

**SPINK COUNTY COMMISSION PROCEEDINGS
REDFIELD, SOUTH DAKOTA**

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, January 29, 2008, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Craig Johnson, Jerry Zerbel and Kenneth Buchholz who attended the meeting by speakerphone. Chairman D. Albrecht opened the meeting with the Pledge of Allegiance.

ADOPT AGENDA

Motion was made by J. Albrecht, seconded by Zerbel, to adopt the agenda with the addition of Tracey Millar, Planning & Zoning Administrator, two applications for abatement and an Executive Session. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by Buchholz, seconded by Johnson, to approve the minutes of January 15, 2008. All members voted aye. Motion carried.

RESOLUTION TO APPROVE PLAT (#22-08)

Be It Resolved by the Board of County Commissioners of Spink County, South Dakota, that the plat entitled: Hansen Addition in the NW1/4 of the NW1/4 of the NE1/4 of Section 25, Township 116 North, Range 63 West of 5th P.M., in the County of Spink, South Dakota," which has been submitted for examination pursuant to law, and it appearing that all taxes and special assessments have been paid and that such plat and the survey thereof have been made and executed according to law, the plat is hereby approved, and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

RESOLUTION TO APPROVE PLAT (#23-08)

Be It Resolved by the Board of County Commissioners of Spink County, South Dakota, that the plat showing "First Subdivision of Christensen Outlot 1 in the SE1/4 of Sec. 27, T. 117 N., R. 64 W. of the 5th P.M., Spink County, South Dakota," having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

RESOLUTION TO APPROVE PLAT (#24-08)

Be It Resolved by the Board of Commissioners of Spink County, South Dakota, that the plat showing "Kraus Tract 1 in the NW1/4 of Sec. 35, T. 118 N., R. 65 W. of the 5th P.M., Spink County, South Dakota," having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof."

Dated at Redfield, South Dakota, this 29th day of January, 2008.

Motion by Buchholz, second by J. Albrecht, to approve and adopt the above three Resolutions. All members voted aye. Motion carried.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota

Auditor presented two applications for abatement on properties that had been taken for tax deed in 2007, deeded to the corresponding cities and should not have had a tax bill generated.

APPLICATION FOR ABATEMENT

Motion was made by Johnson, seconded by Zerbel, to abate the taxes on the following because Cities are tax exempt:

Clifford's S-D OL 9 in N 34' of 11 & all of 12 & 13, Ashton City, and
W T Lot Block 14 Lot 13 & 14, Doland City.

All members voted aye. Motion carried.

Vic Fischbach, States Attorney, answered Commissioners' questions relating to when Workman's Comp coverage starts, especially if employee lives out of Redfield and doesn't work in Courthouse. Fischbach also discussed rate increases in prisoner housing, work release fees and the legal procedures involved in circulating petitions.

Tom Leinen, Highway Superintendent, presented fuel quotes.

FEBRUARY FUEL QUOTES

Motion was made by Johnson, seconded by D. Albrecht, to approve the following quotes:

Redfield	Ethanol, E85 and unleaded at 18.3 cents below pump price to Appel Oil		
	Ethanol Bulk	2.77	McGillvrey
	#1 Diesel	2.999	Appel Oil
	#2 Diesel	2.799	Appel Oil
Tulare	#1 Diesel	3.00	McGillvrey
	#2 Diesel	2.88	McGillvrey
Doland, Conde, Brentford and Northville			
	#1 Diesel	2.97	Harvey
	#2 Diesel	2.86	Harvey

All members voted aye. Motion carried.

Leinen stated that he can purchase Trail King belly dump trailers off the Faulk County bid for just under \$40,000 each and Boyer Ford 475 HP tractors off the State bid at around \$92,000 each. He stated that he had contacted Deene Dayton, SD Dept. Legislative Audit, and was told this procedure is proper and requested permission to purchase two units immediately so that, with delivery date from 90 to 120 days, they can be here by construction season. He also mentioned a financing option.

PURCHASE OF HIGHWAY EQUIPMENT APPROVED

Motion was made Johnson, seconded by Buchholz, to approve the purchase of two Trail King trailers off Faulk county's bid at approximately \$40,000 apiece and two 475 HP Boyer Ford tractors off the state bid at approximately \$92,000 each. All members voted aye. Motion carried.

In other business, Commissioners requested that the Highway Department tear down one building in Ashton and two in Northville. He also brought a list of items that he'd like to have declared surplus property.

SURPLUS PROPERTY DECLARED

Motion was made by Zerbel, seconded by J. Albrecht, to declare the following equipment and tools as surplus to be traded, junked or replaced.

- Tampe 13 wheel pull type roller
- Bennett pump/fittings
- Fenderwell tool box (0301)
- 3/8" variable speed reversible drill
- Air sander (orbital) (NAPA)
- Remote speaker
- Lawnboy Heater
- Kyocera digital phone ESN 06915295809
- Audiovox digital phone ESN 09302769538
- Nokia cell phone

All members voted aye. Motion carried.

Commissioner Buchholz stated that there will be a joint meeting between Redfield City, the Redfield City Attorney, the Spink County Sheriff's Department, the States Attorney and the Spink County Commissioners regarding the Law Enforcement Contract. The meeting will be held in the Commissioners Chambers on Tuesday, March 11, at 1:00 PM.

Karla Moen and Cody Schultz requested permission to hold their wedding at the Spink County Fairgrounds on August 9. Mark Rosenberg, Extension Educator, was present for the discussion. Commissioners stated that it has not been County policy to allow private parties use of the Fairgrounds and they would like to check liability and other issues before they make a decision.

Rosenberg said a Memorandum of Understanding Agreement between The Cooperative Extension Services and Counties of South Dakota needs to be signed and he'll get a copy to the Commissioners before their next meeting. Rosenberg also reminded the Commissioners that they are invited to lunch in the Community Room following the meeting.

JOINT AGREEMENTS RENEWED

Commissioners discussed the automatic renewals of the Grow Spink, Inc. and Code Enforcement Agreements.

Motion was made by Buchholz, seconded by Zerbel, to renew the Grow Spink, Inc. Agreement through December 31, 2008, at which time it will renew upon mutual agreement of the parties. Upon roll call vote: J. Albrecht “aye”, Buchholz “aye”, Johnson “abstain” and Zerbel “aye”, motion carried.

Motion was made by Johnson, seconded by Buchholz, to renew the City of Redfield and County of Spink Code Enforcement Services Agreement through December 31, 2008, at which time it will renew upon mutual agreement of the parties. All members voted aye. Motion carried.

ELECTION SERVICES AGREEMENT APPROVED

Motion was made by Johnson, seconded by Zerbel, to enter into an Election Services Agreement between Election Systems & Software, Inc. and Spink County for ballot layout, coding and voice file services and for optical scan ballot printing services for three years from the date signed. All members voted aye. Motion carried.

Auditor stated that the South Dakota Association of County Commissioners had emailed a sample of another County’s Rules for Use of the County Courthouse Grounds and Application for Use of the Grounds. SDACC advised that adoption of such rules could prevent unlawful or extreme events from occurring.

Tracey Millar, Planning and Zoning Administrator, stated that the Planning and Zoning Board has two names to recommend for Larry Ford’s position. Ford is retiring after 22 years on the board.

RESOLUTION APPOINTING PLANNING AND ZONING BOARD MEMBERS (#08-10)

WHEREAS, it is the duty of the Board of Spink County Commissioners to appoint members to the Planning and Zoning Board,

BE IT RESOLVED that the Board of Spink County Commissioners, in session this 29th day of January, 2008, appoints the following persons to the Planning and Zoning Board for a four year term:

Kam Deslauriers	2008
Keith Schroeder	2009
Gary Gilbert	2010
Ed Fischbach	2011

BE IT FURTHER RESOLVED that Dave Albrecht be the member of the Board representing the County Commissioners until December 31, 2008, and

BE IT FURTHER RESOLVED that these appointments end on December 31st of the year stated and that any other appointments to the Planning and Zoning Board are null and void.

A motion was made by Zerbel, seconded by J. Albrecht, to approve and adopt the above Resolution. All members present voted aye. Motion carried.

Dated this 29th day of January 2008, at Redfield, South Dakota.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota

Kim Markley, Director of Equalization, stepped into the meeting to give the Commissioners a legislative update on bills that will affect Equalization.

Les Helm, Sheriff, had also asked to appear at the meeting. He wondered whether he needs to advertise for a part-time person to fill the open Home Detention Monitor position. Auditor will check with the SD Department of Labor.

