

February 26, 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, Sheldon Butzke.

Chairman Smith led the Pledge of Allegiance.

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

The minutes from the February 12th meeting were sent to Board members for review prior to publication. Chairman Smith called for approval of same. Motion made by Butzke to approve the minutes for publication. Second Dybdahl and motion carried.

Commission Reports: Butzke attended Weed Conference held in Huron and shared brochure titled "Training Cattle to Eat Weeds". Smith added that this was a topic of discussion through Grasslands Coalition. Dick noted that he met with representatives from Environmental Land Management, MN, regarding land application of byproducts from John Morrell Co. Dick added that the product does not have an odor, smells like compost. The resolution requested at the January 22nd meeting is scheduled later on this agenda.

Mic Kreutzfeldt, Hwy Supt, presented 2 copies of the financial & maintenance agreement for the McCook County Signing & Delineation, PCN 02MY project. Funding for the County Signing & Delineation project is covered at 100% by federal safety funds and at no cost to the local government. Motion made by Dick to authorize Chairman Smith to sign the Agreement. Second made by Scharffenberg and motion carried.

Kreutzfeldt informed the Board of a DOT Planning Grant for transportation study that is

available at 80/20 match, not promoting it, just making them aware. Kreutzfeldt reported that the Hwy Dept is receiving numerous complaints about snow removal not being done in certain townships. Current projects include bridge repairs, annual sign inspection and painting equipment. Smith informed the group that with regard to the Montrose walking bridge project, a Safe Path to School Grant is being looked into; this project will involve Montrose City, Montrose School and McCook County.

Motion made by Butzke to convene as Drainage Commission. Second made by Dick and motion carried.

Drainage Administrator Kreutzfeldt reported that HB1235 in its current form essentially eliminate Drainage Task Force.

Drainage Adm Kreutzfeldt noted that Roger Hofer has requested a hearing for Permit D13-001, legal description SW4 16-101-55, due to lack of downstream acceptance signatures. Motion made by Scharffenberg to set 9:45 a.m., March 26, 2013, as time for drainage hearing. Second Butzke and motion carried.

Drainage Adm Kreutzfeldt presented drainage permit applications, noting that downstream landowner signatures were obtained and he has signed off on them:

D12-085 Harold Schwartz N2 Ex W54.16 AC Ex E1338' N2 & Ex Lots H1, H2 & H3 & Ex Lot 1M1 23-101-53

Motion made by Butzke to convene as Planning Commission. Second made by Scharffenberg and motion carried.

Zoning Administrator Hofer presented Request for Variance, applicants Mike & Michele Eichacker, legal description SW4 22-103-54. Reason for variance: reduction of required setback for home addition. Hofer explained that the setback is 100' according to

Zoning Regulations and the property became non-conforming when the road was changed in 1970. Michele Eichacker presented plan showing layout of house to road. Following review, it was determined that there is no obstruction of view. Motion made by Dybdahl to approve the request for variance. Second made by Dick. Roll call vote: Ayes: Dybdahl, Dick, Butzke, Scharffenberg, and Smith. Nays: none. Motion carried.

Board reconvened as Board of County Commissioners.

Dave Smith, Weather Imaging, Watertown, met with the Commission to explain his weather modification business in which he uses the sun and a mirror to produce rain; no chemicals are used, nor airplanes. Smith is asking this Board to view a presentation in the spring only if we are in a drought with absolutely no rain in sight. Commissioner Smith asked why McCook County. Smith said because the County has the authority to hire him for his service. Scharffenberg asked what a formal contract would include. Smith said he wasn't sure, at this time. Commissioner Smith noted that this is not a county responsibility. Scharffenberg asked how long the process takes to complete. Smith stated that the process takes about 45 minutes and is done towards sundown, for three days in a row, adding this will usually produce around 1 ¾ "of rain within seven days.

Stevie Holmes and Derrick Iles, Geological Survey Program, Dept of Environment and Natural Resources, presented information about the County's geology and water resources to the Commission. Maps representing geologic cross sections were reviewed. Iles noted that McCook County is one of several counties in Eastern South Dakota that isn't mapped. The intention is to map McCook County.

Scharffenberg left the meeting at this time.

States Attorney, Mike Fink, met with Commission to review two Care of Poor claims that Sanford Medical Center is requesting payment for. Following discussion, it was decided that the County will deny payment on both claims and go to Court if that is the course the hospital chooses. Cases #2012-20 and #2012-33. Mariann Oyen, Benefits Specialist, was present.

Mike Klema and Lee Hansen, Environmental Land Management, were present for discussion regarding resolution of support from McCook County for a land application program. States Attorney, Mike Fink, and Roger and Mike Hofer were present. Dick noted that the by-product smells like compost or wet dirt and looks like coffee grounds. Fink stated that there are no zoning conflicts with McCook County regulations. Motion made by Dick to approve and adopt the following resolution, authorizing Chairman Smith to sign same. Second made by Butzke. Motion carried.

RESOLUTION 2013-04

Land Application Program

McCook County Commission

WHEREAS, Environmental Land Management (ELM) desires to establish and operate a land application program for the purpose of solid waste management; and

WHEREAS, ELM has filed a solid waste application with the South Dakota Department of Environment and Natural Resources (DENR); and

WHEREAS, John Morrell will be the DENR permit applicant; and

WHEREAS, the waste is 'captured, dewatered wastewater solids byproduct from the John Morrell hog processing facility located in Sioux Falls, South Dakota'; and

WHEREAS, the program is not in conflict with any established zoning laws or ordinances; and

WHEREAS, the County Commission of McCook County is required by South Dakota law SDCL 34A-6-103 to approve such a program prior to the issuance of a solid waste permit;

IT IS THEREFORE RESOLVED that the County Commission of McCook County hereby approves the proposed land application program to be operated under the terms of a solid waste permit to be issued by the Board of Minerals and Environment.

APPROVED this 26th day of February, 2013 by the McCook County Commission in regular session at Salem, South Dakota.

William Smith, McCook County Chairman

ATTEST:

Geralyn Sherman, McCook County Auditor

Randy Sabers, Sabers & Associates, and Andy Carlson, The Olson Group, met with the Commissioners and a number of employees to discuss concerns brought to the Board at the February 12th meeting. Sabers noted that neither agent was aware of issues because employees haven't contacted them to voice concern. Sabers added that at the time of the last renewal both agents did meet with employees to go over changes to the existing Wellmark plan and to review information pertaining to the Transamerica coverage, also offering to meet with spouses. Questions were asked and answered. It was decided to set up employee meetings in an evening so spouses can also attend. Sherman will contact Sabers and Carlson when a date is selected.

Auditor Sherman, Mariann Oyen, Benefits Specialist, Mike Fink, States Attorney, and the Commissioners discussed Care of Poor cases. Two Notices of Hospitalization were received from Avera McKennan Hospital. Avera Queen of Peace Health Services is appealing two denials from the County regarding payment of hospital claims; depositions will be scheduled. Avera Queen of Peace has also requested negotiations on

three dating back several years. Avera McKenna Hospital has Applied for Poor Relief Assistance on behalf of seven individuals who we assume haven't made payment arrangements and have no health insurance.

Motion made by Dybdahl to authorize Chairman Smith to sign the Agreement Amendment with Dennis Anderson for his services on the Pre-Disaster Mitigation Plan for McCook County. The County will compensate the Contractor for professional services rendered in an amount not to exceed \$12,000 which represents the total grant to include in-kind match. Auditor Sherman noted that \$3,000 was paid to Anderson in December 2009. Second Dick and motion carried.

The January 15th minutes of the Hanson-McCook Regional Library were noted and filed.

Motion made by Dybdahl to authorize Auditor Sherman to request a VISA credit card for Deputy Sheriff, Randall Schwader, credit limit \$1000.00. Second made by Butzke and motion carried.

Motion made by Dick, second Butzke, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 02/17/13: Commissioners 1269.25, mileage 40.70; Auditor 2548.19; Treasurer 3122.43; States Attorney 2000.00; Custodian 1054.42; Dir of Equalization 2614.90; Register of Deeds 2560.07; Veterans Service Officer 249.48; Sheriff 5629.92; Contract Law 2511.53; Care of Poor 115.38; Community Health Nurse Secretary 1114.69; Extension Secretary, 332.77; Weed Dept 323.07; Drainage 307.69; Planning & Zoning 192.31; Dir of IRS, county share of FICA 1437.16, Medicare 336.12; SD Retirement System, county share of retirement contribution, 1570.39; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 3283.71. Transamerica

Life Insurance, gap insurance billing, 4392.22; A & B Business, copier contracts, 62.79; Avera McKennan Hospital, three mental health holds, 2163.00; Avera Queen of Peace Health Services, prisoner care, 86.54; Bureau of Information & Technology, 2013 email charge, 120.00; Card Service Center, 3 infrared cameras & antivirus, 611.86; CHS Credit Card, law enf auto fuel, 85.00; The Crossroads Hotel, weed conference lodging, 149.98; Davison County Jail, January jail services, 4214.00; Federal High Risk Pool, care of poor – health ins premium, 689.00; Great Plains Psychological, preparing report for psychosexual evaluation, 1395.00; Heiman Fire Equipment, service fire extinguishers, 79.08; Hillyard/Sioux Falls, janitorial supplies, 143.61; Jenny Hofer, assessment notices contracted, 236.50; Jilianne Hofer, assessment notices contracted, 231.00; Tracy Hofer, mileage & car washes, 78.52; Madisyn Jerman, assessment notices contracted, 206.25; MidAmerican Energy, utilities, 879.84; Chloe Nielsen, assessment notices contracted, 236.75; Office Depot, batteries & stamp, 155.88; Barbara Palmer, evaluation, 90.00; Pioneer Designs, Sheriff vehicle striping/design, 325.00; Alicia Reif, office supplies, 90.91; SD Sheriff's Assn, conference registration, 65.00; Verizon Wireless, cell phone service, 78.00; Yankton County Treasurer, mental illness hearing, 106.25.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 02/17/13: Hwy Dept 14505.60; Dir of IRS, county share of FICA 801.80, Medicare 187.52; SD Retirement System, county share of retirement contribution, 870.33; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 1452.90. Transamerica Life Insurance, gap insurance billing, 1884.42; BlueTarp Financial, transfer box, 729.99; Butler Machinery Co, cutting edges for wings, 670.12; Cole's Petroleum, heat transfer oil, 675.65; The Crossroads Hotel, conference lodging, 76.99; Heiman Fire Equipment,

fire extinguisher service, 936.26; Iron Wheel Sales & Service, filters & valve, 84.95; Matthaei Excavating, sand from Heumiller's Pit, 377.96; MidAmerican Energy, utilities, 837.87; Salem Sales, truck exhaust, 55.00; SD Dept of Transportation, share of State project costs, 2774.24.

911 EMERGENCY REPORTING SYSTEM FUND: CenturyLink, 911 telephone service, 302.45.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 02/17/13: EDS Director 1174.92; Dir of IRS, county share of FICA 64.91, Medicare 15.18; SD Retirement System, county share of retirement contribution, 70.50; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 206.94. Transamerica Life Insurance, gap insurance billing, 314.59.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 02/17/13: Sheriff Secretary/Dispatcher 96.15; Dir of IRS, county share of FICA 5.60, Medicare 1.31; SD Retirement System, county share of retirement contribution, 5.77.

Motion made by Dick to approve a \$54,100.00 Cash Transfer from General Fund as follows: Road & Bridge Fund \$50,000.00; EDS Fund \$4,000.00; 24/7 Fund \$100.00.

Second made by Butzke and motion carried.

The meeting adjourned subject to call.

Dated this 26th day of February, 2013.

William Smith

Chairman,

McCook County Commission

ATTEST:

Geralyn Sherman _____

Auditor, McCook County