

August 26, 2014

The meeting of the McCook County Commission was called to order in their Meeting Room by Chairman Marc Dick. Members present: Ralph Dybdahl, Sheldon Butzke, Ron Scharffenberg and Bill Smith.

Chairman Dick led the Pledge of Allegiance.

Chairman Dick called for approval of the Agenda. Hwy Supt Kreutzfeldt noted that Mike Fink, States Attorney, is available to meet with them at 10:15 a.m. regarding Turner/McCook road exchange. Motion made by Dybdahl to approve the Agenda with addition of States Attorney Fink at 10:15 a.m. Second made by Butzke and motion carried.

The minutes from the August 12<sup>th</sup> meeting were sent to Board members for review prior to publication. Chairman Dick called for approval of same. Motion made by Scharffenberg to approve the minutes for publication. Second made by Smith and motion carried.

Auditor Sherman noted that Arlo Hofer requested a correction to the July 15<sup>th</sup> minutes with reference to building permit 2014-29. The permit for a new home is for Darrin & Nicki Hofer. Motion made by Scharffenberg to make the notation. Second made by Butzke and motion carried.

Commissioner Reports: none.

Mic Kreutzfeldt, Hwy Supt, presented quotes for herbicides from Van Diest Supply and Hefty Seed Co. Based upon quantity of chemicals used, motion was made by Butzke to accept the quote from Van Diest Supply. Second made by Smith and motion carried. Current projects include hauling gravel and ditch clean out. Work

continues and corrections are being noted for the County Highway System as recorded with SDDOT.

Motion made by Scharffenberg to convene as Drainage Commission. Second by Butzke and motion carried.

Drainage Adm Kreutzfeldt presented a drainage permit application, noting that the downstream landowner signatures were obtained and he has signed off on it:

2014-023      Randall Bunger                      NE4NE4NE4 10-102-56

Drainage Administrator Kreutzfeldt presented permit information for Nick Even, Permit D14-024, legal description NW4 Ex Lot H-1, 1-102-53; noting that a hearing is required due to lack of downstream acceptance signatures. Motion made by Smith to set 9:30 a.m. on September 23, 2014 as time for hearing. Second made by Butzke and motion carried.

The Board reconvened as Board of County Commissioners.

The July 21<sup>st</sup> minutes for the Hanson-McCook Regional Library were noted and filed.

The July Clerk of Courts Report was noted and filed.

A letter was received from US Dept of Interior, Fish & Wildlife Service informing the Commission that the deadline for making a final determination on listing the northern long-eared bat as endangered has been extended. The Service will make a final decision no later than April 2, 2015.

Auditor Sherman presented an Authorization to Proceed with GIS Services, between The Schneider Corporation and McCook County. The scope of service includes: Beacon Parcel Search & Report Module rewrite for real estate CAMA system upgrade,

Beacon Parcel Search & Report rewrite Tax system upgrade and Data ETL Configuration. The fee is \$6000.00. Motion made by Dybdahl to authorize Chairman Dick to sign the Authorization to Proceed. Second was made by Scharffenberg. Ayes: Dybdahl, Scharffenberg, Butzke, Dick. Nays: Smith. Motion carried.

Auditor Sherman presented quote from Salem Lumber Co for replacement of carpet in the Nurse's Office, \$2332.00. Approval was given to move forward with the project.

Motion made by Smith, second Dybdahl, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 8/17/14: Commissioners 1461.55, mileage 86.95; Auditor 2625.11; Treasurer 3261.62; States Attorney 2105.77; Custodian 1092.88; Dir of Equalization 2876.42; Register of Deeds 2668.62; Veterans Service Officer 335.61; Sheriff 5672.99, travel expense 16.55; Contract Law 4073.07, travel expense 58.91; Care of Poor 115.38; Welfare 253.20; Nurse Secretary 1153.15; Extension 424.34; Weed 374.75; Drainage 307.69; Planning & Zoning 192.31. Transamerica Life Insurance, August healthpak premium, 4659.67; A & B Business Solutions, shredder, 334.99, office supplies, 65.29, three monthly copier contracts, 93.62; Advanced Systems Inc, monthly copier contract, 40.80; Card Service Center, law enforcement auto fuel, 392.59; CHS Credit Card, law enforcement auto fuel, 93.00; The Crossroads Hotel, lodging – State Horse Show, 150.00; Davison County Jail, July jail services, 2494.00; Michele Eichacker, mileage – software meeting, 75.85; Gateway Hotel & Conference Center, lodging – Schneider Corp meeting, 89.00; John Heiberger, mileage, 136.53; MidAmerican Energy, utilities, 43.03; Minnehaha County Treasurer, July jail services, 481.20; Morgan, Theeler LLP, court appt attorney for Dustin Schroeder, 365.40; Barbara

Palmer, mental health evaluation, 90.00; Alicia Reif, mileage, 148.00, supplies, 12.99, cell phone reimbursement, 30.00; SD State 4-H Office, State Fair parking permit, 15.00; SDACC, convention registration, 865.00; Verizon Wireless, cell phone service, 76.98.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Salary: 8/17/14: 17344.19.

Transamerica Life Insurance, August healthpak premium, 2096.30; Iron Wheel Sales & Service, gas pump supplies, 19.32; I-State Truck Center, truck parts, 2314.06; Jebro Inc, liquid asphalt, 13449.63; Lyle Signs, highway signs, 2074.90; MidAmerican Energy, utilities, 25.32; Northwestern Energy, utilities, 10.00; Oakleaf Auto Inc, engine assembly, 550.00; Rhomar Ind, asphalt, 456.04; Rounds Construction Co, 25A grade raise, 83938.48; SDACC, convention registration, 165.00; Xcel Energy, utilities, 409.77.

911 EMERGENCY REPORTING SYSTEM FUND: CenturyLink, 911 telephone service, 302.45.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 8/17/14: EDS Director 1213.38. Transamerica Life Insurance, August healthpak premium, 314.59; Salem Fire Dept, annual insurance 2002 Ford F250, 716.00; Brad Stiefvater, mileage & cell phone reimbursement, 222.30.

27/7 FUND: Bi-Weekly Salary: 8/17/14: Sheriff Secretary/Dispatcher 96.15.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 8/17/14: Dir of IRS, county share of FICA 2636.47, Medicare 616.58; SD Retirement System, county share of retirement contribution, 2880.32; Wellmark Blue Cross/Blue Shield, county share of health insurance premium 8459.17.

Motion made by Smith to approve Cash Transfer of \$105,000.00 from General Fund as follows: EDS Fund \$5,000.00 and County Road & Bridge Fund \$100,000.00. Second Dybdahl and motion carried.

Motion made by Scharffenberg to enter into Executive Session at 9:50 a.m. to discuss personnel issue. Second made by Butzke and motion carried. Auditor Sherman was present. Chairman Dick declared out of Executive Session at 10:10 a.m.

At 10:30 a.m. the County Commissioners held the 2<sup>nd</sup> reading of the proposed 2014 Revised Zoning Regulations. Tracy Hofer, Zoning Administrator, Mike Fink, States Attorney, and Toby Brown, Planner SE Council of Governments, were present. There was no present for public testimony. Brown noted again the change requiring a Conditional Use Permit for CAFO's with 1000 and above animal head units. Discussion was held regarding addition of Commercial Energy Conversion Systems (solar panels) as a Conditional Use in Agricultural and Heavy Industrial zones. Motion was made by Dybdahl to close the public hearing. Second was made by Smith. Motion carried. Motion was made by Butzke to table approval of the 2014 Revised Zoning Regulations to 11:30 a.m., September 9<sup>th</sup>, allowing time for additional language to be added for commercial energy conversion systems. Second was made by Scharffenberg. Motion carried.

Mic Kreutzfeldt, Hwy Supt, and Mike Fink, States Attorney, discussed the road exchange between Turner and McCook counties with the Commissioners. No action was taken on whether to proceed as a maintenance agreement only, giving Counties time to evaluate possible issues in the future.

Tracy Hofer, Zoning Administrator, presented a plat for approval. Motion made by Smith to approve Plat of Tract 1 Kubesh Addition in the NE ¼ of the NE ¼ of Section 27, T102N, R53W, 5<sup>th</sup> P.M. McCook County, South Dakota. Second made by Butzke and motion carried.

The VanWinkle Dairy plat was not returned to Courthouse for this meeting.

Auditor Sherman, Mariann Oyen, Benefits Specialist, and the Commissioners reviewed Care of Poor cases. A Request for Payment from Sanford USD Medical Center was denied because the individual hasn't applied for assistance therefore eligibility cannot be determined (2014-32). Three Notices of Hospitalization were received from Avera McKennan Hospital (2014-36, 2014-37, 2014-38). Five Applications for Poor Relief Assistance were received from Avera McKennan Hospital (2014-30, 2014-31, 2014-22, 2014-28 and 2014-12). Payment will be made to Avera Heart Hospital of SD for hospital claim (2014-07).

Megan Jansma, Deputy Sheriff, and Mark Norris, Sheriff, met with the Commissioners to discuss possibility of hiring another deputy. Jansma noted that the current work schedule is 6 days on, 2 days off, working 6 weeks to get a weekend off. By hiring another deputy the schedule could be 4, ten hour days. No action taken at this time. Chairman Dick noted that the 2015 budget is being worked on and the Board will take the request under consideration.

John Heiberger, Weed Supervisor, told the Board that they broke their verbal contract with him because his mileage check doesn't include the mileage to drive to Salem to pick up the county vehicle. Auditor Sherman stated that the mileage paid was what Heiberger circled on the sheet that he submitted and the voucher will be pulled and

rechecked. Heiberger said that he wants an office in the Courthouse or a county vehicle if the Commissioners aren't going to pay the mileage for him to drive to Salem, adding that he has to use his home computer to receive and send emails with regard to his weed supervisor duties.

With regard to what was noted on the meeting agenda, Heiberger informed the Board that he checked Lyle Hetland's fields and Hetland isn't doing what he said he would do; six months behind and he sprayed with a weak solution. Chairman Dick stated that the Weed Board needs to put together a timeline for what they expect Hetland to do to get his weed issues under control. Heiberger said that he hasn't been able to schedule a meeting because there is too much going on.

Dolly Lund and Kay & Joe Neubauer met with the Commissioners to discuss issues/concerns with expansion of Battle Creek Campground; trespassing, noise, go-carts and drug paraphernalia. Brad Stiefvater, EDS Director, Tracy Hofer, Zoning Administrator, Mark Norris, Sheriff, and Megan Jansma, Deputy Sheriff, were present. Lund and Neubauer's have met with Shawn Peterson about concerns and have asked him to put up a fence between campground and private property. Lund: would like to see a change in the notification process when hearings are held; didn't know about the expansion, don't get local newspaper. She would like to place keep out signage or private property sign near road. Zoning Administrator Hofer noted that Quail Drive is dedicated to the public so keep out signs cannot be placed and as far as notification, a sign was posted on the property and notices were in the newspaper, as required by the Zoning Regulations. Hofer added that if an individual is requesting a change in zoning of his property then adjacent landowners are notified by mail. Neubauer

questions/comments: going forward, can County add to notification process and require green zone or buffer zone between properties? The campground expansion isn't similar to a campground because campers appear to be staying more than 30 days.

Commissioners should consider what is comparable. Permanent structures such as decks and concrete pads are being placed. Stiefvater noted that people are coming to party; Lake Vermillion is biggest "town" in McCook County on any given weekend. Stiefvater added that the Manager in the State Park does great job of policing activities; owner is not doing that here. Neubauer: feel the application for the conditional use is void of information; referencing Chapter 16, pages 59 & 60, Section 16.04 Conditional Use of Zoning Regulations. Zoning Administrator Hofer will check the site to follow-up on concerns voiced here today. Hofer also noted that this campground is located in Lake Residential District not Commercial District.

The meeting adjourned subject to call.

Dated this 26<sup>th</sup> day of August 2014.

Marc Dick

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Chairman, McCook  
County Commission

ATTEST:

Geralyn Sherman \_\_\_\_\_  
Auditor, McCook County