Commissioners discussed the renewal of the Faulk County and Charles Mix County Prisoner Housing Agreements. Faulk County’s inmate housing rate went from \$45 to \$60 per day. Helm stated that he uses both jails and recommends that Commissioners sign the agreements. Work release rates were also discussed and Helm stated that he believes an increase from \$15 to \$25 per day would be reasonable.

Helm stated that the Tahoe has 160,000 miles on the odometer and needs over \$1000 worth of repairs. Commissioners would like to have the vehicle repaired because it can still be of use to the County.

PRISONER HOUSING AGREEMENTS RENEWED

Motion was made by Zerbel, seconded by J. Albrecht, to approve renewing the Charles Mix County Prisoner Housing Agreement through December 31, 2008 at \$40 per prisoner day and the Faulk County Jail Prisoner Housing Agreement at \$60 per day or partial day. All members voted aye. Motion carried.

WORK RELEASE FEE RAISED

Motion was made by Zerbel, seconded by J. Albrecht, to increase the daily work release fee from \$15 to \$25 per day due to increasing jail housing fees. All members voted aye. Motion carried.

Auditor stated that Resolution #08-21 to Cancel Treasurer Check was erroneously listed in the minutes. It should have read "6-25-01, #11606 to Ivan Elvik for \$5.00".

CLAIMS AND REPORTS ALLOWED

Motion was made by Johnson, seconded by Zerbel, to approve the following claims and reports:

County General Fund

Misc: Michelle Gaikowski 60.80 – transcripts, Redfield Cy 1000.00 – Jan. Code Enforcement, Christy Griffin Serr 234.00 – court appointed attorney fees;

Supplies and Repairs: Chief 99.99, Chuck's 200.00, Cole Papers 364.33, The Conde News 398.27, Gall's 114.96, Marketing Solutions 142.11, OfficeMax 59.45, Ritec Ind. 257.00, Shawn Chase Ford 770.68, SD Fed. Property 100.00, State Radio Comm. (BIT) 1800.00, State Supply Co. 180.83, The Times Record 398.27, Mike Yost 33.00;

Travel: Commissioners' mileage: Jeff Albrecht 92.87; Sheriff Dept.: Mike Yost 5.00 – meal; Weed & Pest Conf. 240.00 - registrations;

Utilities: Alltel 33.52, Executive Mgmt. (BIT) 241.08, Midcontinent Comm. 70.47, Northwestern Energy 4660.53, Qwest 379.51, Verizon 301.72;

Highway Department

Supplies and Repairs: Jessen Heating & Refrig. 28.00, Kimball Midwest 384.32, Professional Security 285.25;

Utilities: Alltel 88.33, Executive Mgmt. (BIT) 11.84, Johnson Oil 40.95, Northwestern Energy 557.48, Qwest 125.29;

E911

Utilities: Qwest 906.00, Venture 164.78;

Supplies and Repairs: The Conde News 20.70, OfficeMax 749.97;

Emergency Management

Supplies and Repairs: The Times Record 20.70, Velvet Uniforms 8787.57;

Utilities: Executive Mgmt. (BIT) 8.10, Qwest 33.96;

REPORTS

Spink County Senior Citizen's Council, Inc. 2007 Budget Report;

Spink County Audit Report from the SD Department of Legislative Audit for two years ending 12/31/06.

All members voted aye. Motion carried.

EXPENSE REQUESTS

Motion was made by Johnson, seconded by Zerbel, to approve the following expense requests:

Kim Markley, Director of Equalization, to attend legislative hearings pertaining to taxation, in Pierre as announced;

Kathy Ludwig, Treasurer, to "Sandbox Training" pertaining to plate with owner, Aberdeen, 2/7/08.

All members voted aye. Motion carried.

Expense request submitted by Weed Supervisor and Board Members will be considered after more information has been obtained.

CORRESPONDENCE

Gillette Law Office, Notice and Admission of Summons/Summons & Complaint (signed by Chairman)
Legislative Updates

Thank you from NSDCAP for continued support
SD Pipeline Association 2008 Pipeline Awareness & Emergency Response Meetings

EXECUTIVE SESSION

Motion was made by Zerbel, seconded by J. Albrecht, to go into executive session at 11:37 AM for personnel discussion. All members present voted aye. Motion carried.

Chairman Dave Albrecht declared the Board out of executive session at 12:00 noon.

Chairman Dave Albrecht declared the meeting adjourned at 12:01 PM until 8:30 AM, Tuesday, February 5, 2008.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota