

February 7, 2012
Unapproved minutes
Union County Commissioners

The Union County Board of Commissioners met in regular session on February 7, 2012, at the Courthouse in Elk Point, SD at 8:30 a.m.

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

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

Carried.

Motion by Ustad, second by Neely, to approve the minutes from January 24, 2012 as presented. Carried.

January Monthly Reports

Clerk of Courts reported \$41,538.73 in fines and fees.

Register of Deeds' reported \$6,306.50 in transfer tax and \$9,616 in fees.

County Nurse \$58 in donations.

Federal Prisoner & INS room & board fees-\$19,598.35.

VSO reported 37 individual contacts.

January Bank Balance

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER
January 2012

Total amount of deposits in bank	\$516,514.74
Total amount of actual cash	\$3,096.94
Total amount of checks and drafts in Treasurer's possession not exceeding three days	\$41,777.70
Investments	\$4,472,359.70
Cash Variance	-\$55.10
Credit card outstanding	\$2,403.98
Total	\$5,036,097.96

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

Conservation District Report

According to SDCL 38-8-55, the Conservation District will file a report with the county commissioners prior to receiving county funding. The 2011 report has been filed with the auditor, reviewed by the board and will be sent to the legal newspapers for publishing.

Executive Session

Motion by Ustad, second by Schempp to enter executive session at 8:50 a.m. for personnel. Carried. Chairman declared out of session at 8:57.

Fairboard

Motion by Ustad, second by Schempp to appoint Timothy Renken to the vacant spot on the Union County Fairboard. Carried.

Sheriff

Sheriff Limoges and Dispatcher Judy Oberg met with the board. Discussion on the legislation for 911 took place.

Executive Session

Motion by Schempp, second by Ustad to enter executive session to discuss legal reasons at 9:08 a.m. Carried. Chairman declared out of session at 9:30.

Executive Session

Motion by Schempp, second by Ustad to enter executive session to discuss legal reasons at 9:31 a.m. Carried. Chairman declared out of session at 9:35.

Indigent Claim

Motion by Ustad, second by Neely to approve payment of 06-IRR-012 in the amount of \$6,545.94 for a county resident. Carried.

Extension

Motion by Ustad, second by Neely to approve the Memo of Understanding including an amendment which is the email from Karla Trautman on January 26, 2012, which explains paragraph 3 in the memo of understanding. Carried. Rachel Bonine present for discussion.

Highway

Motion by Schempp, second by Neely to approve the application for a permit from Alliance Communications Cooperative of Garretson, SD for burying fiber cable on County Rds. 12, 27, 1E, 13, 14, 25 15 & 2. Motion carried.

Motion by Neely, second by Ustad to approve the following resolution.

Resolution #HD2012-01

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 7th day of February, 2012.

Vote: 4 Aye 0 Nay. Carried.

Discussion was held on the farmland lease agreement. Motion by Ustad, second by Schempp to set the minimum bid at \$225 per acre at an auction set at 9:15 on March 6, 2012 for an annual contract on the Donnelly Tract One in the SE1/4SW1/4 of Section 29,

and in the NE1/4NW1/4 of Section 29, all in T92NR49 west of the 5th PM, Union County, SD. Carried.

Discussion held on Safety Benefits, Inc.'s suggestion to have pre-employment, post offer physicals for new hires. Roggow is gathering information on this topic to provide further information to the board.

Recess

Chairman declared a recess at 10:28-10:36.

Fuel Quote

Motion by Schempp, second by Neely to approve a fuel quote to SE Farmers Elevator Coop for 8500 gallons of unleaded-no ethanol @3.1419. (Turkey Ridge – 3.2970) Carried.

Resolution

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

RESOLUTION #UCC 2012-001

A RESOLUTION PROVIDING FOR THE ALTERATION OF
COUNTY COMMISSIONER DISTRICT BOUNDARIES
WITHIN UNION COUNTY, SOUTH DAKOTA.

WHEREAS, Union County is divided into five county commissioners districts that were last defined, established and adopted by Union County Resolution No. 2002-01; and,

WHEREAS, the Union County Board of Commissioners has determined that change in the commissioner districts is necessary in order that each district shall be as regular and compact in form as practicable and contain as near as possible an equal number of residents, as determined by the 2010 Census; and,

WHEREAS, the Union County Board of Commissioners has published notice for and has held the required public hearing; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, SOUTH DAKOTA:

Section 1. County Commissioner districts shall be numbered One through Five, inclusive, and which are identified by number on attached "Exhibit A". The districts shall be described by stating the certain street or avenue designations or other landmarks that divide and border the districts. Any reference to street or avenue below shall mean an imaginary line running down the approximate middle of each street or avenue. The districts of Union County are as set forth below and the map thereof on file in the office of the Auditor. Any discrepancies shall be resolved by reference to the map rather than the physical descriptions set forth herein.

The First District shall include all of that part of the County within Big Sioux Township south of Flurie Road. It shall also include all of that part of the County south and east of Shay Road and the extension of Shay Road to the Big Sioux River. It shall also include all of that part of the County south and east of Sunset Drive.

The Second District shall include all of that part of the County within Jefferson Township and Civil Bend Township. It shall include all of the City of Jefferson. It shall also include all of that part of the County within Big Sioux Township north of 334th Street and west of 484th Avenue. It shall also include all of that part of the County within Elk Point Township northeast of County Road 1B and southeast of the Dakota and Iowa Railroad. It shall also include all of that part of the County within Elk Point Township south and southeast of the City of Elk Point between 476th Avenue and County Road 1B. It shall also include all of that part of the County within the City of Elk Point southwest of Main Street/Interstate 29 Business Loop and east of Truman Street. It shall also include all of that part of the County within the City of Elk Point southwest of Washington Street and southeast of Green Street. It shall also include all of that part of the County within the City of Elk Point southwest of Clay Street and southeast of Wood Street. It shall also include all of that part of the County within the City of Elk Point southwest of Jefferson Street and southeast of Pearl Street and west of Pearl Street. It shall also include all of that part of the County within the City of Elk Point south of Lincoln Street and east of Court Street. It shall also include all of that part of the County within Elk Point Township west of South Dakota Highway 11/476th Avenue outside the City of Elk Point. The part within Elk Point is the same boundary as the City of Elk Point's Second Ward.

The Third District shall include all of that part of the County within Big Sioux Township south of 334th Street and west and northwest of Sunset Drive. It shall also include all of that part of the County within Big Sioux Township east of 484th Avenue and north of Flurie Road. It shall also include all of that part of the County within Big Sioux Township west and north of Shay Road and the extension of Shay Road to the Big Sioux River. It shall include all of the City of North Sioux City.

The Fourth District shall include all of that part of the County within the City of Elk Point northwest of Pearl Street. It shall also include all of that part of the County within the City of Elk Point west of Pearl Street and north of Lincoln Street. It shall also include all of that part of the County within the City of Elk Point northeast of Jefferson Street between Elm Street and Pearl Street. It shall also include all of that part of the County within the City of Elk Point northeast of Clay Street between Green Street and Elm Street. It shall also include all of that part of the County within the City of Elk Point northeast of Washington Street and between Truman Street and Green Street. It shall also include all of that part of the County within the City of Elk Point northeast of Main Street/Interstate 29 Business Loop. It shall also include all of that part of the County within Elk Point Township east of South Dakota Highway 11/476th Avenue and northwest of the Dakota and Iowa Railroad. It shall also include all of that part of the County within Richland Township, Sioux Valley Township, and Virginia Township. It shall also include all of that part of the County within Alcester Township east of 478th Avenue. It shall include all of the City of Alcester. The part within Elk Point is the same boundary as the City of Elk Point's First and Third Wards.

The Fifth District shall include all of that part of the County within Brule Township, Spink Township, Emmet Township, Big Springs Township, and Prairie Township. It

shall also include all of that part of the County within Alcester Township west of 478th Avenue. It shall include all of the City of Beresford that is within Union County.

Section 2. The alteration of commissioner district boundaries as hereinabove established shall be effective from and after the adoption of this resolution.

Dated this 7th day of February, 2012.

Vote 4 aye, 0 nay. Carried.

Claims

Motion by Schempp, second by Ustad to approve the following claims. Carried. The following claims have been audited, approved and warrants drawn on the same: Courthouse payroll for January 2012: Commissioner \$5,000.00 Auditor \$8792.19; Data Processing \$224.02; Treasurer \$12,658.88; State's Attorney \$13,810.62; Public Building \$4,016.48; Assessor \$9,757.54; Register of Deeds \$6,270.07; Veteran \$1,314.54; Sheriff \$4,694.22; Nurse \$896.57; Jail \$111.25; Extension \$1,323.00; Weed \$397.42; Fair \$1,331.92; Planning & Zoning \$3,328.55; Highway \$9,123.00; EMA \$1,499.50. Bi-weekly payroll for 02-10-2012: Auditor \$300.16; Treasurer \$75.04; State's Attorney \$861.00; Public Building \$610.42; Register of Deeds \$618.87; Sheriff \$28,049.31; Nurse \$160.80; WIC \$368.12; Highway \$20,412.85; Coroner \$58.00. Accurate Reporting (Transcripts) \$142.45; Alliance Communication (Phone) \$480.37; American Stamp (Supp) \$66.70; Avera Mckennan Hospital (Care) \$6,544.94; Avera Queen of Peace (Prof Services/Fees) \$54.90; Avera Sacred Heart (Care) \$157.10; Beresford Republic (Legals) \$237.98; Bierschbach Equip (Supp/Clothing Allow) \$176.80; Bob Barker Co (Supp) \$464.79; Boyer Trucks (Repair/Supp) \$548.58; Tudogs Computing (Repair/Maint) \$521.89; Brock White Co (Hwy Const) \$20,174.40; Brody Chemical (Supp) \$256.21; C & H Truck Parts ((Repair) \$75.00; Century Business Products (Maint) \$288.00; Century Link (Phone) \$1,074.44; Century Link (Phone) \$2.95; Chesterman (Water) \$129.50; City Of Alcester (Util) \$55.95; Continental Research Corp (Supp) \$169.10; Cornhuskers International (Supp) \$301.27; Country Estates (Maint) \$149.85; Dakota Diesel Service (Supp) \$394.00; Dakota Dunes North Sioux (Legals) \$301.71; Dakota Security (Maint) \$204.08; Dawn Steckelberg (Per Diem) \$38.00; Dept of Public Safety (SESD Flood Supp) \$1,420.00; Dept of Revenue (Supp) \$20.00; Diesel Specialities (Repair) \$208.80; Nel Golden (Per Diem/Mileage) \$73.25; Donna K Dietrich (Mi Hearing) \$83.45; Fastenal Company (Repair/Maint) \$73.19; General Business Equip (Supp) \$50.00; Guarantee Oil Co (Supp) \$297.68; Hickory Tech (Phones) \$245.40; Hydraulic Sales (Repair) \$79.57; Inland Truck Parts (Repair) \$29.06; Jacks Uniform & Equip (Clothing) \$50.00; Jeanne M Bossman (Transcripts) \$399.00; Jim Hawk Truck Trailers (Supp) \$17.38; Jones Food Center (Supp) \$10.02; Juror Fees \$541.02; Katie Johnson PLLC (Pub Def) \$2,336.15; Knology (Internet/Phone) \$174.18; Leader Courier (Legals) \$305.75; Lind Electronic Design (Supp) \$108.95; Maintenance Engineering (Supp) \$416.92; Mart Auto Body & Marine (Repair/Maint) \$90.00; Matheson (Supp) \$527.58; Mcleods (Supp) \$466.96; Michael McGill (Pub Def) \$2,336.15; Microfilm Imaging System (Maint) \$260.00; MidAmerican Energy (Util) \$20.76; Muller Auto Parts (Supp/Repair) \$388.75; Noll Collection Service (Collections) \$116.80; Northern Truck Equip (Supp) \$210.48; Northland Products (Supp) \$946.00; Nygren's True Value (Supp/Repair) \$173.56; Office Elements (Supp) \$294.58; Office Systems (Supp) \$218.64; Ollies Drive Inn (Meals for

Jail) \$11,098.25; Pedersen Machine (Supp) \$220.22; Perkins Office Solutions (Return) \$390.54; Peterson, Stuart, Rumpca (Pub Def) \$7,008.45; Pioneer Drug (Drugs) \$2,691.27; Quill Corporation (Supp) \$362.69; Renee Kennedy (Transcripts) \$104.40; Road Machinery & Supplies (Repair) \$951.72; Roberta Wendt (Subpeona) \$21.48; Rubida Insurance (Notary Bond) \$80.00; Rudolph's Shoe Mart (Clothing Allow) \$143.99; Rumi Weigel (Mileage) \$62.90; Sams Club (Supp) \$180.66; Sanford Health (BL Draw) \$270.00; SD Dept of Agriculture (Supp) \$50.00; SD State Health Lab (Well Test) \$24.00; SDAAO (Registration) \$300.00; SDACHS (Registration Fee) \$160.00; Select Parts (Repair) \$159.74; Sioux Laundry (Wash for Jail) \$624.63; Sioux Sales (Equip) \$573.90; Siouxland Humane Society (Care) \$37.00; Southeast Farmers Elevator (Repair/Supp) \$90.86; State Bank of Alcester (50th Payment) \$3,931.78; State Treasurer (State Remit \$2-2012) \$234,239.20; Sturdevant's Auto Parts (Repair/Supp) \$833.41; Thure Swanson (Subpeona) \$42.94; Total Stop Food Store (Supp) \$16.20; Tractor Supply (Supp) \$5.21; Tri State Emergency (2012 Dues) \$10.00; Verizon Wireless (Cell Phone) \$173.58; Vermillion Ford (Repairs) \$202.37; Volunteers of America (Care) \$3,410.00; Washington County Sheriff (Return) \$20.00; Woodbury County Disaster (Maint) \$1,763.90; Ziegler (Supp/Repairs) \$348.19.

Hyperion Man Camps

Doug Maurstad met with the board sharing statistics from North Dakota on rising costs and rising crime. Maurstad is concerned with not being pro-active for preparation of Hyperion coming to Union County.

Abatements

Motion by Neely, second by Ustad to approve the following applications for abatements based on the Assessor's revaluation following flood damage:

- #2012-008. Russell Ridenour-11.00.21.6038-Lot 23 Riv-R-Land-remove 14,994 from assessed value.
- #2012-009. Larry Dickens-11.00.21.6150-Sthly 25' of Lot 79 & all Lot 80 Riv-R-Land-remove 31,766 from assessed value.
- #2012-010. Vincent Digregory-23.MD.03.1008-Lot 8 Meadows 3rd Addition-remove 6,825 from assessed value.
- #2012-011. Phillip Kratz-11.00.21.6040-Lot 24 Riv-R-Land-remove 26,530 from assessed value.
- #2012-012. Jon Ebner-23.GC.03.1030-Lot 30 of DD Golf Course 3rd Addition-remove 9,009 from assessed value.
- #2012-013. Kenney Jorgensen-11.00.21.6036-Lots 21 & 22 Less W5' of Lot 22 Riv-R-Land-remove 43,834 from assessed valuation.
- #2012-014. Cathy Wegher-23.GC.10.1013-Lot 13 DD Golf Course 10th Add-remove 31,311 from assessed valuation.
- #2012-015. Steven Ballard-23.GC.07.1034-Lot 34 of DD Golf Course 7th Add-remove 15,526 from assessed value.
- #2012-016. Gary Gunderson-23.WL.30.1004-Lot 4 Blk 1 Willows-remove 4,620 from assessed value.
- #2012-017. William Clemens-23.GC.07.1015-Lot 15 of DD Golf Course, 7th Add-remove 20,356 from assessed value.

