

May 26, 2026

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Steve Gordon.

Members present: Marc Dick, Chuck Mehlbrech, Tom Heumiller, and Charles Liesinger. Tom Tott was present.

Chairman Gordon led the Pledge of Allegiance.

Chairman Gordon called for approval of the agenda. Auditor Sherman noted that the Executive Session with HR Coordinator will be via phone call, due to illness. Motion Liesinger to approve the agenda as posted. Second Dick. Motion carried.

The minutes from the May 12th meeting were sent to Board members for review prior to publication. Motion Mehlbrech to approve these minutes for publication. Second Dick. Motion carried.

Public comment received from Barb Hoiten and Doreen Quinn.

Commissioner Reports: Mehlbrech and Gordon attended District Meeting held in Buffalo County; discussion around sales tax and property taxes.

Conflict of Interest: none.

Travis Raap, Hwy Supt, presented 5 utility permits to the Board for approval. Motion Dick to approve the following permits: Water Utility Permit for Kingbrook Rural Water, for water service in NE4 20-103-53; and 4 Electric Utility Permits for Southeastern Electric, for new tie line 100' E of intersection 431st Ave/249th St; for new service W side of intersection 439th Ave/263rd St; for new service 1600' S of intersection 443rd Ave/262nd St; for new service 4 miles W of intersection 437th Ave/257th St. Second Liesinger. Motion carried. Microsurfacing project near Montrose will begin in couple of weeks. Hwy Supt Raap informed the Board that he received a request from an individual who would like to put up hay in lot W of Hwy Dept location, not this year but future use. It was agreed that this should be offered through a quote process giving others a chance to submit an offer. Comm Mehlbrech was asked about the signage for jake braking near Bridgewater. Auditor Sherman noted that the Commission adopted an ordinance in 2025 in reference to a request for this issue. The Board asked Sherman to check files to verify that an ordinance was adopted. Some thought it was discussed but went no further. Hwy Supt Raap told the Board that a Paver can be rented from Lake County when work begins on 261st St, west of Canistota. Okay to proceed with that plan? Yes.

With time between agenda items, Auditor Sherman explained that HAVA funds must be requested by June 5th with expenses being paid prior to June 1st. Sherman asked for permission to pay invoices for Primary election expenses if they are received before the end of May. Bills include Primary Election ballots from ES&S and publishing of notices by New Century Press. Motion Heumiller to allow payment of these claims. Second Liesinger. Motion carried.

Publication of commission meeting minutes will be discussed with States Attorney Fink.

Motion Liesinger, second Heumiller, carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll by Department: 5/23/2026: Commissioners 2293.00; Auditor 6642.12; Treasurer 6234.61; States Attorney 3916.90; Custodian 1533.00; Dir of Equalization 5153.10; Register of Deeds 3822.17; Veterans Service Officer 243.20; Sheriff 16586.36; Contract Law 9032.18; Care of Poor 240.37; Welfare 444.02; Extension Secretary 1633.80; Weed, 268.80; Drainage 345.00; Planning & Zoning 767.87. Transamerica Employee Benefits, May contribution-GAP coverage, 4404.94; Davison County Sheriff, April Jail services, 5880.00; Steve Dick, mileage, 26.60; Eich Law Office, court appointed-juvenile, 925.20; First Circuit CASA, 2026 appropriation, 1500.00; Kathryn Heumiller, blood alcohol services, 140.00; InfoTech Solutions, Managed IT services, 3445.50; Iron Wheel, window well covers-courthouse, 2463.02; Jack's Uniforms & Equipment, clothing, 2137.88; Lammers, Kleibacker, Dawson & Miller, court appointed attorney for Joseph Hernandez, 1242.00, for Doug Uberty, 793.00; Lifequest, 1st & 2nd quarter allocations, 1500.00; McLeod's Printing, election supplies, 35.00; Meyer Motor, maintenance-2020 Ford Police Interceptor, 92.99; Minnehaha Co SD Juvenile Detention Center, juvenile housing, 10122.14; Motorola Solutions, wave PTX mobile apps, 143.00; Peters Distributing, troubleshoot control panel, 120.00; Pictometry International,

2024 flight year; 18853.34; SDAAO, conference registration, 650.00; United Laboratories, courthouse supplies, 1848.52; Wash N' Go, car wash tokens, 200.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 5/23/2026: Hwy Dept 26464.37. Transamerica Employee Benefits, May contribution-GAP coverage, 1645.75; Avera Occupational, new hire physical, 120.40; Mike Carpentier, CDL training, 675.00; Cole's Petroleum, no lead gasoline, 19924.96; Bryce Hanisch, CDL license, 45.00; Knife River, G-2 Asphalt, 8547.12; Pheasantland Industries, clothing, 2325.91; Pictometry International, 2024 flight year, 9000.00; Pro Contracting, DOT testing, 300.00; Ryan's Repair, repairs & supplies, 1900.00; Vollan Oil, synthetic oil, 1168.50.

911 EMERGENCY REPORTING SYSTEM FUND: Motorola Solutions, wave PTX mobile app, 26.00; Sioux Valley Energy, radio tower utilities 82.05.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 5/23/2026: EDS Director 1650.73. Transamerica Employee Benefits, May contribution-GAP coverage, 96.51.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 5/23/2026: Sheriff Secretary/Dispatcher 245.38.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 5/23/2026: Dir of IRS, county share of FICA 5149.39, Medicare 1204.28; SD Retirement System, county share of retirement contribution, 5048.03; Wellmark Blue Cross/Blue Shield, county share of health insurance contribution, 27545.95.

TOTAL CLAIMS: \$96,233.13.

Motion Mehlbrech, second Liesinger, and carried, to adopt the following resolution:

RESOLUTION 2026-03

Whereas insufficient appropriations were made in the 2026 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 \$5000.00 be transferred from the General Fund Contingency to Juvenile Detention.

Dated 26th day of May 2026.

Steve Gordon _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County

Beth Skaff, Food Pantry Coordinator, to provide an update on existing funding. Skaff informed the Board that a \$2500 grant was received from Montrose Area Foundation and we are waiting to hear from Salem Area Foundation and Canistota Community Foundation. These foundations are local non-profits that raise money to support local community projects. The Food Pantry benefits individuals from these communities.

Motion Dick to convene as Drainage Commission. Second Mehlbrech. Motion carried.

Steve Dick, Drainage Administrator, presented a Drainage Report to the Board noting Montrose Twp is going to start requiring boring for any road crossings. Drainage Admin Dick reviewed a handout with the Board, noting proposed changes in the Drainage Ordinance have been reviewed with States Attorney Fink along with verbiage changes/updates to the Drainage Permit because some of it is no longer pertinent. Drainage Admin Dick also presented a new form (Drainage Road Authority Acknowledgement Form) for any road authority to use that acknowledges a drainage project. Having talked with Anna Flogstad, Zoning Administrator, Dick noted that they would like to attach a simple drainage handout to any packets handed out by the P&Z office to make residents aware of the McCook County Drainage Ordinance. Flogstad had joined the meeting and noted approval. Motion Liesinger to approve the updates to the drainage permit application form. Second Dick. Motion carried.

D26-005 Darrell Miles S2NW4 Ex Lot Falks Add, Section 13, Ramsey Twp

The Board reconvened as Board of County Commissioners.

At 10:30 a.m. the second reading of Ordinance 2026-01, An Ordinance of McCook County, South Dakota, Amending the 2014 Revised Zoning Regulations for McCook County by Amending Chapter 3, AG: Agricultural District; Chapter 3.01, Permitted Uses, was held. Anna Flogstad, Zoning Administrator, read the ordinance. Chairman Gordon asked for public comments. None. Motion Heumiller to approve the 2nd reading and adoption of Ordinance 2026-01. Second Dick. Ayes: Heumiller, Dick, Liesinger, Mehlbrech, Gordon. Nays: none. Motion carried.

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

Auditor Sherman informed the Board that a county resident has inquired about the implementation a recycling program within the county, by the County. Anna Flogstad, Zoning Administrator, was present. Sherman did tell the caller that this is not something that the commission would pursue but she would bring it to them. Sherman gave the caller names of commercial garbage haulers within the county. Following brief discussion, the Board agreed that this is not going to be pursued.

The Board reconvened as Board of County Commissioners.

Travis Raap, Hwy Supt, joined the meeting to inform the Board that they did adopt a Jake Brake Ordinance in 2025. Auditor Sherman noted that in March 2025 the motion to proceed with an ordinance died for lack of second and then the issue was resurrected in August, with an ordinance (2025-03) being approved at the 8/26/2025 meeting. Hwy Supt Raap forwarded the ordinance to SDDOT in Mitchell, who in turn forwarded it to SDDOT in Pierre to get approval for placement of a sign along that stretch of SD Hwy 262, from 264th Street to 436th Ave, located in Bridgewater Township.

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

At 10:50 a.m. the Board of Adjustment held a public hearing to receive input concerning 2 conditional use requests. Applicant: Pat Bartmann. Legal description: NE4 20-102-53 Ex SE4NE4 Ex E2E2SW4NE4 & Ex E2W2E2SW4NE4. Reasons: move building eligibility from NE4 Qtr to SW4 Qtr. and move building eligibility from NW4 Qtr to SW4 Qtr. Anna Flogstad, Zoning Administrator, presented the Conditional Use Applications to the Board. Motion Mehlbrech to approve the Conditional Use Applications and authorize Chair Gordon to sign same. Second Heumiller. Ayes: Mehlbrech, Heumiller, Dick, Gordon. Nay: Liesinger. 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: Layton & Sylvia Thompson. Legal description: N2SW4 Ex S200' of W350' 25-104-53. Reason: move building eligibility from NE4 Qtr to NW4 Qtr. Anna Flogstad, Zoning Administrator, presented the Conditional Use Application to the Board. Motion Liesinger to approve the Conditional Use Application and authorizes Chair Gordon to sign same. Second Dick. All members voted aye. Motion carried.

At 11:10 a.m. the Board of Adjustment held a public hearing to receive input concerning a request for conditional use. Applicant: Meadow View Hutterian Brethren. Legal description: S730' of E660' SW4 Ex Lot H1 16-101-55. Reason: Class A CAFO. Anna Flogstad, Zoning Administrator, presented the Conditional Use Application to the Board, noting that 720 AU currently, adding another 720 AU. Mike Fink, States Attorney, and Travis Raap, Hwy Supt, were present, along with interested parties. Chairman Gordon asked for public comments. Clarence Waldner: Meadow View Colony wants to raise farrow to finish. Brian Friedrichson, Vantage Point: application has been submitted to DANR. Hwy Supt Raap: need agreements for road use. Kayln Buse, Union Twp Clerk/farmer: township has big concern with use of 439th Ave, prefer colony uses State highways instead of township and county roads; believe in animal production and agriculture. Clarence Waldner, Meadow View Colony: we can use SD81 and SD42, barn location. Hwy Supt Raap: staying on State highways, loaded and empty, would be best. Kalyn Buse: what about traffic after construction. States Attorney Fink: utilize road haul agreements if necessary. Hwy Supt Raap: road haul agreements may not be necessary if trucks use SD81 and

SD42. Ron Leitheiser: hope for good manure management when enterprise is up and running. With no further input, motion Liesinger to approve the Conditional Use Application and authorize Chair Gordon to sign same dependent upon Class A Concentrated Animal Confinement approval from State DANR, and with the following conditions: have road haul agreement with Emery Township and Union Township, have county road haul agreement, and follow load limits. Second Dick. Motion carried.

The Board reconvened as Board of County Commissioners.

Carol Lauer, Treasurer, noted that Donna Ruden, President Town of Spencer, is asking why nothing was being done about the tax deed process, per phone call to Auditor Sherman. Lauer noted that this was set aside due to how busy her office is. Information for 18 to 19 parcels has been given to Register of Deeds. This should be taken care of by September or October. Mike Fink, States Attorney, was present.

Auditor Sherman asked States Attorney Fink for his input regarding SDCL 7-18-5, report of commissioners' proceedings to be sent to official newspaper, that she reviewed with him following the county officials Spring workshop. The statute says that the report shall be sent within one week from the time each meeting is held. Sherman noted that years (?) ago the commission, at that time, decided that they wanted meeting minutes published after they reviewed and approved them, instead of publishing unapproved minutes. It's been handled that way for years. States Attorney Fink noted that he'd never tell the commission to not follow statute. Comm Liesinger asked Sherman if she's ever received complaints. No. None of the commissioners noted any complaints from constituents and prefer that the minutes be approved before publishing them. Continue with meeting minutes be published following approval.

Motion Heumiller to enter Executive Session at 12:00 p.m. for personnel discussion, SDCL 1-25-2 (1). Second Dick. Tasia Dass, HR Coordinator, joined via phone call. Motion carried. Chairman Gordon declared out of Executive Session at 12:20 p.m.

The meeting adjourned subject to call.

Dated this 26th day of May 2026.

Steve Gordon _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County