

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, March 17, 2009, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Brian Johnson, Craig Johnson and Jerry Zerbel.

ADOPT AGENDA

Motion was made by J. Albrecht, seconded by Zerbel, to adopt the agenda with the addition of two cash transfers. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by Zerbel, seconded by B. Johnson, to approve the minutes of March 3, 2009. All members voted aye. Motion carried.

Commissioners looked over a list of job duties of the courthouse maintenance personnel and asked that it be distributed to each office. Heat bills at the Doland shop were discussed.

Vic Fischbach, States Attorney, will draw up an ordinance pertaining to the sale of a liquor license at \$1,000. Fischbach and Commission then discussed the County Review Board.

Taxes and liens pertaining to a house in Conde, which was deeded to Grow Spink, will be considered when the property is sold. Fischbach completed deeds on the four properties sold for tax deed on March 5, 2009 and they will be issued upon approval of Report of Sale by the Commissioners.

Motion was made by Zerbel, seconded by C. Johnson, to publish notice of a hearing to be held April 7, 2009, for the purpose of considering United Feeders' appeal of the Planning & Zoning Board's December 23, 2008 denial of waiver application. All members voted aye. Motion carried.

NOTICE OF APPEAL HEARING - CAFO Expansion Permit

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING will be held on Tuesday, April 7, 2009 at 10:15 AM, during the Spink County Commissioners regular meeting, Commissioners Room, Spink County Courthouse, 210 East 7th Avenue, Redfield, to consider the following appeal:

United Feeders, Morris, MN, regarding the Spink County Planning and Zoning Board's December 23, 2008 denial for Expansion to the current Concentrated Animal Feeding Operation Permit for operation located in the SW1/4 of 18-116-61, to expand from 7,100 to 10,100 head dairy heifers.

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

Dated this 17th day of March, 2009, at Redfield, South Dakota.

Cindy Schultz, Auditor
Spink County, South Dakota

Two Publications: March 25, 2009 and April 1, 2009

REPORT OF SALE OF PROPERTY TAKEN BY TAX DEED

I, Cindy Schultz, Spink County Auditor, hereby report the following sale of county owned property sold at public auction on May 5, 2009:

#1920 Original B 8 L 6 & 7
Turton Town
\$50.00

#1921 2-116-61 RR ROW in NE 1/4 (12.18A)
Belle Plaine Township
\$100.00

#1923 2-1 Hermans 3rd B 1 L 2
Conde City, Spink County
\$50.00

#1925 Hermans 1st B 1 L 2 & S 60' of 3
Conde City
\$2,000.00

Spink County Auditor
May 5, 2009

Motion was made by B. Johnson, seconded by J. Albrecht, to approve the above Report of Sale of Property Taken by Tax Deed for properties sold at public auction on March 5, 2009, and deed the properties to respective purchasers. All members voted aye. Motion carried.

APPLICATION FOR TAX ABATEMENT

Motion was made by C. Johnson, seconded by B. Johnson, to abate D.M.&E. Railroad's 2008 payable in 2009 taxes in the amount of \$15,875.93 and BNSF Railroad's taxes in the amount of \$58,714.00 because both railroads had sufficient tax credit, due to qualifying expenditures, to cancel the taxes in full. All members voted aye. Motion carried.

WELFARE ASSISTANCE

Theresa Hodges, Welfare Director, presented an application for medical assistance. Motion was made by C. Johnson, seconded by B. Johnson to reject payment of medical claims to Avera Cardiology Specialists for \$710.56 and Avera St. Luke's \$6,119.15 because applicant #163 is indigent by design.

Lannie Arthurs, Maintenance Supervisor, filed quotes on a John Deere 1445 31HP Diesel Front Mower, including 60" side mower and 600H MCS bagger. RDO Equipment Co., Redfield, quoted \$23,804.20 and Potter County Implement quoted \$28,426.00. Commissioners felt that the mower quoted is too expensive and more machine that the County needs.

Arthurs then discussed the courthouse heating system, repairs made to several registers and options available to the County for keeping maintenance costs down.

Mark Rosenberg and Becky Leonard, Extension Educators, discussed cuts in their funding. Currently the County is receiving a Federal reimbursement of approximately \$1,100.00 for postage. After the current budget year we will no longer receive that money.

Rosenberg is doing private applicator training and planning a sprayer clinic and Leonard has been working with the Redfield City Council on plans for a community garden. Progress on funding and plans for the construction of a new building at the fairgrounds was updated.

Dave Willis, BW Insurance Agency, and John Graf, Employees Mutual Insurance Company, filed a \$54,106 quote which includes property, general, auto, inland marine, linebacker, umbrella and law enforcement liability coverage.

Gary Drewes, Hagan Benefits, filed a \$60,182 quote for general, auto, auto physical damage, government officials, law enforcement, property (including inland marine) and boiler & machinery liability coverage.

Commissioners would like to compare coverage before making a decision on liability insurance.

CASH TRANSFERS

Motion was made by B. Johnson, seconded by J. Albrecht, to make the following cash transfers:

\$5,000.00 from the Judicial Budget to Law Library (766 fund)

\$733.00 Jan. & Feb. Revenue from General to the 24/7 Sobriety Program (248 fund)

All members voted aye. Motion carried.

STATE AID FOR VSO SALARY

Motion was made by Zerbel, seconded by C. Johnson, to participate under SDCL 33-16-28.3 "State Aid for salaries of County Veterans Service Officers" for the period January 1, 2009 to December 31, 2009, and continued each year thereafter, unless terminated by either the County or State. Reimbursement to Spink County will be \$2,812.50 at the end of calendar year in which expense occurs. All members voted aye. Motion carried.

EXPENSE REQUESTS

Motion was made by C. Johnson, seconded by B. Johnson, to approve the following expense requests:

Theresa Hodges, Welfare Director, to attend the SD County Welfare Officials Spring Workshop in Pierre, 3/18-3/19/09, including meals, mileage and 1 night's lodging;

Theresa Hodges, Welfare Director, Cindy Schultz, Auditor, and Sharon Jungwirth, Register of Deeds, to attend the James River Valley Commissioners Association meeting in Redfield, 4/9/09, including registration.

All members voted aye. Motion carried.

Tom Leinen, Highway Superintendent, and Jeff Haessig, Highway Foreman, gave an update on departmental activities. Leinen reported that Spink County has been awarded \$181,804 in stimulus dollars as a result of the American Recovery & Reinvestment Act of 2009, signed by President Obama on February 17, 2009. Leinen has opted to replace the ARRA funds with Surface Transportation Program and state matching funds on a one-to-one basis. Load limit signs are currently being installed. Paperwork for leasing the belly dump pups will be an agenda item at the March 31st meeting.

HIGHWAY SUPPLY AND WEED CHEMICALS BIDS OPENED

At 11:00 a.m., time set by public notice, bids for the purchase of highway supplies, rental equipment, hauling for the period of April 1, 2009 through April 1, 2010 and weed chemicals were opened and read. Tom Leinen, Highway Superintendent, Jeff Haessig, Highway Foreman, and Mike Esser, Weed Supervisor, were present. Copies of all bids, proof of insurance and specifications are on file in the Auditor's Office and the Highway Department and open for inspection during normal working hours.

Motor Grader Blades

Bids were opened for motor grader blades with the following bidder: Huron Culvert & Tank Co., Huron, SD, at \$13.68/foot. A bid from RDO Equipment Co., Aberdeen, SD 57402-0054, was not submitted properly and could not be considered.

Motion by Zerbel, seconded by J. Albrecht, to take the Highway Superintendent's recommendation and accept the \$13.68/foot bid from Huron Culvert & Tank Co., Huron, SD, for curved, double beveled motor grader blades. All members voted aye. Motion carried.

Hot Oil Mix

Bids were opened for Hot Oil Mix with the following bidders: Asphalt Paving & Materials Company, Huron, SD, at \$60.00/ton, and Lien Transportation Company, Aberdeen, SD, at \$59.00/ton.

Motion by B. Johnson, seconded by C. Johnson, to take the Highway Superintendent's recommendation and accept the \$60.00/ton bid from Asphalt Paving & Materials Company, Huron, SD, and the \$59.00/ton bid from Lien Transportation Company, Aberdeen, SD, for hot oil mix; bidder used will be based upon location and availability of product. All members voted aye. Motion carried.

Road Oil

Bids were opened for Road Oil with the following bidders: Flint Hills Resources, LP, Marshall, MN, at \$567.82/ton and JEBRO Inc., Sioux City, IA, at \$649.00/ton (\$2.7052/gal).

Concrete Pipe and Concrete Bridge Materials

Bids were opened for a one-year's supply of reinforced concrete pipe and pre-cast concrete bridge materials, all sizes with the following bidder: Cretex Concrete Products West, Inc., Rapid City, SD. (Complete bid list can be viewed in the offices of the Highway Superintendent and County Auditor.)

Motion was made by Zerbel, seconded by J. Albrecht, to take the Highway Superintendent's recommendation and accept the bid from Cretex Concrete Products West, Inc., Rapid City, SD for concrete pipe and concrete bridge materials. All members voted aye. Motion carried.

Magnesium Chloride

Bids were opened for a year's supply of magnesium chloride, delivery and application made F.O.B. wherever needed in Spink County at \$0.69 per gallon with the following bidder: Z & S Dust Control Systems, Rapid City, SD.

Motion was made by B. Johnson, seconded by Craig Johnson, to take the Highway Superintendent's recommendation and accept the \$0.69 bid from Z&S Dust Control Systems, Rapid City, SD, for magnesium chloride. All members voted aye. Motion carried.

Pea Rock

Bid was opened on approximately 5000 tons of Type 1B Pea Rock with the following bidder: Northern Con-Agg, LLP, Plymouth, MN, at \$4.50/ton.

Motion was made by J. Albrecht, seconded by Zerbel, to take the Highway Superintendent's recommendation and accept the \$4.50/ton bid from Northern Con-Agg, LLP, Plymouth, MN, for approximately 5000 tons of Type 1B Pea Rock.

Pea Rock Hauling

Bids were opened for the hauling of pea rock to project sites within Spink County, with the following bidders: Asphalt Paving and Materials Co., Huron, SD at \$0.15/ton per loaded mile; Cass Trucking, Redfield, SD at \$0.155/ton per loaded mile; Jim Zens Trucking, Redfield, SD at \$0.13/ton per loaded mile; Beckler Construction, Redfield, SD at \$0.13/ton per loaded mile; Hanlon Brothers, Verdon, SD at \$0.15/ton per loaded mile; Jerde-Hjermstad, LLC, Florence, SD at \$0.124/ton per loaded mile; Odland Construction and Gravel, Redfield, SD at \$0.13/ton per loaded mile; Williamson Trucking, Doland, SD at \$0.125/ton per loaded mile.

Road Maintenance/Construction Equipment Rental

Bids were opened for Road Maintenance/Construction Equipment Rental for services of road equipment for construction or maintenance repair of roads and bridges with the following bidders:

Hollaway Construction Co. Inc., Mitchell, SD
 Crane Service \$274.00/hour

Motion was made by J. Albrecht, seconded by C. Johnson, to take the Highway Superintendent’s recommendation and accept the \$274.00/hour bid from Hollaway Construction Co. Inc., Mitchell, SD for crane service. All members voted aye. Motion carried.

Beckler Construction, Redfield, SD
 2006 Komatsu Track Excavator \$129.00/hour
 2006 Komatsu Track Excavator (long front) \$150.00/hour
 Side Dump \$79.00/ hour

Turtle Creek Construction, LLC, Redfield, SD
 2005 Komatsu Track Excavator \$140.00/hour

Williamson Trucking, Doland, SD
 Loading and Hauling Gravel (Complete bid list can be viewed in the offices of the Highway Superintendent and County Auditor.)

Motion was made by C. Johnson, seconded by J. Albrecht, to table a decision on road oil, pea rock hauling and construction equipment rental until a more detailed comparison can be made. All members voted aye. Motion carried.

Weed Control Chemicals

Bids were opened for weed control chemicals with the following bidders:

Chemical	Blume Seeds, Redfield, SD	Crop Production Services Timberland Division, Spearfish, SD	VanDiest Supply Co., Pierre, SD
Ester – 2.5 gal. containers	\$17.03 gal.	\$15.05 gal.	\$15.59 gal.
Amine-2.5 gal. containers	\$12.60 gal.	\$11.70 gal.	\$11.74 gal.
Picloram-2/5 gal. containers	\$63.42 gal.	\$56.25 gal.	\$56.93 gal.
Glyphosate-2.5 gal. containers	\$22.19 gal.	\$26.70 gal.	\$28.63 gal.
Diflufenzopyr & Dicamba-7.5 lb. containers	\$40.78 gal	\$33.90 gal.	\$30.07 gal.

Motion was made by Zerbel, seconded by B. Johnson to table a decision on weed control chemicals until a more detailed comparison can be made. All members voted aye. Motion carried.

CLAIMS AND REPORTS ALLOWED

Motion was made by J. Albrecht, seconded by B. Johnson, to approve the following claims and reports. All members present voted aye. Motion carried.

County General Fund

February 2009 Salaries and Benefits: Commission 3975.00, Auditor 6709.45, Election 109.14, Treasurer 5746.24, States Attorney 4782.72, Maintenance 3443.72, Director of Equalization 7145.15, Register of Deeds 3814.07, VSO 1199.44, Sheriff 26589.19, Home Detention 1891.50, Coroner 58.00, Poor 706.20, Health 1457.34, Extension 2159.40, Weed 2454.31, Planning 1219.80; OASI & Medicare 5545.44; Retirement 4495.56; Insurance 17008.14;

Misc: Brown County Sheriff 3220.00 Feb. board of prisoners, Community Memorial 1529.00 Dec. & Jan. blood draws, Donna Dietrich 138.12 hearing, Faulk County Sheriff 2820.00 Feb. board of prisoners, James Hare 245.01 court appointed attorney fees, Huron Regional Medical Center 362.64 care of prisoner, Nelva Kooistra

15.00 hearing, NE Mental Health Center 333.33 Feb. support, Cathy Rehfluss 15.00 hearing, Second Chance Rescue 338.15 animal care, SD Secretary of State 75.00 notary filing fees, SD State Treasurer: 245.00 lab;

Supplies and Repairs: Active Data Systems 1822.31, Appel Oil 55.00, Burdick Bros. 253.57, Chuck's Body & Glass 215.00, Cole Papers 100.52, Duckwall-Alco 53.87, Farm Plan (RDO) 18.01, Hedahls Inc. 28.80, Johnson Controls 339.65, Leaf 79.24, McLeod's 123.05, Pitney Bowes 536.76, Spink County Farm & Hardware 39.99, True Value/Radio Shack 351.32, Wells Fargo Remittance 337.31, West Group 168.00;

Travel: Commission mileage: Craig Johnson 126.54, Gerald Zerbel 98.42; Coroner: Pat Thelen 22.20 mileage; Extension: Becky Leonard 98.72 mileage & 9.00 registration, Mark Rosenberg 302.66 mileage, 95.00 registration & 18.00 meals; Extension Board: Joy Braun 18.50, Gary Gilbert 27.38, Lindsey Haskell 8.88; Home Detention mileage: Donna Kegler 421.80, Mavis Ludemann 291.93; Sheriff: National Sheriffs' Assn. 50.00 dues, Jacob Miller 27.00 meals, Mike Yost 12.00 meal; Weed: Mike Esser 9.00 – meal at Safety Training; SD Assn. of Co. Weed & Pest Board 100.00 dues; Welfare: Theresa Hodges 9.00 meal;

Utilities: Executive Management (BIT) 232.30, Northern Wireless 106.69, Northwestern Energy 5.77, Qwest 365.07;

Highway Department

February 2009 Salaries and Benefits: Hwy. Admin. 4752.84, Hwy. Const. 32304.11; OASI & Medicare 2763.28; Retirement 2223.29; Insurance 10380.92; SDRS 90.00 participation fee;

Supplies & Repairs: Appel Oil 1460.86, Burdick Bros. 208.82, Butler Machinery 312.00, Cartney Bearing & Supply 104.04, Dakota Dust-Tex 19.10, Diesel Machinery 345.32, Evergreen Supply 20.13, Farnams 27.25, Hedahls Inc. 820.28, McGillvrey Oil 2608.00, Michael Todd & Co. 51.26, Power Plan (RDO) 838.52, SD Wheat Growers 128.00, Siegling's 17.69, Spink County Farm & Hardware 34.09, Titan Access 19.44;

Travel: Dennis Baird 9.00, Barry Bawek 9.00, Delwin Bierman 9.00, Doug Carter 9.00, Jim Coats 9.00, Greg Drayer 9.00, Rich Dunsmore 9.00, Travis Fast 9.00, Jeff Haessig 9.00, Jim Hurst 9.00, Roger Metzinger 9.00, Willie Rothacker 9.00, Monty Wipf 9.00, Randy Woodward 9.00 - meals at Safety Training, Jeff Haessig, Foreman, 35.00 meals and Tom Leinen, Superintendent, 176.70 lodging & 35.00 meals;

Utilities: Doland City 30.50, Executive Management (BIT) 5.71, Northern Wireless 39.95, Northwestern Energy 616.87, Qwest 125.25;

E911

February 2009 Salaries and Benefits: 7811.10; OASI & Medicare 587.17; Retirement 468.68; Insurance 2071.42;

Utilities: Qwest 905.79;

Emergency Management Fund

February 2009 Salaries and Benefits: 1352.57; OASI & Medicare 102.47; Retirement 81.15; Insurance 342.87;

Utilities: Executive Management (BIT) 6.00, Northern Wireless 5.26, Qwest 33.95;

WIC

February 2009 Salaries and Benefits: 597.06; OASI & Medicare 45.49; Retirement 35.82; Insurance 187.99;

24/7 Sobriety

February 2009 Salaries and Benefits: 349.87; OASI & Medicare 26.44; Retirement 20.99; Insurance 89.36;

Law Library

Supplies: 1774.50;

REPORTS

- Feb. 2009 Sheriff's Report of Collections: \$3,798.21
- Feb. 2009 Spink County Ambulance Activity Report
- Auditor's Account with the County Treasurer as of Feb. 28, 2009:

County General Fund	\$1,605,493.10
Special Revenue Funds	528,026.35
Capitol Projects	24,400.46
TIF Debt Service	494.64
Trust & Agency Funds	165,191.80
Amount Held for School Districts	67,805.63
Amount Held for Townships	5,652.64

Amount Held for Municipalities	19,762.55
TOTAL	\$2,416,827.17

- February 2009 Highway Report of Collections:

Road & Bridge	\$1,130.00
Weed Department	.00
Total	\$1,130.00
- Feb. 2009 Auditor's Report of Poor Lien Reimbursements: \$219.15
- Feb. 2009 Register of Deeds Statement of Fees Collected: \$6,869.95
- 2009 YTD Comp and OT Earned by Department

COMMITTEE REPORT

Commissioner C. Johnson reported that he had tried out the new, on line vehicle license renewal and said it worked well.

CORRESPONDENCE

Foster Grandparent Program Newsletter
 SDACC Next Interoperable Communications Forum Applications Available
 SDACC re HB1007

April Commissioner meetings are schedule on the 7th, 14th (County Board of Equalization) and the 28th.

Chairman D. Albrecht declared the meeting adjourned at 12:30 PM until 8:30 AM, Tuesday, March 31, 2009.

Dave Albrecht, Chairman
 Spink County Board of Commissioners

ATTEST:
 Cindy Schultz, Auditor
 Spink County, South Dakota