

July 25, 2023

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

Vice-Chairman Liesinger led the Pledge of Allegiance.

Brenda Haviland informed the Commission that she will be recording this meeting and she wants the Commission to know that she got a building permit this morning.

Vice-Chairman Liesinger called for approval of the agenda. Auditor Sherman noted addition for Executive Session at end of meeting for an emergency personnel issue that came up yesterday. Motion by Koch to approve the agenda as amended. Second Mehlbrech. Motion carried.

The minutes from the July 11th, July 13th, July 18th, and July 20th meetings were sent to Board members for review prior to publication. Motion by Gordon to approve the minutes for publication. Second Mehlbrech. Motion carried.

Public input: Roger Hofer presented 2 Letters to the Editor to the Board. Auditor Sherman informed Board that Don Stubbe, Spencer, stopped in Auditor's Office asking if county could do something about items being dumped on property at south end of Spencer. Liesinger will check this out.

Commissioner Reports: Mehlbrech talked with vendor about a chair that will take individuals to the basement and will ask him to come out to measure available space and check on power supply to the chair.

Conflict of Interest: none noted.

Travis Raap, Hwy Supt, and Joshua Prather, IMEG Engineering, met with the Commission. Prather informed the Board that six (6) bridges in McCook County qualify for the Bridge Improvement Grant (BIG) PE Funds. Motion by Gordon to authorize Vice-Chair Liesinger to sign a resolution for each of the following bridges #44-018-190, #44-030-029, #44-090-039, #44-123-020, #44-124-160, and #44-210-103. Second Koch. Motion carried.

Raap presented utility permits to the Board for approval. Motion Mehlbrech to approve Water Utility Permit for TM Rural Water for installation of 10" RJ PVC watermain. Second Koch. Motion carried. Motion by Koch to approve Water Utility Permit for Kingbrook Rural Water System for water service for Golden View Colony. Second Gordon. Motion carried. Raap informed Board that fuel tank testing is delayed a couple of months, snow blower parts are in, and broom broke down, again, so it's back at RDO and another one has been rented. Tyler Mays has given resignation notice effective August 4th. Raap and Board discussed Butler Machinery offer of \$60,000 for the trade-in of 140H motorgrader. Fog sealing finished today, moving onto Canistota and Bridgewater cities. Discussion was held on purchasing Lake County's half of the chip spreader that is owned by McCook County. The cost to patch 435th Ave due to concrete trucks hauling is at \$16500 at the current time and is anticipated to go up.

Tyler McCoy, CFC Feed Dept Manager, provided an update on upgrades at the Montrose Location. McCoy noted that he will be working with Stockwells to offer assistance with existing issues.

Auditor Sherman presented Optilegra (vision plan) renewal information to the Board. The plan renews on October 1, 2023, and there will be no increase in rates for next year. Motion Koch to approve the renewal effective October 1, 2023. Second Mehlbrech. Motion carried.

Auditor Sherman informed the Board that SD Dept of Ag & Natural Resources (Forestry Division) replied to the email regarding Siberian Elm trees in Canistota. This response will be forwarded to Shawn Fowler who originally sent his concerns to the Weed Supervisor and Emergency Manager.

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

Cori Kaufmann, Zoning Administrator, presented 2 plats for approval. Following review of the plat review forms, motion made by Mehlbrech to approve one plat. Second Gordon. Motion carried.

Be it resolved by the County Planning Commission of McCook County, South Dakota, that the Plat showing Tract 2 of Wieman's Addition, an Addition in the South Half of the Southwest Quarter of Section 28, Township 101 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 25th day of July 2023.

Chair, County Planning Commission
McCook County, South Dakota

Commissioner Dick joined the meeting.

Kaufmann noted that the second plat is for Stockwell Pork and currently Stockwells have 6 building permits taken out. Chair Dick noted that the plat can be approved or tabled. Motion by Mehlbrech to table the Stockwell Pork Plat due to issues with existing barns and the possible extension of the CAFO Moratorium. Second Liesinger. All members voted aye. Motion carried.

At 10:50 a.m. the 2nd reading of Ordinance 2023-02, an Ordinance Rezoning Property from Commercial to Rural Residential. Applicant: Lyle & Shirley Puthoff. Legal description: Lot 1 Welbon's Tract an Addition in E2SE4 23-103-55 Ex H2 & Ex Land Deeded for Rd. Present: Lyle Puthoff and Cori Kaufmann, Zoning Administrator. Following discussion, motion by Koch to approve and adopt Ordinance 2023-02, an Ordinance Rezoning Property from Commercial to Rural Residential. Second Liesinger. All members voted aye. Motion carried.

ORDINANCE 2023-02
AN ORDINANCE REZONING PROPERTY

BE IT ORDAINED BY MCCOOK COUNTY, SOUTH DAKOTA:

The following legally described property shall be rezoned from Commercial to Rural Residential, and the Official Zoning Map shall be amended to reflect such change:

Lot 1 Welbon's Tract an Addition in E2SE4 23-103-55 Ex H2 & Ex Land Deeded for Rd

CONFLICTS. Any prior ordinance or part of any ordinance in conflict with this ordinance is hereby repealed.

SEPARABILITY. Should any section or provision of this ordinance be declared unconstitutional or otherwise invalid, such decision shall not affect the validity of the remainder thereby.

EFFECTIVE DATE. This ordinance shall become effective according to state law.

First Reading: July 11, 2023
Second Reading & Adoption: July 25, 2023
Publication: July 27, 2023
Effective Date: August 16, 2023 (20 days after publication)

Marc Dick, McCook County Chairman

ATTEST:

Geralyn Sherman, McCook County Auditor

Geralyn Sherman, Welfare Director, informed the Commissioners that there are no new Care of Poor cases to be reviewed.

Motion by Mehlbrech to approve new hire Remi Masters, Deputy Sheriff, effective July 3, 2023, \$21.90/hour as certified officer. Second Gordon. Motion carried.

Motion by Gordon, second Mehlbrech, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 7/22/2023: Commissioners 1980.75; Auditor 4430.48; Treasurer 3588.20; States Attorney 3155.92; Custodian 1324.40; Dir of Equalization 4406.34; Register of Deeds 3437.71; Veterans Service Officer 309.75; Sheriff 15335.31 Contract Law 7471.58; Care of Poor 217.30; Welfare 383.13; Community Health Nurse Secretary 1451.80; Extension Secretary 1617.45; Weed 234.24; Drainage 318.02; Planning & Zoning

599.07. SD Dept of Revenue, SD Developmental Center-Redfield 60.00; Transamerica Employee Benefits, July contribution 3269.35; AAA Collections, lien collection fee 605.39; Alvine Law Firm, court appt attorney for Bernard Allen Howeth 171.20 for Gabriel Olson 613.83 for Donna Marie Bartels 1743.00 for Tyler James Johnson 613.83; Devy Alvizures, interpreter service 50.00; C&R Supply, sprayer truck repairs 10921.98; Card Service Center, gas 194.00; Century Business Products, 2 monthly copier contracts 212.39; Dailey Law, court appt attorney for juvenile 687.70 for Daniel Degeest 1996.20; Davison County Sheriff, June jail services 18500.00; Eich Law Office, court appt attorney for juvenile 1012.30; Fremar, weed spray 141.00; Jack's Uniforms & Equipment, deputy uniforms 395.00; Carol Johnson, transcription service 710.50; LaQuinta Inn & Suites, lodging for SRO training 1004.95; McLeod's Printing, 750 door hangars 169.90 conditional use/variance signs 500.00; MidAmerican Energy, utilities 35.15; Minnehaha County Auditor, reimburse mental health services 163.50; Morgan Theeler LLP, court appt attorney for Daniel Roberts 2104.90; Noll Collection Service, lien collection fee 589.21; Psychological Associates of Yankton, court ordered evaluation 137.50; Sioux Metro Growth Alliance, 2023 membership fee 1500.00; State 4-H Office, 2023 Fair admission 70.00; Steve's Welding Mfg, K-9 cage for vehicle 4085.00; Vital Records Control, vault box storage 152.49.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 7/22/2023: Hwy Dept 25859.37. Transamerica Employee Benefits, July contribution 1899.47; Townships & Cities, 2nd Qtr 2023-wheel tax collections 12622.70; Avera Occupational Medicine, drug screen collection 186.00; Bierschbach Equipment, parts 144.00; Equipment Blades, parts 3888.00; Jebro Inc, liquid asphalt 133,767.47; Master Blaster, pressure washer repairs, 377.56; MidAmerican Energy, utilities 7.43; Midwest Petroleum Equipment, supplies 134.05; Northwestern Energy, utilities 10.00; Pheasantland Industries, safety clothing 318.38; Puthoff Sales & Service, 2023 Vermeer M7050 disc mower 7250.00; Transource Truck & Equipment, parts 5651.92.

911 SERVICE FUND: Sioux Valley Energy, radio tower utilities 62.80.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 7/22/2023: EDS Director 1454.68. Transamerica Employee Benefits, July contribution 96.51. Brad Stiefvater Jr, June expenses 84.73.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 7/22/2023: Sheriff Secretary/Dispatcher 202.68.

AMERICAN RESCUE PLAN FUND: Puetz Design & Build, building design fees 4555.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 7/22/2023: Dir of IRS, county share of FICA 4542.36, Medicare 1062.28; SD Retirement System, county share of retirement contribution, 4459.54; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 19027.70.

Motion by Gordon, second Mehlbrech, and carried, to adopt the following resolution:

RESOLUTION 2023-05

Whereas insufficient appropriations were made in the 2023 budget 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 \$11,500.00 be transferred from Contingency as follows: Court Appointed Attorney \$10,000.00 and Tourism \$1,500.00.

Dated this 25th day of July 2023.

Marc Dick _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County

Karen DeLange, Alternative HR, met with the Board to discuss their proposed 2024 budget request. Koch shared concerns about employee evaluations and a pay plan that seems to keep changing midstream.

Motion by Koch to enter Executive Session at 12:10 for personnel discussion, SDCL 1-25-2 (1). Present: Mark Norris, Sheriff, Auditor Sherman, Mike Fink, States Attorney, and Karen DeLange, Alternative HR, and present via phone, Michelle Stubkjaer, Alternative HR, and Lisa Marso, Boyce Law Firm. Second Gordon. Motion carried. Chairman Dick declared out of Executive Session at 1:10 p.m.

The meeting adjourned subject to call.

Dated this 25th day of July 2023.

Marc Dick _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County