

August 25, 2020

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

Due to health concerns and COVID-19, Mehlbrech returned to his office and called into the meeting.

Chairman Koch led the Pledge of Allegiance.

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

The minutes from the August 11th meeting were sent to Board members for review prior to publication. Motion made by Gordon to approve the minutes for publication. Second by Dick. Motion carried.

Public input: none.

Commissioner Reports: Kreutzfeldt presented Board with the latest gasoline test results. The lab report findings show the Reid Vapor Pressure is out of spec for summertime use. According to Stern Oil's engineer the vehicle issues are likely caused by higher Reid Vapor Pressure (RVP) fuel that is designed for winter usage. Kreutzfeldt noted that he was not aware formulas for gas changed throughout the year. Board members concurred. Going forward gas will be within spec after Sept. 15 and will be retested, with law enforcement to return to using it following a passing test. Liesinger placed a call to Miner County Auditor regarding membership in the SD Public Assurance Alliance. Miner County left the Alliance last year because quote from another company came in lower and this year the County saw a \$7000 increase in the premium. The Auditor also stated she feels services offered are not the same.

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

At 9:00 a.m. the Board revisited Drainage Permit D20-007, applicant Lawrence & Delores Arbeiter. Legal description: S2SW4 Section 23-101-54 (Grant Twp). Present: Mic Kreutzfeldt, Drainage Administrator, Mike Fink, States Attorney, Bud Arbeiter and Nathan Voorhees. Kreutzfeldt noted that we are back today because applicant has requested a decision be made on their drainage application as it was presented. Dick asked Arbeiter if he has talked with Tieszens. No. Kreutzfeldt referenced a Davison County appeal noting that a hydrology study be required (applicant expense) to base the decision on facts. Fink stated there must be reasonableness in the process. Arbeiter said he is willing to work with Tieszen. Following discussion concerning the hydrology study, motion was made by Gordon to require a hydrology study and table a decision until a later date. Second Dick. Motion carried.

The Board reconvened as Board of County Commissioners.

Mic Kreutzfeldt, Hwy Supt, Mike Fink, States Attorney, and the Commission met again to discuss Lehrman Slough. Fink informed Board that Calvin Heitzman did not sign the easement and dismissed his attorney. Fink had to attend Court so this will be back on the agenda in the afternoon.

Motion made by Dick to convene as Drainage Commission. Second by Gordon. Motion carried.

Drainage Administrator Kreutzfeldt informed the Board of drainage hearings that have been requested. Motion was made by Liesinger to set the following times on September 8th for drainage hearings: 9:15 a.m. Ron Weeldreyer, 9:25 a.m. Doug Bleeker and 9:30 a.m. Doug Bleeker. Second by Gordon. Motion carried. Motion was made by Liesinger to set the following times on September 8th for drainage hearings: 9:35 a.m. Don Huls and 9:40 a.m. Don Huls. Second by Dick. Motion carried. Motion was made by Gordon to set 9:45 a.m. on September 22nd as time for drainage hearing for Patricia Waechter. Second by Koch. Motion carried.

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

D20-035 Patricia Waechter SW4 Ex Tract 1 of Sanders Addition & Ex Waechters Tract 6 in SW4 3-101-53

Board reconvened as Board of County Commissioners.

Mic Kreutzfeldt, Hwy Supt, presented two utility permits for approval. Motion made by Gordon to approve two Electric Utility Permits for Southeastern Electric. Both permit projects are to replace overhead lines with underground. Locations: 24486 443rd Ave; approximately 4 miles of line, 3 crossings, in very SE corner of county. Kreutzfeldt presented the only herbicide quote received from Van Diest Supply. Motion made by Liesinger to accept the quote. Second Gordon. Motion carried. Motion made by Dick to purchase tilt bed trailer from Goldies Trailer Sales for \$7500. Second Liesinger. Motion carried. Kreutzfeldt informed the Board that he and Michelle Zelmer, Administrative Assistant, have been researching Hwy Dept software; searching for something more encompassing instead of the numerous software/programs being used currently. Current projects include chip sealing in Lake County, fog sealing, and bridge repairs. Fall Weed spraying and mowing starting soon.

Motion was made by Gordon to approve the following resolution modifying the County Highway System. Second by Dick. Motion carried.

MCCOOK COUNTY HIGHWAY RESOLUTION NO. 2020-09

WHEREAS, McCook County would like to modify its Highway System connecting 438th Avenue (County Road 17A) with U.S. Highway 81 to enhance increased traffic volumes.

AND WHEREAS, the changes in McCook County’s Highway System are in accordance with the South Dakota Department of Transportation’s “Policy and Procedures for County Highway System Revisions” adopted 2/12/92 and SDCL 31-12-2.

THEREFORE, BE IT RESOLVED by the McCook County Board of Commissioners that the following changes be made to the McCook County Highway System:

ADD: From a rural minor collector, 438th Ave., near the NW corner of Section 33-103N-55W, east to a Principal Arterial, US Hwy 81 near the NE corner of Section 35-103N-55W; a distance of approximately 3.0 miles (255th Street from 438th Avenue to US81).

