

December 20, 2022

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Steve Gordon.

Members present: Chuck Mehlbrech, Marc Dick, Dean Koch, and Charles Liesinger.

Chairman Gordon led the Pledge of Allegiance.

Chairman Gordon called for approval of the agenda. Hoiten noted that Care of Poor cases won't be reviewed. Motion made by Koch to approve the agenda with change noted. Second by Dick. Motion carried.

The minutes from the November 22nd meeting were sent to Board members for review prior to publication. Motion made by Mehlbrech to approve the minutes for publication. Second Dick. Motion carried.

Public input: none.

Commissioner Reports: Koch noted that Sheldon Jensen, Sioux Metro Alliance, would like to meet with the Commission sometime. Drew Peterson also wants to meet with the Board to discuss any legislative concerns.

Conflict of Interest: none noted.

Mic Kreutzfeldt, Hwy Supt, presented the following bids for asphalt overlay project (Co Hwy 06E/248th St) to the Board: Commercial Asphalt \$1,020,245; Bowes Construction \$1,171,752.75; Black-Top Paving \$1,177,250.75; Bituminous Paving \$1,185,254.00; Asphalt Surfacing \$1,231,685.65; Double H Paving \$1,259,169.75; and Duinick Inc \$1,518,330.25. Motion made by Koch to award overlay project to Commercial Asphalt. Second Gordon. Motion carried.

Chair Gordon will attend bid letting at 10:00 a.m. tomorrow for BRO 8044(00)22-1, PCN 08XC (bridge replacement) project. Kreutzfeldt presented a utility permit for approval. Motion made by Dick to approve Electric Utility Permit for Xcel Energy to replace existing power pole & hardware, transfer conductors & add equipment to pole, at approximately 44628 261 St. Second Koch. Motion carried. Kreutzfeldt presented 2023 Application for Bridge Improvement Grant (BIG) Funds Preservation or Rehab/Replacement for Bridge 44-180-068, 1.7N & 7.0E of Salem over Little Vermillion River, anticipated year of letting 2024. Motion made by Koch to approve the following resolution for County to pay 20% match on the project. Second Dick. Motion carried.

2022-22

BRIDGE IMPROVEMENT GRANT PROGRAM RESOLUTION AUTHORIZING SUBMISSION OF APPLICATIONS

Whereas, McCook County wishes to submit an application for consideration of award for the Bridge Improvement Grant Program:

STRUCTURE NUMBER and LOCATION:

Bridge 44-180-068, 1.7N & 7.0E of Salem

and Whereas, McCook County certifies that the project is listed in the County's Five-Year County Highway and Bridge Improvement Plan;

and Whereas, McCook County agrees to pay the 20% match on the Bridge Improvement Grant funds;

and Whereas, McCook County hereby authorizes the Bridge Improvement Grant application and any required funding commitments.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application.

Vote of Commissioners/Council: Yes 5 No 0

Dated at Salem, SD, this 20th day of December 2022.

ATTEST:

County Auditor/City Finance Officer

Chairman/Mayor

Kreutzfeldt informed Board that there may be a soybean grant for \$10,000 that could help with engineering costs for bridge project, checking into this. Kreutzfeldt noted that dates and times are needed for the annual supply bid letting and for fuel. Motion made by Liesinger to set 11:00 a.m., January 11th, as time for diesel fuel and gasoline letting and 11:00 a.m., February 7th, as time to hold the annual supply bid letting. Second Mehlbrech. Motion carried. Kreutzfeldt informed Board that we will try micro-milling on 451st Ave – then chip seal. Cost of \$45,000/mile instead of \$167,250 for asphalt overlay. Kreutzfeldt suggested the 2006 Sterling truck be declared surplus and sold as the engine needs to be replaced and not worth the cost to repair. Motion made by Dick to declare the 2006 Sterling LT9500 Truck (fixed asset 769A) & Henderson Body (fixed asset 770A) as surplus and sell through Wieman Land & Auction. Second Koch. Motion carried. Kreutzfeldt informed Board that snow is being pushed into right of ways and causing safety & plowing issues. Kreutzfeldt will put notice in newspaper and may have States Attorney Fink follow-up with repeat offenders.

Motion made by Koch to convene as Drainage Commission. Second Dick. Motion carried.

Drainage Administrator Kreutzfeldt presented drainage permit application to the Board, noting that downstream landowner signatures were obtained, and he has signed off on it. All permits are available for inspection at the Hwy Dept Office.

