

June 25, 2013

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

Chairman Smith led the Pledge of Allegiance to the Flag.

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

The minutes from the June 11th & June 18th meetings were sent to Board members for review prior to publication. Chairman Smith called for approval of same. Motion made by Dick to approve the minutes for publication. Second Butzke and motion carried.

Commission Reports: none.

Mic Kreutzfeldt, Hwy Supt, presented the following gasohol quotes: Central Farmers Coop, \$3.06/gallon; Cole's Petroleum, \$3.1058/gallon and Stern Oil, \$3.1459/gallon. Motion made by Butzke to accept quote from Central Farmers Coop. Second Dick and motion carried. Kreutzfeldt informed Board that Southeastern Electric has suggested the Montrose Hwy Dept building be re-wired as there are fire hazard issues; this will be scheduled for updating. Kreutzfeldt reported that the bill for repairs to the John Deere tractor have been approved by Claims Associates; payment will be made today.

Motion made by Scharffenberg, second by Dick, and carried to adopt the following resolution:

RESOLUTION 2013-12

WHEREAS, SDCL 7-21-51 authorizes the accumulation of funds for capital outlay purposes, and

WHEREAS, McCook County desires asphalt construction work to be done to resurface highways, and

WHEREAS, the total cost for such asphalt construction work is now extraordinary in nature, exceeding the funding ability of a single-budget year.

NOW, THEREFORE BE IT RESOLVED that a maximum of \$1,000,000.00 shall be accumulated over a period not exceeding five years for asphalt construction work.

Vote of Commissioners: Yes 5 No 0

Dated at Salem SD, this 25th day of June 2013.

ATTEST:

County Auditor
Chairman

Commission

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

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

D13-019	Dave Fendrich	SE4 13-104-56
D13-021	Kathryn A Hofer, Rev Living Trust	SW4 12-104-56

The Board reconvened as Board of County Commissioners.

Auditor Sherman, Mariann Oyen, Benefits Specialist, and the Commissioners discussed Care of Poor cases. An Application for County Assistance for \$908.18 disconnect notice from Xcel Energy was denied. An Application for County Assistance for a \$742.41 Xcel Energy bill hasn't been returned to the Auditor's Office; power was shut off.

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

At 10:30 a.m. a public hearing was held for Variance Application requested by Bryant Hofer. The request is for a change to the setbacks from a township road right-of-way to make room for a 60 x 88 machine shed with 42 x 56 attached garage. The legal description is NW4 29-103-54. Due to the relationship between Staff and applicant, it is in the best interest of the county for the Staff to abstain from any recommendations or decisions on this variance. At 10:33 a.m. public testimony was taken. Mr. Hofer noted that the Richland Township Board members are okay with the request and noted that the building will be 30' from the right-of-way, not 50'. With no one else present, public testimony closed at 10:36 a.m. Motion made by Butzke to approve the request for variance. Second was made by Scharffenberg. All voted aye. Motion carried.

At 10:45 a.m. a public hearing was held for Variance Application requested by Greg Nugteren. The request is for a change to the setback from a county road right-of-way to allow a Quonset style, 42 x 238, cattle shed. The legal description is S2NE4 33-101-53. Staff recommendation: the States Attorney is not available to be present at this hearing due to a schedule conflict and he asked that all public testimony be well documented in case the Commissioners need to have him review it. This being said-based upon my interpretation of this ordinance the Staff recommendation is denial of variance request. At 10:50 a.m. public testimony was taken. Greg Nugteren introduced himself and Josh Viet. Mic Kreutzfeldt, Hwy Supt, was also present. Nugteren noted that the building will be 75' from center of road, not 100' setback as noted in regulations. The proposed building is a bedded building (bed pack floor) and with proposed location

there will be a better flow from one building to another, which will allow the finishing of cattle. There will be no run-off issues because it is a bedded building. Kreutzfeldt stated that there shouldn't be road issues due to snow because area is protected; noting that usually a variance is requested because there is no other alternative. Smith asked about animal head capacity. Nugteren – 238 if finishing cattle. Zoning Adm Hofer stated that she did receive a call from a neighbor from the south who has built a new home; complaint being cattle shed will be approximately 460' from the house and 360' from the property line. Dybdahl noted the concern but all zoning regulations are being followed except the setback which needs to be addressed at this time. Viet added that there is no flowing drain from cattle lot. Public testimony closed at 11:03 a.m. Motion was made by Dick to approve the request for variance. Second was made by Scharffenberg. All voted aye. Motion carried.

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

Tracy Hofer, Zoning Adm, presented information to the Board regarding issuance of a temporary permit for mud races, a fund raiser for the Canistota Fire Department, to be held in NE4 36-102-55. Motion was made by Dick to waive all future Temporary Permit application fees in lieu of a change in the zoning regulations which would allow the mud races as a conditional use. Second was made by Dybdahl. Motion carried.

The Board reconvened as Board of County Commissioners.

Tracy Hofer, Dir of Equalization, informed the Board that several individuals who applied for the Staff Appraiser position in the Dir of Equalization Office are currently certified through Dept of Revenue. With this noted, motion was made by Dybdahl to set

starting pay at \$1022.38 bi-weekly (1st year step increase) if the person offered the position is currently certified and in good standing with Dept of Revenue. Second was made by Butzke. Motion carried.

Motion made by Dybdahl to declare Legend Network Client PC as surplus property as it is no longer functional. Second made by Butzke and motion carried.

The Emery Township bonds for Clerk and Treasurer have been filed with the Auditor's Office.

The May Clerk of Courts Report was noted & filed.

The May 21st minutes of the Hanson-McCook Regional Library were noted and filed.

Cindy Dannenbring, Executive Director Inter-Lakes Community Action, met with the Commissioners to explain programs and services that are offered, using federal funds, by ICAP. Some of those programs: weatherization, volunteer income tax assistance, voucher for garden seeds/plants, and emergency utility assistance. Local funds contributed by residents of McCook County help provide needed school supplies.

Motion made by Butzke, second Scharffenberg, and carried, to pay claims:
GENERAL FUND: Bi-Weekly Payroll: 06/23/13: Commissioners 1269.25; Auditor 2548.19; Treasurer 3168.58; States Attorney 2000.00; Custodian 1054.42; Dir of Equalization 3161.38; Register of Deeds 2571.95; Veterans Service Officer 332.54; Sheriff 5434.88; Contract Law 3823.06; Care of Poor 115.38; Community Health Nurse Secretary 1114.69; Extension Secretary, 332.77; Weed Dept 1141.82; Drainage 307.69; Planning & Zoning 192.31; Dir of IRS, county share of FICA 1605.29, Medicare 375.44; SD Retirement System, county share of retirement contribution, 1760.00; Wellmark Blue

Cross/Blue Shield, county share of health insurance premium, 3408.19. Transamerica Life Insurance, gap insurance billing, 4544.30; Grand Jury fees & mileage, 438.48; A & B Business, monthly copier contracts, 69.71, copier repair, 135.00; Advanced Systems, monthly copier contract, 45.15; Canistota City, water for weed spraying, 32.20; CHS Credit Card, sheriff auto fuel, 379.19; Fiferlick Drywall, 2nd floor window repairs, 1021.14; Governors Inn, D.A.R.E. conference lodging, 308.00; Tracy Hofer, conference mileage, 200.54; Carol Johnson, court reporting, 26.60; Marshall & Swift, Residential Cost Handbook, 284.95; Microfilm Imaging System, software conversion, 2000.00; MidAmerican Energy, utilities, 48.57; Montrose City, water for weed spraying, 59.08; The Radar Shop, recertified radar units, 156.00; Alicia Reif, cellphone expense, 30.00, mileage & supplies, 221.91; Sandine Concrete, caulking south door area of Courthouse, 37.74; Schneider Corporation, annual support, 6600.00, 3rd qtr Pictometry, 150.00; SDPAA, insurance – rental tractor, 180.00; Sioux Falls Two Way Radio, radio repairs, 145.49; Stephanie Moen & Associates, court reporting, 51.60; Town of Spencer, water for weed spraying, 89.50; Michael Unke, court appt atty for Donald Nekolite, 1788.88; Verizon Wireless, cell phone service, 77.08; Volunteers of America Dakotas, 8 days juvenile care, 880.00; Wash ‘N’ Go, car wash tokens, 60.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 06/23/13: Hwy Dept 15850.16; Dir of IRS, county share of FICA 882.20, Medicare 206.31; SD Retirement System, county share of retirement contribution, 951.00; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 1494.83. Transamerica Life Insurance, gap insurance billing, 1999.79; C & B Operations, tractor repair, JD tractor repair, 16421.06; Concrete Materials, asphalt, 446.40; GCR Tire Centers, supplies,

799.46; Metal Culverts, culverts bands, 7294.29; Michael Todd & Co, hazard markers, 2619.86; MidAmerican Energy, utilities, 23.63; Montrose City, water, 46.78; Northwestern Energy, utilities, 10.70; Pheasantland Ind Garment Div, safety clothing, 674.46; Servall Towel & Linen, towel & mat rental, 45.34; Town of Spencer, water, 40.00; TrueNorth Steel, culverts, 13048.05.

911 EMERGENCY REPORTING SYSTEM FUND: CenturyLink, 911 telephone service, 302.45; Mitchell Regional 911, 3rd qtr E911 services, 8427.00.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 06/23/13: EDS Director 1174.92; Dir of IRS, county share of FICA 64.88, Medicare 15.17; SD Retirement System, county share of retirement contribution, 70.50; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 215.12. Transamerica Life Insurance, gap insurance billing, 314.59.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 06/23/13: 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 Dybdahl, second Dick, and carried, to adopt the following resolution:

RESOLUTION 2013-13

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 \$8,000.00 be transferred from Contingency to Juvenile Detention.

Dated this 25th day of June, 2013.

William
Smith _____

Chairman, McCook
County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County

Motion made by Dybdahl, to approve a \$104,200.00 Cash Transfer from General Fund as follows: Hwy Rd & Bridge \$100,000.00; EDS Fund \$4,000.00 and 24/7 Fund \$200.00. Second made by Dick and motion carried.

The meeting adjourned subject to call.

Dated this 25th day of June, 2013.

William Smith

County Commission Chairman, McCook

ATTEST:

Geralyn Sherman _____
Auditor, McCook County