Dated at Salem SD this 25th day of August 2020.

Roll Call Vote	Yes	No
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Dean Koch		
Roll Call Vote	Yes	No
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Charles Liesinger		
Roll Call Vote	Yes	No
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Steve Gordon		

Roll Call Vote	Yes	No
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Charles Mehlbrech		
Roll Call Vote	Yes	No
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Marc Dick		
Attest:		
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Geraldyn Sherman		

Because it was too difficult to hear the meeting conversations, Mehlbrech left the meeting.

Motion was made by Liesinger to convene as Board of Adjustment. Second by Gordon. Motion carried.

At 10:30 a.m. a Conditional Use Hearing was held to receive input concerning a request to transfer building eligibility from SW4NW4 22-103-55. Applicant: David Fendrich (present). Legal description: NE4SE4 22-103-55. Cori Kaufmann, Interim Zoning Administrator, presented the conditional use application to the Board noting no public comments were received. Motion made by Liesinger to approve the conditional use permit. Second Gordon. Roll call vote: Ayes: Liesinger, Gordon, Dick, and Koch. Nays: none. Absent: Mehlbrech. Motion carried.

At 10:40 a.m. a Variance Hearing was held to receive input concerning a request to build shop & living space with steel siding. Applicant: David Fendrich (present). Legal description: NE4SE4 22-103-55. Kaufmann presented the variance application to the Board. Motion was made by Liesinger to approve the variance request. Second by Dick. Roll call vote: Ayes: Liesinger, Gordon, Dick, and Koch. Nays: none. Absent: Mehlbrech. Motion carried.

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

At 10:40 a.m. a public hearing was held to explain the repeal of Chapter 11.10 (D) of the 2014 Revised Zoning Regulations for McCook County, to answer questions, and to hear and consider public comments. Kaufmann read the title of the proposed ordinance. No public was in attendance. Motion was made by Liesinger to recommend approval of the proposed ordinance to the Board of County Commissioners. Second by Dick. Roll call vote: Ayes: Liesinger, Dick, Gordon, and Koch. Nays: none. Absent: Mehlbrech. Motion carried.

At 10:50 a.m. a public hearing was held to explain the proposed amendment establishing regulations for Solar Energy Conversion Systems to the 2014 Revised Zoning Regulations for McCook County, to answer questions, and to hear and consider public comments. Kaufmann read the title of the proposed ordinance. No public was in attendance. Motion was made by Liesinger to recommend approval of the proposed ordinance to the Board of County Commissioners. Second by Dick. Roll call vote: Ayes: Liesinger, Dick, Gordon, and Koch. Nays: none. Absent: Mehlbrech. Motion carried.

At 11:15 a.m. a public hearing was held to explain the consideration of amendments to Chapter 3, AG: Agricultural District; Chapter 11:08, Additional Use Regulations, Class A Concentrated Animal Confinements and Chapter 19.02 Definitions of the 2014 Revised Zoning Regulations of McCook County. Kaufmann shared input from a call received from Fred Butzke. No public was in attendance. Motion was made by Liesinger to recommend approval of the proposed ordinance to the Board of County Commissioners. Second by Dick. Roll call vote: Ayes: Liesinger, Dick, Gordon, and Koch. Nays: none. Absent: Mehlbrech. Motion carried.

The Board reconvened as Board of County Commissioners.

Motion made by Liesinger, second Dick, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 8/22/20: Commissioners 1692.30; Auditor 5146.46; Treasurer 3984.19; States Attorney 2777.88; Custodian 1287.75; Dir of Equalization 4266.13; Register of Deeds 3183.94; Veterans Service Officer 258.90; Sheriff 11819.06; Contract Law 4899.73; Care of Poor 192.31; Welfare 297.00; Community Health Nurse Secretary 1345.35; Extension Secretary, 545.20; Weed 191.18; Drainage 311.45; Planning & Zoning 115.43. TransAmerica Employee Benefits, August contribution 3571.83; Grand Jury fees & mileage 447.88; A & B Business, 2 monthly copier contracts 154.27; Card Service Center, law enforcement auto fuel 456.51 DARE supplies 253.86; CHS Credit Card, law enforcement auto fuel 1222.74; Davison County Sheriff, July jail services 2375.00; Government Forms & Supplies, germ shields 760.00; Iron Wheel Sales & Service, supplies & maintenance for AC units 1145.86; Carol Johnson, grand jury transcript 60.80; Lammers Kleibacker & Dawson, court appt attorney for April Ward 877.35; Hayley Mayou, bike safety rodeo supplies 84.50; MidAmerican Energy, utilities 26.13; Minnehaha County Auditor, reimbursement of mental health expenses 85.50; Mitchell Clinic, prisoner care 152.00; New Century Press, 2yr subscription to Canistota Clipper & Montrose Herald 116.00; Laurie Norris, reimburse meal for juvenile 15.00; Presto-X, food pantry pest control 39.00; SD Dept of Public Safety, 6 months teletype service 2340.00; SD Sheriff's Assn, conference registration 60.00; Geralyn Sherman, mileage to inspect polling sites 29.40; Sioux Falls Food Bank, food pantry delivery charges 70.00; Staples, hand sanitizer & stations 409.89.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 8/22/20: Hwy Dept 22303.88. TransAmerica Employee Benefits, August contribution 2618.71; Jebro Inc, road oil 115522.00; Make It Mine Designs, laminate glass 59.52; MidAmerican Energy, utilities 16.00; Northwestern Energy, utilities 10.00; Staples, hand sanitizer & station 169.95.

911 EMERGENCY REPORTING SYSTEM FUND: Sioux Valley Energy, radio tower utilities 57.54.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 8/22/20: EDS Director 1384.62. TransAmerica Employee Benefits, August contribution 96.51.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 8/22/20: Sheriff Secretary/Dispatcher 192.18.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 8/22/20: Dir of IRS, county share of FICA 3750.84, Medicare 877.21; SD Retirement System, county share of retirement contribution, 3823.33; Wellmark Blue Cross/Blue Shield of SD, county share of health insurance contribution 16519.23.

Auditor Sherman presented the vision plan renewal with Optilegra to the Board noting that rates will remain the same. The renewal date is October 1, 2020. The vision plans are employee paid. Motion was made by Dick to approve the renewal. Second Gordon. Motion carried.

Geralyn Sherman, Auditor/Welfare Director, and the Commissioners reviewed Care of Poor cases. A Notice of Hospitalization was received from Avera McKennan Hospital (2020-27). An Application for Poor Relief Assistance was received from Avera McKennan Hospital (2020-26). Sherman informed Board that St Attorney Fink and she will be attending depositions in SF on Thursday for 2 hospital claims (2009-47 & 2015-29).

Cori Kaufmann, Interim Dir of Equalization, presented information from Century Business for copier upgrade in DOE office. Kaufmann noted that copier in office is not working properly, many issues with it. Kaufmann and Board discussed lease option or purchase of a new machine. Motion was made by Dick to approve a 5-year lease of a Kyocera 3553 copier, \$90.44 per month. Second Liesinger. Motion carried. Kaufmann thanked the Board for their input.

John Wenande, Eagleview, met with the Commission to review and explain the flyover proposal and the processes available to the county. Mic Kreutzfeldt, Hwy Supt, and Cori Kaufmann, Interim Dir of Equalization, were present. Utilization of Change Finder was also discussed. Wenande explained that Change Finder identifies a variety of changes to structures comparing newest imagery to the last imagery allowing appraisers to more accurately identify changes and the cost is \$.30 per parcel. Motion was made by Liesinger to approve the flyover proposal and purchase Change Finder for the DOE Office. Second by Dick. Motion carried. Wenande will provide Change Finder information specific to McCook County for the next meeting.

Brad (BJ) Stiefvater, Jr, Emergency Manager, reviewed the Contract with City of Mitchell for E-911 Services and Traffic Services attachment with the Commission. The new contract will run for a 5-year term beginning January 1, 2021 ending on December 31, 2025. The per capita per year rate will increase by 8% annually. Sherman noted that we still don't have a contract to sign.

Stiefvater let the Commission know that he contacted our SD Office of Emergency Management Regional Coordinator to inform the State that McCook County will not be participating in the Local Emergency Management Performance Grant Program (LEMPG).

States Attorney, Mike Fink, and Mic Kreutzfeldt, Hwy Supt, joined the meeting to discuss options for resolving the Lehrman Slough tiling/ditching or raising the road project with Calvin Heitzman's refusal to sign the easement. Fink will contact Heitzman and inquire as to why he has now chosen to not honor the verbal agreement. Kreutzfeldt noted that fall tiling is getting unlikely with all the delays.

Laura Schultz, HR Coordinator, presented a letter of retirement from Bev Bartling, Deputy Register of Deeds, effective October 16, 2020, to the Commission. Laurie Schwans, Register of Deeds, was present. Schultz inquired about the status of the employee. Schwans' intention is to hire a full-time employee. Stacey Sieverding, 4-H Program Youth Advisor, joined the meeting. Schultz thanked Sieverding for her help in the Sheriff's Office this summer. Sieverding would like to adjust her office hours working 8:00 a.m. to 4:00 p.m. to accommodate her children's school schedules. Request approved. State Fair activities were discussed. Schultz informed the Board that \$369,010 has been allocated to McCook County through the CARES Act. Auditor Sherman noted that Schultz has spent many hours putting the required documentation together and allowable expenses will be tracked through the end of 2020.

The meeting adjourned subject to call.

Dated this 25th day of August 2020.

Dean Koch _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County