

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, January 17, 2012, at the Spink County Courthouse. Present were Commissioners Jeff Albrecht, Dave Albrecht, Brian Johnson, and Jerry Zerbel. Commissioner Craig Johnson was absent. Chairman Dave Albrecht opened the meeting with the Pledge of Allegiance.

**ADOPT AGENDA**

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

**MINUTES APPROVED**

Motion was made by J. Albrecht, seconded by B. Johnson, to approve the minutes of January 3, 2012. All members present voted aye. Motion carried.

**CORRESPONDENCE**

- Glacial Lakes & Prairies Membership Pamphlet
- JRWDD notice of meeting & minutes of 2 prior meetings
- SD DOT notice of federal funding available thru 9/30/12
- Foster Grandparents newsletter
- SD Dept of Revenue approval of payable 2012 tax levies
- US Dept of State, Passport Services invitation to participate in Passport Day in the USA 2012
- Information regarding Hazard Mitigation Grant Program funding
- Office of Governor's schedule of the memorial ceremony for Governor Janklow

**BOND/INS POLICY**

Auditor discussed the bonding coverage from CNA Surety, Sioux Falls, currently in place for Spink County employees. She will look into the laws requiring this coverage and whether additional bonding should be purchased.

**VOLUNTEERS**

The following volunteers with the County were filed for Workman's Comp purposes:

- Teen Court Volunteer Judges: Russ Battey, Vic Fischbach, Paul Gillette, Margo Gillette & Gina Rogers
- Teen Court Participants: varies each session
- Deputy States Attorneys: Harvey Oliver, Kim Dorsett & Tim Borman

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SPINK COUNTY, SOUTH DAKOTA APPROVING THE APPOINTMENT OF COMMISSIONERS OF THE HOUSING AND REDEVELOPMENT COMMISSION OF SPINK COUNTY, SOUTH DAKOTA (#12-11)**

WHEREAS, the Honorable Chairman of the Board of Commissioners of Spink County, South Dakota, has named and appointed the following as Members of the Housing and Redevelopment Commission of Spink County, South Dakota, to serve from the date of this certificate of appointment for five year terms (limit-two terms) until December 31 of the year appearing after his or her name.

Craig Johnson	2012 (1)
Gerald Zerbel	2013 (2)
Lorah Houser Jankord	2014 (1)
Marjorie Gallup	2015 (2)
Duane Sanger	2016 (2)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Spink County, South Dakota, that the appointments of Members of the Housing and Redevelopment Commission by the Chairman of Spink County are hereby approved.

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

Dated this 17th day of January 2012, at Redfield, South Dakota.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:

Spink County Commission, January 17, 2012

Cindy Schultz, Auditor  
Spink County, South Dakota

**APPLICATION FOR CANCELATION OF PROPERTY TAXES**

Motion was made by B. Johnson, seconded by J. Albrecht, to approve the cancellation of \$1,462.56 in added assessments to Lot 1, 2 & N .5' of the E100' Lot 3, Albert Keeps, Redfield, because full payment was made at City Hall. All members present voted aye. Motion carried.

**EMERGENCY MANAGER**

Commissioners agreed that the pickup purchased for the Emergency Manager's use should be marked and clearly designated as an emergency vehicle and kept at the Emergency Manager's residence for immediate availability.

Vic Fischbach, States Attorney, had previously examined the following Resolution and found no legal issues. Kim Markley, Director of Equalization was present to answer questions regarding Redfield Energy's request and Simon Appel, Director of Safety and Environmental Regulations for Redfield Energy LLC answered further questions via speakerphone.

