

March 24, 2015

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

Chairman Dybdahl led the Pledge of Allegiance.

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

The minutes from the March 10th meeting were sent to Board members for review prior to publication. Chairman Dybdahl called for approval of same. Motion made by Scharffenberg to approve the minutes for publication. Second Gordon and motion carried.

Commissioner Reports: Dybdahl, Gordon and Scharffenberg attended the Commissioners Spring Workshop held in Pierre.

Mic Kreutzfeldt, Hwy Supt, presented a utility permit for approval. Motion made by Gordon to approve Electric Utility Permit for Southeastern Electric. Scope of project: cross Co Rd with URD Primary approximately 1400' W of 447th Ave on 248th St. Second by Dick and motion carried. Kreutzfeldt noted that he'd like to update main Shop lighting on south exterior. Commissioners asked that additional quotes be obtained for this project. Road break-up was discussed and Kreutzfeldt reported that it is primarily due to overloaded trucks on posted roads. Information regarding passage of SB1 was reviewed. Current projects include screening millings and culvert repairs.

Kreutzfeldt noted that bids for supplies to be furnished to the Hwy Dept were opened on Thursday, March 19th, at 11:00 a.m. Commissioner Dick, Travis Raap, Hwy

Dept Auto/Diesel Technician, Michelle Zelmer Hwy Dept Administrative Assistant, Michele Eichacker, Deputy Auditor, and two vendors were present. Kreutzfeldt presented the bid letting information. Motion made by Dick, second Scharffenberg, and carried, to award bids as follows: Item #1 liquid asphalt – Jebro Inc; Item #2 asphalt concrete for county patching – cold patch mix to Commercial Asphalt & hot patch mix to Concrete Materials; Item #3 reinforced concrete culverts – Hancock Concrete Products; Item #4 precast concrete box culverts & bridge decking – Cretex Concrete Products; Item #5 quartzite materials – Concrete Materials; Item #6 bridge repair – Hollaway Bridge & Culvert; Item #7 dust control – Z & S Dust Control; Item #8 deicing sand – Matthaei Excavating; Item #9 overlay patching – Commercial Asphalt. All bids are on file in the Auditor’s Office for public inspection.

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

Drainage Administrator Kreutzfeldt presented one drainage permit application, noting that downstream landowner signatures were obtained and he has signed off on it:
D15-002 Kenneth Stahl SE4 of 24-102-56

Kreutzfeldt noted that drainage permit D15-001 has been amended and will have to be addressed by the Drainage Commission due to now involving State Game, Fish & Parks property.

The Board reconvened as Board of County Commissioners.

Brad Stiefvater, EDS Director, met with the Board to discuss implementation of a burning ban. Motion made by Gordon, second Dick, and carried, to approve and adopt the following resolution:

RESOLUTION 2015-02

**A RESOLUTION TO PROVIDE FOR TEMPORARY EMERGENCY REGULATION
OF FIRE HAZARDS IN MCCOOK COUNTY**

WHEREAS, McCook County is experiencing very dry conditions due to the lack of snow and/or rain, and

WHEREAS, McCook County is dedicated in taking steps to protect the health and safety of all residents of the County and all property within the County, and

WHEREAS, the McCook County Commission has consulted with the Emergency & Disaster Services Director, who has consulted with local fire officials and law enforcement officials in regard to the severity of this issue, and

WHEREAS, for purposes of this Resolution, “open burning” shall be defined as any outdoor fire, including but not limited to campfires, warning fires, charcoal grill fires, or the prescribed burning of fence rows, fields, wild lands, trash and debris. This resolution excludes fires contained within liquid-fueled or gas fueled stoves, fireplaces within all buildings, charcoal grill fires at private residences and permanent fire pits or fire grates located on supervised developed picnic grounds and campgrounds, and

WHEREAS, unduly hazardous fire conditions now exist in McCook County, and

WHEREAS, due to several fires in surrounding areas there may be a lack of mutual aid and fire fighting man power;

THEREFORE BE IT RESOLVED that the McCook County Commissioners enact this resolution on an emergency basis and impose a ban to prohibit or restrict open burning in order to protect the public health and safety, **effective March 28, 2015.**

Questions can be directed to McCook County EDS, Brad Stiefvater, at 605.421.1302.

BE IT FURTHER RESOLVED that the ban will be in place until fire conditions improve as determined by Emergency personnel within McCook County.

BE IT FURTHER RESOLVED that a fine not to exceed two hundred dollars for each violation, or imprisonment for a period not to exceed thirty days for each violation, or both the fine and imprisonment, if found in violation of this Resolution, as per South Dakota Codified Law 7-18A-2, and that the costs for suppressing any fire, including response fees, mutual aid assistance from other agencies or fire departments, reimbursement to governments for suppression efforts and compensation to the firefighters for time from their employment, be borne by the individual or individuals responsible for setting the fire.

Dated this 24th day of March, 2015.

_____ Chairman
_____ Commissioner
_____ Commissioner
_____ Commissioner
_____ Commissioner

ATTEST:

_____ Auditor

Suzy Kappes, Policy & Legal Services Director, State Court Administrators Office, met with the Commissioners to again discuss the Rural Attorney Recruitment Program and answer questions that the Commissioners may have. Mike Fink, States Attorney, and Scott Swier, Swier Law Firm, Avon SD, were present. Kappes noted that her initial visit was brought about through the request of Judge Tim Bjorkman. Swier added that his law firm has worked with and hired several attorneys who have moved to SD to utilize this program and that there is an individual who is interested in coming to McCook County and the Swier Law Firm is interested in working with this person. Kappes noted that the investment to McCook County over the five year program would be approximately \$22,000. Following this discussion, the Commissioners noted that a decision will be made at their April 14th meeting, when all members should be present.

Mike Fink, States Attorney, and the Commissioners reviewed and discussed the Exit Plan presented by the Hanson-McCook Regional Library Board. Denise Erickson, Library Board Member, was present. Following review & discussion of the Plan, motion was made by Dick to approve the distribution of books as per the Bookmobile Board's Exit Plan and move forward with a sale of remaining assets with McCook County providing a clerk for the auction. The Commissioners also suggested that any remaining

cash (after bills are paid) be distributed as follows, 60% Hanson County, 40% McCook County. Second made by Gordon and motion carried. States Attorney Fink will contact Jim Davies, Hanson County States Attorney, to see if this is acceptable to Hanson County.

Motion made by Scharffenberg to enter into Executive Session at 11:20 a.m. to discuss possible litigation. Second by Gordon and motion carried. States Attorney, Mike Fink, was present. Chairman Dybdahl declared out of Executive Session at 11:40 a.m.

In other business, States Attorney Fink recommended continuing the partnership with Minnehaha County for juvenile detention services. Fink noted that this is on the agenda later today.

Ramon Shultz, TechSolutions, met with the Commission to present an updated proposal for Managed IT Services which includes the Sheriff's Dept and removes leasing of hardware. Carol Lauer, Treasurer, and Tracy Hofer, Dir of Equalization, were present. Auditor Sherman asked about the wiring because neither of the other vendors made the recommendation to do anything with current wiring set-up. Shultz noted that the current wiring and equipment is dated at least eight years and with an upgrade of computers and printers, equipment needs to be up to standards. The Commissioners thanked Shultz for his time and said a vendor, for IT services, would be selected before the end of today's meeting.

Motion made by Dick, second Scharffenberg, and carried, to pay claims:
GENERAL FUND: Bi-Weekly Payroll: 3/15/15: Commissioners 1461.55; Auditor 2717.43; Treasurer 3409.32; States Attorney 2186.54; Custodian 1139.04; Dir of Equalization 3377.81; Register of Deeds 2743.61; Veterans Service Officer 366.52;

Sheriff 6878.98; Contract Law 3430.78; Care of Poor 115.38; Welfare 269.04; Community Health Nurse Secretary 1199.31; Extension Secretary 461.26; Weed Dept 330.77; Drainage 307.69; Planning & Zoning 192.31. Transamerica Life Insurance, April healthpak premium 3533.85; A & B Business Solutions, office supplies 11211, 2 monthly copier contracts 72.94; Access Elevator & Lifts, service lift – water damage 395.00; Avera Medical Group University Psychiatry, mental health hold service 378.78; Best Western Ramkota-Pierre, workshop lodging 759.92; Card Service Center, law enforcement auto fuel 132.33; CHS Credit Card, law enforcement auto fuel 51.64; Clubhouse Hotel & Suites, workshop lodging 242.00; Davison County Jail, February jail service 6030.00; Ralph Dybdahl, gas-spring workshop 26.00; Roger Gerlach, February expenses 45.74; Hartquist Funeral Chapel, care of poor-burial service 2000.00; Hillyard/Sioux Falls, Courthouse supplies 97.18; KW Electric, take down & rehang entry lights – water damage 153.00; Lincoln County Treasurer, reimburse mental illness expense 9.00; McCook County Publishers, publishing 422.61; Microfilm Imaging System, film processing 40.11; Mitchell Clinic, prisoner care 58.34; Neve's Uniforms & Equipment, law enforcement supplies 156.80; Alicia Reif, mileage 26.27, cell phone reimbursement 30.00; Santel Communications, server issue 40.00, move Treasurer's Office – water damage 697.25; Laurie Schwans, workshop expenses 158.09; SD Achieve, services for 4 residents 240.00; SDACES, 2015 membership dues 30.00; Verizon Wireless, cell phone service 76.78; Wash 'N' Go, car wash tokens 60.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 3/15/15: Hwy Dept 17794.59. Transamerica Life Insurance, April healthpak premium 2192.81; Brock White Co, roadsaver sealant 2655.00; Cedar Shore Resort, Short Course lodging 169.90;

Governors Inn, lodging 81.95; I State Truck Center, air tank 166.32; McCormick Motors, truck parts 108.82; MetroCount USA, traffic counters 1016.00; Michael Johnson Construction, concrete sand 662.15; Northwestern Energy, utilities 78.88; Peterson Repair, truck belt 40.09; Verizon Wireless, cell phone service 63.84.

911 EMERGENCY REPORTING SYSTEM FUND: CenturyLink, 911 telephone service 302.45; Mitchell Regional 911, 2nd qtr E911 service 11236.00; Sioux Falls Two Way Radio, repeater repairs & supplies 324.74.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 3/15/15: EDS Director 1259.54. Transamerica Life Insurance, April healthpak premium 314.59. Brad Stiefvater, mileage 105.45, cell phone reimbursement 85.00.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 3/15/15: Sheriff Secretary/Dispatcher 96.15.

PAYROLL CONTRIBUTIONS – ALL FUNDS: 3/15/15: Dir of IRS, county share of FICA 2812.55, Medicare 657.78; SD Retirement System, county share of retirement contribution, 2825.25; Wellmark Blue Cross/Blue Shield, county share of health insurance premium, 9728.39.

Motion made by Dick to authorize a Cash Transfer of \$4000.00 from General Fund to EDS Fund. Second made by Gordon and motion carried.

Brandon Hooker, Account Executive, and Gabe Pooler, Engineer, Connecting Point Computer Center, presented their proposal for Managed IT Services. The Commissioners thanked them for their time and noted that a decision will be made as to who the County will be working with for IT services and vendors will be contacted.

At this time, the IT services offered by TechSolutions, Harland Technology and Connecting Point were discussed. Motion was made by Scharffenberg to contract with TechSolutions for one year (\$1842.50 quote per month) and to also complete the wiring update (one-time cost \$19,935) that has been recommended by TechSolutions. Second made by Dick and motion carried. Auditor Sherman will contact each of the vendors.

The purchase of five computers, one network printer and three slip/validator printers, from TechSolutions, for the Treasurer's Office was also approved. Some of the equipment is being replaced due to water damage.

Tracy Hofer, Zoning Administrator, presented a plat for approval. Following review of the Plat Review Form, motion was made by Dick, second by Scharffenberg, to approve the following resolution. Ayes: Dick, Scharffenberg, Dybdahl. Abstain: Gordon. Motion carried.

WHEREAS, it appears that the owner thereof has caused a plat to be made of the following described real property: "Lot 1 of Gordon Addition in the W1/2 of the SE1/4 of Section 27-T102N-R53W, of the 5TH P.M., McCook County, South Dakota".

BE IT RESOLVED, that the Board of County Commissioners of said county has examined the same and that it appears that the system of streets set forth therein conforms to the system of streets of existing plats and Section lines of said county, that adequate provision is made for access to adjacent unplatted lands by public dedication or section line when physically accessible and that all provisions of the subdivision regulations of said county have been complied with, and that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid and that such plat and the survey thereof have executed according to law, and the same is hereby accordingly approved.

Chairman, County Commission

Welfare Director Sherman, Mariann Oyen, Benefits Specialist, and the Commissioners reviewed Care of Poor cases. Two Notices of Hospitalization were received from Avera Queen of Peace Health Services (2015-13 and 2015-14). Two

Hospital Requests for Payment received from Sanford Medical Center were denied because the individual has not applied for county assistance; therefore eligibility cannot be determined (2015-02). Two Notices of Hospitalization were received from Avera McKennan Hospital (2015-15 and 2015-16). Sherman noted that Sanford Medical Center has scheduled depositions for April 7th (2014-43, 2014-48, 2014-53, 2014-54, 2014-57, 2014-60, 2014-62, 2014-75, and 2015-02). An Application for County Assistance for a hospital bill was denied because based upon information provided, there was/is expendable income at month end, health insurance would have been affordable and there are funds in a savings account.

Auditor Sherman presented the JDC Joint Powers Agreement Addendum to the Board. Earlier in the meeting, States Attorney Fink recommended continuing this partnership with Minnehaha County. The original Agreement is due to expire on June 30, 2015. The Regional Juvenile Detention Center Advisory Board has concluded that it is in the best interests of our regional partnership to continue access to secure and non-secure detention beds offered thru the current Joint Powers Agreement for another 2 year period. This access would be at the discounted rates offered to current JDC partners. The partnership agreed to add Union and Davison counties to the addendum. Motion made by Gordon to submit a letter from this Board expressing the desire to continue the partnership for another two years while the group continues to explore future building options. Continued participation in the addendum does not include any annual payment; the debt service obligation has been satisfied under the old Joint Powers Agreement. Second made by Dick and motion carried. Auditor Sherman will send the letter of intent to continue the partnership.

Auditor Sherman presented the Memorandum of Understanding between SDSU Extension and Counties of South Dakota 2015. Motion was made by Dick to authorize Chairman Dybdahl to sign the Memorandum for 2015. Second made by Gordon and motion carried.

Motion made by Dick to declare the water coolers on 2nd and 3rd floor of the Courthouse as surplus property as neither works; fixed assets #826 and #827. Second made by Gordon and motion carried.

The meeting adjourned subject to call.

Dated this 24^h day of March, 2015.

Ralph Dybdahl

County Commission Chairman, McCook

ATTEST:

Geralyn Sherman _____
Auditor, McCook County