

January 16, 2024

The Grant County Commission met at 8 AM with Commissioners Buttke, Mach, Stengel, Tostenson, and Street present. Chairman Tostenson called the meeting to order. Motion by Buttke and seconded by Mach to approve the December 29, 2023 and January 2, 2024 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 were Jeff Stromgren, Ben Gere, and Steve Pendergrass. Staff members present were Commissioner Assistant Layher, Hwy Supt Peterson, Drainage Officer Berkner, and States Attorney Schwandt.

Public Comment: Chairman Tostenson called for public comment three times. There were no comments. Chairman Tostenson closed the public comment.

The Auditor's Account with the Treasurer for December was noted.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners,
Grant County:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of the County of Grant as of the last day of December, 2023.

Cash on Hand	\$1,817.42
Checks in Treasurer's possession less than 3 days	\$45,435.88
Cash Items	\$0.00
TOTAL CASH ASSETS ON HAND	\$47,253.30
RECONCILED CHECKING	
First Bank & Trust	\$5,891.57
Interest	\$0.00
Credit Card Transactions	\$2,360.44
First Bank & Trust (Svgs)	\$8,696,143.28
CERTIFICATES OF DEPOSIT	
First Bank & Trust	\$0.00
First Bank & Trust (TIF)	\$0.00
TOTAL CASH ASSETS	\$8,751,648.59
GENERAL LEDGER CASH BALANCES:	
General	\$3,272,955.03

General restricted cash	\$2,350,000.00
Cash Accounts for Offices General Fund	\$656.00
Sp. Revenue	\$1,990,423.42
Sp. Revenue restricted cash	\$0.00
Henze Road District	\$0.00
TIF Milbank	\$0.00
TIF Rosewood Mil-3	\$0.00
TIF Water Dist.	\$0.00
Special Assessment Land Rent	\$0.00
Trust & Agency (schools 44,588.73, twps 60,649.55, city/towns 14,755.98)	\$1,137,614.14
ACH Correction	\$0.00
TOTAL GENERAL LEDGER CASH	\$8,751,648.59

Dated this 8th day of January, 2024

Kathy Folk
County Auditor

The Register of Deeds fees for the month of December were \$11,401.00. The Clerk of Courts fees for the month of December were \$7,105.97. The Sheriff fees for the month of December were \$12,006.75 with \$2,506.75 received into the General Fund.

HWY: Gravel Bids: Supt Peterson presented the ¾” crushed gravel bids for consideration. They were received and opened on January 2, 2024 at 8:15 AM as per the bid notice. Prices are per ton.

	Christian’s Pit	Morehouse Pit	County Pit
1. First Rate Ex.	\$3.50	\$3.50	\$3.50
2. Central Specialties	-	\$3.34	\$3.15
3. WDS	\$3.75	\$3.48	\$3.30
4. GCC	\$3.68	\$3.68	\$3.68
5. Rogge Excavating	-	\$2.25	\$2.15

Motion by Stengel and seconded by Mach to approve the gravel bid from Rogge Excavating Inc. for \$2.25 per ton from the Morehouse pit and \$2.15 per ton from the county pit, each with a \$12,000 mobilization fee. Motion carried 5-0.

Weight Limit Restrictions: Motion by Mach and seconded by Street to authorize Chairman Tostenson to sign the letter to be sent to the Motor Carrier Division requesting assistance with enforcing the weight restrictions during the spring thaw and to set the weight limit of seven tons per axle with the following resolution designating the roads exempt from the weight limit restrictions. Motion carried 5-0. Resolution adopted.

2024-02
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, 2024 to April 30, 2024, 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 (AKA CR 34) 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 482st 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 16th day of January, 2024 at Milbank, SD.

William J. Tostenson, Commission Chairman

ATTEST:
Kathy Folk, Grant County Auditor

Executive Session: Motion by Mach and seconded by Street to enter executive session at 8:14 AM for the purpose of a personnel issue(s) pursuant to SDCL 1-25-2 (1). Motion carried 5-0. Commissioner Assistant Layher, Hwy Supt Peterson, States Attorney Schwandt and Auditor Folk were present. Chairman Tostenson declared the meeting open to the public at 8:35 AM. No action was taken because of the executive session.

Travel: Motion by Stengel and seconded by Buttke to approve Kevin Schuelke to attend a Recovery G205 local government conference in Pierre and Nathan Mueller and Blain Gatz to attend the annual Weed & Pest conference in Spearfish. Motion carried 5-0.

County Assistance: None

4-H Boards: Discussion was tabled for the next meeting on February 6, 2024.

Ag Day: The Commission decided to partner with the Chamber of Commerce to sponsor an Ag Day.

Unfinished Business: The Commission discussed the jail project and asked for volunteers to attend a radio interview with KMSD Radio on January 22.

New Business: Auditor Folk informed the Commission the 2024 ICAP allocation has increased \$6,500 more than last year which is over what was budgeted for that department. Folk also discussed a letter the Secretary of State's office sent regarding legislation on a Cast Vote Record (CVR). The CVR would provide an image of every ballot that ran through the ballot counter. The equipment to capture CVR's would range from \$10,000–15,000. Currently the legislation does not require the use of CVR in South Dakota and only the four larger counties have purchased the programming. The Commission will review it and take it into consideration.

Correspondence: None

Elevator: Jeff Stromgren, Architect with Rice-Stromgren Architects, along with Ben Gere with Hasslen Construction, presented floor plan drawings of the proposed elevator in the courthouse. It would run from the basement up to the third floor with the elevator entrance inside the courthouse. Commissioner Mach asked if the basement could be remodeled to have a larger, more open area for Commission meetings. Stromgren said that would be possible. Discussion was held. Motion by Mach and seconded by Stengel to approve moving forward with structural engineer planning and cost estimates for the installation of the elevator and a separate estimate for remodeling the basement of the courthouse. Chairman Tostenson called for the vote. Motion carried 5-0.

Steve Pendergrass, City Administrator for the City of Milbank, introduced himself to the Commissioners and updated them on the status of the airport, ballpark and new water system.

P & Z Hearing: A joint public hearing was held at 10 AM with the P & Z Board. P & Z members present were Chairman Mark Leddy, Nancy Johnson, John Seffrood, Don Weber, and Jim Berg. Todd Kays with First District was also present to provide parliamentary support. The purpose of the joint hearing was to hear testimony on proposed Ordinance 2024-01. Chairman Tostenson called for a motion to approve Ordinance 2024-01. Motion by Street and seconded by Buttke to approve Ordinance 2024-01. Todd Kays provided an overview of the revised ordinance stating FEMA has been updating flood plain maps and revising FEMA rules. If this ordinance isn't adopted, people will not be able to purchase flood insurance in the future. He recommends adoption of the ordinance. Chairman Tostenson opened the hearing for public comment. Tostenson called three times for public comment. Hearing none, he closed the public comment period and the public hearing and then opened the meeting for Board discussion. Commissioner Street inquired if this ordinance would make it easier to get disaster assistance. Kays responded it makes an applicant more eligible for assistance. The P & Z Board brought forth a motion to send proposed Ordinance 2024-01 to the Commission for their consideration. Motion by Street and seconded by Stengel to hold the first reading of Ordinance 2024-01 by title only and to set February 6, 2024 at 9:30 AM for the second reading. Motion carried 5-0. Commissioner Assistant Layher read the ordinance title.

ORDINANCE # 2024-01

AN ORDINANCE TO REPEAL AND REPLACE SECTION 1106 FLOOD PLAIN PREVENTION ORDINANCE ADOPTED BY ORDINANCE 2004-01, AS AMENDED, OF THE ZONING ORDINANCE OF GRANT COUNTY.

First District: Manager Todd Kays presented the Annual report. Our 2023 Annual dues were \$28,502. Grants they assisted with for Grant County were \$2,627,727 giving us a \$92.19 return on investment. Our average return on investment from FY 08 to 23 was \$22.35.

Budget Supplement: The budget supplement hearing for the Highway and Fire Protection budgets was held with no members of the public present. The purpose of the budget supplement of \$250,000 to the Highway Fund is to adopt budget authority for the change to budget #201 Highway for gravel crushing. The source of cash being from the General Fund 101 in the amount of \$250,000. The purpose of the budget supplement of \$50,000 to the Fire Protection Fund is to adopt budget

authority for the change to budget # 221 Fire Protection for allocations. The source of cash being from the General Fund 101 in the amount of \$50,000. Motion by Street and seconded by Mach to approve the budget supplements with the source of cash being the General Fund 101 in the total amount of \$300,000. Chairman Tostenson called for the vote. Motion carried 5-0.

Liquor License: Motion by Mach and seconded by Street to approve a new Package Off-Sale Liquor License for \$1,200 for 2024 for Cherry's Bittersweet Lodge 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. Discussion was held. Mach amended his motion to approve a new Package Off-Sale Liquor License for \$600 for 2024 for Cherry's Bittersweet Lodge in Lura Township. Stengel seconded the motion. Chairman Tostenson called for the vote. Motion carried 5-0.

Weed: Weed Supervisor Nathan Mueller gave the 2023 Annual Weed Report showing \$43,245.10 in revenue. The 2023 year-end spray report listed a total of 3,556.5 miles that were covered for spraying. The chemical cost was \$22,931.50. Mueller gave the current rates for mosquito fogging and ROW weed spraying. Discussion was held about whether to raise them. Motion by Mach and seconded by Buttke to raise the mosquito fogging rate to \$130 per hour and ROW spraying rate to \$100 per hour plus the cost of chemicals. Chairman Tostenson called for the vote. Motion carried 5-0.

Claims: Motion by Mach and seconded by Buttke to approve the claims. Motion carried 5-0. 15 HOTEL GROUP, motel 178.00; A-OX WELDING, supplies 641.55; ACCESS ELEVATOR, contracted proj 13,536.80; AVERA QUEEN OF PEACE, health services 138.00; BAN-KOE, prof services 681.00; BEACON CENTER, 4th qtr domestic abuse 463.50; BERENS MARKET, supplies 272.48; BORNS GROUP, mailing expense 1,135.23; CARTNEY CORP, repairs & maint 88.63; CENTER POINT, books 258.35; CITY OF MILBANK, water & sewer 194.75; CRAIG DEBOER, car wash usage 156.66; DEAN SCHAEFER, prof services 30.00; DEPT OF AG & NATURAL RESOURCES, dues 100.00; EAST RIVER ELECTRIC POWER, tower rent 576.00; FIRST BANK & TRUST/VISA, books, gas, supplies 874.24; FIRST DISTRICT, prof services 9,477.53; FISHER SAND & GRAVEL, gravel 935.04; FOELL PC, health services 80.00; G & R CONTROLS, repairs & maint 39.42; GRANT COUNTY REVIEW, publishing 922.86; GRANT-ROBERTS RURAL WATER, water usage 40.10; HUMAN SERVICE AGENCY, 1st qtr appropriations 9,947.48; ITC, phone & internet 2,255.12; JASON SACKREITER, garbage service 305.00; MICROFILM

IMAGING SYSTEMS, scanner rent 642.00; MILBANK AUTO PARTS, supplies 1,486.90; MUNDWILER FUNERAL HOME, prof services 3,630.00; NORTHWESTERN ENERGY, natural gas 344.44; NOVAK SANITARY SERVICE, shredding services 16.96; OFFICE PEEPS, parts 39.89; OTTER TAIL POWER, electricity 3,035.75; ALEX PAULI, reimburse 25.00; QUICK PRO LUBE, repairs & maint 229.93; R.D. OFFUTT, repairs & maint 6,682.62; RELX, ref books 219.10; RUNNINGS, supplies 640.55; SCANTRON, prof services 5,803.51; SD ASSOC WEED/PEST SUPERVISOR, dues 75.00; SD DEPT TRANSPORTATION, contracted proj 2,001.14; SDAE4-HP, dues 120.00; ST WILLIAMS CARE CENTER, inmate laundry 305.00; STAR LAUNDRY, rentals 279.57; STAR TRIBUNE, periodical 238.06; TITAN MACHINERY, repairs & maint 9,169.01; TRANSWEST, repairs & maint 96.22; TROY HOYLES, prof services 650.00; TWIN VALLEY TIRE, supplies 889.00; UNZEN MOTORS, repairs & maint 850.57; VALLEY OFFICE PRODUCTS, supplies 1,435.20; VERIZON, hotspot 38.52; WEED & PEST CONFERENCE, registration & dues 550.00; WHETSTONE HOME CENTER, supplies 25.47; WHETSTONE VALLEY ELECTRIC, electricity 1,313.14. TOTAL: \$84,160.29.

DECEMBER MONTHLY FEES: SDACO, ROD modernization fee 168.00; SD DEPT OF REVENUE, monthly fees 167,335.25. SD DEPT OF REVENUE, sales & use tax 184.68. TOTAL: \$167,687.93.

Payroll for the following departments and offices for the January 12, 2024, payroll are as follows: COMMISSIONERS 7,861.04; AUDITOR 10,360.59; ELECTION 210.90; TREASURER 6,133.24; STATES ATTORNEY 7,571.14; CUSTODIANS 3,576.10; DIR. OF EQUALIZATION 4,659.20; REG. OF DEEDS 5,202.63; VET. SERV. OFFICER 1,400.80; SHERIFF 17,600.83; COMMUNICATION CTR 10,349.48; PUBLIC HEALTH NURSE 1,231.75; ICAP 61.00; VISITING NEIGHBOR 1,810.43; LIBRARY 7,892.88; 4-H 4,021.40; WEED CONTROL 2,221.40; P&Z 1,593.30; DRAINAGE 395.50; ROAD & BRIDGE 35,077.41; EMERGENCY MANAGEMENT 2,603.25. TOTAL: \$131,834.27.

Payroll Claims: FIRST BANK & TRUST, Fed WH 9,606.77; FIRST BANK & TRUST, FICA WH & Match 15,767.34; FIRST BANK & TRUST, Medicare WH & Match 3,687.46; ACCOUNTS MANAGEMENT, deduction 84.04; AMERICAN FAMILY LIFE, AFLAC ins. 1,652.43; ARGUS DENTAL, ins. 605.97; WELLMARK-BLUE CROSS OF SD, Employee health ins. 2,895.60; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; SDRS SUPPLEMENTAL, deduction 1,428.83; SDRS, retire 15,180.99. TOTAL: \$51,119.43.

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

1. Approve letter of agreement for 2024 with First District to provide administrative and technical assistance for the Planning Commission, Board of Adjustment and Commission-contract maximum of \$7,000
2. Approve 2024 contract with First District for GIS website hosting for \$2,750
3. Approve 2024 contract with First District for the parcel layer database updates for \$7,000
4. Approve 2024 contract with First District for the highway bridge/culvert data collection project and map use for \$250

Chairman Tostenson recessed the meeting at 11:28 AM and reconvened the meeting at 1:30 PM.

Jail: Sheriff Owen was present and present from the jail advisory committee were Greg Thomas, Adam Hunt, and Travis Lester. Present from the public were Tom Grimmond from Colliers Securities, Emelia Enquist from the Grant County Review, and Kathy Ward from Valley Express News. Dan Snaza and Dave Page with the jail advisory committee, Adam Keuhl with HMN Architects and Cory Johnson with Johnson Construction joined via teleconference. The purpose of the meeting was to review the revised drawing of a new jail.

Sheriff Owen worked with Adam Keuhl, HMN Architects, to revise the building plan to eliminate some of the items that weren't needed. Keuhl presented the details of the revised jail plan layout. Discussion was held for other ways to fund the jail, including raising the road levy, grants, if any. Tom Grimmond with Colliers Securities handed out estimated payment plans for both a 20- and 25- year bond for six million dollars. A preliminary estimate of tax on \$100,000 of taxable valuation would be \$36 per year. The bond would be an average annual payment of \$470,000 for the county.

It was pointed out the cost of housing inmates at other jails could be at an estimated cost of \$400,000 per year or more. That amount would include the hiring of transport officers, benefits, vehicles, gas, housing the inmates, etc. and would be a continuous annual cost for the county if a new jail isn't built. The county would have to reallocate budget dollars from other departments, such as highway for roads and bridges.

The next step in the process is to create a formal bond resolution at the next Commission meeting and plan town hall meetings in the county.

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 February 6 and 20, and March 5 and 19, 2024 at 8 AM in the basement meeting room. Motion by Stengel and seconded by Buttke to adjourn the meeting. Motion carried 5-0. Meeting adjourned.

Kathy Folk, Grant County Auditor

William Tostenson, Chairman, Grant County Commissioners