

December 7, 2021

The Grant County Commission met at 8 AM with Commissioners Buttke, Mach, Stengel, and Tostenson present. Commissioner Street was absent. Chairman Tostenson called the meeting to order with a quorum present and asked for a motion to approve the minutes. Motion by Mach and seconded by Buttke to approve the minutes of the November 16, 2021, meeting. Motion carried 4-0. Minutes filed. Motion by Mach and seconded by Buttke to approve the agenda. Motion carried 4-0.

Members of the public present were Amy Sis from Soil Conservation, Brent Hoffmann and Nathan Brandenburg from Grant-Roberts Rural Water. States Attorney Schwandt was present.

The Chairman called for public comment. No member of the public present offered any comment.

The following statistics for the month of October 2021 for the Detention Center and Sheriff's Office were presented by report. Average Daily inmate population 3.71; Number of bookings 15; Work release money collected \$160.00; 24/7 Preliminary Breath Test (PBT) fees collected \$179.00; SCRAM (alcohol detecting bracelet) fees collected \$0.00; 24/7 PBT participants 4; SCRAM (Sobriety Program) participants 0; Calls for Service (does not include walk-in traffic) 521; Accidents investigated 3; Civil papers served 48; Cumulative miles traveled 9,271; 911 calls responded to (including Milbank) 102.

Highway: Supt Kerwin Schultz reported the small structure inventory is in the process of being completed. This inventory project is for small structures sixteen square feet or larger and bridge structures. Based on five pictures per site, it is estimated 2,000 pictures are in the process of being taken by highway personnel. Another discussion was on SDCL 31-14-27. The law was changed in 2018 to allow the county and the township to enter into an agreement as to how the cost in excess of the \$500, which is paid by the township, will be split between the county and the township. The law also states the township is responsible for the maintenance after a project is completed. The construction or the replacement of any culvert less than sixteen feet in diameter is the responsibility of the township. West Con approached the Planning Officer on using another exit from their facility going onto County Road 19 for loaded fertilizer trucks. The Commission requested

representatives from West Con be invited to a meeting to provide information on their request.

Treasurer: Karla DeVaal explained under SDCL 32-3-18.1 the county treasurer may charge an administrative fee, not to exceed \$25 per title transfer, done entirely by mail. This does not apply to any insurance company or dealer licensed in South Dakota. Motion by Buttke and seconded by Mach to adopt the following resolution. Motion carried 4-0. Resolution adopted.

GRANT COUNTY RESOLUTION 2021-42

**FOR THE ESTABLISHMENT OF AN ADMINISTRATIVE FEE
FOR CERTAIN TITLE AND REGISTRATION SERVICES**

WHEREAS, South Dakota allows out of state and resident applicants to title motor vehicles entirely by mail; and

WHEREAS, any title, interstate title and initial registration applications that are processed entirely by mail are more time consuming and result in higher administrative expenses and allocation of staff time for the Treasurer's Office; and

WHEREAS, SDCL 32-3-18.1 allows counties to charge an administrative fee for applications for title, interstate title and initial registrations completed entirely by mail; and

WHEREAS, South Dakota allows resident and nonresident applicants to title large boats, as defined by SDCL 32-3A-2(5) entirely by mail; and

WHEREAS, SDCL 32-3A-21.1 allows counties to charge an administrative fee for applications to title large boats, as defined by South Dakota law, completed entirely by mail; and

WHEREAS, SDCL 32-3A-4 requires residents and nonresidents to register boats requiring numbering by the State of South Dakota; and

WHEREAS, initial registration of boats completed entirely by mail is as time consuming as the titling process for large boats or motor vehicles; and

WHEREAS, pursuant to SDCL 7-8-20(7), the Grant County Commission is empowered with the responsibility to superintend the fiscal concerns of the county and secure their management in the best possible manner.

NOW THEREFORE BE IT RESOLVED that, as of 01-01-2022, the Grant County Treasurer's Office will charge an administrative fee of \$25.00 for any title, interstate title or initial registration application that is received and processed entirely by mail.

Prior motions or resolutions of the Grant County Commission on the issue of administrative fees for titling or registration of motor vehicles are hereby rescinded as of 12-31-2021.

APPROVED BY THE GRANT COUNTY BOARD OF COMMISSIONERS this 7th day of December 2021.

William J Tostenson
Grant County Chairman

ATTEST:
Karen M Layher,
Grant County Auditor

Rural Water: Present were Grant-Roberts Rural Water Manager Brent Hoffmann and project Engineer Nathan Brandenburg. Hoffmann explained the rural water system is in the process of expanding their services in western Grant County and surrounding counties for rural residents, businesses, and municipalities. The expansion project would consist of constructing water infrastructure including new watermains, a new storage tank, new groundwater wells, and treatment improvement. One project includes a transmission improvement that would provide for a connection between rural water and the City of Milbank. This connection would provide water to the other entity in the case of a failure of either system. Another project is for installing an eight-inch pipe from the area of the highway shop to the south edge of Milbank. Hoffmann asked the Commission to consider contributing towards these projects using some the American Recovery Plan (ARP) funds.

P & Z: Steve Berkner brought forth for discussion if the cost of a drainage permit should be done by project or by parcel. Under the current ordinance, the permit fee is defined by project which may be one landowner or several. Whereas if the cost of a permit was defined by parcel, it would make it easier to track participating landowners in the permit project as well as generating revenue. States Attorney Schwandt stated the drainage ordinance cannot be modified for one year after a referral petition is filed. **Plats:** An administrative change is being implemented through the P & Z office to allow the Commission Chairman and the Chairman of the Planning Commission to review a basic plat for approval by both Chairmen. The change will improve the time requirements for a plat to be reviewed and approved. **Building Permits:** The Commission reviewed the fee schedule for building permits. The discussion was on removing the cap of \$30,000 for a project value above \$1,001,001. The reason given for this consideration is the cost of building projects is increasing. Motion by Mach and seconded by Buttke to remove the \$30,000 cap for building permits with the fee being \$2.00 per thousand of the value of the project. Motion carried 4-0.

Soil Conservation: Amy Sis provided a report on the 2021 financials, tree planting and availability of trees for 2022. She thanked the Commission for their continued financial support.

Liquor License for 2022: Auditor Layher presented the 2022 renewal for Bittersweet Lodge liquor license. Motion by Mach and seconded by Stengel to approve the renewal of the liquor license for 2022. Chairman Tostenson called for vote. Motion carried 4-0.

1. Bittersweet Lodge located at 15196 455th Ave., in Lura Township with a legal description of South 200' of the West 300' of Gov't Lot 4 in the SW1/4 in 7-120-51, Grant County for Retail (on-sale) Liquor.

Redistricting for 2022: The Board has reviewed the proposed commissioner district boundary map which is based on the 2020 census figures. The formal adoption of the commissioner districts will be done through the ordinance process. The passage of the resolution of intent is to inform the residents of the county of the proposed changes to the commission districts beginning in 2022 and to give the residents the opportunity to review the map before the public hearing is held on January 4, 2022. Motion by Buttke and seconded by Stengel to adopt the following resolution. Motion carried 4-0. Resolution adopted. The maps are on the County's website and on file in the Auditor's Office.

Resolution 2021-41

Resolution of Intent to adopt Commissioner District Boundaries based on the 2020 Census

WHEREAS, the 2020 federal decennial census has been completed; and

WHEREAS, under SDCL 7-8-10 the Board of County Commissioners will hold a hearing at its regular meeting on January 4 of 2022 and shall change the boundaries of commissioner districts if such change is necessary in order that each district shall be as regular and compact in form as practicable and contain as near as possible an equal number of residents; therefore

BE IT RESOLVED, the Grant County Board of Commissioners state it is their intent to adopt the boundaries for commissioner districts as herein stated:

First Commissioner District will include the precincts in Milbank of 2-2 and 3-3.

Second Commissioner District will include the Townships of Adams, Alban (west of 480th Avenue to 478th Avenue), Georgia, Grant Center (south of 151st Street to 154th Street), Madison, Troy, and Vernon and the Towns of Albee, LaBolt, Revillo and Strandburg and precinct in Milbank of 1-2.

Third Commissioner District will include the Townships of Blooming Valley, Farmington, Grant Center (north of 151st Street to 148th Street), Kilborn (west of 472nd Avenue), Lura, Mazeppa, Melrose (west of 173 Street), Osceola, Stockholm and Twin Brooks and the Towns of Marvin, Stockholm, and Twin Brooks and the precinct in Milbank of 3-2.

Fourth Commissioner District will include the Township of Alban (east of 480th Ave), Big Stone Township, Kilborn Township (east of 472nd Avenue), Melrose Township, and the City of Big Stone.,

Fifth Commissioner District will include the precincts in Milbank of 1-1, 2-1 and 3-1.

The map of commissioner boundary districts is on file in the Auditor's Office.

Dated this 7th day of December, 2021.

William J. Tostenson, Chairman

ATTEST:
Karen M. Layher
Grant County Auditor

4-H: Educator Sara Koepke thanked the Commission for travel approval to attend the national conference in Memphis. The Commission congratulated Sara on receiving the Distinguished Service Award for her work in youth development. The progress on the construction of the static building was noted. There were some delays due to the rain this fall, but the work is steadily progressing with a completion date of July 2022. The fundraising total is at \$1,229,702.81.

Executive Session: Motion by Mach and seconded by Stengel to enter executive session at 11:30 AM for the purpose of a personnel issue pursuant to SDCL 1-25-2. Chairman Tostenson called for a vote. Motion carried 4-0. Auditor Layher and States Attorney Schwandt were present. Chairman Tostenson declared the meeting open to the public at 2:40 PM. No action was taken because of the executive session.

Unfinished Business: None

New Business: The Commission noted Resolution 2021-40 for the plat known as Peiker Addition was signed by Chairman Tostenson.

Correspondence: None

Consent: Motion by Buttke and seconded by Mach to approve the consent agenda. Motion carried 4-0.

