

April 25, 2017
Unapproved Minutes
Union County Commissioners

The Union County Board of Commissioners met in regular session April 25, 2017, at the Courthouse in Elk Point, SD at 8:30 a.m.

Members present Dailey, Headid, Joffer, and Ustad. Kimmel absent.

Motion by Headid , second by Dailey to approve the agenda with addition of audit item to discuss. Carried.

Motion by Dailey, second by Headid to approve the minutes from April 11, 2017 with the following correction: effective date of Josh Homandberg's pay increase is April 23, 2017. Carried.

Travel Authorization

Motion by Headid second by Dailey to approve travel authorization for deputy auditor Jackie Sieverding to attend the Officials Spring Workshop in Pierre on May 17 & 18. Carried.

Personnel

Motion by Joffer second by Headid to approve new-hire Mariah Miller as a weed sprayer @\$13.72 per hour effective May 8, 2017. Carried.

Calendar change

Motion by Dailey, second by Headid to move the July 4 meeting to July 3. Discussion took place. Dailey withdrew his motion.

ESS Contract

Motion by Joffer, second by Headid to approve the ES&S contract agreement. Motion carried.

Department Head Reports

Nurse McInerney, Supt of Bldgs. and Grounds Sexton, Fair manager Lingle met with the board for their monthly reports.

Weed Contract

Motion by Joffer, second by Dailey to approve the contract between the State of South Dakota and Union County for the weed spraying for the State of SD in the county. Motion carried.

Recess

Chairman declared a recess at 9:23 to 9:30.

Highway

Cristy Harkness met with the board due to Supt. Limoges's absence to discuss various matters.

Executive Session

Motion by Headid, second by Joffer to enter executive session for legal matters at 10:00

a.m. Motion carried. Chairman declared the board out of executive session at 10:15.

Public Hearing

A public hearing was held as advertised to allow expending the principal in the Sheriff's endowment fund pursuant to SDCL 6-14-2. Sheriff Limoges explained the donation was intended to use for drug enforcement and drug education.

Motion by Headid second by Joffer to approve the following resolution. Carried.

RESOLUTION #UCC 2017-002

A RESOLUTION TO ALLOW EXPENDING THE PRINCIPAL IN THE ENDOWMENT FUND AS PROVIDED FOR IN SDCL 6-14-2

Whereas, 6-14-1 of South Dakota Codified Law has empowered the County Commission of Union County to create an endowment fund; and

Whereas, the Union County Commissioners established the Sheriff's Equipment Endowment Fund January 16, 2007; and

Whereas, the Union County Commissioners held a public hearing as required by SDCL 6-14-2 on April 25, 2017;

Now therefore be it resolved, by Union County Commission, that the principal in the Sheriff's Equipment Endowment Fund may be expended for the purpose rendered at the public hearing.

Dated this 25th day of April, 2017 at Elk Point, South Dakota

Carried.

Motion by Joffer, second by Headid to supplement the sheriff's budget in the amount of \$3500 to give the sheriff budget authority to purchase and pay for the project. Motion carried.

Executive Session

Motion by Headid, second by Dailey to enter executive session at 10:27 for personnel and allow Register of Deeds Jana Foltz to remain for the session. Motion carried. Chairman declared the board out of executive session at 11:06.

Board directed Register of Deeds Foltz to implement a work improvement plan within her department. Carried.

Public Hearing

A public hearing was held as advertised to decide the following: Change of zoning by Rekk Properties of the following parcels from Agricultural zoning to Commercial zoning: Lot A of Ullrich's Sunset Addition SE1/4SW1/4 and Tract 5 of Lots A and B Ullrich's Sunset Addition, both in 15-89-48. Chris Bogenrief and Planning Director Dennis Henze present for hearing.

Gold Circle TIF

Jeff Dooley, Dakota Dunes, met with board regarding the Gold Circle TIF. Dooley presented the bid tabulation from the opening of bids on April 11, 2017. RJTide- \$509,135; Mark Albenisius, Inc- \$648,750. Motion by Joffer, second by Headid to accept the recommended low bid from RJTide of \$509,135. Carried. Discussion took place on the process of the contractor paying the developer as the costs are incurred and billed and approved by the county board.

Recess

Chairman declared a recess from 11:18-11:30. The board recessed as commissioners and entered into Equalization.

Equalization

Corrections to assessments.

North Sioux City- Parcels 05.07.10.1050 and 05.07.10.2060. Ted Cherry and Paige Petersen, representing North Sioux City, met to discuss these parcels which are being purchased on contract for deed from Eugene Flynn. The director of equalization, seeking guidance from the Department of Revenue, was advised that using SDCL 10-4-19.1 would make these parcels taxable.

(10-4-19.1. Time of determination of exempt status--Apportionment when property transferred to exempt entity. Any exemption from ad valorem taxation in this state as provided by this chapter on account of the use or ownership of real property on the part of any governmental or private entity shall be determined with respect to the ownership and use of such property on the legal assessment day regardless of after acquired or disposed of property, except as provided in § 10-4-19.2. However, any person, firm, or corporation, owning or controlling any property transferred to any entity exempt from taxation as provided in this chapter shall be liable for the payment of all taxes based on an assessment during the year of transfer, proportionate to the length of time such nonexempt person, firm, or corporation owned such property, and until the date on which such tax-exempt entity is legally entitled to and has acquired actual possession of such property and is making use of the same for the purposes of the tax-exempt entity. Such transferred property may not be taxed for any month in the taxable year in which such property is in the legal possession of any such tax-exempt entity for more than sixteen days.)

Discussion took place on these pieces being under contract for deed, and the property is ag-not being used for development.

Motion by Joffer to leave matters as they are with these parcels as taxable based on state's interpretation. Second by Dailey. Motion carried.

Cherry asked for information on appealing the board's decision.

Motion by Joffer, second by Dailey to correct the assessment values on the following parcels:

05.07.10.150 from 80,925 to 22,049 (change because it had been changed to small acreage)

05.07.10.2060 from 124,026 to 125,840 (soils were removed not generating a current ag value when updated).

Motion by Headid, second by Joffer to approve the new elderly/disable changes: Assessed-\$3,807,078; Taxable- \$2,398,777; Exempt- \$1,398,301. Motion carried.

2017 Equalization adjourned for the year at 11:58 a.m. and continued with the regular Commissioner meeting.

EMA

EM Director Minihan met with the board to discuss various matters.

Claims

Motion by Headid, second by Dailey to approve the following claims. Carried.

The following claims have been audited, approved and warrants drawn on the same: Bi-weekly payroll for 04-28-2017: Auditor \$200.34; Treasurer \$400.68; State's Attorney \$584.32; Care of

Poor \$94.56; Public Building \$985.53; Register of Deeds \$733.53; Sheriff \$13,520.69; Jail \$14,586.49; Communications \$10,502.07; Nurse \$210.98; WIC \$356.48; Highway \$21,928.85; Flood Control \$429.70; EMA \$800.00; OASI \$4,752.94.

Bierschbach Equipment (Repair/Supp) \$575.00; Bomgaars (Supp) \$77.98; CDW Gov't (Supp) \$80.08; Century Link (Util) \$1,203.97; Certified Languages Int'l (Interpreter) \$75.90; City of Elk Point (Util) \$5,195.99; Community Health Clinic (Care) \$1,046.50; Counsel (Maint) \$158.06; Dailey Plumbing (Maint) \$375.74; Dean Schaefer (MI Hearing) \$30.00; Dunes Animal Hospital (Care) \$86.38; Elk Point Ace Hardware (Supp) \$196.88; Hydraulic Sales (Repair) \$362.00; Independent Radiator Works (Repair) \$40.00; Jack's Uniform & Equip (Supp) \$49.95; Jensen Insurance (Ins) \$295.00; Juror Fee \$569.28 ; L & L Builders (Bldg) \$93,833.00; L G Everist (Supp) \$815.36; Lawson Products (Supp) \$417.26; Lincoln Co (Reimb MI) \$26.95; Mcleods (Supp) \$247.28; Menards (Supp) \$106.96; Michael Dailey (Mileage) \$50.40; Microfilm Imaging Sys (Computer/Scanner) \$3,315.00; Mid-American Research Chemical (Supp) \$224.08; MidAmerican Energy (Util) \$1,306.60; Milton Ustad (Mileage) \$92.40; Minnehaha Co Reg Juvenile Detention Ctr (Care) \$4,620.00; Office Depot (Supp) \$114.08; Ollies Drive Inn (Jail Meals) \$8,427.45; One Office Solution (Supp) \$98.93; Paul Limoges (Per Diem) \$26.00; Pedersen Machine (Maint) \$41.60; Pheasantland Industries (Supp) \$36.93; Pitney Bowes (Rental) \$365.76; Quill (Supp) \$112.66; RDJ Specialties (Supp) \$567.06; Richard Headid (Mileage) \$40.32; Riverside Technologies (Equip/Maint) \$3,171.64; Rupp Sign (Repair) \$15.00; SDACC (CCRP/CLERP) \$8,396.88; SDACO (Reg) \$525.00; SDSU Extension (Mileage) \$102.37; Servall Towel & Linen (Svc) \$33.28; Sewer Master (Maint) \$280.00; Siouxland Community Health (Care) \$225.00; Sooland Bobcat (Repair) \$269.00; Star Publishing (Publishing) \$60.00; Supplyworks (Supp) \$49.06; Triview Communications (Repair) \$77.50; Truenorth Steel (Repair/Supp) \$29,375.40; Turkey Ridge Oil (Supp) \$19,151.21; Union County (Fuel) \$15.37; US Bank (Supp/Repair/Travel) \$8,704.77; Verizon Wireless (Util) \$561.36; Woodbury Co Starcomm (Maint) \$1,614.93; Wrenn's Plumbing & Heating (Repair) \$535.00; Ziegler (Repair) \$382.06.

Buildings/Grounds

Upon the suggestion of the state auditor, the board visited with Supt. of Bldgs/Grounds Sexton to discuss his participation in the sheriff's commissary and vending machines. Board was in agreement to continue with the same practice.

Surplus

Motion by Dailey, second by Joffer to donate the two surplus flag poles to the Civil Bend Cemetery. Motion carried.

Adjournment

Motion by Joffer, second by Headid to adjourn at 12:48 p.m. until May 9, 2017.

ATTEST: _____
Carol Klumper
Union County

Milton Ustad, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of _____.