

May 28, 2024

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

Members present: Marc Dick, Dean Koch, Chuck Mehlbrech, and Steve Gordon. Kris Tott was also present.

Chairman Liesinger led the Pledge of Allegiance.

Chair Liesinger called for approval of the agenda. Motion Koch to approve the agenda as posted. Second Gordon. Motion carried.

The minutes from the May 14<sup>th</sup> meeting were sent to Board members for review prior to publication. Motion made by Gordon to approve the minutes for publication. Second Koch. Motion carried.

Public comment: none.

Commissioner Reports: The VBWDD meeting was held in Salem on May 15<sup>th</sup>.

Conflict of Interest: none

Travis Raap, Hwy Supt, presented 2 utility permits for approval. Motion Koch to approve Electric Utility Permit for Southeastern Electric to install 1ph URD for new service 258<sup>th</sup> St, 2400' E of US81. Second Dick. Motion carried. Motion Dick to approve Electric Utility Permit for Southeastern Electric to install 1 ph URD for new service 261<sup>st</sup> St, 2600' E of 443<sup>rd</sup> Ave. Second Gordon. Motion carried. Raap noted that the microsurfacing start date has been moved to June 19<sup>th</sup>. Current projects: include mowing ditch tops, gravel & oil roads, and will begin chip sealing after patching is complete.

Geralyn Sherman, Auditor/Welfare Director, presented a Notice of Hospitalization from Madison Regional Health System (2024-12) to the Board.

Auditor Sherman informed the Board that a CD at Security State Bank, Montrose, was cancelled with a new one being issued for 18 months at 4.5%.

Motion Mehlbrech, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 5/11/2024: Commissioners 2079.80; Auditor 6404.40; Treasurer 4633.10; States Attorney 3598.21; Custodian 1390.90; Dir of Equalization 4618.23; Register of Deeds 2478.19; Veterans Service Officer 325.20; Sheriff 15684.56; Contract Law 8950.87; Care of Poor 228.16; Welfare 289.24; Community Health Nurse Secretary 1521.10; Extension Secretary 1481.90; Drainage 141.26; Planning & Zoning 628.18. Century Business Products, 2 monthly copier contracts 239.72; Davison County Sheriff, April jail services 9870.00; MidAmerican Energy, utilities 202.14; Morgan Theeler, court appointed attorney for Natasha Laroche 57.50; Angela O'Kane, court appointed attorney for Shaun Berg 486.00; ODP Business Solutions, Garmin drive 206.49; RBS Sanitation, garbage service food pantry 106.00, garbage service courthouse 109.00; Sanford Health, autopsy 2535.00; Laurie Schwans, travel expenses 211.58; Geralyn Sherman, Spring workshop mileage 194.82 reading glasses for offices 8.50; Tim Simmermon, sheriff K9 patches 43.64, travel expense 14.00; Melinda Songstad, transcription services 524.30; Two Way Solutions, radio repair 260.48; Annette VanEmmerik, travel expenses 31.80.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 5/11/2024: Hwy Dept 21340.75; cell phone reimbursement 200.00. New hire: Kenny Tschetter, Hwy Maintenance Worker, \$19.49/hour, 5/20/2024. Avera Occupational Medicine, drug screening 71.00; Commercial Asphalt, paving 458302.60; Hollaway Construction, bridge project 45139.95; MidAmerican Energy, utilities 29.68; Pheasantland Industries, safety clothing 2301.01; Ryan's Repair, repair paver 425.00; Vander Haag's, engine assembly 12,300.00.

911 EMERGENCY REPORTING SYSTEM FUND: Sioux Valley Energy, radio tower utilities 82.39.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 5/11/2024: EDS Director 1497.26.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 5/11/2024: Sheriff Secretary/Dispatcher 212.82.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 5/11/2024: Dir of IRS, county share of FICA 4555.31, Medicare 1065.35; SD

Retirement System, county share of retirement contribution, 4524.70; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 18182.14.

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

RESOLUTION 2024-07

Whereas insufficient appropriations were made in the 2024 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 \$6,600.00 be transferred from Contingency as follows: Coroner \$2,700, Court Appointed Attorney \$3,500, and GIS \$400.

Dated this 28<sup>th</sup> day of May 2024.

Charles Liesinger \_\_\_\_\_  
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman \_\_\_\_\_  
Auditor, McCook County

Morion Dick to convene as Drainage Commission. Second Gordon. Motion carried.

Mic Kreutzfeldt, Drainage Administrator, presented Drainage Permit #D24-004, landowner Josh & Dolly Ann Hanson, to the Board. Legal description: Tr 9 B Battle Creek Shores 2<sup>nd</sup> Addition in S2SW4 34-102-53. Contractor: self. Present: Tanya & Brian Evans, Kay Neubauer, and Deb & Dennis Stoffel, downstream landowners. Mehlbrech left the meeting at this time. Kreutzfeldt explained that Hanson did not talk with any downstream landowners, so there are no downstream signatures, and neighbors are here because of their concerns. Hanson plans on rerouting water around his building site and back to the natural waterway. Kreutzfeldt reviewed the tile plan with the Board. The following concerns were voiced by neighbors: flow rate of water, siltration, and sizing of culvert below the work site. Kreutzfeldt explained that the volume of water will not be increased. Neighbors asked what's next. Comm Dick stated that Hanson needs to attend a Commission meeting, so all involved parties are receiving the same information, and he needs to explain his plan. Motion Koch to continue this hearing to the June 6<sup>th</sup> Commission meeting at 9:45 a.m. allowing Kreutzfeldt time to meet with Hanson, asking him to attend the meeting. Second Gordon. Motion carried.

Motion Gordon to convene as Planning Commission. Second Koch. Motion carried.

The 2<sup>nd</sup> reading/public hearing of Ordinance 2024-02 regarding amendment of the 2014 Revised Zoning Regulations for McCook County, specifically amendments to Chapter 3, AG: Agricultural District, Section 3.03 Conditional Uses; and Chapter 11, Additional Use Regulations, Section 11.08, Concentrated Animal Feeding Operations (CAFOs) was held at 10:30 a.m. Cori Kaufmann, Zoning Administrator, Sean Hegyi, Secog Planner, and six area residents present. Kaufmann read the proposed ordinance. Chairman Liesinger opened the meeting for public input. Juliane Wieman asked if K.2. Consideration of Past Violations will only be considered for a Class A CAFO conditional use permit application. Hegyi explained that this means that they MUST be considered for Class A. With other classes they can be considered and should be. With no other public comments, Chair Liesinger closed public comment and asked if any Commission members had input. Gordon noted that the ordinance looks like what we wanted. Dick stated that he doesn't like it, but what are we to do. Motion Dick to approve the 2<sup>nd</sup> reading of Ordinance 2024-02, adopting same. Second Koch. All members voted aye. Motion carried.

Cori Kaufmann, Zoning Administrator, presented 3 plats for approval. Following review of the plat review form, motion Gordon to approve the following plat. Second Koch. Motion carried.

Be it resolved by the County Planning Commission of McCook County, South Dakota, that the plat showing Tract 1A of Schaeffer's Addition in the Southwest Quarter of Section 31, Township 101 North, Range 53 West of the 5<sup>TH</sup> Principal Meridian, McCook County, South Dakota, having been examined, is approved in accordance with the provision of SDCL of 1967, Chapter 11-6, and any amendments thereof.

Adopted this 28<sup>th</sup> day of May 2024.

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Chair, County Planning Commission  
McCook County, South Dakota

Following review of the plat review form, motion Koch to approve the following 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 Blindert Addition in the East Half of the Southwest Quarter of Section 36, Township 104 North, Range 55 West of the 5<sup>TH</sup> Principal Meridian, McCook County, South Dakota, having been examined, is approved in accordance with the provision of SDCL of 1967, Chapter 11-6, and any amendments thereof.

Adopted this 28<sup>th</sup> day of May 2024.

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Chair, County Planning Commission  
McCook County, South Dakota

Following review of the plat review form, motion Gordon to approve the following plat. Second Koch. Motion carried.

Be it resolved by the County Planning Commission of McCook County, South Dakota, that the re-plat showing Tract 1 and Tract 2 of Lot A of Tabke's Addition in the Southwest Quarter of Section 11, Township 102 North, Range 53 West of the 5<sup>TH</sup> 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.

Approved this 28<sup>th</sup> day of May 2024.

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County Planning Commission, McCook County, SD

At 11:30 a.m. the Board of Adjustment held a public hearing to receive input concerning request for a variance. Cori Kaufmann, Zoning Administrator, presented the variance application to the Board. Applicant: St Mary's Catholic Church. Legal description: SE4 1.03 acres & Ex Tr 1 Ex W217.8' x S433' in SE4SE4 Ex H2 26-103-55. Reason: reduction of setback to place 120"x66" sign 10' from ROW. Kaufmann noted that the landowners are okay with the location. Motion Gordon to approve the request for variance. Second Liesinger. All members voted aye. Motion carried.

The meeting adjourned subject to call.

Dated this 28<sup>th</sup> day of May 2024.

Charles Liesinger \_\_\_\_\_  
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman \_\_\_\_\_  
Auditor, McCook County