

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, April 24, 2012, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Brian Johnson, Craig Johnson and Gerald Zerbel. Chairman Dave Albrecht opened the meeting with the Pledge of Allegiance. Wayne Nelson, Redfield, was present for the meeting.

**ADOPT AGENDAS**

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 the April 10, 2012 Commission meeting. All members voted aye. Motion carried.

**CORRESPONDENCE:**

- Spring 2012 Foster Grandparent newsletter
- April 23 SDNA Update
- April 9, 2012 Spink County Weed & Pest Control Minutes
- Risty Benefits, Sioux Falls, SD request to quote GAP insurance (not this year)

**WELFARE DIRECTOR/APPEAL**

Theresa Hodges, Welfare Director, reported that applicant #198 has appealed the Commission's April 10, 2012 decision that client can afford to pay a portion. Motion was made by J. Albrecht and seconded by B. Johnson to set 10:15 AM in the Spink County Commissioners' Chambers as the time and place to hear the appeal from Applicant #198 of the April 10, 2012 decision regarding an ability to pay.

**REGISTER OF DEEDS**

Sharon Jungwirth, Register of Deeds, requested that binding of 14 record books in her department, which she had included in her 2012 budget, begin at this time. Total cost will be \$6,048.00 for the restoration. Motion was made by C. Johnson and seconded by J. Albrecht to approve the request. All members voted aye. Motion carried.

**AIR CONDITIONING**

Jessen Heating & Refrigeration is currently installing Carrier air conditioning units in the Courthouse second floor.

**SURPLUS PROPERTY**

Motion was made by B. Johnson and seconded by C. Johnson to declare as surplus County miscellaneous property and equipment to be sold at public auction, junked or destroyed. All members voted aye. Motion carried.

Itemized lists of County property declared as surplus are on file in the Spink County Auditor's office and are available for inspection during regular office hours.

**2013 WIC CONTRACT**

Motion was made by J. Albrecht, seconded by B. Johnson, to approve renewal of the Women, Infants, Children contract between Spink County and the SD Department of Health, for the term beginning June 1, 2012 and ending May 31, 2013, for reimbursement of services not to exceed \$6,620.00. All members voted aye. Motion carried.

Motion was made by J. Albrecht, seconded by Zerbel, to advertise a hearing to rezone OL 2 in N1/2 of NE1/4 (2.0A) a part of N1/2 of NE1/4 of 1-116-61, Doland City, Spink County, SD so that it will be reclassified from Residential to Commercial. All members voted aye. Motion carried.

**NOTICE OF PUBLIC ZONING HEARING**

NOTICE IS HEREBY GIVEN THAT THE SPINK COUNTY COMMISSIONERS WILL MEET TO HEAR A REZONING REQUEST on Tuesday, May 15, 2012 at 9:30 AM, during the Spink County Commissioners regular meeting, Commissioners Room, Spink County Courthouse, 210 East 7th Avenue, Redfield, to consider the following request:

Applicant: Doland City

Legal: OL 2 in N1/2 of NE1/4 (2.0A) a part of N1/2 of NE1/4 of 1-116-61, Doland City, Spink County, SD

Reason for Petition to Rezone: Reclassify from Residential to Commercial to attract a retail business

Notice is further given that any person, or persons, who are interested in the approval or rejection of such application, or their attorney, may appear and be heard at said scheduled public hearing.

Dated this 24th day of April, 2012, at Redfield, South Dakota.

Cindy Schultz, Auditor  
Spink County, South Dakota

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF SPINK COUNTY, SOUTH DAKOTA, APPROVING THE APPOINTMENT OF A MEMBER OF THE COMMUNITY MEMORIAL HOSPITAL BOARD OF TRUSTEES, SPINK COUNTY, SOUTH DAKOTA**  
Resolution 2012 – 21

WHEREAS, in accordance with the City of Redfield Municipal Code 2.26.020, two members are to be appointed by the Board of Spink County Commissioners to the Redfield Community Memorial Hospital Board of Trustees,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Spink County, South Dakota, that the appointment of Bonnie Wagner, Doland, to a three year term beginning May 1, 2012 as a Member of the Community Memorial Hospital Board of Trustees of Spink County is hereby approved.

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

Dated this 24th day of April, 2011, at Redfield, South Dakota.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor  
Spink County, South Dakota

**STATES ATTORNEY**

Vic Fischbach, States Attorney, discussed a property in Redfield which is being taken for tax deed. A party is interested in the property for payment of back taxes. This will be on the May 1, 2012 agenda.

