

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, May 11, 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 B. Johnson, seconded by J. Albrecht, to adopt the agenda with the addition of a Notice of Public Hearing for the Issuance of Economic Development Revenue Bonds, Les Helm, Sheriff and Notices to Advertise for VSO and EM. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by Zerbel, seconded by C. Johnson, to approve the minutes of May 4, 2010. All members voted aye. Motion carried.

Commissioners C. Johnson and J. Albrecht will attend Central Plains Water Development District meeting to be held on May 12, 2010 in Blunt. They will be supporting a request by counties for water districts to return Oahe District tax money, collected prior the project's abandonment, to those counties which didn't receive the refund. Spink County's taxes went to both CPWDD and to JRWDD.

WELFARE APPLICATIONS

Theresa Hodges, Welfare Director, presented application #14 for medical assistance. Motion was made by C. Johnson, seconded by J. Albrecht, to deny the request because client has an ability to pay and claims did not indicate an emergency situation. C. Johnson, B. Johnson and J. Albrecht voted aye; Zerbel voted nay. Motion passed.

Application #177, requested prior approval of a medical procedure. Motion was made by B. Johnson, seconded by C. Johnson, to deny the request because applicant has an ability to pay. All members voted aye. Motion carried.

Bills Rejected: Avera St. Luke's Clinical Division 278.90, Avera St. Luke's Hospital 2237.93, Dakota Imaging 26.52, Northern Plains Oral & Maxillofacial Surgery 126.83.

Vic Fischbach, States Attorney, answered the Commissioners' question pertaining to adding help wanted notices to the agenda. He replied that there would not be a problem in making that motion.

Commissioners asked Fischbach about a Resolution adopted January 2, 2002, which released a Spink County Lien again Norm's Tract 1, a part of the NW1/4 of 28-114-61 against that property only. Lien holder understood that the lien had been forgiven altogether. Fischbach will check his file on that person and report his findings.

EASEMENT RELEASED

As per States Attorney advisement because the County no longer needs or uses the easements, motion was made by B. Johnson, seconded by Zerbel, to release them against:

a parcel of land beginning at a point 33 feet West and eight hundred feet South of the NE corner of the NE 1/4 of the NE 1/4 of 36-118-64, then South 500 feet, then West 436 feet, then North 500 feet, then East 436 feet to point of beginning, totaling 5 acres;

and against a strip of land beginning at a point 33 feet South and 33 feet West of the NE corner of the NE 1/4 of the NE 1/4 36-118-64, then West 1287 feet, then south 42 feet, then East 1287 feet, then North 42 feet to point of beginning.

All members voted aye. Motion carried.

Jeff Haessig, Highway Superintendent, reported that three more Emergency Rescue sites have been approved, two near Doland and one at Mellette. He also reported that 3,000 ton of gravel and crushing will be donated by an entity for the use of a haul road.

FORCE ACCOUNT AGREEMENT

Motion was made by B. Johnson, seconded by Zerbel, to approve Chairman's signing the 2009 Force Account Agreement for Emergency Relief Projects resulting from the disaster declared March 11, 2009. All members voted aye. Motion carried.

MOTOR GRADER BID

Auditor Cindy Schultz reported that the November 10, 2009 Commissioners' minutes had not included options when Butler Machinery Company's bid was accepted. Schultz had contacted Deene Dayton, SD Department of Legislative Audit, and he said we can make a motion today which includes the option prices.

Motion was made by C. Johnson, seconded by J. Albrecht, to amend the November 10, 2009 motion to accept Butler Machinery's low bid of \$232,721 by adding the following options to that base price:

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|---|------------|
| (2) Foot Blade Extension | \$1,769.00 |
| (12) Foot Hydraulic Snow wing | 15,350.00 |
| Front Mounted Hydraulic Quick Attach Lift Group | 8,100.00 |
| 120" Snow V-Plow compatible to lift group | 7,218.00 |
| Seven year or 7,500 hour total machine warranty | 4,550.00 |
| Poly Fender Front and Rear | 2,488.00 |

All members voted aye. Motion carried.

The above options total \$39,475, bringing the total motor grader cost to \$272,196 which is \$13,503 less than Sheehan Mac's bid with options.

WEED DEPARTMENT/SALARIES

Commissioners stated that temporary Weed Sprayers will receive \$10.50 per hour during the 2010 season.

The Audit Summary of the Director of Equalization's Sales Ratio Audit for 2009, received from the SD Department of Revenue and Regulation, gave excellent findings of that Department's records.

Commissioners commend Kathy Adams, Deputy Sergeant in the Spink County Sheriff's Department, for being named the South Dakota American Legion's Law Enforcement Officer of the Year.

FAIRGROUNDS BUILDING

Mark Rosenberg, Extension Educator, met with the Commission to request that \$35,000 be paid to the 4-H Foundation, Brookings, to help pay for the new building being erected at the Fairgrounds.

Motion was made by Zerbel, seconded by J. Albrecht, to approve donating \$35,000, as planned in the 2010 Fair Budget, to the 4-H Foundation, Brookings, to help defray the expense of constructing a new building at the Fairgrounds. All members voted aye. Motion carried.

PERSONNEL/NEW HIRE

Kathy Ludwig, Treasurer, announced that she had chosen to hire Amy Michlitsch, Tulare, as the new part-time employee in her office.

Motion was made by C. Johnson, seconded by B. Johnson, to approve the hiring of Amy Michlitsch as the 3/4 time, beginning clerk in the Treasurer's Office at \$12.54 per hour, starting date anticipated to be May 17, 2010. All members voted aye. Motion carried.

Les Helm, Spink County Sheriff, reported that he has received several applications for the Deputy Sheriff position vacated by Jonathan Waldner.

Helm also reported that Soliant Consulting has nearly completed the Department's software construction.

Commissioners inquired about a chemical spill that had occurred recently and Helm stated that it had been logged by the Highway Patrol and by his Department.

Vic Fischbach, States Attorney, returned to the meeting with a copy of the letter he'd filed with the Commissioners regarding the Resolution dated January 15, 2002. Commissioners all agreed that the intention of the original Resolution was clear in indicating that the "Lien will remain in effect against any other property" of the parties named. The Resolution will remain as originally approved in 2002.

FY2010 WIC CONTRACT

Motion was made by J. Albrecht, seconded by B. Johnson, approve renewing the contract between Spink County and the SD Department of Health, effective June 1, 2010 through May 31, 2011, which will reimburse up to \$3,891 at \$3.86 per participant and up to \$500 reimbursement for WIC Training. All members voted aye. Motion carried.

Commissioners discussed a request by the Auditor, Treasurer, Director of Equalization and Register of Deeds to have Connecting Point Computer verify backups, antivirus, etc. at \$95 for each of the two servers. This will be discussed again when a quote is received for having the desktops checked as well.

PLANNING AND ZONING

At 10:28 AM motion was made by Zerbel, seconded by J. Albrecht, to recess as a Board of Commissioners and convene as a Planning and Zoning Board.

At 11:00 AM Commissioners reconvened after having adjourned as a Planning and Zoning Board.

CLAIMS AND REPORTS ALLOWED

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

County General Fund

Misc: Beadle County Sheriff 6955.00 April prisoner care, Brown Co. Sheriff 140.00 Apr. housing of juvenile, Marie Fawcett 87.40 transcripts, SD 4-H Foundation 35000.00 donation/bathrooms at Fairgrounds;

Supplies and Repairs: A & B Computer Solutions 60.00, Burdick Bros. 51.84, Farnams Genuine Parts 72.87, FedEx 10.57, Hansen Motors 40.65, Clyde Harr 6145.98, Hedahls 124.73, Office Equipment 1141.05, Quality Quick Print 77.00, SD Wheat Growers 21.10, Spink Co. Farm & Hardware 237.66;

Travel: Extension: Mark Rosenberg 18.00 meals, 76.22 mileage; Sheriff: Les Helm 61.00 meals, SD Police Chief's Assoc. 65.00 registration;

Utilities: Northern Valley 166.78, Northern Wireless 106.69, Northwestern Energy 22.88;

Welfare: Avera St. Luke's Hospital 2094.00;

Highway Department

Equipment: North Central Rental & Leasing (DIV Butler) 259776.00;

Supplies & Repairs: Crady's Radiator Shop 118.00, Farnams Genuine Parts 129.77, Guy Hanlon 7632.82, Hedahls 288.18, Johnson Oil Co. 29.25, North Central Farmers Elevator 15122.65, Office Equipment 243.73, Spink Co. Farm & Hardware 142.49;

