

January 7, 2025

The Grant County Commission met at 8 AM with Commissioners Buttke, Mach, Street and Tostenson present. Chairman Mach called the meeting to order. Motion by Buttke and seconded by Street to approve the minutes of the December 31, 2024, meeting. Motion carried 4-0. Minutes filed. Commissioner Assistant Layher asked to add four additional claims for approval. Motion by Mach and seconded by Buttke to approve the agenda with the additions as noted. Motion carried 4-0. Commissioner Assistant Layher reported there was no final business for 2024. Commissioner Stengel arrived at 8:10 AM.

Members of the public present were Ryan Kohl and Dennis Kohl. Staff members present were Commissioner Assistant Layher, States Attorney Schwandt, Drainage Officer Berkner, Hwy Supt Peterson, Sheriff Owen, DOE Steinlicht and Deputy DOE Stotesbery.

Auditor Folk administered the oath of office for District 2 Commissioner Bill Street, District 4 Commissioner Doug Stengel and States Attorney Schwandt.

Chairman Tostenson addressed the Commission and commended them for the work they have been doing. The Commission and staff have been extremely busy, and projects are getting done and a lot of business is moving forward where we could have kicked the can down the road. Tostenson commended them for doing business as expeditiously as allowed.

There being no final business to consider for 2024, Chairman Tostenson adjourned the meeting sine die and Auditor Folk assumed the chair. Nominations for Chairman were called. Commissioner Mach nominated Bill Tostenson for Chairman and to cast a unanimous ballot for Bill Tostenson as Chairman for 2025. Folk called for a second to the nomination. Street seconded the nomination. Auditor Folk called for the vote. Motion carried 4-0. Commissioner Tostenson was seated as Chairman and then called to order the 2025 Board of Commissioners. Nominations for vice-chairman were called. Street nominated Doug Stengel for vice-chairman and to cast a unanimous ballot for Doug Stengel as Vice-Chairman for 2025. Mach seconded the nomination for Stengel as vice-chairman. Motion carried 4-0.

Public Comment: Chairman Tostenson called for public comment.

There were no comments. Chairman Tostenson closed the public comment.

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

Permit DR2025-01 for Dennis Kohl for property located within the W1/2 of Section 28 of Vernon West Township including ROW Permit 2025-01 for 159th St in Section 28.

Chairman Tostenson called for a motion to approve drainage permit DR2025-01 and ROW Permit 2025-01 for Dennis Kohl. Motion by Street and seconded by Buttke to approve permit DR2025-01 and ROW Permit 2025-01.

Berkner reported the permit is for amending DR2023-32 and DR2023-33, located in the W1/2 of Section 28 in Vernon West Township. Kohl is seeking to install an 8 hp pump into an existing sump, install approximately 600' of 10" tile main to aid in draining water from near the county road culvert under 159th Street. The application is requesting the option to install up to two open inlets to the original 2023 permitted design if needed. The changes being requested in the current request are to improve the design of the original drainage permits granted in 2023 due to low lying conditions along an existing 3,000' long vested drainage ditch. Surface water continues to have trouble draining where the improvements were made.

Kohl stated in his permit application the pump would only be used when the vested drainage ditch could no longer drain effectively into the downstream drainage ditch. Berkner said the 600' long tile main would have a horizontal inlet design, like a road culvert with no lateral tile. It would direct water entering the Kohl property from the county culvert to drain closer to the pump location. Kohl is also seeking some flexibility in the current permit request, if needed he would remove silt from within the county ditch road right-of-way along 159th Street. If needed, Kohl is also seeking permission to install two open inlets to the 2023 permitted lateral tile design if both the pump and 600' drain tile fail to improve the wet conditions.

Chairman Tostenson asked Kohl if he had any additional comments. Kohl confirmed the pump would only be used when the vested drainage ditch would no longer flow water effectively and it would not be used during heavy runoff times. Kohl also confirmed the two possible additional inlets added to the 2023 design would aid in creating drivable access across the vested drainage ditches. Tostenson

opened the public hearing asking three times for both comments in favor or against the drainage project. No one responded. Tostenson closed the public hearing by inviting drainage board discussion.

