

February 4, 2016
Unapproved minutes
Union County Commissioners

The Union County Board of Commissioners met in regular session that was rescheduled from February 2 due to weather conditions on February 4, 2016, at the Courthouse in Elk Point, SD at 8:30 a.m.

Members present Ballard, Karpen, Headid, Schempp and Ustad.

Motion by Ballard, second by Schempp to approve the agenda as amended. Carried.

Motion by Karpen, second by Headid to approve the minutes from January 29, 2016. Carried.

Alcester City Annexation

Motion by Karpen, second by Headid to approve the resolution provided by the city of Alcester with the amendment "including all adjoining roads". Motion carried.

Resolution #UCC 2016-001

A RESOLUTION APPROVING ANNEXATION
OF TERRITORY BY THE CITY OF ALCESTER

WHEREAS, the City of Alcester desires to annex the following described property, to wit: Lot D-SE 28-95-49 was originally platted as being 408 ft. x 300 ft. as described in D.R. 30-635 and 36-380, but actually is 307.5 x 300 ft as occupied west of Iowa Street and north of South Street.

WHEREAS, pursuant to SDCL 9-4-5, such annexation may be subject to review by the Board of County Commissioners.

THEREFORE, BE IT RESOLVED by the Union County Board of County Commissioners, that the annexation of the above described territory by the City of Alcester be and the same is hereby approved.

**to include all adjoining roads.

Motion carried.

Combined Election- Vermillion School/Primary

Motion by Karpen, second by Headid, to approve the combined election agreement with the Vermillion School and the Union County Primary Election on June 7, 2016. Motion carried.

Abatement UCC2016-003

Motion by Karpen, second by Schempp, to approve the abatement application from Ammon and Mary Anderson on parcels 17.WX.09.1080D and 17.WS.09.1080# due to an error in placing assessed value and attributing total value to one parcel when it should have been split between the two parcels. Abate: Jefferson Twp- \$58.04; DV School \$1306.67; Union county \$425.46; DV Emergency Services- \$91.67- Total \$1881.84; Jefferson Twp- \$1.34; EPJ School- \$25.54; Union County - \$9.79; DV Emergency Services- \$2.11; Total - \$38.78. Motion carried.

Travel Authorization

Motion by Karpen, second by Ballard to approve travel authorization for someone to attend the welfare workshop on February 11, 2016 in Sioux Falls, SD . Motion carried.

CPI

Discussion took place about the CPI that was received from Department of Revenue at 0% for 2016 pay 2017.

Letter of support

Motion by Karpen, second by Headid to approve and send a letter of support requested by Dr. Stange for proposal in response to the SD Dept. of Social Service RFP #516 for the development of Level 3.7 inpatient treatment and level 3.2D detoxification services. Motion carried.

Department Head reports

DOE Steckelberg and Building Supt. Sexton met with the board for department head reports.

Weed

Motion by Karpen, second by Headid to authorize Milton Ustad to attend the weed meeting in Aberdeen on February 18 and 19, 2016. Motion carried.

Recess

Chairman declared a recess at 9:24-9:34.

Highway

PWA Roggow and Cristy Harkness met with the board to discuss an inconsistency in the salary of Cristy Harkness. Following discussion, motion by Schempp, second by Ballard to increase Cristy Harkness's salary to \$38,357.04. Vote 4 aye, 1 nay. (Karpen) Carried.

Greg Meyer and City Administrator Ted Cherry met with the board to discuss the easement for bike path. Following discussion, motion by Headid, second by Ballard to approve the city of North Sioux City to use the Right-of-Way for bike path. (filed with the Register of Deeds). Motion carried.

AGREEMENT FOR RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One (\$ 1.00) Dollar and other good and valuable consideration paid to Union County hereinafter referred to as GRANTOR, by the City of North Sioux City, South Dakota, hereinafter referred to as GRANTEE, the receipt and sufficiency of which is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer and convey unto the GRANTEE, its successor and assigns; (1) a temporary construction easement, and (2) a perpetual easement with the right to erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a bike trail/sidewalk which is 10 feet in width, over, under, across and through the land of the GRANTOR, situated in the City of North Sioux City, in Union county, State of South Dakota, said land being described as follows:

LEGAL DESCRIPTION

The north 15 feet of the west 600 feet of the North Shore right of way and the south 15 feet of the west 150 feet of the North Shore right of way located in the SW1/4 of Section 4, Township 89 North, Range 48 West all in the City of North Sioux City, Union County, South Dakota, together with the right of ingress and egress over the adjacent lands of the GRANTOR, his successors and assigns for the purpose of this easement.

GRANTOR agrees not to use the easement premises in a manner which will interfere with the GRANTEE'S full enjoyment of the rights hereby granted and GRANTOR further agrees not to erect or construct any building or other structure or other obstruction on the easement premises, or diminish or substantially add to the ground over the easement premises.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, their successors and assigns, by reason of the installation, operation and maintenance of the trail/sidewalk improvements referred to herein

GRANTEE agrees to the following:

1.) They will, following any initial construction or subsequent repair or reconstruction of the trail/sidewalk, return the premises substantially the same condition it existed prior to the construction at no expense to GRANTOR.

2.) To remove, relocate, and/or replace the trail/sidewalk if Grantor requires the use of the right of way herein described for County road maintenance and/or reconstruction.

3.) Grantee agrees to indemnify the Grantor from claims from utilities located under the trail/sidewalk. Said indemnification is limited to the claims resulting from removal or repair of the trail/sidewalk required by the maintenance of utilities under the trail/sidewalk.

GRANTEE further agrees that they will inspect, repair, and maintain the trail/sidewalk on said Easement, and have sole responsibility for said activities during the term of this agreement.

The grant and other provisions of this agreement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

Motion by Karpen, second by Schempp to sign an agreement with the State of South Dakota to provide for the striping of county roads within Union County and for their continuing maintenance. The state has allocated \$500,000 to a state-wide county highway striping project designated as project number P 000S(00)012 PCN 03DJ referred to as "PROJECT", STATE funds to pay for 60% of PROJECT cost up to a maximum of \$500,000 with COUNTY funds to pay remainder of PROJECT costs. Union County will be included in the PROJECT for the striping of approximately 106.99 miles of County roads at an estimated cost of \$96,849.32. (County's share-\$75,564.72) Carried.

Discussion on 5-year transportation plan. Motion by Karpen, second by Headid to hold a public information meeting to update 2017-2021 to be held March 2, 2016 at 3 p.m. in courthouse basement. Carried.

Motion by Schempp, second by Ballard to accept Raymond Roggow's resignation as Public Works Administrator effective June 30, 2016. Board thanked him for his years of service. Motion carried.

Recess

Chairman declared a recess at 10:37- 10:41.

Claims

Motion by Headid, second by Ballard to approve the following claims. Carried. The following claims have been audited, approved and warrants drawn on the same: Bi-weekly payroll for 02-05-2016: Auditor \$209.55; Treasurer \$691.52; State's Attorney \$135.00; Public Building \$413.82; Register of Deeds \$779.63; Sheriff \$38,513.04; Nurse \$205.32; WIC \$346.92; Highway \$21,413.11; OASI \$4,797.16. Courthouse payroll for the month of January 2016: Commissioners \$5,075.00; Auditor \$10,131.50; Data Processing \$238.65; Treasurer \$12,275.75; State's Attorney \$19,719.72; Public Building \$4,262.23; Assessor \$12,505.96; Register of Deeds

\$6,902.20; Veteran \$1,359.60; Sheriff \$5,117.10; Nurse \$975.18; Jail \$121.00; Extension \$1,403.95; Fair \$1,413.42; Weed \$504.16; Planning & Zoning \$3,549.29; Highway \$7,444.28; EMA \$1,591.23; OASI \$4,797.16; SDRS \$12,144.47; Wellmark \$43,536.92; Fort Dearborn \$397.29.2016 Deductible \$1,236.45; Alliance Communication (Util) \$190.59; Applied Concepts (Radar) \$1,895.00; Avera Sacred Heart Hospital (Care) \$484.48; Beresford Municipal Telephone (Util) \$268.80; Bomgaars (Supp) \$113.98; Carlson's Body Shop (Maint) \$319.21; Carol Klumper (Per Diem) \$11.00; Caterpillar Financial Svc (Pymt) \$2,678.64; Century Business Products (Supp) \$91.12; Century Link (Util) \$1,572.30; City of Elk Point (Util) \$4,831.44; Clay Rural Water System (Util) \$406.20; Clay-Union Electric Corp (Util) \$483.96; Community Health Clinic (Care) \$2,202.45; Consolidated Communication (Util) \$245.40; Crary Huff Law Firm (Pub Def) \$2,477.40; Dakota Dunes NSC Times (Legals/Ads) \$711.03; Dept of Revenue (License) \$11.20; Document Depot & Destruction (Supp) \$120.00; Fastenal (Supp) \$115.12; Fremont Tire/T-W Tire (Supp) \$699.14; Galls (Defibrillators) \$1,959.86; Home Towne Inn (Lodging) \$45.00; Interstate Power Sys, (Maint) \$682.21; Jackie Sieverding (Per Diem) \$11.00; Jacks Uniform & Equip (Cloth Allow) \$102.85; JCL - Sioux Falls Branch (Supp) \$256.25; Jeffrey T Myers (Pub Def) \$2,477.40; Jensen Ins Agency (Ins) \$80.00; Johnson Engineering (Supp) \$5,411.00; Johnson Feed (Supp) \$3,061.50; Jones Food Ctr (Supp) \$10.50; Juror Fees \$557.52; Katie Johnson (Pub Def) \$2,477.40; Kinetic Leasing (Pymt) \$4,224.90; Lawson Products (Supp) \$48.00; Leader Courier (Legals/Ads) \$718.29; Matheson (Supp) \$369.73; Mcleods (Supp) \$509.35; Menards (Maint) \$148.87; Midwest Wheel (Supp) \$23.14; Nygren's True Value (Supp) \$139.31; Office Elements (Supp) \$14.65; Ollies Drive Inn (Jail Meals) \$11,447.85; Olson's Ace Hardware (Supp) \$75.90; One Beat (Defibrillators) \$6,997.20; One Office Solution (Supp) \$43.43; Peterson, Stuart, Rumpca & Rasmussen (Pub Def) \$2,477.40; Powerphone (Training) \$516.00; Quill (Supp) \$48.29; Ramkota Hotel - Pierre (Lodging) \$91.00; RDJ Specialties (Supp) \$1,123.84; SD Dept Transportation (Pro Rata Share) \$676.30; SD State Health Lab (Well Test) \$14.00; SDACHS (Reg/Dues) \$435.00; SDSA (Reg) \$170.00; Sioux Laundry (Jail Wash) \$627.00; Star Publishing (Ad) \$1,677.90; Supplyworks (Supp) \$266.24; Titan Machinery (Maint/Supp) \$950.59; Traffic Logix (Traffic Safety Signs) \$16,236.00; Ulteig Engineers (Engineering Svcs) \$1,519.08; United Group (Repair) \$1,292.59; United Parcel Svc (Freight) \$14.77; Vast Broadband (Util) \$727.63; Verizon Wireless (Util) \$553.68; Weed & Pest Conference (Reg) \$260.00; Wilcox Electric (Repair) \$352.22; Woodbury Co Emergency (Maint) \$2,133.72; Wrenn's Plumbing & Heating (Repair) \$187.50.

States Attorney

Discussion took place on the vacant PT position in the State's attorney's office. This position will include handling the welfare issues of the county. Motion by Schempp to fill this position @ \$16.50 per hour. Motion died for a lack of a second. Motion by Headid, second by Ballard to fill this position in the salary range of \$14.63 to \$16.50. Vote: 0 aye, 5 nay. Motion failed. Motion by Ballard, second by Schempp to authorize the states attorney to fill the position in the range of \$13.22 to \$15.76 using a 84/16% split between States Attorney budget and Welfare budget. Vote 4 aye, 1 nay (Karpen).

Treasurer

Treasurer Hertel met with the board to discuss a delinquent tax payment contract for Kevin and JoAnn Gobell. Motion by Karpen, second by Headid to approve the contract based on the Treasurer's recommendation. Carried.

Motion by Karpen, second by Headid to hold property tax deed sale on March 15 @ 11:30 a.m. Carried.

Executive session

Motion by Karpen, second by Schempp to enter executive session at 11:42 for personnel. Carried. Chairman declared the board out of session at 12:05.

Adjournment

Motion by Karpen, second by Ballard to adjourn at 12:05 p.m. until February 16, 2016 at 8:30 a.m. Carried.

ATTEST: _____
Carol Klumper, Auditor
Union County

Milton Ustad, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of_____.