillway so those landowners only would have direct access to their fields.

Highway Supt Peterson affirmed the spillway area was prone to flooding during extreme runoff events and reminded the board that section of road was vacated and no longer considered a public road. Tostenson called for the vote. Motion carried 4-0.

Drainage permit DR2025-36a and DR2025-36b for Geoff Street for land located within the NE1/4 in Section 18 of Adams East Twp.

Commissioner Street recused himself from permits DR2025-36a and 36b.

Chairman Tostenson called for a motion to approve permits DR2025-36a and DR2025-36b. Motion by Stengel and seconded by Butke to approve permits DR2025-36a and 36b.

Berkner reported the permits are for tiling 40 acres with 1 possible inlet and 2 outlets, 1-8" and 1-10", located within the South Branch of the Yellow Bank River Watershed. The two outlets would drain separately, one east and one north, where the water would enter two blue-line waterways that merge. The combined design output capacity of the two drainage tile projects would be 300 gpm if installed at a .1% grade. Berkner said it is his opinion that the project's designs conform to the county's drainage ordinance.

Chairman Tostenson asked Geoff Street for any additional comments. He said he is using 2 outlets to work with a natural rise that split the 40 acres being tiled. He added the inlet would be next to the township road ditch and only be installed if the lateral tile worked as designed and installed. Geoff commented he is still waiting for the actual signed permission to drain water north through the neighbor's land. Berkner confirmed that Geoff had discussed the missing signature with him and Geoff assured him he had verbal permission to outlet drainage water to the north on the neighbor's land.

Chairman Tostenson opened the public hearing for the two related permits asking three separate times for both comments in favor or against the drainage projects. No one responded. Tostenson closed the public hearing inviting board discussion. After a brief discussion, Stengel made a motion and seconded by

Buttke to amend the original motion that a condition be added to require the adjacent landowner's signature before the project is started. Tostenson called for the vote on the amended motion. Motion carried 3-0. Tostenson directed the board to discuss the original motion, now amended. No one responded. Tostenson called for the vote to approve permits DR2025-36a and 36b as amended. Motion carried 3-0.

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

Chairman Tostenson relinquished the chair to Vice Chairman Stengel and left the meeting at 8:45 AM.

HWY: Truck: Hwy Supt Peterson presented the three new dump truck quotes received from Transource, I-State Trucks and TransWest with prices at \$369,240, \$262,346 and \$305,625 respectively. The quotes include the truck and snow equipment. Discussion was held. Motion by Buttke and seconded by Street to approve the purchase of a Freightliner truck and snow equipment from I-State Trucks for \$262,346. Vice Chairman Stengel called for the vote. Motion carried 3-0. **LaBolt Speed Limit:** Commissioner Street said Jon Wold, Mayor of LaBolt, asked if the county would be willing to install reduced speed ahead signs on the county road before the town's boundaries. LaBolt will be installing flashing speed limit signs and suggested additional signage would be helpful. Hwy Supt Peterson said he would call Wold and discuss it.

First District: Luke Muller with First District had the Commissioners complete a risk assessment worksheet for Grant County and reviewed the county's Pre Disaster Mitigation Plan to be updated for 2026-2030 period. The new plan will become effective after FEMA approves it.

Antora Energy: Jordan Kearns and Tom Bence with Antora Energy gave a presentation on their new plant located directly west of POET. Antora will store energy in the form of heat in large carbon graphite blocks. It is a byproduct of coal and is safe, stable and non-toxic. Their first steam delivery will be in 2025, and they project to be fully operational in 2026 with 18 full-time employees.

Risty Benefits & IBC: Sonja Nordby and Roger Risty with Risty Benefits and Linda and Amy with IBC reviewed their claim processing service for the county employee health insurance.

2026 Budget Review: Librarian Tammy Wollschlager met with the commission to discuss the library's staffing budget request.

Chairman Tostenson returned to the meeting at 10:40 AM. Vice Chairman Stengel relinquished the chair back to Tostenson.

Auditor Folk presented the changes to revenue and expenses in the 2026 provisional budget since the last meeting and suggested the commissioners reduce spending if they want to maintain their cash reserves for 2026 and future years. The Commission had a lengthy discussion of possible reductions that could be made. They asked Folk to make the requested changes and present them at their next meeting.

Travel: None

County Assistance: None

Unfinished Business: None

New Business: Commissioner Assistant Layher said there will be a joint Commissioner and P & Z meeting Monday, August 11th at 4:00 PM to discuss possible changes to the P & Z Ordinance 2025-01A. Layher also stated States Attorney Schwandt will be presenting the Attorney General's open meeting law changes at the October 5th meeting.

Correspondence: Auditor Folk asked the Commissioners who will be attending the Fall Conference in Pierre, September 8 & 9 as registration must be paid.

Executive Session: None

Claims: Motion by Stengel and seconded by Street to approve the claims. Motion carried 4-0. AL'S BODY SHOP, prof services 3,027.50; AUTOVALUE, supplies 118.80; BANNER ASSOCIATES, contracted proj 1,905.50; BEACON CENTER, 2nd qtr domestic abuse 319.50; BUTLER, parts 353.23; CENTER POINT, books 422.25; CITY OF MILBANK, water & sewer 849.97; CITY OF WATERTOWN, 911 surcharge 10,422.17; CUMMINS, prof services 4,157.87; DELORIS RUFER, lib rent 100.00; EASI FILE, plat case 3,324.84; FIRST BANK & TRUST/VISA, gas, ink, supplies 3,266.62; FREMAREK, supplies 626.28; G&R CONTROLS, repair & maint 2,266.84; G A JOHNSON CONSTRUCTION, prof services 588,096.65; GANNETT HOLDINGS, subscription 196.14; GRAJCZYK LAW

OFFICE, court appt atty 3,600.00; GRANT COUNTY LIBRARY, supplies 833.00; GRANT-ROBERTS RURAL WATER, water usage 46.50; GRANT/ROBERTS AMBULANCE, prof services 559.00; HASSLEN CONSTRUCTION, contracted proj 22,966.01; HMN ARCHITECTS, prof services 7,726.26; INNOVATIVE BENEFIT CONSULTANTS, prof services 21,510.09; JUSTIN DEVAAL, prof services 540.00; LARRY'S REFRIGERATION, repair & maint 5,676.64; LEWIS FAMILY DRUG, supplies 811.01; MCLEOD'S PRINTING, supplies 67.64; MIDCO, lib internet 131.04; MILBANK AREA CHAMBER, allocation 1,000.00; MILBANK AUTO PARTS, supplies 924.22; MILBANK FIRE DEPT, allocation 750.00; MOTOROLA SOLUTIONS, equipment 2,878.60; MUNDWILER FUNERAL HOME, prof services 5,330.00; NORTHWESTERN ENERGY, natural gas 55.75; OTTER TAIL POWER, electricity 4,098.79; QUICK PRO LUBE, repair & maint 76.49; REDWOOD TOXICOLOGY, supplies 331.09; SANDRA FONDER, prof services 90.00; SECUR SERV, prof services 7,263.45; SD ASSN CO COMMISSIONERS, ref books 40.00; SD DEPT TRANSPORTATION, contracted proj 313.36; SDSU EXTENSION, parking pass 85.00; TRAPP PLUMBING, repair & maint 280.19; TROY HOYLES, prof services 300.00; VALLEY OFFICE PRODUCTS, supplies 60.28; VALLEY RENTAL & RECYCLING, allocation 650.00; WHETSTONE HOME CENTER, supplies 612.90; XEROX, copier rent 372.45. TOTAL: \$709,433.92.

Payroll for the following departments and offices for the July 28, 2025, payroll are as follows: COMMISSIONERS 8,120.60; AUDITOR 11,123.11; ELECTION 212.29; TREASURER 6,392.08; STATES ATTORNEY 8,016.90; CUSTODIANS 4,153.60; DIR. OF EQUALIZATION 4,562.80; REG. OF DEEDS 5,556.48; VET. SERV. OFFICER 1,402.50; SHERIFF 21,178.81; COMMUNICATION CTR 8,268.20; VISITING NEIGHBOR 1,820.19; LIBRARY 9,510.44; 4-H 5,096.79; WEED CONTROL 2,338.50; P&Z 1,153.35; DRAINAGE 897.05; ROAD & BRIDGE 32,244.36; EMERGENCY MANAGEMENT 2,653.20. TOTAL: \$134,701.25.

Payroll Claims: FIRST BANK & TRUST, Fed WH 7,360.99; FIRST BANK & TRUST, FICA WH & Match 16,261.08; FIRST BANK & TRUST, Medicare WH & Match 3,802.94; ACCOUNTS MANAGEMENT, deduction 134.16; AMERICAN FAMILY LIFE, AFLAC ins. 1,611.51; RELIANCE STANDARD LIFE DENTAL, ins. 402.10; RELIANCE STANDARD LIFE VISION, ins. 361.91; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 53,685.83; RELIANCE STANDARD BASE, life ins. 385.44; RELIANCE STANDARD SUPPLEMENTAL, life ins. 153.76; MASA, air ambulance 302.00;

LEGAL SHIELD, deduction 38.85; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 2,708.00; SDRS SUPPLEMENTAL, deduction 1,635.83; SDRS, retire 15,496.36. TOTAL: \$104,340.76.

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

1. Approve a step increase for Wendy Boerger six-month rate of \$22.85 per hour effective 8-13-25.

2. Declare surplus 1965 Int'l Tractor, fixed asset 2585; JD Pull Rotary Mower, fixed asset 2525 effective 7-15-2025.

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 11 (with P & Z) at 4 PM and regular meeting August 19, and September 2 and 16, 2025 and will be held at the Grant County Commission room in the courthouse basement at 8 AM. Motion by Stengel and seconded by Street to adjourn the meeting. Motion carried 4-0. Meeting adjourned.

Kathy Folk, Grant County Auditor

William Tostenson, Chairman, Grant County Commissioners