Utilities: Northern Wireless 39.95;

E911

Utilities: James Valley Telecomm 248.44;

Emergency Management Fund

Utilities: Northern Wireless 5.26;

REPORTS

- April 2010 Sheriff's Report of Fees Collected: \$2,746.06
- March. 2010 Auditor's Account with the County Treasurer

| | |
|--------------------------------------|-------------------|
| County General Fund | \$2,613,944.79 |
| Special Revenue Funds | 629,141.65 |
| TIF Debt Service | 112,701.05 |
| Amount Held for Trust & Agency Funds | 241,240.78 |
| Amount Held for Schools | 1,766,924.07 |
| Amount Held for Townships | 191,007.44 |
| Amount Held for Municipalities | <u>452,414.67</u> |
| Total | \$6,007,374.45 |
- April 2010 Report of Poor Lien Reimbursements: \$324.32
- April 2010 Register of Deeds Statement of Fees Collected: \$5,739.55
- April 2010 Highway Superintendent Report of Collections Made:

| | |
|--------------------|-------------------|
| Road & Bridge Fund | \$2,349.99 |
| Weed Department | <u>\$4,000.00</u> |
| Total | \$6,349.99 |
- YTD Comp and Overtime Earned by Department
- YTD Leave Without Pay Hours
- SDML WC Fund Open Claims Report as of 4/30/10
- April 2010 Spink County Ambulance Activity Report

EXPENSE REQUESTS

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

- Craig Richmond, Dispatcher, to Emergency Medical Dispatch, Pierre, May 23-26, 2010

- Cindy Schultz, Auditor, and Kim Markley, Director of Equalization, to the Sioux Valley Commissioners Association Meeting, Clark, May 17, 2010
- Tammy Suchor, Deputy Auditor, and Sandi McNeill, Highway Department Secretary, to New Procurement Laws meeting, Pierre, May 25, 2010

And to reject:

- Kim Markley, Director of Equalization, to Dealing With Employees Workshop, Brookings, May 14, 2009

All members voted aye. Motion carried.

SPECIAL ASSESSMENT CANCELLED

Motion was made by C. Johnson, seconded by B. Johnson, to cancel the remaining \$708.35 of Redfield City's Special Assessment added to payable 2008 taxes against Lt 1 Rowley Addn to the City of Redfield, together with a perpetual ROW easement over and across the S 10' of the E 11', Blk 15, Redfield, Spink County. All members voted aye. Motion carried.

ECONOMIC DEVELOPMENT REVENUE BONDS

Commissioners discussed a request by the Eastern Star Home, Redfield, to be issued by the County its economic development revenue bonds in the maximum aggregate level of \$3,500,000. Motion was made by C. Johnson, seconded by B. Johnson, to advertise for a public hearing on Tuesday, June 1, 2010 at 9:30 a.m. in the Commission Chambers, Spink County Courthouse, Redfield, SD. All members voted aye. Motion carried.

NOTICE OF PUBLIC HEARING OF SPINK COUNTY COMMISSIONERS

May 11, 2010

NOTICE IS HEREBY GIVEN that Spink County will hold a public hearing on Tuesday, June 1, 2010 at 9:30 a.m. in the County Commissioner's Room in the Spink County Court House on the Second Floor, 210 East 7th Avenue, Redfield, South Dakota 57469. The purpose of the public hearing is to provide an opportunity to hear public comment on a request by Eastern Star Home of South Dakota, for the issuance by the County of its economic development revenue bonds, in one or more series, in the maximum aggregate principal dollar amount of \$3,500,000 (the 2010 Bonds).

The proceeds of the 2010 Bonds will be loaned to Eastern Star for the acquisition, construction, installation and equipping of a 12 unit qualified residential rental project under Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code"), multipurpose room and beauty shop (the "Project"),

All facilities financed by the 2010 Bonds are owned or to be owned by Eastern Star and, except as otherwise noted above, are located on the Eastern Star campus at 126 W 12th Avenue, Redfield, South Dakota.

The principal of, premium, if any, and interest on the 2010 Bonds will not constitute a debt of the County or the State of South Dakota nor any agency thereof, or any political subdivision or body corporate and politic nor any municipality within the State of South Dakota. The 2010 Bonds will be payable solely and only from the loan repayments to be made Eastern Star, to whom the 2010 Bond proceeds are to be loaned.

Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), requires that qualified 501(c)(3) bonds, such as the 2010 Bonds, be approved by the applicable elected representative of the governmental unit issuing such bonds. The County will consider the information obtained at the public hearing and take appropriate action that it may deem warranted.

The purpose of the public hearing is to provide a reasonable opportunity for members of the public to express their views, orally or in writing, regarding the issuance of the 2010 Bonds and the uses and purposes of the proceeds of the 2010 Bonds. The hearing will be conducted in a manner that provides a reasonable opportunity for persons with differing views to be heard on the question of the issuance of the 2010 Bonds. Written comments may be submitted to the County by mailing to County Commissioners at 210 East 7th Street, Redfield, South Dakota 57469, until the close of business on Friday, May 28, 2010, the last business day before the hearing, or may be delivered at the public hearing at the address indicated above.

This notice is published pursuant to the public approval requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended and the regulations and rulings issued thereunder.

SPINK COUNTY, SOUTH DAKOTA

Published at an approximate cost of

Publish: May 19 and May 26, 2010.

EM/VSO

Commissioners discussed the EM/VSO position and made the following decisions:

Motion was made by B. Johnson, seconded by J. Albrecht to make the Emergency Manager a full time position with full benefits and to designate the Veterans' Service Officer to be an approximately half time position with no benefits except South Dakota Retirement requirements. All members voted aye. Motion carried.

Motion was made by Zerbel, seconded by C. Johnson, to advertise for a full time Emergency Manager and an approximately half time Veterans' Service Officer. All members voted aye. Motion carried.

ANNOUNCEMENT FOR EMERGENCY MANAGEMENT DIRECTOR/COORDINATOR

Applications are now being accepted for the full time position of Emergency Manager for Spink County at the Spink County Auditor's Office until 5 PM, June 4, 2010.

Applications, job description, minimum qualifications and responsibilities are available at the Auditor's Office. Spink County is an Equal Opportunity Employer.

The Emergency Manager, under general supervision, is responsible for performing emergency management work of considerable difficulty in planning, organizing, training, exercising, and coordinating emergency management activities. Duties include budgeting, development of warning plans and operations plans for natural or technical hazards, and advising local government officials on disaster responsibilities and operations. The ability to respond to disaster or emergency situations at any hour, and remain on-scene or supporting command location for an extended period of time is essential, as is the ability to cope and function within a highly emotional and stressful work environment.

Beginning salary for this position will be \$30,500 to \$33,000 per year (DOE) with full benefits, including South Dakota Retirement and paid single health. Tentative starting date is July 1, 2010.

All applications are considered strictly confidential.

By order of the Board of County Commissioners.

Dated at Redfield, South Dakota, this 11th day of May, 2010.

Cindy Schultz
Spink County Auditor

Three Publications: May 19, May 26 and June 2, 2010

ANNOUNCEMENT FOR VETERANS' SERVICE OFFICER

Applications are now being accepted for the part time position of Veterans' Service Officer for Spink County at the Spink County Auditor's Office until 5 PM, June 4, 2010.

Applications, job description, minimum qualifications and responsibilities are available at the Auditor's Office. Spink County is an Equal Opportunity Employer.

The Veterans' Service Officer is responsible for administering aid and assistance to veterans and their dependents in securing local, state, and federal entitlements/services for which they are eligible. The County Veterans' Service Officer shall be an "Honorably Discharged" veteran who has served in the armed forces of the United States, as that term is defined by SDCL 33-17-1.

Please include a copy of your DD-214 (or a copy of your Service Connected Award Letter) with your completed application.

Beginning salary for this position will be \$13.50 per hour. Position will average approximately 20 hours per week, which qualifies for South Dakota Retirement. No other benefits are included. Tentative starting date is July 1, 2010.

All applications are considered strictly confidential.

By order of the Board of County Commissioners.

Dated at Redfield, South Dakota, this 11th day of May, 2010.

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CORRESPONDENCE

Notification from the Office of the SD Secretary of State that another \$100,000 has been granted from the Secretary of Health & Human Services for improving polling place accessibility

Commission meetings for the month of June will be on Tuesday the 1st, Thursday the 10th (and include the official Primary Election Canvass) and Tuesday the 22nd.

Chairman Dave Albrecht declared the meeting adjourned at 12:15 PM until 8:30 AM, Tuesday, May 25, 2010.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota