

May 24, 2022

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

Chairman Gordon led the Pledge of Allegiance.

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

The minutes from the May 10th, May 13th, and May 17th meetings were sent to Board members for review prior to publication. Motion made by Koch to approve the minutes for publication. Second Gordon. Motion carried.

Public input: Joy Hohn met with the Commission asking that they consider placing a moratorium on pipelines, allowing time for the County to hold studies and research to protect its citizens because of the many unknown risks. Hohn also asked the Board to write the PUC, letting that Board know that they, the Commission, oppose the pipelines.

Commissioner Dick joined the meeting.

Hohn thanked the Board for their time. No action was taken at this time.

Commissioner Reports: none.

Conflict of Interest: none noted.

Motion made by Koch to enter Executive Session at 8:50 a.m. for personnel discussion SDCL 1-25-2 (1). Michelle Stubjkaer, Alternative HR, and Auditor Sherman were present. Second Dick. Motion carried. Chairman Gordon declared out of Executive Session at 9:30 a.m. noting that this discussion will resume in Executive Session at 11:30 a.m.

Hwy Supt Kreutzfeldt presented an updated report on storm damages. Kreutzfeldt presented 2 utility permits for approval. Motion made by Koch to approve Water Utility Permit for Kingbrook Rural Water. Scope of Project: Jerry Osterberg water service. Second Liesinger. Motion carried. Motion made by Liesinger to approve Water Utility Permit for Kingbrook Rural Water. Scope of Project: Rory Mentele water service. Second Koch. Motion carried. Kreutzfeldt informed Board that the striping project that was to be done last year should be completed this week and power broom is at DMI for repairs, using a rental. Briefly discussed the 2023 budget and how to make the numbers work. Current projects include debris clean-up and asphalt patching.

No drainage permit applications.

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

At 10:30 a.m. the Board of Adjustment held a Variance Hearing to receive input concerning a request to reduce setback for planting trees, 11' from right-of-way which puts new trees in line with existing trees. Applicant: Mickey Ihnen. Legal description: Lot 1 Raabe Addition in SE4 32-104-53. Cori Kaufmann, Zoning Administrator, showed the location to the Commission. Following discussion, motion made by Koch to approve the variance request. Second Gordon. Roll call vote: Ayes: Koch, Dick, Mehlbrech, Liesinger, and Gordon. Nays: none. Motion carried.

At 10:45 a.m. a Conditional Use Hearing was held to receive input concerning application for expanding an existing CAFO. Applicant: Van Winkle Dairy LP, Kevin Van Winkle present. Legal description: Tract 2A of Van Winkle Dairy Addition in S2NE4 36-102-54. Cori Kaufmann, Zoning Administrator, Michael Crinion, Dynamic Holdings LLC, and Dave Osborne were present. Van Winkle explained the proposed project which includes the incorporation of a digester into his expansion plan, noting that a digester curbs odor by around 90%. Crinion noted agreement in that a digester reduces odor by 85%-90%. Dick asked if the manure changes. Crinion noted that nutrients are about the same. Following discussion, motion

was made by Dick to approve the conditional use request. Second Liesinger. Roll call vote: Ayes: Dick, Liesinger, Mehlbrech, Koch, and Gordon. Nays: none. Motion carried.

The Board reconvened as Board of County Commissioners.

Motion made by Mehlbrech, second Liesinger, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 5/14/22: Commissioners 1980.75; Auditor 5371.41; Treasurer 3859.60; States Attorney 2925.25; Custodian 1249.50; Dir of Equalization 2461.16; Register of Deeds 3142.65; Veterans Service Officer 279.90; GIS 1564.50; Sheriff 9781.85; Contract Law 6841.01; Care of Poor 198.08; Welfare 391.95; Community Health Nurse Secretary 1451.81; Extension Secretary, 1017.13; Drainage 316.84; Planning & Zoning 557.34. Grand Jury, fees & mileage 474.76; Century Business Products, 5 monthly copier contracts 621.29; Children's Inn, 2022 appropriation 850.00; Davison County Sheriff, April jail services 10450.00; Election Systems & Software, Primary election ballots 922.98; English Law, court appt attorney for Jeanette Ross 330.00 for William Hisel 440.00; Feeding South Dakota, food pantry delivery charges 70.00; First Circuit CASA Program, 2022 appropriation 1200.00; Kathryn Heumiller, blood alcohol service 125.00; Inter-Lakes Community Action, May CSW funds 794.67; Jack's Uniforms & Equipment, Deputy uniforms 204.79; McLeod's Printing, office supplies 168.93 election supplies 30.73 laser checks 398.00; Mitchell Dept of Public Safety, interpreter services 17.56; Motorola Solutions, radio and accessories 4617.75; Noll Collection Service, lien collection fees 148.92; ODP Business Solutions, office supplies 130.94; Sanford Health, autopsy 2389.00; Randy Schwader, meal reimbursement 66.00; Laurie Schwans, meal reimbursement 14.00; SDACO, registration for Deputy workshop 170.00; Michael D Sharp, court appointed attorney for Jean Renee Burr 760.18; US Postal Service, box rent 84.00; Vital Records Control, vault box storage 41.20; Wash N Go, car wash tokens 160.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 5/14/22: Hwy Dept 21090.13. IMEG Corp, engineering design 10727.38; Lyle Signs, assortment of signs 2316.12; Northwestern Energy, utilities 20.65; SDACC, Hwy Dept workshop 170.00; Stern Oil Co, supplies 1406.29.

911 SERVICE FUND: Sioux Valley Energy, radio tower utilities 62.28.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 5/14/22: EDS Director 1454.68. Geralyn Sherman, EOC meal reimbursement night of derecho storm 60.59.

DOMESTIC ABUSE PROGRAM: Children's Inn 2021 collections 1045.00.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 5/14/22: Sheriff Secretary/Dispatcher 197.89. PharmChem Inc, patch kits & patch overlays 1255.40.

AMERICAN RESCUE PLAN: Pictometry International, derecho damage assessment (flyover) 74980.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 5/14/22: Dir of IRS, county share of FICA 3788.65, Medicare 886.03; SD Retirement System, county share of retirement contribution, 3821.15; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 20148.82.

Motion made by Mehlbrech to approve an automatic supplement to ARPA fund in the amount of \$148,000 (\$72,736 Retention Incentive Payroll & \$74,980 flyover for damage assessment). Second Gordon. Motion carried.

Motion made by Koch, second Liesinger, and carried, to adopt the following resolution:

RESOLUTION 2022-12

Whereas insufficient appropriations were made in the 2022 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 \$6,500.00 be transferred from Contingency as follows: GIS \$500.00 and Human Resources \$6,000.00

Dated this 24th day of May 2022.

Steve Gordon

Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County

Geralyn Sherman, Welfare Director, met with the Commission to review Care of Poor Report. A letter was received from Attorney Robert Nelson, informing the County that Case 2022-08 which was approved for payment has now been approved for payment through SD Medicaid. Appeals were received from Avera McKennan Hospital and Avera Heart Hospital of SD for Cases 2022-01 & 2022-02 regarding County denial of payment for these two claims.

Cori Kaufmann, Dir of Equalization, joined the meeting to show the Commissioners a portion of the “derecho flyover” being completed by Pictometry International.

Lloyd and Bernard Stockwell jointed the meeting inquiring about the outcome of the Variance Hearing held for Van Winkle Dairy. Zoning Administrator Kaufmann noted that the variance request was approved.

Auditor Sherman presented a resolution to the Board regarding the inclusion of McCook County into the Vermillion Basin Water Development District (VBWDD). The Commission takes no position on whether McCook County should become part of the VBWDD but does support holding an election on the question. Motion made by Mehlbrech to adopt the resolution, requesting that the State Board of Water and Natural Resources schedule an election for considering the question. Second Koch. Roll call vote: Ayes: Mehlbrech, Koch, Dick, and Gordon. Nays: Liesinger. Motion carried.

Resolution 2022-09

WHEREAS a request from McCook County landowners has been made to have the McCook County Commissioners adopt a Resolution, as allowed under South Dakota Codified Law (SDCL) 46A-3A-16, requesting a public vote on whether to have McCook County become part of the Vermillion Basin Water Development District (District).

WHEREAS the McCook County Commissioners realize that petitions could be obtained to organize an election for the addition of McCook County to the District.

WHEREAS the McCook County Commissioners take no position on whether the County should become part of the District; it does support the right of electors to have an election on the question of whether to join the District.

NOW THEREFORE BE IT RESOLVED that the McCook County Commissioners hereby request, as allowed under SDCL 46A-3A-16, that the State Board of Water and Natural Resources schedule an election for the purpose of considering the question of whether McCook County should become part of the Vermillion Basin Water Development District.

Roll call vote: Dick _____ Mehlbrech _____
 Koch _____ Liesinger _____ Gordon _____

Motion passed/failed, and Resolution adopted/rejected.

Dated this 24th day of May 2022.

Steve Gordon
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman
Auditor, McCook County

Auditor Sherman presented a resolution to the Commission to appoint Brad (BJ) Stiefvater Jr as Applicant Agent for the Hazard Mitigation Grant Program. Motion made by Koch to approve the appointment. Second Mehlbrech. Motion carried.

Hazard Mitigation Grant Program

WHEREAS, McCook County is submitting a Hazard Mitigation Grant project to the Federal Emergency Management Agency and the State of South Dakota; and

WHEREAS, McCook County is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all application documents;

NOW THEREFORE BE IT RESOLVED that McCook County appoints Brad Stiefvater Jr. as the authorized Applicant Agent.

Dated this ____ day of _____, 2022.

Appointing Authority

Name: _____

Title: _____

Signed: _____ Date: _____

Appointed Agent

Name: _____

Title: _____

Signed: _____ Date: _____

Motion made by Koch to enter Executive Session at 12:00 p.m. for personnel discussion, SDCL 1-25-2 (1). Michelle Stubkjaer, Alternative HR, and Auditor Sherman were present. Second Mehlbrech. Motion carried. Chair Gordon declared out of Executive Session at 12:15 p.m.

Motion made by Dick to approve and adopt the Pay Plan Adjustments that Stubkjaer presented to them; the adjustments made based upon the specific positions and where each position and years of experience fall on the pay plan. Second Mehlbrech. Motion carried. For the remainder of 2022, the county will be using ARPA funds to cover the increase in pay (where applicable) which will be payable on a quarterly basis for the last 2 quarters of 2022. These payments will be based on hours paid during the quarter using the new rate of pay according to the pay plan. Stubkjaer thanked the Board for working diligently to ensure all employees are paid according to the market based on their position and experience in that role, while being mindful of the fiscal responsibilities they have to the residents of the county.

Motion made by Dick to change pay for law enforcement deputies from salaried to an hourly rate, effective with the next pay period. Second Liesinger. Motion carried.

The meeting adjourned subject to call.

Dated this 24th day of May 2022.

Steve Gordon

Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County