

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

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

ADOPT AGENDA

Motion was made by Buchholz, seconded by Zerbel, to adopt the agenda with the addition of a Repayment of Taxes Agreement. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by Zerbel, seconded by Buchholz, to approve the minutes of March 25, 2008. All members voted aye. Motion carried.

Sharon Jungwirth, Register of Deeds, stated that she has 92 rolls of film records without any backup. She has looked at several options and the most economical is to purchase a lens that will work in her office's Canon Microfilm Scanner. Commissioners also gave permission for the Register of Deeds Office to be painted by Highway Department personnel upon the approval of the Highway Superintendent.

PURCHASE APPROVED

Motion was made by Johnson, seconded by Zerbel, to approve the purchase of a 30/50 lens from Active Data, Sioux Falls, at their quote of \$856.00. All members voted aye. Motion carried.

Commissioners discussed a request they had received to forgive a lien.

Also discussed was the open position for Home Detention Monitor.

South Dakota will change from a license plate with vehicle to plate with owner system this July and getting the message out to the general public was discussed.

MARCH BUILDING & REMOVAL PERMITS

Buchholz, Kenny	Tulare Town	Schultz S-D OL10 Lt7	16x18 addn to enlarge kitchen & dining room
Stammer, Marlin	Tulare	E1/2 6-115-64	destroyed bldgs fall 2007
Little, Les	Mellette	SE1/4 17-119-63	Shop: insulate, cement & infloor heat; Home: remodel, 24x20 addn for handicapped elevator, reframe doors, bath
Bindenagel, Arden	Frankfort	SE1/4 20-116-62	putting metal on house & grg
Fischbach, Mark	Mellette	Lts1 & 2 or NE1/4 ex N17' 4-120-63	36 x 7 ring grain bin
Fuhrman, Lance	Mellette	SW1/4 25-120-64	destroyed bin #5
Krause, Larry	Northville Town	S1/2 Lt10 & W1/2 9 Plat of Blk5&6 OL K	new house with infloor heat in basement, full basement
Krause, Larry	Northville Town	Lt11 & pt Lt10 Plat block 5&6 & OL K	new house & garage basement with infloor heat
Krause, Larry	Northville Town	Lt2 Plat Blk 5&6 & OL K	moving a house from Onaka -Faulk Co., full basement 26x26 grg
Krause, Larry	Northville Town	Lt3 Plt Blk 5&6 & OL K	move in house from Onaka
Krause, Larry	Northville	NE1/4 8-120-65	remodel kitchen
Watson, Willie	Belmont	SW1/4 18-114-63	28x34x20 shed, cold storage will have electricity
Decker, Steve	Belle Plaine	SW1/4 20-116-61	general remodeling of kitchen
Wal-Di	Mellette	SW1/4 23-119-64	remodel & repair
Coats, Jim	Belle Plaine	SE1/4 10-116-61	repair bathroom
LaBrie, Lonnie	Spring	SW1/4 22-117-60	replace siding on shed (old chicken coop)

REPAYMENT OF TAXES AGREEMENT

Motion was made by Johnson, seconded by Buchholz, to approve changing partial payments of taxes on the S1/2 Lt 5 & all Lt6 Blk7 University Addn., Redfield City, from \$50 monthly to \$25.00 monthly, due on the 15th of each month and continuing until balance is paid in full together with the accrued interest, as authorized by SDCL 10-21-7. All members voted aye. Motion carried.

Vic Fischbach, States Attorney, gave the Commissioners an update on the March 28th robbery investigation. Also, he will check laws pertaining to obtaining quotes.

Tom Leinen, Highway Superintendent, presented April fuel quotes and stated that occasionally county vehicles are being filled at stations which have not submitted quotes. When this happens the county is not getting tax refunded. Leinen will contact the stations and see if they will submit quotes.

Leinen has received an \$8,200 quote on building materials for a storage structure to be built in Doland. State has paid the County \$5,000 and will pay an additional \$5,000 to be able to store a loader there during the winter, but building will belong to the County.

Leinen also reported a \$0.38/sq. yd. quote received on grinding asphalt. There are approximately 65 miles of chip sealing to be completed this year. Leinen will again contact the SD DOT to see if State plans to install any type of warnings on Hwy 281 north of Redfield where several bad accidents have occurred.

APRIL FUEL QUOTES

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

Redfield	Ethanol, E85 and Unleaded at 18.3 cents below pump price to Appel		
	Ethanol Bulk	3.086	Appel
	Regular Bulk	3.14	McGillvrey
	#2 Diesel	3.50	McGillvrey
Tulare, Doland and Conde			
	#2 Diesel	3.52	McGillvrey
Brentford and Northville			
	#2 Diesel	3.52	McGillvrey

All members present voted aye. Motion carried.

At 9:30 AM, time set by public notice, a hearing was held to discuss the adoption of the Revised Concentrated Animal Feeding Operation Regulations for Spink County. Tracey Millar, Planning and Zoning Administrator, attended. The Zoning Board had reviewed the Revised Regulations at their March 20, 2008 hearing and recommended that the County Commissioners approve the Plan. A concerned citizen had appeared for discussion at the March 25 hearing. At today’s hearing no one appeared for or against the Revised Regulations and the following Resolution was adopted:

RESOLUTION FOR REVISED CAFO ORDINANCE (31-08)

RESOLUTION ESTABLISHING REVISED CONCENTRATED ANIMAL FEEDING OPERATION REGULATIONS, ORDINANCE #17, FOR SPINK COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF.

WHEREAS the Spink County, South Dakota, Board of County Commissioners, hereinafter referred to as the Board of County Commissioners, deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the county to enact zoning regulations and to provide for its administration, and

WHEREAS the Board of County Commissioners, has appointed a County Planning Commission, hereinafter referred to as the Spink County Planning Commission, to recommend the district boundaries and to recommend appropriate regulations to be enforced therein, and

WHEREAS the Planning Commission has prepared regulations in accordance with the purpose to protect the tax base, to guide the physical development of the county, to encourage the distribution of population or mode of land utilization that will facilitate the economical and adequate provisions of transportation, roads, water supply, drainage, sanitation, education, recreation, or other public requirements, to conserve and develop natural resources, and

WHEREAS the Planning Commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, and

WHEREAS the Board of County Commissioners has given due public notice of hearing relating to the revised CAFO Regulations and Restrictions, and has held such public hearings, and

WHEREAS all requirements of SDCL 11-2, 1967, with regard to the preparation of this revised regulation and subsequent action of the Board of County Commissioners has been met;

THEREFORE BE IT RESOLVED that the Spink County Revised CAFO Regulations are hereby adopted by the Board of County Commissioners, Spink County, South Dakota.

A motion was made by C. Johnson, seconded by K. Buchholz, to approve and adopt the above Resolution. Upon roll call vote: Buchholz "aye", J. Albrecht "aye", Johnson "aye" and Zerbel "aye" motion carried.

Adopted this 8th day of April, 2008, at Redfield, South Dakota.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota

NOTICE OF ADOPTION

REVISED REGULATIONS ON APPENDIX D, CONCENTRATED ANIMAL FEEDING OPERATIONS REGULATIONS OF ORDINANCE NO. 17, ZONING REGULATIONS FOR SPINK COUNTY, SOUTH DAKOTA, PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

Notice is hereby given that Ordinance No. 17 establishes permanent revised zoning regulations for Spink County, South Dakota, with such regulations being set forth in the document titled Zoning Regulations; providing for restrictions, district boundaries, and providing for repeal of all ordinance or parts thereof in conflict therewith. Spink County is adopting this revised Appendix D, Concentrated Animal Feeding Operation Regulations, in order to protect the public health, safety, and general welfare. This ordinance was duly adopted by the County Commissioners on the 8th day of April, 2008, and will become effective on the 6th day of May 2008.

First Reading:	March 25, 2008
Second Reading:	April 8, 2008
Publication Date:	April 16, 2008
Effective Date:	May 6, 2008

Dated this 8th day of April 2008.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota

One Publication: April 16, 2008

NOTICE OF ADOPTION

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First Reading: March 25, 2008
 Second Reading: April 8, 2008
 Publication Date: April 23, 2008
 Effective Date: May 6, 2008

Dated this 8th day of April 2008.

Dave Albrecht, Chairman
 Spink County Board of Commissioners

ATTEST:
 Cindy Schultz, Auditor
 Spink County, South Dakota

One Publication: April 23, 2008

Administrator Millar and Commissioners discussed the Zoning meetings which they had attended at the Commissioners Workshop in Pierre on March 27. They stated the meetings had been very informative.

At 9:48 AM motion by Buchholz, seconded by J. Albrecht, to adjourn as Board of Commissioners and to convene as County Board of Equalization. All members present voted aye.

COUNTY BOARD OF EQUALIZATION

Chairman D. Albrecht called the Spink County Board of Equalization to order on April 8, 2008, with Kim Markley, Director of Equalization, in attendance. Commissioners each signed an Oath of Office as a member of the County Board of Equalization.

TAX EXEMPT PROPERTY:

Motion was made by J. Albrecht, seconded by Zerbel, to approve the tax-exempt property list for 2008 with the following additions as filed:

Name	Tn/Twp	Legal	Use
Glendale Hutterian Brethren	Prairie Center	NW1/4 19-117-61	School/Church
Redfield Ind. Dev. Corp.	Redfield Twp	Bennings OL5 SW1/2 & NW 11-116-64	Development
Redfield Ind. Dev. Corp.	Redfield Cy	Prairie Winds Ests. Lt F, 2-4 & 7-9	Development
Grow Spink	Redfield Cy	Packards 2nd Blk 8 Lts 7-11	Development
Grow Spink	Redfield Cy	Packards 2nd Blk 8 Lts 12-20 & N1/2 21	Development
Grow Spink	Redfield Cy	Packards 2nd Blk 9 E 48' Lts 1-3	Development
Grow Spink	Redfield Cy	Packards 2nd Blk 9 Lts 5-11	Development

Upon roll call vote: J. Albrecht “aye”, Buchholz “aye”, Zerbel “aye” and Johnson “abstain”, motion carried.

OWNER OCCUPIED PROPERTY ADDITIONS AND DELETIONS:

Motion was made by Johnson, seconded by Buchholz, to approve the Owner Occupied list of additions and deletions for 2008. The list is available in the Office of the Auditor and the Director of Equalization. All members voted aye. Motion carried.

SENIOR TAX FREEZE PROGRAM

Markley reported that there are 69 Senior Tax Freezes in Spink County for 2008.

Motion was made by Buchholz, seconded by J. Albrecht, to approve the Senior Tax Freezes for 2008. All members voted aye. Motion carried.

DISABLED VETERAN EXEMPTION PROGRAM

Markley reported that there are 9 Disabled Veteran Exemption Applications filed in Spink County for 2008.

Motion was made by J. Albrecht, seconded by Zerbel, to approve the Disabled Veteran Exemptions for 2008. All members voted aye. Motion carried.

DIRECTOR OF EQUALIZATION RECOMMENDATIONS

NAME	LEGAL	CY/TWP	RECOMMENDED
Allen & Eldwin Haskell Reason	Lts 14-16 B 1 Lakeside Major fire damage/house	Redfield Cy	\$15,550
Grant Hanson Reason	E 389.37' Jms Val Fmrs Elev OL B To correct value/split parcel	Conde Cy	\$1,200
Grant Hanson Reason	E 150' Lt R1 To correct value/split parcel	Conde Cy	\$950
Mary I Morris Reason	Thompson Bch Lt 24 of 5-115-65 Shed moved to NE1/4 24-115-65	Lake Twp	\$4,700
Ronald & Rebecca Avery Reason	Parcel in SE of NE1/4 25-115-65 Shed/from Thompson Beach Lt 24	Lake Twp	\$27,700
Greg & Lisa Hofer Reason	SE1/4 19-114-61 Correct value & class	Antelope Twp	\$127,985 From AGA to NAZ
Greg & Lisa Hofer Reason	SW1/4 19-114-61 ex Trpl H OL 1&2 Correct value	Antelope	\$141,880
Brian Blume Reason	NW1/4 22-114-61 Barn destroyed summer 2007	Antelope	\$120,940
Joseph & Jolene Jungwirth Reason	Lts 2 & 3 Blk 11 Fisher & Foster Deck was removed	Redfield Cy	\$33,140
Kathleen Dennis Reason	N1/2 NE1/4 less Rd 26-115-63 40% increase too much/fixed income	Crandon Twp	\$33,227
Kathleen Dennis Reason	S1/2 SW1/4 27-115-63 40% increase too much/fixed income	Crandon Twp	\$76,515
Lyle Peterson Reason	SW1/4 12-119-65 Lack of \$10,000 exemption	Northville Twp	\$164,963
Dale Gunderson Reason	Lt R less E 150' Correct value/split parcel	Conde Cy	\$9,250
Dale Gunderson Reason	James Valley Fmrs Elev OL B Correct value/split parcel	Conde Cy	\$2,310

VALUATIONS LOWERED BY COUNTY BOARD OF EQUALIZATION

NAME	LEGAL	CY/TWP	RECOMMENDED
Ralph & Gwendolyn Johnson Reason	Lts 8&9 Blk 6 R-D E1/2 Blk 6&8 RHB DOE raised after bds last yr	Redfield Cy Board's Decision:	\$108,690 Lowered Val to \$105,400
Delbert Lunzman Reason	Lt 3 Blk 8 Albert Keeps Increase too high/fixed income	Redfield Cy Board's Decision:	\$90,590 Lowered Val to \$89,590
Bruce Backer Reason	S1/2 NW1/4 12-115-64 Tax too high/value went up too much	Tulare Twp Board's Decision:	\$60,289 Lowered Val to \$54,880
Bruce Backer Reason	SW1/4 12-115-64 Tax too high/value went up too much	Tulare Twp Board's Decision:	\$136,022 Lowered Val to \$109,760
James & Darlene Zens Reason	W25' Lt 34 & all 35 Blk10 Myers 2nd New siding & windows-s/b upkeep	Redfield Cy Board's Decision:	\$67,960 Lowered Val to \$61,000

Motion was made by Buchholz, seconded by Johnson, to approve the Director of Equalization recommendations and the valuations lowered by the County Board of Equalization, as listed above. All members voted aye. Motion carried.

Motion was made by Zerbel to roll 2008 Ag valuations back from 90% to 85% of assessed valuation. Buchholz seconded the motion, followed by discussion. Upon roll call vote: Johnson "nay", Buchholz "aye", J. Albrecht "nay", Zerbel "aye" and D. Albrecht "nay" motion failed.

At 11:40 AM motion was made by Zerbel, seconded by J. Albrecht, to adjourn as the County Board of Equalization and reconvene as the Spink County Board of Commissioners. All members present voted aye. Motion carried.

ANNUAL CONFERENCE WITH DOE

Kim Markley, Director of Equalization, stated that it is time for her annual Conference with the Commissioners, as per SDCL 10-3-14. Commissioners agreed that she is doing a fine job and Markley signed an Oath of Office.

The County vehicle was discussed and Commissioners stated that all requests by employees to use it must be made through Kim Markley, Director of Equalization.

EXPENSE REQUESTS

Motion was made by Johnson, seconded by J. Albrecht, to approve the following expense requests:

Mike Esser to the Weed & Pest Supervisor Meeting & Training & SD Weed & Pest Commission Meeting, Pierre, April 28 & 29, 2008;

Kathy Ludwig, Treasurer, Sharon Jungwirth, Register of Deeds, Cindy Schultz, Auditor, & Tammy Suchor, Deputy, to SDACO Spring Workshop, Pierre, May 7 & May 8, 2008;

All members voted aye. Motion carried.

Director of Equalization's expense request will be discussed at the April 15th meeting.

CLAIMS AND REPORTS ALLOWED

Motion was made by Buchholz, seconded by J. Albrecht, to approve the following claims and reports:

County General Fund

March 2008 Salaries and Benefits: Commission 4699.80, Auditor 7028.63, Election 322.65, Treasurer 6405.34, States Attorney 4836.42, Custodian 3643.33, Director of Equalization 8085.72, Register of Deeds 3677.27, VSO 1118.00, Sheriff 28095.20, Matron & Guard 63.50, Home Detention 2959.85, Poor 451.71, Health 1877.98, Fair 70.00, Extension 2151.00, Planning 1930.34, Weed 70.00; OASI & Medicare 5814.64; Retirement 4513.24; Insurance 15207.67;

Capital Purchases: Shawn Chase Ford 26970.00 – Sheriff vehicle;

Misc: Adjustment Training Center 4820.00 – 2008 funding, Area IV Senior Nutrition 2500.00 – 2008 funding, Russell Battey 671.30 – court appointed attorney, Beadle County Sheriff 750.00 – Mar. prisoner care, Jeanne Bossman 28.40 – transcript, Center for Independence 416.66 – Mar. support, Dakotabilities 180.00 - care, Faulk Co. Sheriff 4980.00 - Mar. prisoner care, Foster Grandparent Program 750.00 – 2008 funding, Glacial Lakes & Prairies 745.00 – 2008 funding, Huron Regional Medical Center 194.51 – care prisoner, NESDCAP 1000.00 – 2008 funding, Mike Sanger 750.00 – Apr. Spink County Ambulance funding, SDACC 2026.97 – CLERP due, Spink Co. Senior Citizens 1892.33 – Apr. funding, Spink/Faulk Inter Agency 4050.00 – 2008 support, SD Dept. Revenue 21.00 – titles & license Sheriff vehicles; witness fees 20.74;

Supplies and Repairs: A & B Computer Solutions 110.00, BW Insurance 91142.00, Chuck's Body Shop 107.25, Farmers Union Oil 404.30, Hansen Motors 97.70, Hedahl's 193.26, McLeod's 155.09, Menards 32.91, Riotec Ind. 170.00, SD Fed. Property 100.00, Sheehan Cycle 200.00, Stacey's 16.45, True Value/Radio Shack 450.76, Wells Fargo Remittance 44.51;

Travel: Commissioners: Comfort Inn, Pierre 139.50 – lodging, Leo's 175.00 - JRVCD meeting, Gerald Zerbel 42.18 - mileage; Director of Equalization: Kim Markley 9.00 meal & 17.02 mileage; Election: Theresa Hodges 9.00 meal & 55.50 mileage; Extension: Becky Leonard 130.24 – mileage, Mark Rosenberg 9.00 – meal & 98.42 - mileage, Codington Co. Extension 45.00 - registration; Fair Board: Deanna Koester 11.10 – mileage; Home Detention mileage: Darcy Harford 386.28, Donna Kegler 388.50; Planning & Zoning: Days Inn, Pierre 110.38 – lodging; P & Z Board mileage: Gary Gilbert 79.92, Kam DesLauries 59.20, Ed Fischbach 55.50, Larry Ford 29.60, Keith Schroeder 29.60; Weed Dept.: Mike Esser 38.85 – mileage; Weed & Pest Board mileage: Harold Loewen 22.20, Lannie Mielke 51.80;

Utilities: Avaya 256.59, Northwestern Energy 5.76, Redfield Cy. 1099.80;

Highway Department

March 2008 Salaries and Benefits: Hwy. Admin. 7486.17, Hwy. Constr. 36728.33; OASI & Medicare 3293.07; Retirement 2652.87; Insurance 11117.28;

Supplies and Repairs: Appel Oil 3695.45, Dakota Dust-Tex 20.35, Diesel Machinery 189.11, Farnams 98.58, Ford Trucking 90.00, Harvey's 3956.04, Hedahl's 272.59, Huron Culvert 539.97, Kimball Midwest 125.79, McGillvrey Oil 1585.00, Nielsen's 207.12, Power Plan (RDO) 1594.52, SD Fed. Property 178.96, SDWG 20.15, Sheehan Mack 453.24, Siegling's 43.96, Spink Co. Farm & Hardware 70.88, 3-D Specialties, Inc. 619.10, Titan 12.48, True Value/Radio Shack 15.65;

Travel: Tom Leinen 65.00 – registration, 131.44 – lodging, 26.00 - meals;

Utilities: Doland City 29.75, Northwestern Energy 2106.87, Redfield Cy. 45.40;

March 2008 Salaries and Benefits: 7592.55; OASI & Medicare 572.10; Retirement 455.56; Insurance 1896.57;

Utilities: James Valley Telecomm. 248.44;

Emergency Management

March 2008 Salaries and Benefits: 1482.00; OASI & Medicare 113.37; Retirement 88.92; Insurance 333.52;

Supplies and Repairs: Federal Signal Corp. 155.00;

WIC

March 2008 Salaries and Benefits: 273.02; OASI & Medicare 20.79; Retirement 16.38; Insurance 74.25;

24/7 Sobriety

March 2008 Salaries and Benefits: 424.55; OASI & Medicare 32.09; Retirement 25.48; Insurance 105.29;

REPORTS

Feb. 2008 Register of Deeds Statement of Fees Collected: \$3,861.60;

NACO Prescription Drug Discount Card Program Report;

Feb. 2008 Report of Court Appointed Attorney Reimbursements: \$1,139.81;

Feb. 2008 Spink County Ambulance Activity Report;

Annual Fire Department Reports from Brentford, Conde, Doland, Frankfort, Hitchcock and Hitchcock Community;

Mar. 2008 Sheriff's Report of Receipts: \$3,423.53;

Auditor's Account with Treasurer's Office as of March 31, 2008:

County General Fund	\$1,430,372.47
Special Revenue Funds	553,197.46
Capitol Projects	24,400.46
TIF Debt Service	182.85
Trust & Agency Funds	222,284.86
Amount Held for School Districts	137,355.36
Amount Held for Townships	18,175.25
Amount Held for Municipalities	39,807.34
TOTAL	\$2,425,776.05.

All members voted aye. Motion carried.

Auditor reported that the April 3rd James River Valley Commissioner District meeting at Leo's went very well. There were several comments of appreciation for having Colleen Skinner and Michael Kenyon, Department of Revenue, as speakers.

CORRESPONDENCE:

SD Dept. Environment & Natural Resources: Rex Binger Ranch Feedlot Manure Management System- Addition Info & Revised Plans & Specs Review

NESDCAP request for continued financial support

Center for Independence request for continued financial support

Redfield School info re purchase of bleachers

Redfield American Legion & Veterans of Foreign Wars request to have service flags on Courthouse grounds replaced

Meade County Natural Resource Committee re Resolution on Wolf Policy

Chairman Dave Albrecht declared the meeting adjourned at 12:34 PM until 8:30 AM, Tuesday, April 15, 2008.

Dave Albrecht, Chairman

Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor

Spink County, South Dakota