

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, June 1, 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 C. Johnson, 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 May 25, 2010. All members voted aye. Motion carried.

Auditor discussed an agreement from West Group Payment Center regarding a plan that assures 24 or 36 month print pricing. Commissioners would like to have those who use the legal periodicals contacted before making a decision.

Auditor stated that in examining medical expenses for prisoners it doesn't appear that CRS inmate medical budget protector insurance would save the county any money. Commissioners agreed that it would not be feasible to purchase the insurance.

Vic Fischbach, States Attorney, stated that he will look over information received from the Department of Legislative Audit regarding contracts and bid laws and report back to the Commission.

Jeff Haessig, Highway Superintendent, reported on current work projects. Commissioners agreed that the County's insurance determination of recent claims will be the deciding factor of any recovery questions.

FEMA has met with Spink County Emergency Management and Township Officials about their SD State/Applicant Agreement Disaster Contracts.

FUEL QUOTES FOR MAY

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

Redfield:	E85, Ethanol and Unleaded:	18.0¢ below pump price & additional 2¢ credit with card use	
			Johnson
	Regular Bulk	2.495	Appel
	#2 Diesel	2.44	McGillvrey
Conde:	#2 Diesel	2.44	Harvey
Brentford & Northville:			
	#2 Diesel	2.50	N Central Farmers Elevator
Doland	#2 Diesel	2.44	McGillvrey
Tulare:	#2 Diesel	2.42	McGillvrey

All members voted aye. Motion carried.

Al Benning, Tulare, met with the Commissioners to endorse Dave Durfee, former VSO, for the position of part time VSO.

PUBLIC HEARING

At 9:30 AM, time set by public notice, a hearing was held to consider the adoption of Resolution #10-33 of Spink County giving preliminary approval to the issuance of Economic Development Revenue Bonds on behalf of the Eastern Star Home.

Toby Morris, Northland Securities, explained the County's interest in Economic Development Bonds, that the County serves as a conduit for the borrower and that no liability exists on the County's part. Morris introduced Mary Rice O'Donnell, Administrator, Connie Fiedler, Assistant Administrator, and Hazel Rowen, President, Board of Directors. Rice O'Donnell explained the construction to take place and all three ladies answered Commissioners' questions.

Motion was made by C. Johnson, seconded by B. Johnson, to approved Resolution #10-33 and the issuance of \$3,500,000 in Economic Development Revenue Bonds to be used to renovate housing and construct facilities owned by the Eastern Star Home. All members voted aye. Motion carried.

RESOLUTION NO. 10-33

Inducement Resolution of Spink County giving preliminary approval to the issuance of Economic Development Revenue Bonds not to exceed \$3,500,000 for renovation of existing facilities and construction of new housing facilities to be owned by EASTERN STAR HOME

WHEREAS, at the present time there exists the Eastern Star Home of South Dakota (“Eastern Star”) in Spink County, South Dakota (the “County”); and

WHEREAS, the general economic welfare and prosperity of the State of South Dakota (the “State”) and the County would be benefited by 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”), pursuant to the provisions of SDCL Chapter 9-54 as amended (collectively, the “Act”); and

WHEREAS, Eastern Star (the “Borrower”), a 501(c)(3) non-profit corporation, has entered into negotiations with Spink County (the “County”) and has provided certain information regarding the acquisition, construction, installation and equipping of the Project. The Project will be owned by the Eastern Star.

WHEREAS, the Borrower proposes to acquire, construct, install and equip the Project, at 126 W 12th Avenue, Redfield, Spink County, South Dakota if the County will finance a portion of the costs of the Project pursuant to the Act; and

WHEREAS, based solely upon the information provided by the Borrower and without independent verification by the County, the Project will advance commercial activities in the County and complies with the purposes and provisions of the Act; and

WHEREAS, the Commission of the County have considered such information, and whether the proposed Project may have an adverse competitive effect on similar facilities constructed or operating in or near the County.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of the County as follows:

Because the Borrower advances the general welfare of the citizens of the County by providing nursing home, elderly rental facilities, and health services, the general economic welfare and prosperity of the County and the State would be benefited by the acquisition, construction, installation and equipping of the Project by the Borrower.

Based solely upon the information provided to it by the Borrower and without independent verification of the County, the County reports, finds and determines pursuant to Section 17(b) on the Act that:

A. The Project will consist of 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, together with the purchase of certain other machinery and equipment to be utilized therein, located at 126 W 12th Avenue, Redfield, South Dakota.

B. The Project constitutes a housing for the elderly and health services under SDCL § 9-54-1 and will be integrated into the Eastern Star Home.

C. There will be no cost to the public of providing any increased public works or services made necessary or desirable as a result of the Project.

D. The total cost of this Project, including all necessary financing costs, is approximately \$3,500,000 and is proposed to be financed primarily through the issuance of revenue bonds through the County, pursuant to the Act, in an amount not to exceed \$3,500,000.

E. No parties in the County will be adversely affected by the competitive effect of the acquisition, construction and operation of the Project.

The County Auditor is hereby directed to give public notice pursuant to Section 17(c) of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended, of a public hearing on the financing of the Project at the appropriate time, and the public hearing will be conducted required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

The proceeds of the revenue bonds may be used for all costs for which proceeds on such bonds may be used under the Act and the Internal Revenue Code of 1986, as amended, including, but not limited to, reimbursement of the Borrower for such costs incurred subsequent to the date hereof. This Resolution shall be deemed to constitute a declaration of the County’s official intent pursuant to Treasury Regulation Section 1.150-2 to

permit the Borrower to be reimbursed from proceeds of the bonds for all qualified expenditures for the Project paid during the period beginning sixty (60) days prior to the date hereof until the date of issuance of the bonds.

The Borrower may proceed with the acquisition, construction, installation and equipping of the Project in reliance on this Resolution.

The Project constitutes industrial development project which may be financed by the County through issuance of its revenue bonds pursuant to the Act, and complies with the purposes and provisions of the Act and the County, subject to compliance with all provisions of South Dakota law and all policies and procedures of the County and final approval by the County of the structure and other aspects of this financing of the Project, and further subject to the exercise of administrative discretion, is willing to and does hereby, subject to the public hearing set forth in paragraph 3 above, authorize the issuance of its revenue bonds in an aggregate principal amount not to exceed \$3,500,000 to finance the project. If and when issued, the revenue bonds and the obligation to pay interest thereon will not constitute a debt, a liability, a general obligation or a pledge of the faith and credit of the County, the State or any political subdivision thereof, or a charge against the general faith and credit or taxing powers, if any, of any of them, within the meaning of any constitutional or statutory provisions, but shall be secured solely by the limited sources authorized and permitted by the Act. No owner of such revenue bonds shall have the right to compel the taxing powers, if any, of the County, the State or any political subdivision thereof to pay any principal of, premium, if any, or interest on the revenue bonds.

The members of the County Commission, officers and employees of the County, any agents of the County, and any other person executing bonds for the Project are not subject to any personal liability or accountability by reason of any act authorized by this Resolution or the Act, and the Borrower releases said individuals from and agrees that said individuals shall not be liable for and agrees to hold said individuals harmless and indemnify the County and said individuals against any expenses or damages incurred because of any lawsuit commenced by any person in connection with any action taken or omitted to be taken by said individuals with respect to the Project or the financing thereof.

Passed this 1st day of June 2010.

Dave Albrecht, Chairman

ATTEST:

Cindy Schultz
Spink County Auditor

COMMISSIONERS' ART CHALLENGE

Commissioners then reviewed the seventeen entries in their Art Challenge contest, of which they were to choose an appropriate County Seal. All entries were excellent, making a decision very difficult. They finally selected the picture submitted by Chrystal Gruenwald, Redfield, and will award the \$500 prize to her at their June 22nd meeting.

SPINK COUNTY AMBULANCE/GRANT

Mike Sanger, Spink County Ambulance Administrator, reported that the ambulance is in need of three mobiles and one base unit. The Sheriff Department has approximately \$12,000 remaining in their Homeland Security grant and is willing to let the ambulance use it. Following payment in full, 80% reimbursement will be made by the state.

Motion was made by C. Johnson, seconded by B. Johnson, to approve allowing the Spink County Ambulance to purchase three mobile digital radios and one base unit off the Sheriff Department's Homeland Security Public Safety Interoperable Communications grant and they will reimburse Spink County the 20% matching not covered by the grant. All members voted aye. Motion carried.

Fair Board fees were discussed and Jerry Zerbel, Commission Representative on the Fair Board, will bring up the establishing of rental fees on the new building at their next board meeting.

PLANNING AND ZONING

At 10:25 AM motion was made by C. Johnson, seconded by Zerbel, to recess as a Board of County Commissioners and convene as a Planning and Zoning Board with Jessica Avery, Drainage Administrator, present. All members voted aye. Motion carried.

At 10:55 AM the Spink County Board of Commissioners reconvened after having adjourned as a County Planning and Zoning Board.

RESOLUTION TO APPROVE PLAT (#10-32)

Be it resolved by the Board of County Commissioners of Spink County, South Dakota, that the plat showing Conde Lagoons Subdivision in the NW 1/4 and SW 1/4 of Section 31-T120N-R60W of the 5th P.M., Spink County, South Dakota. Having been examined, is hereby approved in accordance with the provisions of SDCL, and any amendments thereof.

