

October 12, 2021

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Chuck Mehlbrech. Members present Steve Gordon, Marc Dick, and Dean Koch. Absent: 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 September 28th meeting were sent to Board members for review prior to publication. Motion made by Koch to approve the minutes for publication. Second Gordon. Motion carried.

Public input: Ron and Richard Leitheiser met with the Commission to inquire about status of building permit application for a CAFO that Roger Hofer referenced in the August 24th Commission minutes. Hofer is supposedly working with Meadow View Colony. Ron Leitheiser noted that they vehemently oppose Hofer getting a building permit for a CAFO; adding that Mike and Alyssa Weber are against it also. Richard Leitheiser asked about a letter they received regarding Kenton Hofer drainage permit application. Kreutzfeldt noted that the permit is for routine drainage clean out, no new tiling.

Commissioner Reports: none.

Mic Kreutzfeldt, Hwy Supt, presented the McCook County Transportation Plan Certification to the Board for approval & signature. Motion made by Dick to authorize Chairman Mehlbrech to sign the Certification. Second Koch. Motion carried. Kreutzfeldt clarified with the Board that the fee of \$100/structure should be charged to the fund for the County completing township culvert inventories & inspections, yes. Kreutzfeldt informed Board that he will be purchasing base course at \$4.25/T for 453rd Ave from Rechnagel Construction, located near Parker. RR crossing on 431st Ave to be replaced next week. The County received notice that the Salem City storm sewer project has been delayed one week, starting work on October 18th. Update on SD38 bridge replacement was given with early December completion still likely. Weed spraying has been completed. Current projects include fall mowing and hauling base course. Kreutzfeldt inquired about employee evaluations timing & procedure. Alternative HR will be contacted for answers.

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

Mic Kreutzfeldt, Drainage Administrator, presented 2 drainage permit applications for routine maintenance to the Board, noting that downstream landowner notifications have been sent, and he has signed off on them. All permits are available for inspection at the Hwy Dept Office.

D21-047	Kenton & Autumn Hofer Trust	SW4 33-102-55
D21-048	Kenton & Autumn Hofer Trust	NW4 7-101-55

At 9:30 a.m. a drainage hearing was held to consider drainage application D21-025 (amended 8/23/2021). Applicant (landowner) Jerry & Barb Gottlob. Mic Kreutzfeldt, Drainage Administrator, presented the drainage application noting the project description: pattern tile approximately 60 acres of cropland, 1 outlet in the SE4SE4 31-103-55 which runs to the south. Present: Jerry & Barb Gottlob, Michael Gottlob, Jim Gottlob, and James & Andy Tieszen. Kreutzfeldt provided copies of a letter from US Fish & Wildlife Service to the McCook County Drainage Board to the Commissioners and those present, noting that USFWS and Jim & Lynn Gottlob did not sign a waiver. Jim Gottlob expressed his opposition to the project and opposition of USFWS. Kreutzfeldt explained that the Service opposes tiling and does not sign a downstream waiver on any project. Koch reiterated this noting that this a natural course of action for USFWS. Barb Gottlob stated that wetland easements restrictions on Eickman property will be followed. Kreutzfeldt and the Board reviewed the factors to be considered in evaluating the impact of a proposed drainage project. Motion made by Koch to approve Drainage Permit D21-

025. Second by Gordon to approve the permit. Roll call vote. Ayes: Koch, Gordon, Dick, Mehlbrech. Nays: none. Absent: Liesinger.

Motion carried.

Kreutzfeldt suggested holding discussion of the next two drainage applications concurrently because the tiling projects share a single tile plan.

At 9:40 a.m. a drainage hearing was held to consider drainage application D21-039. Applicant (landowner) John C Ortman and drainage application D21-040. Applicant (landowners) David Ortman and John Ortman. Drainage Administrator Kreutzfeldt presented the drainage applications noting the project descriptions: D21-039 spot tile with outlet to existing tile. System outlet in SE4NE4 33-101-54, a waterway to the West Vermillion River if the dam on that property overflows. D21-040 spot tile with 1 new 6" outlet in the NW4NE4 33-101-54, a waterway to the West Vermillion River if dam overflows. Present: James & Andy Tieszen. Tieszens feel that the proposed project is diverting water with tile, that naturally runs west. Jim Tieszen informed Board that they (Ortman's) haven't taken care of scour damage at dam overflow. Kreutzfeldt and the Board reviewed the factors to be considered in evaluating the impact of a proposed drainage project. Comm Dick noted that he didn't feel the main coming from the west property line was natural flow. Following discussion, motion made by Dick to approve Drainage Permit D21-039 and approve Drainage Permit D21-040 without tile main from west property line. Second Gordon. Roll call vote. Ayes: Dick, Gordon, Koch, Mehlbrech. Nays: none. Absent: Liesinger. Motion carried.

The Board reconvened as Board of County Commissioners.

Cori Kaufmann, Dir of Equalization/Zoning Administrator, was unable to attend the meeting.

Motion made by Koch, second Gordon, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 10/2/21:

Commissioners 1923.05 mileage 345.66; Auditor 5209.30; Treasurer 3801.50; States Attorney 2840.05; Custodian 1204.44; Dir of Equalization 3893.15; Register of Deeds 2999.27; Veterans Service Officer 262.80; Sheriff 12524.49; Contract Law 5113.37; Care of Poor 192.31; Welfare 270.56; Community Health Nurse Secretary 1409.80; Extension Secretary, 1164.58; Weed 696.03; Drainage 307.60; Planning & Zoning 544.53. SD Dept of Revenue, SD Developmental Center-Redfield 60.00; Reemployment Assistance Division of SD, 3rd Qtr reemployment contribution 122.86; A & B Business, copier contract 70.83; Alternative HR, HR consulting 1261.48; AutoEx law enforcement vehicle service & parts & supplies 1073.88; Avera McGreevy Clinic, new employee physical 88.00; Avera McKennan Hospital, care of poor 4531.41; Avera Queen of Peace Hospital, blood alcohol 123.00; C&R Supply, parts 60.75; Card Service Center, law enforcement supplies, repairs, service 1065.89; Central Farmers Coop, tire repair & tube 24.38 care of poor 15.00; Chesterman Co, water 119.00; City of Bridgewater, October ambulance appropriation 6083.33; Custom Cage, cage for new vehicle 1315.00; Dakota Data Shred, shredding services 53.82; Davison County Sheriff, September jail service 4560.00; English Law, Year 4 of Rural Attorney Recruitment Program 2189.88 court appt attorney for Shelly Johnson 475.20 for Van Zahrbock 366.30 for Molly Bonham 247.50 for juvenile 742.50 for Erika Glisson 356.40 for Tyson Elliott 405.90; ESRI Inc, annual software maintenance 700.00; Mike Fink, September expenses 463.86; Gordon Flesch Company, monthly copier contract 21.00; Rebecca Hoiten, 2 drawer file cabinet 58.58; Lake County Sheriff, jail service 150.00; Marco Technologies, copier contract 83.69; McCook Conservation District, 4th Qtr appropriation 3750.00; McCook County EMS, October appropriation 11059.00; McCook County Treasurer, postage 20.00; McCormick Motors, law enforcement vehicle service 84.00; McLeod's Printing, office supplies 79.75; Meyer Motor, law enforcement vehicle service 60.93; New Century Press, publishing 908.36; Office Depot, office supplies 194.16; Ramkota Hotel-Pierre, lodging-Assessor school 471.24; Record Keepers Inc, vault box storage 19.25; Salem City, utilities 106.44; Sanford Health, autopsy 1050.00; SD Achieve, services for six residents 360.00; Michael D Sharp, court appt attorney for Stephan McCrae 532.46 for Hailey Walker 640.41 for Elias Cardenas 592.91; SD Public Health Dept, lab services 205.00; Tech Solutions, monthly IT services 3697.50; Triotel Communications, telephone/internet

service 830.45; Two Way Solutions, radio battery 149.98; Van Diest Supply, Amine weed spray 1366.80; Verizon Wireless, iPad services 40.01, cell phone service 412.91; Lori Viereck, travel expenses 293.38; Xcel Energy, utilities 1055.39; Zapp Hardware, parts & labor 29.99.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 10/2/21: Hwy Dept 22162.54. Appeara, towel & mat rental 35.00; Butler Machinery, parts 267.83; Central Farmers Coop, repairs & parts 155.31; Chesterman Co, water 23.00; Diamond Mowers Inc, grass blade 624.68; Gessner Welding & Repair, parts & labor 1016.52; Iron Wheel Sales & Service, filters 71.85; I-State Truck Center, filter 9.75; Lyle Signs, sign 119.85; McCook County Treasurer, postage & MV title 15.00; MidAmerican Energy, utilities 8.00; New Century Press, publishing Transportation Plan open house 76.78; North American Truck & Trailer, parts 237.41; PowerPlan OIB, part 314.08; Productivity Plus Account, repairs 386.72; Puthoff Sales & Service, parts 317.20; Salem City, utilities 153.07; Salem Lumber, tools 45.20; Sioux International, parts 486.50; Southeastern Electric, utilities 31.96; Spencer Quarries, rock 414.89; Sturdevant's Auto Supply, parts 853.60; T & C's Pit Stop, cookies 11.98; Triotel Communications, telephone/internet service 108.18; Verizon Wireless, cell phone service 81.96; Xcel Energy, utilities 525.85; Zapp Hardware, parts & labor 71.43.

911 EMERGENCY REPORTING SYSTEM FUND: Golden West Telecommunications, 911 telephone service 371.72; Triotel Communications, 911 telephone service 185.20.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 10/2/21: EDS Director 1412.31. Brad Stiefvater Jr, September mileage 135.66; Triotel Communications, telephone/internet service 88.65.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 10/2/21: Sheriff Secretary/Dispatcher 193.36.

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

RURAL ACCESS INFRASTRUCTURE FUND: Card Service Center, Adobe Acrobat (for report filing) 154.89.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 10/2/21: Dir of IRS, county share of FICA 3855.38, Medicare 901.70; SD Retirement System, county share of retirement contribution, 3987.54; 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 September 2021: deposits in banks, \$5,995,469.95; cash to deposit, \$24.80; checks to deposit, \$84,983.45; CC payments, \$1,851.69; Cash Items (postage) \$35.00; Treasurer's Cash, \$1,535.00; Register of Deeds, \$450.00; Sheriff, \$500.00; CD's, \$800,000.00. The total deposits on hand: \$6,884,849.89.

Geralyn Sherman, Welfare Director, and the Commissioners reviewed Care of Poor cases and lien payments received in September. Two Notices of Hospitalization were received from Avera McKennan Hospital (2021-32 & 2021-33). An Application for Poor Relief Assistance was received from Avera McKennan Hospital on behalf of a patient (2021-31). A letter of denial was sent to the hospital because no financial information was provided, the form only indicated no insurance. The patient was also notified. Four claims that were sent to Dept of Social Services for Medicaid pricing have been priced & returned and will be paid today (2021-08 & 2021-22).

The following building permits were issued the month of September:

2021-078	Jay & Sarah Oberg	shop	S400' of E545' SE4 13-104-53
2021-079	Paul & Lindsay Grace	pole barn	W855' of S1018' of SW4 7-103-54
2021-080	Karen Voeltz	remodel	SW4 32-102-54
2021-081	Zach & Rachel Potter	bathroom remodel	Tract 1 Eich Add NE4NE4 Ex Lot H-1 & Ex Pub Road ROW 24-103-55
2021-083	Meadow View Hutterian Brethren	80x50 building	Tract 1 Stahl Add Ex Tract 1 Meadow View Addition therein SW4 27-102-55
2021-085	Bryan Peters	pole building	Tract 1 of Peters Addn in SE4 of 3-103-53
2021-086	Quinten & Jocelyn Johnson	30x40 addition	LJ Berg Tract 1 in SE4SW4 of 8-102-56

The September Law Enforcement Report was noted and filed.

Auditor Sherman presented FY2023 grant application to the Board. Motion made by Gordon to authorize Chairman Mehlbrech to sign the Weed & Pest Grant Application for FY2023. Second Dick. Motion carried.

Auditor Sherman presented information about the National Opioid Settlement, received from Attorney General Ravnsborg to the Board and Mike Fink, States Attorney. Fink explained the Settlement information that was received. Sherman added that South Dakota has joined both settlements and the letter is part of the formal notice required by the Settlements. To participate in the Settlements an entity must register in the national settlement website and “opt in” to the Settlements. After discussion, the Board instructed Auditor Sherman to register the county using the Auditor’s Office as the contact. Sherman noted that information, questions and documentation would be presented to the Board and States Attorney Fink as it becomes available.

Mike Fink, States Attorney, and the Commission held the 2nd reading of Ordinance 2021-08, An Ordinance Creating Licensing Provisions for Cannabis Establishments. No interested parties were present. Following discussion, motion was made by Koch to approve and adopt Ordinance 2021-08. Second Dick. Roll call vote: Ayes: Koch, Dick, Gordon, Mehlbrech. Nays: none. Absent: Liesinger. Motion carried.

Adam Buss, New York Life, was not able to attend the meeting.

Motion made by Koch to enter Executive Session at 11:10 a.m. for personnel discussion, SDCL 1-25-2.1. Second Gordon. Motion carried. Chairman Mehlbrech declared out of Executive Session at 11:30 p.m.

The meeting adjourned subject to call.

Dated this 12th day of October 2021.

Charles Mehlbrech _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County