

September 24, 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, Steve Gordon, and Chuck Mehlbrech.

Other present: Kris Tott, Gloria Rayman, Barb Huiten, Doreen Quinn, and Roger Hofer.

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 September 5th meeting were sent to Board members for review prior to publication. Motion Gordon to approve the minutes for publication. Second Mehlbrech. Motion carried.

Public Comment: Barb Huiten noted that her comments in the August 27th minutes should have reflected that hand counting ballots is more proficient than using machines. Doreen Quinn read SDCL 12-20-5 and asked where in statute it says to take ballots to the courthouse to be counted. Roger Hofer informed the Board that he asked the Hanson County Auditor if they paid McCook County Emergency Medical Services; and was told no, nothing in the past 5 years.

Commissioner Reports: Gordon attended county convention, learned that public comments are not to be included in meeting Minutes because no official action is taken. Mehlbrech added that his comments were not noted in McCook Central's meeting minutes. Going forward the Board agreed that public comment will only note who addressed the Commission, no comments.

Auditor Sherman informed the Board that suspicious mail is being received by State election offices (envelopes with white powder, which so far has been flour) and Auditor's have been advised on protocol if any such packages are received by our offices. Law Enforcement and Emergency Management have also been notified. Sherman noted that gloves and masks have been provided by McCook County Emergency Medical Services and we've talked about having Narcan on hand, not implemented yet.

Conflict of Interest: none noted.

Geralyn Sherman, Welfare Director, and the Commission reviewed Care of Poor report. A letter was sent to Robert Nelson, Attorney for Avera McKennan Hospital, denying payment of a hospital claim because the patient has not applied for county assistance and the Application for Poor Relief Assistance provided by the hospital doesn't contain any financial information (2023-19). Regarding case (2004-21) sale of property fell through, so no lien payment will be made.

Travis Raap, Hwy Supt, asked that the following items be declared surplus property as they are no longer usable for purposes acquired: fixed asset #773A 140H Caterpillar motorgrader & #711 Balderson snow wing and fixed asset #947 2004 Sterling LT7500 truck & #948 Crysteel dump body. Motion Dick to declare these items surplus to be sold on December 3rd at Wieman Auction. Second Gordon. Motion carried. Raap informed Board that John Bryant is new hire, started 9/10/2024. Raap noted that he'd like to promote Dillon Warren to Operations Foreman position. The open house for the 5-Year Transportation Plan will be held on September 26th at 10:00 a.m. in the Community Room of Courthouse basement. Raap presented a utility permit for approval. Motion Koch to approve Electric Utility Permit for Southeastern Electric. Project: install 1ph URD and remove overhead line. Location: 246th St, 1150' E of 436th Ave. Second Mehlbrech. Motion carried.

Kevin Blagg, Fair Board Member, and Stacey Sieverding, 4-H Program Assistant, joined the meeting. Discussed insurance information provided for the Hwy Dept building and buildings at the Fair Grounds. Raap noted that he'd like to take the steel from the metal roof to Wieman's for auction. Blagg added that a contractor that he spoke with may be able to begin before winter. It was agreed to move forward with repairs to the roofs. Sherman will check with area drone operators to see if someone can check the courthouse roof. Blagg asked if the Fair Board gets the insurance check. Sherman noted that the County has insurance coverage on the buildings and pays

the premiums, so doubt it, but will check with the claims adjuster. Blagg noted that the buildings were erected with donations so it makes sense that the Fair Board should receive the funds.

Brice Paulson, Butler Machinery, joined the meeting, presenting Lease with Option to Purchase Agreement #40005778 for 2024 Caterpillar 150-15A WD motor grader and requesting Chairman signature for same. Motion Koch to authorize Chair Liesinger to sign the finance agreement. Second Dick. Motion carried. Paulson thanked the Board for their time.

Travis Raap, Hwy Supt, presented several more utility permits to the Board for approval. Motion Mehlbrech to approve Communications Utility Permit for Golden West Telecommunications. Project: access existing vault & bore 261st St to provide new service. Location: 44247 261st St. Second Gordon. Motion carried. Motion Dick to approve Communications Utility Permit for Golden West Telecommunications. Project: access existing vault to extend mainline for residential service. Location: 453rd Ave approximately 0.53-mile N of Hwy 42. Second Koch. Motion carried. Raap informed Board that the cost for Michael Johnson Construction to prep the site and set culvert on 257th St is \$21,750; this includes a crane and crew.

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

At 10:30 a.m. the Board of Adjustment held a public hearing to receive input concerning a conditional use request. Owner: Patrick & Kelly Bartmann, present. Legal description: from NW Quarter Quarter to SE Quarter Quarter 16-102-53. Reason: transfer building eligibility. Cori Kaufmann, Zoning Administrator, informed the Board that there have been no inquiries/concerns presented to her. Motion Gordon to approve the request for transfer of building eligibility. Second Dick. All voted aye. Motion carried.

Cori Kaufmann, Zoning Administrator, and Sean Hegyi, Secog Planner, met with the Commission. Hegyi presented and explained changes to the regulations regarding Solar Energy Systems, for both small accessory use and commercial use. Following discussion, motion Dick to set 1st reading and time for public input on October 22, 2024, at 10:50 a.m. Second Gordon. Motion carried.

The Board reconvened as Board of County Commissioners.

Motion Koch, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 9/14/2024: Commissioners 2079.80; Auditor 6014.98; Treasurer 4649.18; States Attorney 3598.21; Custodian 1390.90; Dir of Equalization 4727.82; Register of Deeds 3466.40; Veterans Service Officer 704.60; Sheriff 14053.57; Contract Law 7780.46; Care of Poor 228.16; Welfare 299.57; Extension Secretary 1804.74; Drainage 190.78; Planning & Zoning 628.19. SD Dept of Revenue, SD Developmental Center-Redfield 60.00; Grand Jury fees & mileage, 402.40; AAA Collections, lien collection fees, 716.20; Access Elevator & Lift, parts for lift, 1256.54; Alvine Law, CAA for Jessica Moran 495.50, for Geri Boadwine 46.00, for Joshua McNaughton 1198.28; Avera Queen of Peace, blood alcohol draws, 548.00; Axon Enterprise, taser instructor course, 495.00; Central Farmers Coop, lawn mower gas and LP for generator, 131.43; Century Business Products, monthly copier contracts, 216.21; Chesterman Company, water, 81.00; Corporate Translation, translation services, 1.65; Dakota Data Shred, shredding services, 64.09; Davison County Sheriff, August jail services, 13755.00; Election Systems and Software, election services & supplies, 1082.64; Inter-Lakes Community Action, CSW hours for September, 1101.58; Interstate Power Systems, generator maintenance & supplies, 551.00; KW Electrical, labor & parts, 383.06; Carol Lauer, mileage to district meeting 24.48; Lewis Drug, prisoner care, 140.20; Lincoln County Auditor, mental health services, 226.25; McLeod's Printing, office supplies, 66.56; MidAmerican Energy, utilities, 37.30; Morgan Theeler, CAA for Anastacia Mirzayants 707.83, for Jacob Engberson 616.00, for Meghan Scholes 885.48, for Jacob Engberson 184.00, for Anastacia Mirzayants 356.83; ODP Business Solutions, office supplies, 54.45; Laurie Schwans, gas and meals for convention, 117.50; SD Achieve dba LifeScape, service for 6 residents, 360.00; SD Public Health Laboratory, lab services, 245.00; SDACC, 3rd Qtr CLERP appropriation, 575.00; Sheraton-SF, lodging-VSO conference, 214.00; Sunset Law Enforcement, ammunition, 1809.50; Wayne Swenson, grand jury transcription, 641.50; Verizon Wireless, cell phone service, 476.80.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 9/14/2024: Hwy Dept 24882.63. New hire: John Bryant, Hwy Maintenance Worker, \$19.91/hour, effective 9/11/2024. Aaron Swan & Assoc, bridge material testing, 1305.00; Avera Medical Group, new hire physical, 88.00; Avera Occupational Medicine, drug test, new hire drug test, 71.00; Best Western Ramkota, conference lodging, 208.00; Blackstrap, road salt, 3694.16; Butler Machinery, down payment on motorgrader, 87724.71; Mike Carpentier, CDL test, 150.00; Cemcast Pipe and Precast, adjustable tie bolts, 720.00; Central Farmers Coop, fuel, LP, diesel, 28301.16; Chesterman Company, water, 39.00; Crossroads Hotel, office personnel workshop, 121.56; Dakota Traffic Service, pavement marking, 66792.48; Gessner Welding, weld pickup gate, 584.50; Hollaway Construction, bridge project 44-010-185 (15), 102056.50; Knife River, G2 asphalt, 5461.50; L.G. Everest, structural backfill, 1520.51; Louie Mann Service, CDL test, 200.00; Lyle Signs, intersection signs, 751.92; Michael Johnson Construction, concrete sand, 2881.76; MidAmerican Energy, utilities, 10.59; Northern Safety Co, medical/safety supplies, 656.30; Northwestern Energy, utilities, 10.00; Pheasantland Industries, clothing, 552.96; Pomp's Tire Service, tires and supplies, 2310.96; Puthoff Sales & Service, bolts, hose, coupler, 95.43; Salem Lumber, supplies, 354.49; SD Assn of Towns & Townships, conference registration, 110.00; SDPAA, property insurance, 799.65; Spencer Quarries, chips and sand, 6508.85, TranSource Truck & Equipment, wiper motor and heat exchanger, 506.41; Verizon Wireless, cell phone service, 82.73.

911 EMERGENCY REPORTING SYSTEM FUND: Motorola Solutions, monthly wave-mobile subscriptions, 169.00; Sioux Valley Energy, radio tower utilities, 81.75.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 9/14/2024: EDS Director 1497.26. Interstate All Battery, batteries, 42.30; Total Stop, fuel, 21.86.

RURAL ACCESS INFRASTRUCTURE FUND: Bridgewater Township, share of hydraulic study, 4000.00.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 9/14/2024: Sheriff Secretary/Dispatcher 212.82.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 9/14/2024: Dir of IRS, county share of FICA 4585.97, Medicare 1072.53; SD Retirement System, county share of retirement contribution, 4585.88; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 18146.65.

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

RESOLUTION 2024-12

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 the appropriation of \$20,000.00 be transferred from the General Fund Contingency as follows: Court Appointed Attorney \$7,000 and Jail \$13,000.

Dated this 24th day of September 2024.

Charles Liesinger _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County

Motion Gordon to approve transfer of \$10412.05 from Restricted-Pavement Marking (striping) to Assigned to Road Purposes.

Second Dick. Motion carried.

At 11:00 a.m. review of the 2025 Provisional Budget was held. Present: Mike Fink, States Attorney, Brad (BJ) Stiefvater Jr, McCook County Emergency Medical Services, several members of the ambulance crew, representatives from Montrose City, Bridgewater City, Salem City, and Canistota City, Tim Bottum, Salem City Attorney, and other interested parties. Auditor Sherman

started with the Nurse's budget, noting that with a new agreement (which we still don't have) of \$12,000 for professional fees (nurse and clerical) this budget can be lowered \$27,725. Discussion moved to the Ambulance budget, McCook County EMS \$254,300 and Bridgewater Ambulance Service \$46,400. Salem City will make 12 payments to the County and the County pursues a contract with McCook EMS. Canistota City will do same as Salem City. Montrose City will do same as Salem & Canistota. Montrose City suggested making a taxing district and vote on it. Question asked whether this is a district. St Atty Fink stated, not a taxing district, McCook County EMS is a private business. Citizens could hold a petition drive, or all entities involved need to pass resolutions. BJ Stiefvater stated that ambulance districts just aren't successful. Brad Stiefvater-recommended continue with contract. Auditor Sherman-the last contract was signed in 1999 and ended in 2004. Auditor doesn't want to collect checks from 5 cities each month, to then issue payments to a private ambulance service. Cities were asked: why can't the cities pay for the ambulance service directly to McCook County EMS? BJ Stiefvater stated I don't want to work with individual cities; the county asked the cities for funds, not me. Comm Koch-you (BJ) did ask for the funding and the county was trying to help you get the funds by asking the cities; it's still your request. Sherman asked what happens if there is no contract between the county and the cities. This isn't like Contract Law where the county provides a service, the county isn't providing ambulance services. Comm Koch asked about an opt out for an ambulance district. Sherman noted that an opt out must be for a specific dollar amount and specific number of years. Brad Stiefvater suggested a MOU between the county and cities. Atty Bottum added that the cities are coming to the county to give assistance with obligations, this is a one-year Band-Aid. Comm Koch asked if the cities would be able to make one payment, in January, instead of 12 payments. Montrose City is okay with one-time payment, but we need to think about long term. BJ Stiefvater noted that the contract he signed provides for service if he can't operate. Atty Bottum stated that a contract is vital, and you can write whatever you want into it and what you don't want out of it. Roger Hofer said Bridgewater is being discriminated against because we don't get half of our appropriation in January, like BJ does. Auditor Sherman noted that's probably not going to be happening in January 2025. St Atty Fink questioned need for a contract between county and cities, when the county isn't providing the service. Attorney Bottum disagreed stating that a contract is necessary. Brad Stiefvater Sr suggested writing up 1-year contract with language that everyone agrees to because there is too much at stake for residents. Atty Bottum-pay monthly with no contract or pay in total with a contract. St Atty Fink-warning to Commissioners, if the County enters into a contract, the obligations/responsibilities to provide the service are now on the County. Comm Dick stated that maybe the county could help each town purchase an ambulance and be out of it. BJ Stiefvater stated that the ambulance service will take money from the cities, but won't sign a contract. Following this discussion, the only change made from the publication of the 2025 Provisional Budget to the adoption of the 2025 Annual budget is: Deduction: County Health Nurse -\$27,725. No change to ambulance budget. Motion Dick, second Koch, and carried, to adopt the 2025 Provisional Budget as the 2025 Annual Budget with adoption of the following resolution:

RESOLUTION 2024-13

ANNUAL BUDGET FOR MCCOOK COUNTY, SD For the Year January 1, 2025, to December 31, 2025

ADOPTION OF ANNUAL BUDGET FOR McCook County, South Dakota

Whereas (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year, and

Whereas the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

NOW THEREFORE BE IT RESOLVED, that such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATIONS AND EXPENDITURES FOR McCook County, South Dakota, and all its institutions and agencies for calendar

year beginning January 1, 2025 and ending December 31, 2025 and the same is hereby approved and adopted by the Board of County Commissioners of McCook County, South Dakota, this 24th day of September, 2024.

The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, McCook County, South Dakota.

The accompanying taxes are levied by McCook County for the year January 1, 2025, through December 31, 2025.

Total Taxes Levied by County: \$4,526,877
County Levy: 3.600/thousand

BOARD OF COUNTY COMMISSIONERS OF McCook County, South Dakota

_____ Chairman
_____ Commissioner
_____ Commissioner
_____ Commissioner
_____ Commissioner

ATTEST: _____ County Auditor

Travis Raap, Hwy Supt, joined the meeting to request a motion approving the promotion of Dillon Warren to Road Foreman, effective with next pay period, \$ 23.49/hour. Motion Gordon to approve the promotion and pay increase. Second Mehlbrech. Motion carried.

Mehlbrech left the meeting at this time.

Auditor Sherman presented the abatement form (#20) for Amy Erickson to the Board. \$1,074.02 is the adjustment on 2nd half taxes due October 2024. Mike Fink, States Attorney, and Cori Kaufmann, Dir of Equalization, were present. Motion Koch to approve the abatement request. Second Gordon. Ayes: Koch, Gordon, Dick. Absent: Mehlbrech. Nays: Liesinger. Motion carried.

Auditor Sherman presented the roster of McCook County Search & Rescue volunteer members to the Board for approval to be noted in the Work Comp renewal. Members include Jerry Heumiller, Mike Heumiller, Brad Stiefvater, Jr, Lake Romolo, David Oyen, Darin Koch, Marty Heumiller, Justin Hagemann, Dustin Weber, Nathan Olinger, Jerry Francis, and Hunter Balvin. Motion Koch to approve the roster. Second Gordon. Motion carried.

The SEFP Monthly Facilitator Report for September was noted & filed.

Motion Koch to enter Executive Session at 12:20 p.m. for personnel discussion (SDCL 1-25-2 (1). Second Dick. Motion carried. Auditor Sherman provided information (from HR) to determine starting wages for 2 new certified Sheriff Deputies to the Board for their review. Mark Norris, Sheriff, Mike Fink, States Attorney, and Auditor Sherman were present. Chair Liesinger declared out of Executive Session at 12:35 p.m. Motion Gordon to authorize \$23/hour pay rate for Kimberly Berry and Kyle Elder due to credit for prior experience. Second Dick. Koch questioned not following the existing pay plan. Norris stated that it's hard to get applicants and when you do it's hard to keep them due to low wages being paid; both applicants are certified officers. Motion carried.

Motion Gordon to enter Executive Session at 12:40 p.m. for personnel discussion (SDCL 1-25-2 (1). Second Koch. Motion carried. Cori Kaufmann, Dir of Equalization/Zoning Administrator, Mike Fink, States Attorney, and Auditor Sherman were present. Chairman Liesinger declared out of Executive Session at 12:55 p.m. Motion Dick to accept Kaufmann's letter of resignation effective October 8, 2024. Second Gordon. Motion carried.

The meeting adjourned subject to call.

Dated this 24th day of September 2024.

Charles Liesinger _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County