

June 7, 2012

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

Chairman Butzke led the Pledge of Allegiance.

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

The minutes from the May 8<sup>th</sup> & May 15<sup>th</sup> meetings were sent to Board members for review prior to publication. Chairman Butzke called for approval of same. Motion made by Smith to approve the minutes for publication. Second Scharffenberg and motion carried.

At 8:40 a.m. the votes from the June 5<sup>th</sup> Primary Election were canvassed. The Poll Books were reviewed with the number of voters compared to the ballots counted in each precinct and to the Recap Sheet for each precinct; no discrepancies were noted.

Commissioner Dick joined the meeting.

Mic Kreutzfeldt, Hwy Supt, met with the Board. Kreutzfeldt noted that a tool house (1958), fixed asset #306, has been disposed of because the roof caved in and asked for a motion to declare surplus. Motion made by Smith to declare tool house surplus property. Second Dybdahl and motion carried. Kreutzfeldt informed the Board that a motion is needed to supplement the Hwy Dept budget for the STP funds received in May. Motion made by Dick to supplement the Hwy Dept budget in the amount of \$136,188.00 and increase the grant revenue line reflecting the STP funds received. Second Scharffenberg and motion carried. Kreutzfeldt presented a utility permit for approval.

Motion made by Dybdahl to authorize Chairman Butzke to sign a Telephone Utility Permit for Golden West Telecommunications. Scope of Project: rural Marion exchange will be upgraded to fiber optics. Second Smith and motion carried. Kreutzfeldt informed the Board of changes taking place in the administration of the SDPAA, hiring of an Executive Director. Price quotes for a utility vehicle were reviewed. Motion made by Scharffenberg to approve purchase of a diesel Kawasaki Mule from Yankton Motorsports, \$9,900.00 for weed spraying & Hwy Dept use. Second Dybdahl and motion carried. Kreutzfeldt presented information on sign management methods for tracking retro-reflectivity of signs as required by law. Motion made by Dick to approve a Sign Retro-Reflectivity Assessment/Management Plan authorizing Chairman Butzke & Supt Kreutzfeldt to sign same. Second Smith and motion carried. Options to maximize the reconstruction of 435<sup>th</sup> Ave in the 2013 budget year were discussed.

Motion made by Scharffenberg to convene as Drainage Commission. Second Dybdahl and motion carried.

Hwy Supt, Mic Kreutzfeldt, presented drainage permit applications, noting that downstream landowner signatures were obtained and he has signed off on them: D12-029 Donald Healy applicant, legal description: SE4 31-103-53; D12-030 Lester Ortman applicant, legal description: NE4 8-101-54; D12-031 Lester Ortman applicant, legal description: NW4 8-101-54; D12-032 Gene Sandine applicant, legal description: SW4 Inc former RR 21-104-55 Ex Lot H1 in SW4SW4 21-104-55, Ex Lot H1 in NW4SW4 21-104-55, Ex Lot H2 in NW4SW4 21-104-55 & Ex Lot H3 in NW4SW4 21-104-55; D12-033 Richard Niedert applicant, legal description: N2NE4 16-102-54; D12-034 Don Miles applicant, legal description: E2SW4 23-104-53; D12-035 Don Miles applicant,

legal description: E2NW4 27-104-53; D12-036 Dan Miles applicant, legal description: NW4 23-104-53; D12-037 Elaine Eichacker Rev Trust applicant, legal description: NE4 19-104-54; D12-038 David & Jerry Eichacker applicants, legal description: NW4 19-104-54;

At 9:45 a.m. the drainage hearing tabled from the May 15<sup>th</sup> meeting was continued: Permit D12-006, Adrian Ranch, applicant. Drainage Administrator Kreutzfeldt and Eric Tieszen, Dakota Tiling, were present. Kreutzfeldt asked if the current tiling plan could be revised. Tieszen stated that there are no other reasonable options at this time. Smith stated that he doesn't agree with adding the 80 acres that don't naturally flow SE, without downstream landowner approval of the project. Motion made by Smith to approve 30 acres that naturally flow SE to outlet and if downstream landowner approval is obtained within 2 year life of the permit, approve it in whole. Second Dick and motion carried.

In other business, Tieszen asked if any drainage districts have organized in McCook County or if anyone has been successful in implementing one? No and no.

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

Tracy Hofer, Zoning Administrator, presented a Rezone Application on behalf of Verizon Wireless. Verizon Wireless would like to construct a communications facility at this location which requires the subject property to be zoned commercial. Property owner: Darlene Lauck Rev Living Trust. Site address: Intersection of St Hwy 81 and 258<sup>th</sup> St. Legal description: 100' x 100' plus driveway of that portion of the NW4 of 13-102-55 Ex Lots H2 & H3 which lies E of Hwy 81. Amy Dresch, FMHC Corporation,

was present and explained that this request will accommodate an upgrade to 4G technology. Tom Lauck was also present. Following discussion, motion was made by Scharffenberg to recommend approval of the request to rezone to the Board of County Commissioners. Second Smith. Ayes: Scharffenberg, Smith, Dick, Dybdahl, Butzke. Nays: none. Motion carried.

Zoning Administrator Hofer presented a plat for approval. Motion made by Smith to approve Plat of Tract 1 of McCook County Wildlife Club Addition in the Southeast Quarter of Section 17, Township 103 North, Range 54 West of the 5<sup>TH</sup> Principal Meridian, McCook County, South Dakota. Second Scharffenberg and motion carried.

Motion made by Smith to convene as Board of Adjustment. Second Scharffenberg and motion carried.

At 10:45 a.m. a Board of Adjustment Hearing was held as advertised. Legal description: Golden View Colony Tract 1 in the E2 of Section 29 including a portion of Lot 2 of Streff's Second Addition in the SE4 29-103-55. Present: Tom Hofer and David Hofer, Golden View Colony, Jake Wipf, Oaklane Colony, and Jim Wahle. Zoning Administrator Hofer explained that the reason for this hearing is allowances in setback distances and Hofer presented a letter received from Steve VanderBeek, Regional Habitat Manager, SD Game, Fish & Parks, Sioux Falls (on file). Brian Friedrichsen, Dakota Environmental, joined the meeting. Smith read Section 11 Additional Use Regulations, 11.08 Class A Concentrated Animal Confinements, #2 Exemptions from Setback and Separation Distances: In the absence of a waiver, documentation shall be presented to the Board of Adjustment on new technology, management practices, topographic features,

soil conditions or other factors which substantiate a reduction in the minimum separation criteria. With this noted the following determinations were made: Management practices: State regulates manure management. Topographic features: inside pit, doesn't drain into GF&P and field injection. Soil conditions: not outside lot. Friedrichsen went over these topics as requested by the Board of Adjustment and as required by the Zoning Regulations. Motion made by Dick to approve request for setback changes. Second Scharffenberg. Ayes: Dick, Scharffenberg, Smith, Dybdahl, Butzke. Motion carried.

In other business, Hofer informed the Board of a request to rezone property along SD42 from Commercial to Rural Residential.

The following building permits were issued the month of May:

2012-29	Gregory Kipp	grain bin & removing 2 bins	E766'
	of N475' SE4 36-104-54		
2012-30	Dee Ann Alvarez	new basement	Lot A
	Fluth's 1 <sup>st</sup> Addn NE4 8-1041-56		
2012-31	Robin Hofer	shop & pump house	
	N2E2NE4 28-101-56		
2012-32	Thomas Whitehead	steel roof	
	Timer's Tr in SE4 Ex Lot 1 26-101-54		
2012-33	Golden View Colony	hogs – Class A – building #2	Golden
	View Colony Tr 1 E2 29-103-55		
	Including portion of Lot 2 Streffs 2 <sup>nd</sup> Addn		
2012-34	Mark & Pamela Jerman	hay building – pole (storage)	SW4
	5-101-54		
2012-35	Frieda Wollman (Roger)	post frame 60' x 80' x 18'	SE4
	21-101-55		

The Board reconvened as Board of County Commissioners.

