April 22, 2025

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Chuck Mehlbrech. Members present: Steve Gordon, Tom Heumiller, Charles Liesinger, and Marc Dick. Kris Tott was also present.

Chairman Mehlbrech led the Pledge of Allegiance.

Chairman Mehlbrech called for approval of the agenda noting the addition of an Executive Session at the request of Sheriff Norris. Auditor Sherman noted that the Concerned Citizen Group will not be attending this meeting at 11:30 a.m. and Stacey Sieverding will take that time slot to discuss changing her office hours and hiring summer help. Motion Gordon to approve the agenda with changes noted. Second Liesinger. Motion carried.

The minutes from the April 8th meeting were sent to Board members for review prior to publication. Motion Heumiller to approve the minutes for publication. Second Gordon. Motion carried.

Public comments were provided by Roger Hofer.

Commissioner Reports: none.

Conflict of Interest: none noted.

Travis Raap, Hwy Supt, presented a paving contract with Commercial Asphalt d/b/a Spencer Quarries Inc for Asphalt Overlay Project - BRO 8044(00)22-1, PCN 08XC. The work is 5" asphalt overlay for +/-1,200ft (bridge #44-010-185). Motion Liesinger to authorize Chairman Mehlbrech to sign the Agreement. Second Gordon. Motion carried. The plan is to start this project which will include paving, guard rail installation, seeding, and fencing, April 28th. Hwy Supt Raap informed the Board that Daryl Janssen wants his driveway moved again, not what was originally agreed upon. No. Nick Grace has asked if the Hwy Dept would wait a year before fencing his side. Yes. Raap attended SDDOT meeting regarding road haul agreement for interstate project. Raap informed the Board that repairs to hail damaged buildings will begin this summer.

Stacey Sieverding, 4-H Youth Assistant, joined the meeting, informing the Commission that repairs to the buildings located on the 4-H grounds will begin this summer, working around the Barn Raisin' Event and Achievement Days.

Hwy Supt Raap noted that current projects include pulling shoulders, spot graveling, and replacing culverts. Raap informed the Board that he hired Carter Randall for seasonal help through the summer months.

Auditor Sherman presented a Care of Poor Report to the Board. Three Notices of Hospitalization were received from Sanford USD Medical Center. A call was placed to Sanford informing them that one individual is not a McCook County resident.

Auditor Sherman presented an Alcoholic Beverage License Application to the Board for approval and signature. Motion Dick to approve Retail (on-off sale) Malt Beverage & SD Farm Wine application for Ports Petroleum Co Inc d/b/a Fuel Mart and authorize Chairman Mehlbrech to sign same. Second Liesinger. Motion carried.

Auditor Sherman presented fixed asset information to the Board for items that need to be declared surplus. Motion Heumiller to declare fixed assets 864A repeater and 865A repeater as surplus property because both are no longer functional for purpose acquired. Second Gordon. Motion carried.

Auditor Sherman presented a lien filed against Linda Morehead, $657.90, which was returned by AAA Collections because the individual is deceased and there is no estate. Motion Liesinger to forgive the lien filed against Linda Morehead in the amount of $657.90. Second Gordon. Motion carried.

Motion Liesinger, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 4/12/2025: Commissioners 2183.80; Auditor 6658.24; Treasurer 5132.31; States Attorney 3730.38; Custodian 1487.76; *new employee: Fred Olinger, part time custodian, $17.76/hour; Dir of Equalization 4707.69; Register of Deeds 3649.60; Veterans Service Officer 341.40; Sheriff 16140.69; Contract Law 8460.98; *Kyle Elder, COLA increase after 6 months employment, $24.15; Care of Poor 228.92; Welfare 347.04;

