

McPherson County Board of Commissioners
Minutes of Proceedings
July 7th, 2020

The McPherson County Board of Commissioners met in regular session on Thursday, July 7th, 2020 in the Commissioners chambers. Chairman Neuharth called the meeting to order at 9:00AM. Members present were Rick Beilke, Delmar Metzger, Anthony Kunz and Sid Feickert. Others present: Don Kallenberger and Austin Hoffman.

Feickert moved and Beilke seconded to approve the agenda of the July 7th meeting. All voted in favor. Motion carried. No conflicts of interest were declared.

Kunz moved and Metzger seconded to approve the minutes of the June 4th Commissioner's meeting and June 4th Drainage meeting. All voted in favor. Motion carried.

CLAIMS APPROVED:

Adams Ag Service, Road Haul Agreement Refund, \$1,000.00; Agtegra-Leola Shop, Hwy/Soil Dist./Courthouse Supplies, \$10,339.44; Amazon Capitol Services, Supplies, \$192.70; Ameripride, Linen Services, \$435.32; Area IV Senior Meals, 2020 Allocation, \$2,500.00; ATT, Cellphones, \$413.62; Auto Value, Hwy Supplies, \$270.18; Avera Occupational Medicine, Hwy Test, \$159.60; Samantha Boshard, VSO Reimb., \$197.60; Boulder Colony, Road Haul Agreement Refund, \$1,000.00; Lanette Butler, DOE Supplies, \$3.25; Butler Machinery, Hwy Supplies, \$902.64; Century Business Products, Copier Service Contract, \$4.75; McPherson Clerk of Courts, Payment, \$250.00; Thomas J Cogley, Court Appointed Attorney, \$349.20; Computer Forensic Resources, Court Appointed Investigation, \$6,585.20; Crady's Radiator, Hwy Supplies, \$851.44; Crawford Truck & Equipment, Hwy Supplies, \$4,758.91; Curt's Repair, Joint Law Supplies, \$69.00; Waste Connection, Paper Shredding, \$52.65; DMI, Hwy Supplies, \$3,485.99; Dollar General, VSO Supplies, \$12.50; DS Solutions, Election Supplies, \$245.00; EAPC Architects, Jail Contract Payment, \$1,250.00; Elections Systems and Software, Election Supplies, \$3,460.27; Eureka City, Hwy Utilities, \$68.85; FEM, Utilities, \$323.57; Flint Hills Resources, Hwy Supplies, \$107,028.77; Vicki Geffre, ROD Reimb., \$244.88; Gene's Oil, Fuel, \$1,482.23; Grassland Colony, Road Haul Agreement Refund, \$1,000.00; Sharon Guthmiller, DOE Reimb., \$34.79; Heartland Waste, Hwy Utilities, \$70.00; Heartland Paper, Supplies, \$782.24; Lindley Howard, Reimb., \$24.43; George Hulscher, Zoning Mtg Mileage, \$58.80; Ipswich Lumber, Courtroom Woodwork Supplies, \$16.37; Jensen Rock & Sand, Hwy Supplies, \$234,522.25; Alvin Kallas, Zoning Mtg Mileage, \$21.00; Don Kallenberger, SA Rent/Mileage/Supply Reimb., \$354.00; Kary's Service Station, Eureka JL Supplies, \$71.36; Kimball MidWest, Hwy Supplies, \$343.29; Tyler Kleinschmit, COVID Office Updates, \$4,367.29; Richard Kolb, Zoning Mtg Mileage, \$2.94; Leola City, Utilities, \$178.20; McLeod's, Election Supplies, \$700.00; McPherson County Herald, Publishing, \$465.66; MDU, Utilities, \$607.46; Menards, Supplies, \$634.07; Dan Mettler, Zoning Mtg Mileage, \$21.00; Microfilm Imaging, M&P Equip/DOE Scanner, \$2,528.65; Midwest Pump and Tank, Hwy Supplies, \$400.60; Barry Mock, Courtroom Woodwork, \$862.50; National Sheriffs Assoc., Membership, \$65.00; Newman Traffic Signs, Hwy Signs, \$90.43; Northwest Blade, Publishing,

\$1,247.97; Peru, Inmate Ins, \$31.20; Pumps Tire Service, Hwy Supplies, \$6,652.43; Praxair Distribution, Hwy Supplies, \$69.30; Premier Equipment, Hwy Supplies, \$426.60; Quill Corp, Supplies, \$1,056.40; Jackie Rau, 4H Prizes Reimb., \$97.08; Dickey Rural Telephone Coop, Server Maint./Backup/Repair, \$268.94; Rons Service Center, Sheriff Supplies, \$52.47; Runnings Farm and Fleet, Hwy Supplies, \$10.99; Share Corp., Hwy/Courthouse Supplies, \$1,250.36; Sioux Falls Two Way Radio, Radios/Installation, \$1,253.08; Stanley Spitzer, Semi Rent/Labor, \$1,250.00; Transource, Hwy Truck, \$25,000.00; ValleyTelco, Phone/Internet, \$985.87; VISA, Supplies/Postage, \$742.07; West McPherson,, Ambulance Mileage, \$3,077.00; SDACC, M&P May Fees, \$112.00; State Treasurer, Money due to State, \$42,626.88; State Treasurer, Sales Tax, \$6.74; Leola City, Hwy Utilities, \$81.56; May amount remitted to Cities/Schools/Townships/Fire Districts, \$341,487.39; Avera Health, Dependent Insurance, \$747.45; Guardian, COBRA Insurance, \$19.07; CorInsurance, Ambulance Ins, \$4,453.00; CorTrust, Deliq. Tax Payments, \$121.13; Lamb Motors, 2020 Patrol Vehicle, \$34,010.00.

Beilke moved and Feickert seconded to approve the forgoing claims. All voted in favor. Motion carried.

SALARIES OF OFFICERS AND EMPLOYEES:

Commissioners, \$6,200.35; Auditor, \$6,491.64; Treasurer, \$7,341.64; State's Attorney, \$6,998.09; Government Building, \$3,220.00; Director of Equalization, \$8,982.79; Register of Deeds, \$7,341.64; Veteran Service Officers, \$2,067.33; Sheriff, \$4,944.42; Extension, \$3,006.42; Weed Control, \$345.10; Road & Bridge/Secondary Roads, \$60,303.02; Emergency Management, \$666.68; Eureka Joint Law, \$3,331.20; Leola Joint Law, \$3,496.91.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$8,894.88

Insurance: American Family, \$528.26, Avera Health, \$10,845.69; Guardian Vision, \$190.60; MetLife, \$171.72; South Dakota Retirement System, \$6,489.20; Colonial Life Vision, \$76.24.

INCREASED SALARIES:

Kunz moved and Feickert seconded to increase Brooke Graves's salary to \$2760.00/month for 40hrs/week for her 3m increase effective July 1st. All voted in favor. Motion carried.

Feickert moved and Metzger seconded to increase Kalen Thomas's salary by .50/hr increase effective July 7th.

RESOLUTIONS:

RESOLUTION NUMBER 20-09 "DISCRETIONARY FORMULA SDCL 10-6-35.2"

WHEREAS, the County of McPherson, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-35.2.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-35.2:

Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(2));

Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-35.2(3));

Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-35.2(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(4));

Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-35.2(5));

Any commercial, industrial, or nonresidential agricultural property which increases more than ten thousand dollars in full and true value as a result of reconstruction or renovation of the structure (SDCL § 10-6-35.2(8)); and be it

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the "Pre-Adjustment Value"; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

- a. For the first tax year following construction, 20% of the Pre-Adjustment Value;
- b. For the second tax year the following construction, 40% of the Pre-Adjustment Value;
- c. For the third tax year following construction, 60% of the Pre-Adjustment Value;
- d. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
- e. For the fifth tax year following construction, 100% of the Pre-Adjustment Value;

and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FUTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this 7th day of July, 2020 at Leola, SD.

ATTEST:

Lindley Howard
McPherson County Auditor

Jeff Neuharth
Chairman of the Board of Commissioners

Feickert moved for the adoption of Resolution Number 20-09, Beilke seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 20-09 was declared duly adopted.

RESOLUTION 20-10

“AUTHORIZING THE EXECUTION OF CONTRACTUAL DOCUMENTS WITH THE STATE OF SOUTH DAKOTA FOR THE RECIEPT OF CARES ACT FUNDS TO ADDRESS THE COVID-19 PUBLIC HEALTH CRISIS”

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the “CARES Act”), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, McPherson County acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, McPherson County acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, McPherson County seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, McPherson County acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for McPherson County most recently approved as of March 27, 2020; and

WHEREAS, McPherson County acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020;

NOW, THEREFORE BE IT RESOLVED by the County Commission of McPherson County that the Chairman of the McPherson County Commission may execute any and all documents as required by the State in order to receive CARES Act funds.

IT IS FURTHER RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the County budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

IT IS FURTHER RESOLVED that the County will not request reimbursement from the State under the CARES Act for costs for which the County previously received reimbursement, or for which the County has a reimbursement request pending before another source.

Approved and adopted this 7th day of July, 2020 at Leola, SD.

ATTEST:

Lindley Howard

McPherson County Auditor

Jeff Neuharth

Chairman of the Board of Commissioners

Feickert moved for the adoption of Resolution Number 20-10, Beilke seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 20-10 was declared duly adopted.

RESOLUTION NUMBER 20-11

“PLAT APPROVAL”

“Be it resolved by the board of County Commissioners of McPherson County, South Dakota, that the Plat showing; “Maisch Addition in the SW ¼ of Section 2-T128N-R72W of the 5th P.M., McPherson County, South Dakota” having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-6 and any amendments.

Dated this 7th day of July, 2020 at Leola, SD

ATTEST:

Lindley Howard

McPherson County Auditor

Jeff Neuharth

Chairman of the Board of Commissioners

Feickert moved for the adoption of Resolution Number 20-11, Kunz seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 20-11 was declared duly adopted.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

DemKota Permit

Demkota representatives Dan DeHaan joined the meeting along with Adam Bode via conference call. Demkota was denied a Spink County site permit but plans to reapply in 6 months, no other sites are in progress at this time. An update on the centrifuge system was given. Once operational this system will reduce the number of loads into McPherson County and increase the plant's flexibility during weather events. Route conditions this spring were discussed. The price per load referenced in Resolution 20-02 was re-examined.

Metzger moved and Kunz seconded to amend Resolution 20-02 increasing the fee for 5-mile Manure (from out of county) to \$200/load, the new price per load will be effective on August 1st. All voted in favor. Motion carried.

Metzger moved and Beilke seconded to extend the 5-mile manure variance permit that was granted to DemKota Beef Plant at the February 2020 meeting until October 1st, 2020 with the price per load increasing to \$200/load effective August 1st, 2020. The following conditions will continue: (1) To lessen road wear DemKota will travel the original route - hwy 10, north on C23, west on C2 and south on C21 to location for approximately 50% of the loads, the other 50% of the load will be hauled on the alternative route - enter McPherson County going west on C2, south on C21 to location, (2) approval must be obtained from Wachter and Weber Townships in McPherson County and also from Brown County and Dickey County if the approved route and/or alternate route includes any of their county roads. Upon roll call vote: Beilke, Kunz and Metzger voted in favor; Feickert and Neuharth voted against. Motion carried.

Highway Department

Glenn Spitzer updated the board on the current hot mix, chip sealing and mowing schedule. Road conditions around the county were discussed. There are several areas of road wash out and water over the roads due to the heavy rains. The highway department is working to restore the damaged areas. Equipment needs were discussed.

Surplus Property

Metzger moved and Beilke seconded to declare the following trucks as surplus #0327 1994 Chevy Pickup (VIN#IGCHK34K1RE258974) and #0330 2004 Dodge Pickup dark blue (VIN#1D7HUI8D24J228169) to be sold at public auction on August 4th at 10AM in the Commission Chambers, to sell the air conditioners in the courthouse basement for \$25 apiece and to dispose of the old windows in the courthouse basement. All voted in favor. Motion carried.

Drainage Board

At 10:30AM Kunz moved and Metzger seconded to forego a drainage meeting for the month of July due to no new drainage permits. All voted in favor. Motion carried.

Director of Equalization

Feickert moved and Metzger seconded to waive fees for building permits for repairing property damage caused by recent storms. All voted in favor. Motion carried.

The Equalization office urges all property owners with damaged or destroyed buildings to please contact them.

Lanette Butler updated the board on the return rate for the survey that was sent to property owners in Leola City. The zoning ordinance update is on track to be completed by the end of the year. There has been some interest in a solar farm in the county so the zoning board will be discussing adding solar to the ordinance.

Executive Session

Feickert moved and Beilke seconded to enter into executive session at 11:15AM to complete an employee evaluation. All voted in favor. Motion carried. Feickert moved and Metzger seconded to exit executive session at 11:20AM. All voted in favor.

Sheriff's Office/Emergency Management

Sheriff Ackerman introduced the new Eureka deputy to the commission. The Walworth County regional jail costs were discussed. The Walworth County commission is requesting formal support of the project. Beilke moved and Kunz seconded to commit to up to 50,000 a year this would include brick and mortar costs plus inmate days. All voted in favor. Motion carried.

Sheriff Ackerman and Metzger will convey McPherson County's support of the project at the next meeting.

There is still a need for the drop box service which began in March. Quotes for a permanent overnight drop box were examined along with a camera system which would enhance drop box and courthouse security. Discussion will continue at the August meeting.

Feickert moved and Beilke seconded to sign the Local Government Covid Recovery Fund Reimbursement Agreement. All voted in favor. Motion carried.

Budget 2021

The first draft of the 2021 budget was presented. Department requests and project goals for 2021 were discussed. More discussion will continue at the August 4th meeting.

Abatements

Beilke moved and Feickert seconded to approve Abatement 20-01 on record numbers 2786, 2802, 2803, 2807, 3730, and 3733 due to an error that affected the listed parcel's valuation and by extension the taxes due on the listed parcels. Abatement 20-01: Justin Kiesz – taxes abated 2020 – County amount \$238.46, Secondary Road amount \$53.14. All voted in favor. Motion carried.

Metzger moved and Kunz seconded to deny Abatement 20-02 on record number 7764 submitted by Eureka Beautification. No error was made in the years 2015-2020 that affected the valuation of the parcels and by extension the tax bills. All voted in favor. Motion carried.

Miscellaneous Items and Reports

Beilke moved and Feickert seconded to extend an employee's leave request due to FMLA to July 13th as requested by the department head. All voted in favor. Motion carried.

Metzger moved and Kunz seconded to supplement the budget of 226-0-331.28 and 226-222-422 in the amount of 11,250 to account for a grant. All voted in favor. Motion carried.

The following miscellaneous items and reports were reviewed and approved: Veterans Service Officer June Report, Register of Deeds statement of fees collected during the month of June 2020 for the amount of \$2,533.75, Register of Deed's Modernization and Preservation fees collected during month of June 2020 for the amount of \$300.00, Auditor's Account with the County Treasurer as of June 30th, 2020 as follows: total amount of deposits in Leola Bank, \$121,903.54; total amount of actual cash, \$654.40; total amount of checks and drafts in treasurer's possession not exceeding three days, \$23,059.72; CD's, \$1,161,542.72; Super savings, \$2,242,809.18; total, \$3,549,969.56.

At 2:55PM Kunz moved and Beilke seconded to adjourn the meeting. All voted in favor. Motion carried. The next regular meeting will be held on Tuesday August 4th beginning at 9AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Jeff Neuharth

Chairman of Board of Commissioners