

April 9, 2024

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Charles Liesinger.

Members present: Marc Dick, Dean Koch, Steve Gordon, and Chuck Mehlbrech.

Chairman Liesinger led the Pledge of Allegiance.

Chairman Liesinger called for approval of the agenda. Motion Koch to approve the agenda as posted. Second Dick. Motion carried.

The minutes from the March 26th meeting were sent to Board members for review prior to publication. Motion Gordon to approve the minutes for publication. Second Mehlbrech. Motion carried.

Auditor Sherman noted a correction to the March 12th meeting minutes. The claims noted a Christmas Fund. This is not taxpayer dollars but funds that the Commissioners set aside from their pay, that is used for the employee Christmas party. Motion Koch, second Gordon, to note the correction. Motion carried.

Public input: Roger Hofer asked if the building plans are advertised and noted that the Board should forget an opt out and a new building and use ARPA funds to lower taxes. Julaine Wieman told the Board that she can't be here at 10:30 for review of the "draft" Class C CAFO regulations and asked them if they are sticking with ½ mile setback. Yes.

Commissioner Reports: Liesinger has received complaints about the replacement of structure 44-010-185 (Emery bridge) and this will be discussed when Hwy Supt Raap is present.

Conflict of Interest: none noted.

Motion Koch to convene as Drainage Commission. Second Gordon. Motion carried.

Mic Kreutzfeldt, Drainage Administrator, presented a drainage permit application to the Board, noting that downstream landowner signatures were obtained, and he has signed off on it. All permits are available for inspection at the Hwy Dept Office.

D24-003 Michele Eichacker NW4 Ex Tract 1 of Eichacker's Addn & Ex 1.97 Ac 29-103-53

The Board reconvened as Board of County Commissioners.

Travis Raap, Hwy Supt, presented an agreement between Asphalt Surfacing Company and McCook County for the 2024 Microsurfacing Project for approval and Chairman signature. Motion Dick to authorize Chairman Liesinger to sign same. Second Gordon. Motion carried. Raap noted that Reed Tieszen would like to purchase the millings, 500 tons @ \$13/ton. Okay with Board.

Daryl Janssen joined the meeting to inform the Board that he cannot access his ground due to the bridge project near Emery; pasture, hay ground, and 14A farm ground. Didn't understand the scope of a temporary easement, now he won't be able to access the bottom ground through the ditch. County will put fence in but now I've learned that I have to pay for the fence; this is an issue with me. Hwy Supt Raap noted that the County pays for labor and landowner pays for fence and materials. Janssen-water from south goes into wetland, now I need a path along this area. And along the north side, I'm going to lose acres because the County is changing how I've gained access. Raap-County can move one approach. Law requires one easy access, Daryl has two, one on each side of the river. Janssen-forcing me to lose income and costing me money. Comm Koch-County has to take care of bridge replacement. Janssen-progress is costing me and now I need four (4) approaches for access. County can dump dirt and make a path down around bottom. And another issue with water running down the ditches. Hwy Supt Raap-Dept of Agriculture & Natural Resources has requirements for erosion control that have to be followed. Liesinger asked which approach do we move? Janssen stated that he wants to be able to get to the bottom. Raap-no way for the County to put things back the way they were. Comm Dick-County will work with you the best we can, and we need to follow engineer's plan. Janssen-I'm doing the giving. Koch asked Janssen if he has no benefit with a new bridge. Janssen-not what I'm saying. Janssen feels the rip rap won't keep the cows from going under the bridge when the river is low. Raap-it's a long time

until September and project completion so current grading won't be the same as the current grading. County can bring eye beams and drill into the ground and run wire across the river for fence. Raap cautioned too many approaches. Following this discussion, it was agreed that Hwy Supt Raap and two commissioners will meet with Janssen at the site.

In other business, Hwy Supt Raap informed Board that he has a Haul Road Agreement with Cedar Bluff's Addition to sign; gravel crushing is set up in Roling's Pit; and air compressor on the engine blew up in truck and will be taken for repair.

Melissa Tordoff, Alternative HR Consultant, met with the Commission to introduce herself as interim consultant while Michelle Stubkjaer is on leave.

Motion Koch to enter Executive Session at 10:15 a.m. for personnel discussion, SDCL 1-25-2 (1). Travis Raap, Hwy Supt, and Melissa Tordoff, HR Consultant, were present. Second Gordon. Motion carried. Chairman Liesinger declared out of Executive Session at 10:30 a.m. Motion Koch to set rate of pay for Dylan Warren, Lead Hwy Maintenance Worker at \$22.16/hour. Second Mehlbrech. Motion carried.

Motion Gordon to convene as Planning Commission. Second Koch. Motion carried.

Cori Kaufmann, Zoning Administrator, and Sean Hegyi, Secog Planner, met with the Commission to review "draft" ordinance amending Ordinance 2014-01 by adding Class C CAFO's. Public were in attendance. Kaufmann handed out copies of the "draft" ordinance. Hegyi noted that the amendment only adds Class C CAFOs, as conditional use for swine only. Kaufmann noted that a 4-H family has voiced concern because this will affect their 4-H operation. Board members stated this is ok. Koch asked if we need this. Kaufmann feels that for some neighbor will be tattling on neighbor. Dick-don't see it being a problem. Barney Roling asked about a definition. Kaufmann noted that definitions are included in ordinance. With no further input, motion Koch to hold 1st reading on April 23rd at 10:30 a.m. Second Dick. All members voted aye. Motion carried.

Cori Kaufmann, Zoning Administrator, presented the following cost information for publication of notices and permit fees to the Board: 911 signs \$75, variance, rezone, and conditional use hearings \$75 each. Kaufmann noted that the actual cost for the 911 sign and installation is \$150 estimated and publication costs are costing the county money. The Board asked Kaufmann to come back with actual costs and recommendations for increases that they can review.

Cori Kaufmann, Zoning Administrator, presented a plat for approval. Following review of the plat review form, motion Gordon to approve the plat. Second Dick. Motion carried.

Approval of the Plat of Tract 1 and Tract 12 of Cedar Bluffs, an Addition to the NE1/4 of Section 22, Township 102 North, Range 53 West of the 5th P. M., McCook County, South Dakota, is hereby granted by the McCook County Planning Commission.

Adopted this 9th day of April 2024.

Chair, County Planning Commission
McCook County, South Dakota

The Board reconvened as Board of County Commissioners.

The following building permits were issued the month of March:

24-016	Willie Nelson & Melanie Oakley	remodel	W768' of E1091' of N350' of S425' of SE4SW4	15-101-56
24-017	Allan & Barbara Buckmiller	storage shed	Tract D of Buckmiller's Add in NE4	11-101-53
24-018	Cajin LLC	new house	Wieman's Tract #1 in E2NE4	30-101-53
24-019	Christopher & Lisa Pierson	add onto deck	Tract 1 Riverview Estates an Add SE4	3-101-53
24-020	Katherine & Michael Wollman	new home	Tract 1 Larson Addition SW4	17-101-53
24-021	James & Lori Hoffman	50x80 machine shed	NW4	11-101-55
24-022	Timothy & Brenda Carmichael	60x80 machine shed	Tract 1 in Welbon Add in SW4SE4	12-102-55
24-023	Mickey Ihnen	basement/move house	Lot 1 Raabe Add in SE4	32-104-53

Brad Stiefvater, Jr, McCook County Emergency Medical Services, presented documentation showing dollars that were uncollectible and written-off over the past 3 years. Comm Koch began conversation noting that the \$50,000 increase for the ambulance

service for 2024 was just for the one year. Stiefvater stated that he wasn't aware of this, adding that these funds are needed to make a large payment in January and monthly payments for the new ambulance. If the \$50,000 is taken away, the ambulance service will have to be sold. Stiefvater noted that rural EMS's across the State are struggling. Comm Mehlbrech suggested a joint meeting with the District 19 Legislators.

Becky Hoiten, Deputy Auditor, joined the meeting. Discussed options for opting out of the tax freeze. Following discussion, motion Koch, second Mehlbrech, and carried, to adopt the following resolution:

ATTENTION TAXPAYERS:
NOTICE OF
PROPERTY TAX INCREASE
OF \$500,000.00
RESOLUTION FOR OPT OUT (2024-05)

THE GOVERNING BOARD OF

McCook County does state that the above said board is unable to operate under the tax limitation measure currently in statute. We therefore OPT OUT of such tax limitation in the amount of \$500,000.00 starting with calendar year 2024 taxes payable in the calendar year 2025. This opt out will be for seven (7) years, which will be through taxes payable in the calendar year 2031. This action has been taken by the board and approved by at least a two-thirds vote of the board.

