October 13, 2026

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

Chairman Gordon led the Pledge of Allegiance.

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

The minutes from September 22nd meeting were sent to Board members for review prior to publication. Motion Mehlbrech to approve these minutes for publication. Second Liesinger. Motion carried.

Approximately 50 people were present for public comment. Comments in reference to not allowing data centers in McCook County were provided by Tom Tott, Kris Tott, Shelley Carpenter, Michael Lee, Doug Weber, Elizabeth Stommes-Juleen, Sylvia Thompson, and Courtney DeKramer. A portion of Dean Keuter's written comments were read by Tom Tott.

Commissioner Reports: Comm Heumiller took fact finding trip to Ellendale ND to gather info re data centers being built there. Visited with the mayor for several hours and visited a large facility, both the county and city officials have positive input. Depending on what type of data center system is constructed, it can be quiet or not quiet, and one recycles water in loop system, and one does not. There are 100 employees at each Ellendale site, 50 skilled workers and 50 unskilled. Need to remember that small, quiet communications data facilities should not be treated like hyperscale facility. County should not close the doors to data centers.

Comm Mehlbrech attended Xcel meeting held in Alexandria. Mehlbrech noted that previous Hog Slat site was reportedly sold to a trailer company and heard that a manufacturing prospect is considering Salem location.

Conflict of Interest: none noted.

At 10:00 a.m. the 2nd reading of Ordinance 2026-05 an Ordinance of McCook County, South Dakota, Prohibiting the Unlawful Use of Engine and Compression Brakes (Jake Brake Ordinance), scheduled for 9:30 a.m. was held. Travis Raap, Hwy Supt, read the ordinance title. With little discussion, motion Liesinger to approve & adopt Ordinance 2026-05. Second Mehlbrech. Ayes: Liesinger, Mehlbrech, Dick, Heumiller, Gordon. Nays: none. Motion carried.

Travis Raap, Hwy Supt, informed Board that food pantry parking lot project still required a hydraulic study and compliance with city standards: driveway from Main St through the right-of-way must be cement. The lot must be paved or cemented unless a gravel-lot permit is granted by the city. It's unlikely that the project will be completed this fall. Raap clarified that the overweight executive order did not increase the existing 10% agricultural-overweight allowance during harvest; it waived the $25 trip fee on state roads. Raap reported that the bottom of the culvert, located on 263rd St by Don Larson, is badly deteriorated and these repairs added an additional $16,000 to the project. Gravel crushing is completed and weed spraying will be completed today. Raap presented a county map showing the existing road system and proposed additions/deletions to the system, to the Board; it's been inaccurate for about 15 years. Changes include addition of approximately .63 miles 448th Ave and approximately .64 miles 268th St and deletion of approximately .56 miles 268th St. Raap noted that the Commission must hold a hearing regarding the modifications to the Primary County Highway System. Motion Liesinger to set 9:30 a.m., November 10th, for public hearing to be held. Second Mehlbrech. Motion carried. Raap informed the Board that a truck being outfitted by Northern Truck Equipment, Monroe, WI, will not be completed by year-end, expected completion was September. Raap noted that next year's equipment budget will be needed to cover the delayed truck and asked to buy some equipment this year. Equipment needed includes two (2) ditch mowers. Motion Liesinger to approve purchase two nine-foot Vermeer disc mowers, with existing mower being traded, total cost $24300, from Puthoff Repair. Second Heumiller. Motion carried. Motion Liesinger to approve purchase of used 2017 asphalt paver for $49850, from Butler Machinery. Second Dick. Motion carried.

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

Anna Flogstad, Zoning Administrator, presented a plat for approval. Following review of the plat review form, motion Dick 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 Northwest Quarter of Section 19, Township 102 North, Range 53 West, 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 October 2026.

_____
Chairperson, McCook County Planning Commission

Board reconvened as Board of County Commissioners.

Carol Lauer, Treasurer, informed the Board that in a sale-related issue, the seller paid taxes in April, the buyer did not. The seller has requested refund of property taxes paid. Lauer noted that the county could refund only after receiving payment from the person responsible for paying them (buyer). This is a seller/buyer issue, not the county's problem. St Attorney Fink has reviewed this issue and concurs with how it's been handled.

Auditor Sherman presented Care of Poor report to the Board. Hospital Notice of Hospitalization received from Sanford USD Medical Center (2026-03), estimated cost of services $39000. The Board reviewed list of lien payments received in August and September.

