

McPherson County Board of Commissioners
Minutes of Proceedings
July 5th, 2022

The McPherson County Board of Commissioners met in regular session on Tuesday, July 5th, 2022, in the Commissioners chambers. Chairman Kunz called the meeting to order at 9:00AM. Members' present were Rick Beilke, Sid Feickert, Delmar Metzger and Jeff Neuharth. Also present Austin Hoffman.

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

Feickert moved and Beilke seconded to approve the minutes of the June 8th commissioners, June 8th drainage commission and June 15th special meeting. All voted in favor. Motion carried.

At 10:45AM no public concerns or comments were brought before the board.

ADDED/INCREASED SALARIES:

Metzger moved and Neuharth seconded to increase Hunter Heinrich, deputy assessor, to 3,336.67/month, 40,040.04/year for 2080hrs, increased to 40 hours per week, effective July 1st. All voted in favor. Motion carried.

Metzger moved and Beilke seconded to move Austin Roknian to part-time, as needed, at a rate of \$22.96/hour, effective July 1st. All voted in favor. Motion carried.

Feickert moved and Beilke seconded to hire Justin Bentz, non-certified deputy sheriff, beginning July 18th, 2022, at a rate of \$3,533.34/month, \$42,400.08/year for 2080 hours. All voted in favor. Motion carried.

SALARIES OF OFFICERS AND EMPLOYEES:

Commissioners, \$6,368.65; Elections, \$135.00; Auditor, \$7,191.23; Treasurer, \$7,941.23; State's Attorney, \$6,886.48; Government Building, \$3,380.00; Director of Equalization, \$10,045.11; Register of Deeds, \$7,141.23; Veteran Service Officer, \$2,519.14; Sheriff, \$9,308.21; Extension, \$3,291.01; Weed, \$1,105.50; Planning and Zoning, \$180.00; Road & Bridge/Secondary Roads, \$59,242.30; Emergency Management, \$166.67; Eureka Joint Law, \$3979.79; Leola Joint Law, \$4,023.12.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$9,666.45

Insurance: American Family, \$471.11, Avera Health, \$12,897.92; Guardian Vision, \$171.54; MetLife, \$173.53; South Dakota Retirement System, \$7,327.00; Colonial Life Vision, \$57.18.

CLAIMS APPROVED:

Access Elevator & Lifts INC, Lift Repairs, \$1,457.00; Agtegra-Leola Shop, Hwy/Soil Dist/Courthouse Supplies, \$19,989.98; Amazon, Supplies, \$418.94; American Stamp & Marketing, Stamp, \$67.70; Aramark, Courthouse/Hwy Supplies, \$810.67; ATT, Cellphone Service, \$482.92; Auto Value, Hwy Supplies, \$557.35; Black Hills Ammunition, Sheriff Supplies, \$338.50; Samantha Boshard, VSO Reimb., \$117.60; Kristi Brandt, Court Reporting, \$164.20; Butler, Hwy Supplies, \$1,265.56; Century Business Products, Printer Contract, \$5.88; Connecting Point, Support Contracts, \$6,700.00; Crawford Trucks & Equip., Hwy Supplies, \$1,944.35; Crawford MS & F, Hwy Supplies, \$914.96; Curt's Repair, Oil Changes,

