

September 8, 2022

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

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

Chairman Gordon led the Pledge of Allegiance.

Chairman Gordon called for approval of the agenda. Auditor Sherman noted an addition at 10:00 a.m., Beth Skaff, Food Pantry.

Motion made by Koch to approve the agenda with the addition at 10:00. Second by Dick. Motion carried.

The minutes from the August 23rd meeting were sent to Board members for review prior to publication. Motion made by Dick to approve the minutes for publication. Second Koch. Motion carried.

Public input: A call was placed to Roger Hofer per his request. Hofer asked the Commission to consider rescinding the drainage ordinance. Hofer also noted that when McCook County Ambulance goes into Hanson County, that county should pay a subsidy to the ambulance service.

Commissioner Reports: Koch shared a letter from Minnehaha County JDC Director, Jamie Gravett, regarding the future of the facility, built in 1969 and remodeled in 1988 and 1995, now needing improvements. The letter serves as notice to consider potential financial implications this may have. If construction begins in 2023, most costs will come due in 2024. The JPA details the financing of remodeling or replacing the JDC (Section III).

Conflict of Interest: none noted.

Hwy Supt, Mic Kreutzfeldt, presented a utility permit for approval. Motion made by Koch to approve Communications Utility Permit for Triotel Communications. Scope of Project: bore fiber across road at 25446 445th Ave. Second Dick. Motion carried. Agent for Michels Road & Stone has requested to use 254th St in Montrose to load water trucks from the river. After discussion Kreutzfeldt to look for other options for them. Richland and Salem Townships are the only townships to have submitted 5-year plans by deadline for Rural Access Infrastructure Funds (RAIF) eligibility. Rechnagel Construction will start gravel crushing next week. \$5798.00 received in auction proceeds from items sold at the Wieman Auction. Current projects include striping, fall mowing, weed spraying, and culvert repairs.

Motion made by Koch to convene as Drainage Commission. Second Liesinger. 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.

D22-018	George Weber	SW4 Ex Lot H-1 4-102-53 (spot tiling)
D22-019	Jerauld Hoffman	NW4 Ex N21.5 Rds of W37 Rds 28-101-56
D22-020	Jerauld Hoffman	N2NE4 & N2S2NE4 29-101-56

The Board reconvened as Board of County Commissioners.

Beth Skaff, Food Pantry Coordinator, met with the Board to discuss locations for the food pantry. Skaff shared options that have been offered in Salem, Montrose, and Spencer, noting that each site will be looked at next week.

Cori Kaufmann, Dir of Equalization, met with the Board to inform them that as the only certified appraiser she has 344 building permits (properties) to see before November 1st. Kaufmann asked the Board their thoughts on hiring another certified staff appraiser because she cannot due just service to both equalization and zoning, due to the workloads. Following brief discussion, the Board told Kaufmann to work with the HR Consultant to get an add for a Certified Staff Appraiser placed asap. Kaufmann thanked the Board for their consideration.

At 10:50 a.m. the 2nd reading of Ordinance 2022-01, An Ordinance for the Regulation of Fire Hazards in McCook County, was held. Auditor Sherman noted one inquiry, from Kurt Stiefvater, who asked for a copy of the proposed ordinance so he could review it. No

other inquiries were received. Motion made by Koch to approve and adopt Ordinance No 2022-01. Second by Dick. Roll call vote: Ayes: Koch, Dick, Liesinger, and Gordon. Absent: Mehlbrech. Nays: none. Motion carried. Following publication, the effective date of the ordinance will be October 5, 2022.

At 11:00 a.m. the Provisional Budget Hearing was held as advertised. Following discussion, need to add \$15000 to the Commissioners budget for an audit in 2023 and add \$12000 to Welfare budget due to having to move the food pantry. No decision was made on the ambulance appropriations. The Annual Budget will be adopted at the September 27th meeting, with review and discussion beginning at 11:00 a.m.

The following building permits were issued the month of August 2022:

2022-103	L Blindert LLC	grain bin replacement	SW4 22-104-55
2022-104	Patrick & Dawn Scheier	replace 2 grain bins	SE4 18-104-54
2022-105	American Tower	cell tower	Leased site in SE4 36-103-56
2022-106	Michael & Robin Jaspers	lean-to	W72.55 rods of E121.2 rods of S44.92 rods SE4 32-101-55
2022-107	Dean & Rhonda Langrock	lean-to to cold storage	Lot 1A Schaefer's Addn in SE4 33-101-53
2022-108	Robert & Doreen Quinn	finish basement & add back deck	Lot 14 Sunset Bluffs Add W2SW4 35-102-53
2022-109	Kenneth & Joan Rapp	replace roof & ceiling on house	E2SE4 2-103-54
2022-110	Raymond Alsgaard	replace room & siding/add 8x50 to storage building	Alsgaards Tract 1 N2NE4 01-103-54
2022-111	Roger Wollman	replace grain bin	steel bins SW4&hoop structure SE4 21-101-55
2022-112	Jason & Jennifer Hofer	replace 3 grain bins 48x44	SW4 Ex 1.02 AC Hwy & Ex Lot H2 12-101-55
2022-113	Arlo Hofer Rev Living Trust	replace 2 storage bins	NE4 Ex Lots H1&H2 24-101-55 & Ex S237' of N1447' of E273' of NE4 24-101-55
2022-114	Stephen Eichacker Rev Trust	shop/office	SE4 28-103-54 Ex E845' of S1032' & Ex S2SE4 Ex E845' of S1032' SE4 28-103-54 & NW4SE4 28-103-54
2022-115	Scott & Marcia Tuschen	garage	Lot A Tuschen's First Add W2NW4 & E2NW4 09-103-56
2022-117	Matthew & Lori McCormick	garage	N1336.5' E775.5' of SE4 Ex Lot H-2 & Ex Land Deeded for Hwy B109 P259 26-104-55
2022-118	Charles Stahl Farms LTD	replace shed	Tract 1 Goldhammer Add in SW4 Ex 16x20 Rods 30-102-56
2022-119	Wayne & Sandra Petree	replace roof & storage	Tr 1 of Petree's Add in SE4 9-103-55
2022-120	Wayne & Connie Whistler	steel roof, window, siding	NW4 29-103-56
2022-121	James & Marlene Knox	move house on property	W627' of N1122' SW4 10-104-55

The August Law Enforcement Report was noted and filed.

Motion made by Koch, second Gordon, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 9/3/2022:

Commissioners 1980.75 mileage 77.28; Auditor 5370.72; Treasurer 3974.39; States Attorney 2925.25; Custodian 1249.50; Dir of Equalization 2501.68; Register of Deeds 3089.61; Veterans Service Officer 279.90; GIS 1564.50; Sheriff 11572.28; Contract Law 6997.88; Care of Poor 198.03; Welfare 383.24; Community Health Nurse Secretary 1451.80; 4-H Youth Assistant 1698.50; Weed 25.14; Drainage 298.80; Planning & Zoning 561.47. SD Dept of Revenue, SD Developmental Center-Redfield 60.00 Human Service Center-Yankton 600.00; A & B Business, monthly copier contract 73.60; Alternative HR, September HR services 5500.00; Avera Queen of Peace Hospital, blood alcohol services 390.00; Card Service Center, supplies 495.84 care of poor-lodging 70.00 law enforcement training registration 250.00; Central Farmers Coop, law enforcement fuel 37.46 lawnmower gas 76.27; Century Business Products, 3 monthly copier contracts 452.00; Chesterman Co, water 102.00; City of Bridgewater, September ambulance appropriation 3741.63; Creative Product Source, DARE supplies 174.63; Dailey Law Prof LLC, court appt attorney for Christian Corbin 1904.70 for C. Bertram Plante 1026.90; Dakota Data Shred, shredding service 56.78; Den Herder Law Office, court appt attorney for mentally ill 181.80; Mike Fink, August expenses 293.27; G&R Controls, boiler maintenance 740.24; Gordon Flesch Co, monthly copier contract 24.00; Government Forms & Supplies, scratch pads 129.76; Inter-Lakes Comm Action, September CSW hours 794.67; Lentsch Tree Service, grind out tree stumps 37.50; Lincoln County Auditor, reimburse mental health expenses 563.50; Maynards Salem, supplies for district meeting 4.29; McCook County EMS, September ambulance appropriation 11172.73; McCook County Highway, 4-H barn clean-up/derecho 3716.08;

McCook County Treasurer, postage 520.22; McCormick Motors, law enforcement vehicle maintenance 153.40; McLeod's Printing, office supplies 344.90; Meyer Motor, law enforcement vehicle maintenance 72.79; Microfilm Imaging System, supplies 62.28; MidAmerican Energy, utilities 27.94; New Century Press, publishing 467.92 vouchers 125.00; Paul's Towing, care of poor/I-90 towing 150.00; Peters Distributing, camera system maintenance 424.01; Presto-X, food pantry pest control 41.00; Puthoff Sales & Service, deflector for mower 10.00; Ramkota Hotel-Pierre, VSO conference lodging 144.00; RBS Sanitation, garbage service 86.24; Salem City, utilities 124.76; SD Achieve dba LifeScape, services for 6 residents 360.00; SD Dept of Public Safety, 6 months teletype service 2340.00; SD Public Health Laboratory, lab services 80.00; Michael D Sharp, court appt attorney for Daniel Carter 691.10; Stacey Sieverding, State Fair mileage & meals 248.99; Tech Solutions, Managed IT services 3578.00;; Sturdevant's Auto Supply, supplies 18.67; James D Taylor, CAA mental illness matters 1777.15; Tech Solutions, Managed IT services 3578.00; Triotel Communications, telephone/internet service 670.50; Verizon Wireless, Pad service 40.01 cell phone service 422.91; Xcel Energy, utilities 1213.78; Yankton County Treasurer, reimburse mental health expenses 117.40; Zapp Hardware, supplies 61.13.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 9/3/2022: Hwy Dept 20715.52. Appeara, towel & mat rent 70.94; Butler Machinery, parts 598.32; Central Farmers Coop, fuel & tires 34991.51; Century Business Products, monthly copier contract 134.16; Chesterman Company, water 40.00; Dakota Fluid Power, parts 18.55; Diesel Machinery Inc, DT80K parts 14465.03 labor 5745.00; Flint Hills Resources, asphalt 35269.24; Gessner Welding & Repair, tank of oxygen 44.00; Interstate Power Systems, generator maintenance 535.00; Istate Truck Center, parts 135.63; MidAmerican Energy, utilities 17.03; Puthoff Sales & Service, parts & supplies 2202.08; RBS Sanitation, garbage service 73.44; Salem City, utilities 175.57; Salem Lumber, supplies 969.53; Sioux Falls Truck & Trailer, parts 2018.29; Stan Houston Equipment, parts & labor 176.37; Sturdevant's Auto Supply, parts & supplies 1377.79; Triotel Communications, telephone/internet service 149.65; Wheelco Truck & Trailer, parts & supplies 385.42; Xcel Energy, utilities 471.54; Zapp Hardware, supplies 30.23.

911 SERVICE FUND: Golden West Telecommunications, 911 telephone service 400.00; Triotel Communications, 911 telephone service 177.20.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 9/3/2022: EDS Director 1454.68. Brad Stiefvater Jr, August expenses 124.51; T&C's Pit Stop, Search & Rescue fuel 87.02; Triotel Communications, telephone & internet service 88.43.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 9/3/2022: Sheriff Secretary/Dispatcher 197.89. PharmChem, sweat patch analysis 188.70.

MODERNIZATION & PRESERVATION FUND: Microfilm Imaging System, scanning equipment rent 569.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 9/3/2022: Dir of IRS, county share of FICA 3929.70, Medicare 919.03; SD Retirement System, county share of retirement contribution 3979.32; Wellmark BlueCross/BlueShield of SD, county share of health insurance premium 6709.54.

The Auditor's Account with the County Treasurer for the month of August 2022: deposits in banks, \$5,759,543.25; cash to deposit, \$332.25; checks to deposit, \$22,564.49; CC payments, \$1,323.33; Cash Items (postage) \$520.22; Treasurer's Cash, \$1,049.78; Register of Deeds, \$450.00; Sheriff, \$500.00; CD's, \$800,000.00. The total deposits on hand: \$6,586,283.32.

Michelle Stubkjaer, HR Consultant, met with the Commission to once again review changes/updates made to the 2018 Employee Handbook, prior to final approval. Present: Mic Kreutzfeldt, Hwy Supt, Mark Norris, Sheriff, Laurie Schwans, Register of Deeds, Cori Kaufmann, Dir of Equalization, and Becky Hoiten, Deputy Auditor II. Stubkjaer noted that most counties do not perform job performance reviews with elected officials, and this brings up question how to evaluate pay for officials. Carol Lauer, Treasurer, joined the meeting. Other additions: holding employee performance reviews, submission of timesheets, payment of overtime, SDRS Special Pay

Plan information, a rehire is like a new employee, accruals begin after 1 year of employment, new hires will provide copy of DL for insurance verification, and paid travel time. Schwans asked the Board if they would consider increasing longevity pay and adding Juneteenth to the list of holidays. No and no.

Auditor Sherman explained that the next two agenda appointments are present at her request due to confusion and questions that arose regarding the plans that are currently offered by Aflac with utilization of Section 125 (cafeteria plan). The same plans were being offered by the representatives from Colonial Life when they met with employees to offer the \$10,000 life insurance that was approved by the Board at an earlier meeting, and thus the confusion. Sherman added that the Delta Dental plans were also taken over by Colonial Life.

Steve Melnick and Kevin Armstrong, Colonial Life representatives, provided two handouts to the Board, noting that it is permissible for an employee to make mid-year plan changes under Section 125. Auditor Sherman noted that this is where he said/she said controversy prompted a revisit/discussion.

Ashley Warner, Jade Withers, and Craig Stadtfeld, Aflac representatives, also met with the Board. Warner provided Group Experience Report and an Enrollment Overview Report to the Board to show history with the employees. Withers explained SDCL 58-33-8 Twisting as misdemeanor. Twisting is misrepresentation or incomplete comparisons of any policy in attempting to induce a policyholder to lapse or convert any insurance policy. Stadtfeld added that the practice of Twisting is prohibited because selling on price is not an honest comparison of features and benefits. Warner added that yes, an employee is allowed to make mid-year plan changes but only when specific events occur, such as divorce, reduced work hours, dependent change, and the list goes on.

Following discussion of the input from both Colonial Life representatives and Aflac representatives, the Commissioners told Melnick to cancel every plan, including the life insurance, that he and the other representative put together for employees.

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

Craig Sanford, 805 Executive Ave, Crooks SD, told the Board that he has a document showing that he has a building eligibility, has planted trees, and has electricity and water to his property (Tract 3 of Beaner's Acres an Addn in SW4 20-101-53). And now Bernard Stockwell tells him that he doesn't have an eligibility because he, Stockwell, has applied for building permits and used the eligibilities. Cori Kaufmann, Zoning Administrator, noted that the property was purchased in 2002 and no building permit has been applied for by Sanford. Mike Fink, States Attorney, Mark Norris, Sheriff, and approximately twelve other individuals were present. Brenda Haviland, 100 W 3rd Ave, Humboldt SD, told the Board that she is recording this meeting, adding that she had a house on her property (Tract 6 of Beaner's Acres an Addn in SW4 20-101-53), that was torn down. She has also been told that she doesn't have an eligibility. States Atty Fink noted that the document is the seller telling the buyer that there are 6 eligibilities, not the County. Fink asked Sanford and Haviland what they wanted, and Sanford said they want their eligibilities. Fink offered to look at whatever they want to bring to him. Dave Knutson, 825 E Kevin Dr, Tea SD, spoke next noting issues with a hog barn being constructed in the area and no one knew about it. Knutson added that he planned to build a home next year on his property (Wieman's Tract 1 in E2NE4 30-101-53) but probably won't now. Knutson said that Stockwell has stolen building eligibilities from these people, and he wants a stop order issued on the CAFO and he wants the P&Z Administrator to do a site inspection. Stockwell is building just to mess with neighbors. Sanford stated that the zoning ordinance makes no sense, and the County must do something to change it, because Stockwell shouldn't be able to get by with this. Dustin Zimmer, neighbor, said that he's lived here for 10 years with 2 daughters, who like to be outside, feels that he should have been told about Stockwell's CAFO unit. Kaufmann explained that a hearing isn't required when the CAFO is below 1000 animal units. Briana Brockhaus, neighbor, said that she's lived here a couple of years and doesn't want a CAFO to be next to them, asking that a 1-mile

setback be considered and let neighbors know what's going up. Knutson reiterated that a stop order should be issued until these issues are resolved.

Cori Kaufmann, Zoning Administrator, introduced Robert Quinn to the Board. Mike Fink, States Attorney, and Mark Norris, Sheriff, were present. Chair Gordon apologized for the wait time. Quinn told the Board he now has an appreciation for what they do/go through. Quinn noted that he would like to build a convenience store (sundries) and erect storage units at Tract 9 "B" Battle Creek Shores 2nd Addition S2SW4 34-102-53. This area is currently zoned Lake Residential and would need to be rezoned to Commercial, so he is here to review the rezone process with them.

The Board reconvened as Board of County Commissioners.

Care of Poor cases and lien payments received the month of August will be reviewed at the next meeting due to lack of time.

Auditor Sherman presented information from Office of the Secretary of State regarding State Board of Finance approving proposed increase to mileage rates. The mileage rate for use of a privately owned vehicle will increase to \$.51 effective September 12, 2022. Motion made by Koch to increase the mileage rate to \$.51/mile, following these guidelines. Second Gordon. Motion carried.

The meeting adjourned at 4:00 p.m. subject to call.

Dated this 8th day of September 2022.

Steve Gordon _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County