

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, February 28, 2012, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Brian Johnson and Craig Johnson. Commissioner Gerald Zerbel was absent. Lori Jo Mundstock was also present. Chairman Dave Albrecht opened the meeting with the Pledge of Allegiance.

**ADOPT AGENDAS**

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

**MINUTES APPROVED**

Motion was made by B. Johnson, seconded by C. Johnson, to approve the minutes of the February 14, 2012 Commission meeting. All members present voted aye. Motion carried.

**CORRESPONDENCE:**

- Legislative Updates
- SD Dept Environment & Natural Resources: Glendale Colony Revised Phosphorus-Based Nutrient Management Plan
- SDRS invitation to join the Supplemental Retirement Plan's Automatic Enrollment Program
- NACo 2012 Legislative Conference
- Auction blotter for school land lease auction to be held in the Commissioners room 3/19/12 at 1:30 PM
- SDML notice of upcoming safety training sessions
- SD Funeral Director's Assn – Co Survey of Indigent Burials
- Fair Board Minutes of 2/15 & 2/24/12
- Cy of Frankfort – General Permit for Restricted Use Storage & Disposal Facilities
- JRWDD Notice of Meeting
- PBBS Equipment invitation to a Boiler Operation, Maintenance & Safety Seminar
- 2012 Budget Comparisons between Spink, Moody, Hamlin, McCook, Day, Fall River & Grant Counties

**STATES ATTORNEY**

Vic Fischbach, States Attorney, filed a Hold Harmless Agreement form he had drafted to be used when County does business with contractors who are sole proprietors and who don't carry workman's comp insurance.

Fischbach is making arrangements so that the County may sell personal property that was released to the County with the understanding that proceeds be applied toward a lien. He also reported on a recent drainage issue that may be litigated.

**HIGHWAY SUPERINTENDENT**

Jeff Haessig, Highway Superintendent, filed specs for highway and weed supplies for which bids will be opened at 11:00 AM, March 13, 2012.

Haessig stated that he would prefer not to contract for fuel pricing at this time. The department will install load limit signs to roads on Monday.

**2012 BRIDGE REINSPECTION PROGRAM RESOLUTION #12-15**

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 Engineers (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.

Dated this 28<sup>th</sup> day February 2012, at Redfield, South Dakota.

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

Board of County Commissioners of Spink County

Dave Albrecht  
Chairman of the Board

ATTEST:

Cindy Schultz  
County Auditor

**2012 COUNTY STRIPING AGREEMENT**

Motion was made by B. Johnson and seconded by C. Johnson to approve that Chairman Dave Albrecht sign the 2012 agreement between Spink County and the SD DOT for striping approximately 15 miles of Spink County roads for which County will pay a 40% share of the program limit (\$2,018.18) plus the County's amount over the limit (\$5,642.15). All members present voted aye. Motion carried.

The City of Frankfort has requested the County's assistance in cleaning up a property in Frankfort that was recently destroyed by fire. Highway Superintendent will inspect the site and assist when possible.

Haessig is planning for the Department to help Beadle County pull in shoulders and haul gravel at their county road adjacent to ADM.

**FAIRGROUNDS**

D. Albrecht attended the Fair Board meeting last Friday and reported that electrical installation is currently taking place in the new building.

**PLANNING & ZONING**

Motion was made at 9:45 AM by J. Albrecht, seconded by C. Johnson, to recess as a Board of County Commissioners and to convene as a Planning and Zoning Board. All members present voted aye. Motion carried.

At 10:00 AM the Board of County Commissioners meeting resumed after having adjourned as a Planning and Zoning Board.

**ZONING HEARING**

At 10:00 AM, time set by public notice, a public zoning hearing was held. No person or their representative appeared for or against the rezoning. The Commissioners appreciated the letter of support of the new business which they received from the City of Conde.

Motion was made by J. Albrecht, seconded by C. Johnson, to approve rezoning Herman's 2nd Block 6 Lots 1-3, Conde City, from Rural Urban to Industrial, at the request of Jerry Taylor, so that a Sioux Falls industrial business can be expanded to Conde. All members present voted aye. Motion carried.

**LEGISLATION**

A task force is being organized by the state to study watershed, water districts and drainage. Spink County's role in the JRWDD was also discussed.

**QUIT CLAIM DEEDS**

Motion was made by B. Johnson, seconded by J. Albrecht, to issue quit claim deeds to the City of Frankfort, per their request, for the following properties:

- Balance of Lot 2 & all of Lot 5, Block 6, Original, Frankfort City
- Lots 1 and 2, Block 36, Subdivision Block 35-37, Frankfort City

All members present voted aye. Motion carried.

Commissioners discussed findings from the 2009 through 2010 SD Department of Legislative Audit with Amy Michlitsch, Deputy Treasurer and Kathy Ludwig, Treasurer.

## **MEMORANDUM OF UNDERSTANDING**

The Memorandum of Understanding between SDSU Extension and Counties of South Dakota 2012 was discussed but no action was taken.

### **E911**

Commissioners would like to have a comparison made of revenue and expenses when the E911 system was set up in 1997 with current E911 revenues and expenses.

### **BIDS ACCEPTED**

At 11:00 AM, time set by public notice, bids on two 2003 Komatsu motor graders were opened. Diesel Machinery, Inc., Aberdeen, SD was the only bidder. Motion was made by C. Johnson and seconded by B. Johnson to accept both of Diesel Machinery, Inc.'s bids as follows:

- \$34,500 on the 2003 Komatsu GD605A Motor Grader, Sr #210994 with 9138 hours, equipped with a para-lift hitch, 12' snow wing & 14' moldboard with 2' left hand extension
- \$37,500 on the 2003 Komatsu GD605A Motor Grader, Sr #210998 with 7,813 hours, equipped with para-lift hitch, 12' snow wing, and a 14' moldboard with 2' left hand extension

All members present voted aye. Motion carried.

### **EXECUTIVE SESSION**

At 11:28 AM motion was made by C. Johnson and seconded by B. Johnson to enter into executive session to discuss personnel. All members present voted aye. Motion carried.

Chairman Dave Albrecht declared the Board out of executive session at 12:05 PM and the following action was taken:

Motion was made by C. Johnson and seconded by B. Johnson to release a public statement regarding the South Dakota Department of Legislative Audit's current audit findings of the 2009 – 2010 audit years.

“Following the recent State of South Dakota Audit of Spink County, the Spink County Commission has reviewed the fiduciary responsibilities of the Spink County Treasurer's Office and provided notice through the Spink County States Attorney that implementation of department controls are required within the Treasurer's Office to prevent any further Audit concerns regarding cash transactions.

The Treasurer's Office has been reprimanded for the audit's finding of a significant deficiency regarding employee use of county funds.”

All members present voted aye. Motion carried.

### **CLAIMS ALLOWED**

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

#### **County General Fund**

Misc: Norma Anderson 15.00 MI hearing, Community Memorial 290.00 blood alcohol, Donna Dietrich 150.45 MI Board, Tammy Erickson 46.90 court reporting, James Hare 218.67 court appointed attorney fees, LCM Pathologists 2571.12 pathology, Lewis Drug 19.39 prisoner care, Karen Swanda 15.00 MI hearing; juror fees 10.00;

Supplies and Repairs: A&B Business Solutions, Inc 468.00, Cole Papers 507.15, Leaf 79.24, Neve's Uniforms 447.03, Quill 90.66, Redfield Press 77.40, Wells Fargo Remittance 538.48, Wholesale Electronics 15.62;

Travel: Commissioners' mileage: Brian Johnson 113.22;

Utilities: Century Link 413.08, Clausen Sanitation 234.00, Midcontinent Comm 55.00, Northwestern Energy 382.96, Verizon Wireless 95.05;

#### **Highway Department**

Construction Material: Deb Kopplin 20563.50, Tom Tomsha 61690.50;

Engineering: Pierce & Harris 485.97;

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Supplies and Repairs: Appel Oil 15745.00, Country Repair 34.57, Jessen Heating & Refrig 55.00;

Travel: SD Assoc Co Hwy Supts 80.00 registration;

Utilities: Century Link 49.59, Clausen Sanitation 120.00, Northwestern Energy 1207.90;

**E911**

Utilities: CenturyLink 859.15, Venture Communications 164.78;

**Emergency Management**

Utilities: Century Link 33.06, Verizon Wireless 73.21.

**REPORTS**

- Redfield Rural Fire Department Statement of Changes in Cash Balances & Cash Assets as of 12/31/11
- NACo Prescription Drug Discount Card Program data
- Jan 2012 Report of Payments Received to Reimburse for Court Appointed Attorneys: \$1,268.50
- Jan 2012 Register of Deeds Statement of Fees Collected: \$6,076.90

**EXPENSE REQUESTS**

Motion was made by B. Johnson, seconded by J. Albrecht, to approve travel expense requests for the following:

- Jeff Haessig, Highway Superintendent, to SDACHS Annual Short Course, Huron, 3/13 – 15/2012
- Theresa Hodges, Welfare Director, to Welfare Officials Spring Workshop, Pierre, 3/22/12

All members present voted aye. Motion carried.

Chairman Dave Albrecht declared the meeting adjourned at 12:15 PM. The next regular meeting of the Spink County Commissioners will be held on Tuesday, March 6, 2012 at 8:30 AM.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:  
Cindy Schultz, Auditor  
Spink County, South Dakota

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