

June 14, 2011
Unapproved minutes
Union County Commissioners

The Union County Board of Commissioners met in regular session on June 14, 2011, at the Courthouse in Elk Point, SD at 8:30 a.m.

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

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

Carried.

Motion by Schempp, second by Neely to approve the minutes from May 31 and June 7 as presented. Carried.

Land Plat

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

Resolution

Be It Resolved by the Board of Commissioners of Union County that Survey Plat of Winquist Tract 2 in the SE1/4NE1/4 of Section 31, and in the SW1/4NW1/4 of section 32, All in T94N, R48S of the 5th PM, Union County, owned by Crain Winquist, surveyed by Kim McLaury, Be and the same is hereby approved.

Recess

Chairman declared a recess from 8:35 to 8:40.

Flood

Chairman gave an update on the flood.

May Monthly Reports

Clerk of Courts reported \$40,059.59 in fines and fees.

Register of Deeds' reported \$3,895.50 in transfer tax and \$6,790.20 in fees.

County Nurse to \$10 donations.

Federal Prisoner & INS room & board fees \$6471.36.

Veterans Service Officer reported 8 individual contacts.

May Bank Balance

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER
May 2011

Total amount of deposits in bank	\$314,832.52
Total amount of actual cash	\$2,363.23
Total amount of checks and drafts in Treasurer's possession not exceeding three days	\$38,083.33
Investments	\$8,832,139.54
Cash Variance	-\$113.45
Credit card outstanding	\$1033.95
Total	\$9,188,339.12

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

Fuel Quote

Motion by Ustad, second by Schempp to approve the fuel quote from SE Farmers Elevator Coop for \$3.555 per gallon for 8,500 gallons unleaded delivered to Elk Point Maintenance Shop.

Surplus

Motion by Ustad, second by Neely to declare the Weed 2000 Polaris 6X6 as surplus and traded-in on June 7, 2011. Carried.

District Meeting

Board determined to host the 8-county district meeting in Beresford on June 30.

Recess

Board declared a recess from 9:09 to 9:14.

Register of Deeds

Register of Deeds Foltz met with the board to discuss the \$1.00 fee required to file the oath for the special deputies and other flood related law enforcement personnel. Motion by Ustad, second by Schempp to waive the \$1.00 filing fee for the flood-related law enforcement. Carried. Foltz also requested advice on how to handle if some of the charges she allows for aren't paid before month end. States Attorney Miller will advise her on that matter.

2nd Hearing for Ordinance UCC2011-002

Motion by Schempp, second by Neely to approve the following ordinance. Carried.

Ordinance #UCC 2011-002 Dakota Dunes CID Curfew

- A. Curfew hours. No minor under the age of fourteen (14) years shall be or remain in or upon the public streets, alleys, parks, playgrounds, public grounds, public places, public buildings, public places of amusement and entertainment, vacant lots, in a vehicle or other unsupervised public places within the boundaries of any Improvement District (under SDCL 7-25A), located in Union County, South Dakota, between the hours of ten p.m. and six a.m. of the following day.
- B. No minor fourteen (14) or fifteen (15) years of age shall be or remain in or upon the public streets, alleys, parks, playgrounds, public grounds, public places, public buildings, public places of amusement and entertainment, vacant lots, in a vehicle or other unsupervised public places within the boundaries of any Improvement District (under SDCL 7-25A), located in Union County, South Dakota, between the hours of eleven p.m. and six a.m. of the following day.
- C. No minor sixteen (16) or seventeen (17) years of age shall be or remain in or upon the public streets, alleys, parks, playgrounds, public grounds, public places, public buildings, public places of amusement and entertainment, vacant lots, in a vehicle or other unsupervised public places within the boundaries of any Improvement District (under SDCL 7-25A), located in Union County, South Dakota, between the hours of midnight and six a.m. of the following day.
- D. Responsibility of Parent. It is unlawful for the parents, guardian, or other adult person having the care and custody of the minor under the age of eighteen (18) years to knowingly permit such minor to be or remain in or upon the public streets and places identified in subsections A, B and C above of this section within the Union County limits during the times referenced in subsections A, B and C of this ordinance, except when the minor is accompanied by his or her parent, guardian, or other adult person having the care and custody of the minor, or when the minor is upon an emergency errand or legitimate business directed or authorized in writing by such parent, guardian or other adult person having the care and custody of the minor.

E. Exceptions to Curfew. The provisions of this ordinance imposing a curfew on minors shall not apply to a minor accompanied by his or her parent, guardian, or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed or authorized by his parent, guardian in writing (and dated) or such other adult person having the care and custody of the minor. In addition, minors who have been emancipated are not subject to this ordinance, nor are minors who are attending sponsored school or sponsored church events, attending city council meetings, political activities and similar events which are protected by the First Amendment of the United States Constitution.

F. Penalties.

1. Any minor under the age of eighteen (18) years who violates any of the provisions of this section is guilty of a petty offense, and is subject to arrest or citation. Upon such arrest or citation, the minor may be taken and delivered into the hands of his or her parent, guardian, or other person authorized by the parent or guardian having the care, custody and control of that minor.

2. Any person, guardian, or other person authorized by the parent or guardian having the care or custody of a minor, who violates this section shall be guilty of a petty offense, and upon conviction thereof shall be punished by a fine not to exceed one hundred dollars (\$100.00).

3. Any minor under the age of eighteen (18) years who violates any provision of this section shall be guilty of a petty offense and upon conviction thereof shall be punished by a fine not to exceed one hundred dollars (\$100.00).

_____ Duties of law enforcement.

Each member of the Union County Sheriff's office or other South Dakota law enforcement officer is hereby authorized to arrest any person violating any of the provisions of this ordinance and retain such person for a reasonable time until complaint can be made and warrant issued and served; provided, however, no child or minor person arrested under the provisions of this ordinance shall be placed in confinement until such person has been taken home or the parents, guardian or the person who has legal custody and control of such person has been notified and until the arresting officer has ascertained whether or not such minor person is within the control of his or her parent, guardian or legal custodian so as to ascertain the wishes of the parent, guardian or legal custodian, and the parent, guardian or legal custodian shall refuse to be held responsible for such minor person.

Adopted this 14th day June, 2011.

Federal Fund Allocation

Motion by Ustad, second by Schempp to approve the Funding Exchange agreement with the state with Union County to receive \$180,387.35 for the annual federal sub-allocation of federal Surface Transportation Program (STP) funds from the state for maintenance and construction of federal aid highways under the jurisdiction and control of the County. Motion carried.

States Attorney

Motion by Neely, second by Schempp to approve travel authorization to allow two states attorney employees to attend a one-day seminar in Sioux Falls on June 15, 2011. Motion carried.

Executive Session

Motion by Neely, second by Ustad to enter executive session to discuss legal matters at 10:15 a.m. Carried. Chairman declared out of session at 10:35 a.m.

Recess

Chairman declared a recess from 10:30 to 10:49.

Planning and Zoning

Planning Director Henze met with the board to discuss adding a line item to the schedule of fees for Inspections with the cost of \$50 per inspection. Motion by Schempp, second by Neely to adopt the addition to the schedule of fees as follows: Inspections at \$50 per inspection. Carried.

Insurance Renewal

Mark Jensen met with the board to discuss the insurance renewal. Motion by Ustad, second by Schempp to continue our liability insurance coverage with Jensen Insurance. Carried.

Recess

Chairman called for a five-minute recess.

Executive session

Motion by Schempp, second by Neely to enter executive session to discuss personnel at 11:55 a.m. Carried. Chairman declared the board out of session at 12:02.

Claims

Motion by Neely 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 06-17-11: Auditor \$147.00; Treasurer \$136.50; Data Processing \$120.00; State's Attorney \$525.95; Public Building \$572.00; Assessors \$236.25; Register of Deeds \$618.50; Sheriff \$39,126.44; Nurse \$159.75; WIC \$287.55; Extension \$712.50; Weed \$5,275.70; Highway \$49,359.97; Coroner \$58.00. Accurate Reporting Inc (Transcripts) \$316.70; Alcester Ambulance (Allotment) \$5,000.00; Alcester Fire Dept (Allotment) \$8,500.00; Alcester Union (Ads) \$283.62; Alliance Communication (Phone) \$513.33; Am San (Supplies) \$181.40; American Bar Assn (Membership) \$280.00; Artic Ice (Repairs) \$25.00; Avera Queen Of Peace (Drug Test) \$164.70; Avera Sacred Heart Hospital (Care) \$819.09; Beresford Ambulance (Allotment) \$5,000.00; Beresford Fire Dept (Allotment) \$8,500.00; Beresford Republic (Ads) \$214.42; Bernies Lawn & Garden Cent (Supplies) \$45.85; Bierschbach Equipment (Repairs & Supplies) \$5,279.95; Brian L Wells (Maint) \$210.00; Butler Machinery Co (Repairs & Supplies) \$1,282.09; C & R Supply Inc (Maint) \$2,006.79; Campbell Grading (Supplies) \$14,611.50; Campbell Supply (Supplies) \$368.96; Casey's General Store (Supplies) \$52.40; Cathy Rehfuss (MI Hearing) \$15.00; Cedar Shore (Lodging) \$491.70; Chesterman Co (Water) \$126.50; Childrens Inn (Allotment) \$407.50; City Of Alcester (Utilities) \$51.58; City of Elk Point (Utilities) \$3,571.96; City Of Hawarden (Allotment) \$5,500.00; Claritus (Supplies) \$3,080.00; Community Health Clinic (Care) \$68.25; Concrete Products Co (Supplies) \$669.00; Cornhuskers International (Supplies) \$136.50; Country Estates Truck Repair (Maint) \$707.45; Dakota County Sheriff (Supplies) \$10.32; Dirks Motor Co (Repair) \$421.70; Document Depot & Destruction (Maint) \$40.00; Donna K Dietrich (MI Hearing) \$150.44; Elk Point Ambulance (Allotment) \$5,000.00; Floyd River Materials Inc (Supplies) \$7,355.75; Gempler's (Supplies) \$273.85;

Guarantee Oil Co (Supplies) \$228.78;Hickory Tech (Phones) \$122.70;Hydraulic Sales (Repairs) \$743.12;Jacks Uniform & Equip (Supplies) \$469.45;Jan's Printing (Supplies) \$241.80;Janitor Depot Inc (Supplies) \$363.40;Jeanne Hansen (Supplies) \$12.69; Jefferson Ambulance (Allotment) \$5,000.00;Jefferson Fire Dept (Allotment) \$8,500.00; Jensen Insurance Agency (Insurance) \$19.00;Jessica Tran (Subpoena Fee) \$31.84; Jim Hawk Truck Trailers (Supplies) \$1,287.41;Jones Food Center (Supplies) \$1,168.98; KCAA (Registration) \$520.00;Klave Construction (Prof Svcs) \$500.00;Knology (Utilities) \$339.39;Kone Inc (Maint) \$273.93;Language Line Services (Interrupter) \$69.30;Lewis & Clark BHS (Care) \$142.00;Light & Siren (Supplies) \$974.85; Limoges Service & Repairs (Repairs) \$399.68;Medical Waste Transport Inc (Maint) \$70.27;Menards (Supplies) \$39.97;Microfilm Imaging System (Rental) \$195.00; MidAmerican Energy Co (Utilities) \$76.44;Midwest Wheel Companies (Supplies & Repairs) \$918.52;National 4-H Council Supply (Supplies) \$102.00;Noll Collection Service (Collections) \$231.35;Norma Andersen (MI Hearing) \$15.00;Northern Truck Equipment (Repairs) \$1,072.00;Northland Products (Supplies) \$209.00;Noteboom Implement Inc (Repairs) \$213.06;Nygren's True Value (Supplies) \$18.38;Ollies Drive Inn (Meals For Jail) \$4,957.75;Pedersen Machine (Equip) \$11,321.46;Perkins Office Solutions (Supplies) \$5,905.62;Petes Produce (Repairs & Supplies) \$112.90;Pioneer Drug (Drugs) \$1,725.49;Plymouth County Sheriff (Supplies) \$82.32;QLT (Phone) \$32.21; Quill Corporation (Supplies) \$275.32;Qwest (Phone) \$1,397.87;Qwest (Phone) \$2.83;Rasmussen Motor (Maint) \$43.42;Redwood Toxicology Lab (BL Draw) \$60.00; Rhyen Rosenquist (Subpoena Fee) \$33.32;Road Machinery & Supplies (Repairs) \$1,299.04;Safe Options Services (Allotment) \$407.50;Sams Club (Supplies) \$166.20; Sanford USD Medical Center (BL Draw) \$352.00;SDN Technologies LLC. (Supplies) \$290.49;Sheehan Mack Sales & Equip (Repairs) \$1,644.00;Sheriff Of Woodbury County (Return) \$3.43;Sioux Falls Two-Way Radio (Repairs) \$279.98;Sioux Laundry Inc (Wash For Jail) \$433.15;Siouxland Lock & Key (Supplies) \$49.10;Southdale Nursery (Supplies) \$249.00;Southeast Farmers Elevator (Repairs & Supplies) \$1,771.45;Southeast SD Tourism Assn (Membership) \$350.00;Staples Credit Plan (Supplies) \$569.63;State Of South Dakota (Phone) \$391.58;Sturdevant's Auto Parts (Supplies) \$801.99; Thermo King Christensen (Repairs) \$681.37;Toni Vancleave (Subpoena Fee) \$30.36; Union County Nursing Svc (Wellness Reward) \$100.00;USD School Of Law (Supplies) \$48.00;Van Diest Supply Company (Supplies) \$6,510.75;Verizon Wireless (Utilities) \$964.26;Vermillion/Clay County Landfill (Maint) \$46.75;Volunteers Of America (Care) \$1,320.00;Winkler Roofing Inc (Repair) \$75.00;Yankton County (MI Reimb) \$103.75; Yankton County Extension (Supplies) \$44.77.

Adjournment

Motion by Ustad, second by Schempp to adjourn at 12:26 p.m. until June 28, 2011. Carried.

ATTEST: _____

Carol Klumper, Auditor
Union County

Doyle Karpen, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of _____.