May 13, 2025

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

Chairman Mehlbrech led the Pledge of Allegiance.

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

The minutes from the April 15th & April 22nd meetings were sent to Board members for review prior to publication. Motion Heumiller to approve these minutes for publication. Second Gordon. Motion carried.

Public input: none.

Commissioner Reports: Mehlbrech and Gordon attended the District Meeting held in Miner County.

Conflict of Interest: Mehlbrech noted that he won't participate in R-O-W discussion with John Scheier.

Travis Raap, Hwy Supt, informed Board that Phil Kasten has requested a culvert upsize on 268th St. A hydraulic study would be necessary because this would create drainage issues. Raap presented two utility permits for approval. Motion Gordon to approve Communications Utility Permit for Golden West Telecommunications to extend fiber to Lake Vermillion Subdivision. Second Heumiller. Motion carried. Motion Gordon to approve Communications Utility Permit for Golden West Telecommunications for extending mainline fiber to serve a new residence. Second Liesinger. Motion carried. Raap informed the Board that engine repairs to Cat Motorgrader 312 will run between $15,000-$50,000 per Butler Machinery. Raap presented a change order request for liquidated damages from Hollaway Construction for bridge project #44-010-185, to the Board. The project was not finished by the completion date, over ninety (90) days. Thirty-three (33) days were allowed/deducted for the June 2024 flooding. Engineering costs to IMEG for the extra time to complete the work is estimated at $20,000. Raap added that he'd like to sit down with Levi Hilner, Hollaway Construction, Adam Polley, IMEG Engineering, and two commissioners to get this hashed out. Current projects include blading and ditch cleaning. Gravel crushing is finished, and the bridge project (44-010-85) paving is complete.

John Scheier met with the Commission to discuss the placement of R-O-W markers in road ditches on 443rd Ave. Hwy Supt Raap noted that roads can have different R-O-W's; some are 33' and others are 50'. Scheier noted that the Hwy Dept placed markers without letting landowners know, makes no sense, and this R-O-W was planted to corn. Scheier added that there are ten (10) markers in one mile and sixteen (16) in another ditch; mainly upset because I wasn't notified and have been doing it for years. Mic Kreutzfeldt had joined the meeting and noted that notices have never been sent to landowners, shouldn't be farming the R-O-W's. Scheier left the meeting. Comm Liesinger suggested that notifications be sent in the future and by the States Attorney. Hwy Supt Raap noted that the County pulls the markers when the grass is growing. Comm Heumiller told Raap to take the markers out for now, and replace them this fall. Liesinger said if you remove them for one, you remove them for all; sets a precedence. Raap informed the Board that he talked with States Attorney Fink and SD Codified Law allows the County to build a fence to protect the right of way, if need be. Gerald Schmeichel was present for other business.

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

At 9:30 a.m. a drainage hearing was held to receive input concerning drainage permit D25-008, landowner Gerald Schmeichel, legal description, SW4 29-104-54. Gerald Schmeichel was present. Mic Kreutzfeldt, Drainage Administrator, explained that the downstream landowner signature had not been obtained, so a hearing was required. Sandy Luehn, POA for Marilyn Luehn, also present, asked if she could speak. Luehn thanked Kreutzfeldt for his time prior to the hearing and for providing her with documentation that her parents had previously signed off on, adding that she'll honor what they did in the past, and sign off on drainage permit D25-008, so this hearing isn't necessary.

Drainage Administrator Kreutzfeldt presented the following drainage permit applications to the Board, noting that downstream landowner signatures were obtained and he has signed off on them.

D25-009	Weber Family Trust	SW4 3-103-54
D25-010	Connie Zelmer Trust	SW4 4-104-55
D25-011	Douglas & Michelle Zelmer	NW4 9-104-55
D25-015	Kurt & Kathryn Stiefvater Trust	NW4 10-103-54
D25-016	Jeff Deters	NW4 of 23-103-54 Ex Tr 1 Deters Add & Ex W543’

At 9:45 a.m. a drainage hearing was held to receive input concerning drainage permit D25-005, landowner: C&E Family Farms, legal description: NW4 (with exceptions) 2-104-54. Kreutzfeldt explained that USF&W Service does not sign off on drainage permit applications, so a hearing is required. Kevin Peterson was present. Motion Heumiller to approve drainage permit application D25-005. Second Liesinger. All members voted aye. Motion carried.

The Board reconvened as Board of County Commissioners.

Motion Heumiller, second Liesinger, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 4/26/2025; 5/10/2025: Commissioners, 2183.80, 2183.80, mileage 776.40; Auditor, 6308.24, 6308.24; Treasurer, 5398.76, 5405.99; States Attorney, 3730.38, 3730.38; Custodian, 1460.20, 1460.20; Dir of Equalization, 4703.00, 4698.26; Register of Deeds, 3683.72, 3615.49; Veterans Service Officer, 341.40, 512.10; Sheriff, 16308.05, 20752.49; *new hire: Kaylee DeVries, Sheriff Secretary/Dispatcher, $19.98/hour, DOH 5/5/2025; Contract Law, 8978.50, 8511.64; Care of Poor, 228.92, 228.92; Welfare, 319.93, 200.63; 4-H Youth Assistant, 1556.10, 1556.10; Weed, 660.04; Drainage, 234.81, 228.48; Planning & Zoning, 670.75, 670.30. SD Dept of Revenue, SD Developmental Center-Redfield, 60.00; Grand Jury, fees & mileage 438.44; A& B Business, monthly copier contract, 82.97; Alternative HR, May HR services, 5600.00; Auto Value, AVS vent shades, 99.99; Avera Queen of Peace Hospital, blood alcohol service, 548.00; C & B Operations, tractor rental, 5250.00; Card Service Center, postage, shirts, fuel, 190.45, gas tank, fuel, 474.22, Sheriff Assn fee, 250.00, office supplies, 35.44, dog food, 84.64, DOE classes, 375.00; Central Farmers, unleaded gas, 18.87; Century Business Products, monthly copier contracts, 712.57; Chesterman Co, water, 198.00; City of Bridgewater, May ambulance appropriation, 3866.67; Corporate Translation, interpreter service, 31.47; Dailey Law, court appointed attorney for Junior Antonion Diaz, 152.50, Andrew Reha, 531.00; Dakota Data Shred, shredding services, 73.07; Davison County Sheriff, April jail services, 2835.00; Express Motel & Restaurant, care of poor lodging, 70.00; Mike Fink, April expenses, 1333.34; Anna Flogstad, office supplies, 34.02, travel expense 53.60; Gordon Flesch, monthly copier contract, 30.00; GR-Emergency Vehicle, vehicle accessories, 3960.00; Inter-Lakes Community Action, May Community Service Worker funds, 1107.58; Jack’s Uniforms, uniforms, 641.48; Lewis Drugs, prisoner care, 117.04; Lincoln County Auditor, reimburse mental health expenses, 96.67; Maynards, supplies, 5.99; McCook County EMS, May ambulance appropriation, 11559.09; McCook County Treasurer, postage, 539.00; McCormick Motors, vehicle maintenance, 3068.47; Meyer Motor, vehicle maintenance, 70.80; Microfilm Imaging, scanning equipment rent, 626.00; MidAmerican Energy, food pantry utilities, 43.41, courthouse utilities, 433.20; Morgan Theeler, court appointed for Alvin Dodd, 634.00; New Century Press, publishing, 354.11; Peters Distributing, service monitor, 110.00; Presto-X, food pantry pest control, 51.63; Ramkota Hotel, lodging, 348.00; RBS Sanitation, food pantry garbage service, 109.71, courthouse garbage service 111.46; Salem City, food pantry water & sewer, 133.16, courthouse water & sewer 166.29; Salem Lumber, supplies, 56.28; SD Achieve/dba LifeScape, services for six residents 360.00; SD Public Assurance, insurance for JD tractor, 276.30; SD Public Health Laboratory, lab services, 80.00; Tim Simmermon, dog door, 229.23; Sioux Falls Area Humane Society, April contract 200.00; Southeastern Behavioral, quarterly allotment, 1420.50; Tech Solutions, Managed IT services, 3667.00; Triotel Communications, telephone/internet service, 687.20; Two Way Solutions, installed tablet & mic, 139.99; US Postal Service, box rent, 100.00; Van Diest Supply, Tordon, 770.00; Verizon Wireless, iPad service 40.01, cell phone service 477.30; Xcel Energy, food pantry utilities, 42.20, courthouse utilities, 449.97.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 4/26/2025 & 5/10/2025: Hwy Dept 24361.34, 23992.34; cell phone reimbursement 225.00; *new hire: Carter Randall, Seasonal Hwy Worker, $18.00/hour, DOH 5/5/2025; Aaron Swan, material testing, 1380.00; Appeara, mat & towel rental, 124.40; Auto Value, supplies, 368.52; Card Service Center, travel expense 132.13 & supplies, 113.02; Central Farmers Coop, supplies, 167.30; Century Business Products, monthly copier contract, 155.97; Chesterman Company, water, 6.00; City of Sioux Falls, disposal, 19.19; Commercial Asphalt, asphalt overlay, 114121.00; Driveline Service, tire repair & supplies, 311.13; Fleetpride, supplies, 142.38; Gessner Welding, supplies, 23.70; GWorks, annual fee for Pub Works, 4414.00; Hydraulic World, cylinder repair & supplies, 525.03; Jag Crushing, gravel crushing, 106340.00; Lyle Signs, 911 signs, 1554.29; Mac's – Sioux Falls, supplies, 1117.07; Maynards, cleaning supplies, 38.23; MidAmerican Energy, utilities, 114.77; NAPA Auto Parts, supplies, 900.25; Northwestern Energy, utilities, 44.03; Pomp's Tire Service, tires, 2297.00; Puthoff Sales & Service, supplies, 165.95; Keith Raap, gravel royalties, 25562.50; Travis Raap, gravel royalties, 25562.50; RBS Sanitation, garbage service, 82.82; Salem City, water & sewer, 257.25; Salem Lumber, supplies, 34.80; Southeastern Electric, utilities, 45.42; Stan Houston Equipment, supplies, 867.53; Transource Truck & Equipment, nozzle assembly, 39.74; Triotel Communications, telephone/internet service 105.52; Verizon Wireless, cell phone service, 82.73; Xcel Energy, utilities, 428.09.

