

November 1, 2011
Unapproved minutes
Union County Commissioners

The Union County Board of Commissioners met in regular session on November 1, 2011, at the Courthouse in Elk Point, SD at 8:30 a.m.

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

Motion by Schempp, second by Neely to approve the agenda. Carried.

Motion by Jordan, second by Ustad to approve the minutes from the October 18 meeting as presented. Carried.

Veterans Service Office

Motion by Neely, second by Schempp to approve the VSO's request to hire Don Kniffen to work in his absence from December 20, 2011 through January 12, 2012.

Motion carried.

Boston Mutual

Following discussion, motion by Jordan, second by Schempp to allow Boston Mutual Life Insurance to make a presentation to the Union County employees and authorize payroll deductions on behalf of the employee to be remitted to Boston Mutual Life. Carried.

Personnel

Motion by Ustad, second by Neely to approve the resignation of Patrick Carr (jailer) effective October 29, 2011; changing Brittany Bennar from part-time jailer to full-time jailer @ 12.06 per hour, effective 10-31-11. Carried.

Backpack Program

County Nurse Lisa McInerney met with the board to discuss the Backpack Program and requests additional clerical staff time to organize the program. Motion by Jordan, second by Neely to allow an additional one day per week in 2011 for Melissa Gregg to organize the backpack program. Motion carried.

Treasurer

Treasurer Hertel met with the board and discussed a tax payment contract for Dennis and Janene Pinney. Motion by Schempp, second by Jordan to allow the treasurer to enter a tax payment contract with Dennis and Janene Pinney. Carried.

Recess

Chairman declared a five minute recess at 9:25 a.m.

Pictometry

Doug Tonnemacher met with the board and presented the Pictometry software to discuss utilizing the software throughout the departments.

Highway

PWA Roggow met with the board to discuss various matters.

Motion by Ustad, second by Schempp to approve hiring Bob O'Connell for the Hwy. Maintenance II, effective November 14, 2011 @ \$13.32. Carried.

Bid Letting

Bid letting was held on October 31, 2011 for separation of Sand/Sandbags. Bids were opened as follows: Campbell Grading-\$64,320; Kolbeck Inc.-\$96,031; Triple D Contracting-\$45,430; Udell Trucking-no bid; Veit & Company, Inc. \$106,300. Following discussion, PWA recommended rejecting all bids. Motion by Jordan, second by Ustad to reject all bids. Carried.

Applications

Motion by Schempp, second by Ustad to approve application for ditch cleaning permit from Dene Doty on CR. #27, Section 1, T95N, R49W. Carried.

Motion by Ustad, second by Neely to approve application from Clay Rural Water for CR. #1, CR. #2, CR. #3 (Sections 27, 2, 6, in T95N, R50W and T89NR48W) Carried.

The board gave direction to PWA Roggow direction to add a 6-month expiration date on the permits.

Motion by Neely, second by Schempp to approve the ditch cleaning permit from Pat Walsh on CR #9, Section 21 T91N, R49W. Carried.

Motion by Neely, second by Ustad to approve the application for sign placement from North Sioux City on CR. #23, T89N, R48W. Carried.

Motion by Schempp, second by Ustad to approve application from Clay Rural Water for water line placements/crossings on CR. #6 (Section 19 T90N, R49W); CR #9 (Section 20 T91N; R49W). Carried.

Motion by Ustad, second by Neely to approve application for ditch cleaning permit from Craig McInerney on CR #25 (Section 23 T92NR50W) Carried.

Flood

Discussion took place on flood incident billings for the sandbags and inmate labor.

Recess

Chairman declared a recess at 10:45 a.m.

Drainage

Discussion took place on drainage. Board discussed having States Attorney compose a letter to affected local boards about forming a watershed district.

Sheriff

Sheriff Limoges and Deputy Bucholz met with the board to explain the change in policy for the procedure in custody arrests.

Alcester City Agreement

Motion by Schempp, second by Ustad to approve the "Sixth Street/301st Street Responsibility Agreement" between Union County and Alcester City. Motion carried.

Alcester City Annexation

The following resolution and adoption were received from the City of Alcester and resolution UCC 2011-007 was passed in conjunction with the city's resolution and adoption.

RESOLUTION CHANGING CORPORATE LIMITS
OF THE CITY OF ALCESTER

BE IT RESOLVED, that the governing body of the City of Alcester at its regular meeting held in the council room in the City Auditorium in the City of Alcester, Union County, South Dakota, at 7:00 p.m. on the 1st day of August, 2011, received two Petitions for Annexation under authority of SDCL 9-4-1, and acts amendatory thereto, one from the Alcester Golf Club, a South Dakota Corporation and one from Pleasant Hill Cemetery Association, Union County, South Dakota requesting the City of Alcester to annex the following described real property into the City of Alcester, to-wit:

Alcester Golf Club:

Tracts One (1), Two (2), Three (3) and Four (4) of Alcester Golf Club Tracts in the West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Twenty-two (22) Township Ninety-five (95) North, Range forty-nine (49), West of the 5th P.M., Union County, South Dakota according to the recorded plat thereof and

The West Nine Hundred Seventy-Five Feet (W 975') of the South Forty Feet (S40') of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-Two (22), Township Ninety-five (95) North, Range Forty-nine (49), West of the 5th P.M., Union County, South Dakota, consisting of approximately .8 of an acre, subject to easements, highway deeds and restrictions of record

Pleasant Hill Cemetery Association, Union County, South Dakota:

The South 575 feet of the East 622.5 feet of the Southwest Quarter (SW $\frac{1}{4}$) of Section Twenty-Two (22), Township Ninety-five (95) North, Range Forty-nine (49) West of the 5th P.M. Union County, South Dakota containing 8.22 acres more or less, and Anderson Tract One (1) situated in the Southeast Quarter of the Southwest Quarter(SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Twenty-Two (22), Township Ninety-five (95) North, Range Forty-nine (49), West of the 5th P.M. Union County, South Dakota, according to the recorded plat thereof and subject to the easement and restrictions of record.

The governing body determined that it was in the best interest of the City that said platted and unplatted property, contiguous to the City of Alcester, should be included within the

corporate limits of said municipality and annexed thereto and it appearing that the Petition satisfied the requirements of SDCL 9-4-1.

NOW, THEREFORE, BE IT RESOLVED, that the corporate limits of the City of Alcester be extended to include the real property hereinabove described within the City limits of the City of Alcester.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon approval of the Board of County Commissioners of Union County, South Dakota and after its publication in the Alcester Union, the official City newspaper for the City of Alcester.

BE IT FURTHER RESOLVED, that after the adoption of this resolution changing the corporate limits as aforesaid, the Mayor of the Alcester City Council shall cause a certified copy of this resolution, to be recorded in the office of the Register of Deeds of Union County, South Dakota, and thereafter such property shall become and be a part of the City of Alcester, Union County, South Dakota.

Dated at Alcester, South Dakota, this 1st day of August, 2011.

CITY OF ALCESTER
CERTIFICATE OF ADOPTION

Adoption of the above and foregoing resolution was moved by Councilman Steve Johannsen and seconded by Councilman Ron Manning and the resolution was put to a vote by the governing body where four (4) members voted in favor thereof and zero (0) members voted in opposition thereto and that said resolution was declared adopted by the Mayor of the City Council of the City of Alcester.

Motion by Ustad, second by Neely to approve the resolution UCC2011-007 changing the corporate limits of the City of Alcester. Carried.

UCC2011-007

RESOLUTION APPROVING CHANGING LIMITS
TO THE CITY OF ALCESTER, UNION COUNTY, SOUTH DAKOTA

BE IT HEREBY RESOLVED that the Board of County Commissioners of Union County, South Dakota, at a regular meeting thereof, considered the above resolution of the City of Alcester, South Dakota, changing the legal corporate limits of the City of Alcester, South Dakota, to include additional platted and unplatted real property situated in Union County, South Dakota, within the corporate limits of the City of Alcester;

NOW THEREFORE, BE IT RESOLVED that the above annexation of real property by the City of Alcester is hereby approved and the Board of County Commissioners of Union County, South Dakota, does hereby consent to the annexation of said territory within the corporate limits of the City of Alcester.

Dated at Elk Point, Union County, South Dakota, this 1st day of November, 2011.

Vote 5 aye, 0 nay.

Executive Session

Motion by Jordan, second by Schempp to enter executive session to discuss legal and indigent matters at 11:42 a.m.. Carried. Chairman declared the board out of session at 12:05 p.m.

Extend the meeting

Motion by Schempp, second by Neely to extend the meeting until 12:15 p.m. Carried.

States Attorney

Motion by Schempp, second by Neely to deny payment for IRR11-005 and IRR11-006 for indigent claims. Carried.

Motion by Ustad, second by Neely to choose States Attorney Miller as the impartial person to review the procedure for the unionization of the employee group. Carried.

Motion by Jordan, second by Ustad to authorize the States Attorney to contract with a consultant for a personnel matter. 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 \$11-04-11: State's Attorney \$491.80; Public Building \$429.00; Register of Deeds \$562.84; Sheriff \$28,798.60; Nurse \$159.75; WIC \$356.78; Highway \$19,007.67; EMA \$167.58. Courthouse payroll for the month of October, \$2011: Commissioners \$5,000.00; Auditor \$8,296.63; Data Processing \$219.41; Treasurer \$12,292.40; State's Attorney \$12,824.11; Public Building \$3,933.87; Assessor \$9,654.25; Register of Deeds \$6,141.11; Veteran \$1,287.50; Sheriff \$4,491.56; Nurse \$878.13; Jail \$108.96; Extension \$2,883.46; Weed \$106.09; Planning & Zoning \$3,660.09; Highway \$8,773.75; EMA \$1,008.98. Alkota Cleaning Sys (Rep) \$25.10; Am San (Supp) \$526.01; American Stamp & Marking (Supp) \$64.71; Bierschbach Equip (Supp) \$392.40; Brian L Wells (Rep/Maint) \$875.68; Campbell Grading (2011; SESD Flood Work) \$558.67; Cartridge World (Supp) \$72.96; Century Link (Phone) \$2.89; Community Health Clinic (Care) \$45.50; Dakota Dunes NSC Times (Legals) \$411.76; Dakota Graphics (Supp) \$495.00; Denise Cody (MI Hearing) \$24.00; Dept Of Revenue (Title) \$10.00; Document Depot & Destruction (Maint) \$40.00; Donna K Dietrich (MI Hearing) \$411.88; Fed Ex (Postage) \$63.27; Hickory Tech (Phone) \$122.70; Honeywell (Maint) \$6,729.00; Jamar Technologies (Rep) \$141.84; Jerry Miller (Per Diem) \$52.00; Kabeiseman & Pollard (Ct Appt Atty For MI) \$170.00; Karen Swanda (MI Hearing) \$39.00; Leader Courier (Legals) \$426.29; Limoges Service & Repairs (Rep) \$1,832.96; Marv Ekeren (MI Hearing) \$15.00; Mcleods (Supp) \$107.07; MidAmerican Energy (Utilities) \$77.78; Minnehaha Co Auditor (MI Care) \$45.00; NDAA (Dues) \$95.00; Nygren's True Value (Rep/Supp) \$55.90; Office Elements (Supp) \$999.25; Olson Welding (Rep) \$62.00; Perkins Office Solutions (Supp) \$318.56; Persing Backhoe Service (Rep/Excise Tax) \$25,500.00; Powerphone (Training) \$516.00; Quill Corporation (Supp) \$464.00; Ramkota Inn (Rooms) \$186.00; Safety-Kleen (Rep/Maint) \$496.12; SD State Health Lab (Bl Draws) \$2,116.00; SDSA (Registration) \$25.00; Share Corporation (Supp) \$201.81; Sharon Birghotz (Subpoena) \$45.16; Shepherd Reporting (Transcription) \$37.50; Sheriff of Woodbury County (Return) \$19.60; Union County (Maint) \$1,542.25; US Bank (Supplies/Travel) \$2,212.37; Ziegler (Rep) \$912.79.

Meeting Time

Motion by Jordan, second by Ustad to change the time for the November 15, 2011 meeting to 8:00 a.m. instead of 8:30 a.m. for the purpose of evaluations of department heads. Carried.

Pictometry

The board discussed inquiring the cost to add screen, projector and server to utilize the Pictometry software throughout the departments in the courthouse.

Adjournment

Motion by Jordan, second by Schempp to adjourn until November 15, 2011 at 8:00 a.m.

ATTEST: _____

Carol Klumper, Auditor
Union County

Doyle Karpen, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of _____.