**RESOLUTION 12-12: REDFIELD ENERGY SOLID WASTE MANAGEMENT SITE APPLICATION**

**WHEREAS**, Redfield Energy, LLC desires to establish a storage and/or land application site for the purpose of solid waste management; and

**WHEREAS**, the siting of this proposed facility is not in conflict with any established zoning laws or ordinances; and

**WHEREAS**, Redfield Energy, LLC will file a solid waste application with the South Dakota Department of Environment and Natural Resources (DENR); and

**WHEREAS**, DENR will review that application to determine that the facility can be operated within the South Dakota laws and regulations; and

**WHEREAS**, the Board of Minerals and Environment will review, modify, approve, or deny the permit if the tentative recommendations and/or conditions of the permit are contested by any interested party; and

**WHEREAS**, the County Commission of Spink County is required by South Dakota law SDCL 34A-6-103 to approve of a solid waste facility prior to the issuance of a solid waste permit;

**IT IS THEREFORE RESOLVED** that the County Commission of Spink County hereby approves construction and operation of the proposed facility to be operated under the terms of a solid waste permit to be issued by the Board of Minerals and Environment.

It was moved by B. Johnson, seconded by Zerbel, APPROVED this 17th day of January, 2012 by the Spink County Commission in regular session at the Spink County Commission Chambers, Spink County Courthouse, 210 East 7th Avenue, Redfield, South Dakota.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor  
Spink County, South Dakota

**STATES ATTORNEY**

State's Attorney Vic Fischbach gave an update of his activities. Theresa Hodges, Welfare Director, was also present. Additional information is needed regarding applicant #15 before a determination can be made.

**HIGHWAY SUPERINTENDENT/CONTRACT**

Motion was made by B. Johnson, seconded by J. Albrecht, to renew the three year contract with Professional Security, Watertown, SD, for drug and alcohol testing services, duration of contract to extend from January 1, 2012 to December 31, 2015. All members present voted aye. Motion carried.

### **APPRAISE/SURPLUS BLADES**

Motion was made by J. Albrecht, seconded by B. Johnson, to appraise each of the 2003 Komatsu blades at \$40,000 and surplus them for sale. All members present voted aye. Motion carried.

### **QUOTE/PURCHASE**

Motion was made by J. Albrecht, seconded by B. Johnson, to approve the \$24,900 purchase of a Walk and Roll Packer, from LyCox Enterprises Inc, Billings, Montana. All members present voted aye. Motion carried.

### **NARROW BAND RADIO**

The Federal Communications Commission requires that all wide band radio equipment be switched to narrow band by January 1, 2013 and such upgrade will cost the Department approximately \$18,000.

### **WEED BOARD**

Mike Esser, Weed Supervisor, Deb Schultz and Brett Bierman, Weed Board members, met with the Commissioners to discuss budgetary and policy matters. This year there is no state weed bid to address and Commissioners would like to see how work is handled without that duty. The number of sprayers, liability concerns and prioritization of job locales were addressed as well. Commissioners would like to see more communication through the chain of command from the Weed Supervisor to Highway Superintendent as well as the Commission itself.

### **DRAINAGE**

At 10:15 AM motion was made by Zerbel, seconded by J. Albrecht, to recess as a Board of County Commissioners and to convene as a Drainage Board. All members present voted aye. Motion carried.

At 10:30 AM Commission reconvened following adjournment as a Drainage Board.

### **REGISTER OF DEEDS**

Sharon Jungwirth, Register of Deeds, filed her year end 2011 report with the Commissioners.

### **FEE/DATA PURCHASE**

Jungwirth recommended that data from her office be sold for the same amount as the Director of Equalization Office charges for similar requests. The Commissioners were in agreement that the Register of Deeds scanned files be sold to Spink County Abstract for \$750.00.

### **PERSONNEL/HOURS WORKED**

Commissioners agreed that Sharlene Gilbert may work full time for two weeks during Register of Deeds absence January 26 through February 9.

### **EXPENSE REQUESTS**

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

- Tammy Suchor to an annual report workshop in Mitchell, 1/19/12
- Highway Department to MSHA Annual Safety Training in Aberdeen, 1/25 or 1/26, 2012
- Mike Esser & Weed Board members who can attend to Weed & Pest Conference, Rapid City, 2/23 & 2/24/2012
- Mike Esser, Weed & Pest Supervisor, to Supervisors Training in Rapid City, 2/22/2012

All members present voted aye. Motion carried.

### **SHERIFF DEPARTMENT/COUNTY LIEN**

Kathy Adams, Deputy Sergeant, described property which has been abandoned to the County with the intention of its being applied toward a lien. Sheriff Kevin Schurch and Welfare Director Theresa Hodges were present for the discussion. Adams filed pictures and an itemized list of the property. States Attorney is looking into the process of properly taking possession of the items.

### **SALARIES/RAISES**

Janet Morrison, former Spink County Treasurer, spoke to the Commission regarding the distribution of raises in 2012.

### **COMMITTEE REPORT**

Commissioners D. Albrecht and J. Zerbel reported on a meeting they had attended in Aberdeen regarding the formation of a new water district.

### **CORRECTION TO MINUTES/FEES**

Truck & Sprayer fees were listed twice on the fee schedule adopted January 3, 2012. The second record should have been "Truck at \$30/hour".

### **CLAIMS AND REPORTS**

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

Misc: Beadle County Sheriff 2080.00 Dec prisoner care, Community Memorial 725.00 Dec blood draws, Faulk Co Sheriff 1800.00 Dec board of prisoners, Language Line Services 156.24 interpreter, Gina Rogers 1519.00 court appointed attorney fees, Sanger Management & Training 787.50 January support, State of SD: 140.00 lab services, 1545.00 Health Nurse;

December 2011 Salaries and Benefits: Dakotacare Flex 30.00;

Supplies and Repairs: Appel Oil 2717.19, Applied Concepts 85.00, Avaya 249.51, Connecting Point 1696.00, Dakota Electronics 157.50, Dakota Security Systems 3009.70, Duckwall-Alco 83.17, Fink Plumbing 266.33, Galls 194.98, Hedahls 41.37, House of Glass 75.00, Johnson Oil 1004.46, Jungwirth Constr 3369.30, McLeod's 169.14, Pheasant Country Repair 168.81, Public Safety Center 117.40, Redfield Ace Hardware 183.08, Redfield Hardware Hank 262.14, Redfield Press 569.74, Soliant Consulting 107.30, Spink County Senior Citizens 2014.00 Jan support; juror fees 611.02;

Travel: Sheriff: Mid-States Organized Crime Info Center 100.00 membership; Weed: Weed & Pest Conf 250.00 registrations;

Utilities: Executive Management (BIT) 131.67, Northern Valley Comm 192.35, Northern Wireless 95.40, Northwestern Energy 81.36, Redfield City 109.75;

### **Highway Department**

December 2011 Salaries and Benefits: Dakotacare Flex 427.34;

Misc: Diesel Machinery 970.66;

Supplies & Repairs: Appel Oil 16121.00, Duckwall-Alco 15.98, G&K Services 15.31, Hedahls 94.35, Johnson Oil 45.00, North Central Farmers Elev 9048.77, Power Plan 1383.89, Redfield Ace Hardware 48.03, Redfield Hardware Hank 39.34, Titan Access 610.42;

Travel: SD Assn Co Hwy Supts 195.00 annual dues;

Utilities: Century Link 85.28, City of Doland 36.00, Executive Management (BIT) 20.46, Northern Wireless 39.95, Northwestern Energy 325.45, Redfield City 39.50;

### **E911**

Utilities: Century Link 85.28, James Valley Telecomm 209.10;

### **Emergency Management Fund**

Supplies & Repairs: BW Insurance 145.00, Dakota Electronics 5608.00;

Travel & Conference: SDEMA 30.00 2012 membership;

Utilities: Executive Management (BIT) 2.07, Northern Wireless 4.55.

### **REPORTS**

- Dec 2011 Register of Deeds Statement of Fees Collected: \$9,177.05
- SDML WC Fund – Open Claims Report as of 12/31/11
- NACO YTD Prescription Drug Discount Card Program
- Dec 2011 Sheriff's Report of Fees Collected: \$2,264.85
- Dec 2011 Auditor's Account with the County Treasurer

County General Fund	\$2,268,346.64
Special Revenue Funds	1,350,998.74
TIF Debt Service	559.79
Amount Held for Trust & Agency Funds	245,385.13
Amount Held for Schools	46,341.69
Amount Held for Townships	15,774.19
Amount Held for Municipalities	<u>11,334.34</u>
Total	\$3,938,740.52

- Dec 2011 Report of Poor Lien Reimbursements: \$655.40
- Dec 2011 Highway Superintendent Report of Collections Made:
 

Road & Bridge Fund	\$25,682.23
Weed Department	<u>\$0.00</u>
Total	\$25,682.23
- 2011 YTD Comp and Overtime Earned by Department
- Dec 2011 Spink County Ambulance Activity Report
- Dec 2011 Reimbursements to Spink County for Court Appointed Attorney Fees: \$900.91
- Conde Ambulance Year Ended 12/31/11 Financial Statement

**DECEMBER 2011 BUILDING PERMITS/REMOVALS**

Name	City / Twp	Legal	Remarks for Notes & Removals
Gordie Hofer	Antelope	SE1/4 6-114-61	Remodel den; new carpet
4 Seasons Cooperative	Doland City	Cenex Lot 1 in NE1/4 (6.46A)	Tore down old fertilizer building
Bret Bierman	Northville	NE1/4 8-119-65	Remodel granery into shop
Jerry & Gail Stoltenberg	La Prairie	Stoltenberg Tract 1 in NE1/4 9-120-62	Cont. BP 146-09: Decks and finish to new home
Dale Smith	Antelope	SW1/4 26-114-61	Cont. BP 55-10: Complete new home & decks; continued remodeling; tear down old home
Rodney & Deneise Wipf	Antelope	S 175' of N 800' of W 250' of W1/2 NW1/4 (1A) 10-114-61	Cont. BP 50-10: Continued remodeling of basement; work on garage
Steven & Nora Kramp	Brentford	Outlots E 412' of 6 less Lot H-2	Move shed to Orig B 20 L 3-5, parcel #8408
Jerry Zerbel	Mellette	SW1/4 20-119-63	Remodel bathroom
Thomas Lambert	Great Bend	SW1/4 25-117-63	Concrete floor in quonset; tear down #8 bldg
Dustin Schmidt	Redfield	Lots 3 & 4 & S1/2 NW1/4 1-116-64	#3, #7 & gone; #4 bldgs gone today
Steven & Nora Kramp	Brentford	Original Block 20 Lots 3-5	Move in shed from #8440
Camrose Colony	Prairie Center	NW1/4 19-117-61	4 turkey barns & 2 hog barns
Robert & Cindy Schultz	Buffalo	NE1/4 18-114-65	New furnace & humidifier
Jeremy Nowell	Lake	SW1/4 32-114-64	Deck, maybe siding, windows, sheetrock in bsmt, door
Francis Hass	Spring	SE1/4 25-117-60	Destroy home
Tom & Deb Schultz	Buffalo	1 A in NW Cor of NW1/4 28-114-65	Burn old school house
Larry Kegler	Athol	NE1/4 34-118-65	Shop 42x104; Grain bin
Blair Bohl	Tetonka	Grandpre Addn Lot 1 31-119-62	Removed #3 utility shed
Benny Blalock	Ashton City	Original Block 14 Lot W1/2 of 11 & all 12	Build dog kennel & carport; concrete slab; electric hook-ups

**EXECUTIVE SESSION**

At 12:10 PM motion was made B. Johnson, seconded by J. Albrecht, to enter into executive session to discuss legal matters and personnel with Vic Fischbach, States Attorney, present. All members present voted aye. Motion carried.

Chairman Dave Albrecht declared the Board out of Executive Session at 12:50 PM.

**RESIGNATION**

Motion was made by B. Johnson, seconded by J. Albrecht, to acknowledge the resignation of Lannie Arthurs, Maintenance Supervisor, effective today at 1:00 PM. All members present voted aye. Motion carried.

**NOTICE/HELP WANTED**

Motion was made by B. Johnson, seconded by J. Albrecht, to advertise the Maintenance Supervisor position twice, beginning January 25, 2012. Salary will be depend upon experience. All members present voted aye. Motion carried.

At 1:00 PM Chairman Dave Albrecht declared the meeting adjourned. The next regular meeting of the Spink County Commissioners will be on Tuesday, January 31, 2012 at 8:30 AM.

Dave Albrecht, Vice Chairman  
Spink County Board of Commissioners

ATTEST:  
Cindy Schultz, Auditor  
Spink County, South Dakota

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