Auditor Sherman presented Bankruptcy Order Discharging Debtors (dated April 2007) re Theresa Ann Glynn fdba Bride's Grove. Sherman noted that Auditor's Office staff is reviewing county aid liens, cleaning up files. The Order was reviewed with States Attorney Fink whose recommendation is to write off the lien balance. Motion Dick to release lien filed against Theresa Ann Glynn, balance $9200.71, filed May 2001-May 2002. Second Liesinger. Motion carried.

Motion Mehlbrech, second Liesinger, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 9/26/2026 & 10/10/2026: Commissioners 2293.00, 2293.00, mileage, 307.30; Auditor 6648.52, 6656.61; Treasurer 5967.35, 6323.36; States Attorney 3916.90, 3916.90; Custodian 1533.00, 1533.00; Dir of Equalization 5066.25, 4987.94; Register of Deeds 3871.04, 3911.95; Veterans Service Officer 1152.00, 256.00; Sheriff 18855.59, 16851.42; Contract Law 9066.67, 10478.76; Care of Poor 240.37, 240.37; Welfare 478.17, 432.63; 4-H Youth Assistant 1633.80, 1633.81; Weed, 256.00, 1171.20; Drainage, 195.00, 150.00; Planning & Zoning 775.37, 769.03. SD Dept of Revenue, SD Developmental Center-Redfield, 60.00; Reemployment Assistance Div of SD, 3rd quarter reemployment contribution, 93.76; Grand Jury, fees & mileage, 538.32; A&B Business, monthly copier contract, 86.74; AutoEx, vehicle repair, 87.90; Card Service Center, fuel, postage, dog food, supplies, conference expenses, 2336.09; Central Farmers Coop, gas for mower, 28.63; Century Business Products, monthly copier contracts, 790.46; Chesterman Co, bottled water, 165.00; City of Bridgewater, October ambulance appropriation, 3978.75; Dakota Data Shred, shredding service, 97.36; Davison County Sheriff, September jail service, 10080.00; Election Systems & Software, ballot set up, 1711.22, layout and test deck, 890.60; ESRI, annual software maintenance, 1204.00; Mike Fink, September expenses, 478.43; Gordon Flesch, monthly copier contract, 37.00; Inter-Lakes Community Action, October-service worker hours, 1210.08; Lammers Kleibacker Dawson & Miller, court appointed attorney for Robert Loeschke, 1122.40; Carol Lauer, mileage, 56.00; Lewis & Clark BHS, mental health evaluation, 696.00; Lewis Drug, prisoner care, 181.83; Lincoln County Auditor, mental health hearings & evaluations, 336.13; McCook Conservation District, 4th Qtr appropriations, 3750.00; McCook County EMS, October ambulance appropriation, 14941.41; McCook County Treasurer, postage, 122.04; McCormick Motors, vehicle maintenance, 1720.58; McLeod's Printing, office supplies, 201.91, election supplies, 300.00, tax notices, 389.90; Meyer Motor, vehicle repair, 74.20; Microfilm Imaging, scanning equipment rent, 656.00; MidAmerica Energy, utilities, 50.80; Minnehaha Co SD Juvenile Center, 4 days juvenile housing, 2088.08; Morgan Law PLLC, court appointed attorney for

Charlie Senk, 758.80; New Century Press, publishing, 568.79; ODP Business Solutions, office supplies, 167.53; Paul's Towing, tow service '23 Dodge Durango, 555.30; Pennington County Jail, transport prisoner, 103.36; Peterson Repair, vehicle maintenance, 1116.50; Puthoff Sales & Service, mower part, 10.00; RBS Sanitation, garbage service-courthouse 115.50, food pantry, 121.50; Troy Rempfer, travel expense, 14.00; Riddle's Glass, glass for display case, 573.68; Salem City, water & sewer-courthouse 171.90, food pantry 136.67; SD Achieve dba Lifescape, service for 5 residents, 300.00; SD Public Health Laboratory, lab services, 660.00; SD Supplemental Retirement, special pay plan account setup fee, 45.00; SDACC, 4th Qtr CLERP assessment, 3121.00; Southeastern Behavioral, 4th Qtr allotment, 1420.50; Triotel Communications, telephone/internet service, 737.17; Verizon Wireless, iPad service, 40.01 cell phone service, 397.30; Xcel Energy, utilities-courthouse, 1341.61, food pantry, 81.04.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 9/26/26 & 10/10/26: Hwy Dept 23701.15, 24365.88, cell phone reimbursement 250.00. Reemployment Assistance Div of SD, 3rd quarter reemployment contribution, 76.63; Appeara, mat & towel rent, 153.42; Auto Value, supplies, 1552.56; Blackstrap, road salt, 3910.57; Butler Machinery, supplies, 820.06, repairs, 1718.00; Card Service Center, supplies, 13.68; Central Farmers Coop, supplies, 162.78; Century Business Products, monthly copier contract, 143.92; Chesterman Company, bottled water, 6.00; Cole's Petroleum, no lead gasoline, 14391.36; Dakota Fluid Power, supplies, 810.38; Fremar, highway mix, 1650.00; Gessner Welding & Repair, repair conveyor, 359.00; Knife River - SD, asphalt, 2644.56; Maynards Salem, supplies, 24.44; MidAmerican Energy, utilities, 19.60; New Century Press, publishing, 56.48; Northern Truck Equipment, oil cooler, 1702.00; Pomp's Tire Service, tires, 519.00; Puthoff Sales & Service, supplies, 3741.44, rent post hole digger, 100.00; RBS Sanitation, garbage service, 91.50; Rockmount Research, supplies, 1431.61; Running Supply, supplies, 34.99, fencing supplies, 903.96; Ryan's Repair, flatbed mount, 1500.00; Salem City, water & sewer, 266.06; Salem Lumber, supplies, 33.03, fencing supplies, 69.52; SD Assn of Towns & Townships, road show registration fee, 30.00; Sioux Falls Truck & Trailer, window supplies, 239.19; Sioux International, supplies, 258.75; Sir Lines-A-Lot, striping, 39844.00; Southeastern Electric, utilities, 14.40; Transource Truck & Equipment, supplies, 1852.77; Triotel Communications, telephone/internet service, 119.04; Xcel Energy, utilities, 568.58.

911 SERVICE FUND: Golden West Telecommunications, 911 telephone service, 200.00; Triotel Communications, 911 telephone service, 181.20.

EMERGENCY MANAGEMENT FUND: Bi-Weekly Payroll: 9/26/2026 & 10/10/26: EDS Director 1650.73, 1650.83. AT&T Mobility, EM iPad service, 41.54; Brad Stiefvater Jr, September expenses, 150.97; Total Stop, S&R fuel, 86.68; Triotel Communications, telephone & internet service, 135.37.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 9/26/26 & 10/10/26: Sheriff Secretary/Dispatcher 263.56, 256.48. PharmChem, sweat patches, 191.70, sweat patch analysis, 95.85.

LAW LIBRARY FUND: Thomas Reuters – West, set of SD Codified Laws, 697.41.

TOTAL EXPENSES: $145963.77.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 9/26/26 & 10/10/26; Dir of IRS, county share of FICA, 5141.35, 5205.25, Medicare 1202.43 &1217.36; SD Retirement System, county share of retirement contribution, 4991.51, 5112.76; Wellmark BlueCross/BlueShield of SD, county share of health insurance premium, 7470.99, 25,735.99.

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

RESOLUTION 2026-11

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 $2100.00 be transferred from the General Fund Contingency to Juvenile Detention.

Dated 13th day of October 2026.

Steve Gordon _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County

Motion Heumiller to approve transfer from Restricted-Pavement Marking (Striping) to Assigned for Road Purposes in the amount of $21989.73. Second Liesinger. Motion carried.

The Auditor's Account with the County Treasurer for the month of September 2026: deposits in banks, $5,839,696.50; cash to deposit, $671.21; checks to deposit, $40,346.60; CC payments, $3471.18; Cash Items $122.04; Treasurer's Cash, $1447.96; Register of Deeds, $450.00; Sheriff, $500.00; CD's, $700,000.00. The total deposits on hand: $6,586,705.49.

The following building permits were issued in September 2026:

26-052	Meadow View Hutterian Brethren	280x80 hog barn	S730' of E660' SW4 Ex Lot H1 16-101-55
26-070	Dakota Ag Center Real Estate	80x300 pole bldg addition	TR 1A Zimmer's Add W2SE4 & E2SW4 27-103-53
26-072	Brad & Desiree Schock	40x60 machine storage	TR 1A Schock Add SE4 21-104-56
26-073	Brad & Desiree Schock	removing hoop/into pole bldg	TR 2 Schock Add SE4 21-104-56
26-074	Thomas & Lisa Dobrowski	30x48 shop	TR 5 Johnson's Add SW4 10-102-53
26-075	Grant Sjaarda	36x18 farrowing barn (3sows)	Lot 3A Replat of Stockwell Add W2NW4 25-102-53
26-076	Alla Mayboroda & Oleh Punin	new home	S375.32' of E535.26' S2SE4 7-103-56
26-077	Heath & Ronda Koepsell	storage shed	S735' of N1905.7' of W504' NW4 5-104-55
26-078	Douglas & Kay Koch	office space	S560' of W450' of SW4 1-103-55
26-079	Alla Mayboroda & Oleh Punin	animal shed/barn	S375.32' of E535.46' S2SE4 7-103-56
26-080	American Tower	telecom facility	Leased Site in SE4 36-103-56
26-081	Colton Benson	60x40 barn	TR 1 Halgerson's Add S2SE4 25-104-54
26-082	Scott & Wendy Benson	6x6 generator shed	N1143.15' of E1143.15' of SE4 9-102-53 Inc Krossin's TR 1 lying therein
26-083	Adam & Stephanie Graff	new house	TR 1 of Graff Add in SW4 NW4 22-103-53
26-084	Gottlob Revocable Trust	Class B CAFO	SE4 25-103-56 Ex S100 AC
26-085	Kendall Schmidt Liv Tr	32x32 new garage	Lot 1 TR 1A Miller's Subdiv N2 15-102-53

September 2026 Law Enforcement Report and reports showing the breakdown of calls made and hours worked in each community, were noted and filed. County Report: 911 hang-ups 1, accidents 10, animal complaints 16, assists 10, disturbances 4, domestic assault 2, investigations 2, motorist assists 10, other 7, thefts 1, transports 4, traffic stops 31 (warnings 25, citations 5, arrests 1), and welfare checks 9.

Auditor Sherman provided Board with CD renewals: $150,000 at First Dakota Bank, Salem, 3.9% and$100,000 at The Security State Bank, 3.25%.

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

At this time, review of two "draft" ordinances providing a definition for a data center were to be discussed by the Commission. Zoning Administrator, Anna Flogstad, had requested options for a data center definition for the zoning regulations, from Secog. Mike Fink, States Attorney, Mark Norris, Sheriff/Commissioner Elect, Isaac Kipp, Staff Appraiser, Angie McCormick, Equalization & Zoning Clerk, and Carol Lauer, Treasurer, along with approximately 30 others were present. Auditor Sherman provided copies of the proposed definitions to the Commission and States Attorney Fink. Comm Mehlbrech asked about moratorium. St Atty Fink: data centers are not currently allowed under the 2014 Revised Zoning Regulations of McCook County, so no need for moratorium. Comm Heumiller asked if the county has jurisdiction over city zoning. Fink: no. Heumiller noted that fact finding must continue. Fink: commission is defining something not allowed. Comm Gordon: reiterated existing regulations don't allow data center. Comm Dick asked Tom Tott his opinion. Tott: fear legal angle; county should call for referendum. Fink: explained initiative vs referendum; referendum is petitioned by the voters. Dick asked Mark Norris his opinion. Norris: no facts, no opinion. Heumiller: needs to be more fact finding. And then the public was giving input. Dennis VanOverschelde: if county holds a special meeting, a concrete agenda is necessary. Dick: involve all towns. Brent Deters: could maybe set up a walk-through of SDN and Midco buildings. Comments from the

public: spread the word about a special meeting via FB, flyers, radio, newspaper, TV, etc.; get quotes for public address system; record commission meetings; live stream meetings; hire consultants; need involved parties-pros & cons; hold referendum election to refer commission decision. Bill Smith: lived here whole life, have your facts so decisions come easier. Dennis VanOverschelde: Salem City Planning & Zoning has worked on the data center topic for at least 4 months. Decisions can't be made in a few meetings; facts must be gathered. Fink noted again that data centers are not permitted use in current zoning regulations and asked those present to review the regulations to see if they can find an area where someone could say a data center would be allowed in this zoning district. No action was taken on the proposed ordinances defining data centers.

The Board reconvened as Board of County Commissioners.

Motion Heumiller to enter Executive Session at 12:25 p.m. for personnel discussion, SDCL 1-25-2 (1). Trudy Billion, HR Consultant, Mark Norris, Sheriff, and Geralyn Sherman, Auditor, were present. Second Liesinger. Motion carried. Chairman Gordon declared out of Executive Session at 12:45 p.m.

Motion Liesinger to accept resignation from Troy Rempfer, Deputy Sheriff, effective October 9, 2026. Second Mehlbrech. Motion carried.

Motion Liesinger to approve moving Trey Bierman, PT Deputy Sheriff, to full-time effective October 13, 2026. Second Mehlbrech. Motion carried.

A Thank You was received from Sun Prairie Baptist Church, in appreciation, for the road work that the Hwy Dept completed on 440th Ave and 245th St. providing safe access to the church facilities. Also grateful for keeping these roads open in the winter months allowing church members to meet when the snow is deep and the roads are icy. Keeping the weeds mowed and knocked down (chemically) is also appreciated.

The meeting adjourned subject to call.

Dated the 13th day of October 2026.

Steve Gordon _____
Chairman, McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County