

McPherson County Board of Commissioners
Minutes of Proceedings
June 1st, 2021

The McPherson County Board of Commissioners met in regular session on Tuesday, June 1st, 2021, in the Commissioners chambers. Chairman Anthony Kunz called the meeting to order at 9:00AM. Members' present were: Rick Beilke, Delmar Metzger, Sid Feickert, and Jeff Neuharth. Also, present: Austin Hoffman.

Neuharth moved and Feickert seconded to approve the agenda of the June 1st meeting. All voted in favor. Motion carried. No conflicts were declared.

Beilke moved and Metzger seconded to approve the minutes of the May 11th commissioners meeting. All voted in favor. Motion carried.

RESOLUTION 2021-12
"SECOND AMENDMENT SANCTUARY COUNTY"

WHEREAS, The Constitution of the United States of America is the supreme law of our nation The Second Amendment to the Constitution states "A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."; and

WHEREAS, the Constitution of the State of South Dakota in Article 6, Section 24 states, "Right to bear arms. The right of the citizens to bear arms in defense of themselves and the state shall not be denied."; and

WHEREAS, the right of the citizens to keep and bear arms is guaranteed as an individual right under the Second Amendment to United States Constitution and under the Constitution of the State of South Dakota; and

WHEREAS, the right of the citizens to keep and bear arms for the defense of Life, Liberty and Property is regarded as an inalienable right by the citizens of McPherson County, South Dakota; and

WHEREAS, the citizens of McPherson County, South Dakota, derive economic benefit from all safe forms of firearm recreation, hunting and shooting conducted within McPherson County as allowed under the United States and South Dakota Constitutions; and

WHEREAS, it is the desire of the McPherson County Board of County Commissioners to declare its support of the Second Amendment to the Constitution of the United States of America and Article 6, Section 24 of the Constitution of the State of South Dakota protecting citizens' right to keep and bear arms; and

WHEREAS, the members of the McPherson County Board of County Commissioners took an oath to support and defend the Constitutions of the United States and of the State of South Dakota.

NOW, THEREFORE, BE IT RESOLVED that the McPherson County Board of County Commissioners strongly supports the Second Amendment of the Constitution of the United States of America and Article 6, Section 24 of the Constitution of the State of South Dakota and that the Board strongly believes that it is the right of the citizens of McPherson County to keep and bear arms for the defense of life, liberty and property; and

FURTHER BE IT RESOLVED, to defend the rights and liberties of the citizens of McPherson County, the McPherson County Board of County Commissioners hereby declares: McPherson County, South Dakota a "Second Amendment Sanctuary County"

Dated this 1st day of June, 2021

ATTEST:

Lindley Howard
McPherson County Auditor

Anthony Kunz
Chairman of Board of Commissioners

Feickert moved for the adoption of Resolution Number 21-12, Beilke seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 21-12 was declared duly adopted.

SALARIES OF OFFICERS AND EMPLOYEES:

Commissioners, \$3,254.75; Auditor, \$6,787.02; Treasurer, \$5,839.86; State's Attorney, \$3,975.17; Government Building, \$3,224.00; Director of Equalization, \$9,987.02; Register of Deeds, \$6,587.02; Veteran Service Officer, \$1,669.06; Sheriff, \$6,509.25; Extension, \$3,147.20; Weed, \$271.70; Planning & Zoning, \$180.00; Road & Bridge/Secondary Roads, \$51,158.84; Emergency Management, \$751.30; Eureka Joint Law, \$3,166.67; Leola Joint Law, \$3,598.02.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$7,834.69

Insurance: American Family, \$511.96, Avera Health, \$10,615.30; Guardian Vision, \$171.54; MetLife, \$173.53; South Dakota Retirement System, \$6,221.54; Colonial Life Vision, \$66.71.

CLAIMS APPROVED:

Agtegra-Leola Shop, Hwy Supplies/Soil Dist., \$13658.11; Amazon, Supplies, \$369.75; Aramark, Courthouse/Hwy Supplies, \$495.84; Area IV Senior Meals, 2021 Allocation, \$2,500.00; Aspire Inc, 2021 Allocation, \$2,160.00; ATT, Cellphone Service, \$404.36; Auto Value, Hwy Supplies, \$337.95; Samantha Boshard, VSO Reimb., \$138.80; Lanette Butler, Meals & Carwash, \$140.39; Butler, Hwy Supplies/Equipment/Rental, \$870.54; Cartney Bearing, Hwy Supplies, \$392.61; Century Business Products, Printer Contract, \$8.64; CorInsurance, Leola Ambulance Insurance, \$4,453.00; Crawford Trucks & Equip., Hwy Supplies, \$2,601.70; Curt's Repair, Oil Change & Wipers, \$85.00; Dept of Agriculture & Natural, Stormwater Project, \$250.00; Eureka City, Utilities, \$60.70; Eureka Senior Center, 2021 Allocation, \$2,680.00; FEM, Utilities, \$332.14; Flint Hills Resources, Hwy Supplies, \$5,851.15; Gene's Oil, Fuel, \$2,110.71; Brooke Graves, Meals, \$134.00; Hills Inn-Hot Springs, Conf Hotel, \$450.00; Johnny & Renee Schwingler, Hwy Drain, \$240.00; Kimball Midwest, Hwy Supplies, \$373.97; Kunz Farms, Hwy-Motor, \$2,000.00; Lakeside Lumber, Hwy Supplies, \$12.67; Leola Senior Center, 2021 Allocation, \$1,320.00; Live Inc, 2021 Allocation, \$720.00; MDU, Utilities, \$512.04; Menard's, VSO Table, \$44.99; Delmar Metzger, Comm Miles, \$236.04; Northeastern Mental Health, 2021 Allocation, \$3,500.00;

Northwest Blade, Publishing, \$318.07; Pomp's Tire Service Inc, Hwy Supplies, \$147.12; Praxair Distribution Inc, Hwy Supplies, \$149.92; Premier Equipment LLC, Hwy Supplies, \$67.81; Quill, Supplies, \$341.68; DRN Readitech, Server Maint/Backup, \$143.94; Runnings, Hwy Supplies, \$71.48; Kris Jacobsen-CCPR Admin, Catastrophic Poor Relief, \$631.00; SDVSO Association, VSO Membership & Conference, \$100.00; Share, Hwy Supplies, \$300.07; Sherwin-Williams, Paint, \$29.65; Stan Houston Equip CO INC, Hwy Supplies, \$363.25; Streicher's, Sheriff Equip, \$88.98; The Lodge at Deadwood, SA Conf Hotel, \$339.00; Kirby & Kris Kiesz-Thee Glass Doktor, Hwy Supplies-Scraper Window, \$143.72; Kalen Thomas, Aerator Reimb, \$120.00; Tyler Technologies Inc, Vetraspec Program, \$357.97; USPS, PO Box Renewal, \$642.00; Van Diest Supply Company, Weed Supplies, \$6,963.25; Visa, Supplies, \$690.88. Avera Health, Dependent Insurance, \$866.42; Guardian, COBRA Vision, \$32.11; April Schaar-Mehlhoff, Deductible Reimbursement, \$1,200.00; State Treasurer, Sales Tax, \$4.41; SDACC M&P, March Fees, \$182.00; State Treasurer, Money Due to State, \$65,825.62; March Amount Remitted to Cities/Schools/Townships/Fire Districts, \$1,878,176.38; CorTrust Bank, Deliq. Tax, \$768.08.

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

INCREASED/ADDED SALARIES:

Beilke moved and Feickert seconded to increase/add the following salaries: Brooke Graves, certified assessor increase to 3,200.00 per month for 40 hours per week upon CAA Certification and 1 year in the program retroactive to May 1st; Kyra Moser, deputy register of deeds, 6 month increase of \$50/month effective June 1st; Austin Roknian, deputy sheriff, added salary effective May 17th \$3,333.34 per month for 40 hours per week. All voted in favor. Motion carried.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Grow SD – Mark Nelson

Mark Nelson presented Grow SD's 2020 Annual Report and spoke briefly about the services and assistance that is provided to McPherson County residents. Neuharth moved and Metzger seconded to approve the requested a \$3,000 allocation for 2022. All voted in favor. Motion carried.

Courthouse Maintenance-Kalen Thomas

Thomas met with the board to discuss the condition of the bushes and two trees in the courthouse lawn. The board agreed the bushes should be removed and replaced with other landscaping.

Metzger moved and Feickert seconded to purchase 2 blinds for the courtroom and 5 blinds for the clerk of courts office. All voted in favor. Motion carried.

Scott Moore FEM and SD Emergency Management

Moore discussed with the board a change in mitigation grant funding. Federal funding for eligible projects that used to go directly to FEM will now have to flow through McPherson

County. The county will need to create a FEMAGO account and approve eligible projects prior to submission for federal reimbursement.

Veterans Service Officer

Neuharth moved and Beilke seconded to install Valleytel internet in the Eureka office and to discontinue the monthly reimbursement once internet is installed. All voted in favor. Motion carried.

McPherson County Easement

Isaac Ross an engineer working on the sewer project for the City of Eureka met with the board and requested a utility easement for a city sewer line that is on county property. Neuharth moved and Feickert seconded to approve the presented utility easement and to have chairman Kunz sign. All voted in favor. Motion carried.

Drainage Board

At 10:30AM Neuharth moved and Metzger seconded to meet as the McPherson County Drainage Commission. All voted in favor. Motion carried. The commission met concurrently with the Board of Commissioners and the minutes are listed in a separate section.

Director of Equalization

Sales ratio data, progress assessing in the City of Leola, and a need to update the current discretionary resolution due to a law change were discussed.

4-H Extension/Achievement Days

Jackie Rau reported there have been no updates from SDSU on covid policies. Rau is expecting achievement days to occur but is planning to implement any SDSU covid policies. Another update is scheduled for the July 6th commissioners meeting.

Ordinance 21-1 Open Burning Regulation

Feickert moved and Beilke seconded to hold a public hearing and first reading for ordinance 21-1 McPherson County open burning regulation ordinance on July 6th at 9am. All voted in favor. Motion carried. A copy of the ordinance is on file in the Auditor's Office and online <https://mcpherson.sdcounties.org/> for public view.

Ordinance 21-2 Temporary Medicinal Cannabis Ordinance

Neuharth moved and Feickert seconded to hold a public hearing and first reading for ordinance 21-2 a temporary ordinance regarding the issuance of local medical cannabis establishment permits and/or licenses on July 6th at 9am. All voted in favor. Motion carried. A copy of the ordinance is on file in the Auditor's Office and online <https://mcpherson.sdcounties.org/> for public view.

Neuharth moved and Metzger seconded to place a moratorium on any medical cannabis establishment permits and/or licenses until the adoption of ordinance 21-2. All voted in favor. Motion carried.

Public Concerns

No public concerns were discussed.

Highway Department

An update was given on gravel crushing, culvert installation, hot mix repair, and rip rap projects on county rd. 8A. The revised permit to occupy right of way was received from East River Electric showing all road crossings was examined. The following was approved pending payment at the May 11th commissioners meeting: East River Electric to run overhead electric line with 477 ACSR cable from the substation in Section 34 of T127-R67 across 111th Street in the right of way along 365th Ave through sections 27,22,15, and 10 crossing 110th and 108th streets; crossing 365th Ave and running along 107th street in the right of way through sections 11 and 12 of T127-R67 crossing 366th Ave and through sections 7, 8, 9, 10, 11 and 12 of T127-R66 crossing 368th Ave and 371st Ave.

Executive Session

Beilke moved and Feickert seconded to enter executive session at 12:00PM to discuss personnel matters. All voted in favor. Motion carried.

Neuharth moved and Feickert seconded to exit executive session at 12:10PM. All voted in favor. Motion carried. No action taken.

City of Eureka

Mayor Dennis Heilman and Brian Bowker discussed the effective tax rates in the city of Eureka and how it could deter new construction within the city. Record # 7523 was also discussed.

Executive Session

Feickert moved and Metzger seconded to enter executive session at 1:50PM to discuss personnel matters. All voted in favor. Motion carried.

Neuharth moved and Feickert seconded to exit executive session at 2:05PM. All voted in favor. Motion carried. As a result of executive session Neuharth moved and Metzger seconded to pay Kalen Thomas \$150/time to mow the 6-tax deed lots within the city of Leola, to use courthouse equipment but to mow on his own time. All voted in favor. Motion carried.

2022 Budget

The provisional 2022 budget was examined. More discussion will continue at the July meeting.

Meeting Authorizations

Neuharth moved and Beilke seconded the following meeting authorizations: Glenn Spitzer to attend the superintendent meeting on June 9th – 10th in Pierre, Sam Boshard to attend the SDDVA Annual Benefit School in Pierre August 24th – 27th. All voted in favor. Motion carried.

Miscellaneous Items and Reports

Beilke moved and Feickert seconded to approve the SD Health Nurse contract for a county contribution of 28,500. All voted in favor. Motion carried. The following miscellaneous items and reports were reviewed and approved: Veteran's Service Officer May 2021 hours, Register of Deeds statement of fees collected during the month of May 2021 for the amount of \$4,166.35, Register of Deed's Modernization and Preservation fees collected during month of May 2021 for the amount of \$435.00, Auditor's Account with the County Treasurer as of May 31st, 2021 as follows: total amount of deposits in Leola Bank, \$735,080.07; total amount of actual cash, \$2,000.49; total amount of checks and drafts in treasurer's possession not exceeding three days, \$0.00; Itemized list of all items, checks and drafts in the Treasurer's possession over three days, \$0.00; CD's, \$1,163,847.63; Super savings, \$1,907,255.97; total, \$3,834,182.94.

At 3PM Metzger moved and Beilke seconded to adjourn the meeting. All voted in favor. Motion carried. The next commission meetings are scheduled for July 6th, 2021, and August 3rd, 2021, beginning at 9AM. The zoning board will meet next on July 15th, 2021, beginning at 1PM.

ATTEST:

Lindley Howard
McPherson County Auditor

Anthony Kunz
Chairman of Board of Commissioners