

February 9, 2010
Unapproved minutes
Union County Commissioners

The Union County Board of Commissioners met in regular session on February 9, 2010, at the Courthouse in Elk Point, SD at 8:35 a.m.

Members present were Jordan, Karpen, Neely, Schempp and Ustad.

Motion by Ustad, second by Neely to approve the agenda as presented. Carried.

Motion by Jordan second by Schempp to approve the minutes from the January 26, 2010 meeting. Carried.

Abatements 2010-001, 2010-002

Motion by Jordan, second by Neely to approve the abatement application #2010-001 from Elk Point Housing & Redevelopment Commission(3 parcels). Properties owned by the Elk Point Housing and Redevelopment are exempt from taxation pursuant to the Constitution. Abate: Elk Point City-\$3,041.58; EPJ School-\$5,227.20; County-\$1,222.85; EP Fire-\$142.89; Total- \$9634.52. Carried.

Motion by Schempp, second by Neely to approve the abatement application #2010-002 from David Bauder due to VA exemption. Abate: North Sioux City-5.45; DV School-26.36; Union County-\$7.35; Emergency Services-2.02; Total-\$41.18.

Bank Balance

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER January 2010

Total amount of deposits in bank	\$1,143,568.35
Total amount of actual cash	\$5,876.57
Total amount of checks and drafts in Treasurer's possession not exceeding three days	\$28,205.84
Investments	\$2,745,307.44
Cash Variance	-\$103.59
Credit card outstanding	\$1299.50
Total	\$3,924,154.11

*Note: These figures include all funds administered by the county including city, schools & township revenue and other pass through accounts.

CPI and Opt Out

Information from Department of Revenue was distributed regarding CPI- 0% and opt out information.

New Hires

Motion by Jordan, second by Schempp to approve the hiring of special deputy David Swanson @\$10 per hour effective 1-29-2010 and Robert Albertson @10 per hour effective Feb 2, 2010. Carried.

SECOG

Resolution submitted by SECOG was tabled until February 23, 2010.

Travel Authorization

Motion by Jordan second by Ustad to approve the travel request from Janet Lingle to attend the 4-H Citizenship Washington Focus Trip in Washington, June 19-June 27. Carried.

Recovery Zone

Motion by Jordan, second by Schempp to conditionally waive Union County's volume cap allocation for recovery zone economic development bonds pursuant to 26 USC 1400U-A(a)(3)(A) in the following amounts: \$3,211,000 to Harrisburg School District. Recess discussion on the motion.

Sheriff

Deputy Bucholz met with the board. Motion by Jordan, second by Ustad to approve travel authorization for a deputy to attend the Vehicle Contraband session at Camp Dodge, Iowa on March 25 and 26. Carried.

Motion by Schempp, second by Jordan to surplus 4 tazer guns --destroy 2 and donate 2 to Elk Point City. Carried.

Land Plat

Motion by Ustad second by Jordan to approve the following plat
Resolution

Be It Resolved by the Board of Commissioners of Union County that Plat of Cemetery Tract No. 5 an addition in the SE1/4SW1/4 of Section 4, T95N, R50W, 5th PM, Union County, SD owned by Darlene Wastell, surveyed by Chris Lawrenson, Be and the same is hereby approved. Motion carried.

Senate Bill 184

Board discussed the request from Beadle County to support SB 184. If commissioners are interested in supporting this bill, they should contact their legislators.

Liquor License

Sean Brady met with the board to discuss acquiring a liquor license from Union County. Motion by Jordan, second by Neely to schedule 9:00 a.m. on March 9 at the Commissioner's meeting for open bid auction for liquor license pursuant to the rules in UCC2007-003. Carried. Motion by Ustad, second by Jordan to advertise for a public hearing for the liquor license on April 6, at 9:00 a.m. Carried.

Treasurer

Treasurer Hertel met with the board to discuss a contract for delinquent tax payment from Susan Johnson. Motion by Jordan, second by Schempp to approve the contract. Carried.

Discussion took place on the website maintenance and the possibility of additional compensation for treasurer Hertel for work completed above and beyond the department head capabilities.

Highway

Motion by Jordan, second by Ustad to approve the following resolution:

Resolution #HD10-02

**BRIDGE REINSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

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, Union County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

Union County requests SDDOT to hire Johnson Engineering (Consulting Engineers) 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. Union County will be responsible for the required 20% matching funds.

Dated this 9th day of February, 2010, at Elk Point, South Dakota.

Vote 5 aye, 0 nay. Carried.

Motion by Schempp, second by Jordan to approve the following resolution:

Resolution #HD10-01

WHEREAS, seasonal climatic changes can be detrimental to our highways, and,

WHEREAS, the Union County Board of County Commissioners desires to protect existing Union County Highways, ultimately saving tax dollars, and,

WHEREAS, South Dakota Codified Laws 32-14-6 allows for the reduction of the legal weight limit, which may be carried upon highways within Union County,

THEREFORE, BE IT RESOLVED, that certain Union County Highways be restricted to a load limit of 7 tons per axle imposed on trucks, trailers, and wagons. The Union County Highway Superintendent will cause to be installed adequate warning signs notifying the traveling public of the load weight restrictions on the restricted highways, and that the restrictions will be in force upon the placing of such signs, and

BE IT FURTHER RESOLVED, that the penalty for the violation of the load restrictions shall be as set forth in SDCL 32-22-55.

Dated this 9th day of February, 2010.

Vote: 5Aye 0 Nay. Carried.

Motion by Ustad, second by Neely to approve the waterline easement application from Lewis and Clark on CR #1C intersection with W13th on SW edge of Beresford.

Carried.

Motion by Neely, second by Schempp to approve the following resolution:

Resolution #HD10-03

WHEREAS, Union County desires the construction and approach grading of structure 64-038-040,

AND WHEREAS, the South Dakota Department of Transportation Commission has held a bid letting for project BRO 8064(25)PCN H143,
AND WHEREAS, the South Dakota Department of Transportation received a contract from Dakota Contracting Corporation of Sioux Falls, SD, in the amount of \$247,551.22 for the construction and approach grading of structure 64-038-040,
THEREFORE BE IT RESOLVED, that the Union County Board of Commissioners accepts the awarding of said contract to Dakota Contracting Corporation.
Dated this 9th day of February 2010 at Elk Point, South Dakota.
Vote 4 aye, 1 nay. (Jordan) Carried.

States Attorney

States Attorney Miller and deputy States Attorney Jeff Rarick met with the board.

Executive Session

Motion by Jordan, second by Schempp to enter executive session to discuss personnel and legal matters at 11:16 a.m. Chairman declared the board out of executive session at 11:53 a.m.

FMLA

Motion by Jordan, second by Schempp to approve the request for Family Medical Leave on March 5 through March 20 and April 5 through April 11. Carried.

Claims

Motion by Jordan, second by Ustad to approve the following claims: Carried.
The following claims have been audited, approved and warrants drawn on the same: Bi-Weekly payroll for 2-12-2010: Highway \$19,918.35; Sheriff \$26,879.13; State's Attorney \$1,380.13; Public Building \$585.00; Nurse \$159.75; WIC \$260.93; Register of Deeds \$618.50. Alliance Communication (Phone) \$547.21; Beresford Republic (Ad) \$675.62; Bierschbach Equipment (Supplies) \$190.00; Bob Barker Company (Supplies) \$739.48; Tudogs Computing (Maint) \$970.34; Butler Machinery (Rep) \$1,859.47; Cartridge World (Supp) \$123.95; Cathy Rehfuß (Mi Hearing) \$39.00; Chemco Inc (Supplies) \$185.32; Chesterman Co (Water) \$126.50; City Of Alcester (Utilities) \$55.23; Community Health Clinic (Care) \$286.00; Continental Research (Supplies) \$600.37; Country Estates Truck Repairs (Maint) \$564.51; Dailey Plumbing (Rep) \$601.90; Dakota Dunes North Sioux City Times (Ad) \$419.15; Dept Of Revenue (Plates) \$20.00; Donna K Dietrich (Mi Hearing) \$216.83; Ed Roehr Safety Products (Supplies) \$5,078.16; Employee Data Forms (Supplies) \$22.00; FSH Communications (Phones) \$120.00; Great Plains Int'l (Supp) \$243.48; Hickory Tech (Phones) \$245.40; Hydraulic Sales (Rep) \$60.00; Jacks Uniform & Equipment (Supplies) \$287.15; Janet Lingle (Per Diem) \$34.78; Jensen Insurance Agency (Insurance) \$424.00; Jim Hawk Truck Trailers (Supp) \$417.95; John P Slattery (Public Defender) \$2,891.29; Johnson Feed Inc (Supp) \$702.80; Jonathon Feller (Meals) \$156.00; Jones Food Center (Supplies) \$35.07; Knology (Internet) \$175.59; L G Everist Inc (Supp) \$1,145.67; Lawson Products Inc (Supp) \$503.03; Leader Courier (Ad) \$447.82; Lewis & Clark BHS (Allotment) \$9,498.50; Linweld (Supp) \$215.65; Loren Fischer Disposal (Utilities) \$180.00; Lyle Garage Door Service (Rep/Supp) \$265.00; Mac's Inc (Supp) \$25.74; Marvin Schempp

(Per Diem) \$38.48; Medical Waste Transport (Maint) \$64.16; Menards (Supplies) \$180.13; Meridian Grain (Supp) \$2,722.83; Michael McGill (Public Defender) \$2,891.29; Microfilm Imaging System (Maint) \$185.00; MidAmerican Energy (Utilities) \$1,699.65; Muller Auto Parts (Supp/Rep) \$228.87; National 4-H Council Supply (Supplies) \$39.80; Nelva Kooistra (Mi Hearing) \$39.00; Northland Products (Supp) \$178.40; Nygren's True Value (Supplies) \$44.79; Nygren's True Value (Supp) \$71.98; Office Elements (Supplies) \$90.00; Ollies Drive Inn (Meals For Jail) \$7,435.50; Perkins Office Solutions (Supplies) \$935.49; Peterson, Stuart & Rumpca (Public Defender) \$5,782.58; Pete's Produce (Supp/Rep) \$141.90; Pioneer Drug (Drugs) \$1,264.38; Quill Corporation (Supplies) \$149.22; Qwest (Phones) \$1,211.89; Qwest (Phone) \$3.15; Ramkota Inn (Room)\$107.40; Raymond K Roggow (Per Diem) \$26.00; Sam's Club (Supplies) \$115.26; SD Dept Transportation (Rep) \$123.21; SDEMA (Dues) \$60.00; Select Parts Inc (Rep) \$388.70; Sioux Equipment (Repairs) \$106.33; Sioux Falls Rubber Stamp Works (Supplies) \$10.00; Sioux Falls Two-Way Radio (Maint) \$1,001.91; Sioux Laundry Inc (Wash For Jail) \$415.80; Southeast Farmers Elevator (Rep/Supp/Rentals) \$112.22; State Bank Of Alcester (Payment) \$3,931.78; Sturdevant's Auto Parts (Supp/Rep) \$465.26; The Akron HomeTowner (Ad) \$72.00; Tri State Emergency Management (Dues) \$10.00; United Parcel Service (Supp) \$9.66; Verizon Wireless (Phones) \$142.62; Volunteers Of America (Care) \$2,752.00; Western Office Plus (Supplies) \$8.99; Yankton Co. Sheriff (Return) \$50.00; Yankton County (Mi Hearings) \$311.25; Ziegler Inc (Supplies) \$81.25.

Adjournment

Motion by Jordan, second by Schempp to adjourn the meeting.

ATTEST: _____
Carol Klumper, Auditor
Union County

Doyle Karpen, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of _____.