

July 27, 2021

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

Chairman Mehlbrech led the Pledge of Allegiance.

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

The minutes from the July 13th & July 20th meetings were sent to Board members for review prior to publication. Motion made by Liesinger to approve the minutes for publication. Second Gordon. Motion carried.

Public input: none.

Commissioner Reports: Dick stated that Linda Vail held an informational meeting regarding an event center; not many were present. Dick added that we, the Board, needs to learn more about solar energy.

Mic Kreutzfeldt, Hwy Supt, presented 2 utility permits to the Board for approval. Motion made by Gordon to approve Telephone Utility Permit for Golden West Telecommunications. Scope of project: Golden West proposes to access existing vault south of driveway to 25276 448th Ave and plow south to driveway to 25299 448th Ave to provide service to that residence. Second Koch. Motion carried. Motion made by Gordon to approve a Water Utility Permit for Kingbrook Rural Water. Scope of project: water service NW4 3-103-53. Second Dick. Motion carried. Kreutzfeldt presented cost estimates on four separate improvements to alleviate flooding issues along 435th Ave (Immanuel Lutheran Church area). Following discussion, motion made by Koch to approve raising 245th St from 435th Ave east for 550 feet and adding 24" culvert at that point, estimated cost of \$5200.00. Second Liesinger. Motion carried. Kreutzfeldt informed Board that Louiseau Construction has completed milling of 431st Ave (Lehrman Slough site). 6" of gravel will be added before paving in 2022. Current projects include chip sealing, mowing shoulders, fog sealing, and sealing in Lake County.

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.

D21-028	Jerry & Donna Hetland	SW4 Ex Lot 1R of Hetlands Add 24-104-54
D21-029	Jerry & Donna Hetland	NW4 13-104-54
D21-032	Jerry & Donna Hetland	NE4 13-104-54
D21-033	Jerry & Donna Hetland	Lot 1 & NE4NW4 19-104-53

Kreutzfeldt noted that these two drainage permits are inter-county and therefore need Board approval and Chairman signature.

Motion made by Gordon to approve the permits and authorize Chairman Mehlbrech to sign same. Second Liesinger. Motion carried.

D21-030	Garry Tieman	N2NE4 12-104-53
D21-031	Garry & Deanna Tieman	SE4SE4 12-104-53

The Board reconvened as Board of County Commissioners.

Auditor Sherman informed the Board that the current owner (Conrad Ruiz) of parcel 18.24.4304 has, by POA, transferred title of ownership to Bridgewater City. Sherman noted that delinquent taxes can be abated but she'd like to wait until the tax deed process is completed on several other properties, one in Bridgewater and two in Spencer, and abate the delinquent taxes on the four properties at that time. The Board agreed.

There was brief discussion regarding the continuation of leasing office space to Dept of Social Services. There doesn't seem to be an answer as to when or if there will be a case worker back in McCook County. No action taken.

Motion made by Dick, second Gordon, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 7/10/21 & 7/24/21: Commissioners 1923.05 1923.05; Auditor 5247.89 5392.40; Treasurer 4184.73 4074.80; States Attorney 2840.05 2840.05; Custodian 1369.07 1213.10; Dir of Equalization 3712.97 3712.97; Register of Deeds 2999.27 3027.27; Veterans Service Officer 262.80 262.80;

Sheriff 11314.26 11954.53; Contract Law 5188.37 5113.37; Care of Poor 192.31 192.31; Welfare 236.74 279.02; Community Health Nurse Secretary 1409.80 1409.80; Extension Secretary, 1639.04 1111.87; Weed Dept 8.76; Drainage 307.61 307.61; Planning & Zoning 544.53 544.53. Transamerica Employee Benefits, July contribution 3816.36; A&B Business Solutions, monthly copier contract 106.13; Century Business Products, monthly copier contract 143.86; Chesterman Company, water 8.50; Davison County Sheriff, June jail services 1615.00; Roger Gerlach, Deputy States Attorney services 1336.50; Hillyard/Sioux Falls, janitorial supplies 604.23; Jessica Klinkhammer, WIC supplies 28.50; Leads Online, investigation system 1224.00; LifeQuest, 2nd & 3rd Qtr allotment 1800.00; McLeod's Printing, stamped envelopes 1049.90; Meyer Motor, auto service 47.80; MidAmerican Energy, utilities 49.94; Mitchell Clinic, prisoner care 260.00; Office Depot, office supplies 302.59; Randy Schwader, meal-training conference 10.75; SD Dept of Public Safety, 6 months teletype rent 2340.00; SD Planners Assn, conference registration 80.00; James D Taylor, mental health services 1208.80; Wash 'N' Go, car wash tokens 160.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 7/10/21 & 7/24/21: Hwy Dept 21871.45 21874.04. Transamerica Employee Benefits, July contribution 2618.71; Townships & Cities, 2nd Qtr Wheel Tax distribution 11750.50; All States Ag Parts, brake parts 191.92; Avera Occupational Medicine-Mitchell, employee drug screen 58.00; IMEG Corp, environmental services 5250.00; MidAmerican Energy, utilities 18.05; Northwestern Energy, utilities 10.00; Tracker Software Corp, PubWorks support/maintenance 3300.00.

911 EMERGENCY REPORTING SYSTEM FUND: Sioux Valley Energy, radio tower utilities 62.90.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 7/10/21 & 7/24/21: EDS Director 1412.31 1412.31. Transamerica Employee Benefits, July contribution 96.51.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 7/10/21 & 7/24/21: Sheriff Secretary/Dispatcher 192.17 199.97. Annette VanEmmerik, mileage & meals for 24/7 meeting 122.08.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 7/10/21 & 7/24/21: Dir of IRS, county share of FICA 3776.21 4105.94, Medicare 883.14 960.30; SD Retirement System, county share of retirement contribution, 3875.45 3845.44; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 18042.69.

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

At 10:30 a.m. the Planning Commission held a public hearing to receive input concerning a request to rezone property from agricultural to commercial for a campground. Applicant Brian Kelly. Legal description: Tract 7A of Klaus Addition in the NW4 of Section 19, Spring Valley Twp. Cori Kaufmann, Zoning Administrator, read the application information. Brian Kelly and Mike Fink, States Attorney, were present. The hearing was opened for public comment. Kelly noted that he has done what was asked of him. There was no more public input, so the public comment section of the hearing was closed. Motion made by Dick to approve the request to rezone and recommend same to the Board of County Commissioners. Second Liesinger. Roll call vote: Ayes: Dick, Liesinger, Gordon, Koch, and Mehlbrech. Nays: none. Motion carried.

At 10:50 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. Mike Fink, States Attorney, was present. Cori Kaufmann, Zoning Administrator, informed the Board that the legal description published in the paper was incorrect and will be republished for an August 10th hearing at 10:40 a.m. Kaufmann noted that Ihnen's application for variance is in order.

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

At 11:00 a.m. a drainage hearing was held to consider drainage application D21-025. Applicant (landowner) Jerry & Barb Gottlob. Mic Kreutzfeldt, Drainage Administrator, presented the drainage application noting the project description: pattern tile approximately 60 acres of cropland. There are 3 outlets in the SW4NE4 31-103-55 which run south to a series of sloughs. Present: Mike Fink, States Attorney, Jerry, Barb, and Brian Gottlob, and Todd Tuschen. Kreutzfeldt handed out a letter received from John A Eickman regarding this drainage project and noted that US Fish & Wildlife is neutral on the application. Chairman Mehlbrech asked for public input. Jerry Gottlob stated that he contacted an ag engineer at SDSU and was told the college does not get involved in disputes but would send information regarding hydrology. Gottlob also contacted the president of Wetland Specialists located in Volga and was told they do not get involved in landowner disputes. Gottlob also presented a list indicating landowners and number of acres that, currently, drain across Eickman's land. Mehlbrech noted that Koch, Liesinger, and he did go to the site to see it in person (not at same time). Kreutzfeldt pulled the site up in the Beacon website so those present could view it. Gottlob pointed out tile route, noting lift station at outlet end. Kreutzfeldt stated that a lift station is not marked on the plan, just shows an outlet. Koch noted that tiling will show yield increase. Auditor Sherman read the John A Eickman letter addressed to the Drainage Board and a letter that Eickman sent to Jerry & Barb Gottlob. Eickman had requested, from Gottlob, a certification by a hydrologist or other qualified engineer that the installation of tile on Gottlob's property will not adversely affect Eickman property and to date no certification has been received. The Eickman family is unequivocally opposed to Gottlob's plan and urges the Drainage Board to deny his request. Tuschen noted that he is here to make sure the county received letter from John A Eickman. With no further public comment, Fink noted that the Board now needs to consider the following factors in evaluating the impact of the proposed drainage project, as noted in Section 209 of the Drainage Ordinance. Fink asked for discussion on each factor. The Commissioners made the following findings: #1 flood hazard zones – not by tiling, Kreutzfeldt added that tiling will reduce flood events; #2 erosion potential – none; #3 water quality & supply – n/a; #4 agricultural production – improved as water goes into tile; #5 environmental quality – n/a; #6 aesthetics – n/a; #7 fish & wildlife values – no impact; #8 considerations of downstream landowners and the potential adverse effect thereon including consideration of the following criteria: a. uncontrolled drainage into receiving watercourses which do not have sufficient capacity to handle the additional flow and quantity of water shall be considered to have an adverse effect – Fink noted that a lift station was referenced as outlet, not natural flow. Kreutzfeldt added that a lift station is not marked on the plans, only an outlet (water outlets onto applicants own property); b. whether drainage is accomplished by reasonably improving and aiding the normal and natural system of drainage according to its reasonable carrying capacity, or in the absence of a practical natural drain, a reasonable artificial drain system is adopted – project is reasonable; c. the amount of water proposed to be drained – unknown; d. design and other physical aspects of the drain – Koch noted that water will flow longer with a lift station, but onto applicants property. With conditions of the checklist met, motion made by Koch to approve Drainage Permit application D21-025. Second Liesinger. Motion carried.

At 11:30 a.m. a drainage hearing continuation was held to consider drainage application D20-007. Applicant Lawrence (Bud) Arbeiter. Legal description: S2SW4 23-101-54. Present: Lawrence Arbeiter, Nathan Voorhees, and Jim and Andy Tieszen. Kreutzfeldt presented IMEG's Report of Hydraulic Analysis for this drain tile installation. The analysis was requested by the Drainage Board at their meeting held on August 25, 2020. According to the hydraulic analysis, it appears the capacity of the outlet channel is adequate to support the flow from the drain tile installation as proposed. Andy Tieszen noted that they have not seen the hydraulic analysis and would like time to review the study, connect with Arbeiter, and come to an agreeable solution for this project. Arbeiter added that he is willing to work with Tieszens. Motion made by Dick to continue the hearing to August 10th at 11:30 a.m. allowing time for the parties to get together and work on an agreeable outcome. Second Gordon. Motion carried.

The Board reconvened as Board of County Commissioners.

Neil Hlebichuk and Grant Westemeier, Gordon Flesch Company, met with the Board to discuss copier needs with county offices. Laurie Schwans, Register of Deeds, and Cori Kaufmann, Dir of Equalization, were present. Hlebichuk told the Board that they are here today asking for permission to meet with department heads to get current copier information and then provide a plan for placement of Canon copiers in the offices to meet their needs, along with flexible financing. Approval was given for them to meet with department heads and present a proposal.

Motion made by Dick to enter Executive Session at 12:45 p.m. for personnel discussion (SDCL 1-25-2 (1). Second Koch. Motion carried. Chairman Mehlbrech declared out of Executive Session at 1:10 p.m.

The meeting adjourned subject to call.

Dated this 27th day of July 2021.

Charles Mehlbrech _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County