

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, May 6, 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 Johnson, seconded by Buchholz, to adopt the agenda with the addition of Theresa Hodges, Welfare Director, an Application for Occupancy of Right of Way and an Application for the Abatement of Taxes. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by Zerbel, seconded by J. Albrecht, to approve the minutes of April 29, 2008. All members voted aye. Motion carried.

Quotes from the South Dakota Municipal League Workers Compensation Fund were filed.

Auditor stated that County Departments were contacted about Avesis Vision Benefits no longer being a Primary Provider for Vision Care Associates.

Kim Markley, Director of Equalization, was asked to appear and help explain SDCL 10-6A-4, which pertains to abatement of taxes when applicant for the Assessment Freeze for the Elderly and Disabled has missed the April 1 deadline. The deadline for below application had been missed because applicant was out of town.

APPLICATION FOR ABATEMENT

Motion was made by Buchholz, seconded by Johnson, to reject the Application for Abatement of Taxes of property in Lake Township because Commission believes that the law (SDCL 10-6A-4) was adopted to help the Elderly and Disabled in extreme circumstances (hospitalization, extraordinary weather conditions or unforeseen difficulties due to family illness, death, etc.). All members voted aye. Motion carried.

Vic Fischbach, States Attorney, stated that he would highly recommend advertising notice of two hearings regarding the revised Zoning Ordinances. This is the opportunity for Commission and interested parties to discuss and address any issues that may arise pertaining to proposed revisions. Fischbach also stated that the Resolution to Release Lien, which will be addressed at today's meeting, would pertain only to the property which was sold.

RESOLUTION TO RELEASE LIEN

Resolution #08-38

WHEREAS, the records of the Spink County Register of Deeds and the Spink County Auditor show a County Assistance Lien against XXXXXXXXXX in the amount of \$10,051.84, and

WHEREAS, such lien does appear against Parcel 1: A part of Outlot 14 of Outlots to Ashton, Spink County, SD described as commencing at a point on the NE corner of Outlot 13, thence E 35', thence S 150', thence W 35', thence N along the E line of Outlot 13 150' to the point of beginning; and

Parcel 2: Outlot 13 of Outlots to Ashton, Spink County, South Dakota; and

Parcel 3: A tract of land in Outlot 12 described as 35' wide by 150' long off the E side of Outlot 12 of Outlots to Ashton, Spink County, South Dakota.

BE IT RESOLVED that such lien be released against the above described properties, and

BE IT FURTHER RESOLVED that such County Assistance Lien remains in effect against any other property of XXXXXXXXXX.

A motion was made by Zerbel, seconded by Buchholz, that the above Resolution be adopted. All members present voted "Aye". Motion carried.

Dated this 6th day of May 2008, at Redfield, South Dakota.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota

Tom Leinen, Highway Superintendent, and Wayne Cramer, SD Department of Transportation, met with the Commissioners to discuss highway issues. Cramer stated that the Roadside Safety Inspection Team will be in Spink County at the end of this month. They will assess the area of Highway 281 north of Redfield and report on their findings in about 1.5 months. A delegation of concerned citizens and SD DOT officials, including Cramer, had attending the June 26, 2007 Commissioner meeting and addressed safety issues at that time. Unfortunately, the DOT Safety Inspection Team had just met, so would not be able to do another assessment until 2008. Commissioners agreed that Cramer need not contact them again until he knows the Safety Inspection Team's assessment results.

Leinen reported that the Aberdeen American News had contacted him about conditions in Spink County one year after last May's flood. Leinen also discussed bridge inspection and replacement, current status of the two tractor/trailers which were approved and ordered and explained the application submitted by Qwest to bury telephone cable.

APPLICATION FOR OCCUPANCY ON THE RIGHT OF WAY OF COUNTY HIGHWAYS

Motion was made by Johnson, seconded by Jeff Albrecht, to approve Qwest's application to bury service wire beneath the County road located at 171st Street in 26-117-64, with the agreed upon stipulation that the telephone company will assume any expense involved in rearranging or replacing cable in the event of future road work. All members voted aye. Motion carried.

Theresa Hodges, Welfare Director, reported that utility assistance had been denied on case #153 and that prior approval had been granted on case #144.

Tracey Miller, Planning and Zoning Administrator, explained the proposed Ordinance Revisions to the Commissioners.

Motion was made by Johnson, seconded by Buchholz, to advertise Notice of Public Hearing on Revised Zoning Ordinances for Spink County. All members voted aye. Motion carried.

NOTICE OF PUBLIC HEARING

Revised Zoning Ordinances for Spink County, South Dakota (SDCL 7-18A-5)

Notice is hereby given that the Spink County Commissioners will hold public meetings to receive input concerning Spink County's proposed adoption of the following revised Title 17 Zoning Regulations:

Definitions – Home Occupation, to sub-section #5 add "Any accessory buildings located on the same legal description as the home, may be used as a home occupation."

Title 17.07, Ag District Chapter 17.0703 Permitted Accessory Uses & Structures, add: sub-section "#4. Seasonal Fireworks Stands"; Ag District Chapter 17.0704 Special Exceptions, add: sub-section "#21. Wireless Towers"; Ag District Chapter 17.0710, section Pollution, add at end of paragraph: "If the pollution is caused by a non-permitted confinement operation the Spink County Zoning Board may require a CAFO permit to be obtained in order to control the pollution and a fine will be assessed to the landowner and/or the operator. For fine information see Title 17.23, Chapter 17.2302"; Ag District Chapter 17.0705 Minimum Lot Requirements change wording from "****A plat is required whenever **twenty (20) acres or less** are split out of larger parcel. The plat is then required to be filed in the Director of Equalization Office according to Title 17.17, Chapters 17.170 & 17.17109" to read "...whenever **under 20 acres...**".

The hearings will be held in the Commissioners' Chambers at the County Court House in Redfield at 9:30 a.m., with the first reading to be Tuesday, the 27th day of May, and the second reading to be Thursday, the 5th day of June, 2008.

Copies of the proposed zoning revisions are available for public review during normal business hours in the offices of the Spink County Auditor and Director of Equalization.

Notice is further given that any person, or persons, who are interested in the approval or rejection of such regulations, or their attorney, may appear and be heard at said scheduled public hearing.

Dated this 6th day of May, 2008 at Redfield, South Dakota.

Cindy Schultz, Auditor
Spink County, South Dakota

Two Publications: May 14, 2008 and May 28, 2008

Sharon Jungwirth, Register of Deeds, reported that her Deputy has given 2-weeks' notice of retirement and that the half time Deputy position will be advertised in the County papers this week and next week.

RESIGNATION APPROVED

Motion was made by Buchholz, seconded by J. Albrecht, to accept the resignation submitted by Karlen Bicknese, Deputy Register of Deeds, effective May 15, 2008.

Craig Johnson, Law Enforcement Committee Member, gave an update on the progress of the meetings being held between County and Redfield City Committee Members.

EXPENSE REQUESTS

Motion was made by Buchholz, seconded by J. Albrecht, to approve the following expense request:

Kim Markley, Director of Equalization, and Sally Filipek and Diane Tipton, Deputies, to attend Annual SDAAO Assessors School, September 14-19, 2008 in Sioux Falls;

All members voted aye. Motion carried.

WIC CONTRACT APPROVED

Motion was made by Albrecht, seconded by Zerbel, to bring back to the table from the April 29, 2008 meeting and to approve the FY2009 contract with the South Dakota Department of Health for services, effective June 1, 2008 through May 31, 2009 and consisting of June 1 – December 31, 2008 reimbursement budget of \$3,715.07, January 1 – May 31, 2009 participant rate of reimbursement of \$1,389.60 and up to \$225.00 training expense reimbursement. All members voted aye. Motion carried.

CLAIMS AND REPORTS ALLOWED

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

County General Fund

March 2008 Salaries and Benefits: Commission 4699.80, Auditor 7185.38, Election 451.71, Treasurer 6665.95, States Attorney 4836.42, Custodian 4337.14, Director of Equalization 8644.17, Register of Deeds 3726.91, VSO 1196.00, Sheriff 26774.17, Home Detention 4093.48, Coroner 58.00, Poor 559.26, Health 1828.34, Extension 4302.00, Planning 701.17, Weed 2280.00; OASI & Medicare 6174.00; Retirement 4744.89; Insurance 16508.26;

Misc: Beadle County Sheriff 500.00 – Apr. prisoner care, Center for Independence 416.66 – Apr. support, Day Co. Sheriff 360.00 – Apr. juvenile care, Redfield Clinic 10.50 – records, Randall Turner 797.40 – court appointed attorney fees;

Supplies and Repairs: Active Data 3825.63, Dick Anderson 140.00, Avera McKennan 63.00, Avera St. Luke's 13.50, BW Insurance 1001.00, Blume Seeds 18097.10, Chuck's Body Shop 4306.48, Cole Papers 980.27, Crawford Trucks 198.46, LeRoy Fuerst 54.28, LarJo's 98.30, McLeod's 119.85, Menards 111.61, Office Equipment Co. 2143.81, OK Tire Store 11.50, Quality Quick Print 328.00, Schilling Auto Clinic 105.53, Shawn Chase Ford 66.58, Stacey's 4.69, Jonathan Waldner 20.00, Wells Fargo Remittance 364.35;

Travel: Auditor: Cindy Schultz 7.00 – registration; Coroner: Kelly Hyke 16.28 – mileage; Director of Equalization: Sally Filipek 50.00 – registration, SDAAO 750.00 - registrations; Extension: Mark Rosenberg 45.00 – registration & 36.26 - mileage, Home Detention mileage: Darcy Harford 261.96, Donna Kegler 453.99, Mavis Ludemann 33.30; Register of Deeds: Sharon Jungwirth 7.00 – registration; Sheriff: Holiday Inn 93.00 – lodging, SD Sheriff's Assoc. 50.00 - registration; Treasurer: Kathy Ludwig 7.00 – registration; Welfare: Theresa Hodges 7.00 – registration;

Utilities: Executive Management (BIT) 60.00, Northwestern Energy 3092.82;

Welfare: U of MN Med Center 98.00, U of Minn. Physicians 102.30;

Highway Department

March 2008 Salaries and Benefits: Hwy. Admin. 5335.17, Hwy. Constr. 35026.41; OASI & Medicare 3009.00; Retirement 2421.69; Insurance 9947.04;

Supplies and Repairs: Beckler Construction 2902.50, Crawford Trucks 109.74, Dakota Dust-Tex 20.35, Diamond Mowers 2604.07, Lyle Signs 1363.70;

E911

March 2008 Salaries and Benefits: 7033.34; OASI & Medicare 529.16; Retirement 422.01; Insurance 1809.90;

Utilities: James Valley Telecomm. 248.44;

Emergency Management

March 2008 Salaries and Benefits: 1404.00; OASI & Medicare 107.41; Retirement 84.24; Insurance 315.96;

WIC

March 2008 Salaries and Benefits: 322.66; OASI & Medicare 24.58; Retirement 19.36; Insurance 87.77;

24/7 Sobriety

March 2008 Salaries and Benefits: 256.00; OASI & Medicare 19.34; Retirement 15.34; Insurance 65.65;

Supplies and Repairs: Pharmchem Inc. 60.00;

REPORTS

Apr. 2008 Sheriff's Report of Fees Collected: \$4,844.77

2008 Leave Without Pay Hours

2008 Comp & OT Earned by Department

Auditor's Account with Treasurer's Office as of April 30, 2008:

County General Fund	\$1,990,446.76
Special Revenue Funds	414,782.49
Capitol Projects	24,400.46
TIF Debt Service	81,435.95
Trust & Agency Funds	150,968.26
Amount Held for School Districts	1,229,477.67
Amount Held for Townships	162,412.89
Amount Held for Municipalities	328,788.13
TOTAL	4,382,712.61.

All members voted aye. Motion carried.

CORRESPONDENCE:

SD Dept. Environment & Natural Resources Notice of Surface Water Discharge Application & Recommendation for Redfield Equipment Company

Report of Community Memorial Hospital's list of Board Members following their Board Meeting Held on April 28

Invitation from Sioux Valley Commissioners Association to their quarterly meeting to be held May 19th in Clark

2009 Budget Request from the Adjustment Training Center, Aberdeen

Chairman Dave Albrecht declared the meeting adjourned at 11:15 AM until 8:30 AM, Tuesday, May 13, 2008.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota