

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

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, January 21, 2025, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Brian Johnson, Brett Knox, and Suzanne Smith. Commissioner Kevin Siebrecht was absent. Chairman Brian Johnson opened the meeting with the Pledge of Allegiance.

**ADOPT AGENDA**

Motion was made by Albrecht, seconded by Smith, to adopt the agenda with the removal of Tracey Millar, Director of Equalization, and Eric Schueth, Spink County Ambulance, from the agenda. All members voted aye. Motion carried.

**MINUTES APPROVED**

Motion was made by Smith, seconded by Knox, to approve the minutes of the January 7, 2025 Commission meeting. All members voted aye. Motion carried.

**CORRESPONDENCE**

- NESDEC Copy of Notice of Entry of Order Confirming Sale of Real Property; Order Confirming Sale of Real Property
- Copy of City of Redfield's Renewal Application to Construct and Operate a Restricted Use Storage and Disposal Facility
- SDDANR Notice of General Air Quality Operating Permit for Grain Elevators Operating in South Dakota
- Spink County Conservation: Winter Grazing Workshop 2/19/25

**PUBLIC COMMENT**

Jamie Fisk, resident, referenced SD PUC docket HP24-001 and Spink County's ordinance. Ed Fischbach, resident, mentioned proposed eminent domain legislation that will be in the SD House State Affairs committee on 1/24/25 at 7:45 AM.

**GENERAL FUND SURPLUS ANALYSIS/RECAPITULATION OF TAXES**

Hodges, Auditor, filed the General Fund Surplus Analysis of 22% as of 12/31/2024.

**ABATEMENT APPLICATION**

Motion was made by Smith, seconded by Knox, to approve the Applications for Abatement of Property Taxes for the property described as: S 120' of Lot 8, Block 2, Original, Northville Town abating: \$11.92 of 2024 taxes pay 2025 due to the property being a tax deed property transferred to a tax-exempt entity. All members voted aye. Motion carried.

**STATES ATTORNEY**

Vic Fischbach, States Attorney, discussed SD PUC's HP24-001.

**SHERIFF**

Jenna Appel, Sheriff, gave an update of activities and filed an application to seek a grant.

**GRANT**

Motion was made by Smith, seconded by Knox, to approve applying for the Edward Byrne Justice Assistance Grant(JAG) for the purchase of 3 Station Max Standard workstations bundles, software, licensing, and installation, in the amount of \$241,380. All members voted aye. Motion carried.

**ROW AGREEMENT**

Motion was made by Albrecht, seconded by Knox, to approve the Right of Way Agreement between Marcia Kathleen Cooke Living Trust and the County of Spink, for Lot H3 in the SW ¼ of 5-116N-62W, except road and except Lot H2, Spink County, South Dakota, Lot H3 containing 0.64 acres more or less. All members voted aye. Motion carried.

**FAIR BOARD**

Motion was made by Knox, seconded by Smith, to approve the recommended revisions from the Spink County States Attorney to the Fair Buildings and Grounds Rental Agreement. All members voted aye. Motion carried.

**EMERGENCY MANAGEMENT**

Chairman Johnson signed the Emergency Management LEMPG quarterly report.

**HIGHWAY SUPERINTENDENT**

Jeff Haessig, Highway Superintendent, requested hiring IMEG Corporation for bridge inspections and reported a new hire.

**RESOLUTION FOR BRIDGE REINSPECTION PROGRAM(#25-09)**

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 IMEG Corporation 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.

Motion by Albrecht, seconded by Knox, to adopt the above resolution. All members voted aye. Motion carried.

Dated this 21st day of January, 2025, at Redfield, South Dakota.

Brian Johnson, Chairman  
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor  
Spink County, South Dakota

**PERSONNEL**

Motion was made by Knox, seconded by Smith, to approve the hire of David Hoff as Equipment Operator at \$25.79/hr. effective 1/27/25. All members voted aye. Motion carried.

