

**McPherson County Board of Commissioners**  
**Minutes of Proceedings**  
**November 7<sup>th</sup>, 2023**

The McPherson County Board of Commissioners met in regular session on Tuesday, November 7<sup>th</sup>, 2023 in the Commissions chambers. Chairman Rick Beilke called the meeting to order at 10:00AM. Members present were Sid Feickert (Until 12pm), Anthony Kunz, Jeff Neuharth, and Mark Opp. Also present State's Attorney Austin Hoffman.

Opp moved and Neuharth seconded to approve the agenda of the November meeting with the addition of Sam Wipf – Spring Creek Colony. All voted in favor. Motion carried. No conflicts of interest were declared.

Opp moved and Neuharth seconded to approve the minutes of the October 3<sup>rd</sup> commissioner's meeting. All voted in favor. Motion carried.

**CLAIMS APPROVED:**

Agtegra, Hwy/Soil Dist Supplies/Courthouse Supplies, \$16,366.21; Amazon, Supplies, \$983.70; Aramark, Courthouse/Hwy Supplies, \$1,183.68; Art's Body Shop, Repair, \$4,010.04; ATT, Cellphone/Hotspot, \$443.46; Avera Occupational Medicine, Hwy Random Test, \$96.25; Rick Beilke, V-Plow, \$500.00; Butler Machinery, Hwy Supplies, \$7,629.94; CentralSquare Technologies Inc, Maintenance Fee, \$344.60; Century Business Products, Printer, Contract, \$18.75; Crawford Trucks & Equipment, Hwy Supplies, \$1,134.88; CRS, Inmate Ins., \$70.15; Curt's Repair, Metal, \$28.00; Dakota Electronics, Repair-Hwy, \$500.00; Dakota Fluid Power, Motor Repair-Hwy, \$295.00; Dependable Sanitation, Utilities, \$261.00; Detectachem Inc, Sheriff Supplies, \$348.96; Dickey Rural Telephone Coop, Server Maint/Backup, \$145.89; Election Systems & Software, \$1,160.25; Eureka City, Utilities, \$85.10; Eureka Comm Health, 4<sup>th</sup> Qtr Nursing, \$7,125.00; Eureka Mfg, Supplies, \$771.38; FEM, Utilities, \$388.17; Gene's Oil, Fuel, \$7,805.84; G&R Controls, Boiler, \$3,812.22; Graham Tire, Weed Supplies, \$12.73; Heartland Waste, Utilities, \$40.00; Lindley Howard, Reimb, \$25.38; Kimball Midwest, Hwy Supplies, \$499.62; Lakeside Lumber, Supplies, \$38.85; Leola City, Utilities, \$198.75; Linde Gas & Equipment INC, Hwy Supplies, \$476.34; Long Lake Town, Utilities, \$119.60; Maxwell Election, Generator, \$399.45; McPherson Co Herald, Publishing, \$371.27; MDU, Utilities, \$684.87; Microfilm Imaging Systems, M&P/ROD Equipment Rent, \$364.40; Northwest Blade, Publishing, \$313.58; Performance Oil, Antifreeze, \$220.00; Pomp's Tire Service, Hwy Supplies, \$1,877.90; Popp Binding & Laminating Inc, Laminating Sheet, \$105.98; Premier Equipment, Hwy Supplies, \$1,327.15; Quill, Ext Supplies, \$293.34; Ramkota Hotel-Pierre, Election Training, \$328.00; Jackie Rau, Ext Reimb, \$53.66; Ron's Service Center, Oil Change, \$185.26; Runnings Farm & Fleet, Supplies, \$46.98; Saber Shred Solutions, Load of Tires, \$558.00; SD DOT, Bridge Inspections, \$883.76; SD Public Health Lab, \$165.00; Kris Jacobson-Clerp, 3<sup>rd</sup> & 4<sup>th</sup> Qtr, \$684.00; Share, Hwy Supplies, \$655.05; Ten-45 Grocery & Café, Hwy Supplies, \$77.87; TrueNorth Steel, Hwy Supplies, \$42,594.99; USPS, ROD Stamps, \$54.00; USPS, Juror Stamps, \$237.60; Valley Telco, Phone/Internet, \$927.46; Vanguard Appraisals, 5<sup>th</sup> Year, \$7,360.00; Visa, Hwy Supplies, \$647.97; Visa, Supplies/Subs, \$656.46; Web Water Bottling Company, Courthouse Water, \$300.00; Guardian, Cobra Ins, \$19.07; State Treasurer, Money Due to State, \$67,574.54; State Treasurer, Sales/Excise Tax, \$16.46; September 2023 Apportionment remitted to Cities/Schools/Townships/Fire Districts, \$150,195.04; CorTrust, Deliq Tax, \$3,253.68; October Payroll Reimbursements: Trisha Erdmann, Meals, \$72.00; Lindley Howard, Meals/Fuel, \$196.81; Austin Hoffman, Copies/ Miles, \$740.78; Brooke Graves, Meals, \$200.00; Hunter

Heinrich, Meals, \$200.00; Samantha Boshard, Miles, \$318.24; Rick Rau, Reissue Ck #54270, \$51.82; Henry Spitzer, Meals, \$102.00.

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; Election, \$20.00; Auditor, \$8,790.79; Treasurer, \$9,540.48; State’s Attorney, \$6,046.24; Government Building, \$4,331.87; Director of Equalization, \$13,172.79; Register of Deeds, \$8,750.79; Veteran Service Officers, \$2,157.60; Sheriff, \$10,374.25; Extension, \$4,055.56; Weed, \$69.66; Road & Bridge, \$50,250.47; Snow Removal, \$3,974.14; Emergency Management, \$166.67; Eureka Joint Law, \$4,178.78; Leola Joint Law, \$4,352.40.

McPherson County’s Share of the following:

Social Security and Medicare: CorTrust Bank: \$10,136.20

Insurance: American Family, \$420.40; Avera, \$3,813.51; Guardian Vision, \$133.42; MetLife, \$156.18;

South Dakota Retirement System, \$7,663.71; Colonial Life Vision, \$57.18.

**ADDED SALARIES:**

Kunz moved and Neuharth seconded to add the following salary: Vivian Sain, Deputy Treasurer, \$33,558.84/year for 1,820 hours. All voted in favor. Motion carried.

**RESOLUTION:**

**RESOLUTION 23-14**

**“PROVIDING FOR THE CANCELLATION OF CHECKS AND WARRANTS ISSUED BY MCPHERSON COUNTY OUTSTANDING FOR A PERIOD OF TWO (2) YEARS OR MORE”**

WHEREAS, in accordance with SDCL 7-22-17, the board of county commissioners may, by resolution, cancel any check or warrant that has not been presented for payment at any time within the two years of the date on which the check or warrant was issued;

WHEREAS, the following is a list of the checks and warrants outstanding prior to November 30<sup>th</sup>, 2021 and

“BE IT THEREFORE RESOLVED, that the following list of checks will be canceled in accordance with SDCL 7-22-17 and the County Treasurer will cease to carry these as outstanding checks unless they are redeemed on or before November 30<sup>th</sup>, 2023.

DATE	NUMBER	NAME	AMOUNT
2/17/2004	2876	Harvey Diedtrich	\$30.90
10/4/2021	4568	Kami Yost	\$30.00
10/6/2021	51860	Michael Kilmer	\$39.40
10/26/2021	4582	Carla Salzer	\$2.83
11/29/2021	4591	Custom Timpani – Bob Hagen	\$9.50

Dated this 7<sup>th</sup> day of November, 2023.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

McPherson County Commission Chair

Feickert moved for the adoption of Resolution Number 23-14 Kunz seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 23-14 was declared duly adopted.

**RESOLUTION 23-15  
"PLAT APPROVAL"**

"BE IT RESOLVED by the Borad of County Commissioners of McPherson County South Dakota, that the Plat, "PLAT OF SCHUMACK FAMILY CEMETERY, IN THE SE1/4 OF SECTION 19, TOWNSHIP 127 NORTH, RANGE 66 WEST OF THE 5<sup>TH</sup> P.M., McPHERSON, COUNTY, SOUTH DAKOTA", having been examined, is hereby approved in accordance with the provisions of SDCL 11-2-3, and any amendments thereof."

Dated this 7<sup>th</sup> day of November, 2023.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

McPherson County Commission Chair

Neuharth moved for the adoption of Resolution Number 23-15, Kunz seconded the foregoing motion. All voted in favor. Motion carried and Resolution Number 23-15 was declared duly adopted.

**OTHER MATTERS DISCUSSED AND ACTION TAKEN:**

Alison Kiesz, NECOG – Mitigation Plan Update

Alison Kiesz with NECOG met with the commissioners to discuss natural hazard mitigation and the required 5-year update to the County's PDM plan. An updated plan allows the county and participating communities to be eligible for certain FEMA grant funds. NECOG will conduct work sessions to assist the county in updating the plan. Citizens are invited to attend the meetings and provide comments. NECOG will provide a monthly update to the commission until the plan update is finalized. Neuharth moved and Opp seconded to sign the agreement for natural hazard mitigation plan assistance with NECOG. All voted in favor.

Summit Carbon Solutions – Project Update

Alex Lange and Jimmy Powell met with the board on behalf of Summit Carbon Solutions (SCS). SCS is committed to working on a new route that conforms to county ordinances and is agreeable to affected landowners. Lange presented a map of example situations where SCS may ask for a variance to the county ordinance to avoid involving landowners who don't want to participate in the project.

Drainage Board

At 10:35AM 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.

At 10:45AM Public comments concerning non crop vs. crop ag land assessments were heard by Dan Mettler and several landowners against the Summit Carbon Solutions pipeline addressed the board with comments.

### Sam Wipf – Spring Creek Colony

Spring Creek received a zoning fine letter for 11 building permit violations. The zoning board will discuss the violation at their November 29<sup>th</sup> meeting. The commission recommends that the zoning board require Spring Creek to reduce the fine to 2 violations and that Spring Creek obtain 4 building permits for the projects.

### Director of Equalization

The datacenter information request received by Acciona was discussed. The county would require a Conditional Use zoning permit but no additional business licenses, outside of what may be required by the state of South Dakota, would be required at the county level. The commission declined to sign the letter sent by Acciona.

Leola Housing and Redevelopment notified the DOE that they have paid off their loan and are wondering if this changes their tax-exempt status. The State's Attorney will look at the statutes.

### Treasurer's Office

Kunz moved and Neuharth seconded to add Vivian Sain to the signature card at CorTrust Bank. All voted in favor. Motion carried.

### Auditor's Office

The National Association of Counties requested that McPherson County contribute \$1,006.34 (1% of the LACTF Dollars received) to form the National Center for Public Lands Counties. Kunz moved and Feickert seconded to deny the \$1,006.34 contribution request. All voted in favor. Motion carried.

Kunz moved and Opp seconded to have chairman Beilke sign the 'Comments on the Dakota Access Pipeline ("DAPL") Draft Environmental Impact Statement letter on behalf of McPherson County. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'Aye', Excused Feickert. Motion carried.

### Abatements

Opp moved and Neuharth seconded to approve the following abatements that were a result of the 10/3/2023 tax deed sale:

23-5 Ivor & Alice Pendry record #6691: PAY 2014-2022 County Portion abated \$0.41; PAY 2023 County portion abated \$0.10.

23-6 Jeannie Calder record #6693: PAY 2014-2022 County Portion abated \$6.25; PAY 2023 County portion abated \$1.43.

23-7 John Pendry record #6686: PAY 2014-2022 County Portion abated \$14.75; PAY 2023 County portion abated \$2.34.

23-8 Colleen Lakefield record #7135: PAY 2019-2022 County Portion abated \$5.27; PAY 2023 County portion abated \$4.98.

23-9 Gordon Vogel record #7225: PAY 2020-2022 County Portion abated \$2.63; PAY 2023 County portion abated \$3.33.

23-10 Gabe Outtrim record #6975: PAY 2020-2022 County Portion abated \$3.15; PAY 2023 County portion abated \$4.00.

23-11 Deborah Warax record #8740: PAY 2015-2022 County Portion abated General \$1.45, Secondary Roads \$0.31; PAY 2023 County portion abated General \$.31, Secondary Roads \$.04

23-12 Jorge Huitzil record #8742: PAY 2020-2022 County Portion abated General \$.48, Secondary Roads \$0.12; PAY 2023 County portion abated General \$.17, Secondary Roads \$.04

23-13 Daywatch record #8783: PAY 2018-2022 County Portion abated General \$.88, Secondary Roads \$0.20; PAY 2023 County portion abated General \$.18, Secondary Roads \$.04

23-10 Mildred Job record #7774: PAY 2019-2022 County Portion abated \$8.27; PAY 2023 County portion abated \$2.85. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'Aye', Excused Feickert. Motion carried.

#### Weed Spraying Voucher

Neuharth moved and Kunz seconded to approve the voucher from Lee Geffre for 90 hours of weed equipment use at the rate of \$30/hour. Upon roll call vote: Beilke, Kunz, and Neuharth voted 'aye', Opp voted 'nay', Feickert excused. Motion carried. In the future county owned equipment should be used for all weed spraying.

#### Right of Way Permits

Kunz moved and Neuharth seconded to approve the following permits to occupy right of way: ValleyTelco to bore 1" fiber cable between under 108<sup>th</sup> Street, between Sections 10 and Section 15, T127N-R66W. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'aye', excused Feickert. Motion carried.

#### Highway Department

Neuharth moved and Kunz seconded to sell scrap cable and cutting edges and to set the price of used cutting edges price set at \$10/section. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'aye', excused Feickert. Motion carried.

Culverts that were staged in locations around the county were picked up and will be installed next spring. One culvert that was in the ditch 1 mile east and ¾ miles north of Leola was taken the day before the hwy department went to pick it up. IMEG will be at a future meeting to present their Bridge inspection report. Mowing has been completed and snow equipment is mounted and ready if the weather changes. Equipment was discussed.

#### Sheriff's Department

Neuharth moved and Opp seconded to sign the Joint Powers agreement between SD BIT and McPherson County. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'aye', excused Feickert. Motion carried.

Neuharth moved and Opp seconded to sign the Joint Powers agreement between North Central 911 and McPherson County. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'aye', excused Feickert. Motion carried.

Sheriff department office and impound space in Eureka was discussed.

#### Miscellaneous Items and Reports

Neuharth moved and Opp seconded to approve the State of South Dakota granted extra holiday days, November 24<sup>th</sup> and December 26<sup>th</sup>. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'aye', excused Feickert. Motion carried.

The following miscellaneous items and reports were reviewed and approved: VSO Hours October 2023, Register of Deeds statement of fees collected during the month of October 2023 for the amount of \$3,109.50, Register of Deed's Modernization and Preservation fees collected during month of October 2023 for the amount of \$490.00, Auditor's Account with the County Treasurer as of October 31<sup>st</sup>, 2023 as follows: total amount of deposits in Leola Bank, \$278,518.43; total amount of actual cash, \$841.17; total amount of checks and drafts in treasurer's possession not exceeding three days, \$215,025.70;

Itemized list of all items, checks and drafts in the Treasurer's possession over three days, \$1,471.05; CD's, \$1,167,781.66; Super savings, \$2,851,091.43; total, \$4,514,729.44.

Kunz moved and Neuharth seconded to set the date of the next two commission meetings at December 5<sup>th</sup> starting at 10AM and December 28<sup>th</sup> beginning at 10Am. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'Aye', Excused Feickert. Motion carried.

At 1:00PM Kunz moved and Opp seconded to adjourn the meeting. Upon roll call vote: Beilke, Kunz, Neuharth and Opp voted 'Aye', Excused Feickert. Motion carried.

ATTEST:

Lindley Howard  
McPherson County Auditor

Rick Beilke  
Chairman of Board of Commissioners