

March 12, 2024

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

Members present: Dean Koch, Chuck Mehlbrech, Marc Dick, and Steve Gordon.

Chairman Liesinger led the Pledge of Allegiance.

Chairman Liesinger called for approval of the agenda. Auditor Sherman noted a change at 11:30 a.m., HR not available today.

Motion Koch to approve the agenda with change noted. Second Dick. Motion carried.

The minutes from the February 27th meeting were sent to Board members for review prior to publication. Motion Gordon to approve the minutes for publication. Second Mehlbrech. Motion carried.

Public input: Roger Hofer asked if the public can know about county lawsuits. States Attorney Fink was present and responded yes. Hofer noted that he feels Grant Solar is a bad actor, referencing the February 13th minutes. Hofer suggested using remaining ARPA funds to lower taxes and forget a new building for now. Hofer also suggested charging the RVers in Hanson County \$500 for each vehicle they own because they have representation without taxation where elections are concerned.

Commissioner Reports: Regarding solar farms, Comm Dick suggested commercial zones be eliminated. Comm Koch noted that agricultural vs commercial zoning for solar farms was questioned with Dept of Revenue, with no response yet.

Conflict of Interest: none noted.

Motion Koch to enter Executive Session at 9:15 a.m. to discuss pending litigation, SDCL 1-25-2 (3). Mike Fink, States Attorney, Cori Kaufmann, Zoning Administrator, and Auditor Sherman were present. Second Dick. Motion carried. Chairman Liesinger declared out of Executive Session at 9:40 a.m.

Val Krempeges, Hwy Dept Administrative Assistant, met with the Commission in the absence of Hwy Supt Raap. Krempeges informed Board that Raap doesn't feel that the County needs to participate in a Safety Action Plan to qualify for Implementation Grants. The Board agreed, no letter of commitment will be sent to Secog. Bridge project near Emery is underway. Load limits remain in effect. There will be a meeting between Lake and McCook counties on March 18th to discuss continuation of the chip spreader agreement. Krempeges presented an Agreement for McCook County participation in the Annual Payout of Pavement Marking Funds to the Board for review and approval. Paved miles per 2022 SDDOT Certified Road Mileage for County Primary & Secondary Roads total 160.061. Motion Dick to authorize Chairman Liesinger to sign the SD Dept of Transportation JPA to Provide for the Pavement Marking of County Roads within McCook County. Second Gordon. Motion carried. Motion Mehlbrech to approve a Telephone Utility Permit for TrioTel Communications to dig fiber drop to 24707 Stark Rd. Second Koch. Motion carried. Krempeges informed Board that Brian Weber has given notice of retirement, effective 3/29/2024. Auditor Sherman provided an update from Michelle Stubkjaer, Alternative HR Consultant, on the Build Dakota Scholarship Program.

Motion Gordon 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 Koch to approve the 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 Tuschen's Addition in the Southwest Quarter of Section 29, Township 103 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 12th day of March 2024.

Chair, County Planning Commission
McCook County, South Dakota

Cori Kaufmann, Zoning Administrator, and Sean Hegyi, Secog Planner, met with the Board to discuss option to release moratorium on CAFO's with a motion or let it expire on April 1, 2024, as noted in Resolution 2023-13 adopted November 28, 2023. Following discussion, Board consensus is to allow the moratorium to expire on April 1st.

At this time, discussion turned to Class C CAFO's. Zoning Administrator Kaufmann and Secog Planner Hegyi were present along with nine other individuals. The Board took public input. Roger Gerlach: strongly recommend the Commission consider Class C CAFO's. Kay Neubauer: asked Board to please review & consider input received, earlier, from Mitch Peterson (handout provided). Julaine Wieman: don't stop short with setbacks, ¼ or 1/8 mile isn't enough. Comm Mehlbrech asked if there was any opposition to ½ mile setback. Comm Koch noted that the Class C is for swine only and he is okay with ½ mile setback. Kay Neubauer asked if regulations can require conditions that would regulate odor control, for example feed enzymes, fans, planting trees. Yes. Planner Hegyi asked if the Commission wants Class C setbacks to match Class A & B setbacks. Yes. Does the Commission want each CAFO to have a conditional use application or be a special permitted use? Zoning Administrator Kaufmann noted that the big difference is that a conditional use application requires notification (notice in paper, sign on property) verses a special permitted use being issued in office with no notification. Board wants people in the know, so a conditional use application will be required. Julaine Wieman asked how these barns are taxed compared to regular barns. There is no straight forward answer to this because of the differences in buildings.