911 SERVICE FUND: Golden West Telecommunications, 911 telephone service 200.00; Triotel Communications, 911 telephone service 177.20.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 4/26/2025, 5/10/2025: EDS Director 1572.12, 1572.12; AT&T Mobility, EM iPad service, 40.04; Auto Value, supplies, 42.98; Card Service Center, surge protector, 70.99; Brad Stiefvater Jr, April expenses, 204.95; Triotel Communications, telephone & internet service 144.62; Two Way Solutions, antenna, 39.99.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 4/27/2025, 5/10/2025: Sheriff Secretary/Dispatcher 223.44, 974.14. PharmChem, sweat patch analysis, 255.60.

RURAL ACCESS INFRASTRUCTURE: Bridgewater Township, 2nd ½ grant project 44-0398-2013, 40,480.00; Montrose Township, 2nd ½ grant project 44-1879-0813, -0801, -0815, and -0816, 26,000.00.

MISCELLANEOUS FUND: Jag Crushing, Bond reimbursement, 9100.00.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 4/26/2025, 5/10/2025: Dir of IRS, county share of FICA 4830.68, 5140.60, Medicare 1129.75, 1202.23; SD Retirement System, county share of retirement contribution, 4858.92, 5070.85; Wellmark BCBS, county share of health insurance premiums, 6214.65, 21926.80.

Total Claims: $420,614.52

The Auditor's Account with the County Treasurer for the month of April 2025: deposits in banks, $8,710,383.07; cash to deposit, $4,089.59; checks to deposit, $335,248.50; CC payments, $5,630.19; Cash Items (postage) $539.00; Treasurer's Cash, $1,031.00; Register of Deeds, $450.00; Sheriff, $500.00; CD's, $700,000.00. The total deposits on hand: $9,757,871.35.

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

Anna Flogstad, Dir of Equalization/Zoning Administrator, presented a plat for approval. Following review of the plat review form, motion Heumiller to approve the plat. Second Liesinger. Motion carried. Jeff Deters was present to answer questions.

BE IT RESOLVED by the County Planning Commission of McCook County, South Dakota, that the plat showing Tracts 2, 3 and 4 of Deters Addition, an Addition in the Northwest Quarter of Section 23, Township 103 North, Range 54 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 13th day of May 2025.

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Chair, County Planning Commission
McCook County, South Dakota

The Board reconvened as the Board of County Commissioners.

Dir of Equalization Flogstad and the Commissioners reviewed a letter from the Dept of Revenue regarding the current level of assessment for the county which is 69.1% for the 2025 assessment year. The County's non-ag factor has been set at 1.23 and will be applied to all non-ag property assessments, making the taxable value higher than the assessed value.

The following building permits were issued in the month of April:

25-016	Richard Mentele	lean-to/shipping container	N2S2NW4 33-103-53
25-019	Ron & Monica Chase Trust	new house w garage	SE4 Ex 1.90 AC & Part Lying N & E of State Trunk Hwy 21 14-102-55
25-020	Don & Deb Lobien	picnic shelter	Beg at NW Cor of Lot 1 Leuhn's Subd 350'E, 623'S, 350'W, 623'N to Pt/Beg in SW4
25-021	Jared & Regina Nelson	house addition	Tr 1 Shumaker Add in SE4SW4 21-101-53
25-023	Michael Bartmann	new house	SW4SW4 & W4W2SE4SW4 22-102-53
25-024	Cordell & Sheryl Hofer	machine shed	SE4 8-102-55
25-025	Robert Hoiten	new house	Tract 2 of Hoiten's Add E2SE4 25-103-55
25-026	Ryan & Jennifer Roling	attached garage	Co Aud Tracts 2&5 Ex S80' thereof in E2SW4 Ex Lot 1, Montrose – lift station addition 27-103-53
25-027	Kevin & Tammy Sabers	new home	N478' W1068.5' of SW4 Ex thatPart Lot H2 lying therein & Ex that Part of land deeded for road lying therein 24-102-55
25-028	Brad & Desiree Schock	sheep barn	Tract 1 of Schock Addition in SE4 21-104-56
25-029	Sean & Stacy Luke	house/shop	Tr 1 Unruh Add S2NW4 30-101-53
25-030	Bob Donelan	moving on new house	Lot 1 Donelan's Add SW4 7-103-53
25-031	Ryan & Ashley Dement	pole building	Tract 3 Dement Add N2 32-104-56
25-032	Joseph Hamm	pole building	Lot 3 of Van Wyhe's Add SE4 33-103-54
25-033	James & Stacie Wolf	kitchen remodel	N450' of W400' of NW4 Ex Land Deeded for Road Purposes in 20-103-54
25-034	Mark & Michele Wiggs	vehicle storage/office/rec area	NE4NW4 36-104-53

Auditor Sherman presented a lien release due to bankruptcy to the Board. Motion Gordon to approve release of a lien in the amount of $1014.53, dated 2014, filed against Joseph Kleinsasser. Second Liesinger. Motion carried.

Auditor Sherman presented the Board with an abatement for approval. Abatement #6, parcel 04.02.2001, Larry & Janice Petersen, reason-error in number of acres, amount of abatement $274.14. Motion Gordon to approve the abatement and authorize Chair Mehlbrech to sign the same. Second Liesinger. Motion carried.

The April Law Enforcement Report and a report showing the breakdown of calls made and hours worked in each community were noted and filed.

Doreen Quinn, Gloria Rayman, and Dick Nolte, Concerned Citizens of McCook County, and Cindy Meyer, Minnehaha County resident, who recorded this portion of the meeting, met with the Commission to discuss McCook County elections. Becky Hoiten, Deputy Auditor, Rhonda Olinger, Deputy Auditor, Jeff Deters, and States Attorney, Mike Fink, were present. Doreen Quinn: After the 2020 election people realized there are issues. The SD Canvassing Group led to the formation of our small group. We believe automation is the path to destruction and we need to return to hand counting. We aren't against the county, but you don't engage with us. Gloria Rayman: We have no ill will against anyone (handed out plates of cookies). Every machine is corruptible and technology in voting isn't secure; hand counting is best. Dick Nolte on behalf of Barb Hoiten: We have respect for you and thank you for what you do, but we need transparency and election integrity needs to be a priority. Nolte presented a handout to the Board, which noted expenses paid to ES&S over the past eleven (11) years. Nolte also referenced two (2) election laws SDCL 12-17B-2 and 12-17B-3, adding that the Governor signed 20 election bills into law, this past legislative session. Mehlbrech: I talked with Minnehaha County Commissioner Dean Karsky who noted issues with hand counting ballots. Mehlbrech asked Auditor Sherman if the tabulator is connected to the internet. Sherman stated there is no internet connection, the machine is plugged in and the tabulating process begins. Mehlbrech: the system works and asked how does the county trust hand counting. Quinn: Machines can be programmed to change votes. Mehlbrech: Why change what's working, have had no issues. Rayman: Asking that you study the information that we've shared with you. Quinn: Asked the Commission to consider hand counting the 2026 Primary Election adding that hand counting is faster and cheaper. Cindy Meyer: Ballot marks can be misinterpreted. States Attorney Fink: County would be open to lawsuit/s if Federal and State laws aren't followed. Fink added that it's best that the county follows the recommendation provided by Attorney Sara

Frankenstein when petitions for election changes were presented to the Commissioners in April 2024. Quinn: It should be okay to ask for a county-wide vote for hand counting ballots instead of using a tabulator. Mehlbrech: we'll do some research.

Motion Gordon to enter Executive Session at 11:50 a.m. for personnel discussion, SDCL 1-25-2 (1). Michelle Stubkjaer, HR Consultant, was present. Second Heumiller. Motion carried. Chairman Mehlbrech declared out of Executive Session at 12.15 p.m.

The meeting adjourned subject to call.

Dated this 13th day of May 2025.

Charles Mehlbrech _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County