

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, July 28, 2009, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Brian Johnson and Jerry Zerbel. Commissioner C. Johnson was absent. Chairman Dave Albrecht opened the meeting with the Pledge of Allegiance.

ADOPT AGENDA

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

MINUTES APPROVED

Motion was made by B. Johnson, seconded by J. Albrecht, to approve the minutes of July 14, 2009. All members present voted aye. Motion carried.

Auditor reported that there had been a problem with the courthouse backup generator keeping up during a power outage recently. That problem has been resolved but the Maintenance Engineer had told her that the generator is 44 years old and parts are getting harder to find.

Auditor also mentioned that the Code Enforcement budget will need to be supplemented for the remainder of the year and showed materials to Commissioners that had been provided at the Pictometry demonstration she had attended in Aberdeen on July 22.

Vic Fischbach, States Attorney, discussed the ordinance hearing scheduled for 9:30 this morning.

Jeff Haessig, Highway Superintendent, gave an update of current activities. He mentioned that there have been requests to widen approaches and Commissioners agreed that landowners may do the work themselves. A bridge on Co. Rd. 15, which has had extensions added, is in disrepair and Haessig stated that he'd like to tear the whole thing out and replace with culverts.

Haessig then discussed budgetary shortfall in 2009 due to necessary flood damage repairs and chip sealing.

A complaint regarding blading, which has been taken care of, was discussed.

FUEL QUOTES

Motion was made by B. Johnson, seconded by Zerbel, 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	2.32	McGillvrey
	#2 Diesel	2.20	McGillvrey
Tulare:	#2 Diesel	2.25	McGillvrey
Brentford, Conde, Doland and Northville:			
	#2 Diesel	2.18	Harvey

All members present voted aye. Motion carried.

HEARING

FIRST READING: TITLE 17.25 HAZARDOUS PIPELINE ORDINANCES

Chairman Dave Albrecht welcomed a delegation consisting of Kent Moeckly, Paul Fischbach, Barry Muxen, Tim Hofer, Glenn Overby, Richard Meyer, Jeff Rauh, Keystone Pipeline, Michael Kost, Northern Border Pipeline, Curt Hohn, WEB Water, Ed Fischbach & Gary Gilbert, Spink County Planning & Zoning Board, Tracey Millar, Spink County Planning & Zoning Administrator, and Kim Markley, Spink County Director of Equalization. Lori Jo Mundstock, The Redfield Press, was also present.

Gary Gilbert, Spink County Planning & Zoning Board, discussed Title 17.25 Hazardous Pipeline Ordinances which had been filed with the Spink County Commissioners and for which the present hearing was advertised. He also addressed amendments to the Ordinances which were later sent to the County Commissioners and filed original P&Z Board members' signatures. However, the amendments were not yet adopted at their meeting.

Curt Hohn, WEB Water, filed a WEB Water Development Resolution in Support of the Spink County Pipeline Ordinance. Various members of the delegation spoke on behalf of the ordinance and several photographs of construction and reclamation were filed.

Jeff Rauh, Keystone Pipeline, spoke against the ordinances and the issue of specs contained in the ordinances not complying with Federal and State requirements.

The Commissioners discussed how to best proceed in light of conflicting information and documents submitted to them which had not been made available to the general public at a P & Z hearing.

Motion was made by B. Johnson, seconded by J. Albrecht, to send the document entitled Title 17.25, Hazardous Pipeline Ordinances, back to the Spink County Planning and Zoning Board so that proper amendments can be made, under consultation with the Spink County States Attorney, and the proper hearings required by South Dakota Codified Law may be held. All members present voted aye. Motion carried.

ACQUISITION OF WETLANDS BY US DEPARTMENT OF INTERIOR APPROVED

Amy Weismantel, US Fish & Wildlife, and Don Soderland, Sand Lake Refuge, met with the Commissioners regarding approximately 9 acres of property that Richard Meyer, also present at the meeting, would like to sell. Motion was made by Zerbel, seconded by J. Albrecht, to approve Chairman Albrecht signing the approval form for acquisition from Richard and Janell Meyer, Northville, to the US Dept. of the Interior, Fish and Wildlife Service, Aberdeen Wetlands Acquisition, on the following property to proceed:

A parcel of land (8.69 acres more or less) located in Government Lots 5 & 6, Section 5, T119 N, R65 W of the 5th PM, Spink County, South Dakota.

All members present voted aye. Motion carried.

Kim Markley, Director of Equalization, and Tracey Millar, Planning & Zoning Administrator, then met with the Commissioners regarding the Administrator position. Millar declared her resignation effective August 14, 2009.

EXECUTIVE SESSION

Motion was made by Zerbel, seconded by B. Johnson, at 12:05 PM to enter into executive session to discuss personnel. All members voted aye. Motion carried.

Vic Fischbach, States Attorney, joined the meeting at 12:10 PM.

At 12:40 PM Chairman Albrecht declared the board out of Executive Session and recessed for lunch until 1:30 PM.

Commissioners reconvened at 1:30 PM. The balance of the meeting was spent working on budget items and the Provisional Budget for 2010 was filed with the Auditor.

EXPENSE REQUEST

Motion was made by J. Albrecht, seconded by Zerbel, to approve the following Expense Request:

- Sally Filipek, Appraiser, to Annual Assessor School, Rapid City, Sept. 14-18, 2009

All members present voted aye. Motion carried.

CLAIMS AND REPORTS ALLOWED

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

County General Fund

Misc: Russell Battey 1025.00 court appointed attorney fees, Community Memorial 1390.00 June blood draws & 10.00 copies, Conde Ambulance 1222.88 for 1st half 2009 support, Michelle Gaikowski 45.40 court reporter, James Hare 1262.98 court appointed attorney fees, NE Mental Health 999.99 April-May care, Pennington County Jail 131.00 prisoner transport, Rogers Law Office 309.50 mental illness board; witness fees 40.74;

Supplies and Repairs: Cummins Central Power 1658.07, ES&S, Inc. 4202.10, Inventory Trading Co. 270.25, Leaf 79.24, LexisNexis 26.10, The Lumberyard 40.50, McLeod's 85.27, Quill 81.36, The Redfield Press 48.00, Sheehan Cycle 121.00, State Radio Comm. 1800.00 for 1/2 yr Sheriff's teletype service;

Travel: Commissioners' mileage: Jeff Albrecht 104.34, Brian Johnson 26.64, Gerald Zerbel 71.78; VSO mileage: Steve Hanson 5.18;

Utilities: Alltel 13.80, Steve Hanson 10.00, Midcontinent Comm. 71.04, Northwestern Energy 1903.89, Qwest 387.09, Verizon 106.09;

Highway Department

Construction Material: Diesel Machinery 679.28, Doland City 575.40, Flint Hills 101463.77, Lien Transportation 2177.69, Lyle Signs 100.12;

Rental: Diesel Machinery 3400.00;

Supplies and Repairs: Newman Fire Extinguishers 220.20;

Utilities: Alltel 105.22, Qwest 125.38;

E911

Supplies & Repairs: B&L Communications 1302.50;

Utilities: Qwest 906.87, Venture Communications 164.78;

Emergency Management

Travel: Steve Hanson mileage: 55.13;

Utilities: Steve Hanson 10.00, Qwest 33.97.

REPORTS

3rd Quarter SLA Activity Report for FY2009

DSS Budget Survey

SD Salary Survey Comparison

CORRESPONDENCE:

SBI Risk Management Bulletin

SDACC 2009 County Achievement Award rules and application

Notice from Turner County of sealed bids on motor graders

Reminder to Spink County Employees of Workers Comp injury reporting procedures

SDACC notice of free Webinar on Recovery Zone Bonds

Chairman Dave Albrecht declared the meeting adjourned at 3:45 PM. The next Commissioner meeting will be 8:30 AM, Tuesday, August 4, 2009.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota