

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, October 22, 2013, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Craig Johnson, Pat Kramp and Cindy Schultz. Chairman Dave Albrecht opened the meeting with the Pledge of Allegiance.

ADOPT AGENDA

Motion was made by J. Albrecht, seconded by Kramp, to adopt the agenda with the addition of SD Legislative Audit Engagement letter and the removal of Vic Fischbach, States Attorney. All members voted aye. Motion carried.

MINUTES APPROVED

Motion was made by Kramp, seconded by Johnson, to approve the minutes of the October 8, 2013 Commission meeting. All members voted aye. Motion carried.

CORRESPONDENCE

- RSVP/FGP Newsletter
- Rural Housing Service vs. Estate of Micheal M. Block, Spink County & others – Complaint
- Rural Housing Service vs. Estate of Micheal M. Block, Spink County & others – Summons & Notice of No Personal Claim

JURY LIST

The master jury list for 2014 was reviewed, marking any individual who has moved out of the county or is deceased.

DECEMBER MEETING DATES

Meeting dates for December were set as the 3rd, 17th and 31st (bills only).

ASSIGNMENT OF LIENS

Norbe Barrie, property owner, was present to request the assigning of the County's interest in County liens that attach to Record #11010 and #11012 to himself as the current owner of the property. Monte Troske, Farmers State Bank, was also present for the discussion stating his concern for the mortgages Farmers State Bank has against Record #11012 if the lien were to be assigned to Barrie. Motion was made by J. Albrecht, seconded by Johnson, to table a decision until the States Attorney can be consulted with. All members voted aye. Motion carried.

BRIDGE WORK BIDS OPENED

At 9:00 a.m., time set by public notice, bids for labor and materials to shape bridge berms, install fabric and rip rap on Spink County Bridges 58-153-030-, 58-190-258 and 58-200-287 were opened and read. Jeff Haessig, Highway Superintendent, and Randy Hoscheid, Pierce & Harris Engineering, were present. Copies of all bids and specifications are on file in the Auditor's Office and the Highway Department and open for inspection during normal working hours.

CONTRACTOR	TOTAL BRIDGE 58-153-030	TOTAL BRIDGE 58-190-258	TOTAL BRIDGE 58-200-287	TOTAL ALL 3 BRIDGES	BID BOND
ONYX Kingwood, TX	29,707.85	50,109.87	20,655.00	115,119.90	5%
Beckler Construction Redfield, SD	32,242.87	39,196.24	28,107.19	99,546.30	5%
Turtle Creek Construction Redfield, SD	27,078.55	39,729.00	27,521.64	94,329.19	5%

Motion was made by Schultz, seconded by Johnson, to accept Turtle Creek Construction's low bid of \$94,329.19. All members voted aye. Motion carried.

HIGHWAY SUPERINTENDENT

Jeff Haessig, Highway Superintendent, filed a letter of resignation and recommended accepting the bid opened October 8th, from Sheehan Mack Sales & Equipment for an oil distributor.

PERSONNEL

Motion was made by Kramp, seconded by Schultz, to accept Doug Carter's resignation as of November 25, 2013, after more than 12 years of service. All members voted aye. Motion carried.

OIL DISTRIBUTOR BIDS

Motion was made by J. Albrecht, seconded by Johnson, to accept Sheehan Mack Sales & Equipment's bid for a 1996 Etnyre S2000 Distributor mounted on a 1996 International 4700 truck with a Detroit DT466 Diesel engine and 5 speed transmission for F.O.B. Etnyre Shop, Oregon, IL, \$58,000. All members voted aye. Motion carried.

EMERGENCY MANAGER

Larry Tebben, Emergency Manager, gave an update of activities and filed a resolution to adopt the Spink County PDM plan. The Commissioners presented Tebben with a certificate from the SDEMA for being a Certified Emergency Manager-B.

RESOLUTION TO ADOPT THE SPINK COUNTY PDM PLAN(#13-26)

WHEREAS Spink County has experienced severe damage from strong winds, flooding, hail, heavy snow, heavy rain, and tornadoes on many occasions in the past century, resulting in property loss, loss of life, economic hardship, and threats to public health and safety;

WHEREAS a Hazard Mitigation Plan has been developed after more than one year of research and work by Spink County Emergency Management, NECOG, Northern Electric and the Pre-Disaster Mitigation Committee;

WHEREAS the Plan recommends hazard mitigation actions that will protect the people and property affected by the natural hazards that face the County;

WHEREAS a public meeting was held to review the Plan as required by law;

NOW THEREFORE BE IT RESLOVED by the Chairman and the Spink County Commission that:

1. The Hazard Mitigation Plan is hereby adopted as an official plan of Spink County,
2. The respective County official identified in the strategy of the Plan is hereby directed to implement the recommended action assigned to them. This official will report annually on the activities, accomplishments, and progress to Spink County Commission, and
3. The Spink County Emergency Manager will provide annual progress reports on the status of implementation of the plan to the County Commission. This report shall be submitted to the Commission by November 1st of each year.

Motion was made by Schultz, and seconded by Kramp, to approve and adopt the above resolution. All members present voted aye. Motion carried.

Dated at Redfield, South Dakota, this 22nd day of October 2013.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor
Spink County, South Dakota

MAINTENANCE SUPERVISOR

Mike Siebrecht, Maintenance Supervisor, presented the following quotes for recaulking capstones on courthouse roof and tuck-point settling cracks on 4th floor wall: Superior Caulking Inc., Sioux Falls, SD, \$1,250; Zimmer Caulking, Inc., Mitchell, SD, \$2,400. Motion was made by Kramp, seconded by Schultz, to go with Superior Caulking Inc.'s quote of \$1250. All members voted aye. Motion carried.

VETERAN'S LODGE

Gary Markley, Markley Veteran's Lodge, reported on his organization's 2013 pheasant hunt for veterans and their families and their goal to erect a lodge to be available for veterans and their families to use for recreation at no cost year round for all service branches. Markley also stated the organization is also looking for ground to hunt.

AUTOMATIC BUDGET SUPPLEMENTS

Motion was made by J. Albrecht, seconded by Kramp, to make the following automatic supplements of grant money: \$6,300 to Weed Control 101-615-426, for expenses of chemicals; and \$11,678.71 to Government Buildings 101-161-425, for expenses from construction of the Courthouse ramp. All members voted aye. Motion carried.

CASH TRANSFERS

Motion was made by Schultz, seconded by Johnson, to approve the following budgeted cash transfers from the General Fund: \$35,000 to Emergency Management 226-0-101.00. All members voted aye. Motion carried.

PERSONNEL

Motion was made by J. Albrecht, seconded by Johnson, to acknowledge the resignation of Jason Erwin effective 10/21/13. All members voted aye. Motion carried.

Motion was made by Kramp, seconded by Schultz, to hire Wesly Warning as a full-time dispatcher effective 10/14/13 at \$13.48/hour. All members voted aye. Motion carried.

PLANNING & ZONING

At 10:00 AM a motion was made by Schultz, seconded by J. Albrecht, to recess as a Board of Commissioners and convene as a County Planning and Zoning Board. All members voted aye. Motion carried.

The Board of County Commissioners reconvened at 10:19 AM after having adjourned as a Planning and Zoning Board.

RESOLUTION TO APPROVE PLAT (#13-27)

Be it resolved by the County Commission of Spink County, South Dakota, that the plat showing "Lindskov Outlot 1 in the SW ¼ of Section 21, Township 116 North, Range 61 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.

RESOLUTION TO APPROVE PLAT (#13-28)

Be it resolved by the County Commission of Spink County, South Dakota, that the plat showing "Whitley Outlot 1 in the NW ¼ of the SW ¼ Section 8, Township 116 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.

RESOLUTION TO APPROVE PLAT (#13-29)

Be it resolved by the County Commission of Spink County, South Dakota, that the plat showing "Swanson Tract1 in the SE ¼ of Section 31, Township 117 North, Range 62 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.

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

Dated at Redfield, South Dakota, this 22nd day of October 2013.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor
Spink County, South Dakota

PARTIAL PAYMENTS

Kathy Ludwig, Treasurer, was present to discuss the application of partial payments to tax bills, a policy will be drafted and presented to the board at a later date.

EXECUTIVE SESSION

At 10:45 AM motion was made by Johnson, seconded by Kramp, to go into executive session to discuss personnel. All members voted aye. Motion carried. Chairman Albrecht declared the board out of executive session at 10:50 AM.

RESOLUTION TO SET LIQUOR LICENSE RENEWAL FEE AND NUMBER OF LICENSES (#13-30)

WHEREAS, SDCL 35-4-2 (6) states that a county may charge for On-Sale Licenses issued outside municipalities an amount not less than the maximum that the municipality to which the applicant is nearest is

charging for like licenses, and that the renewal fee shall be the same as is charged for a like license in the nearest municipality; and

WHEREAS, SDCL 35-4-11.1 states if not previously fixed by ordinance or continuing resolution, the board of County Commissioners shall on or before the first of September in each year determine the number of on sale licenses it will approve for the ensuing calendar year and the fees to be charged for the various classifications of licenses.

THEREFORE be it resolved, by the Spink County Board of Commissioners that

(1) The fee for renewal of a liquor license will be the same as is charged for a like license in the nearest municipality and

(2) The number of On-Sale Licenses authorized for issuance in calendar years 2012 through 2021 outside of municipalities within Spink County is five.

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

Dated at Redfield, South Dakota, this 22nd day of October 2013.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor
Spink County, South Dakota

AUDITOR/INTEREST EARNED

Theresa Hodges, Auditor, discussed the current policy Spink County has to transfer interest earned in all funds to the general fund and that the need for this no longer exists and that state law does not allow it for the E-911 fund. Motion was made by Johnson, seconded by Kramp, to cease transferring interest earned in all funds to the general fund. All members voted aye. Motion carried.

LEGISLATIVE AUDIT

An engagement letter from the SD Department of Legislative Audit was filed. Motion was made by Kramp, seconded by Schultz, to have Chairman Albrecht sign the engagement letter. All members voted aye. Motion carried.

CLAIMS AND REPORTS ALLOWED

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

COMMISSIONERS		EXECUTIVE MANAGEMENT	0.28
CENTURY LINK	16.51	G&K SERVICES	559.09
THE REDFIELD PRESS	317.13	THERMAL SOLUTIONS	402.27
AUDITOR		DIRECTOR EQUALIZ.	
CENTURY LINK	16.51	CENTURY LINK	33.02
EXECUTIVE MANAGEMENT	6.67	EXECUTIVE MANAGEMENT	4.20
TREASURER		REGISTER OF DEEDS	
CENTURY LINK	16.51	CENTURY LINK	33.02
EXECUTIVE MANAGEMENT	11.20	EXECUTIVE MANAGEMENT	5.77
		SHARON JUNGWIRTH	33.30
STATES ATTORNEY		VETERANS SERVICE	
CENTURY LINK	49.53	CENTURY LINK	33.02
EXECUTIVE MANAGEMENT	8.63	EXECUTIVE MANAGEMENT	3.53
CT APPT ATTY & CLERP		SHERIFF	
GINA J ROGERS	1523.00	ANIMAL HEALTH CENTER	32.54
SOUTH DAKOTA ASSOCIATION OF	1932.42	B & L COMMUNICATIONS	527.50
GOVERNMENT BUILDINGS		CENTURY LINK	82.56
CENTURY LINK	33.02	DUCKWALL-ALCO STORES, INC.	12.99

EXECUTIVE MANAGEMENT	50.26		
MATTHEW BENDER & CO., INC	58.24	INDUSTRIAL DEVELOP.	
PRAIRIE WIND PROMOTIONS	80.98	CENTURY LINK	16.51
REDFIELD SCHOOL	35.00	EXECUTIVE MANAGEMENT	7.36
SHAWN CHASE FORD	3062.32		
		RD & BRG - ADMIN	
JAIL		CENTURY LINK	49.53
A'VIANDS, LLC	12.00	DAKOTA FLUID POWER INC	101.00
EXTRADITION TRANSPORT OF	1283.66	DAKOTACARE FLEX	715.00
FAULK CO. SHERIFF'S OFFICE	4140.00	EXECUTIVE MANAGEMENT	29.01
		GCR TIRE CENTERS	1085.55
CARE OF POOR		HEDAHLS INC.	904.50
CENTURY LINK	16.51	LYLE SIGNS, INC.	1141.50
EXECUTIVE MANAGEMENT	11.16	NORTHWESTERN ENERGY	61.35
		ODLAND GRAVEL	887.40
MENTAL ILLNESS BOARD		POWER PLAN (RDO)	426.17
GINA J ROGERS	609.00	PRAXAIR DISTRIBUTION INC	129.54
		THE REDFIELD PRESS	14.49
MUSEUM		SHEEHAN MACK SALES &	
CENTURY LINK	36.62	EQUIPMENT	38.29
NORTHWESTERN ENERGY	119.36	SD FEDERAL PROPERTY AGENCY	30.23
COUNTY FAIR		E-911	
DUCKWALL-ALCO STORES, INC.	23.56	CENTURY LINK	951.48
		VENTURE COMMUNICATIONS COOP	164.78
EXTENSION			
CENTURY LINK	33.02	EMERGENCY MANAGEMENT	
EXECUTIVE MANAGEMENT	1.99	AT & T MOBILITY	79.98
		CENTURY LINK	33.02
WEED CONTROL		DOLAND SCHOOL	75.54
EXECUTIVE MANAGEMENT	0.14	EXECUTIVE MANAGEMENT	6.53
HEDAHLS INC.	100.20	ONE CALL NOW	1990.79
		SAFE & READY CONSULTANTS	2920.00
PLANNING BOARD			
CENTURY LINK	16.51	REGISTER OF DEEDS	
EXECUTIVE MANAGEMENT	2.42	PHEASANTLAND INDUSTRIES	740.00
THE REDFIELD PRESS	104.05		

REPORTS

- September 2013 Report of Payments Received to Reimburse Spink County for Court Appointed Attorneys: \$378.48

EXPENSE REQUESTS

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

- Larry Tebben, Emergency Manager, Region Meeting, Aberdeen, SD, 10/30/13;
- Kim Markley, Director of Equalization, Ag Task Force Meeting, Pierre, SD, 10/29/13;
- Mike Esser, Weed Supervisor, District Weed & Pest Meeting, Stratford, SD, 11/4/13;
- Theresa Hodges, Auditor, & Tammy Suchor, Deputy Auditor, Election Workshop, Sioux Falls, SD, 11/13-11/15/13;

All members voted aye. Motion carried.

Chairman Albrecht declared the meeting adjourned at 11:20 AM until 8:30 AM, Tuesday, November 5, 2013.

Dave Albrecht, Chairman
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor
Spink County, South Dakota

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