Extension Secretary 1556.11; Drainage 203.16; Planning & Zoning 671.21. TransAmerica Employee Benefits, April GAP billing, 4235.69; AAA Collections, lien collection fee, 89.19; McLeod's Printing, office supplies and warning tickets, 277.64; Mitchell Regional 911, 2nd Qtr Traffic Services, 3347.41; Morgan Theeler, court appointed attorney for, Kylar Hansen, 879.34, Kylar Hansen, 175.50, Kylar Hansen, 236.97, Rodney Rohrbach, 278.04; ODP Business Solutions, office supplies, 402.86; Pennington County Jail, prisoner transport, 40.15; ROCS Transit, 2025 appropriation, 2000.00; SD Dept. of Health, desk units, 3500.00; SDACO, Spring workshop registration, 800.00; Stacey Sieverding, annual 4-H training, 44.00; Two Way Solutions, speaker and antenna, 995.93; Wash N Go, car wash tokens, 200.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 4/12/2025: Hwy Dept 24162.58, cell phone reimbursement 225.00. Townships & Cities, 1st Qtr 2025 wheel tax collections, 12106.32; TransAmerica Employee Benefits, April GAP billing, 1493.57; Auto Value, supplies, 3.99; Mike Carpenter, CDL testing, 150.00; Custom Truck Equipment, culverts, 10241.08; IMEG Corp, design development, 2505.22; J & M Repair, pressure valve in freightliner, 514.65; M Peterson Gravel, crushed concrete, 546.60; Midwest Petroleum Equipment, tank monitor service, 341.25; NAPA Auto Parts, supplies, 2069.28; Arlo North, CDL license reimbursement, 35.00; Northwestern Energy, utilities, 62.21; Puthoff Sales & Service, supplies, 135.63; Xcel Energy, utilities, 10.29.

911 EMERGENCY REPORTING SYSTEM FUND: Mitchell Regional 911, 2nd Qtr 911 Services, 23066.06; Motorola Solutions, wave PTX mobile app subscriptions, 169.00; Sioux Valley Energy, radio tower utilities, 80.40.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 4/12/2025: EDS Director 1722.12. TransAmerica Employee Benefits, April GAP billing, 96.51; Total Stop, S&R diesel fuel, 43.30.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 4/12/2025: Sheriff Secretary/Dispatcher 223.44

PAYROLL CONTRIBUTIONS – ALL FUNDS: 4/12/2025: Dir of IRS, county share of FICA 4790.01, Medicare 1120.25; SD Retirement System, county share of retirement contribution, 4799.68; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 21926.80.

TOTAL CLAIMS: $53,240.99.

Motion Gordon to approve an Automatic Supplement to Emergency & Disaster Services Fund, professional services line in the amount of $11,250 for the reimbursement of Pre-Disaster Mitigation Plan (PDM) costs. Second Mehlbrech. Motion carried.

Auditor Sherman informed the Board that the renewal rate on CD at Security State Bank, Montrose, is 3.5%. Renewal approved.

Motion Liesinger to convene as Drainage Commission. Second Heumiller. Motion carried.

Mic Kreutzfeldt, Drainage Administrator, presented 3 drainage permit applications to the Board, noting that downstream landowner signatures were obtained, and he has signed off on them. All permits are available for inspection at the Hwy Dept Office.

D25-003	Ronald & Karen Addy	NW4 23-102-54 (goes w D12-004)
D25-004	Ronald & Karen Addy	NE4 W of RR Inc W 50' former RR ROW 21-102-54 (goes w D12-003)
D25-006	Ronald & Karen Addy	SW4 Ex E 1750' of N740'& Ex E30' of S1900' & Ex Helmbrecht Tract 1 33-102-54 (goes w D18-006)

Kreutzfeldt noted that hearings need to be scheduled for drainage permit D25-008, applicant Gerald Schmeichel and drainage permit D25-005, applicant C&E Family Farms Inc, because downstream landowner signatures haven't been obtained. Motion Gordon to schedule drainage hearings on May 13th, 9:30 a.m. for permit D25-008, Gerald Schmeichel, and 9:45 a.m., for permit D25-005, C&E Family Farms Inc. Second Heumiller. Motion carried.