D22-039	Dave Fendrich	SE4 21-102-54	clean out existing ditches
D22-040	Dave Fendrich	SE4 5-102-54	clean out existing ditches

Roger Hofer met with the Board questioning the reason/s for denial of his drainage permit applications D22-024 (SW4 Ex Lot H1 and Ex S730' of E660' 16-101-55) & D22-025 (NW4 Ex SW4NW4 16-101-55) due to lack of downstream acceptance. Hofer told Board that he feels he is being discriminated against. Kreutzfeldt said he could check culvert size to make sure it's correct.

The Board reconvened as Board of County Commissioners.

Motion made by Mehlbrech, second Koch, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 11/26/2022 & 12/10/2022: Commissioners 1980.75 mileage 89.76 1980.75; Auditor 5365.28 5365.28; Treasurer 4196.37 4113.62; States Attorney 2925.25 2925.25; Custodian 1249.50 1249.50; Dir of Equalization 2602.03 2517.90; Register of Deeds 3124.97 3094.03; Veterans Service Officer 279.90 279.90; GIS 1564.50 1564.50; Sheriff 14729.43 11686.68; Contract Law 8362.49 6730.39; Care of Poor 198.03 198.03; Welfare 252.59 261.30; Community Health Nurse Secretary 1451.80 1601.80; 4-H Youth Assistant 1382.51 1382.50; Drainage 298.95 298.48; Planning & Zoning 597.73 563.11. 2022 polling place rent 500.00 on-call pay 150.00; SD Dept of Revenue, SD Developmental Center-Redfield 60.00; Transamerica Employee Benefits, December contribution 3365.86; A & B Business, 2 months copier contract 147.20; Alternative HR, December HR services 5500.00; Applied Concepts, 4 radar guns 16275.00; AutoEx, vehicle maintenance 3766.33; Avera Queen of Peace Hospital, blood alcohol services 130.00; C&B Operations, parts 96.48; Card Service Center, DARE supplies 1647.59 office supplies 25.98 care of poor 22.00 law enforcement supplies 511.33; Central Farmers Coop, fuel 66.16; Century Business Products, 6 monthly copier contracts 616.92; Chesterman Co, water 102.00; City of Bridgewater, December ambulance appropriation 3741.66; Dakota Data Shred, shredding service 56.78; Davison County Sheriff, October & November jail services 12635.00; DS Solutions, pre-marked test deck 175.00; Eich Law Office, court appt attorney for Tamara Hubert 2952.71; Election Systems & Software, election services 2191.72; English Law, court appt attorney for Branden Stone 525.20; ESRI, annual software maintenance 700.00; Mike Fink, November expenses 333.53; Flow-Rite Seamless Gutters, repairs to Courthouse gutters 550.00; Fremar LLC, grass seed 425.00; Connie Fritz, evaluation 755.25; Gordon Flesch Co, monthly copier contract 24.00; Griese Law Firm, court appt attorney for juvenile 424.00; Hillyard/Sioux Falls, courthouse supplies 739.13; Inter-Lakes Community Action, December CSW hours 794.67; Jack's Uniforms & Equipment, officer uniforms 146.79; Carol Johnson, transcription service 9.20; Kinzley Funeral Home, care of poor-burial service 1500.00; Jessica Klinkhammer, travel expense for WIC in Minnehaha County 280.15; Kruse Law Office, mental health services 535.20; Lentsch Tree Service, snow removal 90.00; Lewis Family Drug, prisoner care 18.58; LifeQuest,

4th Qtr allocation 720.00; Lincoln County Auditor, reimburse mental health expenses 167.17; Maynards Salem, supplies for Christmas open house 20.96; McCook County EMS, December ambulance appropriation 11172.72; McCook County Treasurer, postage 364.48; McCormick Motors, law enforcement vehicle maintenance 175.90; McLeod's Printing, conditional use sign 250.00; Meyer Motor, law enforcement vehicle maintenance 57.79; Minnehaha County SD Juvenile Detention Center, 2 days juvenile housing 514.00; Mitchell Clinic, prisoner care 136.00; New Century Press, publishing 358.47 statements 96.00 VSO business cards 53.56; ODP Business Solutions, office supplies 279.55 My Cloud Business EX4100 1399.29; Douglas Papendick, court appt attorney for Kolt VanSickel 469.90; Peters Distributing, FOB system for Courthouse ground floor entrances 10137.10 FOB system for 3rd floor doors 8846.49; RBS Sanitation, garbage service-Courthouse 98.00 Food Pantry 56.50; Running Supply, supplies 149.99; Salem City, utilities 117.04 water-weed spraying 15.64; SD Achieve dba LifeScape, services for 6 residents 360.00; SD Public Health Laboratory, lab services 40.00; Michael Sharp ESQ, court appt attorney for John Wudel 2196.80 for Joseph Aulner 1005.31 for Tyler Sherod (3 claims) 1258.00 for Jimmy Nichols 994.55; Sioux Falls Area Humane Society, stray animal services 161.68; James D Taylor, mental health matters 793.75; Tech Solutions, Managed IT services 3578.00; Triotel Communications, telephone/internet service 692.71; Tritech Software System, annual software maintenance 5659.24; Two Way Solutions, battery for radio 110.98; United Laboratories, supplies 974.89; Verizon Wireless, Ipad service 40.01 cell phone service 421.83; Xcel Energy, utilities 541.04; Zapp Hardware, supplies 64.95.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 11/26/2022 & 12/10/2022: Hwy Dept 21111.53 21144.37. Transamerica Employee Benefits, December contribution 2115.28; Appeara, towel & mat rent 107.43; Auto Value, parts & supplies 811.34; Butler Machinery, parts and repairs 542.61; C&H Radiator, radiator 958.87; Central Farmers Coop, diesel fuel & tires 19511.17; Century Business Products, monthly copier contract 139.46; Chesterman Company, water 6.00; City of Bridgewater, 2000 gal water 13.80; City of Montrose, 3000 gal water 75.00; Istate Truck Center, parts 224.24 2023 Freightliner VI 113674.00 2023 Freightliner VI 121332.00 freight 7600.00; Lyle Signs, posts & U-channel 1810.00; New Century Press, publishing 170.09; Northwestern Energy, utilities 30.24; Paul's Towing, recover maintainer 900.00; Puthoff Sales & Service, mower 6700.00 supplies & repairs 297.19; RBS Sanitation, garbage service 74.00; Rinker, supplies 34944.96; Salem City, utilities 168.93 water 56.58; Salem Lumber, supplies 209.83; SD Dept of Transportation, share of State projects 41942.81; Sioux Falls Truck & Trailer, parts 638.23; Southeastern Electric, utilities 33.39; Spencer Quarries, mixed aggregate 80.16; Stern Oil Co, fuel 375.04; Transource Truck & Equipment, repairs 1049.96 parts & supplies 345.16; Triotel Communications, telephone/internet service 105.21; Verizon Wireless, cell phone service 81.88; Wheelco Truck & Trailer, parts 285.48; Xcel Energy, utilities 478.02; Zapp Hardware, supplies 189.82.

911 SERVICE FUND: Active 911 Inc, software subscriptions 2250.00; Golden West Telecommunications, 911 telephone service 400.00; Sioux Valley Energy, radio tower utilities 56.69; Triotel Communications, 911 telephone service 183.20.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 11/26/2022 & 12/10/2022: EDS Director 1454.68 1454.68. Transamerica Employee Benefits, December contribution 96.51 Brad Stiefvater Jr, November expenses 88.92; Triotel Communications, telephone & internet service 143.12.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 11/26/2022 & 12/10/2022: Sheriff Secretary/Dispatcher 203.46 197.89. PharmChem, sweat patch analysis 62.900.

MODERNIZATION & PRESERVATION FUND: Microfilm Imaging System, scanning equipment rent 594.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 11/26/2022 & 12/10/2022: Dir of IRS, county share of FICA 4267.30 3974.55; Medicare 998.01 929.55; SD Retirement System, county share of retirement contribution 4161.81 3958.27; Wellmark BlueCross/BlueShield of SD, county share of health insurance premium 5656.60 19664.42.

The Auditor's Account with the County Treasurer for the month of November 2022: deposits in banks, \$7,513,982.28; cash to deposit, \$639.27; checks to deposit, \$83,027.43; CC payments, \$777.85; Cash Items (postage) \$364.48; Treasurer's Cash, \$1,205.52; Register of Deeds, \$450.00; Sheriff, \$500.00; CD's, \$800,000.00. The total deposits on hand: \$8,400,946.83.

Motion made by Koch to approve an automatic supplement in the amount of \$6,996 to Contract Law budget, insurance proceeds from vehicle damages. Second Dick. Motion carried.

Motion made by Koch to approve an automatic supplement in the amount of \$14,000 to ARPA Fund for payroll adjustments. Second Mehlbrech. Motion carried.

Laurie Schwans, Register of Deeds, joined the meeting to give the Board an update on county Christmas party scheduled to be held on January 13, 2023.

Motion made by Dick to convene as Planning Commission. Second Koch. Motion carried.

Cori Kaufmann, Zoning Administrator, presented a plat for approval. Following review of the plat review form, motion was made by Dick to approve the following County Commission Resolution. Second by Gordon. Motion carried.

Be it resolved by the County Commission of McCook County, South Dakota, that the Plat of Tract 3 of Holland's Addition to the W2 of the SW4 of Section 26 and the E2 of the SE4 of Section 27, Township 103 North, Range 53 West of the 5TH Principal Meridian, McCook County, South Dakota is hereby approved.

Dated this 20th day of December 2022.

Chair, County Planning Commission
McCook County, South Dakota

Kaufmann presented a First Amendment to Agreement between Schneider Geospatial and McCook County for Beacon Add-On for Subscription Billing to the Board. This will allow users to initiate online payment for daily, monthly, or annual access subscriptions to the county's Beacon website. Motion made by Koch, to approve the agreement with Kaufmann signing off on behalf of the County. Second Liesinger. Motion carried.

Roger Gerlach met with the Commission to ask that a lien filed against Wesley Cooper be forgiven, adding that the County may still get a partial payment. The lien balance is \$5825.86. Following discussion, motion made by Mehlbrech to release the property from the lien, with the lien remaining of record. Second Dick. Motion carried. The property is described as Commencing at the Southwest Corner of Lot 5, Block 1, Amy's Addition to City of Canistota, thence East 67 ³/₄ Feet, thence North 20 Feet, thence East 122 ¹/₂ Feet, thence South 4 inches, thence East 105 Feet to Railroad Street, thence in a Northwesterly direction along the West line of Railroad Street to a point half way on Railroad Street, between the North and South line of Lot 5, thence straight West 262.3 Feet to the West line of Lot 5, thence due South along West line of Lot 5 to place of beginning, City of Canistota, McCook County, South Dakota.

Discussion was held about adding another School Resource Officer to the Sheriff's Department because there is a need to expand this service along with having an individual who can assist with court days. Present: Mark Norris, Sheriff, Anna Misar, Deputy Sheriff/SRO, Michelle Stubkjaer, HR Consultant, Kurt Stiefvater & Matt Alley, McCook Central School, and Shawnya McGregor, Montrose School. Stubkjaer will put together a job notice for SRO/Court Security position, so the search can begin. Those present had much praise for SRO Misar. Questions raised: how many days will each school be willing to take or pay for, there is no county budget for another officer, vehicle, benefits, etc. for 2023, when would this employment begin, with new school year or immediately.? Not all schools are represented today, are we sure they are on board with this. This topic will be re-visited at the January 10th commission meeting to nail down details of how much time is actually going to be allocated to the schools vs. county with an additional position, etc.

Motion made by Koch to enter Executive Session at 12:00 p.m. for personnel discussion, SDCL 1-25-2 (1). Second Mehlbrech. Motion carried. Michelle Stubkjaer, HR Consultant, and Deputy Auditor Hoiten were present. Chair Gordon declared out of Executive

Session at 12:10 p.m. Motion was made by Dick to accept the resignation of Christine Morris, Deputy Sheriff, effective 12/13/2022.

Second Koch. Motion carried.

In other business, HR Consultant Stubkjaer informed Board that she would like a commissioner to join interview for a Deputy Sheriff on December 29th. Liesinger will sit in on the interview. Stubkjaer noted that the Hwy Supt would like to have Michelle Zelmer fill in for the office when personnel are attending meetings/training/workshops, following her retirement. Commission approved request.

Motion made by Liesinger to enter Executive Session at 12:15 p.m. for personnel discussion, SDCL 1-25-2 (1). Michelle Stubkjaer, HR Consultant, and Deputy Auditor Hoiten were present. Chair Gordon declared out of Executive Session at 12:30 p.m.

Motion made by Mehlbrech to approve and adopt updated Pay Plan provided by Stubkjaer. There is a 5% adjustment to the Pay Plan.

Everyone's pay will be adjusted according to Plan based on years of experience in current role. Second Liesinger. Motion carried.

Stubkjaer asked about making changes to Donation of Sick Leave as noted in the Employee Handbook. Commissioners want to leave policy as is, and add that when donating an employee must leave at least 5 days minimum in their personal sick leave bank.

The following building permits were issued the month of November 2022:

2022-153	Richard & Cathleen Roling Trust	replace part of cattle barn (40'x100')	NE4 Ex 1.02AC & Ex S230' of N1130' of E240' of NE4NE4 21-103-55
2022-154	David Simonson	24'x14'x8' storage shed	Tract 2 of Ginsbach Tracts in NE4 13-101-53
2022-155	Michael & Mary Roling	replace hoop building	SE4 35-103-53
2022-156	John & Deborah Scheier	50x80x16 storage shed	E2SE4SW4SE4 6-103-54
2022-157	George & Beatrice Leitheiser	replace cattle barn	E2NE4 18-101-56
2022-158	Larry & Lavonne Bezug	residence	NW4 21-103-53
2022-161	James Bothwell	greenhouse & storage	N705' of E1236' NE4 35-101-54 Ex Lot H-1
2022-162	Larry Ruste	replace 12x16x8 storage shed	NW4 17-104-53
2022-163	Gene Sandine	replace workshop & storage	SW4 Inc Former RR 21-104-55 Ex Lot H1 in SWSW4 21-104-55; Ex Lots H1, H2, & H3 in NW4SW4 of 21-104-55
2022-164	Lucas Painter	replace 40x72 storage shed	Tract 1 Eichhorn's Add NE4 5-103-53
2022-165	Jared Lynch	shouse	Tract 2 Cannon's Add NE4 20-103-55
2022-166	Brad & Heather Kranz	32x52.6x12 storage shed	W1193' of N730' NE4 20-103-55
2022-167	Duane & Lori Healy	replace 20x30x18 equipment storage	Borger Tract 1 NE4NE4 25-103-54

Motion made by Mehlbrech to enter Executive Session at 1:00 p.m. for discussion of pending litigation, SDCL 1-25-2 (3). Second Gordon. Mike Fink, States Attorney, Cori Kaufmann, Zoning Administrator, and Deputy Auditor Hoiten were present. Chair Gordon declared out of Executive Session at 1:20 p.m.

The November Law Enforcement Report was noted and filed.

The November SEFP Newsletter was noted and filed.

Deputy Auditor Hoiten presented the 2023 Jail Contract between Lake County and McCook County to the Board for approval. The per prisoner-day rate is \$82.50. Motion made by Dick to approve the jail contract and authorize Chair Gordon to sign same. Second Liesinger. Motion carried.

Deputy Auditor Hoiten presented the 2023 Jail Contract between Minnehaha County and McCook County to the Board for approval. The new daily bed rate is increasing from \$97.34 to \$106.15 per inmate per day. Motion made by Dick to approve the jail contract and authorize Chair Gordon to sign same. Second Liesinger. Motion carried.

Deputy Auditor Hoiten presented the 2023 Prisoner Housing Agreement with Charles Mix County to the Board for approval. The per prisoner day rate is \$70.00. Motion made by Dick to approve the agreement and authorize Chair Gordon to sign same. Second Liesinger. Motion carried.

A letter was received from Office of the State Court Administrator informing the Commission that court appointed attorney fees for 2023 will be \$107 per hour pursuant to UJS policy and mileage will be paid at the rate of \$1 per mile.

Motion made by Dick to appoint Chair Gordon as the McCook County representative to attend meetings held by the Vermillion Basin Water Development Board. Second Mehlbrech. Motion carried.

Motion made by Koch to approve a letter of support for the proposed Minnehaha County Juvenile Justice Center and authorize Chair Gordon to sign same. Second Gordon. Motion carried.

The Sheriff's Office has requested that 5 Stalker Radar Units be declared surplus because new units have been awarded to McCook County through a Highway Safety Grant for FY23. Motion made by Dick to declare the radar units as surplus and dispose of them as necessary. Second Mehlbrech. Motion carried. Stalker Radar Unit information: all units are model DSR2X, Serial Numbers are DP023459, DP023479, DP023448, DP023455, and DP023688, and cost was \$2912.50 each.

The meeting adjourned subject to call.

Dated this 20th day of December 2022.

Steve Gordon _____
Chairman, McCook County Commission

ATTEST:

Rebecca Hoiten _____
Deputy Auditor, McCook County