

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, September 2, 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 Zerbel, seconded by Johnson, to adopt the agenda with the addition of a discussion regarding surplus County property and of a property being deeded to Spink County. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by J. Albrecht, seconded by Buchholz, to approve the minutes of August 26, 2008. All members voted aye. Motion carried.

Commissioner Buchholz stated that he had spoken with Brian Schone regarding an agreed upon annual rental payment by the County for the existing road by-pass on Clyde's land.

Auditor had spoken with Terry Akin, Johnson Controls, about a timer that can be installed on boilers which delays the cycle, resulting in a considerable utility savings. Akin stated that he can provide more information about the device to the County.

Auditor reported on several accounts that will need contingency transfers, probably in October.

Commissioner Johnson handed out a Spink County Real Estate Acquisition form showing the sequence of events in the transfer of County property.

Information was distributed pertaining to rules that protect local aquifers against contamination by managing the installation of certain pipelines. The Planning and Zoning Board will be meeting with the Commissioners on September 30 at 11:00 a.m. to discuss this information.

AUGUST BUILDING PERMITS/REMOVALS

NAME	TWP/TOWN	LEGAL	PROJECT
Jerry Steger-pending variance approval	Northville	NW 1/4 8-120-65	new grain bin
Mary Lucy Stahl	Doland Town	WT Lt Blk 14 Lt 2	paint house exterior
Spink County Hwy	Doland Town	OL to Doland OL 5	30x45 pole bldg
Ola & Donna Barnes	Conde Town	Orig Blk 7 Lts 11-12	reshingle home
Virgil A Whetsel	Lake	Thompson Beach Lts 21-22	continuation of BP #17106, 16x24 addn
Jeff Hansen	Harmony	E1/2 NE1/4 5-117-62	42' sukup bin
Paul Helling	Northville Town	OLs 17 & 18	shingle
Roger Larsen	Belmont	VanBuskirk SE1/4 SE1/4 31-114-63	replace 3 windows & rotten siding
Todd Grandpre	Conde	Grandpre Tr 1 SE1/4 32-120-60	new home basement
Todd Grandpre	Olean	Grandpre S-D Lt 1 in NW1/4 5-119-60	grain bin
Robert Felderman	Union	SW1/4 6-114-60	2 grain bins
Alan Johnson	Frankfort	SW1/4 27-116-62	repair barn, tear down bldg #2
SDWG - Mellette	Mellette	SDWG Assn in 2-119-64	16x24 bldg to do grain samples
Tony Solheim	Harmony	NW1/4 17-117-62	48' Sukup grain bin; possibly 2nd bin & shop

Tony Solheim	Harmony	Lt 1 Nicholson Addn SW1/4 9-117-62	destroy all bldgs (may keep grainery)
George Rahm	Prairie Center	NE1/4 10-117-61	42' d grain bin
Clark Colony	Capitola	NE1/4 12-115-60	84x48 church w/ 48x12/12 overhang (tear old church down after new one is built)
Michael Watson	Lodi	SW1/4 18-114-63	pour cement pad for 3000 bu portable grain bin; pour 200x14 cement slab for cattle
Don & Lana Greenfield	Doland Town	Original Blk 8 Lt 14	fix roof; general remodeling
Linda Hofer	Capitola	SW1/4 6-115-60 less tracts to state	replace kitchen & dining floor; replace bedroom windows
Delbert Remily	Doland Town	WTL Blk 14 Lts 13 & 14	build grg

In response to a request he had received Vic Fischbach, States Attorney, reported that the County has no obligation to pay any portion of surveying a property. Fischbach will draw up a contract for County use of land for a road by-pass and requested a copy of the original agreement which was adopted at the March 31, 1998 Commissioner meeting.

Tom Leinen, Highway Superintendent, reported that he is working on a list of surplus property and will have it completed before the next meeting. Leinen stated that he had checked with Deene Dayton, SD Dept. of Legislative Audit, and verified that Spink County can go ahead and arrange for the crushing of 10,000 ton of gravel without seeking bids because it will cost under \$25,000. Leinen also requested that the Highway Office not be open on September 12th and 19th because the Secretary will be gone. Commissioners gave their approval on both requests.

Leinen discussed the 4-day work week survey, gave an employee update and asked about his budget.

Barb Lenocker and Scott Domke, Heartland State Bank, Redfield Branch, discussed renewal of the County health insurance, provided documentation of several options available and answered questions. They need to know the County's preference by September 20th.

SECOND READING OF WHEEL TAX ORDINANCE

At 10:00 AM, time set by public notice, a hearing was held for public input on the adoption of Revised Ordinance No. 96-1. The ordinance, which will change the per vehicle wheel tax from \$2.00 to \$4.00 and the maximum per vehicle tax from \$8.00 to \$16.00, was read and no person or their representative appeared for or against the ordinance.

Motion was made by Johnson, seconded by Buchholz, to adopt the following Revised Ordinance No. 96-1, an Ordinance for the Imposition, Collection and Enforcement of a Wheel Tax in Spink County. Upon roll call vote: Johnson "aye", Buchholz "aye", J. Albrecht "aye" and Zerbel "aye", motion carried.

