

November 26, 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 to the Flag.

Chairman Smith called for approval of the Agenda. Motion made by Dick to approve the Agenda with the addition of Executive Session at 9:35 a.m. Second Butzke and motion carried.

The minutes from the November 12<sup>th</sup> 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: Dybdahl attended ICAP meeting. Smith attended SE Facilitation Project meeting. Butzke attended Weed Board meeting.

Mic Kreutzfeldt, Hwy Supt, met with Commission. Following discussion, motion was made by Dick to authorize Kreutzfeldt to purchase a pup trailer if priced at \$15,000 or below. Second made by Butzke and motion carried. The regrading of 245<sup>th</sup> St from US81 to Center and beginning the process to acquire needed right-of-way was discussed. Current projects include hauling gravel, stock piling chips and insulating new building.

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

No drainage permits to present.

Kreutzfeldt noted concern about when landowner changes are made in the Beacon website; not always timely or up to date; will check with Tracy Hofer, Dir of Equalization.

At 9:30 a.m. a Drainage Hearing was held for Permit D13-037, applicant Wendell Weeldreyer. Legal description: E2SW4 28-101-54. Project description: pattern tile 70 acres with 8" & 10" mains with three (3) outlets to waterway in SW4SW4 28-101-54. Permit D13-038 was withdrawn. Present: Mic Kreutzfeldt, Drainage Administrator, James Tieszen and Andy Tieszen. Tieszen's noted that they have no problem with drainage project; want consideration given to size of township culverts located along 267<sup>th</sup> St and 444<sup>th</sup> Ave, looking for fairness and requesting that culvert sizes be increased farther downstream. With discussion, it was noted that you can't build for extreme rain events and there have also been changes to farming practices which contribute to flow of water. Motion made by Dick to approve Permit D13-037 and allow Grant Twp to upsize culverts at intersection of 267<sup>th</sup> and 444<sup>th</sup> Ave. Second made by Scharffenberg and motion carried.

Board reconvened as Board of County Commissioners.

Motion made by Butzke to enter into Executive Session at 10:10 a.m. to discuss self-evaluation of Highway Supt. Second made by Dybdahl and motion carried. Mic Kreutzfeldt, Hwy Supt, was present. Chairman Smith declared out of Executive Session at 10:30 a.m.

Auditor Sherman, Mariann Oyen, Benefits Specialist, and the Commissioners discussed Care of Poor cases. One Notice of Hospitalization received from Avera McKennan Hospital. Depositions have been scheduled for December 20<sup>th</sup> for three

claims with Avera McKennan Hospital. Auditor Sherman presented request from an individual for one more month assistance with water bill and Xcel Energy bill.

Commission approved payment of both bills.

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

Auditor Sherman presented a plat for approval. Motion made by Dick to approve Plat of Lot 13 of White Tail Run Addition in the West Half of the Southwest Quarter of Section 35, Township 102 North, Range 53 West of the 5<sup>TH</sup> Principal Meridian, McCook County, South Dakota. Second by Butzke and motion carried.

Auditor Sherman presented a Request to Rezone Property to Commercial. Applicant: Ryan Roling. This rezone corrects the legal description of the property rezoned to Commercial, effective November 14, 2007: South Half of County Auditor Tracts 2 and 5 and All of County Auditor Tracts 3 and 4 in E2SW4 Ex Lot H1 in Tracts 3 & 4, 27-103-53. It was discovered that when the Ryan Roling property had been rezoned previously, the legal description was incorrect and did not include most of the property used for commercial use including the building. The new legal description will zone the commercial area starting 20 feet north of the building and include all of the property south of that line. Motion made by Dybdahl to approve the request for rezone correcting the legal description and set 10:45 a.m. as time for County Commission hearing for same. Second made by Dick and motion carried.

The Board reconvened as Board of County Commissioners.

Motion made by Scharffenberg to approve Alcoholic Beverage License Application for 2014 licensing period for SP Enterprises Inc d/b/a Battle Creek Resort.

The class of license is Retail (on-sale) Liquor. Second made by Butzke and motion carried.

Motion made by Dybdahl to authorize Chairman Smith to sign the 2014 contract for community health nursing services with SD Dept of Health. The total contract amount is \$5150.00. Second made by Scharffenberg and motion carried.

Auditor Sherman asked the Commission for their input for the annual evaluation for SDSU Extension 4-H Youth Program Advisor.

No action taken regarding appointment of Jerry Paweltzki to Bookmobile Board. The question arose during the County's audit as to whether or not appointments had to be made because the County terminated the agreement. Auditor Sherman will ask States Attorney Fink to meet with the Commission to discuss this.

Auditor Sherman reported that Jeff Hatch, Buhler, has put in a request to main office to purchase the area of tax deed property abutting Buhler property. The legal description is N87' of S800 2/3' of OL D ex E165' OL D, Salem City. Parcel # 17.58.0417.

The Commissioners did look at tax deed property Lots 1, 2, 3 and 4, Blk 41, Pettigrew's Second Addition to Salem City and feel that it is livable with work.

Motion made by Butzke to authorize Chairman Smith to sign two copies of the 2014 911 Contract between City of Mitchell and McCook County. There is no change to the fee structure; McCook County will pay \$6.00 per capita according to the 2010 census. The total contract amount is \$33708.00. Second made by Dybdahl and motion carried.

Auditor Sherman discussed concern with regard to an employee's timesheets.

The October 14<sup>th</sup> minutes from the Hanson-McCook Regional Library and the October Financial Statement were noted and filed. Letters were received from students at the Millbrook Colony regarding the continuance of the bookmobile.

Following four years of work on the McCook County Pre-Disaster Plan Update, grant payment for PDM funding has been submitted and payment of \$9,000.00 has been approved.

Motion made by Dick, second Butzke, and carried, to pay claims: GENERAL FUND: Bi-Weekly Payroll: 11/24/13: Commissioners 1269.25; Auditor 2773.91; Treasurer 3168.58; States Attorney 2000.00; Custodian 1054.42; Dir of Equalization 3062.45; \*Tracy Hofer \$1000.00 increase P & Z, \*new employee - Donald DeKnikker Jr \$999.31 bi-weekly\*; Register of Deeds 2548.19; Veterans Service Officer 249.48; Sheriff 5569.54; Contract Law 3923.06; Care of Poor 115.38; Welfare, 240.00; Community Health Nurse Secretary 1114.69; Extension 332.77, travel expense 7.54; Weed Dept 323.07; Drainage 307.69; Planning & Zoning 192.31. Transamerica Life Ins, gap insurance billing, 4362.25; A & B Business, 2 monthly copier contracts, 66.31; Advanced Systems, monthly copier contract, 40.80; Applied Concepts, five (5) radar guns and supplies, 14562.50; Bertsch Law Office, court appt attorney for Terrance Gardner, 2670.24; Best Western Ramkota-Aberdeen, conference lodging, 208.00; Charles Mix County Sheriff, October jail service, 150.00; CHS Credit Card, law enforcement auto fuel, 36.82; Eich Law Office, court appt attorney for Tonia Ranschau, 5310.92; Michele Eichacker, election workshop mileage, 25.90; Marv Ekeren, alleged mental illness hearing, 22.50; John Heiberger, District meeting expenses, 41.64, mileage, 56.98; Lucy Lewno, alleged mental illness hearing, 172.96; Mid-American Research,

janitorial supplies, 120.65; MidAmerican Energy, utilities, 464.62; Minnehaha County Treasurer, October jail service, 240.60; Noll Collection Service, lien collection fee, 106.99; Office Depot, office supplies, 257.09; Quill Corporation, office supplies, 91.47; Alicia Reif, mileage, 25.90; Laurie Schwans, District meeting mileage, 25.90; Geralyn Sherman, Safety Conference mileage, 27.01, election workshop mileage, 59.20; Karen Swanda, alleged mental illness hearing, 22.50; Tinan Smith & Bucher, court appt attorney for Christina Sasse, 3126.55; Michael Unke, court appt attorney for Russel Flood, 124.06, for Steven Ray Nichols, 485.44, for Michael Becker, 528.04, for Nathan Scott Hicks, 898.64; Verizon Wireless, cell phone service, 76.53; Xcel Energy, care of poor, 74.49, utilities, 604.33; Yankton County Sheriff, serve notice of hearing, 25.00.

COUNTY ROAD & BRIDGE FUND: Bi-Weekly Payroll: 11/24/13: Hwy Dept 16432.38. Transamerica Life Ins, gap insurance billing, 1999.79; Batteries Plus, batteries, 45.00; GCR Tire Centers, tires for pup trailer, 1228.52; Howard Trucking, build up road shoulders, 850.00; Michael Johnson Construction, concrete sand, 1564.56; MidAmerican Energy, utilities, 58.04; Northwestern Energy, utilities, 10.00; SD Dept of Transportation, share of State project, 194.19; Servall Towel & Linen, towel & mat rental, 80.23; Verizon Wireless, cell phone service, 61.30.

911 EMERGENCY REPORTING SYSTEM FUND: CenturyLink, 911 telephone service, 302.45; James Loomer, 2013 tower rent, 450.00.

EMERGENCY & DISASTER SERVICES FUND: Bi-Weekly Payroll: 11/24/13: EDS Director 1174.92. Transamerica Life Ins, gap insurance billing, 314.59; Brad Stiefvater, November expenses, 222.64.

24/7 SOBRIETY FUND: Bi-Weekly Payroll: 11/24/13: Sheriff

Secretary/Dispatcher 96.15.

PAYROLL CONTRIBUTIONS – ALL FUNDS: Dir of IRS, county share of FICA 2574.20, Medicare 602.04; SD Retirement System, county share of retirement contribution, 2783.14; Wellmark BlueCross/Blue Shield, county share of health insurance premium, 4896.76.

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

RESOLUTION 2013-18

Whereas, insufficient appropriations were made in the 2013 budget for Juvenile Detention 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 appropriation of \$100.00 be transferred from Contingency to Welfare.

Dated this 26<sup>th</sup> day of November, 2013.

William  
Smith \_\_\_\_\_  
\_\_\_\_\_  
Chairman, McCook  
County Commission

ATTEST:

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

Motion made by Dybdahl to approve \$175,400.00 Cash Transfer from General Fund as follows: Hwy Rd & Bridge Fund \$175,000.00 and 24/7 Fund \$400.00. Second made by Scharffenberg and motion carried.

The meeting adjourned subject to call.

Dated this 26<sup>th</sup> day of November, 2013.

William Smith

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County Commission Chairman, McCook

ATTEST:

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