

January 22, 2013

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

Chairman Smith led the Pledge of Allegiance.

Chairman Smith called for approval of the Agenda. Motion made by Butzke to approve the Agenda. Second Dick and motion carried.

The minutes from the January 8th meeting were sent to Board members for review prior to publication. Chairman Smith called for approval of same. Motion made by Dybdahl to approve the minutes for publication. Second Scharffenberg and motion carried.

Commission Reports: Smith reported that he attended Minnehaha County Juvenile Detention Center meeting, noting that Minnehaha County is looking to move forward with building a new facility for housing juveniles. Dybdahl reported that Cindy Dannenbring, Executive Director Inter-Lakes Community Action, will be scheduling meetings with County Commissions within the ICAP area in April.

Mic Kreutzfeldt, Hwy Supt, presented bid letting information for Co Hwy 21A (435th Ave) Paving Project to the Commission. Bids were opened at 9:30 a.m. on Friday, January 18th, with Chairman Smith and Hwy Supt Kreutzfeldt present along with representatives from each company. The following bids were received: Asphalt Surfacing Co \$960,377.30; Myrl & Roys Paving Inc \$1,070,151.80; and Commercial Asphalt d/b/a Spencer Quarries Inc \$795,350.80. Kreutzfeldt explained that \$1.4 million is budgeted for this project and with the bids coming in lower than anticipated, he would

like to change the 1 ½” asphalt mat to a 2” asphalt mat for a total project cost of \$1,017,971.00. Motion made by Dick to increase the asphalt mat to 2” and award the bid to Commercial Asphalt \$1,017,971.00.

Motion made by Dick, second Scharffenberg, and carried, to adopt the following resolution:

RESOLUTION 2013-02

MCCOOK COUNTY WEIGHT LIMIT ENFORCEMENT RESOLUTION

Whereas, seasonal climatic changes can be detrimental to our highways, and

Whereas, the McCook County Board of Commissioners desires to protect existing McCook County Highways, ultimately saving tax dollars, and

Whereas, the McCook County Board of Commissioners desires the enforcement of weight limitations on McCook County roads as set forth and posted by the McCook County Highway Superintendent.

Now therefore be it resolved:

Whereas, the limits on McCook County Highways shall be set at six (6) ton per axle or seven (7) ton per axle, not to exceed 40 ton gross weight on all asphalt surfaced roads as posted with signs during the spring thaw period and 40 tons gross weight as posted with signs during the remainder of the year.

That the South Dakota Highway Patrol be and is hereby authorized and requested to enforce weight limitations on McCook County roads.

Be it further resolved, that the penalty for the violation of the load restrictions shall be as set forth in SDCL 32-22-55.

Vote of the McCook County Commission:

Aye 5 Nay 0

Dated this 22nd day of January, 2013 at Salem, SD.

Attest:

Geralyn Sherman, McCook County Auditor
Smith, Chairman McCook County Commission

William

Motion made by Dick to authorize Chairman Smith to sign a letter to the Motor Carrier Division requesting assistance with weight limit enforcement. Second Scharffenberg and carried.

Motion made by Butzke, to set 11:00 a.m., March 26th, as time for bid letting for Hwy Dept annual supplies. Second Scharffenberg and motion carried. Kreutzfeldt informed the Board that he has a hold on a 1992 Oshkosh snow blower with 10123 hours on truck and 7000 hours on blower; not yet at Huron Federal Surplus. A letter was received from members of Sun Prairie Baptist Church sharing their concerns about the decision to return the asphalt roads leading to the church to gravel. Kreutzfeldt presented a quote in the amount of \$56,617.00 from Hollaway Construction to add a pedestrian crossing to bridge #44-210-103 in Montrose. Smith took the information and will contact Montrose City.

Kevin Goff and Adam Polley, Clark Engineering, presented a slide show presentation with reference to the 2012 McCook County bridge inspections; 71 bridges were inspected.

Kreutzfeldt noted that he had no drainage permits to present. He did present a progress report for the SDSU project demonstrating the nitrogen-removal effectiveness of denitrifying bioreactors for improved drainage water management. A drainage project of Jim Miles is utilizing bioreactors installed December 12, 2012.

Auditor Sherman, Mariann Oyen, Benefits Specialist, and the Commissioners discussed Care of Poor cases.

Mark Norris, Sheriff, and Lisa Kampshoff, Secretary/Dispatcher, joined the meeting. Norris asked for Executive Session. Motion made by Butzke to enter into Executive Session at 11:10 a.m. to discuss personnel matters. Second Scharffenberg and motion carried. Chairman Smith declared out of Executive Session at 11:45 a.m. Motion made by Dybdahl to accept letter of resignation from Joshua Stoltenberg, effective January 14, 2013. Second Butzke and motion carried.

Motion made by Dybdahl to convene as Planning Commission. Second Butzke and motion carried.

Mike Klema and Lee Hansen, Environmental Land Management (ELM), met with the Commission to introduce themselves and let the Board know their intentions for a land application program for John Morrell & Co in Sioux Falls. Tracy Hofer, Planning & Zoning Adm, Mike Fink, States Attorney, and Mic Kreutzfeldt, Hwy Supt, were present. ELM has been operating industrial byproduct land application projects for nearly 20 years, largely concentrated in the Upper Midwest. ELM believes this byproduct will be very beneficial to the farmers in the county. A resolution from the County approving the proposed program is required by DENR. States Attorney Fink reviewed and made revisions to a resolution that was presented to the Board. Auditor Sherman will re-type the resolution, forward it to Fink for final review and then forward to ELM who will send it to DENR for their review and approval. The resolution will be presented to the Commissioners at their next meeting.

Mitchell and John Nesers met with the Commissioners to explain their stockpiling lime from TM Rural Water ponds; noting that they would like to put up a building with a shop and living quarters. Tracy Hofer, Zoning Administrator, and Mike Fink, States

Attorney, were present. Hofer explained that current use of the site doesn't allow for commercial use; only .85 acres. Hofer also spoke with DENR and it was recommended that the lime stockpile be covered and a berm placed around it. Fink stated that he can defer prosecution to allow lime to be removed – land has to be in compliance with the Zoning Ordinance. Motion made by Butzke to set May 1, 2013 as deadline for lime to be removed as long as Nesers meets DENR requirement and the lime stockpile has a berm placed around it. Second by Scharffenberg and motion carried.

Zoning Adm Hofer presented a plat for approval.

Motion made by Dick to approve Plat of Tieszen's Addition in the Northeast Quarter of Section 8, Township 101 North, Range 53 West of the 5TH Principal Meridian, McCook County, South Dakota. Second Butzke and motion carried.

The Board reconvened as Board of County Commissioners.

Tracy Hofer, Dir of Equalization, updated the Board on a Minnehaha County court case regarding a Hutchinson Tech building purchased by Sanford.

Motion made by Dybdahl to enter into Executive Session at 1:40 p.m. to discuss personnel matter. Tracy Hofer, Dir of Equalization, was present. Second Scharffenberg and motion carried. Chairman Smith declared out of Executive Session at 1:50 p.m.

Motion made by Dybdahl to authorize Chairman Smith to sign 2013 Contract with Charles Mix County Law Enforcement for jail services. The cost is \$50 per prisoner per day. Second Dick and motion carried.

The November 20, 2012 minutes and the December 2012 Financial Statement of the Hanson-McCook Regional Library were noted and filed.

Motion made by Butzke, second Dybdahl, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 01/20/13: Commissioners 1269.25, mileage 88.80; Auditor 2628.38; Treasurer 2789.16; States Attorney 2000.00; Custodian 1054.42; Dir of Equalization 2537.68; Register of Deeds 2560.07; Veterans Service Officer 166.32; Sheriff 5546.76; Contract Law 3167.30; Care of Poor 115.38; Community Health Nurse Secretary 1114.69; Extension Secretary, 166.38; Weed Dept 323.07; Drainage 307.69; Planning & Zoning 192.31; Dir of IRS, county share of FICA 1445.75, Medicare 338.13; SD Retirement System, county share of retirement contribution, 1588.24; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 3061.85. SD Remittance Center, lab services, 277.00, Human Service Center, 2 patients, 1200.00; Agri Energy, care of poor – propane, 129.00; Anoka County Sheriff, serving court papers, 70.00; AutoEx, auto service, 257.80; Card Service Center, law enforcement supplies, 580.49; Chief Supply/Law Enforcement, supplies for new law enforcement vehicle, 504.04; CHS Credit Card, law enf auto fuel, 736.50; Eich Law Office, court appointed atty for juvenile, 1183.40; Federal High Risk Pool, care of poor – health insurance premium, 689.00; Hillyard/Sioux Falls, janitorial supplies, 423.60; Inter-Lakes Community Action, January CSW funds, 599.45; Carol Johnson, court reporting, 333.40; K.W. Electric, electric heaters for Courtroom, Court Reporter office & Judge Chambers, 2052.48; Lewis & Clark BHS, mental illness hearing, 149.00; Microfilm Imaging System, annual PC service agreement, 185.00; Minnehaha County Treasurer, December jail services, 401.00; Minnehaha County Regional JDC, 15 days child care, 2175.00; Mitchell Clinic, prisoner care, 39.86; Neve's Uniforms & Equipment, law enf supplies, 13.90; Noll Collection Service, lien collection fee, 176.62; Alicia Reif, travel & cell phone expenses, 185.64;

Geralyn Sherman, TotalVote training mileage, 26.64; Sioux Falls Two Way Radio, portable speaker mic, 69.99; State Radio Communications, 6 month teletype rental, 2250.00; Stephanie Moen & Associates, court reporting - grand jury proceeding, 275.00; Swift Air, pump & labor, 611.79, credit for supplies, -252.25; US Postal Service, stamped envelopes, 1029.80; Verizon Wireless, cell phone service, 87.20; Walgreen Co, prisoner care, 125.77; Yankton County Sheriff, serving papers, 25.00; Yankton County Treasurer, mental illness hearing, 103.75.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 01/20/13: Hwy Dept 14671.97; Dir of IRS, county share of FICA 812.12, Medicare 189.92; SD Retirement System, county share of retirement contribution, 880.33; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 1452.90. Buskerud Construction, supplies, 1680.00; Industrial Designz, vehicle decals, 978.50; Northwestern Energy, utilities, 65.28; Sandine Concrete, bridge concrete, 140.00; Sturdevant's Auto Supply, supplies, 28.52; Verizon Wireless, cell phone service, 62.54.

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

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 01/20/13: EDS Director 1174.92; Dir of IRS, county share of FICA 64.91, Medicare 15.18; SD Retirement System, county share of retirement contribution, 70.50; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 206.94.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 01/20/13: Sheriff Secretary/Dispatcher 96.15; Dir of IRS, county share of FICA 5.60, Medicare 1.31; SD Retirement System, county share of retirement contribution, 5.77.

Commissioners began discussion with Auditor Sherman about pay for Sheriff
Dept Secretary/Dispatcher.

Sheriff Norris was asked to join the meeting. Motion made by Butzke to enter
into Executive Session at 2:25 p.m. to discuss personnel matter. Second Dybdahl and
motion carried. Chairman Smith declared out of Executive Session at 3:20 p.m. At this
time, no changes will be made to 2013 salaries but further discussion will be held during
the 2014 budget process.

The meeting adjourned subject to call.

Dated this 22nd day of January, 2013.

William Smith

Chairman,
McCook County Commission

ATTEST:

Geralyn Sherman _____
Auditor, McCook County