

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, February 23, 2010 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 J. Albrecht, seconded by C. Johnson, to adopt the agenda with the addition of Theresa Hodges, Welfare Director, and Jamie Johnson, Clerk to Auditor. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by B. Johnson, seconded by C. Johnson, to approve the minutes of February 9, 2010. All members voted aye. Motion carried.

Vic Fischbach, States Attorney, addressed a memo he had sent to the Commission regarding payment in full for taxes.

Fischbach looked over an Intergovernmental Agreement between Beadle and Spink Counties for the maintenance of a portion of Beadle County Highway #2. Commissioners would like to study the Agreement further before they make any decision.

Commissioners and Fischbach then discussed current Legislation, in particular SB #184 (An Act to revise certain provisions concerning the taxes imposed by water development districts and the formation of water development districts) and SB #126 (An Act to permit flexible staffing for local government public safety answering points).

Jeff Haessig, Highway Superintendent, stated that he will study the Intergovernmental Agreement received from Beadle County. He reported that weight limits will be applied next week and a notice will be sent to the county papers.

Haessig submitted March fuel quotes and notice to bidders, to be opened March 16, 2010, for highway supplies.

FUEL QUOTES FOR MARCH

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

Redfield:	E85, Ethanol and Unleaded:	18.0¢ below pump price & additional 2¢ credit with card use	Johnson
	Ethanol Bulk	2.35	McGillvrey
	#1 Diesel	2.48	N Central Farmers Elevator
	#2 Diesel	2.38	N Central Farmers Elevator
Conde:	#1 Diesel	2.95	Harvey
	#2 Diesel	2.40	Harvey
Brentford & Northville:			
	#1 Diesel	2.48	N Central Farmers Elevator
	#2 Diesel	2.38	N Central Farmers Elevator
Doland & Tulare:			
	#1 Diesel	2.50	McGillvrey
	#2 Diesel	2.36	McGillvrey

All members voted aye. Motion carried.

NOTICE TO BIDDERS

Sealed bids will be received by the Spink County Auditor, Redfield, South Dakota, until 11:00 a.m. March 16, 2010 for the items listed below. This bid shall be good for one year, April 1, 2010 to April 1, 2011. The bids will be opened at this time, read and considered in consecutive order by the Spink County Board of Commissioners.

1. Motor Grader Blades
2. Hot Mix
3. Road Oil
4. Concrete Pipe, Concrete Bridge Material
5. Magnesium Chloride
6. Pea Rock
7. Pea Rock Hauling

8. Gravel Hauling
9. Construction Equipment Rental
10. Weed Control Chemical

Specifications are on file in the Spink County Auditor's Office and the Spink County Highway Department Office.

The Board of County Commissioners reserves the right to reject any or all bids, and to accept the bid they deem to be in the best interest of Spink County.

By order of the Board of Spink County Commissioners.

Dated at Redfield, South Dakota, this 23rd day of February, 2010.

Cindy Schultz
Spink County Auditor

Two Publications: March 3 and March 10, 2010

Haessig then requested that all County roads currently posted at 65 miles per hour be reduced to 55 miles per hour. He stated that Spink County roads are not designed to handle traffic at 65 mph.

COUNTY HIGHWAY SPEED LIMITS REDUCED

Motion was made by C. Johnson, seconded by B. Johnson, to reduce all County roads currently posted at 65 miles per hour to 55 miles per hour speed limit. All members voted aye. Motion carried.

FEDERAL AID SURFACE TRANSPORTATION PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

Resolution #10-09

WHEREAS, Spink County desires the construction and improvement of the road as hereinafter described:

LOCATION, LENGTH, STRUCTURE NUMBER: On Spink County 18, beginning on the East Spink County Line at the NW corner Sec. 18 T116N, R65W East 11 Miles to the NE Cor. Sec. 23 T116N R64W, then North 1 mile to the NW corner Sec 12 T116N, R64 W at US Highway 212. 12 Miles total

TYPE OF CONSTRUCTION: 9 miles of asphalt leveling and asphalt overlay between the County line and US Highway 281 and 3 miles of pavement grinding, strengthening, and Asphalt surfacing.

Major Collector Route Number (if applicable)	6520
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AND WHEREAS, Spink County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Spink County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Surface Transportation Program (STP) Funds and associated State matching funds.

NOW THEREFORE, BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges," the project described.

Estimated Cost of Project Including Engineering:	\$2,000,000
STP Funds:	\$2,000,000
Local Funds (if needed to meet construction year):	\$0.00

Proposed Year of Construction: 2018

FEDERAL AID SURFACE TRANSPORTATION PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

Resolution #10-10

WHEREAS, Spink County desires the construction and improvement of the road as hereinafter described:

LOCATION, LENGTH, STRUCTURE NUMBER: On Spink County 13, beginning on the County 24 at the NW corner Sec. 34 T115N, R63W South 7 Miles to the SW Cor. Sec. 34 T114N R63W, at SD Highway 28. 7 Miles total

TYPE OF CONSTRUCTION: 7 miles of asphalt leveling and asphalt overlay.

Major Collector Route Number (if applicable) 6239

AND WHEREAS, Spink County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Spink County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Surface Transportation Program (STP) Funds and associated State matching funds.

NOW THEREFORE, BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges," the project described.

Estimated Cost of Project Including Engineering: \$1,300,000
STP Funds: \$1,300,000
Local Funds (if needed to meet construction year): \$0.00

Proposed Year of Construction: 2024

Vote of Commissioners Yes - 5 No - 0

Motion was made by J. Albrecht, seconded by B. Johnson, to approve and adopt the above two Resolutions. All members voted aye. Motion carried.

Dated at Redfield, SD, this 23rd day of February, 2010.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor

BRIDGE REINSPECTION PROGRAM RESOLUTION (#10-11)

WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Spink County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Pierce & Harris Engineering (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Motion was made by J. Albrecht, seconded by B. Johnson, to approve the above Resolution. All members present voted aye. Motion carried.

Dated this 23rd day of February, 2010, at Redfield, South Dakota.

Board of Commissioners of Spink County

Dave Albrecht, Chairman of the Board

ATTEST:

Cindy Schultz, County Auditor

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

Resolution #10-12

WHEREAS, Spink County desires the replacement of the bridge as hereinafter described:

STRUCTURE NUMBER AND LOCATION: #58-019-260 1 mile south and 7.1 miles west of Redfield, SD.

AND WHEREAS, Spink County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Spink County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

The sufficiency rating is 47.5.

The bridge is not located on a County or Township designated Minimum Maintenance Road.

The bridge is located on a Federal Aid Route, a school bus route, a mail route, or other – County Highway.

The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE, BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the “Secondary Road Plan” and the State’s “Standard Specifications for Roads and Bridges,” the bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$300,000

Federal Share (80%): \$240,000

Local Share (20%): \$60,000

Proposed Year of Construction: 2018

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

Resolution #10-13

WHEREAS, Spink County desires the replacement of the bridge as hereinafter described:

STRUCTURE NUMBER AND LOCATION: #58-323-060 2.3 miles east of Conde, SD.

AND WHEREAS, Spink County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Spink County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

The sufficiency rating is 35.8.

The bridge is not located on a County or Township designated Minimum Maintenance Road.

The bridge is located on a Federal Aid Route, a school bus route, a mail route.

The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE, BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the “Secondary Road Plan” and the State’s “Standard Specifications for Roads and Bridges,” the bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal

Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$300,000

Federal Share (80%): \$240,000

Local Share (20%): \$60,000

Proposed Year of Construction: 2019

FEDERAL AID BRIDGE REPLACEMENT OR REHABILITATION PROGRAM RESOLUTION FOR COUNTY AND URBAN PROJECTS

Resolution #10-14

WHEREAS, Spink County desires the replacement of the bridge as hereinafter described:

STRUCTURE NUMBER AND LOCATION: #58-305-370 5 miles north and 0.5 miles east of Bloomfield, SD.

