

September 28, 2021

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

The minutes from the September 7th 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: none.

Commissioner Reports: none.

Mic Kreutzfeldt, Hwy Supt, presented 2 utility permits for approval. Motion made by Gordon to approve Telephone Utility Permit for Golden West Telecommunications. Scope of Project: GW proposes to access existing vault at intersection of 250th St and 449th Ave, plow W along 250th to intersection with 448th Ave, then S approximately 260', and across 448th Ave to power pole. Second Koch. Motion carried. Motion made by Gordon to approve Electric Utility Permit for Southeastern Electric. Scope of Project: electrical for cattle waterer 500' W of 45275 Hawk Dr. Second Koch. Motion carried. Items discussed: road striping of new chip seals to begin next week, RR crossing at 262nd/431st scheduled to be replaced in October, and progress of Xcel project to replace line from Canistota to Salem. Kreutzfeldt informed Board that inventory and inspections are being completed for the Rural Access Infrastructure Funds. Four townships are doing their own I & I's, he (Kreutzfeldt) has completed work in four townships and still waiting on responses from Greenland, Ramsey, and Richland. Current projects include weed spraying, fall mowing, and gravel hauling.

Auditor Sherman presented a quote of \$1925.00 from Mike Weber to inter-seed the yard at the Bridgewater Hwy Dept building with blue/rye grass. Kreutzfeldt noted that the yard is 56000 sq/feet. Approval given.

Motion made by Gordon 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.

D21-041	Mark Jorgenson	Lots 3 & 4 & S2NW4 3-104-53
D21-042	Dennis & Sheila Dykstra	S2NE4 32-101-53
D21-043	Donna Glanzer	SW4SW4 24-101-56 & SE4SW4 24-101-56
D21-044	Donna Glanzer	NW4 24-101-56 Ex N16 Rods lying within City & Ex 2.39 AC Hwy
D21-045	Glanzer Enterprises	SW4 19-101-55
D21-046	Glanzer Enterprises	N2SW4 24-101-56

The Board reconvened as Board of County Commissioners.

Motion made by Koch, second Gordon, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 9/4/21 & 9/18/21: Commissioners 1923.05 mileage 77.28, 1923.05; Auditor 5018.93, 5209.29; Treasurer 2895.81, 2707.55; States Attorney 2840.05, 2840.05; Custodian 1213.10, 1213.10; Dir of Equalization 3712.97, 3712.98; Register of Deeds 2999.27, 2999.27; Veterans Service Officer 262.80, 262.80; Sheriff 11135.80, 12635.03; *new hire: Dylan McKee \$39728/annual salary (uncertified); Contract Law 5113.37, 5188.37; Care of Poor 192.31, 192.31; Welfare 236.74, 346.66; Community Health Nurse Secretary 1409.80, 1409.80; Extension Secretary, 1782.81, 1351.49; Weed Dept 438.00; Drainage 307.61, 307.61; Planning & Zoning 544.53, 544.53. SD Dept of Revenue, SD Developmental Center-Redfield 60.00; Transamerica Employee Benefits, September healthpak premium 3406.95. A&B Business Solutions, 2 monthly copier contracts 150.82; Best Western of Huron, State Fair lodging 1062.00; Best Western Ramkota-RC, convention lodging 202.00; Century Business Products, monthly copier contract 109.51; Chesterman Co, drinking water 119.00; Davison

County Sheriff, August jail services 2280.00; FedEx, shipping charges 15.41; Feeding South Dakota, food pantry delivery charges 70.00; Galls LLC, Sheriff uniform/supplies 189.64; GovDirect, Ford pedestal kit 416.94; Government Forms & Supplies, name plates 105.72; Jack's Uniforms & Equipment, new officer uniforms 1066.40; Lewis Family Drug, prisoner care 299.97; LifeQuest, 4th Qtr services 900.00; Marco Technologies, copier lease 113.67; Marshall & Swift/Boeckh LLC, handbook 371.95; John McCormick, water cups 41.28; MidAmerican Energy, utilities 58.31; Minnehaha County Auditor, reimbursement of mental health claim 110.00; Mitchell Clinic, prisoner care 170.00; Mitchell Regional 911, 4th Qtr traffic services 2433.30; Noll Collection Service, lien collection fee 141.91; Office Depot, office supplies 432.08; RBS Sanitation, garbage service 77.00; Safety Benefits, conference registration 65.00; Salem Community Drug, office supply 11.99; Laurie Schwans, meal reimbursement 13.92; Michael D Sharp, court appt attorney for Esperanza Lopez 871.06 for Gavin Gibney 475.44; Stacey Sieverding, State Fair expenses 227.94; SD Public Health Dept, lab services 125.00; Sunset Law Enforcement, ammunition 1501.80; T&C's Pit Stop, care of poor 29.51 rolls for township meeting 25.77; Tech Solutions, Managed IT services 3665.19; Two-Way Solutions, repairs 15.99; Wash 'N' Go, car wash tokens 160.00; Zapp Hardware, supplies 16.48.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 9/4/21 & 9/18/21: Hwy Dept 21782.07, 21456.19. Transamerica Employee Benefits, September healthpak premium 2618.71. *Paid between meetings: Northwestern Energy, utilities 10.00 & Verizon Wireless, cell phone service 82.00. Affordable Auto Body, glass & windshield repair 524.00; Cole's Petroleum, no lead gasoline 16156.95; Commercial Asphalt, hot mix 119736.41; Dell Rapids Custom Trailers, 2021 14' dump trailer 7500.00; Brian Havard, clothing allowance 126.00; Jebro Inc, liquid asphalt 66944.91; MidAmerican Energy, utilities 8.00; North Central International, parts 567.37; RBS Sanitation, garbage service 68.00; Safety Benefits, conference registration 130.00; SD Dept of Transportation, share of State projects 4692.58; Spencer Quarries, rock & chips 5046.66.

911 EMERGENCY REPORTING SYSTEM FUND: Mitchell Regional 911, 4th Qtr 911 contract 16971.98; Sioux Valley Energy, radio tower utilities 63.00.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 9/4/21 & 9/18/21: EDS Director 1412.31, 1412.31. Transamerica Employee Benefits, September healthpak premium 96.51. Office Depot, print cartridges 325.98

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 9/4/21 & 9/18/21: Sheriff Secretary/Dispatcher 192.16, 192.16.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 9/4/21 & 9/18/21: Dir of IRS, county share of FICA 3660.09, 3744.87 Medicare 856.02, 875.80; SD Retirement System, county share of retirement contribution, 3880.61; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 7803.57, 18042.69.

Motion made by Gordon to approve an Automatic Supplement to Other State Shared Revenue (Acct 295-335.99) in the amount of \$50865. This represents Rural Access Infrastructure Funds. Second Koch. Motion carried.

Motion made by Koch, second Gordon, and carried, to adopt the following resolution:

RESOLUTION 2021-09

Whereas insufficient appropriations were made in the 2021 budget to discharge just obligations of said appropriation.

Whereas SDCL 7-21-32.2 provides that transfers may be made by Resolution of the Board from the Contingency appropriation established pursuant to SDCL 7-21-6.1 to other appropriations.

Therefore, be it resolved that appropriation of \$5,500.00 be transferred from Contingency as follows: Human Resources \$5,000.00 and Coroner \$500.

Dated this 28th day of September 2021.

Charles Mehlbrech _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County

Linda Vail asked to meet with the Board prior to the rezone hearing scheduled at 11:00 a.m. Also present were Leah Vail, Les Rowland, an architect, and Jason Glodt, Attorney, who specializes in zoning regulations. Linda asked the Board if anyone had question for them because they are here to explain the plan. There were no questions from the Commissioners. Leah noted that they did hold an informational meeting to inform and educate the community because of rumors that are going around. Linda stated that this has nothing to do with a bar/casino. Leah added that the event center won't be open 7 days a week. Koch asked if they would be applying for a liquor license with the types of special events that will be held. Jason Glodt offered input regarding beer/liquor licenses and noted that the proposed plan for the event center is consistent with the County's Comprehensive Plan. Chairman Mehlbrech thanked the group for their comments and noted that the Commission needed to attend the Open House/Public Meeting for the McCook County Transportation Plan being held on 1st floor.

At 10:15 a.m. the Commissioners joined the Open House/Public Meeting for review of the McCook County Transportation Plan.

At 10:30 a.m. the County 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. Present: Brian Kelly. Cori Kaufmann, Zoning Administrator, explained the application information. Kelly noted that he would answer any questions. No interested parties were present. Kaufmann noted that the Board now decides to approve or deny the request to rezone. Motion made by Koch to approve and adopt Ordinance 2021-06, an Ordinance Rezoning Property. Second Dick. Ayes: Koch, Dick, Gordon, and Mehlbrech. Absent: Liesinger. Nays: none. Motion carried.

Geralyn Sherman, Auditor/Welfare Director, and the Commissioners reviewed Care of Poor cases. A Notice of Chapter 7 Bankruptcy was received for Case 2020-18. A Notice of Hospitalization was received from Avera McKennan Hospital (2021-31). An Application for Poor Relief Assistance was received from Avera McKennan Hospital on behalf of the patient and a letter of denial was sent because no financial information was provided nor has the patient applied for county assistance so eligibility cannot be determined (2021-30). Auditor Sherman informed Board that she asked States Attorney Fink to verify the need for county assistance for a burial. The individual did have funds in an account with a nursing home so county assistance wasn't needed (2021-18).

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

At 11:00 a.m. the Planning Commission held a public hearing to receive input concerning a request to rezone property from Agricultural to Commercial for a Commercial Recreational Facility. Applicant Linda Vail. Legal description is that Part of SE4 3-101-53 Lying South of Vermillion River Ex Tracts 1,2,3,4,5,6,7, & 8 Riverview Estates & Ex E237' of W1615'. Cori Kaufmann, Zoning Administrator, presented application information. Linda noted that Leah would be speaking for her, as she has no voice. Leah began by noting that this is a 2nd attempt to rezone, and a community meeting was held. Concerns included noise, traffic, pollution. Trees are included in the plan for a buffer. No outside music after 10pm, lighting during an event and off afterward, events over at midnight. Chairman Mehlbrech opened the hearing for public comment. Questions: square feet of event center, capacity of center-297, planting trees-yes, what kind-variety, earth berm? Les Rowland, Architect, addressed concerns being voiced, noting that Linda & Leah are doing their best with this proposed project. Jason Glodt, Attorney, addressed zoning and shared that Commissions across the State are dealing with the same requests. Questions continued: does County follow-up with liquor/beer issues, have Commissioners talked with Sheriff about how to address alcohol issues, how do we know the Commissioners will take care of issues, how will this affect residential growth. Kaufmann noted that people don't want to build near a CAFO; don't know about event centers because McCook County has none. Comm Dick suggested following the Sub-Division Ordinance and sell lots. Linda stated that she just wants to keep part as Ag for her

renter, have an event center and bed & breakfast, and live there. Linda asked the Commissioners if they had any questions. None. Motion was made by Gordon to move to the County Commissioners. Motion died for lack of second. The request to rezone from Ag to Commercial is denied.

The Board reconvened as Board of County Commissioners.

Liesinger joined the meeting.

Cori Kaufmann, Dir of Equalization/Zoning Administrator, presented 2 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 Paweltzki Addition in the Northwest Quarter of Section 25, Township 101 North, Range 56 West of the 5TH Principal Meridian, McCook County, South Dakota, be and the same is hereby approved.

Approved this 28th day of September 2021.

Chairman of the County Board
McCook County, South Dakota

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

Be it resolved by the Board of Commissioners of McCook County, South Dakota, that the Plat known and described as Tract 2 of Christensen's Addition in the Northwest Quarter of Section 24, Township 104 North, Range 54 West of the 5TH Principal Meridian, McCook County, South Dakota, is approved and that the Auditor is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon.

Adopted this 28th day of September 2021.

Chair, Board of Commissioners
McCook County, South Dakota

Auditor Sherman presented 3 Treasurer's Tax Deed to County to the Board, 2 parcels located in Spencer and 1 in Bridgewater. Shelley Safar joined the meeting. Auditor Sherman explained that there is a storm sewer improvement assessment in the amount of \$1975.00, assessed against the Bridgewater property, parcel 18.24.5001, Lot 1 Lot 50A, Misc. NW 13-101-56. The City Finance Officer has inquired about payment of the assessment because, as tax deed property, it is in the County's name. Safar noted that this tax deed property (bare lots) is located next to her home, and she is willing to purchase this property and take responsibility for paying the storm sewer improvement assessment of \$1975.00. Motion made by Liesinger to appraise this parcel at \$499.00, offering it to Rick & Shelley Safar, adjacent landowners, who will also be responsible for the \$1975.00 storm sewer improvement assessment. Safar told the Board that this was agreeable with her. Second Koch. Motion carried.

Following discussion and review of photos of the tax deed property located in Spencer City, motion was made by Liesinger to appraise the lots at \$50/lot. Second Gordon. Motion carried. Auditor Sherman noted that she did receive a call from Larry Barrett who is interested in lots located next to him. Motion made by Liesinger to offer Lots 7, 8, and 9, Blk 22, North Addition, Spencer City to Barrett, appraised price \$150.00. Second Gordon. Motion carried. Sherman will contact Mr. Barrett. Sherman noted that the third parcel Lots 5, 6 & S100' of Lot 7, Blk 19, North Addition, Spencer City, is low lying with a waterway that usually floods in the spring. Motion made by Dick to deed this property to Spencer City. Second Mehlbrech. Motion carried. Sherman will contact Spencer City.

Auditor Sherman presented an amendment adjusting the period of performance dates in section 1.1 to match the period of performance dates in section 1.2. this does not change any of the contract amounts, terms, or processes of the FFY22 County Clerical WIC Agreement. Motion made by Dick to authorize Chairman Mehlbrech to sign Amendment 1. Second Gordon. Motion carried.

Auditor Sherman presented a letter to the Board from SD Dept of Social Services, giving 30-day notice to void the Agreement between the Dept and McCook County, effective October 31, 2021. Computer equipment will be removed by October 31st. The Department thanked the County for providing space in the Courthouse to allow them to conduct business.

Auditor Sherman informed the Board that motions are needed to approve the new hires in the Treasurer's Office and the Sheriff's Office, along with establishing the pay rates. Motion made by Koch to approve hiring of Robyn Koch as Deputy Treasurer at \$17.16/per hour and to add her to the bank signature card, authorizing her to sign checks on behalf of the Treasurer's Office. Second Liesinger. Motion carried. Motion made by Liesinger to approve hiring of Dylan McKee as Deputy Sheriff at \$ 39,728/annual salary for uncertified officer. Second Dick. Motion carried.

A letter was received from Cindy Dannenbring, Chief Executive Officer Inter-Lakes Community Action, informing the Board of her January 6, 2022, retirement.

At 1:00 p.m. the 2022 Provisional Budget was reviewed. With no changes noted from the publication of the provisional budget, motion was made by Koch, second by Gordon, and carried, to adopt the 2022 Provisional Budget as the 2022 Annual Budget with adoption of the following resolution:

RESOLUTION 2021-08

ANNUAL BUDGET FOR MCCOOK COUNTY, SD
For the Year January 1, 2022 to December 31, 2022

ADOPTION OF ANNUAL BUDGET FOR McCook County, South Dakota

Whereas (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year, and

Whereas the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, that such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATIONS AND EXPENDITURES FOR McCook County, South Dakota, and all its institutions and agencies for calendar year beginning January 1, 2022 and ending December 31, 2022 and the same is hereby approved and adopted by the Board of County Commissioners of McCook County, South Dakota, this 28th day of September, 2021.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, McCook County, South Dakota.

The accompanying taxes are levied by McCook County for the year January 1, 2022 through December 31, 2022.

Total Taxes Levied by County: \$3,786,743
County Levy: 3.516/thousand

BOARD OF COUNTY COMMISSIONERS OF McCook County, South Dakota

_____ Chairman
_____ Commissioner
_____ Commissioner
_____ Commissioner
_____ Commissioner

ATTEST: _____ County Auditor

At 1:30 p.m. the County Commission held a public hearing for 1st reading of Ordinance 2021-08, An Ordinance Creating Licensing Provisions for Cannabis Establishments. No interested parties were present. The 2nd reading will be held at 11:00 a.m. during the October 12th Commission meeting.

Motion was made by Koch to enter Executive Session at 1:45 p.m. for personnel discussion, SDCL 1-25-2.1. Second Mehlbrech.

Motion carried. Chairman Mehlbrech declared out of Executive Session at 2:00 pm.

The meeting adjourned subject to call.

Dated this 28th day of September 2021.

Charles Mehlbrech _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County