

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, June 7, 2012, 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 B. Johnson, to adopt the agenda with the addition of a request to advertise the 2009 blade. All members voted aye. Motion carried.

**MINUTES APPROVED**

Motion was made by B. Johnson, seconded by J. Albrecht, to approve the minutes of May 29, 2012. All members voted aye. Motion carried.

**CORRESPONDENCE**

- City of Redfield Annual Water Quality Report
- EMC Insurance Company Loss Control Insights Newsletter, Summer 2012

**4-H LEADERS**

Beth Price, Spink County 4-H Leaders, thanked the Commissioners for the \$12,000 that was approved on May 15, 2012 to be used toward completion of the Fairgrounds Expo building.

**STATES ATTORNEY**

Vic Fischbach, States Attorney, as well as Todd Ochsner, Ochsner Real Estate Limited Partnerships, were present for the Commissioners' consideration of Resolution 12-22. Mr. Ochsner listed benefits to the area as a result of the rail project which could include 3 to 5 additional employees and use of the track by other facilities. Concerns were also discussed including the potential of having to levy a tax in the case of a default.

**SPINK COUNTY RESOLUTION No. 12-22**

**A RESOLUTION APPROVING THE ABERDEEN-BROWN COUNTY REGIONAL RAILROAD AUTHORITY TO LEVY TAXES IN RELATION TO RAIL PROJECT IN BROWN COUNTY, SOUTH DAKOTA**

WHEREAS, the Aberdeen-Brown County Regional Railroad Authority has authorized applying for a loan, and has received approval from the South Dakota State Railroad Board, in the amount of One Million Four Hundred Forty Thousand Dollars (\$1,440,000.00) amortized over fifteen (15) years at the annual rate of two (2) percent per year, with a balloon payment at the end of seven years for the remaining loan balance and accrued interest to fund the construction of a 10,620 foot loop track to facilitate rail car storage and loading for an elevator facility in Brown County, South Dakota; and

WHEREAS, the South Dakota State Railroad Board will require a resolution from the Brown, Beadle, Edmunds, Spink County Commissioners, and the Aberdeen City Council, acknowledging the authority of the Aberdeen-Brown County Regional Railroad Authority to certify any tax levy as allowed by SDCL 49-17A-21 to be used in the event of default to pay such annual payments as may be required to service the project debt arising from the construction of the siding extension project;

NOW, THEREFORE, BE IT RESOLVED that the County of Spink, South Dakota, hereby denies approval for the Aberdeen-Brown County Regional Railroad Authority to certify the amount of tax to be levied as allowed by SDCL 49017A-21 or repayment of said loan, plus interest, at the rate specified above, in the event of default by Aberdeen-Brown County Regional Railroad Authority and Ochsner Real estate Limited Partnerships.

Not passed, approved or adopted this 7th day of June, 2012 on a motion by C. Johnson, seconded by D. Albrecht. Motion failed.

Voting on Motion      Yea (1) C. Johnson  
                                 Nay (4) B. Johnson, J. Albrecht, J. Zerbel, D. Albrecht

Dave Albrecht, Chair  
Spink County Commissioners

ATTEST: Cindy Schultz, Spink County Auditor

**TAX DEED PROPERTY**

Motion was made by Brian Johnson and seconded by C. Johnson to deed a 1983 INVR 16x65 mobile home, which was taken by tax deed on 12/29/11 (Blks 35-36 & 37 B 36 L 1&2, Frankfort City), to the City of Frankfort. All members voted aye. Motion carried.

Jeff Haessig, Highway Superintendent, was present when Fischbach discussed a property that the City of Mellette would like to burn. Haessig said the Department can help and would be able to utilize the concrete for Rip-Rap. Commissioners have no problem with the Highway Department doing this.

#### **HIGHWAY SUPERINTENDENT**

Jeff Haessig, Highway Superintendent, reported that the Department has been patching roads among their other duties. The Northville sewer issue has not affected roads.

Haessig is not interested in selling the 2009 surplus blade to Iron Planet.

#### **ROAD EXCHANGE AGREEMENT**

The agreement between Richfield Township and Spink County was discussed but Haessig would like to visit with the Township before Commissioners approve the Agreement.

#### **SHERIFF**

Kevin Schurch, Sheriff, gave an update of his departmental activities and filed a YTD Activity by Period Report for 2012.

Determination of cause has not yet been made regarding a fire in Frankfort; three incidents involving guns were reported; K-9 program application is being reviewed by the Attorney General. A household auction will be held at the Spink County Fairgrounds on June 21, 2012, where items given to the county as payment of a county lien will be sold.

Commissioners will go along with the Sheriff's recommendation that liens should be placed against private property when Sheriff's Returns go unpaid.

#### **HOMELAND SECURITY GRANT PROGRAM TRANSFERS**

Motion was made by J. Albrecht and seconded by Zerbel to transfer one warning siren and pole which were purchased with 2011 HS funds to the City of Mellette and one warning siren and pole which were purchased with 2010 HS Grant funds to the City of Brentford. All members voted aye. Motion carried.

#### **CANVASS OF PRIMARY ELECTION**

Commissioners D. Albrecht, J. Albrecht, B. Johnson, C. Johnson and J. Zerbel opened the June 5, 2012 Primary Election poll books to complete the official canvass for Spink County. The Board found no discrepancy in the total number of votes on the unofficial returns and no Provisional Ballots were voted. Commissioners signed the Certificate and official returns were sent to Secretary of State's Office to be included in the State Canvass.

#### **DIRECTOR OF EQUALIZATION**

Kim Markley, DOE, discussed the two quotes received from Vanguard Appraisals Inc, Cedar Rapids, IA and Manatron, Portage, MI. Neither company will lower the total price if paid up front.

Motion was made by C. Johnson and seconded by B. Johnson to accept Manatron's quote of \$64,802. All members voted aye. Motion carried. Purchase will be made in five installments beginning in 2013.

#### **BUDGET REQUEST/NE MENTAL HEALTH**

Laura Boone, NE Mental Health Center, Aberdeen, compared total numbers of individuals served in FY2011 with those served in FY2012. The greatest increase took place in the 28-46 age group. Boone asked that their budget request remain at \$4,000 for 2013.

#### **BUDGET REQUEST/NESDCAP**

Larry Wattier, Northeast SD Community Action Program, filed the 2011 Annual Report for NESDCAP, NESDEC and GROW SD. He also reported on the number of households, people and monies expended for Weatherization/Furnace/Repair, Home Rehab, Governor's House, Loans and several other assistance programs they sponsor. They are again asking for \$5,000.

#### **VSO**

Gordon Richard, Veterans' Service Officer, reported that The Welcome, a Healing Journey for War Veterans and Their Families will be shown Thursday, July 12 at 7:00 PM in the Redfield School Auditorium. There will also be a cook-out for Veterans and families and other interested persons.

#### **CARRY ITEMS**

Spink County Commission June 7, 2012

Items being carried by the Treasurer's Office were discussed and Auditor will check SDCL regarding requirements.

### **DRAINAGE**

At 11:15 AM a motion was made by B. Johnson and seconded by J. Albrecht to recess as a Board of County Commissioners and convene as a Planning and Zoning Board. All members voted aye. Motion carried.

At 11:35 AM the Board of Spink County Commissioners reconvened after having adjourned as a Drainage Board.

### **EXPENSE REQUESTS**

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

- Gordon Richard, VSO, to Annual Benefits School, Pierre, 8/27-8/29/12
- Jeff Haessig, Highway Superintendent, to 28th Annual SDACHS Summer Mtg, Pierre, 6/13-6/14/12
- Kim Markley, Director of Equalization, Diane Tipton & Sally Filipek, Deputies, to Annual Assessor School, Pierre, 9/9-9/17/12
- Kim Markley, DOE, to Instructor Workshop, Pierre, 7/10/12

All members voted aye. Motion carried.

### **CLAIMS AND REPORTS**

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

May 2012 Salaries and Benefits: Commission 4700.00, Election 773.00, Auditor 7088.29, Treasurer 6923.09, States Attorney 5294.27, Maintenance 3398.25, Director of Equalization 7923.91, Register of Deeds 4150.03, VSO 1160.78, Sheriff 28657.84, Home Detention 1864.76, Coroner 58.00, Poor 394.16, Health 2102.16, Extension 2434.08, Weed 5489.55, Planning & Zoning 1858.78; OASI & Medicare 6351.18; Retirement 4464.05; Insurance 14976.79;

Equipment: Cole Papers 1973.81 floor scrubber;

Misc: Russell Battey 621.20 court appointed attorney fees, Elyssa Behan 105.00 interpreter, Dakota Fire Equip 146.05 courthouse inspection, Hosmer Law 157.64 MI hearing, Presentation Day Judge: Bev Wright 67.01, Primary Election board members: 4485.31, Gina Rogers 3134.50 court appointed attorney fees, Slowey Court Reporting 82.50;

Supplies and Repairs: Burdick Bros 65.20, Cole Papers 642.98, Diesel Machinery 594.27, Gempler's 273.30, Leaf 79.24, SDAAO 50.00, State Flag Account 50.90, Thermal Solutions 357.35, Wells Fargo Remittance 621.47;

Travel: Auditor: Theresa Hodges 21.00 meals, Tammy Suchor 21.00 meals & 46.25 mileage; Commissioners' mileage: Brian Johnson 17.76, Jerry Zerbel 42.18; Director of Equalization meals: Sally Filipek 42.00, Kim Markley 63.00, Diane Tipton 63.00, and Holiday Inn 462.00 lodging, SDAAO 900.00 registration; Home Detention mileage: Darcy Harford 31.08, Donna Kegler 184.26, Mavis Ludemann 14.80; Sheriff meals: Kathy Adams 9.00, Marleen Huckabay 9.00, Jerrod Peterson 12.00, Treasurer: Amy Michlitsch 21.00 meals & 46.25 mileage; VSO: Gordon Richard 88.80 mileage & 9.00 meal;

Utilities: AT&T Mobility 31.91, Clausen Sanitation 249.00, Northwestern Energy 135.03;

### **Highway Department**

May 2012 Salaries and Benefits: Hwy Admin 8907.80, Hwy Const 36284.50; OASI & Medicare 3326.68; Retirement 2711.52; Insurance 10234.08;

Construction Material: Kimlicka Construction 1060.92, Lien Transportation 21616.14, Odland Gravel 490.08, Z&S Dust Control 1908.66;

Supplies & Repairs: A+ Tires 27.00, American News 44.79, Butler Machinery 1182.74, Cleberg Tire 110.00, Evergreen Supply 51.47, JCK Service 10.00, North Central Farmers Elev 16141.62, Power Plan 64.84, Titan Access 74.43, TJ's Repair 135.95, Wells Fargo Remittance 219.97, Westside Implement 5.36;

Travel: SD Assoc Co Hwy Supts 30.00 registration, Shirley Howe 45.00 meals;

Utilities: AT&T Mobility 123.26, Clausen Sanitation 120.00, Doland City 41.00, Northwestern Energy 543.76;

**E911**

May 2012 Salaries and Benefits: 8564.55; OASI & Medicare 641.36; Retirement 493.28; Insurance 2017.82;

Supplies & Repairs: Wells Fargo Remittance Center 252.80;

**Emergency Management Fund**

May 2012 Salaries and Benefits: 2856.00; OASI & Medicare 212.50; Retirement 171.36; Insurance 615.89;

Travel: Larry Tebben 52.00 meals;

**WIC**

May 2012 Salaries and Benefits: 331.92; OASI & Medicare 25.31; Retirement 19.92; Insurance 84.00;

**24/7 Sobriety**

May 2012 Salaries and Benefits: 543.83; OASI & Medicare 41.85; Retirement 33.11; Insurance 119.56.

Travel: Marleen Huckabay 51.80 mileage;

**REPORTS**

- May 2012 Spink County Ambulance Activity Report
- 2012 YTD Comp & OT Earned by Department
- May 2012 Auditor’s Account with the County Treasurer
 

County General Fund	\$2,998,236.71
Special Revenue Funds	906,700.28
TIF Debt Service	640.73
Amount Held for Trust & Agency Funds	318,449.34
Amount Held for Schools	892,413.62
Amount Held for Townships	95,038.64
Amount Held for Municipalities	<u>242,850.35</u>
Total	\$5,454,329.67
- May 2012 Sheriff’s Report of Collections: \$6,257.59
- General Fund Surplus Analysis: As of March 31, 2012: \$996,851.42 Unassigned (24%)
- SDML WC Fund – Open Claims Report as of 5/31/12
- May 2012 Report of Poor Lien Reimbursements: \$155.00
- May 2012 Highway Superintendent Report of Collections Made:
 

Road & Bridge Fund	\$2,086.93
Weed Department	<u>\$4,165.00</u>
Total	\$6,251.93

Chairman Dave Albrecht declared the meeting adjourned at 12:00 noon until 8:30 AM, Tuesday, June 19, 2012.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:  
Cindy Schultz, Auditor  
Spink County, South Dakota

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