

McPherson County Board of Commissioners
Minutes of Proceedings
February 7th, 2023

The McPherson County Board of Commissioners met in regular session on Tuesday, February 7th, 2023 in the Commissioners chambers. Chairman Anthony Kunz called the meeting to order at 10:00AM. Members present were Rick Beilke, Sid Feickert, Jeff Neuharth and Mark Opp. Also present: Austin Hoffman.

Kunz moved and Opp seconded to approve the agenda of the February meeting. All voted in favor. Motion carried. No conflicts were declared.

Kunz moved and Feickert seconded to approve the minutes of the December 29th and January 3rd commissioner meetings. All voted in favor. Motion carried.

Neuharth moved and Kunz seconded to begin each commission meeting with the pledge of allegiance. All voted in favor. Motion carried. The pledge of allegiance was recited.

At 10:45AM No public concerns or comments were heard by the board.

RESOLUTIONS:

RESOLUTION NUMBER 23-3

“BRIDGE REINSPECTION PROGRAM RESOLUTION FOR USE WITH SDDOT RETAINER CONTRACTS”

WHEREAS, 23 CFR 650 Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, McPherson County is desirous of participating in the Bridge Inspection Program.

The County requests SDDOT to hire IMEG Corp (Consulting Engineers) for the inspection work. SDDOT with secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 7th day of February 2023 at Leola, South Dakota.

ATTEST:

Lindley Howard
McPherson County Auditor

Rick Beilke
Chairman of Board of Commissioners

Kunz moved for the adoption of Resolution Number 23-3, Neuharth seconded the foregoing motion. Upon roll call vote, thereon Kunz, Neuharth, Feickert and Beilke all voted in favor. Absent Opp. Motion carried, and resolution number 23-3 was declared duly adopted.

CLAIMS APPROVED:

A&B Business Solutions, Supplies/Repair, \$368.90; Aberdeen Chrysler Center, Hwy Supplies, \$8,807.94; Agtegra, Hwy Supplies, \$6,788.09; Amazon, Supplies, \$752.81; Aramark, Courthouse/Hwy Supplies, \$960.94; Art's Body Shop, Towing, \$100.00; AT&T, Cellphones/Hotspot, \$443.18; Auto Value, Hwy Parts, \$154.97; Avera LTC Pharmacy, Inmate Medication, \$1,017.97; BlueTarp Financial (Mac's), Hwy Supplies, \$7.14; Samantha Boshard, VSO Miles, \$425.34; Butler Machinery, Equip/Rental/Warranty, \$162,300.86; Century Business Products, Printer Contract, \$23.60; Certified Languages, Translator, \$49.50; CHS, Propane, \$7,206.52; Thomas Cogley, Court Appointed Attorney, \$242.40; Crawford Trucks & Equipment, Hwy Supplies, \$452.88; Joshual Lee Halsey, New Vehicle Work, \$2,490.00; Dakota Fluid Power, Hwy Supplies, \$1,107.00; Dean Schaefer Court Reporting, Mental Health, \$24.00; Dependable Sanitation, Utilities, \$252.00; DMI, Hwy Supplies, \$445.16; Equipment Blades, Hwy Supplies-Blades, \$2,101.00; Trisha Erdmann, Cleaner & Key, \$28.20; Eureka City, Utilities, \$78.30; Eureka Comm Health Service, Pre-employment Screening, \$41.25; Eureka Comm Health Service, 1st Quarter, \$7,125.00; Eureka MFG INC, Hwy Supplies, \$1,556.12; Eve's Floral & Gift Shop, Veteran Flowers, \$84.99; Sid Feickert, One Way Blade, \$1,500.00; FEM, Utilities, \$439.11; Fire Safety First, Fire Extinguisher Check, \$538.50; Ronda Geffre, Trial Expenses, \$28.30; Gene's Oil, Fuel, \$7,695.02; Glacial Lakes & Prairie Tourism, 2023 Allocation, \$300.00; Heartland Waste, Utilities, \$35.00; Austin B Hoffman, Miles/Copies, \$215.09; Austin B Hoffman, Reimbursements, \$6,200.00; House of Glass, Door Repair, \$343.50; Lindley Howard, Miles for Meeting, \$155.04; Johnny & Renee Schwingler, Hwy Supplies, \$1,311.76; JGE, Hwy Supplies, \$40.39; Kimball Midwest, Hwy Supplies, \$726.60; LaCroix Law PLLC, Mental Health, \$210.10; Lakeside Lumber, Hwy Supplies, \$127.58; Leola City, Utilities, \$183.68; Linde Gas & Equipment INC, Hwy Supplies, \$281.24; Long Lake Town, Utilities, \$246.00; McPherson Co Herald, Publishing, \$784.97; MDU, Utilities, \$1,145.01; Menards, Hwy Supplies, \$537.86; Microfilm Imaging Systems, M&P/ROD Equipment Rent, \$728.80; MARC, Buffer Supplies, \$82.63; City of Mobridge, North Central 911 Maintenance, \$2,285.25; NCOG, 2023 Dues, \$7,870.70; Northern Safety Technology, Hwy Supplies, \$221.56; Northwest Blade, Publishing, \$928.32; CRS, Inmate Insurance, \$68.20; Pomp's Tire Service, Hwy Supplies, \$3,478.66; Premier Equipment, Hwy Supplies, \$603.96; Pressure Washer Central, Nozzle, \$22.60; Quaschnick Soft Water, Softener Salt, \$117.00; Quill Corp, Supplies, \$105.55; Jackie Rau, Reimbursement, \$89.92; Dickey Rural, Server Maint./Backup/Service, \$145.89; Duane Rogers, Royalty, \$25,228.75; David Roggenkamp, Miles, \$26.52; South Central Crime Conference, Membership Dues, \$100.00; Michael Schwingler, Clothing Reimb., \$74.50; SD Assoc Of Co Hwy, Registration, \$100.00; SD Assoc of County Officials, Web Hosting, \$150.00; SD Public Health Lab, Tests, \$140.00; SDAAO, DOE Membership Dues, \$150.00; SD Public Assurance Alliance, \$159.18; Share Corp., Hwy Supplies, \$422.92; State of South Dakota, Treasurer Plates, \$7.00; Streicher's Inc, Sheriff Supplies, \$259.99; The Radar Shop, Recertification, \$69.00; Transource Truck & Equipment, Hwy Supplies, \$241.32; Valley Telco, Phone/Internet, \$1,116.50; VISA, Supplies, \$297.34; Web Water Bottling Company, Courthouse Water, \$267.00; Jim Wolf, Table, \$200.00; 57 Juror Fees/Miles, Jury Trial, \$3,179.22; Guardian, COBRA, \$19.07; McPherson County Treasurer, Sheriff Vehicle License, \$24.20; Lamb Motor Co Inc, New Sheriff Vehicle, \$45,644.00; Agtegra, Courthouse Supplies, \$14.98; Brown County Sheriff, Jail Agreement, \$25,000.00; Leola City, Utilities, \$187.52; Valley Telco, Phone/Internet, \$926.31; SDACC, M&P December Fees, \$96.00; State Treasurer, Money Due to State, \$26,197.06; State Treasurer, Sales/Excise Tax, \$242.50; December 2022 Apportionment remitted to Cities/Schools/Townships/Fire Districts, \$29,426.08, Cortrust Bank, Deliq. Tax, \$49,260.77.

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

SALARIES OF OFFICERS AND EMPLOYEES:

Commissioners, \$6,637.10; Elections, \$20.00; Auditor, \$8,750.79; Treasurer, \$8,750.79; State's Attorney, \$6,032.24; Government Building, \$4,331.87; Director of Equalization, \$12,990.79; Register of Deeds, \$8,750.79; Veteran Service Officers, \$2,157.60; Sheriff, \$9,905.48; Extension, \$4,055.56; Weed Control, \$565.08; Road & Bridge, \$48,544.86; Snow Removal, \$6,842.04; Emergency Management, \$286.67; Eureka Joint Law, \$3,710.01; Leola Joint Law, \$4,865.73.

McPherson County's Share of the following:

Social Security and Medicare: CorTrust Bank: \$10,164.31

Insurance: American Family, \$409.29; Avera, \$3,521.13; Guardian Vision, \$123.89; MetLife, \$158.77;

South Dakota Retirement System, \$7,785.35; Colonial Life Vision, \$66.71.

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Demkota Permit

Scott Langner on behalf of Demkota updated the board on alternative sites and asked for a decrease in the per load fee. No action taken on the fee price.

Neuharth moved and Feickert seconded to extend the 5-mile manure variance permit that was granted to DemKota Beef Plant at the August 2022 meeting until September 1st, 2023 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. All voted in favor. Motion carried.

Summit Carbon Lawsuit – Admission of Service

Attorney Ryan Vogel presented the commission with the admissions of service.

Neuharth moved and Feickert seconded to enter executive session at 10:20am to discuss legal matters. All voted in favor. Motion carried. Kunz moved and Feickert seconded to exit executive session at 11:05am. All voted in favor. Motion carried. No action taken.

Drainage Board

At 11:05AM Kunz moved and Feickert seconded to forgo meeting as the McPherson County Drainage Commission due to no new permits. All voted in favor. Motion carried.

Sheriff's Office

Sheriff Ackerman gave a staffing update and address public concerns brought to the commission.

Parcel #7720

Paige Brown and Gentry Croshaw joined the meeting via teleconference and discussed their plans and mission statement with the board. Brown and Croshaw asked the commission to consider a reduction on their property tax bill 2022-1-4769 and to consider the entire parcel #7720 as exempt for PAY 2024. The board would consider an abatement if an abatement were applied for and there is a legal reason for abatement. 2023 assessment for parcel #7720 was also discussed. At the equalization board meeting in

April the board will consider applicable statutes when determining tax exemption and its relation to parcel #7720's valuation for PAY 2024 taxes.

Abatement 23-1

Neuharth moved and Kunz seconded to approve abatement 23-1, City of Eureka parcel #7693 PAY 2021 county total \$5.64, City of Eureka parcel #7523 PAY 2023 county portion \$3.50. All voted in favor. Motion carried.

Director of Equalization

Kunz move and Neuharth seconded to sign have the chairman sign the GIS Addendum with Lightbox. All voted in favor. Motion carried.

Discussion was held on CAFO conditional use permits. Should a citizen wish to apply for a CAFO conditional use permit during the moratorium, the applicant would have to abide by all future CAFO zoning regulations. Notification of out of county neighboring landowners was also discussed.

Resolution 03-05 "Resolution setting acreage requirement for agricultural land classification" was discussed. No action taken.

Discussion was held on if building permits were needed for hopper bottom bins and shipping containers and if those items would be assessed or not.

Neuharth moved and Feickert seconded to only require building permits on shipping containers and hopper bottom bins if they are on a concrete slab and anchored down. Upon roll call vote Opp, Feickert and Neuharth voted 'Aye'; Kunz and Beilke voted 'Nay'. Motion carried.

Neuharth moved and Feickert seconded to rescind the previous motion/vote. All voted in favor. Motion carried.

Neuharth moved and Kunz seconded to not require a building permit for any shipping container, shipping containers will be assessed. Upon roll call vote, Neuharth, Feickert, Kunz, and Bielke voted 'Aye' Absent Opp. Motion carried.

Building permits and assessment guidelines for hopper bottom bins will be reviewed at a later meeting.

Tax Deed Properties

A preliminary list of tax deed properties was presented to the board along with a tentative timeline. A legal recommendation may be needed next year for properties with partial payments.

Highway Department

Neuharth moved and Kunz seconded to call for hot mix asphalt, AE150S, CSS1H and MC70 prime oil bids to be opened at 10AM on March 7th, 2023. Neuharth, Kunz, Beilke and Feickert voted 'Aye'. Absent Opp. Motion carried.

Neuharth moved and Kunz seconded to surplus the following items to be sold at the spring consignment auction in Leola: #0310 2005 Dodge ½ ton pickup, one metal brake, file cabinets, old desks and misc items. Neuharth, Kunz, Beilke and Feickert voted 'Aye'. Absent Opp. Motion carried.

Feickert moved and Kunz seconded to surplus a one-way snow plow and salvage the parts to make a new plow. Neuharth, Kunz, Beilke and Feickert voted 'Aye'. Absent Opp. Motion carried.

Discussion was held on resealing county 7. The work would be dependent on oil prices and the reseal schedule would have to be adjusted if this project is done. Motor grader unit #0910 was discussed.

Possible road work was discussed including pulling shoulders on county 12 south of SD47, 3 miles on the south end of county 13 and the gravel road south of Eureka. Load limits were also discussed.

Right of Way Permits

Neuharth moved and Kunz seconded to approve the following permits to occupy right of way: FEM to bore 2 inch 7200 volt power cable between Section 28 and Section 33 in T125N-R68W and between Section 30 and Section 29 in T128N-R73W. Neuharth, Kunz, Beilke and Feickert voted 'Aye'. Absent Opp. Motion carried.

State's Attorney

Feickert moved and Kunz seconded to pay Austin Hoffman \$3800 for rent reimbursement for 2023 and to pay \$200/month reimbursement for Westlaw, Clio, Valleytel and cellphone. Neuharth, Kunz, Beilke and Feickert voted 'Aye'. Absent Opp. Motion carried.

Auditor's Office

PAY 2023 taxes overview document was presented to the board and is available on the county website. Auditor Lindley Howard has been appointed to the State Board of Elections by the Speaker of the House Representative Hugh Bartels. Remote meetings were discussed. If a commissioner or presenter cannot make it in person teleconference or facetime will be available.

Employee Benefits

Kunz moved and Neuharth seconded to amend the 2023 McPherson County Benefits Sheet with the following clarification, employees not eligible for group insurance or employees that have their own health insurance are reimbursed \$600/month for employees working 35 hours or more per week, or \$300/month for employees working 34 -20 hours per week. Neuharth, Kunz, Beilke and Feickert voted 'Aye'. Absent Opp. Motion carried.

Meeting Authorizations

Kunz moved and Neuharth seconded to authorize the following meetings: Lindley Howard to attend State Board of Election meetings as necessary for the appointment period; Brooke Graves and Hunter Heinrich to attend conference in Sioux Falls June 13-16 and School in Rapid City September 18-22; Brooke Graves, Hunter Heinrich and Sharon Guthmiller to attend Vanguard User meeting in Oacoma August 2-3; Michael Schwingler and Ronnie Ehresman to attend Weed Conference in Huron; Glenn Spitzer to attend the Highway Superintendent Short Course March 20-23. Neuharth, Kunz, Beilke and Feickert voted 'Aye'. Absent Opp. Motion carried.

Miscellaneous Items and Reports

The following miscellaneous items and reports were reviewed and approved: VSO Hours January 2023, Register of Deeds statement of fees collected during the month of January 2023 for the amount of \$7896.00, Register of Deed's Modernization and Preservation fees collected during month of January 2023 for the amount of \$370.00, Auditor's Account with the County Treasurer as of January 31st, 2023 as follows: total amount of deposits in Leola Bank, \$406,203.26; total amount of actual cash, \$729.00; total amount of checks and drafts in treasurer's possession not exceeding three days, \$21,457.59; Itemized list of all items, checks and drafts in the Treasurer's possession over three days, \$0.00; CD's, \$1,165,545.35; Super savings, \$1,387,757.74; total, \$2,981,692.94.

At 4:15PM Kunz moved and Feickert seconded to adjourn the meeting. All voted in favor. Motion carried. The next regular meeting will be held on March 7th, 2023 beginning at 10AM.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

Chairman of Board of Commissioners