During board discussion Kohl was asked to point out where the possible inlets would be located so they could be documented in advance and was asked to report to the county whether they were installed or not. Street commented that he liked the idea the pump would not be running continuously and only used after peak runoff periods. Street invited Kohl to give the drainage board an update sometime in the future on how it was working. Mach commented that the improvements sought by Kohl should help reduce flooding near the intersection of 159th Street and 480th Avenue, both county roads, where road flooding and erosion often occurs after heavy runoff periods. Chairman Tostenson called for the vote. Motion carried 5-0.

Berkner gave two separate updates on ongoing drainage board matters for Joe Kanthak, tabled until the April 1st meeting, and Chad Boehnke, tabled until the February 4th meeting, saying both parties had been in recent contact with his office saying they were close to having their final drainage permit requests heard by the board.

Berkner said in the matter for Boehnke, originally three different landowners were working together on one drainage plan, as many as eight different landowners are now working on a larger related drainage plan and because of that they may need to have longer than February 4th to finalize those drainage permit requests.

States Attorney Schwandt said in the matter for Boehnke, it was best that their drainage permit request be pulled by them and re-scheduled to be heard at the same time as the other related drainage permits instead of continuing to table the board's decision. Berkner said he would forward that information to Boehnke.

HWY: Pickup Quotes: Hwy Supt Peterson presented several quotes for purchasing a pickup for his department with the lowest State bid coming from Lamb Chevrolet in Oneida for \$51,000 for a 2025 Chevy one ton crew cab long box pickup. Motion by Street and seconded by Stengel to approve the purchase of the pickup from the Lamb Chevrolet for \$51,000. Motion carried 5-0.

Road Weight Limits: Motion by Mach and seconded by Stengel to authorize the Chairman to sign the letter to be sent to the Motor Carrier Division requesting assistance with enforcing the weight restrictions during the spring thaw. Motion carried 5-0. The next item for consideration was the spring weight limit restriction.

Motion by Mach and seconded by Buttko to set the weight limit of seven tons per axle with the following resolution with the list of roads exempt from the weight limit restrictions. Motion carried 5-0. Resolution adopted.

2025-01

GRANT COUNTY WEIGHT / SPEED LIMIT ENFORCEMENT RESOLUTION

WHEREAS, seasonal climatic changes can be detrimental to our highways, and
WHEREAS, the Grant County Board of County Commissioners desires to protect existing Grant County Highways, ultimately saving tax dollars, and

WHEREAS, the Grant County Board of County Commissioners desires the enforcement of weight limitations on Grant County roads as set forth and posted by the Grant County Highway Superintendent.

NOW THEREFORE BE IT RESOLVED:

WHEREAS the limits on Grant County roadways shall be set at a maximum load limit of seven tons per axle on all asphalt surface roads during the spring thaw period from approximately March 1, 2025, to April 30, 2025, inclusive, when weight limit signs are in place. The South Dakota Highway Patrol be, and hereby is authorized and requested to enforce the weight limitations on Grant County roads; and

NOW THEREFORE BE IT RESOLVED:

The following listed roads are exempt from the weight limit restriction.

1. 149th St (AKA CR 8) from Day County line east to 458th Ave (AKA CR 3)
2. 155th St (Old 81) from Roberts County line to Codington County line
3. 472nd Ave (AKA CR 19) from Roberts County line south to State Hwy 12
4. 145th St (AKA CR 4) from 472nd Ave (AKA CR 19) east to 485th Ave (AKA CR 39)
5. 484th Ave (AKA CR 43) from 144th St (AKA CR 34) south to 145th St (AKA CR 4)
6. 144th St (CR34) from 484th Ave going east to 486th Ave
7. 485th Ave from 145th St at GCC south to 149th St (AKA CR 10)
8. 149th St (AKA CR 10) from Milbank City limits east to MN State Line - 488th Ave
9. 484th Ave (AKA CR 49) from 149th St (AKA CR 10) south to 150th St – Dakota Granite
10. 151st St (AKA CR 12) from State Hwy 15 west to 475th Ave
11. 153rd St (AKA CR 14) from State Hwy 15 east to 482nd Ave
12. 482nd Ave (AKA CR 35) from Revillo City limits south to State Hwy 20
13. 161st St (AKA CR 18) from 476th Ave (AKA CR 27) east to 480th Ave (AKA CR 31)

BE IT FURTHER RESOLVED that the penalty for the violation of the load restrictions should be as set forth in SDCL 32-22-55 and 32-22-57.

Vote of Grant County Commission: AYE: 5 NAY: 0

Dated this 7th day of January, 2025 at Milbank, SD.

William J. Tostenson, Commission Chairman

ATTEST:

Kathy Folk

Grant County Auditor

Travel: Motion by Buttke and seconded by Stengel to approve Hwy Supt Peterson and/or another delegated employee to attend the Asphalt Conference in Mitchell and the Short Course in Deadwood. Motion carried 5-0.

Jail Administrator: Sheriff Owen discussed opening the position for a Jail Administrator. He would like to hire a certified law enforcement officer so they can serve the dual purpose of working out in the field and in the jail. The Jail Administrator position is in the 2025 budget. There is also a full-time jailer position open now. Sheriff Owen would like to save money and move a part-time jailer to full-time once the jail administrator is hired.

VQ Appraisal: DOE Steinlicht and Deputy DOE Stotesbery reviewed the completed appraisal of Valley Queen with the Commissioners.

2025 Appointments: The reorganization of committees and board appointments were reviewed for changes in 2025. Motion by Stengel and seconded by Mach to approve the following list of committee appointments. Motion carried 5-0.

COMMITTEES AND BOARDS

Marty Buttke: Buildings, Community Transit, Milbank Housing Authority

Bill Tostenson: Economic Development, Mental Health, Law Enforcement

Mike Mach: First District, Planning and Zoning

Doug Stengel: ICAP, Highway, 911

Bill Street: Insurance Alliance, Weed, Emergency Management

Karen Layher: Christian Service, Library, Visiting Neighbor, 4-H, County Administrator

Town Board Liaisons: Motion by Buttke and seconded by Mach to approve the following appointments of Commissioners to serve as town board liaisons. Motion carried 5-0.

Marty Buttke: Milbank

Bill Tostenson: Marvin, Stockholm, Twin Brooks

Mike Mach: Milbank

Doug Stengel: Big Stone City

Bill Street: Albee, LaBolt, Revillo, Strandburg

First District Appointment: Motion by Stengel and seconded by Mach to reappoint Jody Kuper as the county representative on the First District Board. Motion carried 5-0.

Depositories: Motion by Stengel and seconded by Mach to approve the following depositories. Motion carried 5-0.

Depositories: First Bank & Trust in Milbank and Brookings (TIF), Wells Fargo, First Interstate Bank, Minnwest Bank in Big Stone City and Public Investment Funds (FIT)

Designations: Motion by Buttke and seconded by Mach to approve the Grant County Review as the official newspaper for 2025. Motion carried 5-0.

Travel: Motion by Street and seconded by Buttke to set the mileage reimbursement rate at the Federal rate for elected and non-elected personnel with the option of using a county vehicle for travel, if available. Meal reimbursement rates are set by SD administrative rule. Motion carried 5-0.

Fees: Motion by Mach and seconded by Stengel to adopt the following fee schedule. Motion carried 5-0.

Grant County Fee Schedule

- FAX FEES: All Departments; \$1.00 first page, .50 each additional page
- COPY FEES: All Departments; .25 per page, .50 per page for color 8 x 11
- SHERIFF OFFICE FEES: Fingerprinting: \$20.00; Urine Analysis \$10.00; Child Protection Services Urine Analysis \$20.00; Breathalyzer Test \$1.00 per test
- PLANNING & ZONING FEES:

| | | |
|--|-------------------------|------------------|
| STRUCTURE / NON-AG FENCE PERMIT APPLICATION INCLUDING WIND TOWERS: | | |
| Construction Cost / Including Labor | \$0 - \$10,000 | \$ 25.00 |
| | \$10,001 - \$30,000 | \$ 60.00 |
| | \$30,001 - \$50,000 | \$ 100.00 |
| | \$50,001 - \$100,000 | \$ 200.00 |
| | \$100,001 - \$200,000 | \$ 400.00 |
| | \$200,001 - \$300,000 | \$ 600.00 |
| | \$300,001 - \$500,000 | \$1,000.00 |
| | \$500,001 - \$700,000 | \$1,400.00 |
| | \$700,001 - \$900,000 | \$1,800.00 |
| | \$900,001 - \$1,000,000 | \$2,000.00 |
| | \$1,000,001 - and over | \$2.00 per 1,000 |
- TEMPORARY TOWER STRUCTURE: \$150.00 + \$.50 per thousand with a cap of \$1,000 per tower
- SHELTERBELT PERMIT FEE: \$25.00
- APPEAL TO BOA HEARING \$300.00
- VARIANCE HEARING \$500.00
- CONDITIONAL USE HEARING/CAFO HEARING \$300.00
- REZONING HEARING \$300.00
- SPECIAL HEARING (OTHER THAN 2ND MONDAY OF MONTH) \$1,550.00
- PLAT INSPECTION FEE \$100.00 + \$5.00 PER LOT
- DRAINAGE PERMIT FEE: \$100.00 PER PARCEL

- DIRECTOR OF EQUALIZATION: Copy fees for Property cards: \$5.00 first page and each additional page \$1.00; Computer printouts: \$1.00 per page

WEBSITE ACCESS FEE:

| <u>Number of Users</u> | <u>Quarterly Fee</u> | <u>Annual Fee</u> | <u>Setup Fee</u> |
|------------------------|----------------------|-------------------|------------------|
| 1 to 5 | \$85 | \$300 | \$25 |
| 6 to 10 | \$130 | \$475 | \$25 |
| 11 or more | \$190 | \$725 | \$25 |

- HIGHWAY FEES:

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|----------------------|---|
| Used Bridge Planks: | \$3.00 per foot |
| Used Cutting Edges: | \$2.00 per foot |
| Used Steel Decking: | \$5.00 per foot |
| Orange Flags: | \$3.00 each |
| Telespar Post (10'): | cost to be determined at time of purchase |
| Base: | cost to be determined at time of purchase |
| Sign: | cost to be determined at time of purchase |

- WEED:

| | |
|-----------------------|--|
| Mosquito ULV Fogging: | \$130.00 per application |
| Bug Collection Net: | \$20.00 (Leafy Spurge) |
| ROW Spraying: | \$100.00 per hour plus cost of chemicals |

- 4-H Building and Grounds: Contact 4-H Office

Funeral Allowance: Motion by Buttke and seconded by Street to set the county paid funeral at \$3,500 plus the cost of opening and closing the grave for 2025 with any additional costs to be itemized on the voucher. Motion carried 5-0.

Appointments: Motion by Stengel and seconded by Buttke to approve the following appointments. Motion carried 5-0.

Emergency Management: Kevin Schuelke

Director of Equalization: Kathy Steinlicht

Visiting Neighbor Coordinator: Marie Loutsch

Planning and Zoning/Drainage: Steve Berkner

Highway Supt: Daren Peterson 2-year appointment for 2025-2026

P&Z Board Appointment: The terms of Tom Pillatzki and Mark Leddy on the Planning Commission/Board of Adjustment ended on 12-31-2024. Motion by Buttke and seconded by Mach to reappoint Tom Pillatzki and Mark Leddy to a 3-year term ending 12-31-2027. Motion carried 5-0.

Weed Board Appointment: Motion by Street and seconded by Stengel to reappoint the members of the Weed Board for a one-year term: Tom Wollschlager, David Kruger, Tim Rabe, and Joel O'Brien. Motion carried 5-0.

Visiting Neighbor Board Appointment: Motion by Mach and seconded by Stengel to reappoint members of the Visiting Neighbor Board to a one-year term: Marie Loutsch, Marsha Lundberg, Diana Dirksen, Linsey Allen, Kim Veen, Christina Spartz and Jeanne Ziegler. Motion carried 5-0.

Library Appointment: Motion by Mach and seconded by Buttke to reappoint the member of the Library Board to a three-year term, 2025-2027: Janis Yeager. Motion carried 5-0.

Insurance: Motion by Mach and seconded by Buttke to approve SDPAA as the 2025 liability and property insurance carrier. Motion carried 5-0.

WC Insurance: Motion by Mach and seconded by Buttke to approve the SDML Workers' Compensation Fund Claims Associates as the workers' comp carrier for 2025. Motion carried 5-0.

Life Insurance: Motion by Street and seconded by Buttke to approve Reliance Standard as the 2025 Life, Dental, Vision and Supplemental Life insurance carrier. Motion carried 5-0.

Employee Benefit Plans: Motion by Mach and seconded by Stengel to approve American Family Life Insurance (AFLAC), Colonial Life, SDRS Supplemental, MASA and Legal Shield for employee benefit plan options for 2025. Motion carried 5-0.

Agent of Record: Motion by Mach and seconded by Buttke to approve Risty Benefits as Agent of Record for Wellmark Health Insurance for 2025. Motion carried 5-0.

Travel: Motion by Street and seconded by Stengel to approve EM Director Schuelke to attend a Hazmat class in Pierre and Auditor Folk to attend New Officials Workshop in Pierre. Motion carried 5-0.

County Assistance: None

Amendment to Personnel Manual: Commissioner Assistant Layher presented and amendment to the county personnel manual under the highway department shoe and clothing allowance. The change reads as follows: All Grant County Highway Department workers are provided a \$300.00 per year allowance for approved work boots or appropriate shoes and work type clothing subject to

submitting a receipt and approved by County Administrator. Motion by Mach and seconded by Stengel to approve the amendment. Motion carried 5-0.

Unfinished Business: Auditor Folk discussed the general fund cash analysis report. Under SDCL 7-21-18.1 the law states the general fund undesignated cash balance of the general fund may not exceed 40% of all general fund appropriations contained in the budget for the next fiscal year. The unassigned cash for December 31, 2024, is \$2,191,573.94 and the percentage is 24.76% of the 40% cash test.

New Business: Commissioner Assistant Layher stated the State Historical Preservation Society will take our old school census records and the WPA files we had in storage. Layher is also working with 4-H Educator Mueller to organize the 4-H volunteer appreciation dinner.

Correspondence: None

Claims: Motion by Mach and seconded by Buttke to approve the claims. Motion carried 5-0. ASURE SOFTWARE, prof services 708.00; CITY OF MILBANK, water & sewer 53.40; D-WARE, repairs & maint 4,975.00; D.R. MYERS DISTRIBUTING, ref books 33.95; DELORIS RUFER, lib rent 100.00; ELECTION SYSTEMS & SOFTWARE, prof services 6,561.25; G A JOHNSON CONSTRUCTION, contracted proj 12,642.29; GRAJCZYK LAW OFFICE, court appt atty 3,600.00; GRANT CO SOIL CONSERVATION, allocation 12,000.00; GRANT COUNTY REVIEW, publishing 1,452.93; GRANT-ROBERTS RURAL WATER, water usage 36.50; HASSLEN CONSTRUCTION, contracted proj 192,059.60; HMN ARCHITECTS, prof services 173,051.97; IAAO, dues 160.00; JOSEPH KANTHAK, tower rent 600.00; LIFEQUEST, allocation 2,500.00; MIDCO, lib internet 108.92; MOTOROLA SOLUTIONS, prof services 20,959.44; ONSOLVE, prof services, 4,658.43; SCANTRON, prof services 2,119.22; SD ASSN CO COMMISSIONERS, dues 2,862.00; SD ASSN COUNTY HWY SUPTS, dues 350.00; SD ASSN COUNTY OFFICIALS, dues 1,109.48; SD DEPT OF HEALTH, health services 4,140.90; SDAAO, dues 225.00; SDAE4-HP, membership & dues 240.00; SDML WORKERS' COMP FUND, insurance 53,201.00; STAR LAUNDRY, rentals 93.36; SUPERIOR CAPITAL HOLDINGS, minor equip 9,379.00; VALLEY OFFICE PRODUCTS, supplies 1,361.44; VALLEY RENTAL & RECYCLING, allocation 650.00; VALLEY SHOPPER 28.83; TOTAL: \$512,021.91.

Executive Session: Motion by Buttke and seconded by Stengel to enter executive session at 9:48 AM for the purpose of a personnel issue(s) pursuant to SDCL 1-25-2(1). Motion carried 5-0. Commissioner Assistant Layher and Auditor Folk were present. Chairman Tostenson declared the meeting open to the public at 10:10 AM. No action was taken because of the executive session.

After the meeting a tour of the courthouse elevator project was given by Hasslen Construction's project manager. Commissioners Tostenson, Mach and Buttke attended with Commissioner Assistant Layher and Auditor Folk.

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 January 21 and February 4 and 18, 2025 at 8 AM at the Grant County Library. Motion by Mach and seconded by Stengel to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Kathy Folk, Grant County Auditor

William Tostenson, Chairman, Grant County Commission