**REGISTER OF DEEDS**

Sonja Muellenberg, Register of Deeds, filed the Register of Deeds Yearly Report for 2024 and a quote for the purchase of equipment.

**QUOTE**

Motion was made by Smith, seconded by Knox, to approve Connecting Point's quote of \$3,393 for the purchase of 3 HP Pro mini 400 workstations, with software, licensing and onsite setup for the Register of Deeds' office. All members voted aye. Motion carried.

**A RESOLUTION URGING THE SOUTH DAKOTA LEGISLATURE TO PASS EMINENT DOMAIN REFORM PROHIBITING THE USE OF EMINENT DOMAIN FOR PRIVATE GAIN (#25-10)**

WHEREAS, the principle of eminent domain allows government entities to acquire private property for public use, with just compensation to property owners, as authorized by the Fifth Amendment of the United States Constitution and Article VI, Section 13 of the South Dakota Constitution; and

WHEREAS, the use of eminent domain is intended to serve public purposes such as infrastructure development, schools, roads, and utilities that benefit the general public; and

WHEREAS, recent proposals in South Dakota have raised concerns regarding the use of eminent domain to transfer private property to for-profit entities or private developers for projects that primarily benefit private interests rather than the public at large; and

WHEREAS, such use of eminent domain threatens the fundamental rights of property owners, undermines public trust, and raises questions about the fairness and necessity of such actions; and

WHEREAS, the Spink County Board of Commissioners supports the protection of private property rights and opposes the abuse of eminent domain powers for private economic gain;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Spink County, South Dakota, that the Board strongly urges the South Dakota Legislature to enact reforms to the state's eminent domain laws to prohibit the use of eminent domain for private gain and to ensure that such powers are used solely for public purposes as defined by law; and

BE IT FURTHER RESOLVED that the Board encourages the Legislature to establish clear and strict criteria for the application of eminent domain, safeguarding the rights of property owners and reinforcing public accountability; and

BE IT FINALLY RESOLVED that the Spink County Board of Commissioners directs the Auditor to transmit copies of this resolution to all members of the South Dakota State Legislature, the Office of the Governor, and other relevant stakeholders.

Motion by Smith, seconded by Knox, to adopt the above resolution. All members voted aye. Motion carried.

Dated this 21st day of January 2025, at Redfield, South Dakota.

Brian Johnson, Chairman  
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor  
Spink County, South Dakota

**RESOLUTION REGARDING LOCAL CONTROL (#25-11)**

WHEREAS, Local control is a key principle of the United States of America and South Dakota.  
WHEREAS, South Dakota has a long history of allowing counties, municipalities, and townships to adopt local zoning ordinances that represent local jurisdictions and the citizens they serve.  
WHEREAS, Potential legislation threatens local control over matters of planning and zoning.  
WHEREAS, Such legislation limiting the ability of local government to evaluate and regulate compatible land uses would by extension interfere with the opportunity for local citizens to have a voice in local planning and zoning matters.  
WHEREAS, On August 8, 2023, Ordinance 17.29 was unanimously passed by the board of Spink County Commissioners.  
WHEREAS, Ordinance 17.29 requires a minimum of 2,640 foot setback from certain pipeline facilities.  
WHEREAS, Ordinance 17.29 was strongly supported by many of the citizens of Spink County who made their voices heard during the public hearings.  
WHEREAS, Spink County voters support local control and voted by a margin of 67% to 33% to defeat RL 21 in the November 2024 election.  
WHEREAS, the board of Spink County Commissioners continues to support counties, municipalities, and townships having the authority to adopt appropriate regulations for each unique jurisdiction.  
NOW, THEREFORE, BE IT RESOLVED by the Spink County Board of Commissioners, that we oppose any legislation that limits or eliminates the local control of counties, municipalities, and townships in matter of planning and zoning.

Motion by Smith, seconded by Knox, to adopt the above resolution. All members voted aye. Motion carried.

Dated this 21st day of January 2025, at Redfield, South Dakota.

Brian Johnson, Chairman  
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor  
Spink County, South Dakota

**RESOLUTION DESIGNATING WILDLAND FIRE DESIGNEE (#25-12)**

WHEREAS, the South Dakota Wildland Fire Coordinator is authorized to assist in fighting range fires through the State, and  
WHEREAS, a county must formally request his assistance pursuant to SDCL 41-20-8.1;  
NOW THEREFORE BE IT RESOLVED, that the Spink County Commissioners do hereby designate the following persons with the authority to request assistance from the State Wildland Fire Coordinator in fighting range fires:

Spink County Emergency Manager, and Brian Johnson, Chairman of Spink County Commission.

Motion by Smith, seconded by Albrecht, to adopt the above resolution. All members voted aye. Motion carried.

Dated at Redfield, South Dakota, this 21st day of January 2025.

Brian Johnson, Chairman  
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor  
Spink County, South Dakota

**PLANNING & ZONING BOARD**

At 9:59 AM a motion was made by Smith, seconded by Knox, to recess as a Board of Commissioners and convene as the Planning & Zoning Board. All members voted aye. Motion carried.

The Board of County Commissioners reconvened at 10:06 AM after having adjourned as the Planning & Zoning Board.

**ORDINANCE**

Revisions to the Floodplain Ordinance were reviewed. Motion was made by Knox, seconded by Smith, to set the 1<sup>st</sup> reading of Title 17.14 Flood Damage Prevention as February 4, 2025 at 9:00 AM and the 2<sup>nd</sup> reading as February 18, 2025 at 9:00 AM. All members voted aye. Motion carried.

**EXPENSE REQUESTS**

Motion was made by Albrecht, seconded by Knox, to approve the following expense requests:

- Andrew Rindelaub, Emergency Manager, Credentialing Training, Watertown, SD;

All members voted aye. Motion carried.

**CLAIMS AND REPORTS ALLOWED**

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

COMMISSIONERS		NORTHERN VALLEY COMMUNICATIONS	11.10
MIDCONTINENT COMMUNICATIONS	43.42		
NE COUNCIL OF GOVERNMENTS	10948.11	VETERANS SERVICE	
THE REDFIELD PRESS	179.54	MIDCONTINENT COMMUNICATIONS	88.31
		NORTHERN VALLEY COMMUNICATIONS	5.55
AUDITOR			
A & B BUSINESS SOLUTIONS, INC	339.02	SHERIFF	
MIDCONTINENT COMMUNICATIONS	47.24	A & B BUSINESS SOLUTIONS, INC	67.53
NORTHERN VALLEY COMMUNICATIONS	16.65	ABERDEEN CHRYSLER CENTER	670.00
		APPEL OIL COMPANY	2190.55
TREASURER		CENTURY LINK	85.28
A & B BUSINESS SOLUTIONS, INC	64.86	IDEMIA IDENTITY & SECURITY USA	3199.00
AMERICAN SOLUTIONS FOR	63.99	MID-STATES ORGANIZED CRIME	100.00
MIDCONTINENT COMMUNICATIONS	49.48	MIDCONTINENT COMMUNICATIONS	325.28
NORTHERN VALLEY COMMUNICATIONS	16.65	MIDWESTERN MECHANICAL INC	595.00
THE REDFIELD PRESS	204.20	SOLIAN CONSULTING INC	1737.00
		VERIZON BUSINESS	384.66
STATES ATTORNEY			
COMMUNITY MEMORIAL HOSPITAL	388.00	JAIL	
MIDCONTINENT COMMUNICATIONS	136.78	BEADLE COUNTY SHERIFF	3185.00
NORTHERN VALLEY COMMUNICATIONS	5.55	BROWN COUNTY SHERIFF'S OFFICE	700.00
SD DEPARTMENT OF HEALTH	120.00	COMMUNITY MEMORIAL HOSPITAL	466.49
		FAULKTON AREA MEDICAL CENTER	87.67
CT APPT ATTY & CLERP		FAULK CO. SHERIFF'S OFFICE	4050.00
KRISTEN KOCHKIAN	2875.09	HUGHES COUNTY AUDITOR	487.50
TALIAFERRO LAW FIRM P.C.	319.25		
		CARE OF POOR	
GOVERNMENT BUILDINGS		MIDCONTINENT COMMUNICATIONS	43.42
CINTAS CORPORATION	160.44	NORTHERN VALLEY COMMUNICATIONS	5.55
COLE PAPERS, INC.	648.25		
MIDCONTINENT COMMUNICATIONS	87.09	AREA IV NUTRITION	
NORTHERN VALLEY COMMUNICATIONS	5.55	AREA IV SENIOR NUTRITION PROJ	6000.00
NORTHWESTERN ENERGY	3788.09		
REDFIELD ACE HARDWARE	35.96	MENTALLY HANDICAPPED	
		DEAN SCHAEFER COURT REPORTING	60.00
DIRECTOR EQUALIZ.		LEWIS & CLARK BHS	225.00
A & B BUSINESS SOLUTIONS, INC	40.79		
APPEL OIL COMPANY	26.73	COUNTY FAIR	
MIDCONTINENT COMMUNICATIONS	89.67	NORTHWESTERN ENERGY	476.65
NORTHERN VALLEY COMMUNICATIONS	22.20	SBS LUMBER & HARDWARE	95.95
REGISTER OF DEEDS		EXTENSION	
A & B BUSINESS SOLUTIONS, INC	64.86	A & B BUSINESS SOLUTIONS, INC	174.75
AMERICAN SOLUTIONS FOR	2.20	MIDCONTINENT COMMUNICATIONS	86.92
MIDCONTINENT COMMUNICATIONS	87.32	NORTHERN VALLEY COMMUNICATIONS	11.10

THE REDFIELD PRESS	315.00	DOLAND CITY FINANCE OFFICE	63.60
WEED CONTROL		NORTHERN VALLEY COMMUNICATIONS	40.00
SD ASSOC OF WEED & PEST BRD	550.00	NORTHWESTERN ENERGY	2076.21
PLANNING BOARD		PRORATE SERVICES LLC	167.02
A & B BUSINESS SOLUTIONS, INC	40.79	QUILL	406.14
MIDCONTINENT COMMUNICATIONS	43.42	REDFIELD ACE HARDWARE	214.96
NORTHERN VALLEY COMMUNICATIONS	5.55	E-911	
THE REDFIELD PRESS	23.48	JAMES VALLEY TELECOMMUNICATION	209.10
RD & BRG - ADMIN		VENTURE COMMUNICATIONS COOP	164.78
A & B BUSINESS SOLUTIONS, INC	48.62	EMERGENCY MANAGEMENT	
APPEL OIL COMPANY	297.63	APPEL OIL COMPANY	81.14
BRENTFORD CITY	20.00	MIDCONTINENT COMMUNICATIONS	89.08
		NORTHERN VALLEY COMMUNICATIONS	5.55

## REPORTS

- December 2024 Sheriff Checking Account Statement
- Redfield Rural Fire Department Financial Statement as of 12/31/24
- December 2024 Report of Payments Received to Reimburse Poor Liens: \$0.00
- Spink County Conservation District 2024 Review
- Auditor's Account with the County Treasurer – 12/31/2024

Checking Accounts	\$3,866,451.77
Savings Accounts	896,477.63
Certificates of Deposits	2,830,000.00
Cash Change Accounts	100.00
Cash & Cash Items	<u>87,168.02</u>
Total	\$ 7,680,197.42

Chairman Johnson declared the meeting adjourned at 10:48 AM until 8:30 AM, Tuesday, February 4, 2025.

Brian Johnson, Chairman  
Spink County Board of Commissioners

ATTEST:

Theresa Hodges, Auditor  
Spink County, South Dakota

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