

SULLY COUNTY BOARD OF COMMISSIONERS
MAY 4, 2010

The Sully Co Bd of Comrs met on Tues, May 4, 2010 at 8:30 AM at the Sully Co thse. Chmn Bill Floyd called the mtg to order. Other board members present: Elmer Goosen, Jerry Richards & Judy Pullman. Absent: Beverly Zebroski. MINUTES: Moved by Goosen, seconded by Richards to approve the minutes of April 6 & 13 & also approve the Co Bd of Equalization minutes of 4-20. Unanimous vote aye. Absent: Zebroski.

PLAT: Karen Wilcox, Planning & Zoning, met with the Bd & presented a plat for Bd approval for Pike Haven Subdivision that has been approved by the Planning & Zoning Bd. Moved by Richards, seconded by Floyd to approve Resolution 2010-11. Unanimous vote aye. Absent: Zebroski.

RESOLUTION 2010-11

A RESOLUTION APPROVING the Plat of Lot 1, PIKE HAVEN SUBDIVISION, located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter of Section Four, Township 113 North, Range 81 West of the Fifth Principle Meridian, Sully County, South Dakota.

WHEREAS, the plat of the above described property has been executed according to statute, now therefore;

BE IT RESOLVED that the County Commission, in and for Sully County, does hereby approve the said Plat of Lot 1, PIKE HAVEN SUBDIVISION, located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter of Section Four, Township 113 North, Range 81 West of the Fifth Principle Meridian, Sully County, South Dakota.

Dated this 4th day of May, 2010.

s/William Floyd

Chairperson

ATTEST:(Seal)

Auditor: s/Patty McGee

I, Patty McGee, Auditor of Sully County, do hereby certify that at an official meeting on May 4, 2010, the County Commissioners did by resolution approve the Plat of Lot 1, PIKE HAVEN SUBDIVISION, located in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter of Section Four, Township 113 North, Range 81 West of the Fifth Principle Meridian, Sully County, South Dakota.

s/Patty McGee, Auditor

Patty McGee, Auditor of Sully County

HIGHWAY: Asst Highway Supt JJ Schall met with the Bd in place of Highway Supt Maier who was attending a mtg in Pierre.

FEMA: Road conditions were discussed along with the review of sites that are under consideration for FEMA assistance.

HIGHWAY MISC: Other items discussed: road repair in the Cheyenne Ridge area, gravel & culvert replacement, the condition of the Agar shop, surplus property listing & the pricing of a storage unit.

FUEL QUOTES: The following are fuel quotes received for the month of May & approved by the Bd. Shoups-unleaded fuel-2.88; Diesel #2-2.79; Northern States Cooperative LP-1.60.

OPERATING TRANSFER: Moved by Pullman, seconded by Richards to approve an operating transfer to the Transit Fund in the amt of 1,000.00 that was budgeted for in 2010. Unanimous vote aye. Absent: Zebroski.

CONTINGENCY TRANSFER: Moved by Richards, seconded by Goosen to approve a 8080.94 contingency transfer to the Poor Relief budget because not enough was budgeted for in 2010. Unanimous vote aye.

WEED & PEST CHEMICAL BIDS: Aud McGee noted that the chemical bids were received for the 2010 spraying season by the Weed & Pest Bd. The Weed Bd approved the bid of Crop Production Services, Timberland Division of Spearfish as the low bid. The Co Commission. Bd approved & placed on file the low bid of Crop Production Services.

HOURLY INCREASE: Aud McGee noted that Sheila Ring will have completed 2 yrs as custodian on May 12. As per wage scale, effective 5/12 Ring's hourly wage will increase from 14.67 per hr to 15.22 per hr.

ASSISTANT CUSTODIAN: Moved by Richards, seconded by Pullman to approve the hire of Brian Ring as assistant custodian, when needed by the janitor, at 8.50 per hr. Unanimous vote aye. Absent: Zebroski.

REGIONAL RAILROAD AUTHORITY: Tim Luken, Manager of Oahe Grain, met with the Bd to discuss the application from the Sully County Regional Railroad Authority to the Railroad Trust Fund. This project & purpose of the loan is to increase the capacity of Oahe Grain Track from 75 cars to 120 cars with the intent that they will be served by BNSF shuttle program as well as the DM&E & CP. The project will require tract extension to the north of Oahe Grain. Luken noted that the proposed construction date will commence on 7/1/2010 with an estimated completion date of 9/30/2010. The estimated cost to increase the track, the grading, engineering & incidentals for the loan application from the Railroad Trust Fund is 2,000,000. Moved by Goosen, seconded by Floyd to approve Resolution 2010-12 granting approval for the Sully County Regional Railroad Authority to certify the amount of tax as allowed by SDCL in the event of default by Sully County Regional Railroad Authority and Oahe Grain Coop. Unanimous vote aye. Absent: Zebroski.

SULLY COUNTY

RESOLUTION 2010-12

APPROVAL FOR SULLY COUNTY REGIONAL RAILROAD AUTHORITY

TO LEVY TAXES IN RELATION TO RAIL PROJECT IN ONIDA, SOUTH DAKOTA

WHEREAS, the Sully County Regional Railroad Authority has authorized applying for a loan, subject to

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approval from the South Dakota State Railroad Board, in the amount of Two Million Dollars (\$2,000,000.00) amortized over ten (10) years at the annual rate of two (2) percent per year to fund the construction of new railroad siding project to serve facilities to be operated by Oahe Grain Corporation in Onida, South Dakota; and

WHEREAS, the South Dakota State Railroad Board will require a resolution from the Sully County Commissioners, acknowledging the authority of the Sully County Regional Railroad Authority to certify any tax levy as allowed by SDCL 49-17A-21 to be used in the event of default to pay such annual payments as may be required to service the project debt arising from the construction of the siding extension project;

NOW, THEREFORE, BE IT RESOLVED that the County of Sully, South Dakota, hereby grants approval for the Sully County Regional Railroad Authority to certify the amount of tax to be levied as allowed by SDCL 49-17A-21 or repayment of said loan, plus interest, at the rate specified above, in the event of default by Sully County Regional Railroad Authority and Oahe Grain Coop.

Passed, approved and adopted this 4th day of May, 2010 on a motion by Goosen, seconded by Floyd. Motion carried

Voting on Motion Yea : Richards, Pullman, Goosen & Floyd
 Nay: None
 Absent: Zebroski
 s/William Floyd, Chairman
 Sully County Commissioners

ATTEST: (Seal)

CERTIFICATION

The undersigned hereby certifies that she/he is the duly qualified and appointed Finance Officer of Sully County, South Dakota and that the above and foregoing Resolution was duly adopted by the County Commissioners of Sully County, South Dakota, at a regularly scheduled meeting held the 4th day of May, 2010, and the same is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

s/Patty McGee
Sully County Finance Officer

(SEAL)

CENTRAL SD ENHANCEMENT DIST: Moved by Pullman, seconded by Richards to have Chmn Floyd sign the technical assistance agreement between the District & Sully Co for the Energy Efficiency Conservation Block Grant involving the Courthouse Energy Project. Unanimous vote aye. Absent: Zebroski.

EXECUTIVE SESSION: Moved by Richards, seconded by Pullman to go into executive session for personnel & legal issues. Unanimous vote aye. Absent: Zebroski. Moved by Goosen, seconded by Pullman to come out of executive session. Unanimous vote aye. Absent: Zebroski.

EXTENSION REPORT: Terry Hall, Extension Educator, met with the Bd to discuss upcoming mtgs he will be attending.

WILD FIRE SUPPRESSION ASSISTANCE: Moved by Pullman, seconded by Goosen, to authorize Eric Falkenhagen & Bruce Schreiber from the Agar Fire Dept & Alan Birney & Steve Christ from the Onida Fire Dept as individuals to request fire suppression assistance from the State of South Dakota for Sully Co. Unanimous vote aye. Absent: Zebroski.

CANVASS PRIMARY ELECTION: The Bd will hold their reg mtg date for Comrs on June 1. To canvass the June 8th Primary the Bd will meet on June 9th at 8:30 AM.

CLAIMS: Moved by Pullman, seconded by Goosen to approve payment of the following claims. Unanimous vote aye. Absent: Zebroski. Agar Fire Department 4212.50 Approp, Agar Town 7.00 Util, Alltel 614.00 Util, Best Business Products 138.78 Reprs & Maint, Bierschbach Equip Supply 1300.00 Supl, Polly Brown 134.50 Prof Serv, Butler Machine Co Inc 2219.02 Supl, Capital One Bank 5163.61 Supl & Equip, Central Culvert Supply 8685.36 Supl, Chandler's Inc Autoglass 771.00 Reprs & Maint, Supl, Communications Center Inc 56.00 Supl, Don's Food Center 4.44 Supl, Eddie's Truck Sales Inc 35.88 Supl, Eric's Custom Repair 80.00 Reprs & Maint, Farnam Genuine Parts, Inc 115.90 Supl, Gall's Incorporated 1011.27 Supl, Grossenburg Implement Inc 1371.39 Reprs & Maint, Terence Hall 172.96 T&C, Hughes Co Finance Officer 320.00 Rent, Inmans Water Technologies 31.10 Supl & Rent, Lamb Chevrolet & Implement Inc 1286.50 Reprs & Maint, Lamb Discount Supply 775.82 Supl, Lamb Motor Co Inc 440.88 Supl, Lar-Jo's 267.28 Supl, Lyle Signs Inc 1098.10 Supl, Magee Law Office, LLC 196.80 Prof Serv, Mid-Dakota Rural Water System 45.80 Util, Morris Inc 587.74 Supl, NCRAAO 235.00 T&C, Northern Plains Coop 736.00 Util, Nye Lumber 15.63 Supl, Oahe Electric Co-op Inc 191.92 Util, Office Equipment Co 608.38 Supl, Productive Alternatives 13.00 Supl, City of Onida 653.72 Util, Onida Electric 74.64 Repr & Maint, Onida Fire Department 10000.00 Approp, The Onida Watchman, Inc 762.58 Publ, Powerplan OIB 4221.15 Supl, Reprs & Maint, Qwest 213.18 Util, Ron's Welding 7.87 Supl, Rural Health Care Inc 500.00 Approp, SD Department of Trans 143.14 Prof Serv, SD County Agriculture Agents 55.00 T&C, SD Dept of Labor 3414.00, Unemployment, Servall Uniform/Linen Co 310.68 Rent, Sheehan Mack Sales & Equip Inc 256.98 Supl, Shoup Oil, LLC 19086.70 Supl, Sisma 250.00 T&C, Sovell Law Office 200.00 Util, Stahl's Service 126.81

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Supl, State Treasurer 122.00 Prof Serv, Stewart & Daughters Inc 29.60 Supl, Streicher's 266.95 Supl, Sully Co Treasurer/Petty Cash 179.40 Supl, Synergy Graphics 75.00 Prof Serv, US Postal Service 536.60 Supl, Venture Communications Co-op 1100.32 Util, Verizon Wireless 44.92 Util, Vilas Health Care 6.33 Supl, Weather All Roofing, Inc 16167.00 Supl, Wickersham Construction 13600.00 Reprs & Maint, Karen Wilcox 72.31 Supl, T&C, Yackley Partnership 1536.00 Supl.

APRIL WAGES Salaries by Office: Comrs 2,890.20; Aud 4,904.28; Treas 4,576.44; States Attny 3,452.68; Cthse 2,347.20; DOE 2,737.90; Reg Of Deeds 2,337.86; Sheriff 8,757.08 Ext 2,041.42; Weed 1,548.50; Highway 29,961.60; Emg Mgt 400.08; Transit 263.29.

APRIL INS: BankWest-Payroll Taxes 13,402.58; SD Retirement 7,884.25 ; SD School District Benefits Fund--Health & Life 19,571.01 ; Centerstone Ins-Supl Life 700.44; American Family-AFLAC 974.87; SD Supl Retirement 350.06; NACO Deferred Comp 225.60; Vision Care-80.74.

AUDITORS ACCOUNT WITH THE TREASURER AS OF 04/30/10

Cash On Hand	390.90
Checks On Hand	300,457.04
NSF Checks	0
Cash Items	179.40
Sunrise Bank Dakota NOW	4,660.96
Sunrise Bank Dakota MMDA	1,510,315.98
BankWest NOW	91,519.43
BankWest MMDA	5,514.22
INVESTMENTS	
Sunrise Bank Dakota	643,393.20
BankWest	383,861.76
Total Cash Balance	2,940,292.89
Total Assets in Custody of County as of 04/30/10	
County Amount	1,944,904.45
Amounts Held For Other Gov	992,582.38
Amounts Held For Others	2,806.06
Total Assets	2,940,292.89

ADJOURNMENT: There being no further business, Chmn Floyd declared the mtg adjourned.

Patty McGee, Sully County Auditor

Approved _____

Signed by: William Floyd, Board Chairman