Motion was made by J. Albrecht, seconded by Zerbel, to approve and adopt the above plat. All members present voted aye. Motion carried.

Dated this 1st day of June, 2010.

Dave Albrecht, Chairperson, Board of Commissioners
Spink County

ATTEST:

Cindy Schultz, Auditor
Spink County, South Dakota

EXPENSE REQUEST

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

Theresa Hodges and Tammy Suchor, Deputy Auditors, to deliver and pick up Automark voting machines on 6/7 & 6/9/10.

All members voted aye. Motion carried.

Motion was made by B. Johnson, seconded by C. Johnson to advertise for quotes on County group insurance. All members voted aye. Motion carried.

REQUESTING QUOTES ON COUNTY GROUP INSURANCE

The Spink County Board of Commissioners is requesting quotes for County Health and Life Group Insurance.

Currently Spink County pays \$612.00 for a single policy (this includes Vision and a supplement covering \$1000 hospitalization) with a \$1500.00 deductible. The Spink County Commissioners are shopping for the best possible group coverage, with intentions to stay within the current \$612 single premium and incorporate a bridge, supplemental insurance or other means so as to maintain a manageable out-of-pocket expense.

Please contact the Spink County Auditor at (605) 472-4580 by June 18, 2010 to make arrangements. Quotes must be submitted by July 1, 2010.

Spink County reserves the right to only interview agencies of their choosing regarding their submitted quotes and to reject any or all bids.

Two Publications: June 9 and June 16, 2010

CLAIMS AND REPORTS ALLOWED

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

May 2010 Salaries and Benefits: Commission 4450.00, Election 743.55, Auditor 7788.69, Treasurer 7119.02, States Attorney 5184.21, Maintenance 3983.40, Director of Equalization 7679.49, Register of Deeds 4105.20, VSO 1265.00, Sheriff 27371.86, Home Detention 2395.25, Poor 424.64, Health 2335.52, Museum 400.00, Fair 70.00, Extension 3397.12, Weed 3723.91, Planning & Zoning 1134.32; OASI & Medicare 6302.90; Retirement 4677.32; Insurance 15065.92;

Misc: Great Western Bank 61269.16 principal & 51431.89 interest for TIF District #1, Joe Lutter 100.00 Fairgrounds deposit refund;

Supplies and Repairs: Dakota Security Systems 338.59, Fink Plumbing 183.67, Gary's Two-Way Radio 75.00, Hansen Motors 29.42, Sheehan Cycle 305.83;

Travel: Auditor: SDACO 75.00 registration, Jamie Johnson 21.00 meals, Cindy Schultz 33.00 meals & 76.22 mileage, Theresa Hodges 21.00 meals & 92.50 mileage; Commissioners mileage: Gerald Zerbel 56.24; Extension: Mark Rosenberg 119.14 mileage and 75.95 lodging; Fair Board mileage: Deanna Koester 11.10, Darla Knox 14.80; Home Detention: Mavis Ludemann 22.20 mileage; VSO: Steven Hanson 113.22 mileage; Weed & Pest Board: Gary Felderman 25.90, Lannie Mielke 21.46;

Utilities: Steven Hanson 10.00, Verizon 106.50;

Highway Department

May 2010 Salaries and Benefits: Hwy. Admin. 7246.82, Hwy. Const. 38157.30; OASI & Medicare 3395.86; Retirement 2636.08; Insurance 10198.74;

Construction Material: Beckler Construction 591.03, Melvin Williamson Trucking 403.67;

Supplies & Repairs: Gary's Two-Way Radio 555.95, Lyle Signs 341.89, OK Tire Store 177.00;

Utilities: Northwestern Energy 590.27;

E911

May 2010 Salaries and Benefits: 7749.14; OASI & Medicare 581.79; Retirement 464.96; Insurance 2021.45;

Emergency Management Fund

May 2010 Salaries and Benefits: 1485.00; OASI & Medicare 112.59; Retirement 89.10; Insurance 333.22;

Travel: Steven Hanson 48.10 mileage;

Utilities: Steven Hanson 10.00;

24/7 Sobriety

May 2010 Salaries and Benefits: 542.80; OASI & Medicare 41.15; Retirement 32.55; Insurance 133.47;

CORRESPONDENCE

Chairman Albrecht declared the meeting adjourned at 11:25 AM until 8:30 AM, Thursday, June 10, 2010.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:
Cindy Schultz, Auditor
Spink County, South Dakota

Published at the approximate cost of _____.