

August 8, 2023

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Marc Dick. Members present: Chuck Mehlbrech, Steve Gordon, Dean Koch, and Charles Liesinger.

Others present: Brenda Haviland, Tyler McCoy, and Kris Tott.

Chairman Dick led the Pledge of Allegiance.

Chairman Dick called for approval of the agenda. Auditor Sherman told Board that HR Consultant has asked for an executive session at the end of the day to discuss pay plan with them and due to another commitment, Jess Klinkhammer will be moved to 10:00 Motion by Gordon to approve the agenda with changes noted. Second Mehlbrech. Motion carried.

The minutes from the July 25th & August 1st meetings were sent to Board members for review prior to publication. Motion by Gordon to approve these minutes for publication. Second Koch. Motion carried.

Public comment: Brenda Haviland informed Board that she will be recording the meeting. Roger Hofer asked if Grant Solar is a LLC, if they are bonded, will taxes go up on the property, what will heat panels do to neighboring crops, and will wildlife be affected. Answer to all questions: don't know. Lastly Hofer said Hanson County should be responsible for some payment to McCook County Ambulance Service. Hofer left thanking the Board for their time.

Commissioner reports: Gordon noted that he and Hwy Supt Raap went to observe a micro surfacing project in Yankton County. Discussion was held on the benefits of this process and possible locations it could be applied.

Conflict of Interest: none noted.

Travis Raap, Hwy Supt, presented a letter of support for SDDOT for the construction of the I-90 Flood Resiliency & Drainage Improvement Project. This project going through McCook County will improve and prevent future road closures. Motion Liesinger to support the project and authorize Chairman Dick to sign the letter of support. Second Koch. Motion carried. Raap presented 2 utility permits for approval. Motion Koch to approve Water Utility Permit for Kingbrook Rural Water System. Scope of project: water service installation SE4 Section 2, Brookfield Twp. Second Gordon. Motion carried. Motion Liesinger to approve Electric Utility Permit for Southeastern Electric. Scope of project: install 1ph URD for new service at 438th Ave, 200' N of 263rd St. Second Gordon. Motion carried. Raap informed Board that Hwy Dept hauled gravel for Hanson County Hwy Dept and this offsets our use of their snowblower this past winter. Current projects include mowing, blading, and assisting with chip sealing in Lake County. Raap noted that several townships should be applying for Rural Access Infrastructure Funds this year that will assist them with funding to improve small structures on township roads.

Jess Klinkhammer, Community Health Nurse Secretary, provided the Commission with an update as to changes coming to WIC and Community Health Services. The Board will want to pay attention to Section 3, Scope of Work & Performance Provisions in the FY24 WIC contract. Documents outlining the duties of the WIC Clerical & Public Health Assistant positions will be included with the contract. CHN Deb Wollmann will only work with community health and Klinkhammer will do more with clients.

Geralyn Sherman, Welfare Director, presented the Commission a list of lien payments received the month of July.

The following building permits were issued in July:

2023-066	Jack & Wanda Bailey	new home	Tract 2 Gause Add SE4 2-104-54
2023-069	Rosemont Valley Farms	40x100 cattle shed	Tr 1 Smith's Add in SE4 of 22-103-53 and SW4 23-103-53
2023-072	Bernard & Hilary Stockwell	renew 2022-058 (home)	Tract 2 Beaner's Acres an Add SW4 20-101-53
2023-073	Bernard & Hilary Stockwell	renew 2022-056 (home)	Tract 5 Beaner's Acres an Add SW4 20-101-53
2023-074	Matthew Stockwell	shouse	SW4 Ex Tract 1 of Sandman Add 24-101-53
2023-075	Roger Leitheiser Trust	replace 20x80 silo	W2NW4 17-101-56
2023-076	Jeffrey & Marcia Anderson	60x80x20 shop	NE4 15-104-54
2023-077	Meadow View Hutterian Brethren	modular home	Tract 1 of I-90 Pork Add lying therein SE4

2023-081	Jenni Klitzke	20x30 hay storage shed	28-102-55 S311' of N597' of E242.5' of W292.5' Ex that portion of L3 therein L2 NW4 1-102-55
2023-083	Golden View Hutterian Brethren	180'x540'x22' concrete/steel shop	SW4 Inc Streffs' Add Tract 1 Ex Streff's Add Tr 2&3 Ex S385' of W550' N1020' 28-103-55
2023-084	Jeremy & Amanda Owen	home	Lot 17 of Eagle Ridge Add W2SW4 35-102-53
2023-085	Cadet Hoxsie	20x25 garage addition	Lot 17 Sunset Bluffs Add W2SW4 35-102-53
2023-086	Dwayne & Carol VanEmmerik	42x60x14 machine shed	S33 ½ Rds of E33 ½ Rds in SE4 31-104-54
2023-087	Andrew & Sydney Becker	replace grain bin (7 rings)	NE4SE4 24-101-54
2023-088	Andrew & Sydney Becker	replace cold storage 60x80x18	NE4SE4 24-101-54
2023-091	Dorene Richarz	replace 40x70 metal Quonset	SE4 Inc RR 2-101-54
2023-092	VanWinkle Dairy LP	38x12x18 feed storage	Tr2A VanWinkle Dairy Add S2NE4 36-102-54
2023-093	C&E Family Farm Inc	replace 2 grain bins (48x9)	Tr 2 of C&E Family Farm Add NW4 2-104-54
2023-094	Diane Merrigan	6x8 storm shelter	SW4 1-101-54

Motion by Koch to convene as Drainage Commission. Second Gordon. Motion carried.

Mic Kreutzfeldt, Drainage Administrator, was unable to attend this hearing. Travis Raap, Hwy Supt, informed Board that he has documentation from Kreutzfeldt regarding the Langerock Irrevocable Trust drainage hearing for Permit D23-011. Legal description: N2NE4 31-101-54. Present: Jim and Andy Tieszen, and Curtis Matthies. Information from Kreutzfeldt: Jim Tieszen filed a drainage complaint against the Langerock Family Trust. Complaint was investigated. Matthies did place some tile in spring of 2022, claiming that he wasn't aware of the requirement. States Attorney Fink charged him for tiling without a permit. Matthies submitted an application for a drainage permit after the fact with everything except downstream acceptance from Jim Tieszen. Maps attached. The outlets are to a dam then when full, to a waterway to the W Vermillion River. The waterway just dips into the edge of Tieszen property then onto other property owners who have signed off. There is a late August court date pending hearing outcome. At this time, Chair Dick asked Matthies to begin. Matthies explained that he didn't initially apply for a drainage permit because he didn't know it was needed. Andy Tieszen- water will kill the trees, need to get water past the shelter belt. Matthies- a change to tiling project would probably kill more trees; follows a natural grass waterway. Tieszen invited the drainage administrator to look at the site to be tiled adding that the stuff in water is killing our trees. Chairman Dick suggested a decision on the permit be tabled allowing time for the drainage administrator to check the site and to give Tieszens & Matthies time to come to an agreement. Motion by Mehlbrech to table a decision on this permit until the August 22nd meeting at 11:30 a.m. Second Liesinger. All members voted aye. Motion carried.

The Board reconvened as Board of County Commissioners.

Tyler McCoy, CFC, asked if he could offer public comment because he didn't realize that was held earlier. McCoy asked that it be noted that Nurse Entringer who spoke at the August 1st meeting stated that when enzymes are added, pits don't smell as bad. McCoy told the Board that he feels there is a disconnect between Stockwells and the Commission. McCoy also noted that Stockwell can't pull permits because then someone else may get a building permit for a home. The county needs/wants producers.

Motion by Liesinger to convene as Planning Commission. Second Gordon. Motion carried.

Anna Flogstad, Staff Appraiser, presented 5 plats for approval. Following review of the 1st plat review form, motion made by Gordon to approve the plat. Second Koch. Motion carried.

Be it resolved by the County Planning Commission of McCook County, South Dakota, that the Plat showing Tract 1 of Kapperman Addition in the South Half of the South Half of the Northeast Quarter and the North Half of the Southeast Quarter of Section 13, Township 102 North, Range 53 West of the 5TH Principal Meridian, McCook County, South Dakota, having been examined, is approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments thereof.

Adopted this 8th day of August 2023.

Chair, County Planning Commission
McCook County, South Dakota

Following review of the 2nd plat review form, motion made by Koch to approve the plat. Second Liesinger. Motion carried.

Be it resolved by the County Planning Commission of McCook County, South Dakota, that the Plat showing Tracts 1, 2, and 3 of Sandine's 1st Addition in the Northeast Quarter of Section 20, Township 104 North, Range 55 West of the 5th Principal Meridian, McCook County, South Dakota, having been examined, is approved in accordance with the provisions of SDCL of 1967, Chapter 11-6, and any amendments thereof.

Adopted this 8th day of August 2023.

Chair, County Planning Commission
McCook County, South Dakota

Following review of the 3rd plat review form, motion made by Mehlbrech to table this plat. Motion died for lack of second.

Motion made by Koch to deny approval of the plat described as Tract 1 Stockwell Pork Addition in NW Quarter 23-101-53. Second Gordon. Motion carried.

Following review of the 4th plat review form, motion made by Koch to deny approval of the plat described as Tract 1 Spring Valley Pork Addition lying within Tract 1 of Wieman's Addition in the S Half of the S Half 14-101-53. Second Liesinger. Motion carried.

Following review of the 5th plat review form, motion made by Koch to deny approval of the plat described as Tract 1 of Stockwell Pork Addition SE Quarter 12-101-53. Second Gordon. Motion carried.

Board reconvened as Board of County Commissioners.

Motion made by Liesinger, second by Mehlbrech, and carried, to pay claims. 8/5/2023: Commissioners 1980.75 mileage 234.60; Auditor 4124.44; Treasurer 4299.65; States Attorney 3155.92; Custodian 1324.40; Dir of Equalization 4427.71; Register of Deeds 3043.38; Veterans Service Officer 309.75; Sheriff 14352.69; Contract Law 7813.50; Care of Poor 217.30; Welfare 335.83; Community Health Nurse Secretary 1451.80; 4-H Youth Assistant 2933.12; Drainage 248.36; Planning & Zoning 601.13. A&B Business Solutions, monthly copier contract 73.60; Affordable Auto Body, vehicle repair 1292.78; Alternative HR LLC, August HR support 5692.50 job posting 99.00 additional hours 405.00; Auto Value, supply 4.59; AutoEx, vehicle maintenance 4951.08; Avera Queen of Peace Hospital, blood alcohols 411.00; Blindert Insurance Agency, food pantry rent 200.00; Card Service Center, SRO training expenses 145.77 K-9 supplies 332.69 nurse supplies 186.70 law enforcement supplies & gas 1231.69 firearm training certification 130.00; Central Farmers Coop, gas 73.70; Century Business Products, 4 monthly copier contracts 463.47; Chesterman Co, water 102.00; City of Bridgewater, August ambulance appropriation 3866.67; Corporate Translation, interpreter service 29.06; Dakota Data Shred, shredding service 60.47; Eich Law Office, court appt attorney for juvenile A&N 5419.00; Feeding South Dakota, food pantry deliveries 100.00; Mike Fink, July expenses 452.10; Gordon Flesch Co, monthly copier contract 27.00; Inter-Lakes Community Action, August CSW funds 836.33; Jack's Uniform's & Equipment, deputy uniforms/vests 3238.21; Carol Johnson, transcription service 39.20; Leads Online, tracking system 1635.00; Lincoln County Auditor, reimburse mental illness expenses 174.20; McCook County EMS, August appropriation 11559.09; McCook County Treasurer, postage 113.65; McCormick Motors, vehicle maintenance 1166.83; McLeod's Printing, envelopes/traffic tickets 274.50; Meyer Motor, install radar cables 320.00; Mitchell Clinic, prisoner care 227.00; Montrose Veterinary Clinic, drug dog 279.10; New Century Press, publishing 843.26; ODP Business Solutions, office supplies 436.81; Pennington County Jail, prisoner transport 99.72; RBS Sanitation, courthouse garbage service 105.00 food pantry service 81.50; Salem City, utilities 125.33; Salem Lumber, firearm training supplies 21.23; SD Achieve dba LifeScape, services for 6 residents 360.00; SD Public Health Laboratory, lab services 180.00; Tech Solutions, Managed IT services 3652.00; Total Stop, gas-care of poor 34.90; Tri M Tunes, window tint-2021 Ford Explorer 535.00; Triotel Communications, telephone/internet service 680.22; Verizon Wireless, iPad service 40.01 cell phone service 469.10; Xcel Energy, utilities 444.02; Zapp Hardware, supplies 57.79 fans for Community Room 306.96.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 8/5/2023: Hwy Dept 25748.41 phone allowance 225.00. All States Ag Parts, parts 500.00; Appeara, mat & towel rental 74.36; Auto Value, parts & supplies 737.75; C&B Operations, parts 176.60; Card Service Center, supplies 54.88; Central Farmers Coop, tire repair 476.00 lp gas-heating 133.14; Century Business Products, monthly copier contract 115.56; Chesterman Company, water 6.00; Commercial Asphalt, hot mix 5258.92; Core & Main, supplies 48.28; Diesel Machinery Inc, parts 156.15; Fremar LLC, Hiway mix 1480.00; Gessner Welding & Repair, parts 50.00; Cameron Howard, snowblower/wheel loader 5500.00; Jebro Inc, liquid asphalt 14770.51; Knife River-SD, asphalt 2970.40; Lyle Signs, signs 1796.06; Maynards Salem, supplies 16.88; Michael Johnson Construction, concrete sand 3246.60; Pomp's Tire Service, parts 275.00; Puthoff Sales & Service, parts 180.00; RBS Sanitation, garbage service 77.00; Salem City, utilities 169.05; Salem Lumber, supplies 56.00; Southeastern Electric, utilities 28.39; Spencer Quarries, chips 11858.71; Stern Oil Co, oil/supplies 4261.99; Transource Truck & Equipment, parts 171.39 broom rental 2700.00; Triotel Communications, telephone/internet service 115.41; TrueNorth Steel, supplies 32897.70.

911 SERVICE FUND: Golden West Telecommunications, 911 telephone service 200.00; Triotel Communications, 911 telephone service 181.20.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 8/5/2023: EDS Director 1454.68. Card Service Center, weather station contract 280.00; ODP Business Solutions, toner cartridges 404.97; Triotel Communications, telephone & internet service 142.97.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 8/5/2023: Sheriff Secretary/Dispatcher 204.58. PharmChem Inc, sweat patch analysis 191.70.

MODERNIZATION & PRESERVATION FUND: Microfilm Imaging Systems, scanning equipment rent 601.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 8/5/2023: Dir of IRS, county share of FICA 4569.58, Medicare 1068.68; SD Retirement System, county share of retirement contribution, 4470.55; Wellmark BlueCross/BlueShield of SD, county share of health insurance premium 5217.47.

The Auditor's Account with the County Treasurer for the month of July: deposits in banks, \$5,287,161.95; cash to deposit, \$1,723.35; checks to deposit, \$37,710.99; CC payments, \$1,900.83; Cash Items \$113.65; Treasurer's Cash, \$1,456.35; Register of Deeds, \$450.00; Sheriff, \$500.00; CD's, \$700,000.00. The total deposits on hand: \$6,031,017.12.

Laurie Schwans, Register of Deeds, met with the commission to review 2024 Register of Deeds proposed budget and the Modernization & Preservation Fund.

The July Law Enforcement Report was noted and filed.

The July Southeast Enterprise Facilitation Project Report (SEFP) was noted and filed.

Auditor Sherman presented a copy of the Renewal Application for Canistota City for their permit #GPRU-97-23-179 to operate a Type IV Restricted Use Solid Waste Facility on land owned by the City of Canistota. The legal description is W2NW4SE4 of Section 27, Canistota Twp.

Jim Julson, Bridgewater Ambulance Service, met with the Board to review expenses and income from 2022 and first ½ of 2023 for the ambulance service. Julson noted concerns for small number of staff and the commitment/work that is required and the inadequate Medicare payments for claims. Julson also noted appreciation for what the county has provided for the Bridgewater Ambulance Service.

At 11:45 a.m. a public hearing was held to discuss whether to enact a solar farm moratorium. Chairman Dick explained that anyone who wished to speak had 3 minutes and public comment section was opened. Chair Dick invited two Grant Solar representative to speak first. They noted that they are here to listen to comments/concerns. Arnold Tappin- presented the Board a list of issues with the Grant Solar Project several month ago. Feel a solar farm should be capped at 1 megawatt, keeping size as personal farm. States Attorney

Fink explained that a moratorium would be put in place due to emergency of health, safety, and general welfare of county residents. Auditor Sherman- this hearing is in reference to any solar farms. DJ Buseman- what happens to property values, what is the heat affect? The ordinance was not meant for big scale, industrial farms. Enacting a moratorium would be good so time can be spent reviewing what we have. Cal Heitzman- power has been taken away from us, no return for SD, no benefits. Ferlyn Hofer asked if the commissioners have been to a solar farm site. Chairman Dick, yes, to a small farm near Edgerton MN. Hofer- concern about crops, what will the heat do to them? Dick- we haven't seen any studies. Hofer- we need a moratorium. Kris Tott- this is an Ag community, need to consider a moratorium to save agricultural land. CJ Lepp- provided a letter at conditional use hearing held on 2/28/2023 noting reasons not to allow the permit, such as glint & glare and drainage concerns; support a moratorium because there are better places for corporate solar farms. Steve Richarz- why take farmland out of production. Brenda Haviland- asking for moratorium so more research can be done. Thanks for all you do. Chair Dick asked Grant Solar representatives if they had anything to share. No comments prepared at this time. Did find out that \$1.6 million dollars have been invested to date. Chair Dick closed public comment section of the meeting. Discussion was held among commission members. Motion by Koch to place a temporary emergency moratorium on issuance of building permits for any solar farms, for 1 year or less to study and establish new regulations. Second Mehlbrech. Roll call vote. Ayes: Koch and Mehlbrech. Nays: Liesinger, Gordon, and Dick. Motion failed.

Motion by Gordon to enter Executive Session at 12:45 p.m. for pay plan review & personnel (SDCL 1-25-2 (1)). Michelle Stubkjaer, HR Consultant, was present. Second Liesinger. Motion carried. Chair Dick declared out of Executive Session at 1:45 p.m.

The meeting adjourned subject to call.

Dated this 8th day of August 2023.

Marc Dick _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County