This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters in the district and filed with the governing body within twenty days of the first publication of this decision.

Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the county auditor to spread an excess levy to raise tax dollars in the above stated amount.

Signed:

Charles Liesinger, Board Chairman

Chuck Mehlbrech, Board Member

Steve Gordon, Board Member

Marc Dick, Board Member

Dean Koch, Board Member

Dated: April 9, 2024

Geralyn Sherman, Welfare Director, and the Commissioners reviewed the list of lien payments received in March. An application for county assistance (burial) was picked up but hasn't been returned (2024-10). An inquiry was made for burial assistance for a nursing home resident who was homeless prior to entering the home (2024-11). Sherman will be working with BJ Havard, VSO, following up on a DT214 form. Requested documentation won't be provided for case (2024-09) so consider the application for assistance, withdrawn.

A letter from SD Dept of Revenue informed the Board that Anna Flogstad has met all requirements necessary to hold the designation of "Certified Appraiser Assessor," effective March 1, 2024.

The Southeast Enterprise Facilitation Project Monthly Facilitator Report for March was noted and filed.

The March 2024 Law Enforcement Report and a report showing the breakdown of calls made, and hours worked in each community was noted and filed.

Comm Dick noted that he has the building plans and will be meeting with an individual for input.

The SD WIC Program is providing notice that they do not intend to enter into a new agreement for WIC services after the termination of the current contract ending May 31, 2024, but they would like to discuss the possibility of continuing to utilize space in the courthouse to provide WIC services on a limited basis to assure the needs of the participants are met.

Auditor Sherman informed the Board that she received a contract for Community Health Services but did not schedule it on the agenda due to questions that she wants to discuss with States Attorney Fink.

An email was received from Disability Rights South Dakota stating they are aware there are concerns and, in some instances, petitions being brought to county commission meetings regarding the use of the ballot marking device used for elections. DRSD strongly supports the use of the ballot marking device to allow for private and independent voting. We are dedicated to speaking for those who may not be able to speak for themselves. We are reaching out to all county auditors to speak before your commissions should the issue arise.

Motion Mehlbrech, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 3/30/2024: Commissioners 2079.80 mileage 182.07; Auditor 6014.98; Treasurer 4556.22; States Attorney 3598.21; Custodian 1390.91; Dir of Equalization 4631.70; Register of Deeds 3704.27; Veterans Service Officer 325.20; Sheriff 16504.55; Contract Law 9059.10; Care of Poor 228.16; Welfare 361.55; Community Health Nurse Secretary 1521.11; 4-H Youth Assistant 1508.36; Drainage 197.30; Planning & Zoning 629.48. SD Supplemental Retirement Plan, B.W. special pay plan 6204.00; Reemployment Assistance Div of SD, 1st Qtr contribution 1417.39; A&B Business, monthly copier contract 76.65; AutoEx, vehicle maintenance 1088.19; Avera Medical Group, physical for new hire 170.00; Avera Queen of Peace Hospital, blood alcohol testing 411.00; Blindert Insurance Agency, April food pantry rent 200.00; Card Service Center, election supplies 144.85, dog food 49.59, supplies 246.89, training conferences 735.50, SD Dept of Health certification 75.00; Century Business Products, 3 monthly copier contracts 417.68; Chesterman Co, water 108.00; City of Bridgewater, April ambulance appropriation 3866.67; Corporate Translation, translation services 23.02; Dailey Law Prof, court appointed attorney for Kevin Jones 1108.70, Jordan Traversie 657.00, Trystan Stahl 1774.60, Shalako Burgee 1279.90, Ashton Cope 1003.60, Joseph Aulner 1012.50; Dakota Data Shred, shredding service 64.09; Mike Fink, March expenses 646.62; Anna Flogstad, computer adapter 8.80; Gordon Flesch Company, monthly copier contract 27.00; Inter-Lakes Community Action, Community Service Worker funds 1101.58; Lake County Sheriff, jail services 2790.00; Lentsch Tree Service, snow removal 180.00; LifeQuest, 2nd quarter allocation 720.00; McCook Conservation District, 2nd quarter allotment 3750.00; McCook County EMS, April ambulance appropriation 13831.82; McCook County Sheriff, checks 27.20; McCook County Treasurer, postage 332.49; McCormick Motors, vehicle maintenance 5399.53; McLeod's Printing, office supplies 166.98 warning ticket books 246.67; Meyer Motor, vehicle repair 91.88; MidAmerican Energy, utilities 383.46; Mitchell Clinic, prisoner care 1195.00; Morgan Theeler LLP, court appointed attorney for Branden Stone 967.70, Leslie Wuebben, 2666.80, Lawrence White Eyes, 2290.50, Christopher Tassler, 1392.83; New Century Press, publishing 1084.60; Peters Distributing, troubleshoot alarm system 724.11; Resolute Law Firm, court appointed attorney for Kip Hartwick 497.10; Salem City, utilities 140.82; SD Achieve/dba LifeScape, services for six residents 360.00; SD Public Health Laboratory, lab services 950.00; Stacey Sieverding, mileage and meals 136.44; Sioux Falls Area Humane Society, animal services and boarding 3558.12; Southeastern Behavioral, 2nd quarter allotment 1420.50; Tech Solutions, Managed IT services 3530.00; Triotel Communications, telephone/internet service 675.15; Tyler Technologies, 1099 & W2 printing/electronic filing 3782.00; United Laboratories, cleaning supplies 680.75; Verizon Wireless, iPad service 40.01 cell phone service 469.30; Dava Wermers, court appointed attorney for Brianna Bader 1054.50 for Gregory King 549.50; Xcel Energy, utilities 648.00; Zapp Hardware, courthouse supplies 34.68.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 3/30/2024: Hwy Dept 22404.06. Reemployment Assistance Div of SD, 1st Qtr contribution 811.20; Appera, mat & towel rent 83.80; Auto Value, parts & supplies 1619.29; Card Service Center, paper

shredder 86.48; Central Farmers Coop, tire repair 20.00 diesel, gas, tire 27374.34; Century Business Products, monthly copier contract 134.97; Chesterman Company, water 6.00; Hollaway Construction, payment on bridge project 15219.72; IMEG Corp, engineering design 27902.68; McCormick Motors, vehicle maintenance 1590.41; MidAmerican Energy, utilities 150.38; Puthoff Sales & Service, parts and supplies 547.89; RBS Sanitation, garbage pickup, 81.00; Safety-Kleen, parts washer solvent 196.32; Salem City, utilities 194.37; Salem Lumber, supplies and paint 348.15; Sioux Falls Regional Landfill, garbage (ditch clean-up) and tire disposal, 87.75; Southeastern Electric, utilities 38.41; Tech Solutions, monitor 257.00; Triotel Communications, telephone/internet service 103.55; Westmor Industries, service station, 6064.03; White Cap, air filters 143.96; Xcel Energy, utilities 536.33, Zapp Hardware, parts & supplies 123.93.

911 SERVICE FUND: Golden West Telecommunications, 911 telephone service 200.00; Triotel Communications, 911 telephone service 185.20.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 3/30/2024: EDS Director 1497.26. Reemployment Assistance Div of SD, 1st Qtr contribution 53.90; Brad Stiefvater Jr, March expenses 105.26; Triotel Communications, telephone & internet service 143.53.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 3/30/2024: Sheriff Secretary/Dispatcher 212.82. PharmChem, sweat patch analysis 95.85.

MODERNIZATION & PRESERVATION FUND: Microfilm Imaging System, scanning equipment rent 626.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 3/30/24: Dir of IRS, county share of FICA 4743.60, Medicare 1109.41; SD Retirement System, county share of retirement contribution, 4809.59; Wellmark BlueCross/BlueShield of SD, county share of health insurance premium 4585.10.

The Auditor's Account with the County Treasurer for the month of March 2024: deposits in banks, \$5,338,746.98; cash to deposit, \$60.00; checks to deposit, \$16,005.63; CC payments, \$485.20; Cash Items (postage) \$332.49; Treasurer's Cash, \$1,237.51; Register of Deeds, \$450.00; Sheriff, \$500.00; CD's, \$700,000.00. The total deposits on hand: \$6,057,817.81.

The meeting adjourned subject to call.

Dated this 9th day of April 2024.

Charles Liesinger _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County