

February 28, 2023

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

Chairman Dick led the Pledge of Allegiance.

Chairman Dick called for approval of the agenda. Motion made by Koch to approve the agenda as posted. Second by Gordon. Motion carried.

The minutes from the February 14th meeting were sent to Board members for review prior to publication. Motion made by Mehlbrech to approve the minutes for publication. Second Liesinger. Motion carried.

Public input: Roger Hofer was present and asked where his taxes go regarding the Vermillion Basin Water Development District. Hofer added that the Commission shouldn't have allowed a vote. Koch stated that was the option that the Board had because the Governor would not sign a bill allowing the annexation of McCook County to the VBWDD because it was an increase in taxes. Hofer asked if the county will be sued if the solar farm project is not approved. Don't know. Hofer stated that he does not like that McCook County taxpayers pay for McCook EMS to go to Hanson County. BJ Stiefvater, McCook EMS, was present and explained that this isn't the case. Hanson County and McCook County EMS have an agreement that if there is an ambulance call that is not paid for by insurance, then Hanson County will pay it, billed at a Medicare approved rate for the transfer. Stiefvater also explained that this agreement has been in place over many years, and the townships that McCook EMS serves in Hanson County all voted to be served by McCook EMS as they were unsatisfied with their situation, not being transported to the hospitals in Sioux Falls.

Commissioner Reports: none.

Conflict of Interest: none noted.

Mic Kreutzfeldt, Hwy Supt, informed Board that Renae Slaughter, GIS Coordinator, has submitted her resignation effective 03/17/2023. Motion made by Koch to accept her resignation. Second Liesinger. Motion carried. Brad Stiefvater, Jr, EDS Director, was present. Discussion of old Co Rd 05AL (448th Ave from SD38 to 254th St then east back to SD38) was held. Kreutzfeldt presented a copy of a resolution transferring from SDDOT to Co Hwy system in 1949 and another in 1987, to transfer to Montrose Twp system with condition that County continues to do the snow removal. Kreutzfeldt informed Board that Cam Howard has been hired to blow snow for the county. Hanson County has offered the use their loader/blower again if needed. Still waiting on parts for our blower. Current projects include snow removal and crack sealing if possible.

Mark Norris, Sheriff, and Beth Skaff, Food Pantry Coordinator, joined the meeting for discussion on the proposed building that will be utilized by the Food Pantry, Emergency & Disaster Service, Law Enforcement, and Hwy Dept.

Geralyn Sherman, Auditor/Welfare Director, and the Commissioners reviewed one Care of Poor case. Sherman explained that this is a previously denied request for assistance and the applicant is requesting \$5000 after re-working the application form. A letter appealing the denial and providing explanation of circumstances was presented to the Board (2023-01). With further review, the request for assistance is denied.

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

Cori Kaufmann, Zoning Administrator, presented two plats for approval. Following review of the Plat Review forms, motion was made by Liesinger to approve the 1st plat. Second Gordon. Motion carried.

Be it resolved by the County Planning Commission of McCook County, South Dakota, that the Plat of Hofer Nursery Outlot 1, a Subdivision of the NE ¼ of Section 29, T 102 N, R 55 W of the 5TH P. M., McCook County, South Dakota is hereby approved.

Dated this 28th day of February 2023.

Chair, County Planning Commission
McCook County, South Dakota

Motion made by Koch to approve the 2nd plat. Second Mehlbrech. Motion carried.

Be it resolved by the County Planning Commission of McCook County, South Dakota, that the Plat showing Tract 1 of Wubben Addition in the Southeast Quarter of Section 3, Township 103 North, Range 56 West of the 5TH Principal Meridian, McCook County, South Dakota is hereby approved.

Dated this 28th day of February 2023.

Chair, County Planning Commission
McCook County, South Dakota

The Board reconvened as Board of County Commissioners.

Auditor Sherman presented a memo, from Glenda Blindert to the Board, regarding rent for the food pantry building. The memo asked if it would be acceptable to charge \$200/month for rent of the building, as this would cover increased cost of utilities. Motion made by Koch to approve \$200/month rent for the building, effective January 2023. Second Dick. Motion carried.

Auditor Sherman presented the Application for Commercial Garbage Hauler License for Novak Sanitary Service to the Board. Motion made by Koch to approve the application and authorize Chairman Dick to sign same. Second Gordon. Motion carried.

Auditor Sherman presented an email from Marya Tellinghuisen, Staff Attorney for Office of Policy & Legal Services, to the Board regarding their feedback about the Rural Attorney Recruitment Program. Tellinghuisen noted appreciation for the feedback and asked that the Board keep an open mind about the program because changes have been implemented and are on-going.

Motion made by Liesinger, second Mehlbrech, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 2/18/2023: Commissioners 1980.75; Auditor 6210.37; Treasurer 4322.35; States Attorney 3155.92; Custodian 1404.81; Dir of Equalization 3064.60 *new hire: Anna Flogstad, Staff Appraiser \$21.90/hour*; Register of Deeds 3475.58; Veterans Service Officer 154.88; GIS 1642.50; Sheriff 12257.72; Contract Law 8138.77; Care of Poor 217.30; Welfare 378.40; Community Health Nurse Secretary 1451.81; Extension Secretary 1411.20; Weed 994.02; Drainage 294.72; Planning & Zoning 604.84. Transamerica Employee Benefits, February contribution 3325.02; Grand Jury, fees & mileage 616.28; Alvine Law Firm, court appt attorney for Mikaylah Emma-Lee Hanson 594.30; Century Business Products, monthly copier contract 181.88; Certified Languages Inc, interpreting service 44.55; CAN Surety, notary bond-Geralyn Sherman 50.00; Crossroads Hotel, weed & pest conference lodging 460.95; Dell Marketing, monitor & sound bar 303.90; Eich Law Office, court appt attorney for Hailey Ann Walker 2105.60; Heiman Inc, fire extinguisher service 37.50; Jack's Uniforms & Equipment, sheriff uniforms 107.89; Carol Johnson, transcription service 254.80; McCook County Coroner, services & mileage 156.80; McLeod's Printing, office supplies 66.55; MidAmerican Energy, utilities 1042.71; Morgan Theeler LLP, court appt attorney for Tia Kaylee Dixon 977.40 for Dylan Justin Whirlwind 441.60 & 142.00; Salem City, utilities 116.64; Salem Community Drug, batteries 8.99; Laurie Schwans, lunch-district meeting 13.63; SD Assn of County Weed & Pest Boards, 2023 Assn membership 100.00; Michael D Sharp Esq, court appt attorney for Gilbert Allen Reif 1513.67 for Braedon Howard Bonnell; Vital Records Control, vault box storage 149.95; Zapp Hardware, courthouse supplies 364.90 labor 100.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 2/18/2023: Hwy Dept 21468.27 meals 24.73. *New Hire: Dylan Warren, Maintenance Worker \$19.49/hour. * Transamerica Employee Benefits, February contribution 1802.96; Avera Occupational Medicine, employee drug screen 69.00; Equipment Blades Inc, supplies 857.00; MidAmerican Energy, utilities 603.55; Peterson Repair, tires 1056.00; Salem City, utilities 172.73; SD Supplemental Retirement Plan, fee 45.00.

911 SERVICE FUND: Sioux Valley Energy, radio tower utilities 63.00.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 2/18/2023: EDS Director 1454.68. Transamerica Employee Benefits, February contribution 96.51.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 2/18/2023: Sheriff Secretary/Dispatcher 202.68.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 2/18/2023: Dir of IRS, county share of FICA 4328.01, Medicare 1012.18; SD Retirement System, county share of retirement contribution, 4224.93; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 18390.98.

Motion made by Gordon to convene as Board of Adjustment (Planning Commission). Second Mehlbrech. Motion carried.

