

August 10, 2021

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Chuck Mehlbrech. Members present Dean Koch, Marc Dick, Steve Gordon, and Charles Liesinger.

Chairman Mehlbrech led the Pledge of Allegiance.

Chairman Mehlbrech called for approval of the agenda. Motion made by Koch to approve the agenda as posted. Second Gordon. Motion carried.

The minutes from the July 27th meeting were sent to Board members for review prior to publication. Motion made by Gordon to approve the minutes for publication. Second Dick. Motion carried.

Public input: Auditor Sherman informed Board that Harold Rinehart called with questions regarding National Grid Renewables proposed solar energy project referenced in the July 13th minutes. Rinehart suggested that the Board get a bond from this company for clean-up of the site when they pull out.

Commissioner Reports: none.

Brian (BJ) Havard, Weed Supervisor, updated the Commission on Weed Board meeting held evening of August 9th. Brenda Sievers, Dept of Agriculture & Natural Resources, attended the meeting and suggested the Weed Board meet in April 2022 to be ready to send letters of intent to landowners in May, if necessary. Havard noted that he received one complaint this year, Federal ground. It was noted that weeds are growing but not the grasses. Mic Kreutzfeldt, Hwy Supt, was present.

Mic Kreutzfeldt, Hwy Supt, presented 2 utility permits to the Board for approval. Motion made by Dick to approve Water Utility Permit for TM Rural Water District. Scope of project: install water service ½ mile south of 435th Ave & 249th St. Second Koch. Motion carried. Motion made by Dick to approve Telephone Utility Permit for Golden West Telecommunications. Scope of project: access existing vault in SW corner of intersection of 263rd St & 453rd Ave plowing W and setting additional vault W of driveway to residence at 45285 263rd St. Second Koch. Motion carried. Kreutzfeldt provided Rural Access Infrastructure Funding Fact Sheet to the Board. The intent of the act was to provide funding enabling townships to inventory their small structures, identify needs and plan improvements, and fund construction, rehabilitation, and maintenance of small structures on township and county secondary roads. Entities now have options for completing the inventory and inspections. A grant application process must be developed by the county commission. Township eligibility requirements must also be met. Current projects include finishing chip sealing and fog sealing.

Motion was made by Dick to convene as Drainage Commission. Second Koch. Motion carried.

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

D21-034	Daniel Westhoff Living Trust	SW4 4-103-54
D21-035	Paul and Shaina Westhoff	NE4 Sec 14 103-54

Kreutzfeldt told the Board that the question of whether a drainage permit is needed to construct a stock dam was posed to him. Following review of the ordinance the opinion was no.

At 9:45 a.m. a hearing was held because downstream signatures could not be obtained for Drainage Permit application D21-026. Applicants: David & Jerry Eichacker. Legal description: SE4 13-103-56. Drainage Administrator Kreutzfeldt informed Board that letter was received from US Dept of the Interior Fish & Wildlife Service opposing the drainage plan. Clay Melton and Dan & Tom Lauck were present. After review of map indicating the proposed tiling, Lauck's noted that tiling plan isn't changing anything downstream. Following discussion, motion was made by Koch to approve the drainage permit application. Second Liesinger. Motion carried.

Mic Kreuzfeldt, Drainage Administrator, informed the Board that drainage application D21-025 approved at the July 27th meeting can only be approved as submitted to the Drainage Board. Applicants (landowners) Jerry & Barb Gottlob verbally proposed including a lift station, but this was not part of the submitted plan. Following discussion with States Attorney Fink, Chairman Mehlbrech, Comm Koch, and a phone call with Jerry Gottlob explaining the situation, it was agreed that the motion to approve needs to be rescinded. Motion made by Koch to rescind approval of drainage permit application D21-025 because a lift station was not part of the drainage plan. Second Dick. Motion carried.

The Board reconvened as Board of County Commissioners.

Motion made by Dick, second Gordon, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 8/7/21: Commissioners 1923.05 mileage 154.56; Auditor 3647.03; Treasurer 4188.95; States Attorney 2840.05; Custodian 1213.10; Dir of Equalization 3712.98; Register of Deeds 3013.27; Veterans Service Officer 262.80; Sheriff 11005.49; Contract Law 5113.37; Care of Poor 192.31; Welfare 270.56; Community Health Nurse Secretary 1409.81; Extension Secretary, 2166.21; Weed 181.20; Drainage 307.61; Planning & Zoning 544.52. SD Dept of Revenue, SD Developmental Center-Redfield 60.00; A&B Business Solutions, monthly copier contract 68.31; Alternative HR, HR support 1853.98; Avera Queen of Peace Hospital, blood alcohol 123.00; Axon Enterprise, taser & battery pack 1403.44; Card Service Center, law enforcement supplies 122.35 conference meals 41.54 office supplies 43.89; Central Farmers Coop, lawn mower gas 107.46 tire repair 12.00 law enforcement gas 30.75; Chesterman Co, water 110.50; City of Bridgewater, July ambulance appropriation 6083.33; Dakota Data Shred, shredding services 53.82; English Law, court appt attorney for Christopher Tassler 188.10 Roxanne Johnson 282.10 Van Zahrbock 267.30 Devon Jensen 1834.10 Nathan Fleming 935.10; FedEx, shipping charges 9.79; Feeding South Dakota, food pantry delivery 70.00; Mike Fink, July expenses 310.35; Gordon Flesch Company, monthly copier contract 21.00; Rebecca Hoiten, DMV training-meal 14.00; Inter-Lakes Comm Action, August CSW funds 783.08; Intoximeters, PBT's 650.00; Carol Lauer, DMV training-mileage 31.08; Marco Technologies, monthly copier contract 102.41; Maynards Salem, supplies 22.97; McCook County EMS, July appropriation 11059.00; McCook County Treasurer, postage 722.19; McCormick Motors, law enforcement vehicle service 131.94 tires 892.00 2021 Ford Explorer 39709.00; McLeod's Printing, chair mats & desk calendars 121.96; Mitchell Regional 911, traffic services 2433.30; New Century Press, achievement days ads 264.00; Office Depot, Garmin & memory cards 760.32 office supplies 33.49; RBS Sanitation, garbage service 77.00; Record Keepers Inc, vault box storage 19.25; Salem City, utilities 101.01; SD Achieve, services for six residents 360.00; Beth Skaff, DMV training-meal & mileage 55.58; South Dakota Public Health Dept, lab services 230.00; Brad Stiefvater Jr, weather station subscription 115.02; Sturdevant's Auto Supply, spray dry graphite 13.99; Tech Solutions, Managed IT services 3686.00; Triotel Communications, telephone/internet service 714.24; Annette VanEmmerik, pistol permit training-mileage 36.96; Verizon Wireless, iPad services 40.01, cell phone service 595.25; Xcel Energy, utilities 1120.38; Zapp Hardware, janitorial supplies 93.41.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 8/7/21: Hwy Dept 21616.14. Appera, towel & mat rental 75.21; Boyer Trucks, parts & labor 2393.48; Butler Machinery, parts & labor 694.91; Card Service Center, office supplies 507.86; Central Farmers Coop, supplies & labor 472.93; Chesterman Co, water 31.50; Cole's Petroleum, no lead gasoline 15175.41; Commercial Asphalt, patch mix 1918.45; Gessner Welding & Repair, bearing/housing 53.95; Jebro Inc, liquid asphalt 164715.73; Lyle Signs, object markers 635.51; McCormick Motors, pickup repairs 1106.33; North Central International, truck parts 1588.89; Pomp's Tire Service, tires 2163.42; PowerPlan OIB, parts & labor 5797.99; Puthoff Sales & Service, supplies 1114.79; RBS Sanitation, garbage service 68.00; Salem City, utilities 148.47; Salem Lumber, supplies 3.10; SD Dept of Transportation, share of State costs 3312.59; Sioux International, parts 414.49; Southeastern Electric, utilities 33.00; Spencer Quarries, rock & chips 13531.22; Stern Oil, oil 297.93; Sturdevant's Auto

Supply, supplies 972.24; Transource Truck & Equipment, truck parts 479.00; Triotel Communications, telephone/internet service 125.45; Wheelco Truck & Trailer, parts 229.69; Xcel Energy, utilities 11.45; Zapp Hardware, supplies 26.47.

911 EMERGENCY REPORTING SYSTEM FUND: Golden West Telecommunications, 911 telephone service 371.72; Mitchell Regional 911, 3rd Qtr contract 16971.98; Triotel Communications, 911 telephone service 187.20.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 8/7/21: EDS Director 1412.31. Brad Stiefvater Jr, July expenses 330.54; T&C's Pit Stop, Search & Rescue diesel fuel 85.46; Triotel Communications, telephone/internet service 88.61.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 8/7/21: Sheriff Secretary/Dispatcher 192.76.

MODERNIZATION & PRESERVATION FUND: Microfilm Imaging System, scanning equipment rent 534.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 8/7/21: Dir of IRS, county share of FICA 3674.86, Medicare 859.46; SD Retirement System, county share of retirement contribution, 3768.86; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 7803.57.

The Auditor's Account with the County Treasurer for the month of July 2021: deposits in banks, \$6,695,110.48; cash to deposit, \$1,463.18; checks to deposit, \$16,696.18; CC payments, \$2,557.08; Cash Items (postage) \$722.19; Treasurer's Cash, \$847.81; Register of Deeds, \$450.00; Sheriff, \$500.00; CD's, \$800,000.00. The total deposits on hand: \$7,518,346.92.

At 10:30 a.m. the Board of Adjustment held a public hearing to receive input concerning a request for a variance. Applicant: Mickey Ihnen. Legal description: Lot 1 Raabe Addition, SE4 of Section 32, Ramsey Twp. Reason for variance: reduce setback for new structure. Cori Kaufmann, Zoning Administrator, informed the Board that the public notice now has the correct legal description published in the paper and Ihnen's application for variance is in order. Motion made by Gordon to approve the variance request. Second Dick. Ayes: Gordon, Dick, Koch, Liesinger, and Mehlbrech. Nays: none. Motion carried.

The Board reconvened as Board of County Commissioners.

Cori Kaufmann, Zoning Administrator, presented 3 plats for approval. Following review of the 1st plat review form, motion was made by Liesinger to approve the following County Commission Resolution. Second Gordon. Motion carried.

Be it resolved by the County Commission of McCook County, South Dakota, that the plat of Tract 1 of Sandman Addition in the Southwest Quarter of Section 24, Township 101 North, Range 53 West of the 5TH Principal Meridian, McCook County, South Dakota, be and the same is hereby approved.

Dated this 10th day of August 2021.

Chairman of the County Board
McCook County, South Dakota

Following review of the 2nd plat review form, motion was made by Liesinger to approve the following County Commission Resolution. Second Gordon. Motion carried.

Be it resolved by the County Commission of McCook County, South Dakota, that the plat of Tract 1B of Reynolds' Addition in the Southwest Quarter of Section 33, Township 104 North, Range 53 West of the 5TH Principal Meridian, McCook County, South Dakota, be and the same is hereby approved.

Adopted this 10th day of August 2021.

Chairman of the County Board
McCook County, South Dakota

Following review of the 3rd plat review form, motion was made by Liesinger to approve the following County Commission Resolution. Second Gordon. Motion carried.

Be it resolved by the Board of County Commissioners of McCook County, South Dakota, that the plat of Lot 1 of Feuerhelm's Addition in the SE ¼ of Section 19, T 102 N, R 55 W of the 5TH P.M., McCook County, South Dakota, which has been submitted for examination

pursuant to law, is hereby approved and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

Adopted this 10th day of August 2021.

Chairman of the Board of County Commissioners
McCook County, South Dakota

Auditor Sherman presented a letter to the Board from SD Dept of Revenue regarding the status of Soil Tables Project. The DOR has been working on the new soil tables project, but the project will not be ready for implementation in the 2022 assessment year. Cori Kaufmann, Dir of Equalization, reviewed project background and challenges with the Commission.

Mike Fink, States Attorney, met with the Commission to discuss cannabis licensing ordinance. Casey Urrutia, Chief Deputy, Anna Misar, Deputy Sheriff/School Resource Officer, and Cori Kaufmann, Zoning Administrator, were present. Fink noted that the County adopted a temporary medical cannabis facilities ordinance earlier this year, adding that the ordinance would only prohibit zoning or licensing of medical cannabis facilities until the State promulgated rules. This is close to completion and there will be a public hearing on the proposed rules on or about September 13th. The rules could be adopted shortly thereafter and become effective sometime after October 4th. Fink told the Board that, at this time, they will need to determine the number of cannabis dispensary establishments, determine a fee, determine the hours of operation, and reference the appropriate zoning ordinance. Following discussion, the Commission decided to allow 1 dispensary, \$5000 fee, and hours of operation from 8:00 a.m. to 5:00 p.m. Fink suggested a new ordinance, not dragging zoning into it and he will present a “draft” ordinance for Board review.

In other business, Mike Fink, States Attorney, asked the Commission if they had any questions/concerns regarding the School Resource Officer Agreement. Anna Misar, Deputy Sheriff/School Resource Officer, was present. Following review and noting no changes, motion was made by Gordon to authorize Chairman Mehlbrech to sign the Memorandum of Understanding between the county and schools within McCook County. Second Koch. Motion carried.

Auditor Sherman presented the updated job description for Deputy Sheriff – School Resource Officer to the Board. States Attorney Fink suggested approval of the job description following receipt of signature pages for the MOU from the schools. Motion made by Liesinger to approve the job description contingent upon each school board’s approval of the MOU. Second Dick. Motion carried.

Motion made by Dick to convene as Drainage Commission. Second Gordon. Motion carried.

At 11:30 a.m. the drainage hearing continuation was held to consider drainage application D20-007. Applicant Lawrence (Bud) Arbeiter. Legal description: S2SW4 23-101-54. Comm Dick informed the group that Arbeiter and Tieszens are working out a drainage plan and won’t be attending this meeting today. With this noted, motion was made by Dick to table the hearing pending research of another possible outlet. Second Gordon. Motion carried.

Geralyn Sherman, Welfare Director, and the Commissioners reviewed Care of Poor cases and lien payments received in July. A Notice of Hospitalization was received from Avera Queen of Peace Hospital (2-21-26). A Notice of Hospitalization was received from Madison Regional Health System (2021-27). A Notice of Hospitalization was received from Avera McKennan Hospital (2021-28). A Bankruptcy Notice was received for an individual who did receive assistance for a hospital bill (2020-18). An Application for Poor Relief Assistance received from Avera McKennan Hospital on behalf of the patient was returned with a letter informing the hospital that the County did not receive the Notice of Hospitalization and therefore isn’t responsible for the claim (2021-29). The Hospital Requests for Payment, UB-04 forms, and 1500 forms received from Avera McKennan Hospital were sent to Dept of Social Services for Medicaid pricing (2021-08 & 2021-22).

Auditor Sherman informed the Board that with the discontinuation of the Montrose Herald, they will need to add the Bridgewater Tribune to the official county newspapers. Motion made by Koch to designate The Special, Bridgewater Tribune, and Canistota Clipper as the official county newspapers. Second Liesinger. Motion carried.

The following building permits were issued the month of July:

2021-061	Mickey Ihnen	30x64 garage addition	Lot 1 Raabe Add in SE4 32-104-53
2021-062	Elvin Gene & Lavayne Hutchinson	new home	E807.75' of W1565.52' of N575.95' NW4 1-104-53
2021-064	Darrell & Briana Stahl	30x56 pole building	Lot A Hofer's Add in NE4 4-101-56
2021-066	Dan Stahl Inc	pole shed	NE4 35-102-56
2021-067	Donelan Farms LLC	barn	S2NW4 Ex Tract 1 Thompsons Add & Ex Lot S-1 & Ex Land Deeded for Road and SW4NE4 Ex Land Deeded for Road 3-103-53
2021-068	AT&T	remodel existing cell tower	S510.69; of W455.03' of SW4SW4 22-103-56

The July Law Enforcement Report was reviewed and filed.

There was brief discussion regarding office space for SD Dept of Social Services (absent from the County for over a year and a half now). Auditor Sherman told the Board that a previous Caseworker stopped at the Courthouse last week to remove personal items. The Commission will leave the office space as it is, waiting to see what happens as far as out-sourcing HR services and waiting to see what the State decides as far as satellite offices for Dept of Social Services.

The meeting adjourned subject to call.

Dated this 10th day of August 2021.

Charles Mehlbrech _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County