

McPherson County Board of Commissioners
Minutes of Proceedings
January 2nd, 2024

The McPherson County Board of Commissioners met in regular session on Tuesday, January 2nd, 2024 in the Commissioners chambers. Chairman Rick Beilke called the meeting to order at 10:00AM. Members present were Anthony Kunz, Sid Feickert, Jeff Neuharth and Mark Opp.

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

Beilke relinquished the Chair to the Auditor for the purpose of reorganizing the board for the year 2024. Nominations for chairman were requested. Neuharth nominated Beilke for chairman. Feickert moved and Neuharth seconded that nominations cease and that a unanimous ballot be cast for Beilke. All voted in favor. Motion carried.

Nominations for vice-chairman were requested. Neuharth nominated Opp for vice-chairman. Neuharth moved and Kunz seconded that nominations cease and that a unanimous ballot be cast for Opp. All voted in favor. Motion carried.

The Auditor relinquished the Chair to Chairman Beilke.

BIDS:

At 10AM the following bids that were submitted for the 2024 supply of products to McPherson County were opened and read aloud. Bid amounts shown are the total bid margin and freight cost which the vendors are adding to the cost of the products shown on the State of South Dakota website:

Unleaded Bulk delivered to Eureka and Ethanol at the pump in Leola:

Gene's Oil Company- \$.099 Leola at Pump, no bid submitted for Eureka Bulk
Agtegra- \$.20 Leola at Pump; \$.32 Eureka Bulk

Dyed Diesel Fuel delivered in bulk:

Agtegra - \$.25 Leola area; \$.32 Eureka area; \$.32 Long Lake area
Gene's Oil Company - \$.209 Leola Area, no bid submitted for Eureka or Long Lake area
CHS - \$.450 Leola area; \$.450 Eureka area; \$.450 Long Lake area

Neuharth moved and Feickert seconded to accept Gene's Oil's bid for Ethanol at the Pump in Leola and for Dyed Diesel Bulk Leola Area; Agtegra for Eureka Bulk Unleaded Gasoline and for dyed Diesel Fuel Eureka area and Long Lake area. All voted in favor. Motion carried.

Propane –Courthouse

CHS - .38 (January to May), .38 (October to December)
Agtegra - .40 (January to May), .40 (October to December)

Propane Highway Shops

CHS - .38 Leola Area, .38 Eureka Area, .38 Long Lake Area
Agtegra - .40 Leola Area, .40 Eureka Area, .40 Long Lake Area

Neuharth moved and Feickert seconded to accept CHS Farmers Alliance's bid for propane at the Leola, Eureka, Long Lake highway shops and the Courthouse. All voted in favor. Motion carried.

RESOLUTIONS:

**RESOLUTION 24-1
"RESOLUTION IMPOSING SPEED LIMITS AND WEIGHT PER AXLE LIMITS"**

WHEREAS, the County of McPherson, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction, and

WHEREAS, it appears said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restriction as to the weight of vehicles are imposed

NOW THEREFORE, BE IT RESOLVED: Pursuant to SDCL 32-14-6 and any laws amendatory, thereto, that the load limits on all McPherson County oil roads be posted at 6 ton per axle. McPherson County oil roads will be posted at 40 mph for trucks.

BE IT FURTHER RESOLVED: That there shall be erected and maintained signs designating the provision of this resolution as provided by state law, and that this resolution shall not be effective until or unless such signs are erected and maintained.

BE IT FURTHER RESOLVED: That the County of McPherson shall request the South Dakota Highway Patrol to enter the County of McPherson to ensure compliance with State Laws pertaining to vehicle weight and with the weight laws established by this resolution.

BE IT FURTHER RESOLVED: That the speed limit for trucks on all county oil roads within McPherson County, South Dakota, shall be 40 MPH. McPherson County requests South Dakota Highway Patrol to enter the County of McPherson to enforce the speed limit of 40 MPH for trucks on all McPherson County oil roads.

BE IT FURTHER RESOLVED: That the effective dates of the provisions of this resolution shall start the same time that the State of South Dakota starts their restrictions or when county conditions warrant and shall end 1 week after the State lifts their limits or when county conditions warrant.

Dated this 2nd day of January, 2024 at Leola, SD

ATTEST:

Lindley Howard
McPherson County Auditor

Rick Beilke
McPherson County Commission Chair

Neuharth moved for the adoption of Resolution Number 24-1, Opp seconded the foregoing motion. Upon roll call vote, thereon, all voted in favor. Motion carried and Resolution Number 24-1 was declared duly adopted.

