

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, August 5, 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 J. Albrecht, seconded by Zerbel, to adopt the agenda with the addition of Theresa Hodges, Welfare Director, and Jane Pearson, Deputy Treasurer. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by Buchholz, seconded by Johnson, to approve the minutes of July 29, 2008. All members voted aye. Motion carried.

Commissioners Buchholz stated that he had spoken with Sharon Jungwirth, Register of Deeds, about the software request she had made in her 2009 budget. Commissioner Johnson stated that he had contacted Active Data about their supporting the DocStar programs and he was told they will provide support. An update of software is still an option and Buchholz stated that Jungwirth understands the delay due to budget constraints.

Auditor discussed the old school materials that have been stored in the Courthouse basement ever since the rural school districts were dissolved back in the 1960's. A volunteer has been going through the materials and the Auditor asked whether her office staff could help get the records sorted and properly stored in several empty file cabinets. Commissioners stated that would be Auditor's decision.

JULY BUILDING PERMITS/REMOVALS

NAME	TWP/TOWN	LEGAL	PROJECT
Allen Bau	Belle Plaine	NW1/4 31-116-61	house moved from Beadle Co; basement & foundation; may move in MH temporarily
Larry Wipf	Harrison	SE1/4 35-115-61	60x105 Morton Bldg; repairs to other out bldgs
Tillman (David) Hofer	Union	SE1/4 35-114-60 less Lt H-1	erect 36x26 grain bin
Brian Marlow	Frankfort	EW Foster B-20, Lots 1-2	12x12 shed
Kenny Fehlman	Ashton Town	Orig B4 Lts 4-9	add 4' on from living room; enlarge bedroom on N side
Glen & Karon Fritz	Harrison	Wright Tr 1 in NE1/4 20-115-61	replace rotten siding boards
Gene Roth	Groveland	NE 1/4 22-117-65	60x120 hoop building; dirt floor
Jerry & Merrilee Wooledge	Tulare	Lt 1&2 NE1/4 8-115-64	move in 14x32 shed from Milbank
Doug & Patty Ford	Mellette Town	Hendrickson 1st Lts 8-9	deck & concrete work
Spink County Conservation District	Redfield	Roseland OLs Lt 1 3-116-64	re-tin (N&S) bldg
Doyle & Mickie Harms	Crandon	SW1/4 3-115-63	move #11 bin to back of yard; put in 48x47 grain bin
Brent Siebrecht	Great Bend	NW1/4 19-117-63	remove MH & put in new gov house w/grg, finished basement & patio
Ron & Mary Gilbert	Belmont	Gilbert's OL A NW 1/4 4-114-63	add on grg, bathroom & laundry room
Stanley Baird	Frankfort	SW 1/4 of 21-116-62	burned barn on 7-04-08
John Haider	Redfield	Lt 1 Achin Acres S-D in NE1/4 29-116-64	shingle home
Dennis Jeske	Northville	Smith OL A in 5-119-64	shingle 30x32 shop

Frank L Oberle	Mellette	NE1/4 17-119-63	tin S side barn roof; remove bldgs #4 & #9; check for other bldgs gone
Aaron Bade	Northville	NE1/4 17-120-65	bldg new 32x68 home w/finished basement & 3 stall grg
Drayer Family Trust	Richfield	SE1/4 22-116-60	2 bins moved to Clark Co; only old grainery left
Jerry Steger (waiting for variance approval)	Northville	NW1/4 8-120-65	new grain bin
Mary Lucy Stahl	Doland Town	WT Lt B14 Lt 2	paint house exterior

AUTOMATIC BUDGET SUPPLEMENT

Motion was made by Johnson, seconded by Buchholz, to make automatic supplement of \$23,073.76 to the Emergency Management budget (226/222/426.81) for Homeland Security grant money used to purchase sirens for Conde and Northville. All members voted aye. Motion carried.

APPLICATION FOR OCCUPANCY

Motion was made by Johnson, seconded by J. Albrecht, to grant an Application by WEB Water Development for Occupancy at Spink County Highway #26 in 22-114-61 so that they can install potable water line, upon the stipulation that right of way will be restored, public is protected from hazards and that WEB Water assumes all costs and responsibility if future maintenance has to be done. All members voted aye. Motion carried.

Tom Leinen, Highway Superintendent, distributed job cost history reports comparing expenses incurred by his department for work performed at the courthouse and fairgrounds during the years 2005, 2006 and 2007. The department has utilized local trustees so, when they are no longer available, will have to pick up that work as well.

Commissioners asked Superintendent about the applications for occupancy which are signed between the County and utility companies. They wondered how long the agreements are binding and whether the companies would fix any cave-ins and other types of damage to roads as a result of their digging. Leinen stated that he goes to the utility companies with any problems and they have always stood by their signed agreements which he believes are binding as long as the utility hardware remains in place.

Following adjournment of today’s meeting the Commissioners and Highway Superintendent will go inspect the road by-pass in NE1/2 22-115-64.

Vic Fischbach, States Attorney, stated that court is currently being held two Tuesdays a month in Spink County. Commissioners discussed a letter of complaint received by them regarding an article in the Watertown Public Opinion. Following discussion, Fischbach stated that he would look into the matter and report back to the Commissioners.

Fischbach had prepared an Amendment to Ordinance #96-1 (Wheel Tax) and stated that the other paperwork met with his approval. Regarding a possible election he stated that we follow Secretary of State’s guidelines.

Also discussed was the daily fee reimbursement paid to the County by prisoners. Currently they pay \$25 per day up to a limit of \$100. Fischbach feels this should be increased and will submit a letter suggesting a fair reimbursement rate.

Theresa Hodges, Welfare Director, presented \$71,495.48 in medical claims for client #144. Hodges stated that requirements were not met for claims totaling \$1,932.75.

CLAIMS REJECTED

Motion was made by Johnson, seconded by Buchholz, to deny the following claims because they were not for emergency services and, therefore, required pre-approval:

Avera St. Luke’s Hospital	\$1467.39
Aberdeen Dermatology	\$ 149.28
Aberdeen Psychiatric Associates	\$ 316.08

All members voted aye. Motion carried.

Jane Pearson, Deputy Treasurer, attended the meeting to answer several questions about the wheel tax.

Motion was made by Johnson, seconded by Buchholz to set first reading on the 26th day of August, 2008, at 10:00 AM, and second reading on the 2nd day of September, 2008, at 10:00 AM, to consider adoption of a

\$2.00 per wheel tax increase to a limit of \$16.00 total wheel tax per vehicle. Upon roll call vote: J. Albrecht “aye”, Buchholz “aye”, Johnson “aye” and Zerbel “aye”, motion passed.

**NOTICE OF FIRST and SECOND READINGS OF AMENDMENT
Ordinance No. 96-1 (Wheel Tax)**

**AN ORDINANCE FOR THE IMPOSITION, COLLECTION AND ENFORCEMENT OF A WHEEL
TAX IN SPINK COUNTY**

Notice is hereby given that Ordinance No. 96–1, originally adopted on August 13, 1996, will be amended to impose an increase in the wheel tax in and for Spink County. Section No. 1 of Ordinance No. 96-1 is set forth with proposed changes as denoted below. Said increase is necessary to cover rising costs of fuel, materials and road repairs.

Section 1: All motor vehicles as defined by SDCL 32-3-1, registered in Spink County, South Dakota, shall have a wheel tax imposed upon each such vehicle at a rate not to exceed ~~\$2.00~~ \$4.00 per vehicle wheel and not to exceed ~~\$8.00~~ \$16.00 per vehicle. The per vehicle wheel rate shall be the same for all types of motor vehicles.

First Reading: August 26, 2008, 10:00 AM, Commissioners’ Chambers, Spink County Courthouse

Second Reading: September 2, 2008, 10:00 AM, Commissioners’ Chambers, Spink County Courthouse

Publication Dates: September 10, 2008 and September 17, 2008

Effective Date: October 7, 2008

Dated this 5th day of August, 2008.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota

Two Publications: August 13, 2008 and August 20, 2008

EXPENSE REQUEST

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

Audrey Martchinske, Health Secretary, to attend a luncheon being held in Pierre 8/20/08, recognizing the immunization program.

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

EXECUTIVE SESSION

Vic Fischbach, States Attorney, returned to the meeting and requested an Executive Session. Motion was made by Buchholz, seconded by J. Albrecht, to enter into Executive Session at 10:20 AM to discuss personnel with States Attorney Vic Fischbach present. All members voted aye. Motion carried.

At 10:52 AM Chairman D. Albrecht declared the Board out of Executive Session.

CLAIMS AND REPORTS ALLOWED

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

County General Fund

July 2008 Salaries and Benefits: Commission 3975.00, Auditor 6500.39, Election 215.10, Treasurer 6838.39, States Attorney 4836.42, Custodian 3920.95, Director of Equalization 8042.28, Register of Deeds 3946.48, VSO 1196.00, Sheriff 27706.75, Home Detention 1050.47, Coroner 408.00, Welfare 903.42, Health 1691.83, Fair 70.00, Museum 920.00, Extension 2151.00, Planning 1380.03, Weed 7925.75; OASI & Medicare 6342.49; Retirement 4737.48; Insurance 16704.12;

Misc: Beadle County Sheriff 700.00 July prisoner care, Center for Independence 416.66 July support, Faulkton Rexall 19.55 prisoner care, James Hare 113.33 court appointed attorney fees, NE Mental Health Center 333.33 June support, Chad Papke 150.00 physical, Rogers Law Office 1366.00 court appointed attorney fees, SDACC 1661.26 County share catastrophic legal fees pool;

Supplies and Repairs: Kathy Adams 10.01, Chuck's Body Shop 164.52, Dakota Air Spray 183.00, Farmers Union Oil 43.50, McLeod's 526.49, Menards 62.64, Office Equipment Co. 156.45, OK Tire Store 533.00, SES Seamless Raingutters 1220.94, Shawn Chase Ford 2000.23, West Group 183.00;

Travel: Auditor: Cindy Schultz 9.00 meal; Commissioners' mileage: Kenny Buchholz 22.20, Gerald Zerbel 76.22; Coroner mileage: Pat Thelen 148.00; Director of Equalization: Brookings County 59.70 lodging, Kim Markley 48.00 meals; Extension: Mark Rosenberg 250.12 mileage & 45.00 meals; Fair Board mileage: Deanna Koester 11.10; Home Detention mileage: Donna Kegler 118.40, Mavis Ludemann 118.40; Planning Board mileage: Gary Gilbert 79.92, Keith Schroeder 22.20, Ed Fischbach 55.50, Kam DesLauries 14.80; Sheriff: Les Helm 18.00 meals; SDACC 1440.00 registrations, Welfare: Theresa Hodges 9.00 meal;

Utilities: City of Doland 24.25, Northwestern Energy 80.13;

Welfare: Aberdeen Dermatology Assoc. 73.52, Anesthesia Care 112.00, Avera McKennan Home Infusion 4822.37, Avera McKennan 13752.00, Avera Midwest Psychiatric Medicine 93.48, Avera Rehab Assoc. 73.52, Avera St. Luke's 28154.93, Avera University Psychiatry, Community Memorial 5924.08, Internal Medicine & Geriatric 159.50, University of Minnesota Med Center Fairview 11653.41, University Anesthesia Provider 1197.90, University of Minnesota Physicians 3328.05;

Highway Department

July 2008 Salaries and Benefits: Hwy. Admin. 7486.17, Hwy. Constr. 37090.14; OASI & Medicare 3326.38; Retirement 2525.03; Insurance 10532.16;

Supplies and Repairs: BW Insurance 3051.00, Kimball Midwest 229.88, McGillvrey Oil 11005.00, Old Dominion Brush 449.42, Power Plan (RDO) 685.15, Titan Access 39.58, Wells Fargo Remittance 76.10;

Utilities: Northwestern Energy 489.94;

E911

July 2008 Salaries and Benefits: 7554.56; OASI & Medicare 569.35; Retirement 453.27; Insurance 1767.23;

Emergency Management

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

WIC

July 2008 Salaries and Benefits: 459.17; OASI & Medicare 34.98; Retirement 27.55; Insurance 124.92;

24/7 Sobriety

July 2008 Salaries and Benefits: 300.16; OASI & Medicare 22.71; Retirement 18.02; Insurance 70.17;

REPORTS

2008 YTD Leave Without Pay Hours;
2007 YTD Comp & Overtime Earned by Department.

All members voted aye. Motion carried.

Commissioners discussed the frequent use of Leave Without Pay and possible need of a County Policy addressing such use.

Commissioner Zerbel reported that he had received a request from Wendy Mette, Aberdeen, for a letter of support of Volunteers of America from the Spink County Commissioners. They are working on getting youth oriented programs set up in our area. Commissioners stated that they want to check into services being provided by the organization before making a decision.

Commissioner Johnson stated that he has been contacted about a celebration to be held in Spink County commemorating the first pheasants released here in 1908. An offer has been made to donate a large granite monument commemorating the occasion and the donors are looking at the Spink County Courthouse lawn as a preferred site. Commissioners are interested in the idea and would like to see an artist's rendition and other information about the project.

In response to another inquiry Commissioners stated that they are not interested at this time in buying or leasing a historical display/tourism attraction.

CORRESPONDENCE:

SD Assn. of Towns & Townships notification of HR 6603 to amend Social Security Act & Internal Revenue Code of 1986 which will exempt certain employment as a member of a local governing board from Social Security tax coverage.

SD Dept. Public Safety, Emergency Management, notification of current and upcoming grant fund options

Chairman Dave Albrecht declared the meeting adjourned at 11:40 AM until 8:30 AM, Tuesday, August 12, 2008.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota