

February 22, 2022

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

Members present: Chuck Mehlbrech, Marc Dick, and Charles Liesinger. Members absent: Dean Koch.

Chairman Gordon led the Pledge of Allegiance.

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

The minutes from the February 8th & February 15th meetings were sent to Board members for review prior to publication. Motion made by Liesinger to approve the minutes for publication. Second Mehlbrech. Motion carried.

Public input: none.

Commissioner Reports: Several Commissioners and county employees attended the District Meeting held in Douglas County.

Conflict of Interest: none noted.

Motion made by Dick to enter Executive Session at 9:05 a.m. to continue discussion regarding land options for a storage building that will be utilized by Search & Rescue (Emergency Management), Hwy Dept, and Law Enforcement, SDCL 1-25-2 (5). Mic Kreutzfeldt, Hwy Supt, Mark Norris, Sheriff, Brad (BJ) Stiefvater, Emergency Management, and GERALYN SHERMAN, Auditor, were present. Second Liesinger. Chairman Gordon declared out of Executive Session at 9:20 a.m.

Motion made by Mehlbrech to enter Executive Session at 9:25 a.m. for personnel discussion SDCL 1-25-2 (1). Mic Kreutzfeldt, Hwy Supt, was present. Second Liesinger. Motion carried. Auditor Sherman joined the meeting at 9:40 a.m. Chair Gordon declared out of Executive Session at 10:00 a.m.

Hwy Supt Kreutzfeldt informed the Board that a consultant needs to be selected for the 2022 bridge inspections required by law to be done every two years. Motion was made by Dick, second Liesinger, and carried, to adopt the following resolution:

RESOLUTION 2022-04

BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, McCook County is desirous of participating in the Bridge Inspection Program.

The County requests SDDOT to hire IMEG (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 22nd day of February 2022, at Salem, South Dakota.

Board of County Commissioners of McCook County

Chairman of the Board

ATTEST: _____
County Auditor

Current projects include cutting brush from road ditches and annual sign inspections.

No drainage permits.

Motion made by Dick to convene as Planning Commission. Second Liesinger. Motion carried.

Cori Kaufmann, Zoning Administrator, presented a plat for approval. Following review of the plat review form, motion was made by Dick to approve the following County Commission Resolution. Second Mehlbrech. Ayes: Dick, Mehlbrech, Liesinger. Abstained Gordon. Absent: Koch. Motion carried.

Be it resolved by the Board of Commissioners of McCook County, South Dakota, that the Plat Known and Described as Lots 5 and 6 of Gordon Addition in the W ½ of the SE ¼ of Section 27-T102N-R53W of the 5TH Principal Meridian, McCook County, South Dakota, is approved and that the County Auditor is hereby directed to endorse on such plat a copy of this Resolution and certify the same thereon.

Dated this 22nd day of February 2022.

Chair, Board of Commissioners
McCook County, South Dakota

ATTEST:

Auditor, McCook County

At 10:30 a.m. the Board of Adjustment held a public hearing to receive input concerning a Conditional Use request. Applicant Matt Fockler. Legal Description: N280' of S520' of E420' NE4 34-104-53. Reason: Transfer Building Eligibility. Cori Kaufmann, Zoning Administrator presented the application information. Sheriff Norris and States Attorney Fink were present. No one present for public comment. Motion made by Dick to approve the request to transfer a building eligibility. Second Liesinger. Ayes: Dick, Liesinger, Mehlbrech, and Gordon. Absent: Koch. Nays: none. Motion carried.

At 10:45 a.m. the Board of Adjustment held a public hearing to receive input concerning a Conditional Use request. Applicant Jared Lynch. Legal Description: Tract 2 Cannon's Addition NE4 20-101-54. Reason: Recreation Facility. Zoning Administrator Kaufmann presented the application information. Sheriff Norris and States Attorney Fink were present. Jared Lynch joined the meeting. Chair Gordon opened the hearing for public comment. Lynch explained that, for now, he hopes to sponsor family/youth rodeo events including team roping and barrel racing and maybe add cattle shows later. Anthony Gerken shared concerns about spectators and alcohol off the premises and asked how often events will be held. Lynch noted that at this time, this is an unknown, as it will depend upon people who want to participate in an event. With no further input the public comments section of the hearing was closed. Motion made by Dick to approve the conditional use request for a recreational facility with following conditions, cannot charge for facility rental and may run as a major home occupation. Second Mehlbrech. Ayes: Dick, Mehlbrech, Liesinger, and Gordon. Absent: Koch. Nays: none. Motion carried.

At 11:00 a.m. a public hearing was held to consider a request to rezone property from Agricultural to Rural Residential. Applicant Travis Peterson, present. Legal Description: NW4NE4 Ex Lot H-1 & Ex 100'x300' in NW Corner 24-103-55. Zoning Administrator Kaufmann presented the application information. Sheriff Norris and States Attorney Fink were present. Comm Koch was present by phone. Chair Gordon opened the hearing for public comment. Peterson noted that today the rezone request is for 2 building eligibilities (according to lots of record) to move 1 house onto the property. Barney Roling asked about transitional housing. Kaufmann noted that transitional housing was not adopted in the current zoning ordinance. Peterson added that the area included in the rezone request is sandwiched between existing rural residential and agricultural. Roling suggested that Peterson talk with TM Rural Water about delivery of water. Roling, as Salem Twp representative, noted that townships abutting cities do have concerns about annexation of township property, asking if this property is being annexed by Salem City. No. Steve Eichacker – this application process is backwards for applicant to not be the landowner. Kaufmann explained that the procedures of the county do ensure that the commission is involved each step of development but also are the most effective project flow for those that have to endure the cost of development. Eichacker brought up the elephant in the room is the mess on the north side of SD38 and people don't want to see more of it. Peterson reiterated that this rezone request is for our home only. With no further input the public comments section of the hearing was closed. Kaufmann noted that the motion before the Board is to move the request to rezone to a County Commission hearing. No motion was made, the rezone request does not move forward for lack of a motion.

At 11:30 a.m. a public hearing was held to consider a request to rezone property from Agricultural to Rural Residential. Applicant Doug & Laurel Seubert. Legal Description: Tracts 1,2,3,4,5,6,7,8, and 9 of Seubert's Addition in SW4 27-101-53. Zoning Administrator Kaufmann presented the application information. Sheriff Norris and States Attorney Fink were present. Doug Seubert was present along with neighboring property owners. Seubert explained that he had the property surveyed and platted in 2005, had 9 lots with surrounding agricultural land, no houses within the quarter and now because zoning regulations have changed, he no longer has the number of lots he had then, so had to request the rezone hearing. Kaufmann explained that because the County adopted the current zoning regulations in 2014, that is the ordinance that dictates the course of action to be taken. Kaufmann read emails from Paul & Donita Davis, Abram & Brenda Hotz, and Bob & Theola Viet, all opposing the rezone request. Jim Nelson voiced concerns about how many houses can be built, water supply, non-ag residents not understanding farm living. Nelson added that he and his wife would like to see current eligibilities that are available be used, no more. Kaufmann explained platting process. Jodie Davis asked where does the rezoning of ag land stop. Crystal Domeyer noted same concerns already mentioned. Jeff Nelson asked who is regulating and added that if approved, more will come. Kaufmann explained that the rezone process in McCook County is that the applicant first applies for a rezone. If the property is rezoned rural residential, they can follow the requirements in the Subdivision Ordinance which is allowed in this district. Subdivision platting is not allowed in McCook County Agricultural District, so this is the reason for the process. Koch left the meeting. Seubert said he has same concerns as those present and is only asking for what he had in 2005. Kaufmann asked if he would have covenants for lots being sold. Yes. The public comment of the hearing was closed. Comm Dick noted that it seems that neighbors don't want neighbors, they want open spaces and under current zoning regulations there are 4 building eligibilities available to Seubert. With no further Board discussion, motion was made by Mehlbrech to move the rezone hearing to the County Commission. Second Liesinger. Ayes: Mehlbrech. Nays: Dick, Liesinger, and Gordon. Motion failed.

The Board reconvened as Board of County Commissioners.

Motion made by Mehlbrech, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 2/19/22: Commissioners 1980.75; Auditor 5365.23; Treasurer 3996.04; States Attorney 2925.25; Custodian 1249.50; Dir of Equalization 2587.41; Register of Deeds 3107.29; Veterans Service Officer 139.95; Sheriff 10990.56; Contract Law 6794.78; Care of Poor 198.08; Welfare 409.37; Community Health Nurse Secretary 1451.80; Extension Secretary, 1185.00; Weed 1212.02; Drainage 302.00; Planning & Zoning 560.89. Transamerica Employee Benefits, February contribution 3076.33; Grand Jury fees & mileage 470.56; A & B Business, monthly copier contract 70.83; AAA Collections, lien collection fee 46.43; Access Elevator & Lift, lift repair 499.88; Century Business Products, monthly copier contract 133.19; Davison County Sheriff, January jail service 2470.00; English Law, court appt attorney for juvenile 327.80 for Ronnie Sexton 316.80 for Tayn Reis 902.30 for Nicole Wild 37.00; Feeding South Dakota, food pantry delivery charge 70.00; Heiman Inc, fire extinguisher service 35.00; Kathryn Heumiller, blood alcohol service 125.00; Hillyard/Sioux Falls, janitorial supplies 30.49; Jack's Uniforms & Equipment, Deputy uniforms 67.94; McLeod's Printing, office supplies 122.74; Meyer Motor, tires & vehicle maintenance 1443.04; Minnehaha County Auditor, reimburse mental health expenses 148.00; Office Depot, office supplies 288.32; Record Keepers Inc, vault box storage 19.25; SD Dept of Public Safety, 6 months teletype rent 2340.00; SDAAO, 2022 membership dues 75.00; SDACC, CCPR assessment 787.00; Michael D Sharp Esq, court appt attorney for Jeanine Taylor 1256.12.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 2/19/22: Hwy Dept 18574.27 mileage 29.85. Transamerica Employee Benefits, February contribution 2715.22; Northwestern Energy, utilities 97.67; Pomp's Tire Service, scrap disposal fee 96.00; Verizon Wireless, cell phone service 81.92.

911 SERVICE FUND: Sioux Valley Energy, radio tower utilities 63.00.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 2/19/22: EDS Director 1454.68. Transamerica Employee Benefits, February contribution 96.51.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 2/19/22: Sheriff Secretary/Dispatcher 197.89.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 2/19/22: Dir of IRS, county share of FICA 3664.64, Medicare 857.02; SD Retirement System, county share of retirement contribution, 3771.05; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 19434.39.

Joy Hohn met with the Commission to discuss SCS Carbon Transport and share her concerns about same. Hohn asked them to contact the Public Utilities Commission requesting that they object to this pipeline proposal. Roger Hofer was present and had concerns about eminent domain. Hohn thanked the Board for their time, and they thanked her for the information she presented.

Paul Grace, Fair Board Member, and Stacey Sieverding, 4-H Youth Program Assistant, met with the Commission to discuss the 2nd Annual Barn Raisin' BBQ Event that is being planned for July 9th. Cori Kaufmann, Shooting Sports Leader, was present. Auditor Sherman will contact the SD Public Assurance Alliance to secure insurance coverage for the event.

Motion made by Liesinger to enter Executive Session at 12:15 p.m. for personnel discussion SDCL 1-25-2 (1). Second Mehlbrech. Motion carried. Cori Kaufmann, Dir of Equalization/Zoning Administrator, was present. Chairman Gordon declared out of Executive Session at 12:55.

Geralyn Sherman, Welfare Director, met with the Commission to review Care of Poor Report. A Notice of Hospitalization was received from Avera McKennan Hospital (2022-06).

Auditor Sherman presented Quit Claim Deed regarding the County Gravel Pit situated on the NW4 of Section 22, Bridgewater Township, prepared by States Attorney, Mike Fink, to the Commission. The legal description is Irregular Tract No. 1 and Irregular Tract No. 2, located in the NW ¼ of Section 22, 101-56. Motion made by Liesinger to authorize Chair Gordon to sign the Quit Claim Deed which conveys the gravel pit to Diane Z Stahl, Trustee of the Diane Z Stahl Living Trust. Second Mehlbrech. Motion carried.

Auditor Sherman informed the Board that Heather Broehm, SEFP Facilitator, has asked that a representative from McCook County be present for the membership meetings held in Marion the 2nd Wednesday of each month. Comm Dick noted that it doesn't usually work for him to attend.

Auditor Sherman asked the Board if they want to hold an in-person interview with an HR applicant during their next meeting. Sherman added that an interview with the entire Commission would probably be best. The Board agreed. Sherman will contact Alternative HR to get the interview scheduled for March 8th.

The meeting adjourned subject to call.

Dated this 22nd day of February 2022.

Steve Gordon _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County