\$123.00; Diesel Machinery Inc, Hwy Supplies, \$5,085.82; Election Systems & Software, Election Supplies, 2,176.29; Trisha Erdmann, Deputy Workshop Meals, \$26.00; Eureka City, Utilities, \$73.30; Eureka MFG, Hwy Supplies, \$859.18; FEM, Utilities, \$309.14; Flinthills Resources, Hwy Supplies, \$354.913.07; Gene's Oil, Fuel, \$12,335.77; Chris Gonska, Meal Prep for Training, \$327.31; Brooke Graves, DOE Conference Meals, \$108.00; Lindley Howard, Election Workgroup Meals, 54.00; George Hulscher, Zoning Miles, \$29.40; Dawn Jenner, Hotel/Meal, \$200.20; Jensen Rock & Sand Inc, Hwy Supplies-Hot Mix, \$106,138.88; Mark Katterhagen, Mental Health, \$12.00; Kimball Midwest, Hwy Supplies, \$492.12; Richard Kolb, Zoning Miles, \$2.94; Leola City, Utilities, \$226.72; Lucy Lewno, Mental Health, \$155.03; Linde Gas & Equipment INC, Hwy Supplies, \$112.39; Darcy Lockwood, Mental Health, \$12.00; Marin-Biel Ins Inc, Ambulance Insurance, \$5,223.00; McLeod's Printing & Office Supplies, Tax Paper/Absentee Voting Supplies, \$1048.05; MDU, Utilities, \$633.52; Delmar Metzger, Commissioner Miles, \$219.66; Microfilm Imaging, ROD/M&P Equip Rent/Contracts, \$364.40; Mid-American Research Chemical, Courthouse Supplies, \$81.94; Miller Funeral Home, Funeral Expenses, \$1,200.00; Kyra Moser, Deputy Workshop Meals, \$26.00; National Sheriff's Association, NSA Membership Dues, \$71.00; Pomp's Tire Service, Hwy Supplies, \$400.04; Premier Equipment, Hwy Supplies, \$1,418.55; Quill, Supplies, \$233.95; Ramkota Hotel-Pierre, Deputy Workshop Hotel, \$294.00; DRN Readitech, Server Maint/Backup/Services, \$145.89; Rustic & Restored, DOE Raffle Basket, \$51.60; April Schaar-Mehlhoff, Deputy Workshop Meals, \$26.00; Share, Hwy Supplies, \$491.40; Sign Solutions, Hwy Supplies, \$635.62; Taliaferro Law Firm PC, Mental Health, \$396.00; Transource Truck & Equipment, Hwy Supplies, \$602.28; TrueNorth Steel, Hwy Supplies, \$46,630.80; Valley Telco, Phone/Internet, \$878.29; Vanguard Appraisals Inc, Service Fees, \$2,100.00; Visa, Supplies, \$337.36; Web Water Bottling Company, Courthouse Water, \$97.50; Avera Health, Dependent Insurance, \$971.80; 8 Juror Fees/Miles, \$552.88; State Treasurer, Sales/Excise Tax, \$7.71; SDACC M&P, May Fees, \$124.00; State Treasurer, Money Due to State, \$56,261.99; May Amount Remitted to Cities/Schools/Townships/Fire Districts, \$319,054.35; CorTrust Bank, Deliq. Tax, \$504.04.

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

RESOLUTIONS:

RESOLUTION 22-11

"DISCRETIONARY FORMULA SDCL 10-6-137"

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 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137(5), (6), and (7):

___ 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 § 10-6-137(5));

___ Any new affordable housing structure containing four or more units with a monthly rental rate of the units at or below the annually calculated rent for the state's sixty percent area median income being used by the South Dakota Housing Development Authority, for a minimum

of ten years following the date of first occupancy, if the structure has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(6));

___ Any new residential structure, or addition to or renovation of an existing structure, located within a redevelopment neighborhood established pursuant to SDCL § [10-6-141](#) if the new structure, addition, or renovation has a full and true value of five thousand dollars or more. The structure shall be located in an area defined and designated as a redevelopment neighborhood based on conditions provided in SDCL § [11-7-2](#) or [11-7-3](#) (SDCL § 10-6-137(7));

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 10-6-137(5), (6), and (7) be calculated at a no more than twenty-five percent in the first or second year, no more than fifty percent in the third or fourth year, no more than seventy-five percent in the fifth or sixth year, and one hundred percent in the seventh year; 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, _____% of the Pre-Adjustment Value;
 - b. For the second tax year the following construction, _____% of the Pre-Adjustment Value;
 - c. For the third tax year following construction, _____% of the Pre-Adjustment Value;
 - d. For the fourth tax year following construction, _____% of the Pre-Adjustment Value;
 - e. For the fifth tax year following construction, _____% of the Pre-Adjustment Value;
 - f. For the sixth tax year following construction, _____% of the Pre-Adjustment Value;
 - g. For the seventh tax year following construction, _____% 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 seven 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

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

Dated this 5th day of July, 2022.

ATTEST:

Lindley Howard

McPherson County Auditor

Anthony Kunz

Chairman of the Board of Commissioners

Beilke moved for the adoption of Resolution Number 22-11, Neuharth seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 22-11 was declared duly adopted.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Opening Conference FY2020-2021 Audit

Jason Hill from the Department of Legislative Audit presented the board with an engagement letter for the FY2020-2021 Audit.

Interim Janitor Compensation

Discussion was held on paying out the comp time that was accumulated March-May. No action taken.

Courthouse Hours

The board considered several options some would shorten the lunch period, others had the courthouse opening at 7:30am and both would either result in the courthouse closing before 5 or closing early on Fridays. Neuharth moved and Metzger seconded to table the matter until the next meeting. All voted in favor. Motion carried.

Highway Department – Signing Agreement

Neuharth moved to have the chairman sign the SDDOT signing and delineation project agreement, there is no cost to the county. The motion died due to lack of a second. Spitzer contacted, Doug Kinniburgh, SDDOT, and the commissioner asked several questions via speakerphone. Beilke moved and Neuharth seconded to have the chairman sign the SDDOT signing and delineation project agreement, there is no cost to the county. Upon roll call vote, Neuharth, Beilke, Metzger and Kunz voted Aye; Feickert voted Nay. Motion carried.

Executive Session

Neuharth moved and Metzger seconded to enter executive session at 10:20AM to discuss personnel matters. All voted in favor. Motion carried. Feickert moved and Beilke seconded to exit executive session at 10:30AM. All voted in favor. Motion carried. No action taken.

Drainage Board

At 10:30AM Metzger moved and Feickert 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 their minutes are listed in a separate section.

Request to widen

Kevin Heupel discussed safety concerns with the intersection of 354th Ave and SD Hwy 10. Spitzer and Heupel have talked to SDDOT representatives about widening the intersection. Neuharth moved and Feickert seconded to have Spitzer request that SDDOT look at possible solutions that would solve the safety concerns at the intersections of 354th Avenue and SD Hwy 10. All voted in favor. Motion carried.

Highway Department

Glenn Spitzer updated the board on road conditions after the recent rains. There are areas of road wash and some asphalt damage. There are a few areas around the county where there are roads underwater currently. The highway department will complete the resealing in the next few days.

An open highway department position was discussed. At this time the commission would like to leave the spot open.

The disbanding of Wachter township was discussed with the State's Attorney.

Slow Children Signs - Highway Department

Highway superintendent, Glenn Spitzer, has been notified that slow children signs need to be placed on private property outside of the right of way. Current signs that are in the right of way will need to be moved or taken down. Those residents who would like a slow children sign in the future can purchase the sign, but it will need to be placed on private property.

Right of Way Permit

Neuharth moved and Metzger seconded to approve the following permit to occupy right of way: WEB Water Development to bore 2" potable water line between Section 5 and Section 5 of T125-R67. All voted in favor. Motion carried.

Courthouse Maintenance

Neuharth moved and Metzger seconded to accept House of Glass's quote for 10 replacement 3rd floor windows for a total of \$48,230.83. All voted in favor. Motion carried.

Jim Wolf updated the board on the floor buffer he has been using, he will present prices on a new floor buffer at a future meeting. The commission thanked Wolf for his work on the courthouse floors. A walk behind floor scrubber was discussed but no purchases will be made at this time. Wolf has been putting in extra hours daily and the commission requested he work a 40-hour week when possible.

Director of Equalization

Discussion was held on the need to pass a new discretionary resolution due to the implementation of SB162. Resolution 22-11 was presented to the board.

Metzger moved and Neuharth seconded to increase Hunter Heinrich, deputy assessor, from 35 hours per week to 40 hours per week effective July 1st at a rate of 3,336.67/month, 40,040.04/year for 2080hrs, increased to 40 hours per week. All voted in favor. Motion carried.

A zoning update was given, and discussion was held on if drainage should be included in the zoning ordinance rewrite. The next zoning meeting is August 4th beginning at 9AM.

Sheriff Department

Metzger moved and Beilke seconded to accept Austin Rognian's resignation as a full-time deputy sheriff as of June 30th, 2022, and to move him to part-time as needed starting July 1st at a rate of 22.96/hour. All voted in favor. Motion carried.

Feickert moved and Beilke seconded to hire Justin Bentz, non-certified deputy sheriff, beginning July 18th, 2022 at a rate of \$3,533.34/month, \$42,400.08/year for 2080 hours. All voted in favor. Motion carried.

Neuharth moved and Metzger seconded to surplus following items sheriff ballistic vest, covert carrier, overt carrier, trauma plate, to be sold to Corson County for 80% of each item's original purchase price,

total \$801.60. All voted in favor. Motion carried.

Neuharth moved and Metzger seconded to surplus a steel desk removed from the sheriff's office to be sold at public auction this fall. All voted in favor. Motion carried.

Sheriff Ackerman gave an update on the repairs needed on the 2015 sheriff's pickup. Updates to the McPherson County HazMat and Emergency Operations (LEOP) Plan will need to be approved in August. Eureka City has returned the revised joint law contract.

Carbon Pipeline

An opinion determining what authority local governments within South Dakota have to pass their own laws and ordinances regulating the safety and siting requirements pertaining to interstate hazardous liquid pipelines was reviewed by the board. A draft resolution will be prepared for the board to consider at a future commissioner's meeting.

2023 Budget

Expenditure requests from each department were discussed with various department heads. Discussion will continue at the next meeting.

Meeting Authorizations

Feickert moved and Neuharth seconded to authorize the following meetings: Lindley Howard to attend an election meeting in Pierre August 4th; Brooke Graves and Hunter Heinrich to attend DOE School in Pierre September 19th-23rd. All voted in favor. Motion carried.

Feickert moved and Beilke seconded to authorize the following meetings: 3 highway personnel to attend the CDL Train the Trainer course July 12th-13th in Pierre. All present voted in favor. Motion carried.

Miscellaneous Items and Reports

Feickert moved and Neuharth seconded to have the chairman sign the revised SDML Intergovernmental contract. All voted in favor. Motion carried. The following miscellaneous items and reports were reviewed and approved: Veteran's Service Officer June 2022 hours, Register of Deeds statement of fees collected during the month of June 2022 for the amount of \$2,685.75, Register of Deed's Modernization and Preservation fees collected during month of June 2022 for the amount of \$265.00, Auditor's Account with the County Treasurer as of June 30th, 2022 as follows: total amount of deposits in Leola Bank, \$403,468.93; total amount of actual cash, \$1,280.20; total amount of checks and drafts in treasurer's possession not exceeding three days, \$12,200.90; Itemized list of all items, checks and drafts in the Treasurer's possession over three days, \$2,833.42; Miscellaneous cash, \$0.00; CD's, \$1,165,002.48; Super savings, \$2,338,954.27; total, \$3,923,740.20.

At 2:35PM Neuharth moved and Feickert seconded to adjourn the meeting. All voted in favor. Motion carried. The next regular meeting will be held on Tuesday August 2nd beginning at 9AM. The next zoning meeting will be held on August 4th at 9AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Anthony Kunz

Chairman of Board of Commissioners