RESOLUTION NUMBER 24-2
“ESTABLISHING PLANNING AND ZONING PERMIT APPLICATION FEES”

WHEREAS, the Planning and Zoning Ordinance #10-2 for McPherson County requires that McPherson County shall establish the fees for each of the planning and zoning permits provided for within said Ordinance; and

WHEREAS, there is an inherent cost for the publication of said notice(s) for each permit application that is correlated directly related to each respective application; and

WHEREAS, there is an inherent cost of notification by certified letter to all adjacent or affected neighboring landowners; and

WHEREAS, the Board of County Commissioners have hereby elected to establish said fees for all planning and zoning permits by resolution to be reviewed annually in January of each calendar year;

NOW THEREFORE BE IT BE RESOLVED that the following fee schedule be established:

Building Permit - \$25

Variance Permit - \$250

Special Exemption - \$2,000 minimum with the commission reserving the right to increase the fee for any project.

Conditional Use - \$2,000 minimum with the commission reserving the right to increase the fee for any project.

Drainage Permit - \$250

5-Mile Manure (from within county) - \$250/day plus \$500 haul road inspection/office fee and a \$1000 bond

5-Mile Manure (from out of county) - \$50/load: 0-30 loads per month, \$100/load for 31+ loads per month plus a \$500 haul road inspection/office fee and a \$1000 bond. The commission reserves the right to increase this fee on a case-by-case basis for any 5 -Mile Manure (from out of county) permit.

BE IT FURTHER RESOLVED THAT the permit applicant must pay the permit fee prior to the application being reviewed by the Zoning Board and/or Drainage Commission. In the event that an applicant initiates a project prior to obtaining necessary permits the cost of the permit fee will increase to an amount equal to the original permit fee plus 10-fold the original permit fee. In addition to the permit fee the applicant will be billed for all publication and certified mailing costs that are directly associated with the permit and no permit shall be issued until such costs are reimbursed to McPherson County.

Dated this 2nd day of January 2024 at Leola, South Dakota.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

McPherson County Commission Chair

Feickert moved for the adoption of Resolution Number 24-2, Kunz seconded the foregoing motion. Upon roll call vote, thereon all voted in favor. Motion carried, and resolution number 24-2 was declared duly adopted.

RESOLUTION 24-3
“ESTABLISHING PLANNING AND ZONING PERMIT APPLICATION FEES AS
REQUIRED BY ORDINANCE 23-1”

WHEREAS, Ordinance #23-1 “An Ordinance Establishing permitting requirements for Hazardous Material Pipelines to the McPherson County Planning and Zoning Ordinance #10-2” for McPherson County requires that McPherson County shall establish the fees for each of the planning and zoning permits provided for within said Ordinance; and

WHEREAS, the Board of County Commissioners have hereby elected to establish said fees for all planning and zoning permits by resolution to be reviewed annually in January of each calendar year;

NOW THEREFORE BE IT BE RESOLVED that the following fee schedule be established:

- Hazardous Material Pipeline Permit Application Fee: \$15,000 base fee plus for any pipeline qualifying for any federal tax credit and/or subsidy, one percent (1%) annually of the tax credit and/or subsidy amount.
- County Road and Right of Way Renewal Fee: \$250 per drivable surface crossed plus any additional costs incurred by the county, that shall be paid annually by the Pipeline Owner on the anniversary of the In-Service date of the Hazardous Material Pipeline.
- Screening Fence Inspection fee to be paid by the Pipeline Owner: \$1000 per substation or related above-ground pipeline structure or facility plus any additional costs incurred by the county.
- Annual Facility Inspection Fee: \$250 per substation or related above-ground pipeline structure or facility, plus any additional costs incurred by the county, that shall be paid annually by the Pipeline Owner on the anniversary of the In-Service date of the Hazardous Material Pipeline.

BE IT FURTHER RESOLVED THAT the permit applicant must pay the permit fee prior to the application being reviewed by the Zoning Board. In the event that an applicant initiates a project prior to obtaining necessary permits the cost of the permit fee will increase to an amount equal to the original permit fee plus 10-fold the original permit fee. In addition to the permit fee the applicant will be billed for any actual costs incurred by the county that are directly associated with the permit and no permit shall be issued until such costs are reimbursed to McPherson County.

Dated this 2nd day of January 2024 at Leola, South Dakota.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

McPherson County Commission Chair

Neuharth moved for the adoption of Resolution Number 24-3, Kunz seconded the foregoing motion. All voted in favor. Motion carried, and resolution number 24-3 was declared duly adopted.

RESOLUTION 24-4

“ESTABLISHING ELECTION FEES”

WHEREAS, SDCL 12-15-11 states that each precinct superintendent and precinct deputy shall receive a fee to be established annually by resolution of the board of county commissioners at its first regular meeting each year

NOW THEREFORE BE IT RESOLVED that the following rates will be paid to election workers:

Precinct Superintendents and Deputies – Election Day	\$15/hour
Attendance at Election School	\$30/person
Absentee Board	\$15/hour
Resolution Board	\$15/hour
Post-Election Audit Board	\$15/hour

State rate will be paid for applicable mileage and meals will be provided or reimbursement paid at state rate.

Polling places shall be paid \$50 or actual rental costs for use of non-county owned facilities for election day. Polling places for elections will be:

- McPherson County Courthouse for Precinct 1 and Precinct 2
- Eureka Fire Hall for Precinct 3 and Precinct 4

Dated this 2nd day of January, 2024.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

McPherson County Commission Chair

Neuharth moved for the adoption of Resolution Number 24-4, Opp seconded the foregoing motion. All voted in favor. Motion carried, and resolution number 24-4 was declared duly adopted.

2024 APPOINTMENT AND DESIGNATIONS

Feickert moved and Kunz seconded to make the following appointments and designations.

Weed Board- Sid Feickert, 3 years remaining; Trevor Zantow and Ron Ehresman, 1 year remaining; Galen Hauck and Curtis Hoff, 2 years remaining

Northeast Council of Governments- Sid Feickert, Anthony Kunz, Lloyd Miller, and Glenn Spitzer

Zoning Board- Jeff Neuharth, 4 years remaining; Alvin Kallas and George Hulscher, 1 year remaining; Dan Mettler, 3 years remaining; Richard Kolb, 4 years remaining.

Housing and Redevelopment Committee- Jeff Neuharth, 4 years remaining; Alvin Kallas and George Hulscher, 1 year remaining; Dan Mettler, 3 years remaining; Richard Kolb, 4 years remaining.

North Central E-911 Board: Anthony Kunz and Sharon Guthmiller

Community Health Board- Rick Beilke

Northeast South Dakota Community Action Program Board- Rick Beilke

Regional Jail Advisory Board – Dave Ackerman

Local Emergency Planning Committee: Mark Opp, Travis Mehlhaff, Jackie Rau, Michael Schwingler, Casey Jundt, Karl Moser, Wes Hilgemann, Doug Hatlewick, Tim Serr, Dave Ackerman.

Official Depositories: Great Plains Bank, CorTrust Bank and First State Bank of Roscoe.

Official Newspapers: Northwest Blade, Inc. and McPherson County Herald

Foreclose Sale Sites: Leola County Highway Shed, Eureka County Highway Shed, and the first- floor lobby of the Courthouse.

2024 SALARIES OF OFFICERS AND EMPLOYEES:

The following annual salaries are in effect for McPherson County elected officials and employees for the year 2024:

Elected Officials Annual Salary: David Ackerman, Sheriff/Emergency Manager, \$68,940.48; Austin Hoffman, State's Attorney, \$57,488.88; Tiffany Weiszhaar, Treasurer, \$60,115.68; Vicki Geffre, Register of Deeds, \$60,115.68; Lindley Howard, Auditor, \$61,208.76; Rick Beilke, Commission Chairman, \$9,689.04; Sid Feickert, Commissioner, \$8,489.04; Anthony Kunz, Commissioner, \$8,489.04; Jeff Neuharth, Commissioner, \$8,489.04; Mark Opp, Commissioner, \$8,489.04; David Roggenkamp, Coroner, \$250 per call.

The following annual salaries are for 40hrs/week (2,080 hrs/year): Glenn Spitzer, Hwy Superintendent, \$68,577.60; Brooke Graves, Director of Equalization, \$60,115.68; Justin Bentz, Sheriff/Emergency Management Deputy, \$55,159.92; Aaron James Whited, Sheriff/Emergency Management Deputy, \$55,159.92; Hunter Heinrich, Certified Assessor, \$52,124.76; Sharon Guthmiller, Director of Equalization/Sheriff/Emergency Management Secretary, \$46,027.32; Jim Wolff, Courthouse Custodian/Maintenance, \$47,469.36.

The following annual salaries are for 35hrs/week (1,820 hrs/year): Jackie Rau, 4-H/Extension Administrator, \$45,613.44, Vivian Sain, Deputy Treasurer, \$37,154.76; Dawn Jenner, Hwy Secretary, \$39,554.76; Trisha Erdmann, Deputy Auditor, \$39,554.76; Kyra Moser, Deputy Register of Deeds, \$39,554.76.

The following annual salaries are for 20hrs/week (1,040hrs/year) Samantha Boshard, Veterans Service Officer, \$23,628.72.

The following annual salaries are for 15hrs/week (780hrs/year) Megan Hoffman, State's Attorney Legal Assistant, \$14,898.00.

The following hourly rates are in effect for 2024: Highway Department - Rick Rau, \$28.60; Josh Flemmer, \$28.42; Michael Schwingler, \$28.42; Greg McCulloch, \$28.10; Brandon Leeper-Duquette, \$28.10; Rodney Malsam, \$28.10; Dean Geffre, \$24.06; Jerry Bossert, \$22.89; Henry Spitzer, \$24.05; Dawn Jenner when working as an equipment operator – receives her normal salary plus \$3 per hour (\$24.73/hour). Highway Department employees are paid time-and-half for overtime hours.

Members of the Local Emergency Planning Committee are paid \$30.00 per meeting. Members of the Zoning board are paid \$60.00 per meeting. Members of the Weed Board are paid \$30.00 per meeting and \$100/day for days listed on the agenda for a district meeting or conference.

Kunz moved and Neuharth seconded to approve the following as part-time Highway Department employees working as needed in 2024 at a rate of \$23.42/hour; Stanton Spitzer, Lee Geffre, Jack Geffre, Curt Schumacher, Andrew Goldade and Brandon Pickell. All voted in favor. Motion carried.

Feickert moved and Kunz seconded to pay full time employees who have worked for the county for 5 years or more a longevity pay at the December payroll, payment amount varies according to number of years worked. Should the employee retire prior to the end of the year the following longevity pay will be prorated, but an employee who resigns, for reasons other than retirement, forfeit longevity pay: 5-10yrs: \$600, 11-15yrs: \$1,200, 16-20yrs: \$1,800, 21-25yrs: \$2,400, 26-30yrs: \$3,000, 31-35yrs: \$3,600, 36-40yrs: \$4,200, 41-45yrs: \$4,800. All voted in favor. Motion carried.

Kunz moved and Opp seconded to approve the presented 2024 McPherson County Employee Benefits sheet. All voted in favor. Motion carried. Employees not eligible for county 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. Proof of coverage is required.

CLAIMS APPROVED:

Dave Ackerman, Postage, \$17.51; AGC of SD, CDL Training, \$665.00; Agtegra-Leola Shop, Hwy/Courthouse Supplies, \$299.81; Amazon, Supplies, \$425.26; Aramark, Supplies, \$757.71; Auto Value, Hwy Supplies, \$790.59; Brown County Sheriff, 2024 Jail Contract, \$25,000.00; Butler, Hwy Supplies, \$2,188.15; CHS, Propane/Supplies, \$799.20; Crawford Trucks & Equipment, Hwy Supplies, \$867.21; D-Ware, 2024 Dues, \$4,570.00; Daniel L Fox, Mental Health, \$72.13; Dean Schaefer Court Reporting, Mental Health, \$30.00; Eureka City, Utilities, \$85.50; Eureka Comm Health Services, 1st Qtr Nursing, \$7,125.00; Eureka MFG, Hwy Supplies, \$19.76; FEM, Utilities, \$427.76; Fire Safety First, Fire Extinguishers, \$593.00; Galls Incorporated, Boots, \$159.98; Gene's Oil, Fuel, \$3,333.00; Heartland Waste, Utilities, \$40.00; Kimball Midwest, Hwy Supplies, \$530.45; Lakeside Lumber, Hwy Supplies, \$58.47; Leola City, Utilities, \$179.07; Linde Gas & Equipment, Hwy Supplies, \$112.03; McPherson Co Herald, Publishing, \$558.64; MDU, Utilities, \$311.20; Menard's, Hwy Supplies, \$10.98; MARC, Courthouse Supplies, \$538.42; NECOG, 2024 Dues, \$8,000.57; NW Blade, Publishing, \$420.46; Planning & Development District III, GIS Website Hosting, \$1,500.00; Pumps Tire, Hwy Supplies, \$1,406.69; Premier Equipment, Hwy Supplies, \$727.99; Quaschnick Soft Water, Softener Salt, \$220.50; Ron's Service Center, Oil Changes, \$102.44; SD DOT, Bridge Inspections, \$208.81; Valley Plains Equipment, Rental, \$11,257.50; Valley Telco, Phone/Internet, \$952.37; CorTrust, Delinquent Tax, \$531.03.

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

OTHER MATTERS DISCUSSED AND ACTION TAKEN:

Joe Erdmann

Joe Erdmann brought a fence in the right of way concern before the board. The fence of concern is in the right of way in T125N-R66W and forces neighbors to travel on Erdmann's land when on that section line. The area in question was presumably fenced in the right of way to avoid a slough area. Glenn Spitzer will look at the affected area to assess if improvement to the section line is possible. The board will also discuss the concern with the neighboring landowner.

Drainage Board

At 10:30AM Feickert moved and Neuharth seconded to forgo meeting as the McPherson County Drainage Commission due to no new permits. All voted in favor. Motion carried.

Public Concerns/Comments

Mark Lapka spoke with the board about the upcoming landowner rally in Pierre and the upcoming legislative session.

McPherson County Republicans

McPherson County Republican Chair Mike Klipfel and Secretary Jodi Waltman asked Jessica Pollema with South Dakota Canvassing to speak with the board. The McPherson County Republicans ask that the Board of Commission vote at the February 6th commission meeting on hand counting the 2024 primary election or performing a 100% post-election audit. The County Republicans also asked the board to vote on instructing the Auditor to bring the sealed 2020 general election ballots to a County Republican meeting to be used for training purposes.

Executive Session

Neuharth moved and Feickert seconded to enter executive session at 11:30AM to discuss personnel matters. All voted in favor. Motion carried. Feickert moved and Opp seconded exit executive session at 12:40PM. All voted in favor. Motion carried. Commission recessed for lunch.

Neuharth moved and Feickert seconded to enter executive session at 1:50PM to discuss personnel matters. All voted in favor. Motion carried. Opp moved and Kunz seconded exit executive session at 2:30PM. All voted in favor. Motion carried. No action taken.

Sheriff Department

Neuharth moved and Kunz seconded to sign the Brown County Jail contract for 2024 at a cost of \$25,000 for jail services. All voted in favor. Motion carried.

Annual Emergency Plan Review

Kunz moved and Feickert seconded to accept the annual review McPherson County's Hazardous Materials Emergency Response Plan and the Pre-Disaster Mitigation Plan. All voted in favor. Motion carried.

Veteran's Service Officer Reappointment

Neuharth moved and Opp seconded to reappoint Samantha Boshard as the McPherson County Veterans Service officer. This appointment will be in effect from January 2nd, 2024, through January 4th, 2028. All voted in favor. Motion carried.

2023 Property Inventory

Kunz moved and Feickert seconded to approve the presented 2023 inventory. All voted in favor. Motion carried.

Executive Session

Neuharth moved and Kunz seconded to enter executive session at 2:50PM to discuss personnel matters. All voted in favor. Motion carried. Neuharth moved and Opp seconded exit executive session at 3:35PM. All voted in favor. Motion carried. As a result of executive session Neuharth moved and Opp seconded

accept the amended final raise option; the commission will forgo a raise in 2024. All voted in favor. Motion carried. Raises are included in the 2024 salaries of officers and employees amounts.

Register of Deeds

Neuharth moved and Feickert seconded approve the purchase of a new Kyocera TASKalfa 2554ci color copier from the Modernization and Preservation fund. All voted in favor. Motion carried.

Miscellaneous Items and Reports

The PAY 2024 levies have been approved by the Department of Revenue; the commission was presented with the final levies. The following miscellaneous items and reports were reviewed and approved: VSO Hours December 2023, Register of Deeds statement of fees collected during the month of December 2023 for the amount of \$1,512.50, Register of Deed's Modernization and Preservation fees collected during month of December 2023 for the amount of \$210.00, Auditor's Account with the County Treasurer as of December 31st, 2023 as follows: total amount of deposits in Leola Bank, \$93,160.12; total amount of actual cash, \$1,379.16; total amount of checks and drafts in treasurer's possession not exceeding three days, \$9,793.03; Itemized list of all items, checks and drafts in the Treasurer's possession over three days, \$1,267.68; CD's, \$1,173,205.63; Super savings, \$1,198,248.75; total, \$2,477,054.37.

At 4:30PM Opp moved and Neuharth seconded to adjourn the meeting. All voted in favor. Motion carried. The next regular meetings will be held on February 6th, 2024 beginning at 10:00AM. The next zoning meeting will be held on January 16th, 2024.

ATTEST:

Lindley Howard

McPherson County Auditor

Rick Beilke

Chairman of Board of Commissioners