Motion Gordon to convene as Board of Adjustment. Second Dick. Motion carried.

Anna Flogstad, Zoning Administrator, and Travis Raap, Hwy Supt, were present.

At 10:30 a.m. the Board of Adjustment held a public hearing to receive input concerning a request for conditional use. Applicant Abram Hotz (present). Legal description: Nugteren's Add in W2NW4 22-101-53. Reason: Agribusiness in Ag District - Compost Facility. Flogstad presented the Conditional Use Application to the Board and pulled up the parcel on the Beacon site. Hotz presented

his business plan to the Board. Flogstad asked about packaging material. Hotz stated that to start, it would be hauled by the consumer in trailers or other means, and depending on how the business grows, they may have to consider packaging product to sell. Hwy Supt Raap asked about truck traffic, noting that weight limits can be in place anytime between February 15th and April 30th. Hotz noted that initially a ¾ T truck w dump trailer will be used to haul waste product which will be mixed with wood chips, don't know weight of chips. The compost will be lighter than manure. Raap doesn't see wood chips being an issue as far as weight limits. Kris Tott asked about rodents with re to the food waste. Hotz noted that they will be using traps, cats & dogs, and because they are row composting, they will be continually turning the rows. Hotz added that the State will review the facility in two years. The following conditions were noted: review growth of business with State permitting timeline. May need to sign a road haul agreement if traffic and/or truck weight load increases in that time. With no further questions or discussion, motion Dick to approve the Conditional Use application and the following resolution. Second Gordon. All members voted aye. Motion carried.

RESOLUTION TO ESTABLISH A FOOD WASTE COMPOSTING FACILITY
RESOLUTION 2025-04

WHEREAS, Abram Hotz desires to establish a Food Waste Composting Facility for the purpose of solid waste management; and

WHEREAS, the siting of the proposed facility is not in conflict with any established zoning laws or ordinances; and

WHEREAS, Abram Hotz has (or will) file (d) a solid waste application with the South Dakota Department of Agriculture and Natural Resources (DANR); and

WHEREAS, DANR has (or will) review (ed) that application to determine that the facility can be operated within the South Dakota laws and regulations; and

WHEREAS, DANR has (or will or may) recommend the approval of the permit with conditions adequate to safeguard the environment; and

WHEREAS, the Board of Minerals and Environment will review, modify, approve, or deny the permit if the tentative recommendations and/or conditions of the permit are contested by an interested party; and

WHEREAS, the County Commission of McCook County is required by SDCL 34A-6-103 to approve a solid waste facility prior to issuance of a solid waste permit;

IT IS THEREFORE RESOLVED that the McCook County Commission hereby approves construction and operation of the proposed facility to be operated under the terms of a solid waste permit to be issued by the Board of Minerals and Environment.

Approved this 22nd day of April 2025.

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Charles Mehlbrech
Chairman, McCook County Commission

ATTEST: (SEAL)

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Geralyn Sherman
Auditor, McCook County

At 10:40 a.m. the Board of Adjustment held a public hearing to receive input concerning request for variance. Applicant Rory Mentele. Legal description: N2S2NW4 33-103-53. Reason: reduce setback from 30' to 12' for shipping container storage placement. Zoning Admin Flogstad presented the Application for Variance to the Board and pulled up the parcel on the Beacon website. Following discussion, motion Gordon to approve the request for the variance. Second Dick. Ayes: Gordon, Dick, Heumiller, Mehlbrech. Nays: Liesinger. Motion carried.

At 10:50 a.m. the Board of Adjustment held a public hearing to receive input concerning request for variance. Applicant Kurt Greeno. Legal description: Tr 1 Lacey's Add NE4 2-102-55. Reason: reduce setback to plant trees. Zoning Admin Flogstad presented the Application for Variance to the Board and pulled up the parcel on the Beacon website. Flogstad noted that the trees will be in the right-of-way where current bushes are. Following discussion, motion Heumiller to approve the request for the variance. Second Liesinger. All members voted aye. Motion carried.

At 11:00 a.m. the Board of Adjustment held a public hearing to receive input concerning a request for conditional use. Applicant Kevin Berg. Legal description: S2 NW 18-102-56. Reason: transfer building eligibility. Zoning Admin Flogstad presented Conditional Use Application to the Board, pulling up the parcel on the Beacon website. Following discussion, motion Liesinger to approve the request for conditional use. Second Dick. All members voted aye. Motion carried.

Motion Heumiller to convene as Planning Commission. Second Liesinger. Motion carried.

Anna Flogstad, Dir of Equalization/Zoning Administrator, presented 2 plats for approval. Following review of the 1st plat review form, motion Gordon to approve the plat. Second Mehlbrech. Motion carried.

BE IT RESOLVED by the County Planning Commission of McCook County, South Dakota, that the plat showing Tracts 2 and 3 of Shaeffer's Addition in the Southwest Quarter of Section 26, Township 102 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 22nd day of April 2025.

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Chair, County Planning Commission
McCook County, South Dakota

Following review of the 2nd plat review form, motion Gordon to approve the plat. Second Liesinger. Motion carried.

BE IT RESOLVED by the County Planning Commission of McCook County, South Dakota, that the plat showing Tract 1 of Bartmann Addition in the Southwest Quarter of the Southwest Quarter of Section 22, Township 102 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 22nd day of April 2025.

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Chair, County Planning Commission
McCook County, South Dakota

Motion Dick to convene as Board of Equalization. Second Gordon. Motion carried.

Anna Flogstad, Dir of Equalization, presented a list of the Elderly Disabled Tax Freeze Applications to the Board. There are 92 applicants, 11 new, 8 denied, and 5 that didn't reapply for 2025. Following review, motion Liesinger to approve 84 applications. Second Heumiller. Motion carried.

With no further business before the Equalization Board, motion Liesinger to close as the County Board of Equalization. Second Gordon. Motion carried.

The Board reconvened as the Board of County Commissioners.

Stacey Sieverding, 4-H Youth Program Assistant, met with the Commission to ask about changing her office hours, leaving an hour early on Wednesday (3:00 pm) and staying until 4:30 pm on Tuesday and Thursday to make up for it. Monday and Friday will remain 8:00-4:00. Sieverding asked if she could hire her daughter, Ava, again this year, 1 day/week (Friday) as PT help through the summer months. Motion Gordon to approve both requests, change of the office hours and hiring PT help. Second Mehlbrech. Motion carried.

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

Anna Flogstad, Zoning Administrator, introduced Steve Simpson to the Board, informing them that he's here for a conversation regarding a racetrack for remote control racing. Flogstad noted that this would be considered a recreational facility in an Ag district. Simpson stated that he's working on a RC Track, this is a hobby for him and his son. He started building because the Brandon track is closing, then decided he should talk with the Board before getting a conditional use application. Mehlbrech asked how many people would be allowed in a race. Simpson noted 20 at most, adding that the walls are up. Having lights along SD38 was also discussed. Heumiller asked Simpson if he's checked with SDDOT regarding the State R-O-W and where vehicles are going to be parked. Simpson

noted that people will park in/on the driveway. Flogstad will provide contact information for SDDOT so Simpson can follow up with the State regarding ROW regulations before proceeding.

The Board reconvened as the Board of County Commissioners.

Motion Heumiller to enter Executive Session at 11:45 a.m. for personnel discussion, SDCL 1-25-2 (1). Mark Norris, Sheriff, and Annette VanEmmerik, Sheriff Secretary/Dispatcher, met with the Commission. Second Gordon. Chairman Mehlbrech declared out of Executive Session at 12: 55 p.m.

The meeting adjourned subject to call.

Dated this 22nd day of April 2025.

Chuck Mehlbrech _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County