NOTICE OF ADOPTION

AMENDMENT TO ORDINANCE 96-1 (Wheel Tax)

An Ordinance for the Imposition, Collection And Enforcement of a Wheel Tax in Spink County

Pursuant to SDCL 32-5A-1, et. Seq., and consistent with Legislative intent permitting counties to impose and administer a wheel tax,

BE IT ORDAINED BY THE SPINK COUNTY COMMISSION, that an increase in the wheel tax be imposed in and for Spink County as set forth herein. 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 \$4.00 per vehicle wheel and not to exceed \$16.00 per vehicle. The per vehicle wheel rate shall be the same for all types of motor vehicles. This reflects an increase of \$2.00 per vehicle wheel as allowed by state statute.

Section 2: The proceeds from the tax created by this ordinance shall be retained by the County, deposited into a special highway fund and the revenue may be used only for the highway and bridge maintenance and construction. The Board of County Commissioners establish the following means of distribution of the revenue

generated by this ordinance, County 75% and 25% of revenue to be distributed to Townships and Cities according to maintained miles within Spink County.

Section 3: Upon purchasing a vehicle from a dealer, the purchaser shall pay the appropriate tax at the time of title transfer. Nothing in this ordinance shall prevent an automobile dealer from licensing the vehicles on his lot without paying any taxes created by this ordinance.

Section 4: This ordinance shall cover and impose the wheel tax for all motor vehicles eligible for license registration or license renewal for January, 2009 and all subsequent months. This ordinance shall impose a wheel tax upon all motor vehicles, even though license registration or renewal takes place prior to January 1, 2009.

Section 5: If any provision of this ordinance shall be held invalid, it shall be held invalid and shall not effect any other provision of this ordinance that can be given effect without the invalid provision, and for the purpose, the provisions of this ordinance that can be given effect without the invalid provision, and for the purpose, the provisions of this ordinance are hereby declared to be severable.

Section 6: If, at any time, the cost of license plate fees increase to the amount provided by the implementation of the wheel tax, such wheel tax could cease when such increases of cost of license plate fees are to be implemented.

Dated this 2nd day of September, 2008.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota

You have the right to refer the Board of Spink Commissioners' decision to adopt the above Amendment to Ordinance #96-1 (Wheel Tax) to a vote of the people (SDCL 7-18A). A referendum petition form, prepared by the county and ready for circulation for such ordinance, may be obtained from the office of the Spink County Auditor.

Two Publications: September 10, 2008 and September 17, 2008

HEARING

At 10:30 AM, time set by public notice, a hearing was held on the 2009 Provisional Budget. No one appeared to address the budget and no changes were proposed at this hearing. Final adoption of the budget will be September 30, 2008 at 10:30 AM.

The Commissioners then discussed the custodial position which will be open when Jim Gruenwald retires effective November 1st. They asked that the position be advertised in County papers on September 10th and 17th and notice should state that the position will close on September 26th.

A complete list of County surplus property (no real estate) will be compiled for the September 16th Commissioner meeting.

Commissioner Johnson filed an artist's rendition of the proposed Pheasantennial monument to be erected on the Courthouse lawn.

CLAIMS AND REPORTS ALLOWED

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

County General Fund

Misc: Beadle County Sheriff 1800.00 August prisoner care, Community Memorial 1251.00 - 6/15-8/24/08 blood draws, Faulkton Area Med Center 275.00 bd. & care of prisoners, James Hare 100.00 court appointed attorney fees, NE Mental Health Center 333.33 July support, Tschetter & Holm Clinic 116.95 care of prisoner;

Supplies and Repairs: Hansen Motors 48.55, OK Tire Store 77.24, Pro Ag Supply 138.50, Redfield Body 939.50, Redfield Public School 30.00, Ritec Ind. 288.00, Shawn Chase Ford 274.81;

Travel: Extension: Mark Rosenberg 196.10 mileage, 109.00 meals & 35.00 gate pass; VSO: Steve Hanson 3.70 mileage & 25.00 registration;

Utilities: Steve Hanson 10.00, Northwestern Energy 157.96;

Highway Department

Supplies and Repairs: Beckler Construction 703.70, Butler Machinery 340.00, Crady's Radiator 918.00, Crawford Trucks & Equip. 260.53, OK Tire Store 101.21, SD Dept. Trans. 4217.92;

Utilities: Northwestern Energy 479.62;

Emergency Management

Travel: EM: Steve Hanson 68.82 mileage;

Utilities: Steve Hanson 10.00;

REPORT

July & August 2008 Auditor's Report of Monies Received: \$92.90.

All members voted aye. Motion carried.

CORRESPONDENCE:

SD Dept. Environment & Natural Resources: Glendale Colony Swine Manure Management System Revision
Animal General Permit Application Review
SD Dept. of Labor re classification of jobs
Response from Bill Jockheck stating that the Boy Scouts would like to work on the illumination of the two large flags on the Courthouse front lawn as a scout project

Chairman Dave Albrecht declared the meeting adjourned at 11:15 AM until 8:30 AM, Tuesday, September 16, 2008.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota