

April 28, 2015
Unapproved minutes
Union County Commissioners

The Union County Board of Commissioners met in regular session on April 28, 2015, at the Courthouse in Elk Point, SD at 8:30 a.m.

Members present Ballard, Headid, Karpen, Schempp and Ustad. Schempp left meeting at 11:00 a.m.

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

Motion by Ballard, second by Headid to approve the minutes from April 14, 2015 as presented. Carried.

Fuel Quote

Motion by Schempp, second by Ballard to approve the fuel quote from Stern Oil at \$2.2509 –one transport at 8,500-8,900 gallons of unleaded no ethanol blend. Carried. (quote also from Southeast Farmers Coop - \$2.279 and Turkey Ridge-\$2.2587)

Reports

Commissioner Ballard discussed a meeting he attended hosted by Head Start about assistance available for county residents in need of heat assistance, counseling, house insulation, etc.

Commissioner Ustad discussed the chicken manure issue.

Commissioner Ustad reported that Zoning Director will be meeting with FEMA tomorrow in the Dunes area.

Recess

Chairman declared a recess at 8:56-9:00.

Department Head Meetings

The following department heads met with the board for monthly reports: Fair Manager Lingle, Nurse McInerney and VSO Veatch.

Weed Board

Motion by Headid, second by Schempp to accept resignation of Eugene Flynn from the Weed Board. Carried. Chairman thanks Flynn for his time on the weed board. The weed board recommended appointing Dale Neely. Motion by Headid, second by Ballard to appoint Dale Neely to the weed board. Carried.

Dakota Valley School variance

Motion by Headid, second by Schempp to approve the variance requested by Dakota Valley school for a driveway. Discussion ensued. Roll call vote: Karpen-nay; Headid-aye; Schempp-aye; Ballard-nay; Ustad- nay. Motion failed.

Highway

PWA Roggow met with the board.

Motion by Ballard, second by Schempp to approve application from Southeastern Electric to permit underground electric- County Rd. #14. Carried.

Motion by Schempp, second by Ballard to approve the amendment to the work order for Clark Engineering for sign program –includes fee increase- this is Safety money, not Union County funds. Carried. Project 8064(29) PCN 02UL. Agreement #410543 Work order LGA-105 13.

Motion by Karpen, second by Ballard to approve travel for PWA Roggow to attend Transportation Advisory meeting in Pierre. Carried.

Recess

Chairman declared a recess from 10:05 to 10:20. Carried.

Weed Contract

Motion by Karpen, second by Headid to authorize the chairman to sign the weed contract with the State of SD Department of Transportation for Joint powers agreement for weed spraying services by county. Carried.

Zoning

Robert Geary met with the board questioning if he can build a road on the easement granted by the county on August 14, 2007. States Attorney Miller will look into this matter and confer with Geary. Geary also brought up matters of Emmick dumping and burning on private property, and a building being built too close to the right-of-way without a building permit.

Claims

Motion by Ballard, second by Headid to approve the claims as follows. Carried. The following claims have been audited, approved and warrants drawn on the same: The following claims have been audited, approved and warrants drawn on the same: Bi-weekly payroll for 05-01- 2015: Auditor \$277.20; Treasurer \$471.90; State's Attorney \$806.34; Public Building \$873.13; Register of Deeds \$613.18; Sheriff \$33,166.76; Nurse \$130.80; WIC \$421.02; Highway \$25,392.82; OASI \$4,754.68. Courthouse payroll for the month of April 2015: Commissioners \$5,075.00; Auditor \$9,688.94; Data Processing \$233.97; Treasurer \$13,692.29; State's Attorney \$16,998.22; Public Building \$4,199.24; Assessor \$9,885.20; Register of Deeds \$6,757.84; Veteran \$1,332.94; Sheriff \$5,016.77; Nurse \$956.06; Jail \$118.63; Extension \$1,383.20; Fair \$1,392.53; Weed \$696.71; Planning & Zoning \$3,680.00; Highway \$7,460.39; EMA \$1,560.03; Coroner \$58.00; April 2015 OASI \$15,290.21; April 2015 SD Retirement \$11,269.54; Wellmark \$42,709.99; Dearborn National \$399.93. 4-H Camp Eastern Board (Reg) \$150.00; Alcester Public Library (Allot) \$3,000.00; Alkota Cleaning Sys (Repair) \$306.64; Beresford Community Bus (Allot) \$3,500.00; Beresford Public Library (Allot) \$3,000.00; Bernies Lawn & Garden Ctr (Repair) \$26.94; Bierschbach Equip (Supp) \$160.75; Black Book (Supp) \$108.00; Bomgaars (Supp) \$23.95; Brian's Repair (Maint) \$188.77; Brown & Saenger (Supp) \$95.00; Cedar Shore (Lodging) \$339.80; Century Business Products (Supp) \$56.82; Century Link (Util) \$1,206.19; City of Elk Point (Util) \$4,495.63; Denise Cody (MI Hearing) \$12.00; Dept of Health (Reg) \$75.00; Diamond Mowers (Repair) \$224.88; Doyle Karpen (Mileage) \$25.90; Elk Point Public Library

(Allot) \$3,000.00; Enventis (Util) \$122.70; Fastenal (Supp) \$180.51; First National Bank (Go Bonds) \$3,727.50; Fremont Tire/T-W Tire (Supp) \$259.50; Gilbarco (Maint Agreement) \$153.00; Heiman Fire Equip (Maint) \$534.92; Hydraulic Sales (Supp) \$125.00; Jacks Uniform & Equip (Shipping) \$260.93; Jebro (Supp) \$1,142.00; Jensen Ins Agency (Ins) \$186.00; Jones Food Ctr (Supp) \$489.19; Juror Fees \$483.62; Kalins (Supp) \$59.82; Karen Swanda (MI Hearing) \$12.00; Lincoln County (Reimb MI) \$9.00; Lucy Lewno (MI Hearing) \$184.50; Lyle Signs (Supp) \$584.50; Marathon Equip (Repair) \$312.00; Marvin Schempp (Mileage) \$38.48; Mcleods (Supp) \$429.32; Menards (Supp) \$73.21; Mercy Medical Svc (Care) \$47.00; Microfilm Imaging Sys (Svc Agreement) \$324.00; MidAmerican Energy (Util) \$1,051.20; Milton Ustad (Mileage) \$61.05; Muller Auto Parts (Supp) \$23.39; NSC Public Library (Allot) \$3,000.00; Northern Truck Equip (Repair) \$86.20; Nygren's True Value (Repair/Supp) \$303.07; Office Sys (Maint) \$992.00; Olson's Ace Hardware (Supp) \$63.47; Pathology Medical Svc (Autopsy) \$1,987.63; Perkins Office Solutions (Supp) \$15.69; Peterson, Stuart, Rumpca & Rasmussen (Ct Appt Attorney) \$238.00; Quill Corp (Supp) \$14.99; Richard Headid (Mileage) \$23.68; Robert Ballard (Mileage) \$38.85; Rumi Weigel (Mileage) \$45.14; SDACO (Reg) \$525.00; SDACO/M&P Fund (Modernization/Preservation) \$494.00; SHI Int'l (Maint) \$518.10; Southeast Farmers Coop (Repair) \$16.45; Triview Communications (Phone Sys) \$19,419.14; Ulteig Engineers (Prof Svc) \$870.00; Union Co Register of Deeds (Checks) \$53.51; US Geological Survey (Cost Share Payment) \$7,115.00; US Bank (Fuel/Supp/Travel) \$941.34; Vast Broadband (Util) \$214.90; Verizon Wireless (Util) \$595.14; Wrenn's Plumbing & Heating (Repair) \$319.99; Yankton County (Reimb MI) \$173.50; Z & S Dust Control (Supp) \$16,295.56.

Recess from Commission meeting

The board recessed as Board of Commissioners at 10:42 a.m.

Board of Equalization 2015 continued

Director of Equalization Steckelberg and appraiser Bousquet present for equalization at 11:00 a.m.

Omitted Property

Motion by Headid, second by Ballard to approve the omitted property for Michele Wakeman parcel #05.80.51 MH005 with value of 20,364. Motion carried.

Motion by Ballard, second by Headid to approve the omitted property for John Smith parcel #05.80.51.MH071 with value of 20,247. Motion carried.

Appeals:

2015-13. 23.GC.07.1017 William and Jo Hackett present for appeal. Dakota Dunes. Appeal-the assessed value is too high, given the market value. Assessor recommended 275,185 on the structure. Motion by Headid, second by Karpen to set at the house value at 268,815. Total with land 310,329 . Carried.

2015-14. 03.01.11.1015 Patrick & Penny Carter. Patrick Carter present for appeal. Elk Point City. Appeal-property is over assessed. Carter wanted the value set at the purchase price of \$23,000. Assessor wasn't allowed to enter the structure. Carter said he told Assessor last week that she was allowed to enter. Carter gave several comparables but he

had no square footage, no age of structures, no number of fixtures for these comparables. House value was 60,950, local board lowered to 7,530. Assessor recommends value for house be returned to 60,950. Motion by Karpen, second by Ballard to set the value of structure at 46,530 for a total value of property at 62,000. Carried.

2015-15. 23.GC.16.1006 and 23.GC.16.1005. William and Pam Rizk. Dakota Dunes. Appeal- market value is substantially less than assessed value. Assessor's recommends values to be land-102,252, Structure -\$564,826 on 23.GC.16.1006 and land-\$73,790, structure – 142,390 on 23.GC.16.1005. Motion by Ballard, second by Karpen to set at Assessor's recommended value. Carried.

Recess

The board recessed for lunch from 12:00 to 1:00 p.m.

2015-16. 23.GC.27.1023. Michael & Kerry Moody. Dakota Dunes. Appeal-no form. No supporting documents. Assessor recommends value set at 55,000 for land, 695,327 for structure and pool for a total of 750,327. Motion by Karpen, second by Headid to set at Assessor's recommendation. Carried.

2015-17. 22.00.32.1070. Elaine Reinert present for appeal. Richland Twp. Appeal-the property floods every year and the Brule Creek takes soil with it. It is full of trees and not farmable. Appellant asking for zero value. Assessor recommends changing the value from 7,986 to 7,160 taking out the creek from the property. Reinert supplied pictures and explained that this piece always floods. Motion by Karpen, second by Ustad to set at Assessor's recommendation. Carried.

2015-18. 05.24.15.1000. Dean and Lesa Copley. Lesa present for appeal. North Sioux City. Appeal-less than 9 months ago willing to flood property. No change to dwelling, over 100% valuation on county appraisal done for tax purposes in 2012 per agents, Market down 2-3% over last 3 years. Land value-118,476; Structure-218,500. Local board lowered structure to 199,500. Assessor recommends value remain at 218,500. Motion by Karpen, second by Ballard to at the Assessor's recommended value of 118,476 for land and \$218,500 for the structure. Motion carried.

2015-19.23.GC.11.1004. Abelardo & Cassity Gutierrez. Abelardo was present for appeal. Dakota Dunes. Appeal- does not agree with the 20% increase in the value of the structure; appraisal in the past two years was 379,500. Feels that the increase has his property valued far above his comparables. Assessor set land at 91,476 and recommended changing the value of structure from 363,757 to 334,799. Motion by Karpen, second Headid to set at the Assessor's recommended value of 91,476 for land and 334,799 for structure. Motion carried.

Recess

Chairman declared a recess from 1:55 to 2:00.

2015-20. 11.00.21.4050. Pamela Mahler. Big Sioux Twp. Assessor stated that Mahler called earlier today and withdrew her appeal. Local board had lowered the value on property from 72,000 to 60,750. Assessor recommended keeping the value at 72,000. No change on the structure of 320,596. Motion by Headid, second by Karpen to set the land value at the Assessor's recommended value of 72,000. Carried.

2015-21. 23.MD.09.1003. Terry and Mary Graves. Dakota Dunes. Appeal- too high. Appellant not present - asking structure value to be 186,973. Assessor recommends the land at 33,027 and the structure at 213,417. Motion by Karpen, second by Ballard to set at the Assessor's recommended value. Carried.

2015-22. 05.22.10.1070 Kelly & Patrice Kistner. North Sioux City. Patrice present for appeal. Appeal-taxpayer does not feel value increase justified. Assessor has land value at 63,325; structure at 199,019. Local board lowered the structure to 173,060. Patrice stated that the main level square feet would be 3,075 not 3,718. Appellant did not return the assessor's call to allow the assessor in for a walk-through. Motion by Karpen, second by Ballard to set value at Assessor's recommendation of 63,325 for land and 199,019 for the structure. Carried.

2015-23. 23.GC.09.1007. 23.GC.09.1006 & 23. GC. 09.1009 Stan and Amber Sherman. Dakota Dunes. Stan present for appeal. Lots not buildable. Bought the lots for privacy reasons. Appeal- value is well above purchase price and home was on market for over 4 years; value is double purchase price and lot was on market for 20 years. Assessor changed land value on 23.GC.09.1007 from 72,709 to 55,954 and structure from 368,782 to 348,973; lots 6 and 9 were 37,287 and DOE recommends 27,878. Motion by Karpen, second by Headid to set the value of the land at 53,000 and house at 342,000 on parcel 23.GC.09.1007. Carried. Motion by Headid, second by Karpen to set the two lots at \$24,000 each. Motion carried.

2015-24 .23.TR.04.1001. IBP, Inc. Dakota Dunes. Telephonic conference with Denton Childs with Craig Berenstein and Angie Schneiderman present for the appeal. Appeal-assessed value is greater than market value -limited market for this property. Functional obsolescence, national market –Comparables were submitted using Beef Products, inc.; Plains States Dist and Riverview Building. Appellant provided a comparison sale from Pittsburg, Texas. Assessor recommending 1,500,000 on the land and changing structure from 19,604,677 to 18,519,344. Appellant is asking for the structure to be valued at 4,224,914.

Executive Session

Motion by Karpen, second by Headid to enter into executive session for legal matters. Carried.

2015-24 appeal continued. Motion by Karpen, second by Ballard to set the land value at 1,500,000 and the building value at 14,354,912 for a total of \$15,854,912. Motion carried.

Annexation

Motion by Karpen, second by Headid to correct parcels 11.00.08.1050 N & J Strong to 05.35.08.1010 as this piece of property was annexed by North Sioux City on June 18, 2014. Assessor's office did not receive the information from the Register of Deeds to make the change. The greenhouse on this property is on leased property on parcel 11.00.80.1005 to be changed to 05.80.08.1050. Carried.

Motion by Karpen, second by Headid to change the name of the owner on parcel 05.80.15.1005 from Sprint/Nextel to American Tower. Sprint removed utility box and

terminated lease with American Tower, American Tower placed a new utility box on the property. American Tower claimed ownership of this box. Motion carried.
The board recessed as equalization board for 2015.

Adjournment

The board of commissioners adjourned at 4:26 p.m. until May 12, 2015. Carried.

ATTEST: _____

Carol Klumper, Auditor
Union County

Milton Ustad, Chairman
Union County Board of Commissioners

Published once at the total approximate cost of _____.