

November 5, 2020

The Grant County Commission met at 8 AM by telephonic conference with the public. Chairman Mach called the meeting to order. Roll call was answered by Commissioners Buttke, Mach, Stengel, Street and Tostenson. Motion by Street and seconded by Buttke to approve the minutes of the October 20, 2020 meeting. Chairman Mach called for a roll call vote. Buttke aye, Street aye, Stengel aye, Tostenson aye and Mach aye. Motion carried 5-0. Minutes filed. Motion by Stengel and seconded by Buttke to approve the agenda. Chairman Mach called for a roll call vote. Buttke aye, Street aye, Stengel aye, Tostenson aye and Mach aye. Motion carried 5-0.

Members of the public present were Erland Carlson, Randy Kruse, Jerry Zubke and Jason Sackreiter.

The Chairman called for public comment. No member of the public addressed the Commission.

**Drainage:** Chairman Mach adjourned the Board of Commissioners and convened the Commission acting as the Drainage Board. Drainage Permit DR 2020-23 for Randy Kruse, Erland Carlson, and LeAnn McCain in 33-118-48 Adams Twp was presented by Randy Kruse. The request, if granted, would control erosion and remove excess water. The adjoining landowner, Wayne Meyer, has given his permission to drain as the outlet is on his land going into a blue line. The letters sent to the downstream landowners have been acknowledged. Randy stated there is a section of the field that has a wet area, and the south side of the project area has alkali build up. The inlet would have a berm. Commissioner Street and Mach had been on site to review the project. Motion by Street and seconded by Tostenson to approve Permit DR 2020-23 as presented. Chairman Mach called for a roll call vote. Buttke aye, Street aye, Stengel aye, Tostenson aye and Mach aye. Motion carried 5-0.

This concluded the business for the Drainage Board. Chairman Mach adjourned the Drainage Board and reconvened the Board of Commissioners.

**Drainage Ordinance:** Chairman Mach asked the Commission for their input on repealing or keeping the Drainage Ordinance. Jerry Zubke provided input on how tiling works with various amounts of rain and soil types. Commissioner Tostenson addressed the Commission on the liability the County has with the current ordinance, the benefits of tiling for the farming community, and the items the Commission needs to take into consideration when approving permits. He would

like a system in place for the licensing of tilers with a report of where the tiling was done along with notification of the downstream landowners. Commissioner Street is in favor of keeping the ordinance due to the notification process used to notify downstream landowners as it allows for transparency. Commissioner Stengel would like a procedure in place to track where tiling is being done. Commissioner Tostenson called for point of order and made a motion to begin the process to repeal Drainage Ordinance 1997-1C with a second by Stengel. Chairman Mach called for additional discussion. The discussion continued with drainage being a landowner issue, implementing a licensing procedure for the tilers, the concern of liability for the County, the importance of communicating with neighbors, promoting growth in the ag community, keeping the existing ordinance, and limiting the liability for the County by a different process. Chairman Mach called for a vote on the motion. Buttke aye, Street nay, Stengel aye, Tostenson aye and Mach aye. Motion carried 4-1 to begin the repeal of Ordinance 1997-1C.

**Recycling Center:** Jason Sackreiter reported the recycling center has seen an increase in use. He has hired a part-time worker to assist with the workload, has improved machinery and is requesting the Commission to extend the contract of support for another two years. Motion by Buttke and seconded by Tostenson to continue the contract to support the recycling center for \$650 per month. Chairman Mach called for a vote on the motion. Buttke aye, Street aye, Stengel aye, Tostenson aye and Mach aye. Motion carried 5-0.

**Highway:** Supt Schultz presented two preliminary engineering grant agreements for signatures. Motion by Stengel and seconded by Tostenson to authorize Chairman Mach to sign the agreements for bridge 26-056-020 (County Line Road), Project BRO 8026(00)21-2, PCN 08C3 and bridge 26-030-067 (Blooming Valley), Project BRO 8026(00)21-1, PCN 08C2. Chairman Mach called for a vote on the motion. Buttke aye, Street aye, Stengel aye, Tostenson aye and Mach aye. Motion carried 5-0.

Supt Schultz informed the Commission the asphalt overlay project has been completed with 9.5 miles of overlay applied.

BIDS FOR FUEL				
DATE	BIDDER	ETHANOL	DIESEL #1	DIESEL #2
10/14	UPI	1.73		1.47
	Cenex	1.798		1.507

UPI was the low bidder for Ethanol at 1.73 and for Diesel 2 at 1.47.

10/20	UPI	1.78
	Cenex	1.74

Cenex was low bidder for Diesel 1 at 1.74.

**Personnel Policy:** First District Executive Director Todd Kays joined by teleconference. Also present were DOE Kathy Steinlicht and ROD Becky Wellnitz. Todd Kays completed the review of the revised personnel manual. The revised personnel manual will be adopted at the December 15 meeting.

**State Attorney/Sheriff:** Mark Reedstrom and Kevin Owen were present for a discussion on the procedures the States Attorney and law enforcement have available per state law when dealing with individuals with mental health issues. Commissioner Tostenson asked the question if there are other resources for these individuals to access for a more proactive approach rather reacting to a crisis. The 211-phone number is available 24/7 to call as a resource directory. The discussion focused on mental illness being a medical issue for the health professionals. Sheriff Owen informed the Commission there is training available for law enforcement to assist in these situations. The one issue for law enforcement is having staff available to transport the individual to the Human Service Center. Sheriff Owen outlined an option of having a transport officer list, approved by him, who could transport to HSC or another facility. This would be a paid position at \$20 per hour. Motion by Tostenson and seconded by Stengel to approve the request to employ a transport officer at \$20 per hour, when needed as determined by Sheriff Owen. Chairman Mach called for a vote on the motion. Buttke aye, Street aye, Stengel aye, Tostenson aye and Mach aye. Motion carried 5-0.

**Executive Session:** Motion by Tostenson and seconded by Buttke to enter executive session at 11:30 AM for the purpose of a personnel(s) issue pursuant to SDCL 1-25-2 (1). Chairman Mach called for a roll call vote. Buttke aye, Street aye, Stengel aye, Tostenson aye and Mach aye. Motion carried 5-0. Auditor Layher and Treasurer Mueller were present. Commissioner Buttke excused himself from the meeting at 11:50 AM and Commissioner Street excused himself from the meeting at 12:04 PM. Chairman Mach declared the meeting open to the public at 12:28 PM. Motion by Stengel and seconded by Tostenson to accept the resignation of Raynelle Mueller effective today (November 5) with her salary and benefits being paid through December 31, 2020. Chairman Mach called for a vote on the motion. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0. Motion by Tostenson and seconded by Stengel to appoint Karla DeVaal as the interim

treasurer to fill the remaining term of Raynelle Mueller, at a pay rate of \$21.50 per hour. Chairman Mach called for a vote on the motion. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0.

**County Assistance:** Motion by Stengel and seconded by Tostenson to deny case PR 2020-03. Mach called for a vote on the motion. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0.

**Liquor License:** Auditor Layher presented the renewal for the 2021 liquor license for Whetstone Creek Golf Course with the legal description of NW1/4 EX Lot 1, 2<sup>nd</sup> Country Club Addn., EX W 550' of OL A EX PT Platted and Sold and EX Road; Lt 1 Third Country Club Addn in NW1/4 & Lt 1, 4<sup>th</sup> Country Club Addn, Govt Lot 4 & EX Lts 5A, 6A, 7A, 8A (142.42 A) for Retail (on-sale) Liquor. Per state law the public hearing requirement for a renewal of license is not required. Motion by Tostenson and seconded by Stengel to approve the renewal of the Whetstone Creek Golf Course liquor license for 2021. Chairman Mach called for a roll call vote. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0.

**Consent:** Motion by Stengel and seconded by Tostenson to approve the consent agenda as presented. Chairman Mach called for a roll call vote. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0.

1. Approve FY2022 grant agreement with SD Dept of Ag for approximately \$4,000 for weed and pest control

**Unfinished Business:** None

**New Business:** None

**Correspondence:** None

**Claims:** Motion by Stengel and seconded by Tostenson to approve the claims as presented. Chairman Mach called for a roll call vote. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0. ACCESS ELEVATOR, maint 450.00; AUTOVALUE, supplies 671.88; AVERA MCKENNAN, health services 35.00; BERENS, supplies 4.19; BOYER FORD TRUCKS, repair & maint 1,182.52; BRENDA HOLTQUIST, prof services 84.00; CHS, diesel fuel 2,154.12; CITY OF MILBANK, water & sewer 432.80; CITY OF WATERTOWN, 911 surcharge 6,222.43; COLONIAL RESEARCH CHEMICAL, supplies 253.68; CORRIE QUALE, supplies 629.00; CREATIVE CO, books 142.74; DARCY

LOCKWOOD, prof services 15.00; DELORIS RUFER, lib rent 100.00; DEMCO, supplies 142.02; DUANE ATHEY, prof services 125.00; EQUIPMENT BLADES, supplies 3,406.40; FEDEX, postage 26.02; FISHER SAND & GRAVEL, gravel 20,782.16; GRANT CO EC & DEV BOARD, allocation 8,750.00; GRANT-ROBERTS RURAL WATER, water usage 40.60; GRANT/ROBERTS AMBULANCE, allocation 2,458.33; LUCILLE LEWNO, prof services 166.50; MARK KATTERHAGEN, prof services 15.00; MCLEOD'S, supplies 117.42; MICROFILM IMAGING SYSTEMS, scanner rent 562.00; MICROMARKETING, audio/visuals 178.47; MIDCONTINENT, lib internet 85.00; MILBANK AUTO PARTS, supplies 331.22; NORTHWESTERN ENERGY, natural gas 207.04; PETTY CASH, postage 11.40; QUICK PRO LUBE, oil chg 75.97; QUILL, supplies 36.96; RADAR SHOP, repair & maint 201.50; RC TECHNOLOGIES, 911 transport & tower rent 95.96; ROY STOLPMAN, gravel 118,206.55; SAFETY-KLEEN SYSTEMS, supplies 234.26; SCANTRON, prof services 5,516.06; SCOTT BRATLAND, court appt atty 4,088.98; SD DEPT TRANSPORTATION, hwy proj 2,644.76; SEEHAFFER HARDWARE, supplies 26.25; STAR LAUNDRY, prof services 49.17; TRUENORTH STEEL, culverts & bridge materials 114,443.86; TWIN VALLEY TIRE, supplies 120.00; VALLEY RENTAL & RECYCLING, allocation 650.00; VALLEY SHOPPER, publishing 53.16; WHETSTONE HOME CENTER, supplies 58.89; WITTRICK & SONS, garbage service 157.50; XEROX, copier rent 91.74; YANKTON COUNTY SHERIFF, prof services 50.00. TOTAL: \$296,583.51.

Payroll for the following departments and offices for the October 28, 2020 payroll are as follows: COMMISSIONERS 2,708.40; AUDITOR 7,854.89; ELECTION 1,091.04; TREASURER 5,253.27; STATES ATTORNEY 6,002.75; CUSTODIANS 2,739.11; DIR. OF EQUALIZATION 3,722.01; REG. OF DEEDS 3,878.11; VET. SERV. OFFICER 1,105.50; SHERIFF 12,860.82; COMMUNICATION CTR 6,573.25; PUBLIC HEALTH NURSE 820.26; ICAP 389.40; VISITING NEIGHBOR 1,525.30; LIBRARY 6,875.36; 4-H 3,066.80; WEED CONTROL 1,902.00; PLAN & ZONING 945.70; DRAINAGE 77.20; ROAD & BRIDGE 30,258.50; EMERGENCY MANAGEMENT 1,842.40. TOTAL: \$101,492.07.

Payroll Claims: FIRST BANK & TRUST, Fed WH 8,469.39; FIRST BANK & TRUST, FICA WH & Match 12,325.58; FIRST BANK & TRUST, Medicare WH & Match 2,882.70; AAA COLLECTIONS, deduction 33.42; AMERICAN FAMILY LIFE, AFLAC ins. 1,322.77; WELLMARK-BLUE CROSS OF SD, Employee and Commission health ins. 48,602.24; COLONIAL LIFE INS, ins

101.51; DEARBORN NATIONAL, life ins. 292.07; LEGAL SHIELD, deduction 63.75; OFFICE OF CHILD SUPPORT ENFORCEMENT, child support 210.00; OPTILEGRA, ins 441.18; SDRS SUPPLEMENTAL, deduction 1,195.83; SDRS, retire 11,361.40. TOTAL: \$87,301.84.

**Canvass of 2020 General Election:** The Commission canvassed the results of the General Election and are as follows:

Milbank 1-1

Poll Book Count 166  
 Absentee Count 210  
 Ballots Counted 375

Milbank 1-2

Poll Book Count 33  
 Absentee Count 45  
 Ballots Counted 78

Milbank 2-1

Poll Book Count 58  
 Absentee Count 52  
 Ballots Counted 107

Milbank 2-2

Poll Book Count 185  
 Absentee Count 220  
 Ballots Counted 408

Milbank 3-1

Poll Book Count 30  
 Absentee Count 35  
 Ballots Counted 65

Milbank 3-2

Poll Book Count 47  
 Absentee Count 65  
 Ballots Counted 112

Milbank 3-3

Poll Book Count 166  
 Absentee Count 261  
 Ballots Counted 427

41 Adams-Albee-Reville-Vernon

Poll Book Count 130  
 Absentee Count 123  
 Ballots Counted 253

42 Alban

Poll Book Count 182  
 Absentee Count 130  
 Ballots Counted 312  
 Provisional Ballot 1

43 Big Stone City & Twp

Poll Book Count 275  
 Absentee Count 176  
 Ballots Counted 451

44 Blooming Valley-Farmington-Lura

Poll Book Count 105  
 Absentee Count 28  
 Ballots Counted 133

45 Georgia-LaBolt-Madison

Poll Book Count 105  
 Absentee Count 55  
 Ballots Counted 160

46 Grant Center

Poll Book Count 121

47 Melrose

Poll Book Count 137

Absentee Count 103  
Ballots Counted 224

Absentee Count 101  
Ballots Counted 238

49 Mazeppa-Osceola-Marvin  
Poll Book Count 93  
Absentee Count 28  
Ballots Counted 121

52 Stockholm Town & Twp  
Poll Book Count 67  
Absentee Count 32  
Ballots Counted 97

53 Troy & Strandburg  
Poll Book Count 35  
Absentee Count 21  
Ballots Counted 56

54 Twin Brooks Town & Twp-Kilborn  
Poll Book Count 120  
Absentee Count 60  
Ballots Counted 180

Total ballots cast were 3,798 with a 79.23% turnout.

Motion by Tostenson and seconded by Stengel to certify the canvass of votes as correct and to sign the canvass certificate for the Secretary of State's Official Canvass. Chairman Mach called for a roll call vote. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0. Official Canvass on file in the Auditor's Office.

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 November 17 and December 1, 15 and 30, 2020 at 8 AM. Motion by Stengel and seconded by Tostenson to adjourn the meeting. Chairman Mach called for a roll call vote. Stengel aye, Tostenson aye and Mach aye. Motion carried 3-0. Meeting adjourned.

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Karen M. Layher, Grant County Auditor

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Michael J. Mach, Chairman, Grant County Commission.