AND WHEREAS, Spink County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Spink County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Bridge Replacement Funds.

AND WHEREAS, the bridge is in need of replacement for the following reasons:

The sufficiency rating is 44.3.

The bridge is not located on a County or Township designated Minimum Maintenance Road.

The bridge is located on a school bus route, a mail route, a County System.

The load carrying capacity of the existing bridge cannot be improved to carry legal loads by rehabilitation of the existing bridge.

NOW THEREFORE, BE IT RESOLVED: That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges," the bridge replacement or rehabilitation project at the above described location. Items to be handled by State forces with Federal Participation will include hydraulic study review, foundations investigation (if necessary), plan reviews, and construction administration.

Estimated Cost of Project Including Engineering: \$300,000

Federal Share (80%): \$240,000

Local Share (20%): \$60,000

Proposed Year of Construction: 2020

Vote of Commissioners Yes - 5 No - 0

Motion was made by B. Johnson, seconded by C. Johnson, to approve and adopt the above three Resolutions. All members voted aye. Motion carried.

Dated at Redfield, SD, this 23rd day of February, 2010.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor

EXECUTIVE SESSION

Haessig then requested an executive session.

At 9:30 AM motion was made by B. Johnson, seconded by J. Albrecht, to enter into executive session to discuss personnel. All members voted aye. Motion carried.

At 9:40 AM Chairman Albrecht declared the board out of executive session.

Theresa Hodges, Welfare Director, presented application #174, county burial, which had been pre-approved by telephone.

Jamie Johnson, Clerk to Auditor, gave an update on painting progress, presented a \$145 per window quote on wooden blinds and stated that flags on a stand are \$300 per set. Commissioner C. Johnson will check a possible other flag source.

Jamie Hare, Counsel for the City of Redfield, explained the FAA's requirement that the Fairgrounds be leased for at least fair market value rather than \$1.00 as stated in the 25 year lease to Spink County. \$500 per year was mentioned as a fair price for pasture land.

EXPENSE REQUESTS

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

Jessica Avery, P&Z Administrator, CAFO Training Session, Huron, 2/25/10;

Jeff Haessig, Highway Supt. Short Course, Brookings, 3/9-11/10;

Theresa Hodges, Welfare Director, Welfare Officials Workshop, Pierre, 3/17/10.

All members voted aye. Motion carried.

DRAINAGE

Kim Markley, Director of Equalization, stated that there will be a drainage hearing March 16 on placing a culvert. She had visited with Shane Jordan, Natural Resources Conservation Service, about the application. They discussed the number of tiling requests coming in and offered to meet with the Commission regarding wetland determination.

Markley stated that, due to the large amount of time it takes to process drainage applications, she would like to have Jessica Avery, Planning & Zoning Director, work additional hours.

Markley will include a statement on the assessment notices that her office will be mailing this week stating that residents need to return their US Census Forms because each resident can make a difference in county entities qualifying for funding.

PLANNING & ZONING

At 10:30 AM motion was made by C. Johnson, seconded by Zerbel, to recess as a Board of County Commissioners and reconvene as a Planning and Zoning Board. All members voted aye. Motion carried.

At 10:45 AM the Spink County Board of Commissioners reconvened after voting to adjourn as a Planning and Zoning Board.

RESOLUTION TO APPROVE PLAT (#10-17)

Be it resolved by the County Commission of Spink County, South Dakota, that the plat showing U.S.F.W.S. Tract 320, in government lots 5 and 6 of Section 5 T. 119 N., R. 65 W. of the 5th P.M., Spink County, South Dakota, having been examined, is hereby approved in accordance with the provisions of SDCL 11-3, and any amendments thereof.

Dated at Redfield, South Dakota, this 23rd day of February 2010.

Motion by Zerbel, second by B. Johnson, to approve and adopt the above Resolution. All members present voted aye. Motion carried.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota

CLAIMS ALLOWED

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

County General Fund

Misc: Faulk Co. Sheriff 3660.00 Jan. prisoner care, NE Mental Health 333.33 Jan. support, Pennington Co. Sheriff 65.50 Jan. transport, Gina Rogers 922.50 court appointed attorney fees, SD State Treasurer: Lab Services 332.00, HSC care 600.00; Spink County Senior Citizens 2014.00 Feb. support;

Supplies and Repairs: A&B Computer 25.00, Active Data 7028.58, Galls 82.72, Leaf 79.24, Light & Siren 4882.00, Office Equipment 3574.75, The Redfield Press 649.31, Renneberg Hardwoods 1503.19, Shawn Chase Ford 542.63, Soliant Consulting 2819.23;

Travel: Commissioners: Gerald Zerbel 45.14 mileage; Extension: Mark Rosenberg 45.00 meals, 90.00 registration, 350.02 mileage; Planning & Zoning: Environmental Training 40.00 registration;

Utilities: Alltel 13.84, Executive Management (BIT) 249.87, Northwestern Energy 3881.89, Qwest 383.25, Verizon 106.29;

Welfare: Thelen Funeral Home 1750.00;

Highway Department

Construction Material: SD DOT 11935.22;

Supplies and Repairs: Appel Oil 4109.02, Beckler Constr. 460.00, Crady's Radiator 4558.80, G&K Services 28.00, J.D. Evans 159.46, Huron Culvert 6746.16, The Lumber Yard 127.46, Matterns Diesel 1532.48, McGillvrey Oil 4794.29, Office Equipment 311.50, The Redfield Press 21.17, Shawn Chase Ford 42.80;

Travel: SD Assn. Co. Hwy. Superintendents 80.00 registration;

Utilities: Alltel 105.58, Executive Management (BIT) 22.64, Northwestern Energy 495.56, Qwest 125.42;

E911

Utilities: Qwest 907.26, Venture Communications 164.78;

Emergency Management

Utilities: Executive Management (BIT) 6.00, Qwest 34.06;

24/7 Sobriety

Supplies & Repairs: Intoximeters 189.00;

Law Library

Supplies & Repairs: West Group Payment Center 426.00.

REPORTS

- YTD NACo Prescription Drug Discount Card Program
- Jan. 2010 Highway Superintendent's Report of Collections:

Road & Bridge Fund (201)	\$88,318.40
Weed Department (101)	\$0.00
Total	\$88,318.40
- Jan. 2010 Report of Court Appointed Attorney Fee Reimbursements: \$1,215.17
- Jan. 2010 Spink County Ambulance Activity Report
- Jan. 2010 Register of Deeds Report of Fees Collected: \$5,657.75

CORRESPONDENCE

- Tentative Agenda for County Commissioners' Spring Workshop, March 17 & 18, Pierre
- Dept. of Environment & Natural Resources: A&B Feedlot Manure Management System As-built Underground Transfer Pipeline Plans & Specs Review
- Dept. of Environment & Natural Resources: Lee Gatzke Feedlot Manure Management System Plans & Specs
- Meeting of Commissioners & Sheriffs in Faulkton 3/3/10 to discuss jail
- SDREA notice of Campaign Academies to be held
- Spink County Director of Equalization: Invitation to Towns & Townships Meeting on 3/5/10

March Commission meetings will be on the 2nd, 16th and 30th.

Chairman Dave Albrecht declared the meeting adjourned at 11:00 AM and Commissioners will attend the Extension soup luncheon in the Community Room at 12:00 noon. The next Commissioner meeting will be 8:30 AM, Tuesday, March 2, 2010.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota