

March 23, 2021

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

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 March 9<sup>th</sup> meeting were sent to Board members for review prior to publication. Motion made by Gordon to approve the minutes for publication. Second Koch. Motion carried.

Public input: Auditor Sherman presented a letter to the Board that was hand delivered to her by Dawn Nebelsick, prior to the meeting this morning. The letter expressed disappointment in the actions taken by Emergency Manager Stiefvater regarding the incident at the Canistota School. Nebelsick noted that the purpose for this statement is to help prevent this from happening again, to another individual, noting that the public should be able to count on our county officials to act appropriately and professionally in any situation.

Commissioner Reports: Mehlbrech attended the Commissioners spring workshop held in Pierre, good topics, and attendance. Auditor Sherman informed Board that she contacted Lori Heumiller, Salem City Finance Officer, asking about how the storm sewer project will affect the Courthouse yard. Heumiller provided a project map showing the area in the courthouse lawn in which the pipe will replace the existing infrastructure; the area will be excavated, and new pipe laid. Sherman noted that someone from DGR will be contacting her to get on a future Commission meeting agenda to answer questions and present easements.

Mic Kreuzfeldt, Hwy Supt, presented a resolution for approval for a bridge replacement project. Motion made by Liesinger to approve the resolution and authorize Chairman Mehlbrech to sign same. Second Gordon. Motion carried.

FEDERAL AID BRIDGE REPLACEMENT PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

WHEREAS McCook County desires the replacement of the bridge hereinafter described:

STRUCTURE NUMBER AND LOCATION: 44-010-185  
4.0 Miles West & 1.5 Miles North of Bridgewater, SD

LIST OF CURRENT LANDOWNERS ADJACENT TO THE PROJECT (NAMES & ADDRESSES):

Nick & Linda Grace Living Trust, 26651 463<sup>rd</sup> Ave, Hartford SD 57033  
Janssen Living Trust, 5209 W 34<sup>th</sup> St, Sioux Falls SD 57106

AND WHEREAS, McCook County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, McCook County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Federal Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement/rehabilitation for the following reasons:

1. The condition rating is 33.343.
2. For Replacement project the bridge is not located on a County or Township designated No Maintenance or Minimum Maintenance Road.
3. For Removal project the bridge location will not be eligible for federal or state bridge funds in the event that a bridge is reconstructed. The owner agrees to submit a separate resolution to delete the structure from the National Bridge Inventory upon completion of the project.
4. The bridge is located on a Federal Aid Route     , a school bus route xxx, a mail route xxx, a field to farm to market route xxx, a lake or recreation access route     , or other (please specify) Spencer Quarries haul route.
4. The load carrying capacity of the existing bridge can      or cannot xxx be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$ 1,644,343.37  
Federal Share (81.95%): \$ 1,347,539.39  
Local Share (18.05%): \$ 296,803.98

Vote of Commissioners: Yes 5 No 0

Dated at Salem, SD, this 23<sup>rd</sup> day of March, 2021.

ATTEST:

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County Auditor

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Chairman

In other business, a list of vehicles previously used by law enforcement was reviewed. Kreutzfeldt noted that he would like to switch two of the five vehicles from the Law Enforcement to Hwy Dept. These vehicles include 2010 red pickup, fixed asset #928A, and a 2013 black pickup, fixed asset #1036. A 2010 silver pickup, fixed asset #992A, is used by the Custodian and a 2010 red suburban, fixed asset #947A, is used by Dir of Equalization and will not be changed. Kreutzfeldt noted that a 2010 Tahoe, fixed asset #993A, and a couple of pickups from the Hwy Dept can be sold later.

Kreutzfeldt informed Board that milling asphalt along Lehrman Slough is scheduled for late May. Kreutzfeldt attended a virtual pre-construction meeting for Golden West's fiber to the home project in the Canistota area. They will be seeking utility permits as needed. Kreutzfeldt reported that the I-90 reconstruction project timeline has changed slightly due to permitting delays. House Bill 1259, an Act to make an appropriation for rural access infrastructure improvements and to declare an emergency and a list of McCook County townships that have imposed an annual property tax levy of fifty cents per thousand or imposed a tax levy opt out as required, were reviewed by Kreutzfeldt and the Board. There was discussion about holding an informational township meeting and inviting SD LTAP to review HB1259 once rules are set by SDDOT. Motion was made by Liesinger to move \$198,357 (STP Payout) from Assigned for Road Purposes to Assigned for Capital Outlay Accumulations STP Funds. Second Gordon. Motion carried.

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

Drainage Administrator Kreutzfeldt 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.

D21-006	Dan Westhoff Living Trust	NW4 4-103-54
D21-007	Dan Westhoff Living Trust	N2N2SW4 4-103-54
D21-008	Brad Stangoehr & Mark & Donita Potter	S2SE4 Ex W414.86' of E924.88' of S630' of SE4SE4 36-103-54
D21-009	Mary Jean Lounsbery and Steve & Karen Lounsbery	SE4 25-103-54
D21-004	Mary Jean Lounsbery	SE4NE4 36-103-54; SW4NE4 36-103-54; NW4SE4 Ex 13.20 AC 36-103-54

Motion made by Koch to authorize Kreutzfeldt to sign off on Permit D21-004 with outlet change when downstream signatures are obtained. Second Gordon. Motion carried.

D21-010	Steven & Karen Lounsbery	N2NE4 36-103-54
D21-011	Ralph & Shirley Larson Trust	S2SW4 24-102-54
D21-012	Lloyd Stockwell	SE4 12-101-53

Motion made by Dick to authorize Chairman Mehlbrech to sign Permit D21-012 because permit has intercounty significance between McCook and Minnehaha counties. Second Liesinger. Motion carried.

D21-013	Raymond Alsgaard	NW4 1-103-54
D21-014	Raymond Alsgaard	N2NE4 1-103-54 Ex Alsgaards Tract 1 N2NE4 1-103-54

The Board reconvened as Board of County Commissioners.

Cori Kaufmann, Zoning Administrator, presented 2 plats for approval. Following review of the 1<sup>st</sup> plat review form, motion was made by Koch 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 Nelson Addition, an Addition in the Northeast Quarter of Section 14, Township 103 North, Range 54 West of the 5<sup>th</sup> Principal Meridian, McCook County, South Dakota be and the same is hereby approved.

Adopted 23<sup>rd</sup> day of March 2021.

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Chairman of the County Board  
McCook County, South Dakota

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

Be it resolved by the County Commission of McCook County, South Dakota, that the plat of Tract 1 and Tract 2 of Lacey's Addition in the Northeast Quarter of Section 2, Township 102 North, Range 55 West of the 5<sup>TH</sup> Principal Meridian, McCook County, South Dakota be and the same is hereby approved.

Adopted 23<sup>rd</sup> day of March 2021.

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Chairman of the County Board  
McCook County, South Dakota

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

Cori Kaufmann, Zoning Administrator, presented a proposed ordinance which amends Ordinance 2014-01 – 2014 Revised Zoning Regulations for McCook County by Amending Chapter 3, AG: Agricultural District, Purpose; and Chapter 15.02, Building Permits and Fees, Fees; and Repealing Chapter 15.01(A)(4), Building Permits and Fees, Building Permits. Mike Fink, States Attorney, was present. The purpose statements of Chapter 3 and Chapter 15.02 are hereby amended, and Chapter 15.01(A)(4) is hereby repealed. The proposal moves the verbiage within the zoning regulations from Chapter 15 to then be included in the purpose statement of the Agricultural District. Verbiage added includes “persons choosing to reside in an Ag District should be prepared to accept such inconveniences or discomforts as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural industry”. Following review and discussion, motion was made by Liesinger to set first reading of Ordinance 2021-02 for 10:30 a.m. on April 27<sup>th</sup>. Second Gordon. Motion carried.

Mike Fink, States Attorney, met with the Commission to discuss options as consideration is being given to having current owner transfer title of ownership of real estate (parcel 18.24.4304) to Bridgewater City and Treasurer is contemplating initiation of tax deed procedure. Question becomes does the County want to accept title or let Bridgewater City take title. The house located on the property has been declared a nuisance. Following discussion, motion was made by Liesinger to authorize States Attorney Fink to contact Robin Eich, Attorney for Bridgewater City, informing her that the County will waive the delinquent taxes and Mr. Ruiz can transfer title of ownership to City of Bridgewater. Second Dick. Motion carried. Becky Hoiten, Deputy Treasurer, was present. Koch stated that he would like to see a report of delinquent taxes every year, for all years. Sherman noted that the Auditor's Office could provide this for the Board as can the Treasurer.

Geralyn Sherman, Auditor/Welfare Director, and the Commissioners reviewed Care of Poor cases. A Notice of Hospitalization was received from Avera McKennan Hospital (2021-09). Letters were sent to 3 individuals because Avera McKennan Hospital has applied for Poor Relief Assistance on their behalf and information is needed from the patient (2021-03, 2021-04, 2020-40).

Laura Schultz, HR Coordinator, informed Board that Victoria Buchanan has returned to work on a part-time basis (4 weeks) beginning March 15.

Chairman Mehlbrech suggested that Commission members attend their respective city council meetings to keep lines of communication open between the entities.

Auditor Sherman presented an abatement application to the Board: #14 Renae Spohn, parcel 17.16.0803, reason for abatement: mobile home moved in 2019, amount abated \$580.74. Motion made by Koch to approve the abatement. Second Gordon. Motion carried.

Auditor Sherman informed Board that during inventory verification, a Planix 8 Planimeter, purchased March 2000 by Dir of Equalization office was not found. Motion made by Liesinger to declare the Planimeter as surplus property. Second Gordon. Motion carried.

A copy of the Renewal of Authorization under the General Permit for a Yard Waste Compost Facility was received from Bridgewater City; noted and filed.

Motion made by Koch, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 3/20/21: Commissioners 1923.05; Auditor 5231.78; Treasurer 4172.03; States Attorney 2840.05; Custodian 1243.43; Dir of Equalization 3631.47; Register of Deeds 2180.11; Veterans Service Officer 262.80; Sheriff 10771.80; Contract Law 5113.37; Care of Poor 192.31; Welfare 355.11; Community Health Nurse Secretary 1409.80; Extension Secretary, 1332.32; Drainage 293.19; Planning & Zoning 544.53. Transamerica Employee Benefits, March contribution 3566.89; SD Dept of Revenue, SD Developmental Center-Redfield 60.00; A&B Business, monthly copier contract 79.99; AAA Collections, lien collection fee 43.75; Blue Collar Tactical, 8 gun sights 2040.00; Card Service Center, gas 48.00; Century Business Products, monthly copier contract 131.41; CHS Credit Card, gas 79.88; DataSpec Inc, annual software fee 499.00; Davison County Sheriff, February jail service 2565.00; FedEx, shipping charges 30.68; Fiferlick Drywall, patching in Clerk of Courts office 102.01; Iron Wheel Sales & Service, bathroom repairs 261.00; Kiesler Police Supply, ammunition 774.21; Carol Lauer, binders 11.54; McCook County Coroner, services 137.00; Mitchell Regional 911, 2<sup>nd</sup> Qtr traffic service contract 2433.30; Noll Collection Service, lien collection fee 13.78; Office Depot, office supplies 182.08 PC tower & 2 monitors 2097.97; Peters Distributing, alarm system monitoring 299.88; Sioux Falls Area Humane Society, stray animal services 82.20; Wash 'N' Go, car wash tokens 160.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 3/20/21: Hwy Dept 21914.40. Transamerica Employee Benefits, March contribution 2618.71; CHS Inc, utilities-lp gas 450.15; McCormick Motors, lock assembly 46.21; Northwestern Energy, utilities 58.60; SD Dept of Transportation, share of State projects 63477.26; Stern Oil Co, supplies 776.67; Verizon Wireless, cell phone service 84.13.

911 EMERGENCY REPORTING SYSTEM FUND: Mitchell Regional 911, 2<sup>nd</sup> Qtr 911 contract 16971.98; Sioux Valley Energy, radio tower utilities 61.26.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 3/20/21: EDS Director 1412.31. Transamerica Employee Benefits, March contribution 96.51.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 3/20/21: Sheriff Secretary/Dispatcher 192.16.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 3/20/21: Dir of IRS, county share of FICA 3663.78, Medicare 856.89; SD Retirement System, county share of retirement contribution, 3767.08; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 19053.85.

The meeting adjourned subject to call.

Dated this 23<sup>rd</sup> day of March 2021.

Charles Mehlbrech \_\_\_\_\_  
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman \_\_\_\_\_  
Auditor, McCook County