The Board reconvened as Board of County Commissioners.

Jeremy Grady, First Dakota National Bank, met with the Board to review and explain changes that can be made to the County checking account. Currently, with an IntraFi ICS Deposit Placement Agreement a balance of \$250,000 in a sweep account will earn 1% interest and the remaining balance in the IntraFi account will earn 3% interest. Accounts are FDIC insured.

Becky Hoiten, Deputy Auditor, reviewed road & bridge levy options and opt out options with the Board. Hoiten also provided a list of counties that have passed opt outs or utilize the road & bridge levy. Rhonda Olinger, Deputy Auditor, was also present.

Geralyn Sherman, Welfare Director, and the Commissioners reviewed the list of lien payments received in February. An application for county assistance (rent) was mailed out and hasn't been returned yet (2024-07).

The following building permits were issued the month of February 2024:

24-012	Troy & Kristi Krouse	replace 32x46 garage-storm	Tract 1 Healy Add in NE4 & that part of E2SE4 lying N & E of Lot H-1 24-103-54
24-013	Spencer Quarries Inc	free standing sign	That part of NE4 lying N & W of H-1, Ex H-1 & that part of NW4 lying N&W Lot H-1, Ex H-1 & that part of SW4 lying N&W of H-1, Ex H-1, H-2, H-3, H-4 19-103-56
24-014	Kenneth & Joan Raap	new windows	SE4 28-103-53
24-015	Shannon Globke	36x40 storage building	Lots 33-39 Battlecreek Shores 34-102-53

The Southeast Enterprise Facilitation Project Monthly Facilitator Report for February was noted and filed.

The February 2024 Law Enforcement Report and a report showing the breakdown of calls made, and hours worked in each community was noted and filed.

Auditor Sherman asked Comm Mehlbrech about the Pitney Bowes documentation as to how we want to proceed. Following discussion, the Board decided that we won't pursue an agreement for a postage machine at this time.

Comm Dick noted that he has the building plans and has asked for an individual for input, but he hasn't responded.

Auditor Sherman informed the Board that a CD at Rivers Edge Bank, Bridgewater, matures on 3/19/2024, current interest rate is 3.96, term 182 days. Made an inquiry on a CD at Security State Bank, Montrose, that matures on 4/19/2025, because the interest rate is 1.5%, term 18 months. The penalty for redemption was just under \$368.85. The interest rate was adjusted to 4.75%.

Auditor Sherman asked the Board for input regarding the work that was to be done in the Courthouse yard last fall. Mehlbrech suggested finding someone else. Sherman will contact the contractor to see what he plans on doing and report back to the Board.

Motion Mehlbrech, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 3/2/2024: Commissioners 2079.80 mileage 125.46; Auditor 6978.06; Treasurer 4652.30; States Attorney 3598.21; Custodian 1390.90; Dir of Equalization 4672.10; Register of Deeds 3609.84; Veterans Service Officer 325.20; Sheriff 15070.20; Contract Law 8973.05; Care of Poor 313.66; Welfare 268.58; Community Health Nurse Secretary 1521.10; 4-H Youth Assistant 1481.91; Weed Control 595.94; Drainage 261.37; Planning & Zoning 633.38. SD Dept of Revenue, SD Developmental Center-Redfield 60.00; A&B Business, monthly copier contract 76.65; Affordable Auto Body, repairs & supplies 639.95; Alternative HR, March HR services 6175.00; AutoEx, vehicle maintenance 1,699.43; Avera Queen of Peace Hospital, blood alcohol testing 274.00; Blindert Insurance Agency, March food pantry rent 200.00; Canistota Senior Citizens, 2024 appropriation 500.00; Card Service Center, gas 61.29; Century Business Products, 3 monthly copier contracts 437.89; Chesterman Co, water 108.00; City of Bridgewater, March ambulance appropriation 3866.67; Dailey Law Prof, court appointed attorney for Michael LeClair 1028.00; Dakota Data Shred, shredding service 128.18; Eich Law Office, court appointed attorney for Hailey Walker 32608.50; Mike Fink, February expenses 508.92; Holiday Inn Hotel, weed conference lodging 275.97; Lake County Sheriff, jail services 2430.00; Lincoln County Auditor, reimburse mental health evaluations 403.34; McCook County EMS, March ambulance appropriation 13831.82; McCook County Treasurer, postage 895.35 title fees 38.40; McCormick Motors, vehicle maintenance 1959.64; Meyer Motor, vehicle repair 242.90; Morgan Theeler LLP, court appointed attorney for Houston Red Day 115.00; New Century Press, publishing 491.60; Kristin Nogelmeier, CPR, AED, Narcan training 125.00; Kristin Norris, CPR, AED, Narcan training 125.00; ODP Business Solutions, office supplies, 386.36; Presto-X, pest control Food Pantry 44.28; Salem City, utilities 143.23; SD Achieve/dba LifeScape, services for six residents 360.00; SD Dept of Public Safety, teletype services 2340.00; SD Public Health Laboratory, lab services 625.00; SDAAO, dues 150.00; Tim Simmermon, meals-training 28.00 file box 51.82; Tech Solutions, Managed IT services 3530.00; Total Stop, cookies for township meeting, 25.69; Triotel Communications, telephone/internet service 691.62; Verizon Wireless, iPad service 40.01 cell phone service 469.30; Xcel Energy, utilities 680.95.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 3/2/2024: Hwy Dept 18470.14. Appera, mat & towel rent 84.08; Auto Value, parts & supplies 1023.09; Bierschbach Equipment, air blower 115.88; Butler Machinery, parts & repairs 5086.83; Central Farmers Coop, fencing supplies 264.59 LP gas 98.93; Century Business Products, monthly copier contract 154.66; Chesterman Company, water 6.00; Hollaway Construction, bridge supplies, 63838.85; IMEG Corp, engineering design 17736.37; Maynards, supplies 21.98; Michael Todd & Company, flags w/ red letters 274.22; MidAmerican Energy, utilities 9.25; Motion & Flow, parts 90.36; New Century Press, publishing 93.59; Northern Truck Equipment, blade guide & marker 154.44; Power Plan, parts & supplies 311.09; Puthoff Sales & Service, parts and supplies 160.02 rent 75.00; Salem City, utilities 195.75; Salem Lumber, garage door installation, 3504.03 supplies 613.84; SD Supplement Retirement, Brian Weber fee 45.00; Southeastern Electric, utilities 33.39; Transource Truck & Equipment, parts & supplies 240.78; Triotel Communications, telephone/internet service 158.75; Xcel Energy, utilities 670.58, Zapp Hardware, parts & supplies 34.99.

911 SERVICE FUND: Golden West Telecommunications, 911 telephone service 200.00; Triotel Communications, 911 telephone service 179.20.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 3/2/2024: EDS Director 1497.26. Auto Value, parts and supplies 23.98; Brad Stiefvater Jr, February expenses 130.25; Total Stop, diesel fuel, 36.23; Triotel Communications, telephone & internet service 143.62.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 3/2/2024: Sheriff Secretary/Dispatcher 212.82. PharmChem, sweat patch analysis 223.65.

MODERNIZATION & PRESERVATION FUND: Microfilm Imaging System, scanning equipment rent 626.00.

CHRISTMAS PARTY FUND: American Legion-Montrose, hall rent 100.00; Dean Koch, food supplies 202.00; Laurie Schwans, food supplies 30.49.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 3/2/24: Dir of IRS, county share of FICA 4488.25, Medicare 1049.70; SD Retirement System, county share of retirement contribution, 4432.61; Wellmark BlueCross/BlueShield of SD, county share of health insurance premium 5009.28.

The Auditor's Account with the County Treasurer for the month of February 2024: deposits in banks, \$5,615,539.13; cash to deposit, \$474.22; checks to deposit, \$59,332.61; CC payments, \$4514.97; Cash Items (postage) \$933.75; Treasurer's Cash, \$636.25; Register of Deeds, \$450.00; Sheriff, \$500.00; CD's, \$700,000.00. The total deposits on hand: \$6,382,380.93.

The meeting adjourned subject to call.

Dated this 12th day of March 2024.

Charles Liesinger _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County