

April 23, 2013

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Bill Smith. Members present: Ralph Dybdahl, Marc Dick, Ron Scharffenberg. Member absent: Sheldon Butzke

Chairman Smith led the Pledge of Allegiance to the Flag.

Chairman Smith called for approval of the Agenda. Motion made by Dick to approve the Agenda. Second Dybdahl and motion carried.

Commission Reports: Drainage Task Force Meeting held in Mitchell on April 22<sup>nd</sup> – much discussion regarding tiling; tax relief requested from individuals who are downstream of drainage projects; need of a go to person at the State level, such as an attorney or a hydrologist; DENR has made it clear that it doesn't want the responsibility. Commissioners agreed that counties are in need technical support. Commissioners were pleased with compliments received on how McCook County is handling drainage procedures.

Alicia Reif, 4-H Youth Advisor, presented her January-March 4-H/Extension activities; which included iGrow Readers Program in Bridgewater & McCook Central Kindergarten classrooms, Sioux Empire Water Festival held in SF (McCook County was represented by 99 students), and Women in Science Day held in SF at Southeast Tech which is for 8<sup>th</sup> grade girls. In other business, SDSU has asked if the County Commission would be willing to test water for livestock at the county office. This can only be done by the secretary and the county is responsible for purchasing the meter and supplies. The producer is provided a handout "Water Analysis for Livestock Suitability". Additional follow-up and recommendations would be made by a Field Specialist. Smith

stated that he feels the county should offer the water testing service, making it more convenient for individuals to bring samples to the Courthouse. Scharffenberg questioned why the county should cover the expenses. Auditor Sherman asked about mailers and postage. Following discussion, the Board agreed to offer the water testing service through the Extension Office with the County covering expenses.

Sheldon Butzke joined the meeting.

Auditor Sherman, Mariann Oyen, Benefits Specialist, and the Commission reviewed Care of Poor cases. Three Applications for Poor Relief Assistance were received from Avera McKennan Hospital. No action taken at this time. Emergency assistance was given to an individual who required medications. Two Notices of Hospitalization were received from Avera McKennan Hospital.

The Hanson-McCook Regional Library March 19<sup>th</sup> minutes were noted & filed.

At this time, Auditor Sherman left the meeting and Deputy Auditor, Michele Eichacker, took over duties as Clerk.

Deputy Eichacker presented Application for Abatement or Refund to the Board. Reason for refund: the same property has been assessed more than once in the same year (combined parcel still active in file). Motion made by Dick to approve Application for Refund, #2013-03, in amount of \$80.74 for Matt & Tracie Bormann. Parcel 17.12.7427. Legal description: Lots 27-29, Blk 74, Pettigrew's 2<sup>nd</sup> Addn. Second made by Butzke and motion carried.

Information received from States Attorney, Mike Fink, regarding the establishment of the outlet elevation for Lake Thompson was reviewed. Clay County has

intervened and requested that the Water Management Board reconsider the elevation matter. No action taken.

Motion made by Dick, second Scharffenberg, and carried, to pay claims:

GENERAL FUND: Avera Medical Group, new employee physical, 126.00; Card Service Center, law enforcement supplies, 156.15; DataMaxx Applied Technology, mobile data software renewal, 1971.60; Davison County Jail, March jail services, 5332.00; Eich Law Office, court appt atty for Christina Sasse, 537.27; Minnehaha County Regional JDC, 2 days juvenile care, 300.00; Mitchell Clinic, prisoner care, 39.86; Alicia Reif, March/April mileage, 111.00; Sam's Club Pharmacy, care of poor, 805.14; SDACO, registration for spring workshop, 350.00; Susquehanna Commercial Finance, Tyler Tech software payment, 7154.00; Tyler Technologies, server install travel expenses, 1324.97; Michael Unke, court appt attorney for Garrett Burns, 795.33, for juvenile, 1036.40, for Amanda Rempfer, 629.44.

COUNTY ROAD & BRIDGE FUND: Brock White Co, wand switch, 19.02; SD Dept of Transportation, share of State project costs, 1568.75; Xcel Energy, utilities, 8.51.

EMERGENCY & DISASTER SERVICES FUND: Frontline Plus Inc, siren service contract, 250.00.

Motion made by Butzke, second Dybdahl, and carried, to adopt the following resolution:

#### RESOLUTION 2013-08

Whereas, insufficient appropriations were made in the 2013 budget for Juvenile Detention 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 \$7,000.00 be transferred from Contingency to Juvenile Detention.

Dated this 23<sup>rd</sup> day of April, 2013.

William Smith

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Chairman, McCook  
County Commission

ATTEST:

Michele Eichacker \_\_\_\_\_  
Deputy Auditor, McCook County

Motion made by Butzke, to approve a \$7,000.00 Cash Transfer from General Fund to EDS Fund. Second made by Dybdahl and motion carried.

At 10:30 a.m. the 2<sup>nd</sup> rezone hearing was held by the County Commissioners. Applicant: Ralph Tuschen. Legal description: N200' NE4SE4 3-102-53 Ex Lot H-1. Reason for rezone: change from Ag to Commercial for sign placement. Tracy Hofer, Zoning Administrator, presented Ordinance 2013-01, An Ordinance Rezoning Property, for this 2<sup>nd</sup> reading. Ralph Tuschen and Harlan Hansum were present. No other parties appeared. Motion made by Dick to approve & adopt Ordinance 2013-01, An Ordinance Rezoning Property. Second was made by Butzke. Roll call vote: Ayes: Dick, Butzke, Dybdahl, Scharffenberg and Smith. Nays: none. Motion carried.

ORDINANCE #2013-01  
AN ORDINANCE REZONING PROPERTY

BE IT ORDAINED BY MCCOOK COUNTY, SOUTH DAKOTA

The following legally described property shall be rezoned from Agricultural to Commercial, and the Official Zoning Map shall be amended to reflect such change:

The South 200 Feet of the NE4SE4 Ex Lot H-1, 3-102-53

CONFLICTS. Any prior ordinance or part of any ordinance in conflict with this ordinance is hereby repealed.

SEPARABILITY. Should any section of provision of such ordinance be declared unconstitutional or otherwise invalid, such decision shall not affect the validity of the remainder thereby.

EFFECTIVE DATE. This ordinance shall become effective according to state law.

First Reading	<u>March 26, 2013</u>
Second Reading	<u>April 23, 2013</u>
Publication	<u>May 02, 2013</u>
Effective Date	<u>May 22, 2013</u> (20 days after publication)

ATTEST:

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McCook County Commission Chairman  
McCook County Deputy Auditor

Motion made by Dick to convene as Board of Adjustment. Second made by Dybdahl and motion carried.

At 10:45 a.m. a variance hearing was held. Applicant: Ralph Tuschen. Legal description: N200' NE4SE4 Ex Lot H-1, 3-102-53. Tracy Hofer, Zoning Administrator, presented the Variance Application for Board review. Ralph Tuschen and Harlan Hansum were present. Hofer noted that county regulations state 1000' apart for signs. The request is to space signs using state regulations at 500 feet. Motion made by Butzke to approve the variance application with stipulation that Variance is effective on May 22, 2013; same as Ordinance. Second was made by Scharffenberg. Roll call vote: Ayes: Butzke, Scharffenberg, Dick, Dybdahl and Smith. Nays: none. Motion carried.

Board reconvened as Board of County Commissioners.

Motion made by Dick to open as Canistota Consolidated Board of Equalization.

Second made by Dybdahl and motion carried.

Tracy Hofer, Director of Equalization, met with Board to review omitted property. Motion made by Dick to add omitted property described as Part of SE4 34-102-54 (1.50AC). Total final value: 56,926. Second made by Scharffenberg and motion carried.

Motion made by Dybdahl to adjourn Board of Equalization. Second made by Butzke and motion carried.

Board reconvened as Board of County Commissioners.

Linda Robison, Staff Assistant to Senator Tim Johnson, met with county departments and the Commissioners to field any concerns.

The meeting adjourned subject to call.

Dated this 23<sup>rd</sup> day of April, 2013.

William Smith

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Chairman,  
McCook County Commission

ATTEST:

Michele Eichacker \_\_\_\_\_  
Deputy Auditor, McCook County