At 11:00 a.m. a public hearing was held to receive input concerning request for conditional use. Applicant: Grant Solar LLC. Reason: solar energy generating system 99 megawatts. Legal descriptions: W2NW4 excluding N509' of W856' Section 13 Grant Twp. Landowner: Bruce & Julie Otto; NE4 Section 14 Grant Twp. Landowner: Kevin VanWinkle; SE4 Section 14 Grant Twp. Landowner: Townsend Family LLP; SW4 Section 14 excluding Lot H2 Section 14 Grant Twp. Landowner: RaeA1 Farms. SE4 Section 15 Grant Twp. Landowner: Rhonda & John Miller. N2NE4 excluding H1 Section 23 Grant Twp. Landowner: Sperling Living Trust. Mike Fink, States Attorney, Mark Norris, Sheriff, Cori Kaufmann, Zoning Administrator, Mic Kreutzfeldt, Hwy Supt, and approximately 50 interested individuals were present along with representatives from Grant Solar LLC. Auditor Sherman presented a letter from Corwyn & Linda Lepp, Grant Twp landowners, who oppose the project, and an informational packet from Center for Rural Affairs in support of the project. Commission Chairman Dick asked for introductions of county staff and then Grant Solar provided a presentation of the proposed solar farm facility, construction to restoration to decommissioning. It was noted that this proposed project will provide \$12.3 million revenue over 25 years and \$20,000 will be donated each year to a charitable fund. Marc Morandi, Representative from Grant Solar, noted that this is a robust application that follows State PUC requirements and meets/exceeds all County requirements. Chairman Dick asked if any Commissioners had questions. Koch: during the presentation it was stated in the application that a variance request would be sought after solar farm facility is built. Grant Solar: that is no longer needed. Koch: why not go above 99MW. Grant Solar: existing substation of Xcel Energy cannot handle over 99MW; restriction comes from connecting infrastructure. Mehlbrech: is Grant Solar set to receive tax credits? \$30 to \$40 million. Dick: will Grant Solar receive carbon credits? Yes. States Attorney Fink asked if there were any other supporters who wished to speak. None. Chairman Dick opened the Public Comment section of the hearing, explaining that each person would be allowed three (3) minutes to speak, due to the number of individuals present. Ferlyn Hofer: I'm an adjoining landowner, live in area outside proposed site, voicing opposition to the project. Arnold Tappin: I was not notified/invited to meeting held in Canistota because Grant Solar didn't know my home was there, I'm surrounded; this doesn't belong on Ag land. Beth Tappin: if over 99MW, does applicant have to go through application process with the State. John Addy: is this a peaking station for when there is a need for more megawatts and are megawatts used to determine funds received by the company. Jordan Burmeister explained transmission of 99MW. Jim Boswell: issues with fence, anti-glare, lessen property values, heat created by the panels, and this is the wrong location for this project. Steve Richarz: what about dust and snow; this project needs to be rejected. DJ Buseman: concerned with toxic material in panels, property valuation, heat island affect, company transparency is not here. Leonard & DeeAnn Matthaei: concerns with property value, fence lines, fires & drainage; we strongly oppose the project. Philip Hofer: you guys (commissioners) need to read Guiding Policies on page 25 #3 & #8 in the Comprehensive Plan. They read, #3 limit commercial and industrial development in the rural area. Allow agri-business activities to be developed at appropriate locations in rural area; and #8 preserve the environmental quality of the County with respect to economic development. How can the Commissioners approve this project? Joe Buseman: many concerns, water contamination, and this is a limited liability company. Andy Tieszen: what are decommissioning costs and do charitable funds stay in McCook County? At this time, Chairman Dick closed the public comment section of the hearing and asked Grant Solar for rebuttal and comments. The

attorney for Grant Solar asked for a few minutes to regroup. When they returned to the hearing, the attorney for Grant Solar told the Board that, at this time, Grant Solar is withdrawing the request for a conditional use permit. With no action to be taken by the Board of Adjustment, the hearing ended.

The Board reconvened as Board of County Commissioners.

Motion made by Liesinger to enter Executive Session at 1:00 p.m. for personnel discussion, SDCL 1-25-2 (1). Second Gordon. Michelle Stubkjaer, HR Consultant, and Auditor Sherman were present. Chair Dick declared out of Executive Session at 1:45 p.m. Motion made by Koch to change Troy Rempfer's rate of pay to \$26.13/hour which includes credit for prior experience before his employment with McCook County and to change Randy Schwader's rate of pay to \$26.87/hour due to additional job duties. This is not an increase in base pay, but a "premium" assigned to those extra duties. Second Mehlbrech. Motion carried. Stubkjaer will reach out to Travis Raap with pay offer as Hwy Supt based on current pay plan. Discussion on administrative closure of County business was discussed. Stubkjaer will put together a policy of how to address administrative closures based on the discussion.

A call was not placed to Ashley Warren, Aflac Representative. The Commission isn't interested in changing from Delta Dental or offering another dental plan to employees.

The meeting adjourned subject to call.

Dated this 28th day of February 2023.

Marc Dick _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County