1. Approve 2022 Community Health Nurse contract in the amount of \$7,813.00
2. Approve LexisNexis three-year contract (2022-2024) for \$725.00 per month
3. Approve Memorandum of Understanding with SDSU Extension for the 4-H program-no cost

Claims: Motion by Mach and seconded by Buttke to approve the claims as presented. Motion carried 4-0. AUTOVALUE, supplies 173.05; AVERA ST. LUKE'S, prisoner care 80.00; BANNER, hwy proj 4,639.70; BITUMINOUS PAVING, asphalt patching 11,386.22; BOOS JENNEN LAW FIRM, prof services 272.25; BORNS, mailing expense 1,396.13; BUTLER, repairs & maint 2,374.64; CENGAGE LEARNING, books 49.58; CENTER POINT, books 129.74; CITY OF MILBANK, water & sewer 535.35; CITY OF WATERTOWN, 911 surcharge 6,080.57; COLEPAPERS, supplies 633.12; CONSOLIDATED READY MIX, hwy proj 6,630.00; DELORIS RUFER, lib rent 100.00; DEMCO, supplies 267.54; EMBLEMS, supplies 470.00; FIRST BANK & TRUST, supplies 64.85; FORTERRA PIPE, hwy proj 32,547.30; GRANT COUNTY REVIEW, publishing 1,303.58; GRANT-ROBERTS RURAL WATER, water usage 41.70; GRANT/ROBERTS AMBULANCE, allocation 2,458.37; INGRAM, books & cd books 1,321.93; INSIGHT, supplies 282.50; ITC, phone & internet 1,531.83; JASON SACKREITER, garbage service 135.00; LABOLT DEVELOPMENT, lib internet 240.00; MANUEL CARDENAS, repairs & maint 1,044.35; MIDCO, lib internet 85.00; MILBANK AREA HOSPITAL AVERA, blabs 125.00; MILBANK AUTO PARTS, supplies & parts 255.36; MORPHO USA, computer maint 2,466.00; MT LIBRARY, books 112.00; MUNDWILER FUNERAL HOME, prof services 3,500.00; NORTHWESTERN ENERGY, natural gas 1,026.77; QUICK PRO LUBE, repairs & maint 371.46; RADAR SHOP, computer maint 294.00; RILEY BROS CONSTRUCTION, hwy proj 1,170.00; RIVER STREET PETROLEUM, ethanol & diesel fuel 8,420.12; RUNNINGS, supplies & repairs 672.09; SCANTRON, prof services 5,181.70; SCOTT BRATLAND, court appt atty 4,088.98; STAR LAUNDRY, prof services 86.69; STATE BAR OF SD, dues 1,080.00; THE PENWORTHY COMP, books 100.86; TRUENORTH STEEL, hwy proj 198.72; VALLEY RENTAL & RECYCLING, allocation 650.00; VALLEY SHOPPER, publishing 53.16; WOLLSCHLAGER CONCRETE, prof services 13,847.79; WS LEASING, 4H building 118,887.83; XEROX, copier rent 91.96. TOTAL: \$238,954.79.

Payroll for the following departments and offices for the November 26, 2021, payroll are as follows: COMMISSIONERS 3,223.90; AUDITOR 7,449.86;

ELECTION 121.16; TREASURER 5,039.74; STATES ATTORNEY 5,913.02; CUSTODIANS 2,705.53; DIR. OF EQUALIZATION 3,615.61; REG. OF DEEDS 4,112.30; VET. SERV. OFFICER 1,065.00; SHERIFF 13,407.09; COMMUNICATION CTR 6,890.65; PUBLIC HEALTH NURSE 816.75; ICAP 132.83; VISITING NEIGHBOR 1,604.10; LIBRARY 6,971.00; 4-H 3,280.10; WEED CONTROL 1,783.00; P & Z 1,244.50; Drainage 323.00; ROAD & BRIDGE 29,404.32; EMERGENCY MANAGEMENT 2,106.00. TOTAL: \$101,209.46.

Payroll Claims: FIRST BANK & TRUST, Fed WH 7,540.74; FIRST BANK & TRUST, FICA WH & Match 12,250.12; FIRST BANK & TRUST, Medicare WH & Match 2,864.96; AAA COLLECTIONS, deduction 34.08; ACCOUNTS MANAGEMENT, deduction 98.05; AMERICAN FAMILY LIFE, AFLAC ins. 1,468.71; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 51,008.62; COLONIAL LIFE, ins 37.98; DEARBORN NATIONAL, life ins. 278.44; LEGAL SHIELD, deduction 76.70; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; OPTILEGRA, ins 423.10; SDRS SUPPLEMENTAL, deduction 1,369.33; SDRS, retire 11,478.79. TOTAL: \$89,139.62.

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 December 21 and 30, 2021 and January 4 and 18, 2022, at 8 AM. Motion by Stengel and seconded by Mach to adjourn the meeting. Motion carried 4-0. Meeting adjourned.

Karen M. Layher, Grant County Auditor

William J. Tostenson, Chairman, Grant County Commission