**APPLICATIONS FOR ABATEMENT AND CANCELLATION**

Motion was made by C. Johnson and seconded by B. Johnson that taxes or added assessments be abated from the following:

- \$167.50 on University B 7 L 1, Redfield City, and \$1,903.36 on OL's L2 in E1/2 of W1/2 of NW1/4 11-116-64 (1.70 A), Redfield City, because properties are owned by Redfield City and exempt from tax (2012)
- Hahn's 2nd B2 L1 & N1/2 2, Doland City, because City forgave added assessments (payable 2006: \$150 & 2008: \$300)

All members voted aye. Motion carried.

**HIGHWAY SUPERINTENDENT**

Jeff Haessig, Highway Superintendent, and Kim Markley, Director of Equalization, requested that the Commissioners approve travel expense requests for GIS training in Sioux Falls. The training is necessary because programs have changed.

Haessig has received a complaint of culverts letting too much water through and another area where culverts are requested. School bus drivers have expressed concerns to Commissioner Zerbel about the traffic at Mellette corner.

Tulare has made a request for the Highway Department to help haul when a building is demolished. The town would have to provide a track hoe because Spink County doesn't own one and, if done, it would have to be accomplished in the late fall or sometime next winter.

### **FAIRGROUNDS BUILDING**

Jerry Zerbel, Commissioner Representative to the Fair Board, gave an update on their last board meeting. Commissioners would like to have an itemized list of the expenses that make up the \$25,000 estimate to get the new building functional.

### **REZONING HEARING**

At 9:30 AM, time set by public notice, a hearing was held to consider the application to rezone a property. No person or their representative appeared for or against the action.

Motion was made by C. Johnson and seconded by B. Johnson to approve Casey Fey's request to rezone the NE1/4 of SE1/4 22-117-64, Spink County, SD from Agricultural to Commercial for the operation of a tire service business. All members voted aye. Motion carried.

### **HEARING FOR NEW LIQUOR LICENSE RENEWAL OF MALT BEVERAGE LICENSE**

At 9:45 AM, time set by public notice, in the County Commissioners Room, Spink County Court House, a new application for retail (on-sale) liquor license was up for consideration. Also, the Mellette Travel Plaza has submitted application to renew their Retail (on-off sale) Malt Beverage License.

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

- the sale, for \$1,000.00, of a new retail (on-sale) liquor licenses to operate outside a municipality for the 2012 Licensing Period, to Full Circle Outfitters: 30A in the SW1/4 commencing in SW corner, thence E 1143', thence W 1143', thence S 1143' to the point of beginning
- and to approve the renewal of a Retail (on-off sale) Malt Beverage License for Mellette Travel Plaza, Vollmers OL 1 & OL 2 located in SW 35-120 64

All members voted aye. Motion carried.

Lori Jo Mundstock, Redfield Press, joined the meeting and was in attendance through the Emergency Manager's presentation.

### **PLANNING & ZONING**

Motion was made at 10:00 AM by B. Johnson, seconded by Zerbel, to recess as a Board of County Commissioners and to convene as a Planning and Zoning Board. All members voted aye. Motion carried.

At 10:20 AM the Board of County Commission meeting resumed after having adjourned as a Planning and Zoning Board.

### **DIRECTOR OF EQUALIZATION**

Kim Markley, DOE, filed a \$9,781.00 quote from Connecting Point Computer Center, Watertown, SD for a 2012 budgeted HP Proliant ML350 tower entry-level server and all hardware, software, warranty and installation costs. Motion was made by J. Albrecht and seconded by C. Johnson to approve of this purchase. All members voted aye. Motion carried.

Markley added that her costing program has been sold to another company, which will require a conversion to their software system. She anticipates that this will entail some travel and conversion costs.

### **EMERGENCY MANAGER**

Larry Tebben, EM, asked that the Commissioners address the practice of allowing non-employee passengers to ride in County owned vehicles. Our liability carrier has stated that the county would be

covered in the case of an accident, but Commissioners would prefer this assurance in writing. Also, a clarification should be made in this regard to the County Policy Manual.

Tebben told of the anhydrous spill exercise that had been performed at Redfield Energy, stated that the sirens will be tested in communities tomorrow, is looking at a 75/25 grant which is available to purchase sirens and generators and mentioned several trainings taking place in the near future.

Commissioners asked that Tebben look into the areas of Highway 281 north of Redfield where several accidents have taken place and which continue to be a serious problem for traffic safety and control.

Dave Hintz, National Weather Service, explained their StormReady program and added that Tebben has helped to achieve this rating for Spink County. Hintz presented Tebben with a certificate of completion and the County received two signs which designate Spink County as "StormReady".

#### **RESOLUTION TO APPROVE PLAT (#12-19)**

It was moved by B. Johnson, seconded by J. Albrecht, motion carried that the plat of "J & S Outlot" in the SW1/4 of Section 13, Twp.114 North, Rge. 63 West of the 5th Principal Meridian, Spink County, South Dakota, as described above and drawn hereon be approved and accepted and the Auditor hereby is instructed to endorse on such plat a copy of this resolution and to certify the same.

#### **RESOLUTION TO APPROVE PLAT (#12-20)**

Be it resolved by the County Commission of Spink County, South Dakota, that the plat showing "Booze Tract 1 in the NE1/4 SE1/4 of Section 22, Township117 North, Range 64 West of the 5th P. M., Spink County, South Dakota" having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

It was moved by B. Johnson, seconded by J. Albrecht, motion carried to approve and adopt the above two plats. All members voted aye. Motion carried.

Dated at Redfield, South Dakota, this 24th day of April 2012.

#### **SPONSORSHIP REQUEST**

Ron Wiczorek, Mt. Vernon, SD, and speaking on behalf of LaRouche PAC, distributed information regarding the NAWAPA water management project, sponsorship of several bills, and the restoration of Glass-Steagall and National Banking. Wiczorek also asked that the Commission approve the Resolution he distributed.

#### **CLAIMS ALLOWED**

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

#### **County General Fund**

Misc: Avera St Luke's 11.84 prisoner care, Brown Co Sheriff 400.00 March prisoners care, Dakota Counseling 836.00 eval, Farmers Union Ins 50.00 notary bond renewal, Faulk Co Sheriff 2040.00 prisoner care, NE Mental Health 666.66 March 2012 support, Pennington Co Sheriff 100.65 prisoner transport, SD Assoc County Comms 3910.40 catastrophic legal pool, Siegel, Barnett & Schutz 1067.25 court appointed attorney fees; SD State Treas: 210.00 labs, 1545.00 Co Health Nurse; Bev Wright 67.01 Presentation Day Judge;

Payroll: Dakotacare Flex 224.53;

Supplies and Repairs: A&B Computer Solutions 40.00, BW Ins 28308.68, House of Glass 100.21, Leaf 79.24, Ritec Industrial 144.00, SDML WC Fund 376.45, Swanson Electric 6122.46;

Travel: Auditor: SD Assn Co Officials 150.00 registration; Register of Deeds: SDACO 150.00 registration; Treasurer: SDACO 150.00 registration; Welfare: SDACO 150.00 registration;

Utilities: Century Link 305.60, Executive Management (BIT) 118.49, Northwestern Energy 1791.72;

#### **Highway Department**

Capitol Equipment: Lycox Enterprises 24900.00;

Construction Material: Turtle Creek Construction 5829.50;

Payroll: Dakotacare Flex 64.82;

Supplies & Repairs: A&B Business Inc 43.91, BW Ins 28884.06, Connecting Point Computer 80.00, G&K Services 30.62, JCK Service 575.00, Lyle Signs 730.00, SDML WC Fund 1041.41;

Travel & Conf: Best Western Ramkota 77.00;

Utilities: Century Link 101.54, Executive Management (BIT) 25.09, Northwestern Energy 83.66;

#### **E911**

Supplies & Repairs: BW Ins 47.68, Intrado Inc 540.88;

Utilities: CenturyLink 924.78, Venture Communications 164.78;

#### **Emergency Management**

Supplies & Repairs: BW Ins 777.58, Connecting Point Computer 5707.00, SDML WC Fund 16.14;

Utilities: Century Link 24.10, Executive Management (BIT) 1.67.

#### **REPORTS**

- NACo Prescription Drug Discount Card Program data
- March 2012 Register of Deeds Statement of Fees Collected: \$5,988.70
- SD Emergency Management 2nd Quarter 2012 Activity Report
- 2012 YTD Comp & OT Earned by Department
- March 2012 Auditor's Report of Poor Lien Reimbursements: \$205.00

#### **EXPENSE REQUESTS**

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

- Kim Markley, DOE, and Diane Tipton, Deputy DOE, to Manton-Terrascan meeting, Sioux Falls, 4/26/12
- Kim Markley, DOE, Diane Tipton, Deputy DOE & Shirley Howe, Hwy Secretary, to ArcGIS training, Sioux Falls, 5/10-5/11/12
- Larry Tebben, EM, to required 2012 EM classes, Sioux Falls, 6/19-6/20/12

All members voted aye. Motion carried.

Chairman Dave Albrecht declared the meeting adjourned at 11:30 AM. The next regular meeting of the Spink County Commissioners will be held on Tuesday, May 1, 2012 at 8:30 AM.

Because of the June 5 Primary Commission meetings will be on June 7, on which the Official Canvas of Elections will be held, June 19 and June 26, 2012.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor  
Spink County, South Dakota

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