Keith Aden, VSO, met with the Commission to discuss purchase of cemetery markers for Veteran's grave. Aden noted that there should be some responsibility of local Legion Posts to assist with these purchases for their Veterans. Aden said he will

contact Legion Posts and other County VSO's regarding what procedure and report back to the Board.

Auditor Sherman presented two Alcoholic Beverage License Applications for approval. Motion made by Dick to approve applications for Ports Petroleum Co. d/b/a Fuel Mart and SP Enterprises Inc d/b/a Battle Creek Resort, authorizing Chairman Butzke to sign same. Second Dybdahl and motion carried.

Auditor Sherman, Mariann Oyen, Benefits Specialist, and the Commissioners reviewed Care of Poor cases. Three Notices of Hospitalization were received from Sanford Medical Center. One Notice of Hospitalization was received from Madison Community Hospital. Seven Notices of Hospitalization were received from Avera McKennan Hospital. A Request for Payment from Sanford Medical Center was denied. Information regarding cuts to federal funds for South Dakota's Low-Income Energy Assistance Program was reviewed and discussed.

Dwayne McIntyre, Custodian, and the Commission reviewed quotes for masonry repair work and a gutter system for the Courthouse building. Motion made by Dick to approve quote from American Garage Door Co., \$4205.36, for gutter system for the Courthouse building. This company replaced the gutter along the south side of the building several years ago. Second Dybdahl and motion carried. Motion made by Dybdahl to accept quote from Karr Tuckpointing, \$92516.00, for masonry preservation, maintenance and repair to the Courthouse building. Second Dick and motion carried. Mid-Continental Restoration didn't present a quote. Mike Kroger Masonry & Restoration, quote of \$26142.00. Auditor Sherman will contact Deene Dayton, Dept of Legislative Audit, to determine how to utilize the funds set aside in Capital Outlay for the

Courthouse building. Motion made by Dybdahl to approve the quote from Construction Signing Corp., \$1675.69, for striping the Courthouse parking lot. Second Dick and motion carried.

Commissioner Dick said he has talked with Mike Fink about available office space in the Courthouse.

The April 17<sup>th</sup> minutes of the Hanson-McCook Regional Library meeting were noted and filed.

The May Clerk of Courts Report was noted and filed.

Motion made by Dybdahl to deny support of a resolution presented by LaRouche PAC asking Congress to reinstate the Glass-Steagall Act and implement the North American Water and Power Alliance plan. Second Dick and motion carried.

The following Township Bond has been filed with the Auditor's Office:  
Montrose Township Treasurer, John Knox.

Motion made by Dick, second Scharffenberg, and carried, to pay claims:  
GENERAL FUND: Bi-Weekly Payroll: 5/27/12: Commissioners 1269.25; Auditor 2486.65; Treasurer 2863.39; States Attorney 2280.80; Custodian 1023.65; Dir of Equalization 3000.67; Register of Deeds 2509.53; Veterans Service Officer 320.32; Sheriff 5396.24; Contract Law 3796.14; Care of Poor 115.38; Community Health Nurse Secretary 1083.92; Weed Dept 823.73; Drainage 307.69; Planning & Zoning 192.31. Dir of IRS, county share of FICA 1563.61, Medicare 365.70; SD Retirement System, county share of retirement contribution, 1684.14; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 3457.29. A & B Business, 2 monthly copier contracts, 57.07; AutoEx, law enforcement supplies & labor, 2054.76; Avera McKennan

Hospital, mental health hold, 3090.00; Avera Queen of Peace Health Services, prisoner care, 581.50; Best Western Ramkota-Aberdeen, conference lodging, 302.97; Best Western Ramkota-Pierre, spring workshop lodging, 188.96; Bridgewater City, Fire Hall rent for election, 35.00; Brown & Saenger, election supplies, 76.76; Business Products Inc, office supplies, 151.25, monthly copier contract, 43.12; Canistota City, water for weed spraying, 172.20; Card Service Center, supplies & travel expense, 650.86, driveway sealer, 223.60; City of Bridgewater, June ambulance appropriation, 2382.50; Commercial Asphalt, Courthouse parking lot, 19244.54, parking lot tack oil, 243.00; Davison County Jail, April jail services, 3000.00; DS Solutions, test deck ballots & list, 300.00; Dust-Tex Service, mop rental, 26.42; Eich Law Office, court appt atty for Annaka Haynes, 993.20; Michele Eichacker, mileage to deliver & pickup AutoMarks, 62.53; Federal High Risk Pool, add'l Cobra premium, 66.00; Fiferlick Drywall, Courthouse wall repair, 1683.23; Fink Law Office, court appt atty for juvenile, 149.80, for Ben Chittenden, 621.44, for Cory Zobel, 113.47, for Charlie Senk, 1356.76, for Mark Sabers, 4156.89, for Kevin Falk, 2967.37, for juvenile, 267.90; Roger Gerlach, May expenses, 173.41; Gessner Welding & Repair, supplies, 58.50; Harland Technology Service, AVG antivirus renewal, 332.00; Lyle Hetland, weed meeting & mileage, 31.29; Hillyard/Sioux Falls, supplies, 146.59; Lyle Hetland, weed meeting & mileage, 31.29; Inter-Lakes Community Action, June CSW funds, 582.59; Iron Wheel Sales & Service, Men's Room repairs, 465.95, sidewalk & boiler room, 1943.17, supplies, 100.39; Tammra Kreutzfeldt, Resolution Board member, 25.00; Bill Lehrman, weed meeting & mileage, 34.62; Jim Lentsch, June food pantry rent, 175.00; Lewis & Clark BHS, mental health services, 149.00; The Lodge at Deadwood, convention lodging, 231.00; McCook County EMS,



June ambulance appropriation, 5909.27; McCook County Publishers, publishing, 2213.52; McCook County Treasurer, postage, 526.44; McLeod's Printing, PT28 forms, 177.98; Mark Meyers, weed meeting & mileage, 30.55; Microfilm Imaging System, PC annual service agreement, 180.00, scanning equipment rent, 305.00; MidAmerican Energy, utilities, 77.82; Montrose City, water for weed spraying, 71.83; Morgan Theeler LLP, court appt atty for Janet Wurtz, 377.20, for juveniles, 114.80; Office Depot, office supplies, 9.90; Barbara Palmer, mental health evaluations, 202.50; Peterson Repair, Crown Vic service, 265.24; The Radar Shop, recertified radar units, 117.00; Record Keepers Inc, vault box storage, 21.25; Salem City, utilities, 91.38; Salem Community Drug, extension cord, 2.99; Salem Farmers Market, 4-H supplies, 1.89; Salem Lumber, Courthouse parking lot sidewalk supplies, 473.34; Salem Sales, law enforcement auto fuel, 2440.00, lawn mower fuel, 96.62; Salem Veterinary Service, drug dog supplies, 46.99; SD Achieve, services for 5 residents, 300.00; SDSU Extension, 2<sup>nd</sup> qtr 2012 appropriation, 6300.00; Geralyn Sherman, election mileage, 11.47; Brenda Stadel, website changes, 30.00; Brad Stiefvater Jr., defibrillator supplies, 321.10; Sturdevant's Auto Supply, supplies, 13.21; Swift Air Inc, sidewalk heating system, 1417.18; T & C's Pit Stop, law enforcement auto fuel, 288.02; Total Stop Food Store, law enforcement auto fuel, 739.03; Triotel Communications, telephone & internet service, 919.28; US Postal Service, post office box rents, 576.00; Michael Unke, court appt atty for Micah Ellis, 677.75, for Richard Wibeto II, 115.80; Van Diest Supply, Amine weed spray, 1510.00; Verizon Wireless, cell phone service, 187.63, internet modem service, 399.86; Walgreen Co, prisoner care, 68.62; Wash 'N' Go, car wash tokens, 60.00; Xcel Energy, utilities,

554.12; Yankton County Sheriff's Dept, serving papers, 25.00; Zapp Hardware, supplies & labor, 358.96.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 5/27/12: Hwy Dept 16156.73; Dir of IRS, county share of FICA 927.50, Medicare 216.91; SD Retirement System, county share of retirement contribution, 969.42; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 1431.05. All States Ag Parts, parts, 153.00; ANA Laboratories, soil sample kits, 116.50; Auto Body Specialties, truck windshield, 75.00; Butler Machinery, parts, 410.93; Card Service Center, supplies, 164.32; Catco Parts Service, parts, 259.22; Central Farmers Coop, supplies, 551.02; Commercial Asphalt, patch mix, 3631.38; Driveline Service Inc, truck repairs, 62.00; Roger Feterl, gravel, 25500.00; Fremar LLC, seed, 105.00; Gessner Welding & Repair, supplies, 197.90; I-State Truck Center, filters & kits, 220.82; Lawson Products, supplies, 242.18; MidAmerican Energy, utilities, 25.04; North Central International, truck parts, 57.17; Northern Truck Equipment, Swenson box spreader/sander, 14695.00; Peterson Repair, tires, 679.48; Puthoff Repair, supplies, 43.81; Salem City, utilities, 60.40; Salem Lumber, supplies, 209.28; SDACHS, registration-summer meeting, 30.00; Servall Towel & Linen, towel & mat rental, 44.46; Southeastern Electric, utilities, 21.00, replace overhead line, 1000.00; Spencer Quarries, rock, 1266.49; Stan Houston Equipment, asphalt saw, 470.42; Sterzinger Crushing, crushed gravel, 39576.00; Sturdevant's Auto Supply, supplies, 1192.10; Triotel communications, telephone & internet service, 105.02; TrueNorth Steel, parts, 76.00; US Postal Service, post office box rent, 76.00 Xcel Energy, utilities, 301.92; Z & S Dust Control, mag- chloride, 16710.40; Zapp Hardware, supplies, 45.59.

911 EMERGENCY REPORTING SYSTEM FUND: Bridgewater/Canistota Independent Telephone, E911 billing system, 371.72; Sioux Falls Two-Way Radio, backup paging system, 967.40; Brad Stiefvater, May expenses, 24.05; Triotel Communications, 911 telephone service, 223.20.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 5/27/12: EDS Director 1144.15; Dir of IRS, county share of FICA 63.00, Medicare 14.73; SD Retirement System, county share of retirement contribution, 68.65; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 206.94. Card Service Center, printer & cartridge, 267.07; Brad Stiefvater, May expenses, 326.02; Triotel Communications, internet service, 25.00; Verizon Wireless, internet modem service, 42.41.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 5/27/12: Sheriff Secretary/Dispatcher 96.15; Dir of IRS, county share of FICA 5.77, Medicare 1.35; SD Retirement System, county share of retirement contribution, 5.77.

The Auditor's Account with the County Treasurer for the month of May, 2012: deposits in banks, \$2,997,106.91; cash to deposit, \$742.65; checks to deposit, \$36,787.78; Cash Items (postage) \$526.44; Treasurer's Cash, \$1,143.56; Register of Deeds, \$450.00; Sheriff, \$500.00; Passbook Savings, \$21,084.30; CD's, \$800,000.00. The total deposits on hand: \$3,858,341.64.

The meeting adjourned subject to call.

Dated this 7<sup>th</sup> day of June, 2012.

Sheldon  
Butzke \_\_\_\_\_  
Chairman,  
McCook County Commission

ATTEST:

Geralyn Sherman \_\_\_\_\_  
Auditor, McCook County