

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, June 30, 2009, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Brian Johnson, Craig Johnson and Jerry Zerbel. Chairman Dave Albrecht opened the meeting with the Pledge of Allegiance.

ADOPT AGENDA

Motion was made by Zerbel, seconded by J. Albrecht, to adopt the agenda. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by B. Johnson, seconded by Zerbel, to approve the minutes of June 16, 2009. All members voted aye. Motion carried.

COUNTY WELFARE

Theresa Hodges, Welfare Director, presented an application for medical assistance from client #161. Motion was made by C. Johnson, seconded by B. Johnson, to deny the claim because applicant has insurance which covers more than the County's rate of payment. All members voted aye. Motion carried.

EXECUTIVE SESSION

Motion was made by J. Albrecht, seconded by B. Johnson, at 8:45 AM to enter into executive session to discuss legal matters with Vic Fischbach, States Attorney. All members voted aye. Motion carried.

At 8:56 AM Chairman Albrecht declared the board out of Executive Session.

Vic Fischbach, States Attorney, discussed the proposed settlement of claims made by Avera Hospitals to Spink County, with Welfare Director present. Motion was made by B. Johnson, seconded by J. Albrecht, to settle the claims at the Medicaid Rate as follows:

Pay Avera St. Luke's/\$2,762.91 for DOS 1/6/06 (Cl#89)
Pay Avera St. Luke's/\$1,740.00 for DOS 9/15-9/18/06 (Cl#130)

Hospital writes off Avera St. Luke's/\$4,745.84 for DOS 9/13-9/15/06 (Cl#27)
Hospital writes off Avera St. Luke's/\$885.10 for DOS 9/24-9/25/06 (Cl#130)

All members voted aye. Motion carried.

Fischbach also requested that the Commissioners approve matching a \$1,937.30 courthouse security grant and requested that confinement costs be raised from \$25/day/maximum four days to \$65/day/maximum four days.

GRANT MATCHING FUNDS APPROVED

Motion was made by J. Albrecht, seconded by Zerbel, to approve matching a \$1,937.30 FY 2009 courthouse security grant to be used for bullet proofing the bench area of the courtroom. All members voted aye. Motion carried. Commissioners asked that more than one quote be received for this installation.

CONFINEMENT COSTS RAISED

Motion was made by C. Johnson, seconded by B. Johnson, to approve raising inmate confinement costs from \$25 per day for a maximum for four days up to \$65 per day for a maximum of four days. All members voted aye. Motion carried.

Fischbach also had reviewed materials provided to his office regarding the establishment of the Conde Fire District and stated that it appears to be in order as set forth by statute; reviewed a settlement with Keystone Pipeline for \$20,000 for damage to 150th Street and stated that language of the prior settlement was changed to reflect an additional \$5,000 only and to limit any release to 150th Street only.

Auditor stated that Deene Dayton, SD Dept. of Legislative Audit, had corresponded that the above \$20,000 settlement can be an auto-supplement to the 2009 budget as an unanticipated reimbursement.

A letter to the Commissioners was filed and discussed by Fischbach concerning a Pipeline Ordinance proposal. Auditor stated that a copy of Appendix F, Hazardous Pipeline Ordinances, adopted by the Planning and Zoning Board on June 23, 2009, has been filed in her office. Fischbach will look into County adoption procedure and advise accordingly.

Jeff Haessig, Highway Superintendent, presented the July fuel quotes and discussed current departmental activities. Notice of Awards to Hollaway Construction, Mitchell, have been received from the SD Dept. of Transportation for BRO 8058(15) and BRO 8058(16) for the replacement of two bridges in Buffalo Township this summer. Haessig also filed a Keystone Pipeline Company Release of Damage Claim.

FUEL QUOTES

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

Redfield:	E85, Ethanol and Unleaded:	18.3¢ below pump price & additional 2¢ credit with card use	(as per Johnson bid for 1 year)
	Regular Bulk	2.28	McGillvrey
	#2 Diesel	1.999	Appel Oil
Tulare:	#2 Diesel	2.08	McGillvrey
Brentford, Doland and Northville:	#2 Diesel	2.11	McGillvrey
Conde	#2 Diesel	2.12	Harvey's

Mike Esser, Weed Supervisor, discussed purchasing a used pickup which had been budgeted for purchase in 2009. He will get local quotes and check Federal Surplus and the State bid. He also recommended salary increases for two of his summer weed sprayers.

SALARY INCREASES

Motion was made by Zerbel, seconded by B. Johnson, to increase the salaries of Theresa Esser and Brandi Lambert, temporary weed sprayers, from \$10/hour to \$10.50 hour, effective the beginning of the pay period on 6/26/09. All members voted aye. Motion carried.

PERSONNEL POLICY CHANGES ADOPTED

Theresa Hodges, Spink County Policy Board, presented policy changes recommended by the Policy Board at their May 27, 2009 meeting. Motion was made by C. Johnson, seconded by J. Albrecht, to approve of the following policy changes:

Page 29: LEAVE OF ABSENCE (Leave Without Pay): Policy was changed to include the stipulation that 40 hours of leave without pay will be granted with benefits intact during a 12-month period. Additional policy pertaining to leave without pay is on file in the Auditor's Office and may be viewed during normal working hours.

Page 49: Risk Management – Employee Health Insurance, replace “Avera Health Plans” with “Wellmark Blue Cross Blue Shield”; insert “Workman’s Comp: SD Municipal League Workmen’s Comp Fund”

Credit Card Usage – delete names listed, but retain titles; add DOE Deputies, Planning & Zoning Director & Auditor Deputies

All members voted aye. Motion carried.

Kim Markley, Director of Equalization, requested that the Planning and Zoning Administrator be allowed to work an additional 30 hours during the month of July so that her office can catch up on special projects. Commissioners agreed to allow the schedule change.

REQUEST FOR ABATEMENT OF PILT DENIED

Lorah Houser Jankord, Redfield Housing Authority, requested an abatement of Payment in Lieu of Taxes on Nelson’s Subdivision Block 2 Lots 1-4 because the property is exempt from tax. Motion was made by C. Johnson, seconded by J. Albrecht, to deny the request for abatement of the second half payable 2009 PILT on Nelson’s Subdivision Block 2 Lots 1-4 because request was made after the May 1, 2008 annual statement for shelter rentals due date (SDCL 11-7-73).

RESOLUTION TO APPROVE PLAT (#09-32)

Be it resolved by the Board of Commissioners of Spink County, South Dakota, that the plat showing “Van Bockel Home Tract in the NW1/4 of Sec. 19, T. 116 N., R. 64 W. of the 5th P.M., Spink County, South Dakota,” having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

RESOLUTION TO APPROVE PLAT (#09-33)

Be it resolved by the County Commission of Spink County, South Dakota, that the plat showing “Felderman First Subdivision in SE1/4 Sec. 6-T114N-R60W of 5th P.M., Spink County, South Dakota,” having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

RESOLUTION TO APPROVE PLAT (#09-34)

Be it resolved by the Board of Commissioners of Spink County, South Dakota, that the plat showing “Van Bockel Subdivision in the NE1/4 of Sec. 20, T. 116 N., R. 64 W. of the 5th P.M., Spink County, South Dakota,” having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Dated at Redfield, South Dakota, this 30th day of June, 2009.

Motion by Zerbel, second by J. Albrecht, to approve and adopt the above three Resolutions. All members voted aye. Motion carried.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota

COMMITTEE REPORTS:

Jerry Zerbel gave an update on the progress of the Fairgrounds building project.

Craig Johnson reported on a NECOG meeting he had attended where Energy Efficiency & Conservation Block Grant availability was discussed.

HAVA GRANT SUBAGREEMENT APPROVED

Motion was made by C. Johnson, seconded by Zerbel, to approve designating \$398.73 (5% match money requirement) to be labeled as “Fund Balance Designation”, with State setting aside \$7,575.75 for Spink County in their election fund. All members voted aye. Motion carried.

ANIMAL CONTROL CONTRACT RENEWED

Motion was made by B. Johnson, seconded by C. Johnson, to renew the contract with Second Chance Rescue Center for animal control services at the following fees:

- \$36/hour and \$0.48/mile
- Base fee - \$10 per cruelty call
- Board - \$10/day

All cost will be billed to pet owner unless animal not reclaimed, in which case the County will be billed.

All members voted aye. Motion carried.

BLEACHER PURCHASE FOR FAIRGROUNDS

Motion was made by C. Johnson, seconded by B. Johnson, to contribute \$4,000 from the Fairgrounds Budget toward the purchase of a set of used bleachers for the Fairgrounds. All members voted aye. Motion carried.

AUTO BUDGET SUPPLEMENTS

Motion was made by C. Johnson, seconded by Zerbel, to approve the following automatic budget supplements:

- Emergency Management - \$78,219.75 Homeland Security Grant for E911 Console (226/222/426.81)
- Highway - \$20,000.00 replace gravel from Trans Canada Pipeline (201/311/426.30)

All members voted aye. Motion carried.

Commissioners asked that a formal notice be written to the Treasurer stipulating that the office remain open on Wednesdays.

At 11:10 AM Commissioner C. Johnson excused himself from the meeting.

Auditor stated that the effective date for Ordinance #7.05 “An Ordinance Providing for the Process and Requirements of an Interested Party to Apply and Compete for a Liquor License in Spink County is today, June 30, 2009. An applicant may now purchase a new license for \$1,000 upon meeting certain requirements.

BUDGET

Commissioners asked that Auditor set up appointment with several department heads on the July 7 agenda to discuss their budget requests.

Commissioners discussed the Code Enforcement budget and whether they want to continue the program. Non-renewal of the Agreement requires 6-months’ notice.

CONTRACT NON-RENEWAL NOTICE

Motion was made by J. Albrecht, seconded by B. Johnson, that the Auditor notify the City of Redfield of Spink County’s intention not to renew the Code Enforcement Services Agreement, as written, for the year 2010. All members present voted aye. Motion passed.

EXPENSE REQUEST

Motion was made by J. Albrecht, seconded by B. Johnson, to approve the following Expense Requests:

- Sharon Jungwirth, Register of Deeds, Cindy Schultz, Auditor, and Theresa Hodges, Welfare Director, Kim Markley, Director of Equalization and Tracey Millar, Planning & Zoning Administrator, to attend the James River Valley Commissioners Assn. Meeting in Aberdeen, July 16, 2009
- Audrey Martchinske, Health Department Secretary, to attend WIC Training, Aberdeen, June 22, July 27 and August 24, 2009.

All members present voted aye. Motion carried.

CLAIMS AND REPORTS ALLOWED

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

County General Fund

Misc: Community Memorial 834.00 May blood draws, Pennington County Sheriff 17.74 serve papers, Christy Griffin Serr 82.00 MH hearing;

Supplies and Repairs: Active Data Systems 750.99, Cole Papers 768.43, Fink Plumbing 318.38, Light & Siren 57.22, McLeod’s 122.85, Northland Chem. 113.29, Pitney Bowes 536.76, Randy’s Auto Salvage 150.00, The Redfield Press 60.00, Ritec 520.00, Wells Fargo Remittance 163.95;

Travel: Commissioners’ mileage: Jeff Albrecht 91.02, Brian Johnson 26.64, Gerald Zerbel 53.28; Extension: River Lodge - Mark Rosenberg 126.00 lodging; Treasurer: Tammy Bahr, Deputy, 88.80 mileage; VSO: Steve Hanson 4.44 mileage, SDVSOA 50.00 dues; Welfare: Days Inn 54.99 Theresa Hodges lodging;

Utilities: Alltel 13.73, Steve Hanson 10.00, Midcontinent Comm. 71.04, Northwestern Energy 1270.71, Qwest 403.47, Verizon 107.25;

Highway Department

Construction Material: Beckler Construction 8066.64 (disaster site), Hanlon Bros. 520.35 (disaster site); Lien Transportation 14343.49, Northern Con-Agg 718.08, Odland Gravel 653.06 (disaster site);

Supplies and Repairs: Dakota Dust-Tex 19.85;

Utilities: Alltel 104.69, Qwest 125.35, Northwestern Energy 420.54;

E911

Utilities: Northwestern Energy, Qwest 906.36, Venture Communications 164.78;

Emergency Management

Travel: Steve Hanson 95.83 mileage;

Utilities: Steve Hanson 10.00, Qwest 33.95.

CORRESPONDENCE:

- Notice from SDACC of the upcoming changes to Catastrophic County Poor Relief Pool

- Copy of the FY 2007 Homeland Security Grant Program notice of transfer of items to Spink County from Beadle County
- SD Dept. of Transportation Tentative 2010-2014 Five Year Statewide Transportation Program meeting dates and locations
- Invitation to James River Valley Commissioners Association District Meeting, Aberdeen, July 16, 2009

Chairman Dave Albrecht declared the meeting adjourned at 12:10 PM. The next Commissioner meeting will be 8:30 AM, Tuesday, July 7, 2009.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota