

carried.

**STIP'S APPEAL DRAINAGE COSTS:**

Motion Pedersen, second Jorgensen authorize Ken Meyer State's Atty to make a counter offer to David J. Jencks Atty on behalf of Arthur Stip and Milo Stip on Drainage Complaint #08-1. Motion carried.

**STATE'S ATTY PUBLIC REPORTS:**

Ken Meyer State's Atty presented an update on Charles Scholl properties in Winfred.

**HWY ACCESS SDDOT:**

Motion Johannsen, second Petersen to table application for Highway Access Permit with South Dakota Department of Transportation and Lakeside, LLC (Ted Thorns) Section 22 Lakeview Twp. Motion carried.

**ADJOURN:**

There being no further business Chairman Verhey at 1:15 p.m. declared the meeting adjourned until January 6, 2009 at 9 a.m. at the Lake County 4-H Center.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**January 6, 2009**

**OATHS OF OFFICE:**

Judge Tim Tucker presented Oath of Offices to the following Commissioners: Dan Bohl, Chris Giles and Roger Hageman. Oaths of Offices were also presented to the re-elected officials: Linda E. Fischer Treasurer, Ken Meyer State's Atty and Ted Weiland Coroner.

**REGULAR SESSION:**

The Board of Lake County Commissioners met in Regular Session on January 6, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Bohl, second Pedersen approves agenda of January 6, 2009. Motion carried.

**2009 REORGANIZATION:**

This being the first meeting for the New Year Chairman Bert Verhey called for nominations for Chairman. Commissioner Pedersen nominated Verhey for Chairman, seconded by Giles. Motion carried. Chairman Verhey called for Vice-Chairman nominations. Commissioner Giles nominated Pedersen for Vice-Chairman, seconded by Bohl. Motion carried.

Chairman Verhey called for Commissioner appointments to the following boards:

- Bldg & Grounds--Bohl
- Chamber of Commerce--Verhey (monthly)
- 911 Communications--Bohl (2 yrs) and Giles (1 yr)
- Drainage--Hageman
- East Dakota Transit--Giles
- East Dakota Water Development--Hageman
- Emergency Management Agency--Bohl
- Extension Board--Verhey
- First District Planning, Watertown--Hageman
- Insurance--Pedersen, and Verhey
- Interlakes Community Action Board--Bohl
- Lake Area Improvement--Giles
- Lake County Access--Verhey
- Lake Madison Dev. Assn--Pedersen
- Minnehaha County Regional Juvenile Detention--Bohl & Giles
- Planning & Zoning--Pedersen '09-'10 (review bldg permits weekly/Tues am)
- Public Library Board--Bohl
- Search & Rescue--Verhey
- Solid Waste--Hageman
- Veterans Services--Pedersen
- Weed Board--Hageman
- Winfred Clean Up Project--Verhey

Motion Giles, second Bohl approves the 2009 Commissioner Appointments. Motion carried.

**OTHER APPOINTMENTS:**

- Director of Equalization--Shirley Ebsen
- Emergency Management--Don Thomson
- Health Board--B. F. Heilman, M.D, Robert Summerer D.O, Attys: David Jencks City Atty, Ken Meyer States Atty, Madison City Police Chief Pulford and Sheriff Roger Hartman
- Highway Superintendent--Scott Mathison
- Legal Newspaper--Madison Daily Leader
- Mental Health Board--Richard Bortnem, Lois Niedert, Marilyn Hexom & Richard Ericsson Atty & Abby Oftedal Atty
- Natural Resources--Deb Reinicke
- Planning & Zoning--Drainage--Deb Reinicke

Sale of Mortgage Property location--Commission meeting room  
 Vermillion River Watershed Authority (RC & D)--Craig Johannsen (liaison)  
 Veterans Service Officer--Don Thomson  
 Welfare Manager--Peggy Young

Motion by Hageman, second Bohl, approves the various appointments. Letters will be sent requesting their approval of the appointment. Motion carried.

**LENDING AGENCIES:**

American State Bank (Ramona)--certificate of deposit  
 East River Federal Credit Union--certificate of deposit  
 First Bank & Trust--checking, savings & certificate of deposit  
 FIT SD Public Fund--depository/savings  
 Great Western Bank--savings & certificate of deposit  
 Wells Fargo Bank--certificate of deposit

Motion Bohl, second Hageman approves the lending agencies for 2009. Motion carried.

**MINUTES APPROVED:**

Motion Pedersen, second Verhey approves minutes of December 30, 2008. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Verhey approves the following accounts payable. Motion carried.

**COMMISSIONERS:**

NACCO, dues, \$400.00, SDACC, dues, \$1,965.88, **AUDITOR:** Money Handling Machines Inc, maintenance, \$325.00, SDACO, dues, \$438.11, **TREASURER:** SDACO, dues, \$438.11, **STATES ATTY:** National District Attorneys Assn., dues, \$95.00, SD States Attorneys Assn., dues, \$838.00, The State Bar of SD., dues, \$415.00, Verizon Wireless, service, \$25.80, **GOVT BLDGS:** Verizon Wireless, service, \$25.85, **DOE:** SD Assn Assessing Officers, dues, \$165.00, Verizon Wireless, service, \$25.85, **REGISTER DEEDS:** SDACO, dues, \$438.10, **SHERIFF:** National Sheriff's Assn., dues, \$100.00, SD Sheriff's Assn., dues, \$688.28, **SEARCH & RESCUE:** Donovan's Hobby & Scuba, class reg., \$423.00, Lake County REACT, dues balance, \$84.70, **COUNTY WELFARE:** Teryl Keppen, one recipient, \$250.00, Verizon Wireless, service, \$25.85, **WEED:** Verizon Wireless, service, \$25.85, **ROAD & BRIDGE:** Master Blaster Inc., power washer, \$2,795.00, MidAmerican Energy, utilities, \$513.40, SDACHS, dues, \$195.00, Vander Haag's Inc., sanders, \$13,600.00, Verizon Wireless, service, \$51.72, **911 COMM CENTER:** APCO, dues, \$92.00, NENA, dues, \$120.00, ITC, services, \$115.55, McCook Telephone Coop, services, \$173.53, Verizon Wireless, service, \$25.86, **EMA:** Tri-State EMA, dues, \$10.00, Verizon Wireless, service, \$31.08, **GRAND TOTAL \$24,916.52,**

**APPLICATION/HWY ACCESS:**

Dick Sayre Engineer of Sunset Harbor Project and Dick Ericsson Atty presented an application for Highway Access Permit with South Dakota Department of Transportation. Property owner is Lakeside, LLC (Ted Thoms) of Section 22 Lakeview Twp. Requesting that State Hwy #19 be accessed by a new approach located 944 feet north from 236<sup>th</sup> Street. The nearest cross street is Lake County Hwy #42. Permit is requested to improve the existing access (hard surface) with a 30' approach in width. Estimated date of construction is August 1, 2009 to September 15, 2009. Motion Bohl, second Hageman approves application for Highway Access Permit with the S.D. Dept of Transportation to improve existing access along State Hwy #19 in Lakeview Twp. Motion carried.

**KNOLOGY REPORT:**

Don Thomson EMA Director presented an update on Knology's internet and email services. Commission recommended Thomson to look into another vendor, return with costs and more details on changing the internet service for Lake County.

**LK MADISON PUBLIC ACCESS:**

Jim Thompson, Linda Hilde and over 30 concerned citizens were present to discuss the need for a "no fee" public access on Lake Madison. No decision was made at this time. Chairman Verhey noted that a public hearing will be planned in April.

**HOUSE CONSTR:**

Rod Pierson and Jerome Lammers Atty were present to review the house construction of Matt & Cindy Larsen. Chairman noted that the information presented today would be taken under advisement. No decision was made at this time.

**EXECUTIVE SESSION:**

Motion Bohl, second Hageman enter into Executive Session 11:06 a.m. for pending and potential litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Bohl, second Pedersen return to Regular Session 12:12 p.m. Motion carried.

**HUNTIMER SETTLEMENT:**

Motion Bohl, second Pedersen deny settlement offer of Cindy Huntimer. Property located in Herman Twp. Motion carried.

**LARSEN BLDG PERMIT:**

Motion Bohl, second Pedersen resend County Bldg Permit #6966 Matt & Cindy Larson due to failure to comply with Zoning Regulations. Authorize Ken Meyer State's Atty to place an injunction to stop the building. Motion carried.

**LAKE ACCESS STUDY:**

Motion Hageman second Bohl to appoint Commissioners Chris Giles and Scott Pedersen to form a committee to study the Lake Access on the County Poor Farm land. Motion carried.

**REPORTS REC'D:**

December, 2008: bldg permits \$436; Register of Deeds '08 annual report=recordings \$56,066 and transfer fees \$53,891; mar lic \$20, Dom Abuse \$60, cert mar \$30, fees \$4,388 and transfer fees \$5,422. Total \$9,920.

**ADJOURN:**

There being no further business Chairman Verhey at 12:30 p.m. declared the meeting adjourned until January 20, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**January 20, 2009**

**REGULAR SESSION:**

The Board of Lake County Commissioners met in Regular Session on January 20, 2009 at 9 a.m. with the following members present: Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Absent: Dan Bohl. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Pedersen, second Giles approves agenda of January 20, 2009. Additions: Welfare application. Motion carried.

**MINUTES APPROVED:**

Motion Pedersen, second Hageman approves minutes of January 6, 2009. Motion carried.

Motion Giles, second Pedersen correction to minutes of January 6, 2009 to read Public Library Dan Bohl not Chris Giles. Motion carried.

**BOARD OF ADJUSTMENT:**

Motion Giles, second Hageman approves entering into a Board of Adjustment reflecting January 6, 2009 meeting. Motion carried.

**LARSEN BLDG PERMIT:**

Motion Giles, second Pedersen rescind County Bldg Permit #6966 Matt & Cindy Larson due to failure to comply with Zoning Regulations. Authorize Ken Meyer State's Atty to place an injunction to stop the building. Motion carried.

**REGULAR SESSION:**

Motion Hageman, second Giles return to Regular Session. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Giles, second Hageman approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Knology, service, \$6.47, Madison Daily Leader, minutes, \$456.29, Madison Radioshack, binders, \$15.92, **JUDICIAL:** Ameson, Issenhuth, Leibel & Parent LLP, Jan public defender contract, \$4,166.74, West Payment Center, online service, \$496.97, **AUDITOR:** Best Business Products, copier maintenance/usage, \$28.74, Bureau of ADM., long distance/fax calls, \$4.57, Central Business, supplies, \$14.24, Knology, service, \$19.38, Qwest, phone service, \$30.89, **TREASURER:** Bureau of ADM., long distance calls, \$5.61, MV line \$10.43, Central Business, copier maintenance, \$25.00, Madison Daily Leader, tax sale notice, \$25.34, Madison Instant Printing, envelopes, \$174.47, Qwest, phone service, \$30.88, Southwest Office Solutions, supplies, \$192.04, toner-MV line, \$85.04, **DATA PROCESSING:** IBM Corp, AS/400 maintenance, \$602.91, Madison Radioshack, ink cart-sheriff, \$35.99, Qwest, phone service, \$12.44, Software Services Inc., yearend services, \$240.00, Southwest Office Solutions, ink cart-zoning, \$34.99, ink cart(4)-ext., \$565.61, Donald Thomson, routers, \$134.02, **STATES ATTY:** Bureau of ADM, long distance/fax calls, \$14.11, Madison Instant Printing, copies, \$20.00, Knology, service, \$19.38, Pamida, Kleenex, \$8.00, Qwest, phone service, \$43.32, Jennie Thompson, photos, \$5.44, **GOVT BLDGS:** Bud's Clean Up Service, services, \$131.16, Bureau of ADM., long distance calls, \$1.57, City of Madison, util, \$1,240.70, Diede Temperature Control, maintenance/repairs, \$747.42, Hillyard, liners, \$613.94, Home Service Water Cond., salt, \$47.74, Knology, service, \$6.46, KONE Inc., elevator maintenance, \$1,028.64, Northwestern Energy, utilities, \$2,128.98, Pamida, hangers-ext, \$11.98, Qwest, phone service, \$30.98, SDML Workers Comp Fund, 2009 work comp premium, \$27,507.00, Timmer Supply Co., water heater/supplies, \$286.91, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$1.01, Knology, service, \$12.92, McLeod's, supplies, \$335.97, Qwest, phone service, \$30.88, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$34.54, Bureau of ADM., long distance calls, \$2.95, Knology, service, \$12.92, Qwest, phone service, \$18.44, **VETERANS SERVICE OFFICE:** Bureau of ADM., fax call, \$1.11, Qwest, phone service, \$11.65, **SHERIFF:** Bub's Service, tire repair, \$10.00, McLeod's, supplies, \$103.25, Madison Community Hospital, blood alcohols, \$480.00, MOCIC, dues, \$100.00, Pennington County Jail, transport prisoner, \$134.40, Prostrullo Auto Mall, starter, \$360.26, Southwest Office Solutions, supplies, \$40.53, Sturdevant's Auto Parts, part, \$10.50, **JAIL:** Brown's Cleaning, laundry, \$435.00, Bureau of ADM., long distance/fax calls, \$30.92, City of Madison, util, \$592.66, Knology, service, \$58.14, Madison Comm Hospital, prisoner services, \$107.80, Minnehaha Co Reg Juv Detention Center, juv housing, \$130.00, Northwestern Energy, utilities, \$1,467.91, Qwest, phone service, \$55.76, Sunshine, toilettes', \$6.58, Volunteers of America, Dakotas, juv housing, \$1,700.00, **CORONER:** Ted Weiland, Shea fee, \$60.72, **SEARCH & RESCUE:**

City of Madison, utilities, \$140.60, Donovan's Hobby & Scuba, class reg., \$428.60, Northwestern Energy, utilities, \$201.39, Qwest, phone service, \$12.44, SDEMA, dues, \$75.00, SD Firefighters Assn., dues, \$225.00, **COUNTY WELFARE:** Knology, service, \$6.46, Qwest, phone service, \$18.54, **COMMUNITY HEALTH NURSE:** Central Business, stamp, \$3.29, **CARE OF AGED:** ICAP, community service worker hours, \$574.00, **MENTAL ILLNESS BOARD:** Donna Dietrich, MI hearing, \$134.32, Nelva Kooistra, MI hearing, \$15.00, Cathy Reh fuss, MI hearing, \$15.00, Shepherd Reporting LLC, MI hearing, \$25.00, Yankton County Sheriff's office, MI services, \$25.00, **EXTENSION:** Best Business Products, copier lease/documentation fee, \$162.50, Bud's Clean-Up Service, Nov-Dec services, \$74.56, Bureau of ADM., long distance/fax calls, \$9.93, City of Madison, utilities, \$315.98, J&R School Supply, pencils, \$54.80, Becky Jensen, travel expense, \$7.77, Knology, service, \$6.46, Madison Daily Leader, subscription, \$98.40, Madison Radioshack, binders/file folders, \$71.41, NorthWestern Energy, utilities, \$709.41, Pamida, supplies, \$145.82, Qwest, phone service, \$55.32, SDSU Extension Service, Lemke travel, \$44.54, Southwest Office Solutions, supplies, \$118.98, **WEED:** Central Business Supply, supplies, \$6.99, Knology, service, \$6.46, Pulford's Auto Parts Inc., battery, \$73.80, Weed & Pest Conference, regs (2), \$195.00, **ZONING:** Bureau of ADM., long distance calls, \$6.23, Knology, service, \$6.46, Qwest, phone service, \$18.44, Southwest Office Solutions, supplies, \$4.19, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$85.50, Bob's Electric, lights, \$90.00, Bureau of ADM., long distance calls, \$1.22, Butler Machinery Co., parts, \$96.45, Campbell Supply, parts/supplies, \$157.18, CarQuest Auto Parts, diesel additive, \$37.79, Central Business, supplies, \$28.27, City of Madison, utilities, \$431.67 Cole's Petroleum Inc., oil, \$631.10, Complete Automotive and Farm Service, fuel additive, \$20.40, Craig's Welding, iron/labor, \$340.00, Danko Emergency Equip., T-shirts, \$105.07, Driveline Service Inc., parts/labor, \$88.25, F&M Coop Oil, additive, \$239.60, Fastenal Co., parts, \$300.09, Knology, service, \$6.46, Krug Products Inc., parts, \$182.10, Lake County International Inc., oil, \$66.20, Lee's Sales & Salvage Inc., gas/iron, \$187.68, MKT Equipment, parts, \$62.01, Northwestern Energy, utilities, \$2,170.06, Office Systems Inc., binders, \$24.05, Pamida, supplies, \$15.99, Pheasant Country Express, snow salt, \$1,723.36, Pulford's Auto Parts Inc., parts, \$450.53, Qwest, phone service, \$43.32, Sturdevant's Auto Parts, supplies/tools, \$16.64, Timmer Supply Co., part, \$6.87, Wheelco, parts, \$122.92, Xcel Energy, utilities, \$19.32, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$6.00, Bureau of Information, teletype, \$1800.00, Knology, service, \$6.46, Language Line, Dec usage, \$90.00, Qwest, phone service, \$1,235.70, Quill, supplies, \$96.80, Tri-State EMA, dues, \$10.00, **EMERGENCY MANAGEMENT:** Bureau of ADM., long distance/fax calls, \$.34, Knology, service, \$12.92, Qwest, phone service, \$37.77, SDEMA, regs (2), \$60.00, Donald Thomson, routers, \$222.81, **LAW LIBRARY:** USD School of Law, Vol 54, \$33.02, **FLEXIBLE SPENDING:** One recipient \$140.04, **GRAND TOTAL: \$63,249.58.**

#### **RESOLUTION #09-1:**

Motion Pedersen, second Hageman approves the following Cash Transfer Resolution #09-1 \$563,859. Motion carried.

#### **#09-01 OPERATING TRANSFER RESOLUTION**

WHEREAS, there is need to transfer Five Hundred Sixty-Three Thousand Eight Hundred Fifty-Nine dollars and 00/100 (\$563,859) from the General Fund Cash to 911 Communications, EMA and Road & Bridge cash funds for normal operations.

NOW THEREFORE BE IT RESOLVED, by the Board of Lake County Commissioners that Five Hundred Sixty-Three Thousand Eight Hundred Fifty-Nine dollars and 00/100 (\$563,859) to the following:

Operating transfer/911 Communications	10100X4290911	\$89,065
Operating transfer/EMA	10100X4291911	\$37,670
Operating transfer/Rd & Bridge	10100X4292911	\$437,124

Dated this 20th day of January 2009.

LAKE COUNTY BOARD OF COMMISSIONERS

s/s Bert Verhey Chairman

ATTEST:

s/s Kay A. Schmidt Auditor

#### **WAGE ADJUSTMENTS:**

Scott Mathison Hwy Supt presented a request for wage adjustments for three Hwy Dept employees. Motion Giles, second Pedersen approves wage adjustments effective January 20, 2009 Kelly Hyland Heavy Equipment Operator I G12,7 \$13.72 to Heavy Equipment Operator II G13,7 \$13.97; Robert Johnson Heavy Equipment Operator I G12,9 \$14.65 to Heavy Equipment Operator II G13,9 \$14.90; Wayne Reynolds Light Equipment Operator I G9,7 \$13.67 to Heavy Equipment Operator I G12,7 \$14.42. Motion carried.

#### **BRIDGE WORK ORDER:**

Motion Pedersen, second Giles approves Chairman Verhey to sign work order #LGA-02-09 Agreement No: 410435 for Aason Engineering Company, Inc. for consultant services. Structure location 3 south and 1½ west of Lake Campbell over Battle Creek SN 40-239-030 located in Summit Twp. Total cost of project \$8,940.89. County share is 20% \$1,788.18. Motion carried.

#### **SNOW REMOVAL NOTICE:**

Motion Giles, second Pedersen authorize Scott Mathison Hwy Supt to publish the following Snow Removal Notice. Motion carried.

#### **PUBLIC SNOW REMOVAL NOTICE**

NOTICE IS HEREBY GIVEN, by the Lake County Commission, that an individual who plows snow from a driveway onto a public road, or plows snow from a driveway across a public road piling it in the ditch, may be in violation of a South Dakota law that prohibits dumping on or within highway right-of-ways. Intentional dumping on a highway right-

of-way is a Class 1 misdemeanor, carrying a maximum possible punishment of one year in the county jail and/or a \$2,000 fine. This may also be a violation of a South Dakota law that prohibits the destruction of a highway grade or ditch, which is a Class 2 misdemeanor, carrying a maximum possible punishment of thirty days in the county jail and/or a \$500 fine.

#### **PAYROLL APPROVED:**

Motion Pedersen, second Giles approves the following payroll 12-29-08 to 1-11-09. Motion carried.

COMMISSIONERS: \$1,536.41; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,753.40; STATES ATTY OFC: \$4,749.43; GOVT BLDGS: \$3,715.28; DIR EQUALIZATION OFC: \$4,084.76; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$8,906.57; JAIL: \$4,833.34; EMA: \$1,332.13; 911 COMM CENTER: \$7,026.50; ROAD & BRIDGE: \$18,848.82; CHN: \$1,266.54; WIC: \$276.36; EXTENSION: \$1,029.00; ZONING: \$1,110.60. GRAND TOTAL \$69,542.42.

#### **DEPARTMENT HEADS:**

The following Department heads met with the Commission and explained the duties of their department: Scott Mathison Hwy Supt, Linda E. Fischer Treasurer, Penny Boatwright Reg of Deeds, Becky Jensen & Glenda Blom Extension/4-H, Shirley Ebsen Dir of Equalization & Rick Becker Deputy, Deb Reinicke Zoning/Drainage/Solid Waste, Don Thomson EMA/Veterans/Search & Rescue and Julie Wegener 911 Communications.

#### **INDIGENT #09-1:**

Motion Giles, second Pedersen approves utility re-connect \$119.58 to Indigent #09-1. Place lien and sign contract for repayment. Motion carried.

#### **COMMERCIAL SOLID WASTE:**

Motion Giles, second Hageman approves the following \$25 Commercial Solid Waste Hauler License and Permit applications. Hoffman Sanitation/Mike Hoffman Dell Rapids, SD, Dawson Construction/Daniel Dawson Howard, SD and Waste Connections/Cook's Wastepaper & Recycling, Brookings, SD; subject to receipt of proof of liability insurance. Motion carried.

#### **911 PT HIRES:**

Motion Pedersen, second Hageman approves (2) part-time 911 Dispatchers with no benefits effective January 20, 2009 Matthew Feistner G7 \$11.26 and Amy Shafer G7 \$11.26. Motion carried.

#### **MTGS ATTENDED:**

Giles LAIC & East Dakota Transit, Verhey Chamber of Commerce and Pedersen Lake Madison access.

#### **TRAVEL REQUEST:**

Bob Johnson & Ted LaFleur Weed & Pest conference & supervisors mtg Feb 17-20, 2009 Rapid City.

#### **REPORTS REC'D:**

December 2008: Sheriff fees \$674.60, PB-Breath \$727, PBT-Scram Hookup \$100, pistol permits \$54, accident report copies \$8, and fingerprint cards \$70. Prisoners housed 48 & days served 186.

#### **AUDITOR'S ACCOUNT WITH TREASURER December 2008**

	INVESTMENT AMOUNT	INTEREST RATE	MATURITY DATE
Total balance of checking of First Bank & Trust	-\$30,718.38	.24%	
Cash items	\$652.16		
Silver	\$101.74		
Currency	\$1,646.00		
Amt of checks in Treas possession	\$48,535.89		
First Bank & Trust Savings Acct #905-022-7	\$920,000.00	2.00%	
Great Western Passbook Acct #100021474	\$950,000.00	1.40%	
American State Bank Cert of deposit #8263	\$100,000.00	3.00%	3/28/09
First Bank & Trust Cert of deposit #602592	\$100,000.00	2.80%	4/22/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	2.80%	5/20/2009
First Bank & Trust Cert of deposit #67507	\$100,000.00	2.85%	6/21/2009
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.18%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.18%	11/25/2009
Wells Fargo Brokerage CD's			
Voyageur Bank	\$97,000.00	3.10%	1/30/2009
American Bank of St Paul	\$97,000.00	3.10%	1/30/2009
New Dominion Bank	\$97,000.00	3.10%	1/30/2009
Silver State Bank	\$95,000.00	3.75%	7/31/2009
First Regional Bank	\$95,000.00	3.75%	7/30/2009
	<b>\$3,371,217.41</b>		

County \$3,145,009.98, Schools \$62,198.37, Townships \$16,697.65, Cities \$18,149.75, Water & Fire Districts \$293.31, Sanitary & Road Districts \$1,856.37, State \$127,011.98. TOTAL: \$3,371,217.41.

#### **ADJOURN:**

There being no further business Chairman Verhey at 12:30 p.m. declared the meeting adjourned until February 3, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**  
**February 3, 2009**

**REGULAR SESSION:**

The Board of Lake County Commissioners met in Regular Session on February 3, 2009 at 9 a.m. with the following members present: Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Absent: Dan Bohl. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Pedersen approves agenda of February 3, 2009. Additions: Lake Madison public access area. Motion carried.

**MINUTES APPROVED:**

Motion Giles, second Pedersen approves minutes of January 20, 2009. Motion carried.

**DEPT HEADS & AGENCY APPTS:**

The following Department heads and Agencies met with the Commission and explained their dept duties or agency functions: Jen Foubert CHN Community Health Nurse & WIC Women, Infant & Children, Roger Hartman Sheriff, Derrick Shoenrock Bldgs & Grounds, Dwaine Chapel LAIC Lake Area Improvement Center and Jay Gilbertson East Dakota Water Development District.

**PAYROLL APPROVED:**

Motion Pedersen, second Hageman approves the following payroll 1-12-09 to 1-25-09. Motion carried.

COMMISSIONERS: \$1,823.10; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,501.49; STATES ATTY OFC: \$4,706.66; GOVT BLDGS: \$3,566.19; DIR EQUALIZATION OFC: \$4,167.40; REGISTER DEEDS OFC: \$2,503.13; VSO: \$188.76; SHERIFF OFC: \$8,759.24; JAIL: \$4,941.46; EMA: \$1,332.12; 911 COMM CENTER: \$6,276.09; ROAD & BRIDGE: \$17,240.62; CHN: \$1,455.48; WIC: \$194.58; EXTENSION: \$1,032.68; ZONING: \$1,117.54. GRAND TOTAL \$67,187.94.

**FUEL QUOTES:**

Motion Giles, second Hageman approves F & M Coop ethanol 1.545, #1 diesel 1.821 & #2 diesel fuel 1.509. Motion carried.

	ethanol:	#1 diesel fuel	#2 diesel fuel
Cole's Petroleum	1.5283	1.8860	1.5160
F & M Coop	1.545	1.821	1.509

**LETTER OF SUPPORT:**

Motion Pedersen, second Giles approves a letter of support to the Brant Lake Sanitary District. Grant funding for a new sewer system project will be effective in protecting ground water in the County. Lake County is not involved with any matching funds. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Hageman, second Giles approves the following accounts payable. Motion carried.

COMMISSIONERS: Claims Associates, ins deductible, \$3,000.00, Madison Daily Leader, publishing, \$330.39, Sioux Valley Energy, Brant Lake sirens, \$81.93, ELECTIONS: Central Business Supply, env, \$10.99, JUDICIAL: Lake Co Employee Fund, pop/water, \$28.75, Sunshine, jury supplies, \$35.14, JUROR/WITNESS/APPEARANCE FEES/MILEAGE: Sandra Anderson, \$50.74, Lori Byrd, \$50.74, Lora Hansen, \$52.96, Amanda Hanson, \$50.74, Jennie Larson, \$50.74, Roger Olson, \$51.48, Dorothy Pearson, \$64.80, Lisa Reinhiller, \$61.10, Keith Richarz, \$60.36, Kenneth Simet, \$50.74, Mary Thill, \$50.74, Karen Youmans, \$51.48, AUDITOR: Best Business, copier maintenance/usage, \$33.71, Bureau of ADM, internet/email, \$5.00, Central Business Supply, folders/env/lead/pad, \$46.34, TREASURER: Bureau of ADM, internet/email, \$15.00, Central Business Supply, copier maintenance, \$25.00, Lake County Treasurer, postage, \$12.20, DATA PROCESSING: Central Business Supply, ink cart (2)-Aud, \$67.98, Piney Bowes, rental, \$358.00,

STATES ATTY: A & B Business Inc., prints, \$16.06, Lake County Treasurer, postage, \$9.25, Q-Set Inc, transcripts, \$93.75, Verizon Wireless, service, \$25.77, Darwin Wollmann, edit video, \$50.00, GOVT BLDGS: Campbell's Supply, shovels/chains, \$157.88, Chemco Inc, supplies, \$129.34, City of Madison, utilities, \$1,189.61, F&M Coop, fuel, \$118.97, Grainger, boiler part, \$1,069.20, Hillyard, boiler chemicals, \$28.28, KolorWorks, paint, \$23.99, Kundert-Williams Ins, boiler ins renewal, \$2,198.13, Madison Ace Hardware, paint supplies/light bulbs, \$65.78, MARC, supplies, \$514.26, Northland Chemical, supplies, \$120.42, Rio-Tec, supplies, \$174.00, Shred-It, shredding service, \$243.30, Swiftair, boiler parts/repairs, \$2,611.60, Timmer Supply, plbg supplies, \$73.52, Verizon Wireless, service, \$25.77, EQUALIZATION: Shirley Ebsen, mileage/mtg exp, \$84.95, Madison Instant Printing, env/bldg permit postcards, \$190.60, Office Systems Inc, copier maintenance, \$30.00, Verizon Wireless, service, \$25.77, REGISTER DEEDS: Best Business, copier maintenance/usage, \$28.99, Bureau of ADM, internet/email, \$5.00, McLeod's, mortgage records, \$620.18, SHERIFF: Black Hills Ammunition, ammo/500, \$299.00, Card member Service, switch router system, \$68.23, Crimestar Corp., annual fee(3), \$750.00, F&M Coop, fuel, \$1,126.31, Lake County Treasurer, postage, \$168.00, McLeod's, traffic tickets, \$87.43, MES Companies, electronic equip repair, \$442.40, JAIL: Brown's Cleaning, Jan laundry, \$435.00, City of Madison, utilities, \$596.87, Dakota Drug, prescription, \$9.95, Davison County Sheriff's Office, female housing, \$1,365.00, Minnehaha County Sheriff, prisoner housing, \$234.96, Verizon Wireless, cell phones, \$186.69, CORONER: LCM Pathologists, autopsy, \$2,177.75, Ted Weiland, Viola Jones fee, \$69.60, SEARCH & RESCUE: Roy Brown, training, \$318.86, COUNTY WELFARE: City of Madison, one recipient, \$119.58, RDA Enterprises, one recipient, \$525.00, Verizon Wireless, service, \$25.77, COMMUNITY HEALTH NURSE: Central Business Supply, labeler tape, \$6.82, MENTAL ILLNESS BOARD: Donna Dietrich, MI hearing, \$137.62, Joan Kittelson, MI hearing, \$15.00, Nelva Kooistra, MI hearing, \$15.00, EXTENSION: Best Business Products, copies, \$567.87, Best Business Products, copier lease, \$113.00, Becky Jensen, tvl/subsistence-Jan, \$7.47, WEED: F&M Coop, fuel, \$10.82, Verizon Wireless, service, \$25.77, ROAD & BRIDGE: Boyer Trucks, parts, \$266.00, Butler Machinery, blades/parts, \$2,451.90, Cole's Petroleum, oil, \$346.20, Driveline Service, parts, \$108.73, Etterman Enterprises, supplies/parts, \$50.23, F&M Coop, fuel, \$6,131.86, Force America Inc, part, \$47.55, Graham Tire, tire exp., \$456.00, HSBC Business Solutions, wheel part, \$45.50, Huron Culvert, blades, \$907.20, Interstate Power Systems, parts, \$64.50, JD Evans Inc, part, \$69.90, Madison Ace Hardware, light/batteries, \$31.97, Madison Daily Leader, notice, \$8.21, Pheasant Country Express, snow sand, \$1,705.08, Radiant Heat of SD, shop heater parts, \$286.75, SD DOT, bridge exp., \$115.29, Sx Equipment, repair fuel system, \$508.13, Sioux Valley Energy, Hwy 34

street lights, \$112.00, Verizon Wireless, service, \$51.52, **911 COMM CENTER:**

Matthew Feistner, co-pay physical, \$10.00, ITC, Feb services, \$115.55, McCook Coop, Feb services, \$167.53, Professional Pride Training, training CD, \$88.00, Sioux Valley Energy, service, \$83.00, Verizon Wireless, service, \$25.77, **EMERGENCY MANAGEMENT:** Madison RadioShack, toner, \$164.99, Verizon Wireless, service, \$30.99, **LAW LIBRARY:** West Payment Group, NW reporter, \$79.75, **SAR DONATIONS:** Outer World, shirts, \$295.38, **LEPC:** Sioux Valley Wireless, web hosting, \$19.95, Don Thomson, mtg exp, \$48.07, **GRAND TOTAL:** \$39,420.69

**TOWN, TWPS & LK ASSOC:**

Motion Hageman, second Pedersen approves the agenda for the 18<sup>th</sup> Annual Town, Township Officials & Lake Association-Commissioner meeting on Monday March 9, 2009 at Nicky's. Speakers will be Gail Brock Exec Dir SD Assoc of Towns & Twps, Shirley Ebsen Dir of Equalization. Motion carried.

**MTGS ATTENDED:**

Pedersen Lake Madison public access project.

**BRIDGE INSPECTION:**

Motion Giles, second Hageman approves the bridge re-inspection program resolution for use with SDDOT retainer contracts. SDDOT to hire Aason Engineering Co., Inc. at a cost of 20% matching funds for the County's 47 bridges. Motion carried.

**JAIL CONTRACTS:**

Motion Giles, second Pedersen approves Brookings County Jail contract \$65 per inmate day to house Lake County's female inmates. Motion carried.

**FUEL OIL TANK SURPLUS:**

Motion Giles, second Hageman to declare surplus due to no longer useful (1) fuel oil tank and give it away free. Motion carried.

**HEATING & COOLING SYSTEMS:**

Derrick Shoenrock Bldgs & Grounds Supt demonstrated an old worn out pipe that was replaced from the heating & cooling system in the Courthouse. Commissioners recommended acquiring 3 quotes to repair all electrical and heating-cooling in the Courthouse.

**INDIGENT #09-01CB:**

Motion Giles, second Pedersen approves County Burial for Indigent #09-01CB \$850. Motion carried.

**INDIGENT #09-2:**

Motion Giles, second Hageman approves January & February rental assistance \$525 to Indigent #09-2. Place lien and sign contract for repayment. Motion carried.

**EXECUTIVE SESSION:**

Motion Giles, second Pedersen enter into Executive Session 11:37 a.m. for pending and potential litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Hageman return to Regular Session 11:55 a.m. Motion carried.

**ABATEMENTS:**

**#09-1 Gene Bloker 23077 463 Ave Wentworth, SD 57075** office correction \$792.36. Motion Pedersen, second Hageman approves Abatement #09-1 Gene Bloker \$792.36. Motion carried.

**#09-2 Duane & Betty Chapin \$8.83, Kimberly Heinemann \$17.88, Norbert & Judy Moldan \$6.66 and Frank Steele \$3.82** mobile homes moved out of County \$37.19 total. Motion Giles, second Hageman approves Abatement #09-2 Chapin, Heinemann, Moldan & Steele \$37.19 total. Motion carried.

**#09-3 Laura Street (Huff)** \$88.48 tax deed property. Motion Pedersen, second Giles approves Abatement #09-3 Street (Huff) \$88.48. Motion carried.

**#09-4 J & J Farms/Lake County (7)** Charlie Scholl properties owned by Lake County in 2008 \$296.88. Motion Giles, second Hageman approves Abatement #09-4 J & J Farms/Lake County \$296.88. Motion carried.

**4-H EXHIBIT HALL:**

No charge to Lake County FSA January 26, 2009 6 pm & January 28, 2009 1 pm for Farm Producer meetings.

**PRE-ISSUES JANUARY 2009:**

Master Blaster, power washer, \$2,795.00, Emp G2000, flexible spending, \$107.50, Interlakes Fed Cr Union, payroll deductions, \$2,294.50, Lake County Treasurer, payroll withholdings, \$15,938.09, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$200.00, Lake County Treasurer, direct deposit charge, \$70.56, Donovan's Hobby & Scuba, class reg, \$423.00, Teryl Keppen, one recipient, \$250.00, Lake County REACT, bal 2009 dues, \$84.70, Money Handling Machine Inc., 2009 check signer maintenance, \$325.00, NACO, 2009 dues, \$400.00, National Dst Attys Assn., 2009 dues, \$95.00, National Sheriffs' Assn, 2009 dues, \$100.00, SD Assn Assessing Officers, 2009 dues, \$165.00, SDACC, 2009 dues, \$1,965.88, SDACO, 2009 dues, \$1,314.32, SD Sheriffs' Assn, 2009 dues, \$688.28, SD State's Atty Assn, 2009 dues, \$838.00, The State Bar of SD, 2009 dues, \$415.00, Verizon Wireless, cell phone service, \$237.86, MidAmerican Energy, utilities-Ramona, \$513.40, SDACHS, 2009 dues, \$195.00, Vander Haag's Inc, sanders, \$13,600.00, APCO, 2009 dues, \$92.00, ITC, Jan services, \$115.55, NENA, 2009 dues, \$120.00, McCook Telephone, Jan services, \$173.53, Tri-State EMA, 2009 dues, \$10.00, US Postal Service, postage meter refill, \$1,000.00, State Remittance, Dec 08 collections, \$131,309.13, Lake County Treasurer, payroll withholdings, \$16,428.55, Interlakes Fed Cr Union, payroll deductions, \$2,294.50, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$200.00, Emp G2000, flexible spending, \$132.50, Kansas State Bank of Manhattan, lease payment, \$9,753.03, CNA Surety, county bonding, \$340.29, Lake County Treasurer, adv taxes, \$1,144.48/\$422.38/\$403.51/\$611.48/\$522.70/\$789.02, Office of Child Support Enf., child support, \$250.62, Lake County Treasurer, payroll withholdings, \$16,235.57, Ken Terwilliger, tax redemption, \$27.60. **GRAND TOTAL:** \$225,893.77.

**ADJOURN:**

There being no further business Chairman Verhey at 12:30 p.m. declared the meeting adjourned until February 17, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**February 17, 2009**

**REGULAR SESSION:**

The Board of Lake County Commissioners met in Regular Session on February 17, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Kay A. Schmidt Auditor. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion by Bohl, second by Hageman approves agenda of February 17, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Giles, second Bohl approves minutes of February 3, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Giles approves the following accounts payable. Motion carried.

**COMMISSIONERS:** City of Brookings, I-29 Corridor Initiative, \$1,000.00, Johnson Bros Excavation Inc., services, Scholl house, \$1,530.00, New Deal Tire, tire disposal/Scholl property, \$2,529.45, The Jewelry Clinic, engraving, \$48.00, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, public defender contract, \$4,166.66, Lammers Kleibacker Brown, crt appt counsel, \$3,239.00, West Payment Center, Jan online services, \$496.97, **JUROR-WITNESS-APPEARANCE FEES/MILEAGE:** David Allsup \$51.48, Jeffrey Brown \$53.70, Thomas Brown \$51.48, Michael Clarke \$50.74, Linda Jorgensen \$50.74, Mark Kreutzfeldt \$55.18, Roy Lindsay \$51.48, Sandra Nordstrom \$50.74, Barbara Norton \$64.80, Peter Stegenga \$50.74, Nicholas Sturm \$50.74, Jeffrey Wray \$50.74, Brian Ewing \$57.00, William Karbler \$57.00, Tyler Weber \$20.74, Susan Stephenson \$20.74, John Dinges \$29.25, Nick Bahr \$20.74, Curtis Ebsen, \$101.48, Vern Lail, \$103.70, Julie Lambert, \$101.48, Tarren Nelson, \$101.48, Cody Peterson, \$108.88, Jessica Rumbolz, \$101.48, Donald Stewart, \$117.76, Joseph Whealy, \$50.74, Laverne Wipf, \$50.74, **AUDITOR:** Bureau of ADM, long distance/fax calls, \$6.86, Qwest, phone service, \$30.89, **TREASURER:** Bureau of ADM, long distance calls, \$5.18, Central Business, copy paper, \$32.50, Lake County Treasurer, postage, \$47.88, Qwest, phone service, \$30.88, Southwest Office Solutions, supplies, \$141.90, toner cart-MV line, \$89.99, **DATA PROCESSING:** Central Business, printer cart-sheriff, \$89.99, Office Systems, keyboard-St Atty., \$59.39, Qwest, phone service, \$12.44, Software Services Inc., Jan services, \$820.00, Southwest Office Solutions, ink cart(6)-doe, \$81.94, ink cart-zoning, \$36.99, ink cart(2)-ext, \$51.98, **STATES ATTY:** Bureau of ADM, long distance/fax calls, \$6.29, Central Business, copy paper, \$65.00, Office Systems Inc., supplies, \$35.74, Roxane Osborn, transcript, \$27.20, Qwest, phone service, \$43.32, **GOVT BLDGS:** Bob's Electric of Madison, supplies, \$10.50, Bud's Clean Up Service, \$137.72, Campbell Supply, supplies, \$1.30, Colonial Research, supplies, \$231.96, The Hartford Steam Boiler, boiler certificate fee, \$100.00, Hillyard, supplies, \$370.89, Home Service Water Cond., salt, \$86.65, Northwestern Energy, util, \$2,194.61, Qwest, phone service, \$30.98, Timmer Supply Co., supplies/parts, \$667.11, **EQUALIZATION:** Bureau of ADM, long distance calls, \$5.07, Qwest, phone service, \$30.88, Southwest Office Solutions, supplies, \$61.37, **REGISTER DEEDS:** Bureau of ADM, long distance calls, \$1.64, Central Business, copy paper, \$32.50, Qwest, phone service, \$18.44, Southwest Office Solutions, supplies, \$38.17, **VETERANS SERVICE OFFICE:** Qwest, phone service, \$11.65, **SHERIFF:** Central Business, supplies, \$19.23, copy paper, \$32.50, Nicole Cudmore, gas, \$103.26, Gall's, speaker, \$162.98, Lake County Treasurer, postage, \$6.92, McLeod's, supplies, \$125.33, Madison Community Hospital, blood alcohols, \$420.00, Madison Radioshack, sandisk, \$24.99, Southwest Office Solutions, workstation-\$2,093.00, supplies, \$208.98, **JAIL:** Bureau of ADM, long distance/fax calls, \$20.65, Northwestern Energy, util, \$1,565.41, Pamida, supplies, \$60.96, Qwest, phone service, \$55.76, Sunshine Foods, prisoner meals, \$2,608.00, bags, \$16.28, **CORONER:** Ted Weiland, Pagel fee, \$58.50, **SEARCH & RESCUE:** City of Madison, utilities, \$194.91, Classic Corner, fuel, \$29.58, Qwest, phone service, \$12.44, Northwestern Energy, util, \$197.97, **COUNTY WELFARE:** Qwest, phone service, \$18.54, SDACC, reg fee, \$50.00, Weiland Funeral Chapel, county burial, \$1,825.00, **CARE OF AGED:** ICAP, Feb community service worker hours, \$574.00, **MENTAL ILLNESS BOARD:** Robert Chavis, MI counsel, \$192.75, Richard Ericsson, MI hearing, \$205.00, Lewis & Clark BHS, MI hearing, \$142.00, Yankton County, MI counsel, \$248.50, Yankton County Sheriff's ofc., services, \$25.00, **EXTENSION:** Glenda Blom, postage, \$10.88, Bureau of ADM, long distance calls, \$1.03, Central Business, supplies, \$130.00, NEAFCS-SD, dues, \$115.00, Northwestern Energy, util, \$735.10, Nutrition Seminar, reg., \$10.00, Pamida, CD, \$17.99, Qwest, phone service, \$55.32, Southwest Office Solutions, supplies, \$71.96, **WEED:** SD Assn of Weed/Pest, dues, \$50.00, **ZONING:** Bureau of ADM, long distance calls, \$.56, Qwest, phone service, \$18.44, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$57.00, Boyer Trucks Sx Falls, parts/labor, \$631.25, Bureau of ADM, long distance calls, \$.04, Butler Machinery, parts, \$215.56, Campbell Supply, parts/supplies, \$299.51, CarQuest Auto Parts, parts/small tools, \$288.65, Central Business Supply, supplies, \$26.52, Craig's Welding, labor, \$150.00, F&M Coop Oil, fuel additive, \$287.52, Fastenal, parts/supplies, \$162.39, Lake County International, oil, \$66.20, Lee's Sales & Salvage Inc., iron/gas, \$63.40, Lyle Signs Inc., posts, \$387.50, Michael Johnson Construction, services, \$217.00, Northwestern Energy, util, \$2,427.56, Pulford's Auto Parts Inc., parts, \$605.55, Qwest, phone service, \$43.32, Sturdevant's Auto Parts, parts/supplies/tools, \$290.89, Wheelco, parts, \$382.78, Xcel Energy, util, \$19.89, Zep Sales & Services, supplies, \$145.85, **911 COMM CENTER:** Bureau of ADM, long distance calls, \$1.65, Central Business, copy paper, \$32.50, Fastenal, supplies, \$80.75, Language Line Services, Jan usage, \$90.00, Office Systems, supplies, \$13.97, Qwest, phone service, \$1,235.70, **EMA:** Bureau of ADM, long distance calls, \$1.00, Qwest, phone service, \$37.77, **FLEXIBLE SPENDING:** One recipient \$499.20, One recipient, \$505.23, **GRAND TOTAL: \$42,214.52**

**PAYROLL APPROVED:**

Motion by Bohl, second by Hageman approves payroll of 1-26-09 to 2-8-09. Motion carried.

Payroll of January 26-February 8, 2009



COMMISSIONERS: \$2,785.05; AUDITORS OFC: \$4,381.41; TREASURERS OFC: \$3,391.63; STATES ATTY OFC: \$4,925.54; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,217.93; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$8,665.91; JAIL: \$4,421.36; EMA: \$1,332.12; 911 COMM CENTER: \$6,852.03; ROAD & BRIDGE: \$15,355.58; CHN: \$1,122.72; WIC: \$219.96; EXTENSION: \$1,029.01; ZONING: \$1,110.60. GRAND TOTAL \$66,061.45.

#### LAND LEASE AUCTION:

Motion Giles, second Bohl approves advertising the County Poor Farm Land Lease auction to be held on March 17, 2009 10:00 am on first floor of the Courthouse lobby. Publishing will be February 19 & 26, 2009. Motion carried.

#### CHN QUARTERLY REPORT:

Jen Foubert CHN presented the 4<sup>th</sup> Quarter (October, November, December) 2008 quarterly report. Discussion was held on purchasing (2) defibrillators for Courthouse and Public Safety Bldg.

#### MTGS ATTENDED:

Giles and Pedersen Lake Madison public access; Giles East Dakota Transit.

#### HOMELAND SECURITY FUNDS:

Don Thomson EMA/Veteran's/SAR, Roger Hartman Sheriff and Tim Walburg Deputy Sheriff discussed Homeland Security funds and the state digital radio upgrades. Motion Giles, second Bohl to agree to return the Homeland Security Grand funding for one year if requested by the State with the stipulation that we recognize the need to significantly increase the capacity of the Lake County tower in order to make the system effective. Motion carried.

#### LAKE MADISON PUBLIC ACCESS:

A public hearing is planned for April 2, 2009 7 pm at the Lake County 4-H Exhibit Hall for the Lake Madison public access project.

#### EXECUTIVE SESSION:

Motion by Hageman, second by Bohl enter into Executive Session 10:55 a.m. for pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

#### REGULAR SESSION:

Motion by Giles, second Bohl return to Regular Session 11:22 a.m. Motion carried.

#### BENEFIT BREAKFAST:

Motion Bohl, second Hageman approves the Barb's Breakfast Friday February 20, 2009 8:30 a.m. The Memorial Fund for Barb Schwebach covers the cost of lunch if no money is in the elementary students account. Motion carried.

#### ABATEMENT #09-5:

Motion Bohl, second Pedersen approves Abatement #09-5 City of Madison \$5,607.55 consisting of Clarke and Rosebud properties. Motion carried.

#### FIRST DISTRICT:

Todd Kays First District Planning & Zoning Executive Director presented a brief review of the 2008 Lake County activities.

#### I-29 CORRIDOR:

Acknowledge receipt of a letter from Mayor Scott D. Munsterman City of Brookings on behalf of local units of government and economic development organizations in eastern SD. Motion Pedersen, second Bohl approves supporting the I-29 Corridor Initiative by contributing \$1,000 from the Contingency fund and sending a letter of support. Motion carried.

#### TRAVEL REQUESTS:

Peggy Young Welfare Officials workshop March 19, 2009 Pierre SD and Ken Meyer State's Atty SD Bar Continuing Education April 17, 2009 Sioux Falls, SD.

#### JANUARY REPORTS:

Sheriff fees \$725.40, work release \$2,040, PB-Breath \$948, PBT-Scram Hookup \$0, pistol permits \$45, accident report copies \$12, fingerprint cards \$220, Reliance Telephone comm. \$63.87. Prisoners housed 65 & days served 359; mar lic \$20, Dom Abuse \$60, cert mar \$40, ROD fees \$3,830 & transfer fees \$2,215.50=total \$6,165.50; bldg permits \$115.

#### AUDITOR'S ACCOUNT WITH TREASURER

##### January 2009

Total balance of checking of First Bank & Trust

Cash items

Silver

Currency

Amt of checks in Treas possession

First Bank & Trust Savings Acct #905-022-7

Great Western Passbook Acct #100021474

American State Bank Cert of deposit #8263

American State Bank Cert of deposit #8313

First Bank & Trust Cert of deposit #602592

First Bank & Trust Cert of deposit #602597

First Bank & Trust Cert of deposit #67507

American State Bank Cert of deposit #8295

East River Federal Credit Union Cert of deposit #294

East River Federal Credit Union Cert of deposit #295

Wells Fargo Brokerage CD's

Silver State Bank

First Regional Bank

#### INVESTMENT INTEREST MATURITY

AMOUNT RATE DATE

\$4,854.99 24%

\$661.06

\$100.87

\$2,450.00

\$31,351.43

\$1,581,000.00 2.00%

\$700,000.00 1.40%

\$100,000.00 3.00% 3/28/09

\$95,000.00 2.50% 1/22/2010

\$100,000.00 2.80% 4/22/2009

\$100,000.00 2.80% 5/20/2009

\$100,000.00 2.85% 6/21/2009

\$100,000.00 3.00% 8/8/2009

\$250,000.00 4.25% 11/25/2009

\$250,000.00 4.25% 11/25/2009

\$95,000.00 3.75% 7/31/2009

\$95,000.00 3.75% 7/30/2009

**\$3,605,418.35**

County=\$3,076,669.22

Schools=\$263,158.56

Townships=\$62,989.63

Cities=\$38,421.67

Water & Fire Districts=\$2,985.18

Sanitary & Road Districts=\$8,437.99

State=\$152,756.10

TOTAL: \$3,605,418.35

#### ADJOURN:

There being no further business Chairman Verhey at 12:00 p.m. declared the meeting adjourned until March 3, 2009 at 9 a.m. Motion carried.

It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.

Kay A. Schmidt Lake County Auditor

## LAKE COUNTY COMMISSION MINUTES

March 3, 2009

The Board of Lake County Commissioners met in Regular Session on March 3, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Bert Verhey and Auditor Kay A. Schmidt. Absent: Scott Pedersen. Chairman Verhey called the meeting to order.

### AGENDA APPROVED:

Motion Bohl, second Hageman approves agenda of March 3, 2009. Motion carried.

### MINUTES APPROVED:

Motion Giles, second Bohl approves February 17, 2009 minutes with correction on adjournment. Motion carried.

### ACCOUNTS PAYABLE:

Motion Hageman, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Madison Daily Leader, publishing, \$345.32, **JUDICIAL:** Kim Callies, transcripts, \$788.05, Central Business Supply, clasp env, \$6.19, Great Plains Psychological Service, crt ordered service, \$2,250.00, Patricia Hartsel, transcript, \$64.60, **AUDITOR:** Bureau of ADM., internet/email service, \$5.00, IBE Inc., typewriter maintenance, \$132.00, Madison Daily Leader, publishing, \$220.80, **TREASURER:** Bureau of ADM., internet/email service, \$15.00, **DATA PROCESSING:** Pitney Bowes, rental, \$358.00, Universal Services, ribbons, \$150.00, **STATES ATTY:** A&B Business Inc., prints, \$14.03, Office Systems, CD mailer, \$8.98, **GOVT BLDGS:** Bob's Electric of Madison, supplies, \$18.42, City of Madison, utilities, \$1,230.14, Cole's Petroleum, fuel, \$37.48, Heiman Fire Equipment, annual inspection/extinguishers, \$413.00, Madison Ace Hardware, supplies, \$42.96, Madison Instant Printing, blue prints, \$28.80, Northland Chemical Corp., supplies, \$192.71, Derrick Shoenrock, key blanks, \$96.32, Shred-it, services, \$63.27, **EQUALIZATION:** Cole's Petroleum, fuel, \$21.62, Office Systems Inc., copier maintenance, \$30.00, **REGISTER DEEDS:** Bureau of ADM., internet/email service, \$5.00, IBE Inc., typewriter maintenance, \$120.00, **SHERIFF:** Card member Service, gas/parts, \$63.31, Cole's Petroleum, fuel, \$684.71, Kearin's Service, tire repair, \$10.00, Velvet Uniforms, pants/shirts, \$253.96, **JAIL:** Card member Service, part, \$24.20, City of Madison, utilities, \$615.21, Davison County Sheriff's office, female housing, \$195.00, Bernard Schuurmans DDS, prisoner services, \$138.00, **CORONER:** Ted Weiland, Whealy fee, \$58.50, **SEARCH & RESCUE:** Donovan's Hobby & Scuba Center, scuba cyl maintenance, \$62.80, Gall's, straps/immobilization system, \$392.95, **COUNTY WELFARE:** City of Madison, one recipient, \$100.00, Senior Companions of SD, 1<sup>st</sup> qtr allotment, \$288.75, **AMBULANCE:** Madison Community Hospital, 1<sup>st</sup> qtr allotment, \$3,750.00, **CARE OF AGED:** East Dakota Transit, 1<sup>st</sup> qtr allotment, \$1,455.00, **MENTAL ILLNESS BOARD/DRUG ABUSE:** Community Counseling Service, 1qtr allotment, \$4,185.00, Lori Nooney, MI counsel, \$196.60, Shepherd Reporting LLC, services, \$25.00, Creighton A Thurman, MI counsel, \$297.82, **EXTENSION:** Best Business Products, copies, \$143.32, Best Business Products, copier lease payment, \$113.00, Madison Post Master, presort mailing fee, \$180.00, **SOIL CONSERVATION:** Interlakes Water Quality-Lake Madison Dev Assn., 1<sup>st</sup> qtr allotment, \$625.00, **WEED:** Best Western/Ramkota Hotel, lodging, \$70.00, Cole's Petroleum, fuel, \$40.36, **ZONING:** First District, 1<sup>st</sup> qtr allotment, \$3,694.00, **TOURISM:** Smith Zimmerman Museum-Lake County Historical Society, 1<sup>st</sup> qtr allotment, \$600.00, **ROAD & BRIDGE:** Bob's Electric of Madison, bulbs, \$2.40, Brock White, supplies/crack sealing, \$2,002.00, Central Business Supply, pads, \$9.38, Cole's Petroleum Inc., engine oil, \$779.70/fuel, \$5,703.56, Dakota Fluid Power Inc., parts/labor, \$504.86, Danko Emergency Equipment Co., vests, \$83.69, Krug Products Inc., parts, \$4.41, M&T Fire & Safety Inc., medical supplies, \$30.00, MidAmerican Energy, util-Ramona, \$291.11, Northland Chemical Corp., supplies, \$97.81, Office Systems Inc., supplies, \$23.93, SD Dept of Transportation, bridge expense, \$5,667.56, **911 COMM CENTER:** Interlakes Medical Center, physical exam, \$85.00, RACOM Corp., PSAP security project, \$440.00, **EMA:** Central Business, tape, \$14.99, Wireless World, cell phone, \$214.97, **DOMESTIC ABUSE:** Domestic Violence Network, 1<sup>st</sup> qtr allotment, \$320.00, **GRAND TOTAL: \$41,195.55**

### PAYROLL APPROVED:

Motion Giles, second Hageman approves the following payroll 2-9-09 to 2-22-09. Motion carried.

**COMMISSIONERS:** \$1,823.10; **AUDITORS OFC:** \$4,381.40; **TREASURERS OFC:** \$3,546.72; **STATES ATTY OFC:** \$4,757.42; **GOVT BLDGS:** \$3,581.10; **DIR EQUALIZATION OFC:** \$5,359.02; **REGISTER DEEDS OFC:** \$2,503.12; **VSO:** \$188.76; **SHERIFF OFC:** \$9,032.12; **JAIL:** \$5,042.98; **EMA:** \$1,332.12; **911 COMM CENTER:** \$6,635.35; **ROAD & BRIDGE:** \$15,307.21; **CHN:** \$1,150.93; **WIC:** \$284.82; **EXTENSION:** \$1,029.00; **ZONING:** \$1,110.61. **GRAND TOTAL \$67,065.78.**

### FUEL QUOTES:

Motion Bohl, second Giles approves Cole's Petroleum ethanol 1.4415 & #2 diesel 1.2435.

Motion carried.	ethanol	#2 diesel fuel
Cole's Petroleum	1.4415	1.2435
F & M Coop	1.430	1.263

### MTGS ATTENDED:

Bohl Community Center and Giles Lake Area Improvement.

**DEFIBRILLATORS:**

Motion Bohl, second Giles approves purchasing up to \$1,500 each (2) Medtronic CR Plus Life Pak \$1,000 + cabinet \$190=\$1,190 defibrillators. The units will be placed in the Courthouse and 911 Dispatch area. Motion carried.

Medtronic CR Plus Life Pak \$1,000 + cabinet \$190=\$1,190

OK/NASPO FULL On-Site Defibrillator \$1,420.30 + cabinet \$279.30=\$1,699.60

**RD STRIPING CONTRACT:**

Motion Bohl, second Hageman approves the 2009 agreement with the State of S.D. for striping 52 county roads with an estimated cost of \$23,997.56. Motion carried.

**LIABILITY COVERAGE:**

Gary Drewes, Marketing SD Public Assurance Alliance presented a summary of the County's liability & property coverage. Lake County has been a member of the pool since 1992.

**INDIGENT #09-3:**

Motion Giles, second Bohl approves \$100 utility assistance to Indigent #09-3. Place lien and sign contract for repayment. Motion carried.

**INDIGENT #09-4:**

Motion Giles, second Hageman approves \$500 emergency inpatient treatment to Indigent #09-4. Place lien and sign contract for repayment. Motion carried.

**EXECUTIVE SESSION:**

Motion Bohl, second Giles enter into Executive Session 10:17 a.m. for personnel matters with Don Thomson EMA and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Hageman, second Bohl return to Regular Session 10:50 a.m. Motion carried.

**EAGLE SCOUT PROJECT:**

Patrick Delzer Eagle Scout Troop 5 requested funds for his Eagle Scott Leadership Service Project. Funding will help in repairing the fence at the Field of Dreams baseball diamond.

Motion Bohl, second Giles approves support of \$1,000 to UBC/Patrick Delzer's Eagle Scott project at the Field of Dreams. Motion carried.

**PT STATE'S ATTY SEC:**

Ken Meyer State's Atty requested a full-time temporary legal secretary for the State's Atty Ofc due to the staffs maternity leaves. Motion Giles, second Bohl approves the job listing for a temporary full-time legal secretary in the State's Atty Ofc during August 3, 2009 to September 18, 2009. Wage depends on experience. Motion carried.

**EXECUTIVE SESSION:**

Motion Bohl, second Giles enter into Executive Session 11:07 a.m. for personnel matters with Roger Hartman Sheriff and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Bohl return to Regular Session 11:20 a.m. Motion carried.

**POSITION CHANGE:**

Motion Giles, second Bohl upon the request of Sheriff Hartman place Nicole Cudmore Deputy Sheriff G16,1 \$13.83 to Jailer/Detention Officer G9,1 \$12.44 (20 hrs per week) effective February 23, 2009 until May 2009. Motion carried.

**TRAVEL REQUESTS:**

Deb Reinicke & Commissioner Roger Hageman Solid Waste March 5, 2009 Sioux Falls, SD.

**ADJOURN:**

There being no further business Chairman Verhey at 11:30 a.m. declared the meeting adjourned until March 17, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**March 17, 2009**

The Board of Lake County Commissioners met in Regular Session on March 17, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Giles, second Pedersen approves agenda of March 17, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Giles, second Bohl approves minutes of March 3, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Nicky's, mtg meals-45, \$350.55, Debra Reinicke, mileage/solid waste mtg, \$37.74, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, March public defender contract, \$4,166.66, Central Business, pads, \$5.29, Patricia Hartsel, transcripts, \$465.80, Lammers Kleibacker Brown, crt appt counsel(4), \$1,074.20, West Payment Center, online services, \$496.97, **JUROR-WITNESS-APPEARANCE FEES/MILEAGE:** Marleen Hildebrandt \$152.22, Michael Iverson \$165.54, Brenda Kreutzfeldt \$165.54, Trudiann Nelson \$167.76, Helmuth Papendick \$152.22, Lucille Reif \$152.22, Patricia Stanford \$176.64, Jody Streff \$172.20, James Thompson \$152.22, Daniel Voeltz \$152.22, Patricia Weber \$152.22, Elva Witt \$152.22, **AUDITOR:** Best Business Products, copier maintenance/usage, \$21.84, Bureau of ADM., long distance/fax calls, \$18.11, Madison Instant Printing, lien cards, \$287.98, Qwest, phone service, \$30.89, **TREASURER:** Bureau of ADM., long distance calls, \$3.15, MV line, \$25.23, Central Business, copier maintenance, \$25.00, Minnehaha County Sheriff, services, \$75.80, Qwest, phone service, \$31.93, Retail Data Systems. ribbons. \$36.34. Southwest Office

Solutions, chairs, \$476.00, supplies, \$53.97, **DATA PROCESSING:** Hewlett-Packard Co., mouse-SA, \$8.00, Madison RadioShack, ink cart-aud., \$19.99, ink cart-sheriff, \$34.99, Pitney Bowes, rental, \$358.00, Qwest, phone service, \$12.44, Software Services Inc., services, \$870.00, Software House Intl Inc., laptop software-St Atty., \$390.25, Southwest Office Solutions, ink cart-zoning, \$35.99, credit-doe, (29.96); **STATES ATTY:** Bureau of ADM., long distance/fax calls, \$23.44, Pamida, refrigerator, \$118.88, Qwest, phone service, \$47.22, **GOVT BLDGS:** Bud's Clean Up Service, Feb services, \$137.72, Bureau of ADM., long distance calls, \$9.07, Campbell Supply, supplies, \$1.59, Central Business, time clock ribbon, \$11.99, Chemco Inc, supplies, \$238.42, Hillyard, supplies, \$330.87, Home Service Water Conditioning, salt, \$47.74, MARC, supplies, \$150.80, Northwestern Energy, utilities, \$1,356.51, Pulford's Auto Parts, part, \$4.69, Qwest, phone service, \$30.98, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$21.08, Qwest, phone service, \$31.72, Southwest Office Solutions, credit, (61.37), **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$32.95, Bureau of ADM., long distance calls, \$7.46, Qwest, phone service, \$18.79, Southwest Office Solutions, ribbons, \$29.70, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, \$4.77, Qwest, phone service, \$11.65, **SHERIFF:** Mac's Repair, light bar repairs, \$62.00, Madison Community Hospital, blood alcohols, \$120.00, Madison Instant Printing, folders, \$14.00, Madison RadioShack, cable, \$37.99, Prostrullo Auto Mall, repair, \$753.19, Southwest Office Solutions, supplies, \$65.94, **JAIL:** Bob Barker Co Inc., supplies, \$255.13, Brown's Cleaning, Feb jail laundry, \$435.00, Bureau of ADM., long distance/fax calls, \$66.13, Minnehaha County Regional Juvenile Detention Center, juv housing, \$270.00, Minnehaha County Sheriff, female housing, \$548.24, Northwestern Energy, utilities, \$1,117.15, Qwest, phone service, \$59.69, Sunshine Foods, prisoner meals, \$1,716.00, Verizon Wireless, services, \$194.20, **CORONER:** LCM Pathologists PC, services, \$1,317.00, **SEARCH & RESCUE:** City of Madison, utilities, \$143.46, Northwestern Energy, utilities, \$122.95, Qwest, phone service, \$12.44, **COUNTY WELFARE:** Qwest, phone service, \$18.54, Serenity Hills, one recipient, \$500.00, **CARE OF AGED:** ICAP, March community service worker hours, \$574.00, **MENTAL ILLNESS BOARD:** Donna Dietrich, MI hearing, \$137.62, Nelva Kooistra, MI hearing, \$15.00, Lewis & Clark BHS, MI services, \$142.00, Abby Oftedal, MI hearing, \$164.00, Cathy Rehlfuss, MI hearing, \$15.00, Creighton Thurman, MI counsel, \$277.32, Yankton County Sheriff's office, MI services, \$25.00, Yankton County Treasurer, MI counsel, \$103.75, **EXTENSION:** Bureau of ADM., long distance/fax calls, \$18.86, City of Madison, utilities, \$331.61, Loopy's, supplies, \$9.25, Madison RadioShack, envelopes, \$9.99, Pamida, coffee, \$6.99, Northwestern Energy, utilities, \$483.74, Qwest, phone service, \$56.27, **WEED:** Campbell Supply, cable, \$39.99, City of Madison, LaFleur mtgs., \$50.00, Prostrullo Motor Co., parts, \$43.54, Pulford's Auto Parts Inc., parts, \$118.72, Weed & Pest Assn., dues, \$100.00, **ZONING:** Bureau of ADM., long distance calls, \$4.98, Qwest, phone service, \$18.44, Southwest Office Solutions, photo paper, \$23.99, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$57.97, Bob's Radiator & Machine, repair, \$60.00, Brock White, parts, \$219.30, Bureau of ADM., long distance/fax calls, \$2.74, Butler Machinery, parts, \$83.68, Campbell Supply Co., parts/supplies, \$308.23, CarQuest Auto Parts, parts, \$45.16, Central Business Supply, supplies, \$10.48, City of Madison, utilities, \$402.67, Conney Safety, coveralls, \$191.95, Johnson Bros Excavation Inc., sand/pea rock, \$8,813.11, Krug Products Inc., parts—reissue warrant damaged, \$4.41, hose assembly, \$102.22, Lee's Sales & Salvage Inc., gas, \$24.00, Madison Ace Hardware, parts/supplies, \$173.96, Master Blaster Inc., part, \$15.00, Michael Johnson Construction, pea rock/rock, \$2,590.02, Nielsen's, part, \$447.68, Northwestern Energy, utilities, \$1,404.48, Pamida, batteries, \$6.00, Pulford's Auto Parts, parts/supplies, \$250.41, Qwest, phone service, \$43.32, RDO Equipment, parts, \$318.71, Sturdevant's Auto Parts, parts, \$205.44, Pro-Build, supplies, \$7.36, Wayne's Repair, parts, \$192.63, Xcel Energy, utilities, \$17.09, **911 COMMUNICATION CENTER:** Bureau of ADM., long distance/fax calls, \$4.02, ITC, services, \$115.55, Language Line Services, Feb usage, \$90.00, McCook Cooperative Telephone, services, \$173.53, North Dakota APCO, reg/Neish, \$115.00, Quill, supplies, \$58.17, Qwest, phone service, \$1,236.05, **EMA:** Bureau of ADM., long distance calls, \$7.95, Qwest, phone service, \$37.77, **FLEXIBLE SPENDING:** One recipient \$360.61, One recipient, \$305.45, **GRAND TOTAL: \$43,004.27.**

#### **PAYROLL APPROVED:**

Motion Giles, second Pedersen approves the following payroll 2-23-09 to 3-8-09. Motion carried.

**COMMISSIONERS:** \$3,105.70; **AUDITORS OFC:** \$4,381.40; **TREASURERS OFC:** \$3,355.92; **STATES ATTY OFC:** \$5,044.91; **GOVT BLDGS:** \$3,558.72; **DIR EQUALIZATION OFC:** \$4,148.02; **REGISTER DEEDS OFC:** \$2,503.12; **VSO:** \$188.76; **SHERIFF OFC:** \$7,284.64; **JAIL:** \$4,868.20; **EMA:** \$1,332.12; **911 COMM CENTER:** \$5,992.43; **ROAD & BRIDGE:** \$16,038.50; **CHN:** \$1,077.60; **WIC:** \$183.30; **EXTENSION:** \$1,036.35; **ZONING:** \$1,110.61. **GRAND TOTAL \$65,210.30.**

#### **ONE DAY MALT BEVERAGE:**

Motion Hageman, second Bohl approves One Day Malt Beverage \$50 application request from Madison Broncos Amateur Baseball for the Jaspers/Bonnichsen wedding dance at Camp Lakodia June 6, 2009. Motion carried.

#### **NAT'L DAY OF PRAYER:**

Motion Pedersen, second Hageman approves request from Vital Link to gather at the Courthouse Flag Pole on Thursday May 7, 2009 12:00 to 1:00 pm to have a community wide time of prayer on the 58<sup>th</sup> National Day of Prayer. Motion carried.

#### **PRINTER QUOTES:**

Don Thomson EMA presented repair quotes for the Treasurer's (2004 used) mainframe printer \$471 vs purchasing new \$3,400. Motion Bohl, second Hageman approves (1) new Epson DFX-8500 Impact Printer. \$3,400. Motion carried.

**STIMULUS FUNDS:**

Motion Giles, second Bohl send a letter to SDDOT requesting to place Lake County's Economic Stimulus \$94,289 in the County's STP Fund for 2011 usage. Motion carried.

**RESOLUTION #09-2:**

Motion Hageman, second Pedersen approves the following Resolution #09-2 Federal Aid Surface Transportation Program Resolution for County and Urban Projects. Motion carried.

#09-2

**FEDERAL AID SURFACE TRANSPORTATION PROGRAM RESOLUTION  
FOR COUNTY AND URBAN PROJECTS**

WHEREAS, Lake County desires the construction and improvement of the road and/or bridge as hereinafter described:

LOCATION, LENGTH, STRUCTURE NUMBER:

**County Road R51 (446 Ave) 7 miles from Junction SD Hwy 34/R51 (446 Ave) North to Junction County Road R51 (446 Ave) and County Road R22 (226 Street)**

TYPE OF CONSTRUCTION: **Asphalt Mat Overlay**

Major Collector Route Number (if applicable) County Road 51

AND WHEREAS, Lake County is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction is completed and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements.

AND WHEREAS, Lake County is obligated and hereby agrees to reimburse the State for all costs not reimbursable with Surface Transportation Program (STP) Funds and associated State matching funds.

NOW THEREFORE BE IT RESOLVED:

That the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Secondary Road Plan" and the State's "Standard Specifications for Roads and Bridges," the project described.

Estimated Cost of Project Including Engineering: \$1,086,318.66

STP Funds \$ 592,318.66

Local Funds (if needed to meet construction year): \$ 494,000.00

Proposed Year of Construction: 2011

Vote of Commissioners/Council: Yes ☒ No ☐

Dated at Madison, SD, this 17<sup>th</sup> day of March, 2009.

ATTEST:

Kay A. Schmidt

Bert Verhey

Lake County Auditor

Lake County Chairman

**RESOLUTION #09-3:**

Motion Giles, second Pedersen approves the following Resolution #09-3 Hwy Dept Road Restrictions. Motion carried.

**RESOLUTION #09-3**

WHEREAS, The Lake County Board of Commissioners enforce annual seasonal load restrictions on overweight limits on Lake County roads.

WHEREAS, That the Lake County Board of Commissioners request the South Dakota Highway Patrol to assist and enforce the load restrictions on the posted gross limit per axle as posted by the Lake County Board of Commissioners during the March, April & May spring thaw and breakup period that the roads are posted.

THEREFORE BE IT RESOLVED, That the Lake County Board of Commissioners authorized the Lake County Highway Superintendent to work with the South Dakota Highway Patrol to reduce weight maximums due to thawing or excessive moisture and until the roads are free of frost and become stable.

Enacted this 17th day of March 2009.

S/s Bert Verhey Chairman

Lake County Commissioners

ATTEST:

S/s Kay A. Schmidt Auditor

**AWARD BIDS/RD MATERIALS:**

Scott Mathison, Hwy Supt discussed the bids received on March 12, 2009.

**Ice Sand:**

Johnson Brothers Excavation, Inc. \$3.75 22634 463<sup>rd</sup> Ave

Michael Johnson Constr, LLC \$4.00 10 west & 2 south of Madison

Motion Bohl, second Giles approves both bids and use the lower bid of Johnson Brothers Excavation, Inc. first and if unavailable use the 2<sup>nd</sup> bid of Michael Johnson Constr. LLC. Motion carried.

**Pea Rock 3/8":**

Johnson Brothers Excavation, Inc. \$4.80 22634 463<sup>rd</sup> Ave

Michael Johnson Constr, LLC \$4.35 10 west & 2 south of Madison

Motion Hageman, second Pedersen approves Michael Johnson Constr, LLC \$4.35 western & southern parts of the County. Johnson Brothers Excavation, Inc. \$4.80 eastern parts of the County or at the Hwy Supt's discretion for the work to be done. Motion carried.

**Culverts: 2 2/3" x 1/2" Corrugation Galvanized Price per Linear Foot**

Huron Culvert & Tank (Contech no bid)

**Round Spiral**

15"x16 GA 9.97

18"x16 GA 11.85

24"x16 GA 15.82

36"x16 GA 23.11

60"x12 GA 65.83

**Arched Spiral A**

48" 57" x 38" 14 GA 39.81

72" 83" x 57" 12 GA 83.38

Motion Giles, second Bohl approves Huron Culvert &amp; Tank, Huron, SD. Motion carried.

**Vehicle Oils (30 gal):**

	Cole's Petroleum	(F&M no bid)
Automatic Oil (Dexron III)	7.48	
Fully Synthetic ATF, Allison Approved	27.49	
Series 300 15x40	8.17	
80 - 90 EP Gear Oil	8.38	
Heat Transfer Oil	9.49	
Series 200 Oil SAE 30	6.98	
10w30	7.23	
5w20	7.08	
5w30	7.23	
Caterpillar TO-4 Specification 10w10w	8.39	
Caterpillar TO-4 Specification 10w30w	8.29	

Motion Giles, second Bohl approves Cole's Petroleum, Madison, SD. Motion carried.

**Asphalt Patching Material:**

Asphalt Paving & Materials Co. \$60.00 CI D1 Huron  
 Bowes Constr, Inc. \$47.53 E1 Brookings  
 \$53.53 G1 Brookings

Concrete Materials \$47.90 Sioux Falls plant  
 Myrl & Roy's Paving, Inc. \$55.00 various locations

Motion Giles, second Bohl approves 1st choice Concrete Materials, 2<sup>nd</sup> choice Myrl & Roy's Paving, Inc. \$55.00 and third choice Bowes Constr, Inc. north part of the County. Utilization of hot mix based upon the Hwy Supt's discretion based on location as needed. Motion carried.

**Liquid Asphalt MC's Cut Back Oils & CRS Emulsions Oils:**

	MC800	MC3000	CRS 2P	AE150S	HFMS-2P
Jebro Inc.	--	628.00	513.00	438.00	--
Flint Hills	605.74	555.74	461.93	409.93	461.93

Motion Giles, second Pedersen approves Flint Hills for liquid asphalt oils. Opposed: Bohl. Motion carried.

**INDIGENT #09-2CB:**

Motion Pedersen, second Hageman approves County burial for Indigent #09-2CB. Motion carried.

**INDIGENT #09-3CB:**

Motion Hageman, second Bohl approves County burial for Indigent #09-3CB. Motion carried.

**INDIGENT #99-03CB:**

Brookings County requests Lake County to remove the County's lien of \$486.38 on property located at Lot 7, Block 4 Original Plat in the Town of Sinai, Brookings County, SD due to unpaid taxes. Property was in the name of Indigent #99-03 who passed away in 1999. Property is located on main street of Sinai next to the Fire Hall. Fire Dept would like to remove the old building and build onto their existing Fire Hall. Motion Pedersen, second Giles approves the Brookings County request to remove Lake County's lien in the amount of \$486.38. Motion carried.

**INDIGENT #09-05:**

Motion Hageman, second Bohl approves medical assistance to Indigent #09-05 \$166.33 (\$2,800/Medicaid rate=\$166.33). Motion carried.

**POOR FARM LAND LEASE:**

This being the date and time per advertisement for Land Lease Auction for County Poor Farm land (95 acres) Chairman Verhey opened with \$100 minimum bid. Motion Pedersen, second Hageman approves \$100 per acre to: John Bowen 114 SW 4<sup>th</sup> St, Colman, SD 57017 \$9,500 per year effective April 1, 2009 to November 30, 2010. Motion carried.

**TRAVEL REQUESTS:**

Glenda Blom Extension Secretary Training March 24, 2009 Sioux Falls, SD  
 Equalization Ofc (all 3) Annual Conference May 19-22, 2009 Watertown, SD  
 Richard Neish Dakota 911 Conference April 6-9, 2009 Fargo, ND

**COUNTY BRD EQUALIZATION:**

Shirley Ebsen Dir of Equalization discussed County Board of Equalization schedule. County Board of Equalization is set for April 21, 2009 at 10:00 am.

**CITY-COUNTY MTG:**

Motion Giles, second Bohl approves hosting a Joint City-County meeting to be held May 12, 2009 6 pm at the Public Safety Bldg.

**MTGS ATTENDED:**

Dan Bohl: Drainage Ordinance, Pictometry, Search & Rescue, Sx Valley Dist & Towns Twps.

Chris Giles: East Dakota Transit, Pictometry & Towns Twps.

Roger Hageman: Drainage Ordinance, Solid Waste & Towns Twps.

Scott Pedersen: Brant Lake Assoc, Search & Rescue, Lk Madison Sanitary Dist & Towns Twps.

Bert Verhey: Pictometry, Sx Valley Dist & Towns Twps.

**DRAINAGE BRD:**

Motion Giles, second Hageman to enter into a Drainage Board at 11:04 am. Motion carried.

**REGULAR SESSION:**

Motion Bohl, second Giles return to Regular Session 11:15 am. Motion carried.

**SEARCH & RESCUE:**

Lake County Search & Rescue members are considered as volunteers on Lake County's Worker's comp coverage. Roy Brown, Mark Even, Corey Gunderson, Mike Johnson, Doug Koch, Bill Larson, Chad Larson, Lisa Lee, Bill Lembcke, Shawn Martin, Darrell McConaghy, Nate Rollins, Bob Schoeberl, Mark Sudenga and Don Thomson.

**REPORTS REC'D:**

February 2009: Bldg permits \$235; Mar lic \$20, Dom Abuse \$60, cert mar \$130, ROD fees \$4,001, transfer fees \$1,966.50=\$6,177.50; Sheriff civil fees \$1,306.20, fees/warrants \$350, work release \$975, PBT breath \$656, PBT scam hookup \$50, pistol permits \$60, accident reports \$16, fingerprint cards \$30, Reliance telephone comm \$94.06=\$3,537.26; prisoners housed 34 & days served 192;

<b>AUDITOR'S ACCOUNT WITH TREASURER</b>	<b>INVESTMENT</b>	<b>INTEREST</b>	<b>MATURITY</b>
<b>February 2009</b>	<b>AMOUNT</b>		<b>DATE</b>
Total balance of checking of First Bank & Trust	\$8,525.46	0.20%	
Cash items	\$505.17		
Silver	\$78.27		
Currency	\$2,887.00		
Amt of checks in Treas possession	\$15,588.07		
First Bank & Trust Savings Acct #905-022-7	\$1,066,000.00	1.90%	
Great Western Passbook Acct #100021474	\$700,000.00	1.40%	
American State Bank Cert of deposit #8263	\$100,000.00	3.00%	3/28/09
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
First Bank & Trust Cert of deposit #602592	\$100,000.00	2.80%	4/22/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	2.80%	5/20/2009
First Bank & Trust Cert of deposit #67507	\$100,000.00	2.85%	6/21/2009
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
Wells Fargo Brokerage CD's			
Silver State Bank	\$95,000.00	3.75%	7/31/2009
First Regional Bank	\$95,000.00	3.75%	7/30/2009
	<b>\$3,378,583.97</b>		

Dated this 4th day of March, 2009

<b>County</b>	<b>3,007,661.45</b>	Water & Fire Districts	1,289.49
Schools	200,410.40	Sanitary & Road Districts	2,942.98
Townships	25,339.75	State	96,902.14
Cities	44,037.76	<b>TOTAL:</b>	<b>\$3,378,583.97</b>

**ADJOURN:**

There being no further business Chairman Verhey at 11:30 a.m. declared the meeting adjourned until March 24, 2009 at 9 a.m. for a Special Mtg.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**March 24, 2009**

The Board of Lake County Commissioners met in Special Session on March 24, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Giles, second Pedersen approves agenda of March 24, 2009. Motion carried.

**AWARD BIDS/RD MATERIALS:**

Scott Mathison, Hwy Supt discussed the A.C. Mat Overlay bids received on March 17, 2009 through Brookings County's bid letting. Also present was Dan Pirrung Sales Manager Myrl & Roy's Inc

**SEGMENT 1:** County Road #26 1.5 miles 2,640 Asphalt Concrete Class E Type 1 Composite including mobilization, traffic control, tack coat, all taxes

**SEGMENT 2:** County Road #19 .5 miles 825 Ton Asphalt Concrete Class E Type 1 Composite including mobilization, traffic control, tack coat, all taxes

**SEGMENT 3:** County Road #29 8 miles 14,160 Ton Asphalt Concrete Class E Type 1 Composite including mobilization, traffic control, tack coat, all taxes

Bowes, Const. Inc. \$1,108,965

Myrl & Roy's Paving, Inc \$ 996,525

Motion Bohl, second Giles approves Myrl & Roy's Paving, Inc for A.C. Mat Overlay and defer payment of \$91,349 until January 2, 2010. Allow Myrl & Roy's Paving the use of County's gravel for the overlay project and in exchange will crush extra 5,000 to 6,000 ton of gravel for the County. Motion carried.

**ADJOURN:**

There being no further business Chairman Verhey at 9:20 a.m. declared the meeting adjourned until April 2, 2009 at 7 p.m.

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**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**REPORTS REC'D:**

February 2009: Bldg permits \$235; Mar lic \$20, Dom Abuse \$60, cert mar \$130, ROD fees \$4,001, transfer fees \$1,966.50=\$6,177.50; Sheriff civil fees \$1,306.20, fees/warrants \$350, work release \$975, PBT breath \$656, PBT scam hookup \$50, pistol permits \$60, accident reports \$16, fingerprint cards \$30, Reliance telephone comm \$94.06=\$3,537.26; prisoners housed 34 & days served 192;

**AUDITOR'S ACCOUNT WITH TREASURER**

February 2009

	INVESTMENT AMOUNT	INTEREST	MATURITY DATE
Total balance of checking of First Bank & Trust	\$8,525.46	0.20%	
Cash items	\$505.17		
Silver	\$78.27		
Currency	\$2,887.00		
Amt of checks in Treas possession	\$15,588.07		
First Bank & Trust Savings Acct #905-022-7	\$1,066,000.00	1.90%	
Great Western Passbook Acct #100021474	\$700,000.00	1.40%	
American State Bank Cert of deposit #8263	\$100,000.00	3.00%	3/28/09
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
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Dated this 4th day of March, 2009

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Cities	44,037.76		
		<b>TOTAL:</b>	<b>\$3,378,583.97</b>

**ADJOURN:**

There being no further business Chairman Verhey at 11:30 a.m. declared the meeting adjourned until March 24, 2009 at 9 a.m. for a Special Mtg.

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**KAY A. SCHMIDT****LAKE COUNTY AUDITOR****LAKE COUNTY COMMISSION MINUTES**

March 24, 2009

The Board of Lake County Commissioners met in Special Session on March 24, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Giles, second Pedersen approves agenda of March 24, 2009. Motion carried.

**AWARD BIDS/RD MATERIALS:**

Scott Mathison, Hwy Supt discussed the A.C. Mat Overlay bids received on March 17, 2009 through Brookings County's bid letting. Also present was Dan Pirrung Sales Manager Myrl & Roy's Inc

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Bowes, Const. Inc.	\$1,108,965
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**ADJOURN:**

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**KAY A. SCHMIDT****LAKE COUNTY AUDITOR**



Foods, prisoner meals, \$1,432.00, **SEARCH & RESCUE:** Classic Corner, fuel, \$33.00, Madison RadioShack, batteries, \$59.96, **COUNTY WELFARE:** Avera University Psychiatry Assn., one recipient, \$166.33, Weiland Funeral Chapel, county burial (2), \$4,115.00, Verizon Wireless, service, \$25.77, Peggy Young, mileage, \$145.78, **MENTAL ILLNESS BOARD:** Ross K Den Herder, MI counsel, \$157.35, Donna Dietrich, MI hearing, \$137.62, Richard Ericsson, MI hearing, \$205.00, Joan Kittelson, MI hearing, \$15.00, Nelva Kooistra, MI hearing, \$15.00, Lincoln County Auditor, MI hearings(2), \$132.15, Minnehaha County Auditor, MI services, \$67.50, Abby Oftedal, MI hearing, \$205.00, Jason Ravensborg, MI counsel, \$161.44, Slowey Court Reporting Service, MI hearings(3), \$75.00, Yankton County Sheriff's office, MI services(2), \$52.00, **PUBLIC LIBRARY:** Madison Public Library, 1<sup>st</sup> qtr allotment, \$550.00, **EXTENSION:** Best Business Products, copies, \$52.63, Becky Jensen, March travel, \$24.05, Madison Ace Hardware, canning workshop supplies, \$21.46, NASCO, basketballs-Kid Quest, \$217.76, **WEED:** Cole's Petroleum, fuel, \$24.63, Verizon Wireless, service, \$25.77, **SOIL CONSERVATION:** Lake County Conservation Dst., 1<sup>st</sup> qtr allotment, \$8,996.25, **ZONING:** Madison RadioShack, holder, \$9.99, SD Planners Assn., 09 membership, \$50.00, Southwest Office, supplies, \$12.21, **ROAD & BRIDGE:** Brock White Co LLC, crack sealing material, \$1,303.50, CarQuest Auto Parts, supplies, \$6.81, Central Business Supply, supplies, \$8.36, Cole's Petroleum, fuel, \$7,090.52, Graham Tire SF North, tire expense, \$95.56, Madison Ace Hardware, bushing, \$4.29, Madison Daily Leader, bid letting/load limit notices, \$34.25, MidAmerican Energy, utilities, \$213.46, Pamida, batteries, \$7.99, ProBuild, supplies, \$85.38, Lyle Signs Inc., signs, \$399.50, Pulford's Auto Parts, parts/supplies, \$78.78, SD DOT, bridge expense, \$90.26, Sturdevant's Auto Parts, parts, \$140.74, Verizon Wireless, service, \$51.54, **911 COMM CENTER:** Hewlett-Packard Co., elite book/case/maintenance, \$1,358.00, ITC, services, \$115.55, McCook Coop Telephone, services, \$171.53, Office Systems Inc., tabs, \$6.34, Verizon Wireless, service, \$25.77, **EMA:** Central Business, paper, \$21.98, Gall's, spine boards/blankets-HLS07 Citizen Corps grant, \$2,647.97, Madison RadioShack, supplies, \$50.96, Verizon Wireless, service, \$30.99, **LAW LIBRARY:** West Payment Center, supplement, \$79.75, **SAR DONATIONS:** Power Promotions, shirts/embroidery, \$1,382.32, **GRAND TOTAL: \$97,454.68.**

#### **PAYROLL APPROVED:**

Motion Giles, second Bohl approves the following payrolls: 3-9-09 to 3-22-09 and 3-23-09 to 4-5-09. Motion carried.

March 9-22, 2009: COMMISSIONERS: \$1,823.10; AUDITORS OFC: \$4,381.42; TREASURERS OFC: \$3,182.74; STATES ATTY OFC: \$4,445.74; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,106.47; REGISTER DEEDS OFC: \$2,506.75; VSO: \$188.76; SHERIFF OFC: \$7,443.99; JAIL: \$4,619.40; EMA: \$1,332.12; 911 COMM CENTER: \$6,550.27; ROAD & BRIDGE: \$15,307.20; CHN: \$1,170.66; WIC: \$245.34; EXTENSION: \$1,032.68; ZONING: \$1,110.60. **GRAND TOTAL \$63,005.96.**

March 23-April 5, 2009: COMMISSIONERS: \$3,105.70; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,377.97; STATES ATTY OFC: \$4,830.21; GOVT BLDGS: \$3,625.83; DIR EQUALIZATION OFC: \$4,079.63; REGISTER DEEDS OFC: \$2,503.13; VSO: \$188.76; SHERIFF OFC: \$7,045.75; JAIL: \$4,917.46; EMA: \$1,332.12; 911 COMM CENTER: \$6,070.74; ROAD & BRIDGE: \$17,175.18; CHN: \$1,105.80; WIC: \$141.00; EXTENSION: \$1,029.01; ZONING: \$1,110.61. **GRAND TOTAL \$66,020.30.**

#### **FUEL QUOTES:**

Motion Pedersen, second Bohl approves Cole's Petroleum ethanol 1.6432 & #2 diesel 1.4985. Motion carried.

	<b>ethanol:</b>	<b>#2 diesel fuel</b>
Cole's Petroleum	1.6432	1.4985
F & M	1.647	1.507

#### **TERMINATION:**

Motion Bohl, second Giles terminate Sean Hughes G7,1 \$11.51, PT 911 Dispatch effective March 22, 2009. Motion carried.

#### **911 PT POSITIONS:**

Julie Wegener 911 Communications Director requested to hire additional part-time dispatchers.

Motion Bohl, second Hageman approves advertising for 1 or 2 part-time 911 Dispatchers.

Motion carried.

#### **INDIGENT #09-6:**

Motion Giles, second Bohl approves medical assistance to Indigent #09-6 Medicaid rate \$455.74. Motion carried.

#### **HOLIDAY SCHEDULE:**

Motion Bohl, second Hageman approves continuing the Holiday Schedule per Lake County Employee Handbook. Good Friday and Christmas Eve the offices will be open 8:00 am to Noon and closed in the afternoon. Motion carried.

#### **MINNEHAHA JAIL AGREEMENT:**

Motion Pedersen, second Bohl approves the Minnehaha County Jail agreement daily rate \$78.73 vs \$78.32 per day for 2009. Motion carried.

#### **BRIDGE INSPECTIONS:**

Motion Hageman, second Bohl approves the 47 bridge inspection work order for consultant services with Aason Engineering Co. Inc, Watertown, SD. Cost of project \$8,611.69 will be covered by 80% Federal and 20% County (estimated \$1,722.34). Motion carried.

#### **MTGS ATTENDED:**

Dan Bohl ICAP and Giles LAIC.

#### **DRAINAGE BRD:**

Motion Hageman, second Pedersen to enter into a Drainage Board. Motion carried.

#### **DRAINAGE #09-1:**

This being the date and time set per advertisement for Drainage Application #09-1 Roger & Kenneth Merges operators for Steven Nicolai (owner) SW1/4 Sec 4 LeRoy Twp. Present for testimony was Kenneth Merges, Mike Downs, Allan Gross, several concerned property owners,

and Chuck Lebeda & Lynsee Planting NRSC. Motion Pedersen, second Bohl to deny new tile for Drainage Application #09-1 Roger & Kenneth Merges operators for Steven Nicolai (owner) SW1/4 Sec 4 LeRoy Twp. Motion carried.

Motion Bohl, second Hageman to return to Regular Session at 10:50 am. Motion carried.

**BOARD OF ADJUSTMENT:**

Motion Pedersen, second Hageman convene as a Board of Adjustment at 10:51 am. Motion carried.

**CONDITIONAL USE PERMIT:**

**Jackie Jones N ½ NW ¼ Sec 29 Wentworth Twp Parcel #760.** Requesting to build storage buildings in the "AG" District. Lake County regulations in the "AG" District require a Conditional Use for non-ag buildings. Present for testimony was Royce Pearson and Jimmy Jones. Noted for the record a letter of opposition was dated November 6, 2008 from Tom Jass, Marshall Wright Company was received & placed on file. Motion Bohl, second Pedersen approves the Jackie Jones Conditional Use Permit. Motion carried.

Motion Bohl, second Hageman return to Regular Session at 11:05 am. Motion carried.

**RECYCLING:**

Motion Giles, second Hageman approves 3 to 4 individuals to work 3 hour shifts (9-12 or 12-3) and be paid overtime or flextime at the discretion of the department head for the County's participation in the County Wide Recycling Project on April 18, 2009 at City Recycling Center SW 7<sup>th</sup> St. Motion carried.

**STATES ATTY PUBLIC REPORT:**

Ken Meyer State's Atty presented an update on the job opening for a temporary full-time legal secretary.

**EXECUTIVE SESSION:**

Motion Bohl, second Giles enter into Executive Session 11:15 a.m. for pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Bohl return to Regular Session 11:40 a.m. Motion carried.

**SETTLEMENT APPROVED:**

Motion Bohl, second Hageman approves the settlement agreement and release the Stip Drainage Complaint #08-1 Clarno Twp & Vermillion Twp/Miner County. Motion carried.

**MALT BEVERAGE APPLICATION:**

This being the date and time per advertisement for a new Package (OFF SALE) Malt Beverage license application for James L. Masterson Hook Line & Sinker 24004 464<sup>th</sup> Ave Chester, SD 57016 Tract A of Carruther's Second Addition (NW1/4) Sec (14) 105-51 Chester Twp. Present was James Masterson and Gary Weber Roadside Convenience Store. Motion Bohl, second Hageman approves James L. Masterson Hook Line & Sinker Package (OFF SALE) Malt Beverage license. Motion carried.

**LEGISLATIVE AUDIT REPORT:**

Terry Zell SD Dept of Legislative Audit presented the 2006-2007 audit report.

**TRAVEL REQUESTS:**

Matthew Feistner 911 2WK Basic & EMD Priority Dispatch Oct 18-Nov 4 '09 Pierre, SD  
Donald Thomson EMA HSEEP Training (Required SLA training) May 4-7, '09 Yankton, SD  
Amy Shafer 911 2WK Basic & EMD Priority Dispatch May 11-18, 2009 Pierre, SD

**PRE-ISSUES MARCH 2009:**

Lake County Treasurer, adv taxes, \$250.00/\$560.31/\$386.30/\$690.56/\$288.94, Lake County Treasurer, Feb ACH direct deposit charge, \$43.28, US Postal Service, postage meter refill, \$807.59, State Remittance, Feb '09 collections, \$97,852.46, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,944.50, Lake County Treasurer, payroll withholdings, \$13,943.56, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$200.00, Hamlin County Treasurer, dist mtg-6, \$51.00, US Post Office, stamps, \$124.00, Verizon Wireless, services, \$237.13, US Post Office, stamps, \$168.00, Lake County Treasurer, payroll withholdings, \$13,453.43, Interlakes Fed Cr Union, payroll deductions, \$1,944.50, Office of Child Support Enf., child support, \$250.62, Emp G2000, flexible spending, \$120.00, Emp T1090, flexible spending, \$200.00, Best Business Products, copier lease, \$242.95. **GRAND TOTAL: \$134,129.75.**

**ADJOURN:**

There being no further business Chairman Verhey at 12:50 p.m. declared the meeting adjourned until April 21, 2009 at 9 a.m.

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**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

# LAKE COUNTY COMMISSION MINUTES

April 21, 2009

The Board of Lake County Commissioners met in Regular Session on April 21, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

## AGENDA APPROVED:

Motion Bohl, second Hageman approves agenda of April 21, 2009. Motion carried.

## DRAINAGE BRD:

Motion Hageman, second Bohl enter into a Drainage Board. Motion carried.

## DRAINAGE #09-1:

Jay Leibel Atty requested another hearing and inspect the site of Drainage #09-1 Roger & Kenneth Merges operators for Steven Nicolai (owner) SW1/4 Sec 4 LeRoy Twp. Motion Giles, second Bohl allow for a hearing in May and look at the drainage site. Motion carried.

Motion Pedersen, second Giles to return to Regular Session. Motion carried.

## CRIME STOPPERS:

Mark O'Loughlen City Police and Tim Walburg Deputy Sheriff requested the County's participation with the Crime Stoppers Tip Line and allow telephone line installation with an answering machine attached at no cost to the County. Motion Pedersen, second Bohl approves the Crime Stoppers Tip Line program with no cost to the County. Motion carried.

## WEED CHEMICAL BIDS:

Robert Johnson Weed Supt presented bids from the April 13, 2009 bid letting for weed chemicals. Bid to include water available as needed and 12v pump for mini bulk containers.

	Farmers Ag Center, LLC	Domestic Seed	Hefty Seed Company
2,4-D Amine 4 or 3.8 lb/2.5 gal	11.76	12.77	13.06
2,4-D Amine 4 or 3.8 lb/250 gal mini bulks	11.00	12.09	12.15 (55gal)
LV-4,2,4-D-AS/2.5 gal	15.41	16.64	16.94
LV-4,2,4-D-AS/250 gal mini bulks	14.50	16.12	16.44 (110 gal)
LV-6,2,4-D-AS/2.5 gal	22.23	21.34	21.35
LV-6,2,4-D-AS/250 gal mini bulks	21.00	20.86	20.57 (110 gal)
Picloram 2 lb/gal (Tordon 22k) 2.5 gal	79.00	66.85	65.65
Pathfinder II Specialty Herbicide 1 gal	-----	37.52	-----

Motion Hageman, second Bohl accept Farmers Ag Center for spring herbicides and Domestic Seed & Supply for the fall herbicides. Motion carried.

## INDIGENT #09-06:

Motion Giles, second Pedersen approves medical assistance to Indigent #09-06 \$562.42 (Medicaid rate). Motion carried.

## CB#09-04:

Motion Bohl, second Hageman approves County Burial for CB #09-04 \$1,900. Motion carried.

## INDIGENT #09-8:

Motion Pedersen, second Bohl deny medical assistance to Indigent #09-8. Reasons for denial: (1) refused to purchase health insurance that was offered by his employer (2) not a United States citizen. Motion carried.

## MINUTES APPROVED:

Motion Bohl, second Hageman approves minutes of April 7, 2009. Motion carried.

## ACCOUNTS PAYABLE:

Motion Pedersen, second Giles approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Dept of Legislative Audit, 2006-2007 audit, \$11,907.50, Domestic Seed & Supply, pasture mix/Winfred property, \$167.50, Knology, service, \$4.25, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, April public defender contract, \$4,166.66, Daniel Brown, crt appt counsel (5), \$1,369.40, West Payment Center, March online services, \$521.82, **JUROR/WITNESS/APPEARANCE FEES/MILEAGE:** Janel Muscha \$20.74, Dawn Janssen \$20.74, Dean Koster \$20.74, **AUDITOR:** Bureau of ADM., long distance/fax calls/credit, (3.71), Knology, service, \$12.66, McLeod's, warrants, \$455.49, Qwest, phone service, \$30.90, SDACO, reg., \$150.00, **TREASURER:** Bureau of ADM. long distance/fax calls, \$3.99, MV line, \$9.31, Qwest, phone service, \$29.97, SDACO, reg., \$150.00, **DATA PROCESSING:** IBM, maintenance, \$602.91, Software Services Inc., March services/printer/tapes, \$6,400.00, Pitney Bowes, postage meter rental, \$358.00, Qwest, phone service, \$12.45, Southwest Office Solutions, toner cart(2)-ext., \$52.98, Universal Services, ribbons-aud., \$69.00, **STATES ATTY:** A & B Business Inc., prints, \$13.51, Bureau of ADM., long distance calls, \$3.37, Knology, service, \$16.88, Lewis, photo processing, \$23.70, Kenneth Meyer, tvl exp-Sioux Falls, \$46.78, Qwest, phone service, \$39.87, **GOVT BLDGS:** Bureau of ADM., long distance calls, \$1.61, Diede Temperature Control, 4<sup>th</sup> qtr maintenance, \$535.50, Domestic Seed & Supply, fertilizer, \$109.50, Hillyard, supplies, \$208.60, Knology, service, \$4.22, Northwestern Energy, util., \$987.55, Office Systems Inc., supplies, \$50.04, Qwest, phone service, \$31.02, Shred-it, services, \$66.60, Timmer Supply Co., boiler repair parts, \$30.95, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$9.1, Shirley Ebsen, review mileage, \$58.80, Knology, service, \$12.66, Qwest, phone service, \$30.18, **REGISTER DEEDS:** Bureau of ADM., long distance calls, \$2.05, Knology, service, \$8.44, McLeod's, record books (3), \$625.24, Qwest, phone service, \$18.15, **VETERANS SERVICE OFFICE:** Qwest, phone service, \$11.66, **SHERIFF:** Central Business, supplies, \$8.87, Mobile Electronic Service Inc., digital video system, \$1,995.00, Pennington County Jail, transportation service \$134.30, **JAIL:** Brookings County Sheriff's office, female housing, \$130.00, Bureau of ADM. long distance calls, \$12.69, Davison Co Sheriff's Office, female housing, \$390.00, Knology, service, \$37.98, Lewis Drug, female meds, \$51.54, Med-Tox Diagnostics Inc., kit, \$83.19, Minnehaha County Auditor, SE Reg Joint Powers Agreement, \$3,821.32, Northwestern Energy, util., \$1,009.87, Qwest, phone service, \$52.37, Verizon Wireless, service, \$184.73, **CORONER:** Ted Weiland, Neu fee/mileage, \$110.30, **SEARCH & RESCUE:** City of Madison, util., \$167.21, Northwestern Energy, util., \$69.43, Qwest, phone service, \$12.46, **COUNTY WELFARE:** Bureau of ADM. long distance call \$ 05 Knology service \$4.22 Qwest phone service

Bureau of ADM., long distance call, \$.05, Knology, service, \$4.22, Qwest, phone service, \$18.56, **CARE OF AGED:** ICAP, April community service worker hours, \$574.00, **MENTAL ILLNESS BOARD:** Denise Cody, MI hearing, \$15.00, Donna Dietrich, MI hearing, \$137.62, David Hosmer, MI Counsel, \$107.77, Jason Koistinen, MI counsel, \$179.78, Nelva Kooistra, MI hearing, \$15.00, Lewis & Clark BHS, MI services(2), \$284.00, Yankton County Sheriff's office, MI services, \$25.00, Abby Oftedal, MI hearing, \$205.00, **EXTENSION:** American Dietetic Assn., dues, \$216.00, Best Business Products, copies, \$161.22, Bureau of ADM., long distance calls, \$5.90, City of Madison, util., \$355.15, Knology, service, \$4.22, Minnehaha County Extension Service, reg., \$10.00, Northwestern Energy, util., \$383.44, Qwest, phone service, \$54.54, **WEED:** Campbell Supply, supplies, \$25.99, City of Madison, LaFleur mtg., \$25.00, Heiman Inc., fire extinguisher testing, \$16.00, James Hildebrandt, mtg/mileage, \$36.10, Knology, service, \$4.22, Lyman Laisy, mtg/mileage, \$29.44, Kent Petersen, mtg/mileage, \$27.59, Marty Thompson, mtg/mileage, \$27.22, **ZONING:** Gene Anderson, mtg/mileage, \$41.28, Donald Bickett, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$.71, R Douglas Jerlow, mtg/mileage, \$33.88, Knology, service, \$4.22, Duane Larson, mtg/mileage, \$36.84, Qwest, phone service, \$18.46, Debra Reinicke, E911 mileage, \$5.18, Steve Terwilliger, mtg/mileage, \$30.18, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$57.97, Bob's Electric Madison, bulbs, \$50.93, Brock White, crack sealing material/supplies, \$4,047.91, Bureau of ADM., long distance calls, \$1.14, Campbell Supply, parts/supplies, \$317.14, City of Madison, utilities, \$483.71, Craig's Welding, iron, \$267.00, Farm Plan, parts, \$47.34, Fastenal, supplies, \$27.40, Heiman Inc., fire extinguisher testing, \$249.00, Knology, service, \$4.22, Lyle Signs Inc., sign expense, \$335.21, Madison RadioShack, ink cart(2), \$71.98, Northwestern Energy, utilities, \$1,027.95, Qwest, phone service, \$43.38, Wells Fargo Brokerage Service, truck lease/purchase, \$18,680.79, Xcel Energy, utilities, \$11.31, **911 COMM CENTER:** Batteries Plus, batteries, \$300.99, Bureau of ADM., long distance/fax calls, \$3.48, Campbell Supply, sign supplies, \$2.89, Knology, service, \$4.22, Language Line Services, March usage, \$90.00, Lyle Signs Inc., sign expense, \$280.00, Mid-American Specialties Inc., frisbees, \$428.35, Office Systems Inc., supplies, \$25.00, Power phone, EMD recertification(2), \$258.00, Qwest, phone service, \$1,236.04, **EMA:** Bureau of ADM., long distance calls, \$6.96, EF Johnson, P25 radio upgrades, \$45,150.00, Knology, service, \$8.44, Qwest, phone service, \$37.82, **BUILDING:** Farm Plan, mower equip/parts, \$718.50, Proline Maintenance Equipment, Gansy scrubber/equipment, \$2,873.00, **LEPC:** Donald Thomson, mtg meals, \$71.75, **GRAND TOTAL: \$118,122.23.**

#### PAYROLL APPROVED:

Motion Bohl, second Giles approves the following payroll 4-6-09 to 4-19-09. Motion carried.  
**COMMISSIONERS:** \$1,823.10; **AUDITORS OFC:** \$4,381.40; **TREASURERS OFC:** \$3,490.22; **STATES ATTY OFC:** \$4,706.66; **GOVT BLDGS:** \$3,558.72; **DIR EQUALIZATION OFC:** \$4,198.85; **REGISTER DEEDS OFC:** \$2,506.75; **VSO:** \$188.77; **SHERIFF OFC:** \$8,257.70; **JAIL:** \$4,974.02; **EMA:** \$1,449.67; **911 COMM CENTER:** \$6,163.70; **ROAD & BRIDGE:** \$15,367.83; **CHN:** \$1,117.08; **WIC:** \$211.50; **EXTENSION:** \$1,047.38; **ZONING:** \$1,110.61. **GRAND TOTAL \$64,553.96.**

#### FEEDER PIG AUCTION:

Motion Pedersen, second Bohl allow Mike Clark 4-H feeder pig auction sale at the 4-H barns May 15, 2009. Motion carried.

#### ONE DAY MALT BEVERAGE:

Motion Bohl, second Pedersen approves One Day Malt Beverage license \$50.00 Kelly Johannsen wedding dance May 9, 2009 at Camp Lakodia. Motion carried.

#### CASH DESIGNATED:

Motion Giles, second Bohl approves designating \$91,349 from General Fund Reserve and apply to the Rd & Bridge for the mat overlay project. Motion carried.

#### LAKE COUNTY GENERAL FUND SURPLUS ANALYSIS DATE 3-31-09

<b>ASSETS:</b>	
101 Cash	1,579,922.36
108 Taxes Receivable--Current	2,778,874.19
110 Taxes Receivable--Delinquent	43,648.63
<b>TOTAL ASSETS</b>	<b>4,402,445.18</b>
<b>LIABILITIES AND EQUITY:</b>	
224 Deferred Revenue	2,822,522.82
<b>FUND BALANCES:</b>	
271.99 Reserved for Election Grant	51,727.02
272.01 Designated for Next Year's Appropriations	
(one of the following)	
March - 3/4 of the current year budget	
September - 1/4 current year + subsequent year	0.00
December - subsequent year	
272.03 Designated for Capital Outlay Accumulations	100,000.00
272.04 Designated for Hwy Mat Overlay Project	91,349.00
272.09 Undesignated	1,336,846.34
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>4,402,445.18</b>
<b>Following Year General Fund Budget</b>	
(use current year for March analysis)	3,392,608.00

The unreserved, undesignated fund balance, account 272.09, divided by the following year General Fund budget resulting in the fund balance percentage. 39.40%

#### BOARD OF ADJUSTMENT:

Motion Giles, second Bohl convene as a Board of Adjustment. Motion carried.

#### PLATS APPROVED:

**Lake Community Addition:** Present was Russ Olson. Motion Bohl, second Pedersen approves the Plat of Lots 50A, 51A & 52A Blk 8 of the Lakes Community Addition in Gov't Lot 2 Section 5 Chester Twp (to vacate plats of Lots 50, 51, 52 & 53 Blk 8 of Lakes Community Addition). Motion carried.

**Schrepel Addition:** Motion Giles, second Bohl approves the Plat of Lot 1 Schrepel's Addition NE1/4 Sec 22 LeRoy Twp. Motion carried.

**Laughlin-Tysdal Park:** Motion Giles, second Bohl approves the Replat of Lot 10 Laughlin-Tysdal Park Gov't Lots 5 & 6 Sec 10 Herman Twp (plat vacates Lot 10 Laughlin-Tysdal Park, Plat Blk 3 Pg 111). Motion carried.

**Mader's 21<sup>st</sup> Addition:** Motion Bohl, second Giles approves the Plat of Lot 19 Tract A Mader's 21<sup>st</sup> Addition SE 1/4 Herman Twp (Subdiv of part of Tract A Mader's 3<sup>rd</sup> Add). Motion carried.

**ADJUSTMENT BOARD:**

Motion Pedersen, second Bohl return to Regular Session. Motion carried.

**MTGS ATTENDED:**

Bohl: EMA, 911 & Community Counseling.

Giles: 911 & East Dakota Transit.

Hageman: Weed Brd & Recycling.

Pedersen: Lk Madison Sanitary District.

**EAST RIVER ELECTIC:**

Kurt Donelan East River Electric Power Cooperative, Inc. presented a petition for a 20 year franchise and resolution to continue to construct, maintain and operate electric transmission and distribution lines and substations on and along the public highways of Lake County. Also present was Michelle Nielsen from Sioux Valley Energy. Motion Bohl, second Pedersen approves the East River Electric Power Cooperative, Inc franchise. Motion carried. Copy of Resolution (pages 1-8) placed on file.

**ABATEMENT #09-6:**

Motion Giles, second Bohl approves Abatement #09-6 Kathy Wagley 5021 N. Spawn Circle Chester, SD 57016 \$679.58 Elderly & Disabled (SDCL 10-6A) assessment freeze. Motion carried.

**LK MADISON ACCESS:**

Motion Giles, second Hageman open the Lake Madison Poor Farm area, adjacent to Sunset Harbor, for a public access area operated by County and in conjunction with the State Fish & Parks. Motion carried.

**RECOGNITION:**

Motion Pedersen, second Bohl recognize Jerry Prostrullo for his efforts in receiving the Economic Development award. Motion carried.

**TRAVEL REQUESTS:**

Ken Meyer Annual SD State's Atty's Conference May 7-8, 2009 Deadwood, SD.

**REPORTS REC'D:**

MARCH 2009: Bldg Permits \$920, Sheriff civil fees \$1,367.38, fees-warrants \$300, work release \$1,675, PBT-breath \$590, PBT-scam hookup \$100, pistol permits \$75, accident report copies \$16, fingerprint cards \$100 & Reliance Telephone comm \$109.28=\$4,332.66. Prisoners housed 50 & days served 243; Mar lic \$50, Dom Abuse \$150, Cert Mar \$105, ROD fees \$4,464 & transfer fees \$1,974.50=\$6,743.50.

**AUDITOR'S ACCOUNT WITH TREASURER**

March 2009

	INVESTMENT AMOUNT	INTEREST	MATURITY DATE
Total balance of checking of First Bank & Trust	-\$27,580.01	0.20%	
Cash items	\$455.58		
Silver	\$125.24		
Currency	\$2,361.00		
Amt of checks in Treas possession	\$64,083.38		
First Bank & Trust Passbook Acct #905-022-7	\$1,131,000.00	1.56%	
Great Western Passbook Acct #100021474	\$700,000.00	1.40%	
American State Bank Cert of deposit	\$100,000.00	2.00%	
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602592	\$100,000.00	2.80%	4/22/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	2.80%	5/20/2009
First Bank & Trust Cert of deposit #67507	\$100,000.00	2.85%	6/21/2009
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
Wells Fargo Brokerage CD's			
Silver State Bank	\$95,000.00	3.75%	7/31/2009
First Regional Bank	\$95,000.00	3.75%	7/30/2009
	<b>\$3,455,445.19</b>		

County:	2,953,814.40	Water & Fire Dist	1,952.03
Schools	278,871.55	Sanitary & Road Dist	10,296.76
Townships	29,691.69	State	<u>113,973.17</u>
Cities	66,845.59	TOTAL:	3,455,445.19

**ADJOURN:**

There being no further business Chairman Verhey at 11:45 a.m. declared the meeting adjourned until May 5, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

# LAKE COUNTY COMMISSION MINUTES

May 5, 2009

The Board of Lake County Commissioners met in Regular Session on May 5, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

## AGENDA APPROVED:

Motion Bohl, second Hageman approves agenda of May 5, 2009. Motion carried.

## MINUTES APPROVED:

Motion Giles, second Pedersen approves minutes of April 21, 2009. Motion carried.

## CO BRD EQUALIZATION MINUTES:

Motion Hageman, second Bohl approves minutes of 2009 County Board of Equalization and publish separately from the County Commission minutes. Motion carried.

## ACCOUNTS PAYABLE:

Motion Pedersen, second Giles approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Dept of Legislative Audit, 2006-2007 audit, \$11,907.50, Domestic Seed & Supply, pasture mix/Winfred property, \$167.50, Knology, service, \$4.25, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, April public defender contract, \$4,166.66, Daniel Brown, crt appt counsel (5), \$1,369.40, West Payment Center, March online services, \$521.82, **JUROR/WITNESS/APPEARANCE FEES/MILEAGE:** Janel Muscha \$20.74, Dawn Janssen \$20.74, Dean Koster \$20.74, **AUDITOR:** Bureau of ADM., long distance/fax calls/credit, (3.71), Knology, service, \$12.66, McLeod's, warrants, \$455.49, Qwest, phone service, \$30.90, SDACO, reg., \$150.00, **TREASURER:** Bureau of ADM. long distance/fax calls, \$3.99, MV line, \$9.31, Qwest, phone service, \$29.97, SDACO, reg., \$150.00, **DATA PROCESSING:** IBM, maintenance, \$602.91, Software Services Inc., March services/printer/tapes, \$6,400.00, Pitney Bowes, postage meter rental, \$358.00, Qwest, phone service, \$12.45, Southwest Office 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**PAYROLL APPROVED:**

Motion Petersen, second Bohl approves the following payroll 4-20-09 to 5-3-09. Motion carried.  
 COMMISSIONERS: \$3,105.70; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$4,179.99; STATES ATTY OFC: \$4,960.57; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,136.25; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$8,148.21; JAIL: \$4,669.16; EMA: \$1,332.13; 911 COMM CENTER: \$6,016.20; ROAD & BRIDGE: \$15,307.22; CHN: \$1,077.60; WIC: \$236.88; EXTENSION: \$1,029.01; ZONING: \$1,117.54. GRAND TOTAL \$65,948.46.

**WEED & EXTENSION APPTS:**

Motion Bohl, second Giles approves Weed & Pest Brd appointment of Kent Petersen 1/1/09-12/31/09 and Extension Brd appointments of Craig Johannsen 1/1/10 & Maridee Dossett 1/1/12. Motion carried.

**LETTER OF SUPPORT:**

Motion Pedersen, second Bohl approves letter of support to the Family Nutrition Program for in-kind support through the Lake County Extension Service. Motion carried.

**RESOLUTION #09-4:**

Motion Bohl, second Pedersen approves the following Resolution #09-4 Extending Weight Limit Enforcements on Lake County Highways through May 31, 2009. Motion carried.

**RESOLUTION #09-4**

A RESOLUTION EXTENDING WEIGHT LIMIT ENFORCEMENTS ON LAKE COUNTY HIGHWAYS.

WHEREAS, Seasonal climatic changes can be detrimental to our highways, and WHEREAS, based upon highway and climatic conditions an extension of seasonal weight limits could be warranted through May 31, 2009.

WHEREAS, the Lake County Board of County Commissioners, desires the enforcement of weight limitation of Lake County Roads as set forth and posted by the Lake County Highway Superintendent.

NOW THEREFORE BE IT RESOLVED: The limits on Lake County Highway shall be set as seven (7) ton per axle, on asphalt surface and gravel roads, during spring thaw period and when limit signs are in place; and

That the South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitations on Lake County Roads.

BE IT FURTHER RESOLVED that the penalty for the violation of the load restrictions shall be as set forth in SDCL 32-22-55.

Vote of Lake County Commission. Ayes 5.

Dated this 5<sup>th</sup> day of May, 2009.

s/s Bert Verhey Chairman Lake County Commission

ATTEST:

s/s Kay Schmidt Lake County Auditor

**FLAG POLES:**

Motion Hageman, second Bohl approves purchasing (2) new flag poles on the south courthouse lawn \$320 for the POW and Blue Star flags. Motion carried.

**CHN QUARTERLY REPORT:**

Jen Foubert CHN presented the quarterly report for Community Health Services and discussed the WIC contract.

**WIC CONTRACT:**

Motion Hageman, second Giles approves 2009-2010 WIC (Women, Infant & Children) contract \$6,367.92. Motion carried.

**DRAINAGE BRD:**

Motion Pedersen, second Bohl enter into a Drainage Board. Motion carried.

**DRAINAGE #09-1:**

Jay Leibel Atty requested another hearing and inspect the site of Drainage #09-1 Roger & Kenneth Merges operators for Steven Nicolai (owner) SW1/4 Sec 4 LeRoy Twp. Present for testimony was Kenneth Merges, Kent Petersen, Mike Downs and several area landowners. Motion Pedersen, second Hageman approves drainage application based on the information heard today and after inspecting the site. Motion carried.

Motion Pedersen, second Giles to return to Regular Session. Motion carried.

**ABATEMENT #09-7:**

Rick Becker Deputy Dir of Equalization presented Abatement #09-7 MH elderly tax freeze \$45.31. Motion Pedersen, second Giles approves Abatement #09-7 (MB#1205). Motion carried.

**ONE DAY MALT BEVERAGE:**

Motion Pedersen, second Bohl approves One Day Malt Beverage license \$50.00 Northern Bull Riding Tour/Madison Fire Dept June 12, 2009 at Prairie Village. Motion carried.

**DETOX CONTRACT:**

Peggy Young Welfare Mgr, Tim Walburg Deputy Sheriff, Community Counseling representatives Susan Wicks and Jack Thompson discussed involuntary detox placement for Lake County residents. Community Counseling will acquire an involuntary contract with Watertown Services and return for County's consideration.

**INDIGENT #09-06:**

Motion Giles, second Bohl approves an appointment with neurosurgeon in Sioux Falls, SD for Indigent #09-06. Motion carried.

**INDIGENT #09-09:**

Motion Petersen, second Hageman deny medical assistance to Indigent #09-9. Indigent failed to (1) purchase or enroll in health insurance provided by an employer, (2) failure to meet residency requirements. Motion carried.

**SENATOR JOHNSON'S OFC:**

Carmyn Asencio Staff Assistant for Senator Tim Johnson was present to review County issues and concerns on stimulus money, Lewis & Clark project, Hwy 34 project, health insurance and E15.

**LEPC APPOINTMENT:**

Motion Pedersen, second Hageman approves the appointment of Commissioner Dan Bohl to LEPC Board (Local Emergency Planning Comm). Motion carried.

**EXECUTIVE SESSION:**

Motion Bohl, second Hageman enter into Executive Session 11:12 a.m. for potential and pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Bohl return to Regular Session 11:37 a.m. Motion carried.

**MTGS ATTENDED:**

Bohl: Library, Community Counseling, Kiwanis and City Planning.

Giles: LAIC.

Pedersen: Lk Madison Sanitary Dist and Lk Madison Dev Assn.

**RELAY FOR LIFE:**

Deb Blanchette requested support from Lake County Employees for donations to American Cancer Society in conjunction with 2009 Relay for Life of Lake County. Motion Bohl, second Giles allow the County Employees participation and insert information with May 22, 2009 payroll. Motion carried

**PRE-ISSUES APRIL 2009:**

Lake County Treasurer, adv taxes, \$400.00/\$58.86/\$1,104.62/\$721.84/\$458.10, Lake County Treasurer, Mar ACH direct deposit charge, \$43.28, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,944.50, Lake County Treasurer, payroll withholdings, \$14,191.85, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$200.00, SD Dept of Revenue, malt bev license, \$75.00, US Post Office, stamps, \$297.00, State Remittance, Mar 09 collections, \$119,634.87, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,944.50, Lake County Treasurer, payroll withholdings, \$13,914.08, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$200.00, **GRAND TOTAL: \$155,929.74**

**MONTH END PAYABLES:**

AFLAC, cancer-intensive care, \$1,570.66, Assurant Employee Benefits, May 09 life ins premium, \$188.64, Johnson Rodenburg Lauinger, wage assignment, \$200.00, Lake County Treasurer, Tax Trust/RE taxes, \$87.00, SD Retirement System, April 09 collections, \$15,858.50, Supplemental Retirement, April 09 collections, \$600.00, Vision Service Plan, May 09 premium, \$569.38, Wellmark BCBS of SD, May 09 health ins premium, \$14,105.07, Sioux Valley Energy, Hwy 34 street lights/Brant Lake Sirens (3) services to 4/15/09, \$247.42, Sioux Valley Wireless, website hosting, \$19.95, **GRAND TOTAL: \$33,446.62.**

**ADJOURN:**

There being no further business Chairman Verhey at 11:45 a.m. declared the meeting adjourned until May 19, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**May 19, 2009**

The Board of Lake County Commissioners met in Regular Session on May 19, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Deputy Auditor Linda Walker. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Pedersen approves agenda of May 19, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Giles, second Hageman approves minutes of May 5, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Bohl, second Hageman approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Madison Daily Leader, minutes/notices, \$497.83, Pro-Build, Field of Dreams project, \$1,000.00, **JUDICIAL:** Arneson, Issenhuth, Leibel, Parent LLP, May public defender contract, \$4,166.66, Kim Callies, transcripts, \$766.20, DeCastro Law Office, crt appt counsel, \$2,250.03, Lutheran Social Services, services, \$102.60, **AUDITOR:** Best Western Ramkota Hotel, lodging/Pierre, \$158.00, Bureau of ADM., long distance/fax calls, \$4.66, Linda Fischer, mileage, \$75.30, Qwest, May phone service, \$30.90, **TREASURER:** Best Western Ramkota Hotel, lodging/Pierre, \$158.00, Bureau of ADM. long distance/fax calls, \$3.50, MV line \$9.62, Central Business Supply, copier maintenance, \$25.00, Linda Fischer, travel expense, \$113.77, Lake County Treasurer, postage, \$21.72, Qwest, May phone service, \$30.90, Southwest Office Solutions, pens, \$5.56, **DATA PROCESSING:** Marshall & Swift, residential estimator 7(2), \$1,573.31, Qwest, May phone service, \$12.45, Software Services, April services/ribbon, \$880.00, Southwest Office Solutions, ink cart (2), \$57.98, **STATES ATTY:** Bureau of ADM., long distance/fax calls, \$9.75, Lake County Treasurer, postage, \$7.36, Kenneth Meyer, mileage, \$283.60, Office Systems Inc., supplies, \$39.86, Qwest, May phone service, \$43.35, Stephanie Moen & Associates, depositions, \$87.55, **GOVT BLDGS:** Bureau of ADM., long distance calls, \$.81, Campbell Supply, supplies, \$116.67, Cole's Petroleum Inc., fuel, \$145.46, Domestic Seed & Supply Inc., grass seed, \$51.25, Hillyard, pad driver, \$64.00, MARC, supplies, \$700.00, Northwestern Energy, util., \$554.26, Qwest, May phone service, \$31.02, Shred-it, services, \$60.00, Timmer Supply Co., supplies, \$45.55, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$15.23, Cole's Petroleum Inc., fuel, \$29.09, Qwest, May phone service, \$30.92, **REGISTER DEEDS:** Bureau of ADM., long distance calls, \$2.65, McLeod's, mort records, \$566.03, Qwest, May phone service, \$18.46, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, \$4.48, Owest, May phone service, \$11.66, **SHERIFF:**



Cole's Petroleum Inc., fuel, \$1,238.26, Lake County Treasurer, postage, \$267.27, Madison Community Hospital, blood alcohols, \$496.00, Prostrollo Auto Mall, Durango repairs, \$379.49, **JAIL**: Brookings County Sheriff's office, female housing, \$2,340.00, Bureau of ADM., long distance/fax calls, \$50.03, Minnehaha County Regional Juvenile Detention Center, juv housing(3), \$4,995.00, Northwestern Energy, util., \$534.60, Qwest, May phone service, \$55.84, Sunshine Foods, prisoner meals, \$1,372.00, **CORONER**: LCM Pathologists PC, autopsy, \$1,335.44, **SEARCH & RESCUE**: Campbell Supply, supplies, \$10.24, Corey Gunderson, training expense, \$44.66, Madison Daily Leader, spotter training ad, \$124.20, Northwestern Energy, util., \$32.88, Qwest, May phone service, \$12.46, **COUNTY WELFARE**: Bureau of ADM., long distance calls, \$1.08, Qwest, May phone service, \$18.56, Yankton Medical Clinic, one recipient, \$203.74, **MENTAL ILLNESS BOARD**: Richard Ericsson, MI hearing, \$184.50,

Lewis & Clark BHS, MI hearing, \$142.00, **EXTENSION**: Bureau of ADM., long distance/fax calls, \$9.01, Lake County Treasurer, postage, \$8.82, Madison Daily Leader, ad, \$138.00, Northwestern Energy, util., \$167.51, Pamida, mints, \$22.25, Qwest, May phone service, \$55.38, Southwest Office Solutions, cards, \$27.99, **WEED**: Campbell Supply, parts, \$10.49, Madison Daily Leader, bid letting/notice, \$62.64, **ZONING**: Gene Anderson, mtg/mileage, \$41.28, Donald Bickett, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$7.89, R Douglas Jerlow, mtg/mileage, \$33.88, Duane Larson, mtg/mileage, \$36.84, Madison Daily Leader, notice, \$12.12, Qwest, May phone service, \$18.46, Southwest Office Solutions, tape, \$4.60, **911 COMM CENTER**: Bureau of ADM., long distance/fax calls, \$2.76, ITC, May services, \$115.55, Language Line Services, April usage, \$90.00, McCook Coop Telephone, May services, \$167.53, Madison Instant Printing, supplies, \$127.71, Office Systems Inc., postits, \$10.19, Qwest, May phone service, \$1,236.35, **ROAD & BRIDGE**: Avera Queen of Peace Health Service, drug testing, \$53.50, Bureau of ADM., long distance/fax calls, \$1.60, Butler Machinery Co., parts, \$45.20, Campbell Supply, parts/supplies, \$51.04, Cole's Petroleum Inc., fuel, \$3,574.65, Colonial Research, supplies, \$571.89, Krug Products Inc., part, \$25.46, Madison Daily Leader, notice, \$5.47, Northwestern Energy, util., \$290.63, Qwest, May phone service, \$43.38, Xcel Energy, util., \$7.32, Zep Sales & Services, supplies, \$172.81, **EMA**: Qwest, May phone service, \$37.82, Donald Thomson, mileage, \$66.60, **LAW LIBRARY**: West Payment Center, April online service, \$521.82. **TOTAL: \$37,793.67.**

#### **PAYROLL APPROVED:**

Motion Hageman, second Giles approves the following payroll 5-4-09 to 5-17-09. Motion carried.

**COMMISSIONERS**: \$1,823.10; **AUDITORS OFC**: \$4,381.42; **TREASURERS OFC**: \$3,595.96; **STATES ATTY OFC**: \$4,644.75; **GOVT BLDGS**: \$3,753.61; **DIR EQUALIZATION OFC**: \$4,119.89; **REGISTER DEEDS OFC**: \$2,503.13; **VSO**: \$188.76; **SHERIFF OFC**: \$7,741.93; **JAIL**: \$5,067.74; **EMA**: \$1,332.12; **911 COMM CENTER**: \$6,210.87; **ROAD & BRIDGE**: \$14,873.02; **CHN**: \$1,077.60; **WIC**: \$293.28; **EXTENSION**: \$1,036.35; **ZONING**: \$1,117.54. **GRAND TOTAL \$63,761.07.**

#### **FUEL QUOTES:**

Motion Hageman, second Pedersen approves Cole's Petroleum ethanol 1.8183 & #2 diesel 1.5198. Motion carried.

	<b>ethanol:</b>	<b>#2 diesel:</b>
<b>Cole's Petroleum</b>	<b>1.8183</b>	<b>1.5198</b>
<b>F &amp; M Coop</b>	<b>1.84</b>	<b>1.55</b>

#### **COMPROMISE INTEREST:**

Robert Weiland 20881 458<sup>th</sup> Ave Volga, SD 57071 Tract A Weiland's Add SE ¼. Weiland requested the County to compromise the \$1,065.85 interest on delinquent taxes on cert #2004-00033. Present was Linda Fischer. Motion Giles, second Pedersen to forgive \$500 of interest. Motion carried.

#### **TAX DEED PROPERTY:**

Linda Fischer Treasurer presented a tax deed property located at S35' Lots 12-17 Blk 6 Original Plat of Chester Village to the Commission. Present was Gary Pederson, Warren Anderson & Don Wheeler. Motion Pedersen, second Hageman allow Treasurer to proceed on tax deed property and follow through with Ken Meyer State's Atty. Motion carried.

#### **TRANSFER MALT BEVERAGE:**

**Madison Country Club**: Present was Danny Brown, Mark Sullivan and Randy Russell. Motion Giles, second Bohl approves the transfer for Retail On-Sale Liquor application from Madison Country Club to: Madison Country Club Hospitality \$150.00. Motion carried.

#### **BOARD OF ADJUSTMENT:**

Motion Giles, second Bohl convene as a Board of Adjustment. Motion carried.

#### **VARIANCES:**

**Brandon Hodne** property located at Lot 4 G. Hemmer's 1<sup>st</sup> Addition Parcel #1906H-4 Lakeview Twp. Requesting a sideyard variance. Regulations in "LP III" require 2' side yards for accessory buildings. Present was Brandon Hodne. Motion Giles, second Bohl approves Brandon Hodne variance. Abstained: Pedersen. Motion carried.

**Denny & Jen Foubert** property located at S483' W853' SW ¼ Sec 14 Parcel #2533 LeRoy Twp. Requesting to plant a shelterbelt along the east/west road. Regulations in "AG" District state 100' from the road right of way with a shelterbelt which consists of 1 or more rows of trees. Present was Jen Foubert. Motion Giles, second Pedersen approves Foubert variance. Motion carried.

**Nick Opdahl** property located at Tract A E & L Christensen 1<sup>st</sup> Addition Sec16 Parcel #1821-A Lakeview Twp. Requesting to build a privacy fence/covered/3 sided lean to protect wood from elements. Regulations in "AG" District are 75' back from the road right of way. Motion Giles, second Hageman approves Nick Opdahl variance. Motion carried.

#### **PLAT:**

**Reiff Addition**: Motion Giles, second Hageman approves Plat of Lot 1A and Lot 1B Reiff Addition SW ¼ Sec 27 Wentworth Twp. Motion Giles, second Hageman approves Plat of Reiff Addition. Motion carried.

**ADJUSTMENT BOARD:**

Motion Giles, second Pedersen return to Regular Session. Motion carried.

**MTGS ATTENDED:**

Bohl: Library & Sx Valley District.

Giles: East Dakota Transit.

**2009-2010 RENEWAL APPLICATIONS:**

Motion Hageman, second Giles approves the 2009-2010 renewal applications for Retailer Malt

Beverage licenses for those who have paid current real estate taxes. Motion carried. Motion

Bohl, second Pedersen approves the 4 unpaid applications contingent upon payment of current real estate taxes by May 31<sup>st</sup>. Motion carried.

**ON & OFF SALE-RETAILER MALT BEVERAGE \$250** Broadwater Resort Inc Robert F. Bucknell Jr, Hillside Resort Inc. Michael R. & Jody J. Anderson, Round Lake Partners LLC The Lakes Restaurant & Lounge, BPS LLC Lakeshore Golf & RV Resort, Hill or E Inc Shipwreck, Wayne Halma Schooners, Jacqueline J. Van Liere HeF's, Dennis Peterson The Point;

**PACKAGE OFF SALE MALT BEVERAGE \$150** James L. Masterson Hook Line & Sinker, Gary & Betty Weber Roadside Convenience Store.

**TRAVEL REQUESTS:**

Shirley Ebsen & Deb Blanchette Sales Ratio Training June 4, 2009 Mitchell, SD.

Ken Meyer State's Atty SD State Bar annual mtg June 17-20 Sioux Falls, SD (no lodging requested).

**REPORTS REC'D:**

APRIL 2009: Bldg Permits \$2,415, Sheriff civil fees \$1,956.30, fees-warrants \$325, work release \$1,500, PBT-breath \$812, PBT-scam hookup 0, pistol permits \$87, accident report copies \$20, fingerprint cards \$50 & Reliance Telephone comm \$87.19=\$4,837.49. Prisoners housed 68 & days served 248; Mar lic \$30, Dom Abuse \$90, Cert Mar \$135, ROD fees \$4,962 & transfer fees \$1,677.50=\$6,894.50;

**Auditor's Acct w/Treasurer**

Total balance of checking of First Bank & Trust	\$4,551.72	0.20%	
Cash items	\$872.33		
Silver	\$78.02		
Currency	\$2,738.00		
Amt of checks in Treas possession	\$468,840.10		
First Bank & Trust Passbook Acct #905-022-7	\$4,786,000.00	1.55%	
Great Western Passbook Acct #100021474	\$700,000.00	1.40%	
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	2.80%	5/20/2009
First Bank & Trust Cert of deposit #67507	\$100,000.00	2.85%	6/21/2009
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
Wells Fargo Brokerage CD's			
Silver State Bank	\$95,000.00	3.75%	7/31/2009
First Regional Bank	\$95,000.00	3.75%	7/30/2009
	<b>\$7,448,080.17</b>		

**ADJOURN:**

There being no further business Chairman Verhey at 11:00 a.m. declared the meeting adjourned until June 2, 2009 at 9 a.m.

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**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**June 2, 2009**

The Board of Lake County Commissioners met in Regular Session on June 2, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Bohl, second Hageman approves agenda of June 2, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Pedersen, second Bohl approves minutes of May 19, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Giles, second Petersen approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Madison Daily Leader, minutes/notices, \$497.83, Pro-Build, Field of Dreams project, \$1,000.00, **JUDICIAL:** Arneson, Issenhuth, Leibel, Parent LLP, May public defender contract, \$4,166.66, Kim Callies, transcripts, \$766.20, DeCastro Law Office, crt appt counsel, \$2,250.03, Lutheran Social Services, services, \$102.60, **AUDITOR:** Best Western Ramkota Hotel, lodging/Pierre, \$158.00, Bureau of ADM., long distance/fax calls, \$4.66, Linda Fischer, mileage, \$75.30, Qwest, May phone service, \$30.90, **TREASURER:** Best Western Ramkota Hotel, lodging/Pierre, \$158.00, Bureau of ADM. long distance/fax calls, \$3.50, MV line \$9.62, Central Business Supply, copier maintenance, \$25.00, Linda Fischer, travel expense, \$113.77, Lake County Treasurer, postage, \$21.72, Qwest, May phone service, \$30.90, Southwest Office Solutions, pens, \$5.56, **DATA PROCESSING:** Marshall & Swift, residential estimator 7(2), \$1,573.31, Qwest, May phone service, \$12.45, Software Services, April services/ribbon, \$880.00, Southwest Office Solutions, ink cart (2), \$57.98, **STATES ATTY:** Bureau of ADM.,

long distance/fax calls, \$9.75, Lake County Treasurer, postage, \$7.36, Kenneth Meyer, mileage, \$283.60, Office Systems Inc., supplies, \$39.86, Qwest, May phone service, \$43.35, Stephanie Moen & Associates, depositions, \$87.55, **GOVT BLDGS:** Bureau of ADM., long distance calls, \$.81, Campbell Supply, supplies, \$116.67, Cole's Petroleum Inc., fuel, \$145.46, Domestic Seed & Supply Inc., grass seed, \$51.25, Hillyard, pad driver, \$64.00, MARC, supplies, \$700.00, Northwestern Energy, util., \$554.26, Qwest, May phone service, \$31.02, Shred-it, services, \$60.00, Timmer Supply Co., supplies, \$45.55, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$15.23, Cole's Petroleum Inc., fuel, \$29.09, Qwest, May phone service, \$30.92, **REGISTER DEEDS:** Bureau of ADM., long distance calls, \$2.65, McLeod's, mort records, \$566.03, Qwest, May phone service, \$18.46, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, \$4.48, Qwest, May phone service, \$11.66, **SHERIFF:** Cole's Petroleum Inc., fuel, \$1,238.26, Lake County Treasurer, postage, \$267.27, Madison Community Hospital, blood alcohols, \$496.00, Prostrullo Auto Mall, Durango repairs, \$379.49, **JAIL:** Brookings County Sheriff's office, female housing, \$2,340.00, Bureau of ADM., long distance/fax calls, \$50.03, Minnehaha County Regional Juvenile Detention Center, juv housing(3), \$4,995.00, Northwestern Energy, util., \$534.60, Qwest, May phone service, \$55.84, Sunshine Foods, prisoner meals, \$1,372.00, Verizon Wireless, service, \$168.03, **CORONER:** LCM Pathologists PC, autopsy, \$1,335.44, **SEARCH & RESCUE:** Campbell Supply, supplies, \$10.24, City of Madison, utilities, \$158.64, Corey Gunderson, training expense, \$44.66, Madison Daily Leader, spotter training ad, \$124.20, Northwestern Energy, util., \$32.88, Qwest, May phone service, \$12.46, **COUNTY WELFARE:** Bureau of ADM., long distance calls, \$1.08, Qwest, May phone service, \$18.56, Yankton Medical Clinic, one recipient, \$203.74, **MENTAL ILLNESS BOARD:** Richard Ericsson, MI hearing, \$184.50, Lewis & Clark BHS, MI hearing, \$142.00, **EXTENSION:** Bureau of ADM., long distance/fax calls, \$9.01, City of Madison, utilities, \$359.51, Lake County Treasurer, postage, \$8.82, Madison Daily Leader, ad, \$138.00, Northwestern Energy, util., \$167.51, Pamida, mints, \$22.25, Qwest, May phone service, \$55.38, Southwest Office Solutions, cards, \$27.99, **WEED:** Campbell Supply, parts, \$10.49, Madison Daily Leader, bid letting/notice, \$62.64, **ZONING:** Gene Anderson, mtg/mileage, \$41.28, Donald Bickett, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$7.89, R Douglas Jerlow, mtg/mileage, \$33.88, Duane Larson, mtg/mileage, \$36.84, Madison Daily Leader, notice, \$12.12, Qwest, May phone service, \$18.46, Southwest Office Solutions, tape, \$4.60, **ROAD & BRIDGE:** Avera Queen of Peace Health Service, drug testing, \$53.50, Bureau of ADM., long distance/fax calls, \$1.60, Butler Machinery Co., parts, \$45.20, Campbell Supply, parts/supplies, \$51.04, City of Madison, utilities, \$488.52, Cole's Petroleum Inc., fuel, \$3,574.65, Colonial Research, supplies, \$571.89, Krug Products Inc., part, \$25.46, Madison Daily Leader, notice, \$5.47, Northwestern Energy, util., \$290.63, Qwest, May phone service, \$43.38, Xcel Energy, util., \$7.32, Zep Sales & Services, supplies, \$172.81, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$2.76, ITC, May services, \$115.55, Language Line Services, April usage, \$90.00, McCook Coop Telephone, May services, \$167.53, Madison Instant Printing, supplies, \$127.71, Office Systems Inc., postits, \$10.19, Qwest, May phone service, \$1,236.35, **EMA:** Qwest, May phone service, \$37.82, Donald Thomson, mileage, \$66.60, **LAW LIBRARY:** West Payment Center, April online service, \$521.82, **GRAND TOTAL:** \$37,793.67.

#### **PAYROLL APPROVED:**

Motion Hageman, second Bohl approves the following payroll 5-18-09 to 5-31-09. Motion carried.

**COMMISSIONERS:** \$3,380.70; **AUDITORS OFC:** \$4,381.40; **TREASURERS OFC:** \$3,495.85; **STATES ATTY OFC:** \$4,991.03; **GOVT BLDGS:** \$3,753.60; **DIR EQUALIZATION OFC:** \$4,103.72; **REGISTER DEEDS OFC:** \$2,503.13; **VSO:** \$188.76; **SHERIFF OFC:** \$7,382.57; **JAIL:** \$4,981.12; **EMA:** \$1,332.12; **911 COMM CENTER:** \$6,513.51; **ROAD & BRIDGE:** \$15,199.45; **CHN:** \$1,077.61; **WIC:** \$366.60; **EXTENSION:** \$1,029.01; **ZONING:** \$1,110.61. **GRAND TOTAL** \$65,790.79.

#### **PT POSITION CHANGED:**

Motion Pedersen, second Bohl upon the request of Julie Wegener 911 Communications place Matthew Feistner PT G7 \$11.26 to FT 32 hrs per week w/benefits effective June 15, 2009. Motion carried.

#### **ENERGY GRANT:**

Don Thomson EMA and Derrick Shoenrock Bldgs & Grounds presented information on possible energy saving projects. Motion Giles, second Pedersen authorize Don Thomson EMA to submit Energy Efficiency Conservation Block Grant application for Courthouse doors, insulation for Hwy Shop, new roof with insulation for Hwy Ofc, new windows 4<sup>th</sup> floor of Courthouse, insulation, update heating system and energy efficient windows for 4-H Exhibit Bldg and upgrade electrical & heating system for Courthouse. Motion carried.

#### **WENTWORTH PARK ROAD:**

Richard Schmidt discussed a drainage problem on his property located at 6719 Wentworth Park Drive Wentworth, SD. There has been water on his property since the State installed the culvert 12 inches too high. Requesting the County to correct it by filling in the low area. No decision was made at this time. Schmidt was advised to forward the 404 permit information to the Auditor.

#### **INDIGENT APPLICATIONS:**

Peggy Young Welfare Manager presented 4 Hospital applications for Indigent medical assistance. Motion Pedersen, second Hageman deny #09-10 & Sanford Medical Center, #09-11 & Avera McKennan, #09-12 & Avera McKennan and #09-13 & Madison Community Hospital. Non complainant or no response from responsible party. Motion carried.

#### **VISION INSURANCE:**

Jud Bergan Dakota Eye Care presented quotes for vision health plan. Motion Pedersen, second Giles approves 2 yr contract with Vision Care Direct Silver 130 \$7.22 single premium, employee +1 \$13.74 and employee + family \$23.44. Motion carried.

**HEALTH INSURANCE:**

Health Insurance committee members Bert Verhey, Scott Pedersen, Bobbi Janke and Kay A. Schmidt met May 26, 2009. Group health insurance proposals were received from Avera Health Plans Don Hillesland & Pamela Lewis, Boen & Associates Inc Ken Thomason DakotaCare, Kundert-Williams Insurance Doug Jerlow DakotaCare, Hahn Financial Group Starmark Carolos Cobas & Paul Curley and Wellmark BCBS of SD Brad Peterson. Group Vision insurance proposal was reviewed with Jud Bergan Dakota Eye Care. Motion Giles, second Bohl approves Wellmark BCBS of SD for group health insurance. Motion carried. Quotes placed on file. JQG/T9A (premiums based 8.47% increase) single **\$347.81**, family \$1,067.44, employee/spouse \$712.32, employee/Child(ren) \$658.41. Deductible single \$1,500, family \$3,000, Coinsurance: In-Network 20%, Out of Network 30%, Out-of-Pocket Maximum single \$3,000, family \$6,000 Deductible & Coinsurance apply to the Out-of-Pocket Maximum, Office visits \$20 Copay, (Copay applies to exam & related services/scans & MRI), Emergency Room \$150 Copay, Preventive Services One routine physical exam; immunizations, pap smear; one mammogram; prostate screening; well-child care to age 7. In-Network, Copay or Coinsurance, Out-of-Network Deductible & Coinsurance, Chiropractic Care \$20 Copay, Lifetime maximum \$5,000,000, Rx coverage Deductible (waived for Tier 1 Generics) single \$100, family \$200. Copays \$8/\$35/\$50.

**EXECUTIVE SESSION:**

Motion Hageman, second Bohl enter into Executive Session 10:52 a.m. for potential and pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Pedersen return to Regular Session 11:12 a.m. Motion carried.

**FUEL AGREEMENTS:**

Motion Pedersen, second Bohl approves the fuel agreements for City of Madison and ECCO with both entities paying .09 cents per gallon to cover administrative costs. Agreement reflects .01 increase for 2009-2010. Fuel will be billed directly to City and ECCO. Motion carried.

**POSITION CHANGE:**

Motion Bohl, second Giles upon the request of Sheriff Hartman re-instate Nicole Cudmore from Jailer/Detention Officer G9,1 \$12.44 back to Deputy Sheriff G16,1 \$13.83 effective May 28, 2009. Motion carried.

**SEASONAL HIRE:**

Motion Bohl, second Hageman approves the seasonal hire of Mike O'Connell PT G5,10 \$13.40 effective June 3, 2009. Motion carried.

**TRAVEL REQUESTS:**

Don Thomson EMA Emergency Management Issues June 3-4, 2009 Chamberlain, SD.  
Deb Reinicke Solid Waste June 10, 2009 Sioux Falls, SD.

**Pre-issues May 2009:**

US Postal Service, postage meter refill, \$1,000.00, Lake County Treasurer, payroll withholdings, \$14,226.75, Interlakes Fed Cr Union, payroll deductions, \$1,944.50, Office of Child Support Enf., child support, \$250.62, Emp G2000, flexible spending, \$120.00, Emp T1090, flexible spending, \$200.00, Lake County Treasurer, Apr ACH direct deposit charge, \$43.20, SDACC Clerp Program, clerp fund revised billing, \$303.33, Pizza Hut, county/city joint mtg, \$57.76, State Remittance, Apr 09 collections, \$135,209.56, Moody County Treasurer, district mtg exp., \$42.50, Dept of Revenue, 2009-2010 malt beverage renewal applications, \$1,150.00, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,944.50, Lake County Treasurer, payroll withholdings, \$13,719.51, Office of Child Support Enf., child support, \$48.17, Emp T1090, flexible spending, \$200.00, Nebraska Dept of MV, certified drivers history, \$3.00, Lake County Treasurer, adv taxes, \$225.00/\$144.18/\$280.35. **GRAND TOTAL: \$171,232.93.**

**End of the Month Payables May 2009:**

AFLAC, cancer-intensive care, \$1,570.66, Assurant Employee Benefits, June 09 life ins premium, \$188.64, Johnson Rodenburg Lauinger, wage assignment, \$200.00, Lake County Treasurer, RE taxes, \$87.00, SD Retirement System, May 09 collections, \$15,650.32, Supplemental Retirement, May 09 collections, \$600.00, Vision Service Plan, June 09 premium, \$569.38, Wellmark BCBS of SD, June 09 health ins premium, \$13,769.03, Sioux Valley Energy, Brant Lake Sirens (3), Hwy 34 lighting/service 5/15/09, \$257.61, Sioux Valley Wireless, website hosting, \$19.95, Knology, service 6-9-09, \$130.85. **GRAND TOTAL: \$33,043.44.**

**ADJOURN:**

There being no further business Chairman Verhey at 11:25 a.m. declared the meeting adjourned until June 16, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

# LAKE COUNTY COMMISSION MINUTES

June 16, 2009

## FLAG PRESENTATION:

Joe Thompson and Scott Pedersen presented a flag that has flown on the Courthouse flagpole to Penny Boatwright in memory of her father James Entringer. Entringer was a World War 2 Veteran who served in the US Navy.

## REGULAR SESSION:

The Board of Lake County Commissioners met in Regular Session on June 16, 2009 at 9 a.m. with the following members present: Dan Bohl, Roger Hageman, Scott Pedersen and Auditor Kay A. Schmidt. Absent: Chris Giles & Bert Verhey. Vice-Chairman Pedersen called the meeting to order.

## AGENDA APPROVED:

Motion Bohl, second Hageman approves agenda of June 16, 2009. Motion carried.

## RESOLUTION OF APPRECIATION:

Motion Hageman, second Bohl approves the following #09-5 Resolution Appreciation. Motion carried.

#09-5

## RESOLUTION OF APPRECIATION

WHEREAS, Marc Molskness has served on the Lake County Weed & Pest Board for a period of 25 years, and WHEREAS, Mr. Molskness a highly respected citizen of Lake County and contributed much to the County of Lake, NOW THEREFORE BE IT RESOLVED that we, the Board of Lake County Commissioners, acting in and for Lake County, acknowledge with our appreciation for your contribution to Lake County. Presented with our sincere thanks on this 16<sup>th</sup> day of June 2009. S/s Dan Bohl S/s Roger Hageman S/s Scott Pedersen Vice Chairman

ATTEST: S/s Kay A. Schmidt Lake County Auditor

#09-5

## RESOLUTION OF APPRECIATION

WHEREAS, John Basler has served on the Lake County Weed & Pest Board for a period of 15 years, and WHEREAS, Mr. Basler a highly respected citizen of Lake County and contributed much to the County of Lake, NOW THEREFORE BE IT RESOLVED that we, the Board of Lake County Commissioners, acting in and for Lake County, acknowledge with our appreciation for your contribution to Lake County. Presented with our sincere thanks on this 16<sup>th</sup> day of June 2009. S/s Dan Bohl S/s Roger Hageman S/s Scott Pedersen Vice Chairman

ATTEST: S/s Kay A. Schmidt Lake County Auditor

## MINUTES APPROVED:

Motion Bohl, second Hageman approves minutes of June 2, 2009. Motion carried.

## ACCOUNTS PAYABLE:

Motion Hageman, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Dan Bohl, mtg expense, \$10.76, Chris Giles, mileage, \$51.43, Knology, service, \$4.25, Madison Daily Leader, minutes/notices, \$570.86, Debra Reinicke, Nat Resource mileage, \$34.78, **JUDICIAL:** Chris Giles, crt appt counsel, \$41.00, Great Plains Psychological Services, crt ordered service, \$995.00, David Jencks, crt appt counsel, \$246.00, Lutheran Social Services, services, \$113.60, Chris Nipe, crt appt counsel, \$393.60, West Payment Center, May online service, \$521.82, **AUDITOR:** Best Business Products, copier maintenance, \$21.84, Bureau of ADM., long distance/fax calls, \$1.53, May BIT billing, \$5.00, Central Business, supplies, \$11.53, Knology, service, \$12.66, Qwest, phone service, \$30.90, **TREASURER:** Bureau of ADM., long distance calls, \$5.76, MV line, \$22.39, May BIT billing, \$15.00, Central Business, copier maintenance, \$25.00, Qwest, phone service, \$30.90, Southwest Office Solutions, toner-MV line, \$89.99, supplies, \$13.73, **DATA PROCESSING:** Light Speed Technologies, memory sticks, \$54.99, Office Systems Inc., computer paper, \$730.00, Pitney Bowes, postage meter rental, \$358.00, Qwest, phone service, \$12.45, Software Services Inc., May services, \$1,020.00, Southwest Office Solutions, toner/ink cart-doe, \$129.95, computer paper-treas, \$61.99, ink cart(3) zoning, \$75.97, **STATES ATTY:** Bureau of ADM., long distance/calls, \$13.40, Checks Unlimited, check blanks, \$37.40, Knology, service, \$16.88, Qwest, phone service, \$43.35, USD School of Law, SD Review, \$48.00, Verizon Wireless, service, \$25.83, **GOVT BLDGS:** Benny's Biffies LLC., rental, \$83.00, Bud's Clean Up Service, May services, \$137.72, Bureau of ADM., long distance calls, \$1.24, Campbell Supply, supplies, \$131.92, Cole's Petroleum Inc., fuel, \$217.20, Dust-Tex Service Inc., soap, \$64.50, Farm Plan, supplies, \$46.88, Hillyard, supplies, \$632.97, Home Service Water Cond., salt, \$81.84, Knology, service, \$4.22, Qwest, phone service, \$31.02, Shoenrock Plbg & Htg., machine rental, \$66.33, Shred-it, services, \$60.00, Superior Lamp Inc., bulbs, \$369.06, Verizon Wireless, service, \$25.85, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$7.97, Campbell Supply, tape, \$19.49, Knology, service, \$12.66, Qwest, phone service, \$30.92, SDAAO, school regs(2), \$500.00, Southwest Office Solutions, supplies, \$65.17, Verizon Wireless, service, \$25.85, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$62.80, Bureau of ADM., long distance calls, \$5.08, May BIT billing, \$5.00, First Madison Insurance, notary stamp/pads, \$23.06, Knology, service, \$8.44, Qwest, phone service, \$18.46, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, \$1.39, Qwest, phone service, \$11.66, **SHERIFF:** Cole's Petroleum Inc., fuel, \$990.52, Madison Community Hospital, blood alcohols, \$620.00, Mobile Electronic Service, lamp-light bar, \$23.00, Southwest Office Solutions, supplies, \$21.63, Velvet Uniforms, vest/grant, \$662.00, **JAIL:** Bureau of ADM., long distance/fax calls, \$42.72, Knology, service, \$37.98, Qwest, phone service, \$67.57, Sunshine, prisoner meals, \$1,616.00, Verizon Wireless, service, \$184.99, **CORONER:** Ted Weiland, Carlson fee, \$58.50, **SEARCH & RESCUE:** Classic Corner, fuel, \$36.50, Donovan's Hobby & Scuba Center, dive suit repairs/equip/training, \$688.26, Northwestern Energy, util., \$13.09, Qwest, phone service, \$12.46, **COUNTY WELFARE:** Bureau of ADM., long distance calls, \$1.10, Knology, service, \$4.22, Qwest, phone service, \$18.56, Senior Companions of SD, 2<sup>nd</sup> qtr allotment, \$288.75, Verizon Wireless, service, \$25.85, Yankton Medical Clinic, one recipient, \$439.22, **AMBULANCE:** Madison Community Hospital, 2<sup>nd</sup> qtr allotment, \$3,750.00, **CARE OF AGED:** East Dakota Transit, 2<sup>nd</sup> qtr allotment, \$1,455.00, ICAP, June community service

worker hours, \$574.00, **MENTAL ILLNESS/DRUG ABUSE:** Community Counseling Services, 2<sup>nd</sup> qtr allotment, \$4,185.00, **PUBLIC LIBRARY:** Madison Public Library, 2<sup>nd</sup> qtr allotment, \$550.00, **EXTENSION:** Best Business Products, copies, \$234.94, Glenda Blom, craft supplies, \$200.27, Bureau of ADM., long distance/fax calls, \$17.74, Jurgen's Printing, State Fair books, \$138.00, Knology, service, \$4.22, Lake County Revolving Fund, instructor fee, \$60.00, Northwestern Energy, util., \$33.51, Qwest, phone service, \$55.38, Southwest Office Solutions, supplies, \$112.19, US Post Office, postage/bulk mailing deposit, \$786.00, **SOIL CONSERVATION:** Interlakes Water Quality-Lake Madison Dev Assn., 2<sup>nd</sup> qtr allotment, \$625.00, Lake County Conservation District, 2<sup>nd</sup> qtr allotment, \$8,996.25, **WEED:** Bureau of ADM., long distance/fax calls, \$1.39, C&R Supply Inc., parts/supplies, \$169.22, Knology, service, \$4.22, Verizon Wireless, service, \$25.85, **ZONING:** Gene Anderson, mtg/mileage, \$41.28, Donald Bickett, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$15.88, First District, 2<sup>nd</sup> qtr allotment, \$3,694.00, R Douglas Jerlow, mtg/mileage, \$44.98, Knology, service, \$4.22, Duane Larson, mtg/mileage, \$36.84, Madison Daily Leader, notices, \$73.11, Qwest, phone service, \$18.46, Debra Reinicke, mileage, \$29.60, Southwest Office Solutions, supplies, \$25.03, Steve Terwilliger, mtg/mileage, \$41.28, **TOURISM:** Smith-Zimmerman Museum-Lake County Historical Society, 2<sup>nd</sup> qtr allotment, \$600.00, **ROAD & BRIDGE:** Campbell Supply, parts/supplies, \$309.58, Cole's Petroleum Inc., fuel, \$5,865.44, Domestic Seed & Supply Inc., chemical, \$77.99, JD Evans, part, \$392.86, Johnson Bros Excavation, culvert project, \$550.92, Knology, service, \$4.22, Krug Products Inc., hose assembly, \$4.77, Lee's Sales/Salvage Inc., iron, \$6.75, Madison Daily Leader, notices, \$17.60, Mark Mathieu Construction Inc., services, \$484.69, Myrl & Roy's Paving Inc., hot mix, \$2,644.40, Northwestern Energy, utilities, \$23.00, Pro-Build, supplies, \$119.60, Pulford's Auto Parts Inc., parts, \$49.61, Qwest, phone service, \$43.38, Sturdevant's Auto Parts, parts/supplies, \$54.82, Verizon Wireless, service, \$51.70, WW Tire Service, tires, \$1,996.00, Xcel Energy, utilities, \$7.76, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$5.25, Central Business, ink cart., \$23.99, ITC, June services, \$115.55, Knology, service, \$4.22, Language Line Services, May usage, \$90.00, McCook Cooperative Telephone, June services, \$167.53, Qwest, phone service, \$1,236.35, Quill, supplies, \$43.20, Verizon Wireless, service, \$25.85, **EMA:** Bureau of ADM., long distance calls, \$97.97, Knology, service, \$8.44, Qwest, phone service, \$37.82, Donald Thomson, mileage, \$103.60, Verizon Wireless, service, \$31.07, **DOMESTIC ABUSE:** Domestic Violence Network, 2<sup>nd</sup> qtr allotment, \$510.00, **FLEXIBLE SPENDING:** One recipient \$287.87. **GRAND TOTAL: \$56,542.10.**

#### **PAYROLL APPROVED:**

Motion Bohl, second Hageman approves the following payroll 6-1-09 to 6-14-09. Motion carried.

**COMMISSIONERS:** \$1,823.10; **AUDITORS OFC:** \$4,381.42; **TREASURERS OFC:** \$3,091.88; **STATES ATTY OFC:** \$4,661.73; **GOVT BLDGS:** \$3,753.60; **DIR EQUALIZATION OFC:** \$4,185.42; **REGISTER DEEDS OFC:** \$2,503.12; **VSO:** \$188.76; **SHERIFF OFC:** \$7,823.51; **JAIL:** \$4,494.50; **EMA:** \$1,332.12; **911 COMM CENTER:** \$6,091.01; **ROAD & BRIDGE:** \$16,161.34; **CHN:** \$1,128.37; **WIC:** \$321.48; **EXTENSION:** \$1,069.43; **ZONING:** \$1,110.61. **GRAND TOTAL \$64,121.40.**

#### **THREE DAY MALT BEVERAGE:**

Motion Bohl, second Hageman approves Three Day Malt Beverage license \$150.00 for Motongator Joe's Country Music Festival June 26-28, 2009 at Prairie Village. Motion carried.

#### **FUEL QUOTES:**

Motion Hageman, second Bohl approves Cole's Petroleum ethanol 2.3089 & #2 diesel 1.8887. Motion carried.

	<b>ethanol:</b>	<b>#2 diesel:</b>
<b>Cole's Petroleum</b>	<b>2.3089</b>	<b>1.8887</b>
<b>F &amp; M Coop</b>	<b>2.342</b>	<b>1.917</b>

#### **RESOLUTION #09-6:**

Motion Bohl, second Hageman approves the following Resolution #09-6 Employer Election to Adopt Automatic Enrollment Provision for the SDRS Supplemental Retirement Plan. Motion carried.

#### Resolution #09-6 Employer Election to Adopt Automatic Enrollment Provisions For the SDRS Supplemental Retirement Plan

Whereas, SDCL 3-13-56 offers SDRS participating employer units the opportunity to choose to add automatic enrollment provisions for the unit's employees that are hired on or after the effective date of July 1, 2009, OR that are hired on or after the date of this election, whichever may be later, to the SDRS Supplemental Retirement Plan; Whereas, Lake County understands and agrees to the following points: The decision to become an automatic enrollment unit shall be made by the elected official, the appointed official, or the governing body in charge of the unit; The unit shall become an automatic enrollment unit on July 1, 2009, or as soon as notice of the decision has been delivered in writing to the system, whichever is later; That all permanent full-time employees hired on or after the effective date of this election shall be automatically enrolled in the SDRS-Supplemental Retirement Plan; That all new employee identification data via SDRS Form E-1 will be submitted to SDRS electronically; That twenty-five dollars per month shall be deferred to the plan from the employee's compensation, effective with the employee's first pay date; That the SRP deferral shall continue from the effective date of hire until the employee officially provides notice to the SRP of his/her election not to participate; Special Rule for Automatic Enrollees: if the employee elects not to participate in the plan within 90 days after his or her first pay date and gives notice of that election to the plan in a manner prescribed by the SDRS Board of Trustees, the deferred compensation amount and the associated gains or losses, less federal income tax withholding, shall be refunded to the automatic enrollee within 30 days of receipt of the final contribution. Now, Therefore, Be It Resolved, that Lake County shall elect to add the automatic enrollment provisions as provided under SDCL 3-13, Deferred Compensation Plan for Public Employees, and agrees to the terms and conditions as set forth by SDRS. with an effective date of July 1, 2009.

S/s Scott Pedersen Vice Chairman 6-16-09 Signature of the Employer Unit's Chief  
Administrative Officer or an Officer of the Unit's Governing Body  
ATTEST: S/s Kay A. Schmidt Lake County Auditor 6-16-09

**RESOLUTION #09-7:**

Motion Hageman, second Bohl approves the following Resolution #09-7 Automatic Supplement  
for EMA \$38,767.97 and Extension \$1,750.00. Motion carried

**RESOLUTION #09-7**

**APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South  
Dakota, hereby approves the Automatic Supplement upon the adoption of such EMA  
(Emergency Management Agency) and Extension budgets. Said budgets are necessary  
for the indispensable function of Government as provided in SDCL 7-21-20.1. The  
County has received unanticipated EMA \$36,120.00 PSIC grant/P25 radio upgrades,  
\$2,647.97 Homeland Security grant/CC-spine board and Extension postage \$1,750.00  
funds from the State of South Dakota used to supplement budgets of Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to  
Sheriff and Extension budgets to be adopted:

22600X4340222	EMA equip/radio upgrades & Spine board	\$38,767.97
10100X4261611	EXTENSION postage grant (March)	1,750.00
		\$40,517.97

Approved this 16th day of June 2009.

Lake County Board of Commissioners

S/s Scott Pedersen Vice-Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**PUBLIC SERVICE APPRECIATION:**

Scott Pedersen Vice Chairman presented a Public Service Appreciation plaque for 15 years of  
service on the Lake County Weed & Pest Board to John Basler. The State of S.D. Weed plaque  
and Public Service Appreciation plaque for 25 years of service on the Lake County Weed & Pest  
Board was presented to Marc Molskness. Lake County Weed & Pest Board hosted refreshments.

**INDIGENT #09-14:**

Motion Hageman, second Bohl utility assistance to Indigent #09-14 \$399.94. Place lien and sign  
repayment contract for \$25 per month. Motion carried.

**INDIGENT #09-15:**

Motion Bohl, second Hageman approves paying delinquent lot rent \$1,070.68 for Indigent #09-  
15. County considered paying only 1/2 of the \$2,141.36. Place lien and sign repayment contract  
for \$50 per month. Motion carried.

**CB#09:**

Motion Bohl, second Hageman deny #09-5 CB for County Burial. Denied due to Minnehaha  
residency. Motion carried.

**EXTENSION UPDATE:**

Becky Jensen Lake County Extension Educator gave an update of the Lake County Extension  
Ofc staff and programs.

**BOARD OF ADJUSTMENT:**

Motion Hageman, second Bohl convene as a Board of Adjustment. Motion carried.

**PLATS:**

**Gaspar's Addition:** Motion Bohl, second Hageman approves Plat of Lot 1 Gaspar's Addition  
E1/2 Sec 35 Chester Twp. Motion carried.

**Masterson's First Addition:** Motion Bohl, second Hageman approves Plat of Masterson's First  
Addition Sec 15 Chester Twp. Motion carried.

**Mergen's Addition:** Motion Bohl, second Hageman approves Plat of Mergen's Addition  
NW1/4 Sec 2 Franklin Twp. Motion carried.

**ADJUSTMENT BOARD:**

Motion Hageman, second Bohl return to Regular Session. Motion carried.

**PICKUP/BLDGS & GROUNDS:**

Derrick Shoenrock Bldgs & Grounds discussed the condition of the pickup used for hauling  
grass. Brd recommended he check with Huron Surplus Property for a used pickup.

**TEMPORARY HIRE:**

Motion Bohl, second Hageman approves new hire of Mary Pierce G2.5 \$11.21. Wage based  
upon work experience and Ken Meyer States Atty's recommendation. Temporary hire is needed  
from July 27 to October 6, 2009 due to (2) maternity leaves of absence. Motion carried.

**STATE'S ATTY REPORT:**

Ken Meyer State's Atty presented the monthly report on Consolidate Board of Equalization and  
Active Mental Illness Boards. No decision was made at this time and will be reviewed with full  
board of Commissioners July 7, 2009.

**MTGS ATTENDED:**

Bohl & Giles: Minnehaha JDC Juvenile Detention Center.

Bohl: ICAP

**REPORTS REC'D:**

May 2009: Bldg Permits \$2,144, Sheriff civil fees \$2,512.75, fees-warrants \$200, work release  
\$1,150, PBT-breath \$729, PBT-scam hookup \$100, pistol permits \$48, accident report copies  
\$16, fingerprint cards \$120 & Reliance Telephone comm \$81.19=\$4,956.94. Prisoners housed  
58 & days served 242; Mar lic \$90, Dom Abuse \$270, Cert Mar \$120, ROD fees \$5,964 &  
transfer fees \$3,718.00=\$10,162.00.

**Auditor's Acct w/Treasurer**

Total balance of checking of First Bank & Trust	\$71,008.78	0.20%
Cash items	\$454.16	
Silver	\$76.97	
Currency	\$3,919.00	

Amt of checks in Treas possession	\$31,843.61		
First Bank & Trust Passbook Acct #905-022-7	\$3,306,000.00	1.55%	
Great Western Passbook Acct #100021474	\$700,000.00	1.40%	
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	1.76%	5/20/2010
First Bank & Trust Cert of deposit #67507	\$100,000.00	2.85%	6/21/2009
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
Wells Fargo Brokerage CD's			
Silver State Bank	\$95,000.00	3.75%	7/31/2009
First Regional Bank	\$95,000.00	3.75%	7/30/2009
	<b>\$5,598,302.52</b>		

**ADJOURN:**

There being no further business Vice-Chairman Pedersen at 11:02 a.m. declared the meeting adjourned until July 7, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**

**July 7, 2009**

The Board of Lake County Commissioners met in Regular Session on July 7, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Bohl approves agenda of July 7, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Petersen, second Bohl approves minutes of June 16, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Giles, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Madison Daily Leader, minutes, \$283.48, Ron Tolley, mower repairs, \$82.97, **ELECTIONS:** Election Systems & Software, scanner & auto marks maintenance, \$3,967.95, **JUDICIAL:** Chris Giles, crt appt counsel, \$143.50, Jerome Johnson, transcript, \$74.80, West Group Payment Center, supplement, \$88.75, **WITNESS FEE/MILEAGE:** Jerry Hord (2) \$44.44, Terrance Todd Howard Jr. \$20.74, Tom Johnson \$64.40, Aaron Williams \$20.74, Thomas Hammer \$20.74, **AUDITOR:** Best Business Products, copier maintenance, \$23.80, Madison RadioShack, supplies, \$10.92, West Payment Center, supplements, \$170.00, **TREASURER:** Southwest Office Solutions, MV line--copy paper, \$30.55, **DATA PROCESSING:** Card member Service, part-sheriff, \$212.95, CPS Technology Solutions, software maintenance, \$996.72, Madison RadioShack, printer-jail, \$137.98, ink cart(2)-auditor, \$73.98, Software Services, June services, \$280.00, **STATES ATTY:** A&B Business Inc., prints, \$23.48, Lewis, photo processing, \$7.12, Madison Instant Printing, color copies, \$20.28, Kenneth Meyer, mileage, \$176.01, SDTLA, dues, \$100.00, Southwest Office Solutions, copy paper, \$61.10, Verizon Wireless, service, \$25.83, **GOVT BLDGS:** Bud's Clean Up Service, June services, \$137.72, City of Madison, util, \$892.02, Colonial Research, supplies, \$128.27, Diede Temperature Control, 1<sup>st</sup> qtr contract, \$535.50, Domestic Seed & Supply, supplies, \$80.50, Hillyard, supplies, \$130.70, KONE Inc., elevator maintenance, \$1,028.64, Lake County International, services, \$196.14, Madison Ace Hardware, supplies, \$49.71, Pro-Build, supplies, \$13.38, Riotec Industrial Products, supplies, \$239.00, Sturdevant's Auto Parts, parts, \$218.11, Superior Lamp Inc., bulbs, \$188.28, Unemployment Insurance Division, 2<sup>nd</sup> qtr remittance, \$346.68, Verizon Wireless, service, \$25.85, **EQUALIZATION:** Office Systems Inc., copier maintenance, \$31.60, Southwest Office Solutions, copy paper, \$45.83, Verizon Wireless, service, \$25.85, West Payment Center, supplement, \$16.00, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$33.67, Southwest Office Solutions, copy paper, \$30.55, **VETERANS SERVICE OFFICE:** SD Veteran's Service Officers, 2009 dues, \$50.00, **SHERIFF:** Card member Service, gas, \$52.02, Madison Community Hospitals, blood alcohols, \$868.00, Madison Instant Printing, supplies, \$18.75, Madison RadioShack, camera/supplies, \$155.95, MES Companies, light bar service, \$8.00, Southwest Office Solutions, copy paper, \$61.10, West Payment Center, supplements, \$510.00, **JAIL:** Brown's Cleaning, laundry service, \$435.00, City of Madison, util., \$570.15, Pamida, supplies, \$49.63, Sunshine, bags, \$15.15, prisoner meals, \$2,372.00, **CORONER:** LCM, autopsy-toxicology, \$212.15, **COUNTY WELFARE:** City of Madison, two recipients, \$399.94, Southwest Office Solutions, copy paper, \$6.10, Verizon Wireless, service, \$25.85, West Payment Center, supplement, \$16.00, **COMMUNITY HEALTH NURSE:** Jen Foubert, file cabinets (2), \$45.00, **MENTAL ILLNESS BOARD:** Carol Butzman Consulting LLC, juv services, \$89.08, Donna Dietrich, MI services, \$136.14, Nelva Kooistra, MI services, \$15.00, Lindsay Hovden, MI counsel, \$157.43, Cathy Rehfuß, MI services, \$15.00, Shepherd Reporting LLC., transcripts, \$25.00, Yankton County Sheriff, services, \$25.00, Yankton County Treasurer, MI counsel, \$103.75, **EXTENSION:** Best Business Products, staples, \$56.00, copier lease, \$113.00, Loopy's, \$11.50, Madison Ace Hardware, books, \$7.40, Madison RadioShack, supplies



\$109.51, **WEED:** C&R Supply Inc., parts, \$9.00, Madison Ace Hardware, supplies, \$2.20, Pulford's Auto Parts, parts/supplies, \$110.31, Verizon Wireless, service, \$25.85, **ZONING:** Southwest Office Solutions, copy paper, \$9.17, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$85.50, Bob's Electric of Madison, ballasts, \$81.50, Butler Machinery Co., parts, \$348.34, CarQuest Auto Parts, parts, \$112.29, Central Business Supply, supplies, \$9.99, Craig's Welding, repair, \$170.00, Diamond Mowers Inc., parts, \$406.64, Fastenal, supplies, \$51.48, Flint Hills Resources, road oil, \$21,099.10, Huron Culvert & Tank, culvert, \$3,291.68, JD Evans, part, \$737.70, Krug Products Inc., part, \$3.25, Lake County International Inc., oil, \$58.60, Lee's Sales & Salvage Inc., supplies, \$217.71, Madison Ace Hardware, supplies, \$4.98, Madison RadioShack, duster, \$13.99, MidAmerican Energy, utilities, \$10.04, Michael Johnson Construction, pea rock, \$333.24, Myrl & Roy's Paving Inc., hot mix, \$10,245.40, Novelty Machine & Supply Co., part, \$27.17, Pro-Build, lumber, \$7.19, Pulford's Auto Parts Inc, parts, \$42.38, Roger's Service & Exhaust Pros, parts/labor, \$330.50, SD DOT, bridge expense, \$6,202.65, Sturdevant's Auto Parts, parts/supplies, \$292.94, Verizon Wireless, service, \$51.70, West Payment Center, supplement, \$16.00, Wheelco, parts, \$54.73, Zep Sales & Service, supplies, \$114.63, **911 COMM CENTER:** Madison RadioShack, USB cable, \$39.99, McCook Coop, services, \$173.53, Quill Corp., supplies, \$36.91, RACOM, service call, \$440.00, SDEMA, dues, \$30.00, Southwest Office Solutions, copy paper, \$30.55, Verizon Wireless, service, \$25.85, One employee, medical reimbursement, \$468.00, **EMA:** Madison RadioShack, ink cart., \$37.99, Pro-Build, trailer shelving, \$223.56, Southwest Office Solutions, copy paper, \$30.55, Verizon Wireless, service, \$31.07, **SAR DONATIONS:** Chad Larson, pop/water, \$32.86, **FLEXIBLE SPENDING:** One recipient \$600.00, **GRAND TOTAL: \$65,070.63.**

**PAYROLL APPROVED:**

Motion Bohl, second Hageman approves the following payroll 6-15-09 to 6-28-09. Motion carried.

**COMMISSIONERS:** \$3,379.34; **AUDITORS OFC:** \$4,381.42; **TREASURERS OFC:** \$2,959.91; **STATES ATTY OFC:** \$4,960.49; **GOVT BLDGS:** \$3,783.43; **DIR EQUALIZATION OFC:** \$4,084.75; **REGISTER DEEDS OFC:** \$2,503.12; **VSO:** \$188.76; **SHERIFF OFC:** \$8,031.50; **JAIL:** \$4,674.16; **EMA:** \$1,332.12; **911 COMM CENTER:** \$5,363.83; **ROAD & BRIDGE:** \$16,379.23; **CHN:** \$1,100.16; **WIC:** \$253.80; **EXTENSION:** \$1,040.03; **ZONING:** \$1,138.37. **GRAND TOTAL \$65,554.42.**

**ONE DAY MALT BEVERAGE:**

Motion Pedersen, second Bohl approves One Day Malt Beverage license \$50.00 for Chester Fire Dept for a Chester Street Dance July 11, 2009. Motion carried.

**DIEDE CONTRACT:**

Motion Hageman, second Bohl approves 6-1-09 to 5-31-2010 contract \$525 quarterly/\$2,100 annually for Courthouse & Sheriff's Bldg for heating & cooling maintenance operations from Diede Temperature Control 125 Augusta Ave Brandon, SD 57005. Motion carried.

**PERSONNEL POLICY CHANGE:**

Motion Pedersen, second Giles approves the following addition to the Lake County Personnel Policy. Motion carried.

**SUPPLEMENTAL RETIREMENT PLAN**

Lake County has elected to implement the supplemental retirement plan automatic enrollment option for all its employees that are hired on or after the effective date of July 1, 2009. All regular full-time employees and over 20 hours a week hired on or after July 1, 2009, shall be automatically enrolled in the South Dakota Retirement System -Supplemental Retirement Plan (SDRS-SRP). Effective with the employee's first pay date, twenty-five dollars per month (the minimum contribution) shall be deferred to the SDRS-SRP from the employee's compensation.

The SRP deferral shall continue from the effective date of hire until the employee officially provides notice to the SRP of his/her election not to participate. After being automatically enrolled, the employee has 90 days after his or her first pay date in which to decide if he or she wants to continue contributing or opt-out of the SDRS-SRP. If the participant chooses to opt-out, he or she needs to provide written notice of that intent to the SDRS-SRP office during the initial 90 day timeframe to receive a refund of the deferred compensation amount and the associated gains or losses, less federal income tax withholding. This amount shall be refunded to the employee within 30 days of receipt of the final contribution.

After the initial 90-day employment period, the employee has the right to increase his or her contributions at any time while employed and participating in the SDRS-SRP. The employee may also change investment options at any time after the initial 90-day employment period. For more information on the SDRS-SRP, please see your Department Head.

**BOY SCOUTS/EXHIBIT HALL:**

Motion Giles, second Hageman approves Boy Scouts of America to use the Lake County 4-H Center July 24, 2009 5:00-9:00 pm & July 25, 2009 8:00 am to 3 pm and wave the rental fee for the Scouts because of the non-profit organization. Motion carried. Scouts provided proof of liability insurance and non-profit documentation.

**EXECUTIVE SESSION:**

Motion Pedersen, second Bohl enter into Executive Session 9:11 a.m. for personnel matters with Julie Wegener 911 Communications and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Pedersen, second Bohl return to Regular Session 9:14 a.m. Motion carried.

**RESIGNATION ACCEPTED:**

Motion Bohl, second Hageman accept the resignation of Amy L. Shafer PT 911 Dispatcher Trainee G7 \$11.26 effective June 19, 2009. Motion carried.

**911 PT POSITIONS:**

Julie Wegener 911 Communications Director requested to hire additional part-time dispatchers. Motion Pedersen, second Bohl approves advertising for 2 part-time 911 Dispatchers. Motion carried.

**LAKE ACCESS LEASE AGREEMENT:**

Ken Meyer State's Atty presented the Lake Access Lease Agreement between Lake County and Department of Game, Fish and Parks. Legal description of said property is: Lot 1 and Lot 2 of the

Lake County Subdivision of Government Lot 6 in the Southwest Quarter (SW1/4) of Section Twenty-Two (22), Township One Hundred Six (106) North, Range Fifty-two (52) West of the 5<sup>th</sup> P.M., Lake County, South Dakota. Term of the lease will be January 1, 2010 and terminate on December 31, 2010. GF&P shall pay \$1.00 each year as rental for the property. GF&P will provide the general public with free access to Lake Madison in Lake County, SD for shoreline fishing and related recreational uses. GF&P will assume all responsibility for maintaining, signing, and cleaning the property. Motion Giles, second Pedersen approves the proposed lease agreement with Game, Fish & Parks for the term of Jan 1, 2010 through December 31, 2010. Motion carried.

**EXECUTIVE SESSION:**

Motion Hageman, second Bohl enter into Executive Session 9:57 a.m. for pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Pedersen, second Hageman return to Regular Session 10:07 a.m. Motion carried.

**BOARD OF ADJUSTMENT:**

Motion Bohl, second Hageman convene as a Board of Adjustment. Motion carried.

**CONDITIONAL USE:**

**Alvine Family Limited Partnership** property located at NE ¼ Sec 29 Concord Twp parcel #4471. Requesting to have a landing strip. Regulations in the "AG" District require under Article XI, Section 1101 "AG" District, Conditional Uses, #1 Airports and airstrips. Present for testimony was Frank & Greg Alvine, Floyd & Monica Demaray, Jim & GayLynn Hageman and others. Handouts from Demaray, Hageman and pictures from Alvine were received and placed on file. Motion Pedersen, second Bohl approve Alvine Conditional Use based on the following: Frank Alvine and family abandon the north 200' of the North/South runway, provide signs and maintain the signs, grow tall grass or trees, authorize a east/west airstrip and build a new NW/SE airstrip. Motion carried.

**Charles Keppen** property located at N ½ SE ¼ ex. Keppen's 1<sup>st</sup> Addition Sec 1 Franklin Twp. Requesting to have a landing strip. Regulations in the "AG" District require under Article XI, Section 1101 "AG" District, Conditional Uses, #1 Airports and airstrips. Present was Charles Keppen. Motion Bohl, second Hageman approves the Charles Keppen Conditional Use Permit. Motion carried.

**Brian Swier** property located at N 1403' E 717' NE ¼ Sec 9 Badus Twp. Requesting to start a new Class C CAFO (Confined Animal Feeding Operation). Regulations in the "AG" District require a Conditional Use for a new or expansion of a CAFO. Present was Brian Swier and Brian Friedrichsen Dakota Environmental, Inc. Motion Hageman, second Bohl approves the Brian Swier Conditional Use Permit. Motion carried.

**VARIANCE:**

**Brian Leighton** property located at NW ¼ Sec 29 Herman Twp. Requesting a variance from the 75' road right of way. Regulations require a setback of 75' from the road right of way for any structure. Present was Brian Leighton. Motion Pedersen, second Bohl approves the Brian Leighton variance. Motion carried.

**ADJUSTMENT BOARD:**

Motion Hageman, second Bohl return to Regular Session. Motion carried.

**INDIGENT #09-15:**

Motion Bohl, second Hageman resend June 16, 2009 motion for Indigent #09-15. Motion carried. *(Motion Bohl, second Hageman approves paying delinquent lot rent \$1,070.68 for Indigent #09-15. County considered paying only ½ of the \$2,141.36. Place lien and sign repayment contract for \$50 per month. Motion carried.)*

**INDIGENT #09-6CB:**

Motion Giles, second Bohl approves #09-6CB \$2,215 Weiland Funeral Chapel. Motion carried. Motion Bohl, second Giles accept the payee's repayment of \$600 to the County on behalf of Indigent #09-6CB. Motion carried.

**INDIGENT #09-16:**

Motion Bohl, second Hageman deny utility assistance \$264.41 for Indigent #09-16. Reason for denial: not truthful with Welfare Manager. Motion carried.

**INDIGENT #09-17:**

Motion Pedersen, second Hageman deny medical assistance \$37,241.28 on behalf of Indigent #09-14 by Avera Heart Hospital of SD. Reason for denial: no response from Indigent. Motion carried.

**2010 BUDGET:**

The following departments presented 2010 budget requests: 911 Communications, Bldgs & Grounds, State's Atty, Dir of Equalization, Reg of Deeds, Sherriff & Jail, Hwy Dept and CHN. No decisions were made at this time.

**Pre-issues June 2009:**

National 4H Council, achievement days supplies, \$245.10, Lake County Treasurer, May ACH direct deposit charge, \$43.20, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,964.50, Lake County Treasurer, payroll withholdings, \$14,066.32, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$200.00, State Remittance, May 09 collections, \$170,307.62, US Postal Service, postage meter refill, \$784.61, Nebraska Dept of MV, certified drivers history, \$3.00, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,964.50, Lake County Treasurer, payroll withholdings, \$13,716.72, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$200.00, Arneson, Issenhuth, Leibel & Parent, LLP, June public defender contract, \$4,166.66, American Rabbit Association, book (1), \$20.95, Lake County Treasurer, adv taxes, \$17.10/\$30.53, **GRAND TOTAL: \$208,472.05.**

**End of the Month Payables June 2009:**

AFLAC, cancer-intensive care, \$1,570.66, Assurant Employee Benefits, July 09 life ins premium, \$191.52, Johnson Rodenburg Lauinger, wage assignment, \$200.00, Lake County Treasurer, RE taxes, \$87.00, SD Retirement System, June 09 collections, \$15,520.91, Supplemental Retirement, June 09 collections, \$700.00, Emp V5748, refund family vision premium, \$8.02, Vision Care Direct, July 09 premium, \$864.72, Emp W2340, refund family

vision premium, \$8.02, Wellmark BCBS of SD, July 09 health ins premium, \$15,630.94, City of Madison, utilities, \$737.39, Sioux Valley Wireless, website hosting, \$19.95, Sioux Valley Energy, services, \$266.23, **GRAND TOTAL: \$35,805.36.**

**ADJOURN:**

There being no further business Chairman Verhey at 1:00 p.m. declared the meeting adjourned until July 21, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

**LAKE COUNTY COMMISSION MINUTES**

**July 21, 2009**

The Board of Lake County Commissioners met in Regular Session on July 21, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Bohl approves agenda of July 21, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Pedersen, second Bohl approves minutes of July 7, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Giles, second Petersen approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Knology, service, \$4.25, Vermillion River Watershed Authority, 2009 dues, \$300.00, **JUDICIAL:** Ameson Issenhuth Leibel Parent LLP, public defender contract, \$4,166.66, Great Plains Psychological Services, crt ordered service, \$770.00, Lammers Kleibacker Brown, crt appt counsel (2), \$217.30, SDACC-Clerp, claim statement, \$4,064.54, West Payment Center, online service, \$521.82, **AUDITOR:** Bureau of ADM., internet/email service, \$5.00, long distance/fax calls, \$4.96, Central Business, supplies, \$23.58, Knology, service, \$12.66, Office Systems Inc., calc paper, \$33.33, Qwest, phone service, \$31.10, **TREASURER:** Bureau of ADM., internet/email service, \$15.00, long distance/fax calls, \$2.55, MV line, \$10.60, Central Business, copier maintenance, \$25.00, Office Systems Inc., calc paper, \$16.66, Qwest, phone service, \$30.90, Southwest Office Solutions, supplies, \$11.73, supplies-MV line, \$147.97, One recipient, medical reimbursement, \$500.00, **DATA PROCESSING:** IBM, AS/400 maintenance, \$602.91, Light Speed Technologies, hard drive-aud., \$64.99, Madison RadioShack, ink cartridge-weed, \$37.99, Pitney Bowes, postage meter rental, \$358.00, Qwest, phone service, \$12.45, Southwest Office Solutions, ink cart-zoning, \$55.98, fax cart-doe, \$29.99, toner-sheriff, \$119.99, **STATES ATTY:** Bureau of ADM., long distance/fax calls, \$8.80, Knology, service, \$16.88, Qwest, phone service, \$43.35, West Payment Center, supplements, \$231.00, **GOVT BLDGS:** Benny's Biffies LLC, rental, \$83.00, Bureau of ADM., long distance calls, \$1.53, Campbell Supply, supplies, \$126.59, City of Madison, util., \$220.80, Cole's Petroleum Inc., fuel, \$168.06, Home Service Water Cond., salt, \$52.55, Knology, service, \$4.22, Qwest, phone service, \$31.02, Shred-it, services, \$116.55, Timmer Supply Co., trip lever, \$2.26, **EQUALIZATION:** Bureau of ADM., long distance calls, \$4.73, Cole's Petroleum Inc., fuel, \$20.28, Knology, service, \$12.66, Office Systems Inc., copier maintenance, \$31.60, Qwest, phone service, \$30.92, Southwest Office Solutions, supplies, \$100.97, **REGISTER DEEDS:** Bureau of ADM., internet/email service, \$5.00, long distance calls, \$6.06, Knology, service, \$8.44, McLeod's, fee book, \$708.45, Qwest, phone service, \$18.46, Southwest Office Solutions, supplies, \$34.76, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, \$2.3, Qwest, phone service, \$11.66, **SHERIFF:** Cole's Petroleum Inc., engine oil, \$212.40, fuel, \$957.22, Roger Hartman, travel exp., \$35.22, Mobile Electronic Service, digital video system/PS Grant, \$2,195.00, supplies, \$99.50, Southwest Office Solutions, supplies, \$76.57, Super Wash, tokens, \$200.00, **JAIL:** Bob Barker, clothing, \$241.10, Bureau of ADM., long distance/fax calls, \$47.22, Crime Stoppers line, \$95.50, Dakota Drug, supplies, \$43.11, Knology, service, \$37.98, Lewis, batteries, \$6.44, Northwestern Energy, util., \$60.97, Qwest, phone service, \$67.57, Verizon Wireless, service, \$175.25, **SEARCH & RESCUE:** City of Madison, util., \$107.26, Classic Corner, fuel, \$42.86, Qwest, phone service, \$12.46, **COUNTY WELFARE:** Bureau of ADM., long distance calls, \$4.46, Knology, service, \$4.22, Qwest, phone service, \$18.56, Weiland Funeral Chapel, county burial, \$2,215.00, **CARE OF AGED:** ICAP, July community service worker hours, \$574.00, **MENTAL ILLNESS BOARD:** Avera McKennan Hospital, MI services (2), \$2,094.00, Lewis & Clark BHS, MI services, \$142.00, Lincoln County Treasurer, MI services (3), \$669.29, Yankton County Treasurer, MI counsel, \$103.75, **EXTENSION:** Best Business Products, copies, \$167.01, Glenda Blom, postage, \$6.28, Bureau of ADM., long distance/fax calls, \$23.66, City of Madison, util., \$372.88, Becky Jensen, travel, \$37.00, Knology, service, \$4.22, Loopy's, supplies, \$12.00, Madison Ace Hardware, supplies, \$15.42, Madison RadioShack, supplies, \$10.27, Pamida, supplies, \$7.77, Qwest, phone service, \$55.38, SDSU Stores, office supplies, \$97.61, Southwest Office Solutions, supplies, \$118.42, Sunshine Foods, supplies, \$49.23, **WEED:** Bureau of ADM., long distance/fax calls, \$1.00, Campbell Supply, parts/supplies, \$49.24, Cole's Petroleum Inc., fuel, \$357.53, Knology, service, \$4.22, Prostrullo Motors, repair, \$152.14, **ZONING:** Gene Anderson, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$10.49, R Douglas Jerlow, mtg/mileage, \$33.88, Knology, service, \$4.22, Qwest, phone service, \$18.46, Southwest Office Solutions, supplies, \$33.88, Steve Terwilliger, mtg/mileage, \$30.18, **ROAD & BRIDGE:** Campbell Supply, tools/equip/supplies, \$1,018.28, Caterpillar Financial, loader lease pmt, \$31,858.00, City of Madison, util., \$334.49, Cole's Petroleum Inc., engine oil, \$565.20, fuel, \$5,662.14, Flint Hills, road oil, \$144,652.00/\$31,421.14, JD Evans Inc., parts, \$100.03, Michael Johnson Construction, pea rock, \$2,165.99, Knology, service, \$4.22, Qwest, phone service, \$43.38, WW Tire Service, tires,

\$1,198.00, Xcel Energy, utilities, \$7.25, One recipient, medical reimbursement, \$500.00, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$2.19, Bureau of Information & Telecommunications, teletype service, \$1,800.00, ITC, July services, \$115.55, Knology, service, \$4.22, Language Line Services, June usage, \$90.00, Lyle Signs Inc., posts, \$353.00, Mid-American Specialties Inc., crayons, \$330.41, Qwest, phone service, \$1,236.86, Timmer Supply Co., sign spacers, \$6.76, **EMA:** Bureau of ADM., long distance calls, \$.92, Campbell Supply, generator equip/supplies, \$141.97, Cole's Petroleum Inc., fuel, \$97.54, Knology, service, \$8.44, Qwest, phone service, \$37.82, **LEPC:** Don Thomson, mtg meals, \$76.69, **GRAND TOTAL: \$250,379.81.**

#### **FUEL QUOTES:**

Motion Hageman, second Pedersen approves Cole's Petroleum ethanol 2.0280 & #2 diesel 1.7735. Motion carried.

	<b>ethanol:</b>	<b>#2 diesel:</b>
<b>Cole's Petroleum</b>	<b>2.0280</b>	<b>1.7735</b>
<b>F &amp; M Coop</b>	<b>2.10</b>	<b>1.809</b>

#### **PAYROLL APPROVED:**

Motion Bohl, second Giles approves the following payroll 6-29-09 to 7-12-09. Motion carried. **COMMISSIONERS:** \$1,823.10; **AUDITORS OFC:** \$4,381.41; **TREASURERS OFC:** \$3,045.31; **STATES ATTY OFC:** \$4,618.81; **GOVT BLDGS:** \$3,775.97; **DIR EQUALIZATION OFC:** \$4,081.32; **REGISTER DEEDS OFC:** \$2,506.75; **VSO:** \$188.76; **SHERIFF OFC:** \$10,293.99; **JAIL:** \$5,743.62; **EMA:** \$1,332.12; **911 COMM CENTER:** \$6,315.65; **ROAD & BRIDGE:** \$16,057.62; **CHN:** \$1,170.66; **WIC:** \$327.12; **EXTENSION:** \$1,084.13; **ZONING:** \$1,110.61. **GRAND TOTAL \$67,856.95.**

#### **ONE DAY MALT BEVERAGE:**

Motion Hageman, second Bohl approves One Day Malt Beverage license \$50.00 for Lake Madison Development Assoc Annual Mtg/Picnic August 2, 2009 Hillside Resort. Motion carried.

#### **BOARD OF ADJUSTMENT:**

Motion Hageman, second Bohl convene as a Board of Adjustment. Motion carried.

#### **PLATS:**

**BOTHE ADDITION:** Motion Giles, second Bohl approves Plat of Bothe Addition, including Sec and Road Right of Ways in SW1/4 Sec 27 Summit Twp. Motion carried.

**GRUENHAGEN'S ADDITION:** Motion Bohl, second Hageman approves Plat of Lot 1 Gruenhagen's Addition NE 1/2 Sec 10 Wayne Twp. Motion carried.

**WITTROCK'S ADDITION:** Motion Pedersen, second Bohl approves Plat of Wittrock's Addition NW 1/4 SW 1/4 Sec 24 Wentworth Twp. Motion carried.

**YAGER'S ADDITION:** Motion Hageman, second Bohl approves Plat of Tract 1, Yager Addition NW 1/4 Sec 14 Lakeview Twp. Motion carried.

**CHRISTIENSEN'S ADDITION:** Motion Bohl, second Pedersen approves Plat of Christiansen's Addition NW 1/4 Sec 26 Lakeview Twp. Motion carried.

#### **ADJUSTMENT BOARD:**

Motion Hageman, second Bohl return to Regular Session. Motion carried.

#### **TAX DEED PROPERTIES:**

Linda Fischer Treasurer & Ken Meyer State's Atty met regarding (3) tax deed properties. Board recommended writing tax certificate on Paragon Custom Homes Inc, sending letter to John & Janice Johnson with an appt with Commission regarding payment plan and State's Atty to follow up on past history on the Paul Morin/bldg on leased site & prepare distress warrant per Legislative Audit.

#### **2010 BUDGET:**

Commissioners received budget requests from Treasurer, EMA and Interlakes Water Quality.

#### **PROVISIONAL BUDGET DECISIONS:**

**WAGES:** Motion Giles, second Hageman approve grade scale increases as scheduled for employees. 3% raises for employees and elected officials. Motion carried. **COMMISSION:** Discussion=Surplus vehicle has new tires on it. Acquiring Sheriff's Durango in 2010. No to purchasing additional County vehicle for conferences; leave as is & pay out mileage. Motion Giles, second Bohl cut \$12,265/2008-2009 audit expense; not scheduled at this time. Motion carried. **ELECTIONS:** Motion Pedersen, second Bohl approve Election budget as presented \$41,202. Motion carried. **JUDICIAL:** Motion Hageman, second Bohl approve Judicial system budget as presented \$111,250 including Public Defender \$53,500. Motion carried. **AUDITOR:** Motion Giles, second Pedersen approve Auditors Office budget as presented \$170,309. Motion carried. **TREASURER:** Motion Bohl, second Hageman cut the \$1,000 raise requested for Treasurer. Approve changing PT employee to FT. No grade change for Deputy Treasurer and no overtime. Opposed: Giles, Pedersen & Verhey. Motion failed. Motion Giles, second Bohl approves changing 32 hour PT employee to 35 hours per week. No overtime unless approved in advance by Commission. No \$1,000 raise for Treasurer. No wage scale grade change for Deputy Treasurer. Motion carried. **OVERTIME:** Motion Giles, second Hageman discontinue overtime in Treasurers office. Any future overtime for the balance of 2009 needs to be approved in advance by County Commission. Motion carried. **DATA PROCESSING:** Motion Giles, second Bohl approve Data Processing budget as presented \$21,780. Motion carried. **STATES ATTY:** Commissioner Giles noted for the minutes he recues himself from State's Atty budget decisions. Motion Bohl, second Pederson approve State's Atty budget as presented \$192,852. Motion carried. **BLDG FUND:** Motion Giles, second Pedersen cut \$9,000 pickup in General Fund Building budget. Motion carried. **GOV'T BLDGS:** Motion Bohl, second Giles cut \$25,000 machinery & equipment in Gov't Bldgs budget. Motion carried. **DIR OF EQUALIZATION:** Motion Giles, second Bohl cut GIS & software \$80,210, deny county vehicle request and deny wage scale grade requests for Director of Equalization Ofc. Purchase \$3,000 mainframe printer from 2009 Data Processing budget. Motion carried. **REGISTER OF DEEDS:** Motion Giles, second Pedersen cut \$800 requested to update and scan plats. Use 2009 Data Processing budget for scanning plats in Register of Deeds. Motion carried. **VETERANS:** Motion Pedersen, second Giles approves Veterans Service Office budget as presented \$8,053.

Motion carried. **PREDATORY ANIMAL:** Motion Giles, second Bohl approves Predatory Animal Control as presented \$3,315. Motion carried. **SHERIFF:** Motion Pedersen, second Bohl cut \$900 in furniture & equipment in Sheriff's Dept. Motion carried. **JAIL:** Motion Bohl, second Hageman approves Jail budget as presented \$247,586. Motion carried. **24/7 SOBRIETY:** Motion Pedersen, second Bohl approves 24/7 Sobriety budget as presented \$2,147. Motion carried. **CORONER:** Motion Bohl, second Giles approves Coroner budget as presented \$10,337. Motion carried. **EMA:** Motion Pedersen, second Bohl approves EMA budget as presented \$53,267. Motion carried. **SAR:** Motion Bohl, second Verhey cut expansion request \$40,000 in Search & Rescue budget. Motion carried. **911:** Motion Giles, second Pedersen approves 911 Communications budget as presented \$309,911. Motion carried. **HWY DEPT:** Motion Bohl, second Pedersen cut \$6,000 cold mix, cut \$4,000 blades, cut \$6,000 tires/tubes, cut \$6,000 utilities, cut \$2,000 striping roads, cut \$5,000 crack sealer, cut \$3,000 pea rock in Hwy Dept. Motion carried. **WELFARE:** Motion Bohl, second Hageman cut \$245 Senior Companion & remain at \$1,155 in County Welfare Dept. Motion carried. **CHN:** Motion Pedersen, second Bohl approve CHN budget including \$2,880 storage cabinets and \$805 sink in Community Health Nurses Ofc. Motion carried. **AMBULANCE:** Motion Giles, second Bohl cut \$2,500 ambulance budget remain at \$15,000. Motion carried. **BRD OF HEALTH:** Motion Bohl, second Giles approves Mental Health board budget \$10. Motion carried. **WIC:** Motion Bohl, second Pedersen approves WIC (Women, Infant & Children) budget as presented \$7,935. Motion carried. **CARE OF THE AGED:** Motion Giles, second Bohl approve Care of the Aged \$10,000 request. Motion Giles to amend, second Bohl \$8,000 for East Dakota Transit and \$7,500 for Community Service Worker. Motion carried. **DOMESTIC ABUSE:** Motion Bohl, second Pedersen approves Domestic Abuse budget as presented \$2,905. Motion carried. **DEVELOPMENTALLY DISABLED:** Motion Bohl, second Pedersen approves Developmentally Disabled budget as presented \$6,500. Motion carried. **DRUG ABUSE:** Motion Bohl, second Hageman approves Alcohol & Drug Referral/Drug Abuse budget as presented \$8,370. Motion carried. **MENTAL HEALTH CENTER:** Motion Bohl, second Hageman approves Mental Health Center budget as presented \$8,370. Motion carried. **MENTAL HEALTH BRD:** Motion Bohl, second Hageman approves Mental Illness Board budget as presented \$9,000. Motion carried. **PUBLIC LIBRARY:** Motion Bohl, second Giles approves Public Library budget as presented \$5,000. Opposed: Verhey. Motion carried. **EXTENSION:** Motion Bohl, second Pedersen approves Extension budget as presented \$74,661. Motion carried. **SOIL CONSERVATION:** Motion Giles, second Bohl approves Soil Conservation budget as presented \$52,880 (MIP \$500) & (operational \$52,380). Motion carried. **INTERLAKES WATER QUALITY:** Motion Giles, second Bohl approve \$2,500 for Interlakes Water Quality. Motion carried. **WEED:** Motion Hageman, second Bohl cut \$2,850 supplies/chemical in Weed budget. Motion carried. **PLANNING & ZONING:** Motion Giles, second Bohl cut \$1,200 from travel request. Solid Waste travel already budgeted through Commissioners budget. Motion carried. **MUSEUM:** Motion Bohl, second Pedersen approves Smith-Zimmerman Museum budget as presented \$2,400. Motion carried.

**MTGS ATTENDED:** Giles: East Dakota Transit & 911; Bohl EMA.

#### REPORTS REC'D:

June 2009: Bldg Permits \$1,643, Sheriff civil fees \$2,454.36, fees-warrants \$100, work release \$925, PBT-breath \$1,039, PBT-scam hookup \$0, pistol permits \$57, accident report copies \$36, fingerprint cards \$50 & Reliance Telephone comm \$4.06, U.A. \$10=\$4,675.42. Prisoners housed 62 & days served 274; Mar lic \$160, Dom Abuse \$480, Cert Mar \$285, ROD fees \$5,705 & transfer fees \$3,346.00=\$9,976.00.

<b>AUDITOR'S ACCOUNT WITH TREASURER</b>	<b>INVESTMENT</b>	<b>INTEREST</b>	<b>MATURITY</b>
<b>June 2009</b>	<b>AMOUNT</b>		<b>DATE</b>
Total balance of checking of First Bank & Trust	\$50,886.61	0.20%	
NSF	\$2,558.09		
Cash items	\$702.33		
Silver	\$77.19		
Currency	\$2,865.00		
Amt of checks in Treas possession	\$12,693.03		
First Bank & Trust Passbook Acct #905-022-7	\$1,975,000.00	1.53%	
Great Western Passbook Acct #100021474	\$700,000.00	75%	
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	1.76%	5/10/2010
First Bank & Trust Cert of deposit #67507	\$100,000.00	1.76%	6/21/2010
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
Wells Fargo Brokerage CD's			
Silver State Bank	\$95,000.00	3.75%	7/31/2009
First Regional Bank	\$95,000.00	3.75%	7/30/2009
	<b>\$4,229,782.25</b>		

#### **ADJOURN:**

There being no further business Chairman Verhey at 2:00 p.m. declared the meeting adjourned until August 4, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**  
**August 4, 2009**

The Board of Lake County Commissioners met in Regular Session on August 4, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Giles approves agenda of August 4, 2009. Additions: air conditioning at Public Safety Bldg, Ken Meyer St Atty Public Access, 4-H Judging and Commissioners purchase Miracle Network Blizzards for County Employees. Motion carried.

**MINUTES APPROVED:**

Motion Giles, second Pedersen approves minutes of July 21, 2009. Motion carried.

**PUBLIC ACCESS:**

Ken Meyer State's Atty presented the recommended changes to the Lake Access Lease Agreement per SD Game Fish & Parks request. Motion Giles, second Pedersen authorize Chairman to approve revised Lake Access Lease Agreement once brought back by Mr. Meyer with the proposed changes. Motion carried.

**FEMA LETTER:**

Don Thomson presented information received by certified mail regarding the County's floodplain measurers in Lake County. Motion Giles, second Bohl acknowledge receipt of the August 3, 2009 certified letter from FEMA sent by Deborah S. Ingram. Advertise August 6 & 13, 2009 for a Public Notice on Proposed Ordinance #09-48. First Reading is set for August 18, 2009 and 2<sup>nd</sup> Reading September 1, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Hageman approves the following accounts payable. Motion carried.

**ELECTIONS:** Lake County Treasurer, postage, \$44, **JUDICIAL:** David Jencks, juv counsel, \$1,250.50, West Payment Center, supplement, \$88.75, **APPEARANCE-WITNESS-JUROR FEES/MILEAGE:** Hunter Blazek \$20.74, Thomas Scott Hammer \$20.74, Randy Reese \$20.74, Justin Tucek \$20.74, Wayne Tucek \$20.74, Aaron Williams \$20.74, **AUDITOR:** Best Business Products, copier maintenance, \$23.80, Central Business, supplies, \$7.98, **TREASURER:** Lake County Treasurer, postage, \$55.40, Madison Instant Printing, env., \$160.32, **DATA PROCESSING:** Marshall & Swift, residential cost handbooks, \$217.86, Donald Thomson, power supply-aud., \$41.89, **STATES ATTY:** A&B Business Inc., prints, \$15.40, First Madison Insurance, Pierce notary, \$99.88, Lake County Treasurer, postage, \$51.55, Office Systems Inc., supplies/cart, \$359.95, **GOVT BLDGS:** Cecil Plbg & Htg., plug, \$15.55, City of Madison, util., \$1,463.08, Domestic Seed & Supply Inc., lawn mix, \$58.75, Hillyard, supplies, \$381.83, Madison Ace Hardware, supplies, \$70.02, Timmer Supply, supplies, \$28.42, **EQUALIZATION:** Office Systems Inc., copier repair, \$47.50, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$43.34, **SHERIFF:** Card member Service, gas, \$349.56, Kearin's Service, tire repair, \$10.00, Lake County Treasurer, postage, \$200.40, Tim Walburg, travel expense, \$10.05, **JAIL:** Brookings Health System, female prisoner services, \$300.00, Madison Ace Hardware, supplies, \$7.78, **SEARCH & RESCUE:** M&T Fire & Safety Inc., lights, \$197.17, **COUNTY WELFARE:** Avera Neurosurgery, one recipient, \$72.32, **MENTAL ILLNESS BOARD:** Avera University Psychiatry, MI services, \$265.00, Lincoln County Treasurer, MI services, \$185.14, **WEED:** A.M. Leonard Inc., safety triangle kits, \$34.76, Farmers Ag Center, LLC, spring chemical, \$3,687.60, **ZONING:** Debra Reinicke, travel, \$6.29, SDPA, conference registration, \$260.00, **ROAD & BRIDGE:** A.M. Leonard Inc., safety triangle kits, \$243.32, Aramark Uniform Services, supplies, \$57.00, Butler Machinery Co., part/supplies, \$258.17, Craig's Welding, repair, \$50.00, Driveline Service Inc., parts/labor, \$52.10, F & M Coop, propane, \$300.50, Flint Hills, road oil, \$27,317.73, JD Evans Inc., parts, \$684.32, Madison Ace Hardware, supplies, \$21.99, Michael Johnson Construction, pea rock, \$2,302.37, MidAmerican Energy, utilities, \$10.07, Lake County Treasurer, postage, \$5.45, SD DOT, bridge exp., \$22,031.64, **911 COMM CENTER:** Bull Berry Systems Inc., mapping maintenance, \$1,350.00, Central Business, supplies, \$12.07, Office Systems Inc., binders, \$59.90, Power phone, recertification, \$129.00, Quill Corp., ink cart., \$43.93, 3D Specialties, supplies/addressing, \$2,150.16, **EMA:** EF Johnson, mobile microphone, \$100.00, **BUILDING:** Olson-Kearin Concrete, replace/install sidewalks, \$13,443.60, **LAW LIBRARY:** American Judicature Society, annual membership, \$75.00, **SAR DONATIONS:** Corey Gunderson, flyer posting, \$40.00, **FLEXIBLE SPENDING:** One recipient \$40.00, **GRAND TOTAL:** \$80,971.04.

**PAYROLL APPROVED:**

Motion Giles, second Hageman approves the following payroll 7-13-09 to 7-26-09. Motion carried.

**COMMISSIONERS:** \$1,823.10; **AUDITORS OFC:** \$4,381.42; **TREASURERS OFC:** \$3,177.08; **STATES ATTY OFC:** \$4,659.12; **GOVT BLDGS:** \$3,775.98; **DIR EQUALIZATION OFC:** \$4,099.00; **REGISTER DEEDS OFC:** \$2,503.13; **VSO:** \$188.76; **SHERIFF OFC:** \$8,567.49; **JAIL:** \$4,654.18; **EMA:** \$1,332.12; **911 COMM CENTER:** \$5,453.28; **ROAD & BRIDGE:** \$16,379.22; **CHN:** \$1,057.40; **WIC:** \$408.90; **EXTENSION:** \$1,051.05; **ZONING:** \$1,110.60. **GRAND TOTAL** \$64,621.83.

**OVERTIME:**

Motion Giles, second Bohl direct Auditor to distribute a memo to all Dept heads and Employees that future overtime for the balance of 2009 needs to be approved in advance by County Commission effective immediately. Exceptions have been given to Sheriff's Dept, Jail, 911 Communications and Hwy Dept due to the required 24/7 hours of work or snow removal. Motion carried.

**WEED APPOINTMENTS:**

Motion Hageman, second Pedersen approves the appointment of Kenneth Goodale new term Jan 1, 2009 – December 31, 2012. The new board member replaces John Basler July 2009. Motion carried.

**ADVERTISE NOTICE:**

Motion Pedersen, second Bohl approves advertising July 31, 2009 and August 7, 2009 for a Supplemental Budget Hearing for Gov't Bldg Fund for the 2008 sidewalk project \$13,443.60 with the hearing set for August 18, 2009. Motion carried.

**AIR CONDITIONING:**

Derrick Shoenrock presented compressor repair costs of \$6,423.02 for the Public Safety Bldg air conditioner unit. New unit estimated at \$22,126. Board suggested getting 2 more quotes and rent air conditioner units, \$150 ea per week, for States Atty, Sheriff & Jail.

**ENGINEERING STUDY:**

Motion Giles, second Hageman approves the project fee proposal not to exceed \$1,150 at the Courthouse and Public Safety Bldg for a Mechanical and Electrical System Assessments with Associated Consulting Engineering, Inc. 340 S. Phillips Ave Sioux Falls, SD. Motion carried.

**2010 BUDGET:**

**LAIC:** Duane Chapel LAIC Lake Area Improvement Corp requested \$25,000 in funding. Motion Bohl, seconded by Giles for discussion. Approve \$25,000 to LAIC. Motion carried.

**ADDITIONAL CUTS:**

Motion Giles, second Bohl make additional cuts from Sheriff furn & equip -\$2,600, Extension computer -\$2,500 and Interlakes Water Quality -\$2,500. Motion carried.

Motion Pedersen, second Giles apply \$45,149 from General Fund Cash Reserve to the Provisional Budget. Motion carried.

**MTGS ATTENDED:**

Giles LAIC & 911; Pedersen SD Hwy 34 For the Future.

**TRAVEL REQUESTS:**

Ken Meyer State's Atty Domestic Abuse Training July 29, 2009 Flandreau, SD

**Pre-issues July 2009:**

Interlakes Fed Cr Union, payroll deductions, \$1,964.50, Lake County Treasurer, payroll withholdings, \$13,901.44, Office of Child Support Enf., child support, \$250.62, State Remittance, June collections, \$154,502.99, Kapinus, Justin, witness fee, \$371.60, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,964.50, Lake County Treasurer, payroll withholdings, \$14,798.88, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$300.00, US Postal Service, postage stamps, \$147.60, Lake County Treasurer, June ACH direct deposit charge, \$43.44, Jason Fischer, RE taxes, \$17.74, Emp G2000, flexible spending, \$120.00, Lake County Treasurer, payroll withholdings, \$14,357.33, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$116.66. **GRAND TOTAL: \$203,478.54.**

**End of the Month Payables July 2009:**

AFLAC, cancer-intensive care, \$1,742.92, Assurant Employee Benefits, Aug 09 life ins premium, \$191.52, Johnson Rodenburg Lauinger, wage assignment, \$300.00, Lake County Treasurer, RE taxes, \$87.00, SD Retirement System, July 09 collections, \$24,198.00, Supplemental Retirement, July 09 collections, \$1,087.50, Vision Care Direct, Aug 09 premium, \$864.72, Wellmark BCBS of SD, Aug 09 health ins premium, \$15,630.95, Sioux Valley Energy, services, \$278.49, Sioux Valley Wireless, website hosting, \$19.95, **GRAND TOTAL: \$44,401.05.**

**ADJOURN:**

There being no further business Chairman Verhey at 12:00 Noon. declared the meeting adjourned until August 18, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

*Published once at the total approximate cost of \_\_\_\_\_.*

**LAKE COUNTY COMMISSION MINUTES**

**August 18, 2009**

The Board of Lake County Commissioners met in Regular Session on August 18, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Bohl approves agenda of August 18, 2009. Motion carried.

**CHN QUARTERLY REPORT:**

Peggy Young CHN Secretary presented the 2<sup>nd</sup> quarterly report for Community Health Services.

**MINUTES APPROVED:**

Motion Giles, second Pedersen approves minutes of July 21, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Bohl, second Petersen approves the following accounts payable including Bob's Electric \$1,776.58 4-H Grounds panel change, outlets & flag light. Motion carried.

**COMMISSIONERS:** Knology, service, \$4.25, Madison Daily Leader, minutes, \$413.29, Sunshine Foods, cups, \$11.67, **ELECTIONS:** Bureau of ADM., fax calls, \$40, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, Aug public defender contract, \$4,166.66, Lutheran Social Services, interpreter services, \$113.60, West Payment Center, July online service, \$521.82, **JUROR/WITNESS/APPEARANCE FEES/MILEAGE:** Jarlin Hackett \$20.74, Shaun

Larsen \$20.74, Paul Nelson \$20.74, Michael Briscoe \$20.74, Jarris Wentzel \$20.74, Alexis Wentzel \$57.00, Melisa Lund \$57.00, Justin Cole \$20.74, Curtis Ebsen \$50.74, Tarren Nelson \$50.74, Jessica Rumbolz \$50.74, Donald Stewart \$58.88, Laverne Wipf \$50.74, Julie Lambert \$50.74, Joseph Whealy \$50.74, **AUDITOR:** Brown & Saenger, timecards, \$31.75, Bureau of ADM., long distance/fax calls, \$10.26, Knology, service, \$12.66, Qwest, phone service, \$30.96, Sunshine Foods, supplies, \$5.18, **TREASURER:** Bureau of ADM., long distance calls, \$1.58, MV calls, \$13.62, Central Business, copier maintenance, \$25.00, Express Atty Services, services/tax deed, \$37.00, Madison Daily Leader, notice, \$54.90, Madison Instant Printing, stamp, \$20.30, Qwest, phone service, \$30.96, Southwest Office Solutions, MV supplies, \$33.08, **DATA PROCESSING:** Central Business, ink cart-Zoning, \$19.99, ink cart-Sheriff, \$164.99, Light Speed Technologies, hard drive-DOE, \$54.99, Madison RadioShack, USB ext cords-Treas, surge strip-Aud, switch-St Atty., \$193.94, Pitney Bowes, postage meter rental, \$358.00, Qwest, phone service, \$12.48, Software Services Inc., July services, \$1,460.00, Southwest Office Solutions, ink cart-Zoning, \$95.96, ink cart(3)-DOE, \$46.97, ink cart(2)-Ext, \$55.98, **STATES ATTY:** Colleen Brazil/Child's Voice, expert witness, \$207.20, Bureau of ADM., long distance/fax calls, \$9.90, Knology, service, \$19.05, Madison Instant Printing, envelopes, \$113.59, Kenneth Meyer, travel expense, \$124.94, Minnehaha County Sheriff's Dept., subpoena services(2), \$20.86, Qwest, phone service, \$43.43, Verizon Wireless, service, \$25.89, **GOVT BLDGS:** Benny's Biffies LLC, rental, \$161.00, Bud's Clean Up Service, July services, \$137.72, Bureau of ADM., long distance calls, \$1.22, Campbell Supply Co., supplies, \$55.73, City of Madison, Field Dreams util, \$116.15, Craig's Welding, railing, \$125.00, F&M Coop, fuel, \$210.43, Home Service Water Cond., salt, \$34.10, Johnson Controls, services, \$506.46, Johnstone Supply, supplies, \$174.97, Knology, service, \$4.22, Qwest, phone service, \$31.04, Shred-it, services, \$76.59, Verizon Wireless, service, \$25.93, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$3.04, F&M Coop, fuel, \$31.30, Pamida, camera, \$87.99, Knology, service, \$12.66, Qwest, phone service, \$30.94, Southwest Office Solutions, supplies, \$7.18, Verizon Wireless, service, \$25.93, **REGISTER DEEDS:** Bureau of ADM., long distance calls, \$6.08, Knology, service, \$8.44, McLeod's, books, \$565.92, Qwest, phone service, \$18.47, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, \$.44, Qwest, phone service, \$11.66, **SHERIFF:** F&M Coop, fuel, \$1,147.07, Graham Tire SF North, tires, \$373.46, Madison Community Hospital, blood alcohols, \$558.00, Pulford's Auto Parts, supplies, \$44.30, Matt Schlueter, gas, \$29.00, Southwest Office Solutions, supplies, \$120.02, **JAIL:** Brookings County Sheriff's office, female housing, \$1,005.99, Brown's Cleaning, July laundry service, \$435.00, Bureau of ADM., long distance/fax calls, \$34.24, City of Madison, util, \$774.85, Davison County Sheriff's office, female prisoner housing, \$1,105.00, Knology, service, \$37.98, Minnehaha County Regional Juvenile Detention Center, juv housing(2), \$675.00, Northwestern Energy, util, \$53.22, Pamida, supplies, \$29.71, Qwest, phone service, \$67.61, Sunshine Foods, prisoner meals, \$4,656.00, Verizon Wireless, services, \$176.81, **CORONER:** Bernard Schmanski, Christie fee, \$58.50, Ted Weiland, Sterzinger/Nelson/Christie fees, \$172.50, **SEARCH & RESCUE:** City of Madison, util, \$116.48, Donovan's, regulator repair, \$127.30, Bill Lembcke, zipper repair, \$5.83, Northwestern Energy, util, \$10.59, Qwest, phone service, \$12.47, Don Thomson, trash bags, \$21.14, **COUNTY WELFARE:** Knology, service, \$4.22, Qwest, phone service, \$18.57, Verizon Wireless, service, \$25.93, **CARE OF AGED:** ICAP, Aug community service worker hours, \$574.00, **MENTAL ILLNESS BOARD:** Avera University Psychiatry, MI hold, \$89.09, Lincoln County Treasurer, MI services, \$185.14, **EXTENSION:** Best Business Products, copies, \$209.16, lease, \$113.00, Bud's Clean-Up Service, service, \$111.84, Bureau of ADM., long distance/fax calls, \$12.08, City of Madison, util, \$316.54, Knology, service, \$4.22, Loopy's supplies, \$37.50, Madison Ace Hardware, supplies, \$71.23, Madison Daily Leader, laminating, \$43.25, Madison RadioShack, scandisk 8 GB, \$49.99, Courtney Meyer, laundry, \$6.25, Pamida, supplies, \$49.46, Qwest, phone service, \$55.41, Southwest Office Solutions, supplies, \$103.45, Sunshine Foods, supplies, \$9.47, **WEED:** Bureau of ADM., long distance calls, \$1.52, F&M Coop, fuel, \$201.08, Knology, service, \$4.22, Verizon Wireless, service, \$25.93, **ZONING:** Gene Anderson, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$6.93, R Douglas Jerlow, mtg/mileage, \$33.88, Knology, service, \$4.22, Duane Larson, mtg/mileage, \$36.84, Madison Daily Leader, notices, \$37.53, Qwest, phone service, 18.47, Southwest Office Solutions, supplies, \$39.98, Steve Terwilliger, mtg/mileage, \$30.18, **ROAD & BRIDGE:** Avera Queen of Peace, testing, \$166.50, Campbell Supply, supplies, \$88.26, Central Business Supply, supplies, \$3.30, City of Madison, utilities, \$330.60, F&M Coop, fuel, \$7,429.41, Farm Plan, filters, \$32.50, Fastenal, parts, \$31.44, Flint Hills, road oil, \$16,914.11, JD Evans Inc., parts, \$22.98, Johnson Brothers Excavation Inc., pea rock, \$11,897.28, Knology, service, \$4.22, Krug Products Inc, parts, \$39.43, Lake County International Inc., parts, \$102.36, Pulford's Auto Parts Inc., parts, \$99.61, Qwest, phone service, \$43.41, Resykle, iron, \$2.63, Stan Houston Equipment, paint, \$126.96, Sturdevant's Auto Parts, parts, \$11.33, Verizon Wireless, service, \$51.86, Wheelco, parts, \$98.98, Xcel Energy, utilities, \$7.25, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$2.90, ITC, Aug services, \$115.55, Knology, service, \$4.22, Language Line Services, July usage, \$90.00, Madison Daily Leader, ad, \$10.83, McCook Coop Telephone, Aug services, \$175.53, Qwest, phone service, \$1,236.84, Verizon Wireless, service, \$25.93, **EMA:** Bureau of ADM., long distance/fax calls, \$2.18, Country Cousins, Nat'l Night Out entertainment, \$100.00, KJAM-FM, Nat'l Night Out advertising, \$200.00, Knology, service, \$8.44, Madison Daily Leader, Nat'l Night Out advertising, \$414.24, Qwest, phone service, \$37.85, Kelli Wollmann, Nat'l Night Out entertainment, \$100.00, Verizon Wireless, service, \$32.78, **BUILDING:** Bob's Electric of Madison, services/4H Grounds, \$1,776.58, **LAW LIBRARY:** West Payment Center, supplement, \$88.75, **SAR DONATIONS:** Madison Daily Leader, pancake feed advertising, \$236.25, Sunshine Foods, pancake feed supplies, \$672.52. **GRAND TOTAL: \$68,895.21.**

**SUPPLEMENT:**

Motion Bohl, second Hageman approves the following Resolution #09-8 Supplement to Gov't Bldg Fund (2008 sidewalk project) \$13,443.60. Motion carried.



RESOLUTION #09-8

APPROVING SUPPLEMENTAL BUDGET

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, has authorized the County Auditor to publish a NOTICE OF HEARING ON SUPPLEMENTAL BUDGET and WHEREAS, no person or representatives have appeared to object to the adoption of such supplemental budget and said budget is necessary for the indispensable function of Government as provided in SDCL 7-21-22, THEREFORE, BE IT RESOLVED that the following supplemental budget be adopted:

**Gov't Bldg Fund:**

23300X4250161 Sidewalk project \$13,443.60

Dated this 18th day of August 2009.

Lake County Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**ONE DAY MALT BEVERAGE:**

Motion Pedersen, second Bohl approves One Day Malt Beverage license \$50.00 for Bill George Wedding Reception & Dance Sept 5, 2009 Chester Fire Hall Community Center on behalf of the Chester Volunteer Fire Dept. Motion carried.

**FUEL QUOTES:**

Motion Hageman, second Giles approves F & M Coop ethanol 2.236 & #2 diesel 2.044. Motion carried.

	ethanol:	#2 diesel
Cole's Petroleum	2.2748	2.0420
F & M Coop	2.236	2.044

**ROW APPLICATION:**

Motion Pedersen, second Hageman approves application for occupancy on the Right of Way of County highway by SDN Communications. Telecommunications project located South Washington Ave in Section 18 Lakeview Twp with .5" fiber optic cable. Motion carried.

**TRAVEL REQUESTS:**

DOE Ofc 2009 Assessor Sch 9-13/18 2009 Rapid City, SD

DOE Ofc Productivity Workshop 8-20-09 Sx Falls & 8-19-09 Watertown, SD

Don Thomson SDEMA Conference Sept 15-17, 2009 Brookings, SD

Don Thomson CVSO Sch-Conference August 31-Sept 3, 2009 Pierre, SD

Deb Reinicke SDPA Western Planner Conference Sept 8-11, 2009 Spearfish, SD

**MTGS ATTENDED:**

Giles: East Dakota Transit & Lake Access.

Pedersen: Lake Access.

Verhey: Sx Valley Dist Mtg @ Deuel County.

**ORDINANCE #09-48:**

This being the date and time set per advertisement for 1<sup>st</sup> Reading for Ordinance #09-48 An Ordinance Establishing Flood Damage Prevention. Chairman Verhey opened the hearing for discussion. Present was Deb Reinicke Zoning & Drainage, Don Thomson EMA, Jan Nicolay Brant Lk Sanitary Dist and Mike Halverson LMDA. Motion Hageman, second Bohl approves 1<sup>st</sup> Reading to Ordinance #09-48. Motion carried. Second Reading is scheduled for September 1, 2009 9:15 a.m.

**DETOX CONTRACT:**

Preliminary Detoxification Contract was reviewed by Ken Meyer State's Atty. Peggy Young Welfare, Community Counseling representatives Susan Wicks and Jack Thomson were also present for discussion. Motion Giles, second Pedersen table until September 1, 2009 9:45 am and meet with Sheriff Hartman. Motion carried.

**DRAINAGE BRD:**

Motion Hageman, second Bohl enter into a Drainage Board. Motion carried.

**DRAINAGE #09-2:**

This being the date and time set per advertisement for Drainage Application #09-2 Steve Brown, Warren Opheim & etals, John Foster and Wm Anderson. Location: SE ¼ & N ½ exc Tract 1 of Opheim's & NW ¼ exc W30 rds N33 rds of NE ¼ NW ¼ & exc E19 rds of N33 rds of NW ¼ of NW ¼ Sec 33 & 34 Chester Twp (new tile). Present for testimony was Steve Brown. Waivers were all signed except for Game, Fish & Parks. Motion Giles, second Hageman approves new tile for Drainage Application #09-2 Steve Brown, Warren Opheim & etals, John Foster and Wm Anderson Sec 33 & 34 Chester Twp. Motion carried. Motion Hageman, second Bohl return to Regular Session. Motion carried.

**BOARD OF ADJUSTMENT:**

Motion Bohl, second Pedersen convene as a Board of Adjustment. Motion carried.

**VARIANCE:**

**Mark & Deb Hollingsworth** property located at Lot 1 Hollingsworth Addition S ½ SW ¼ Sec 18 LeRoy Twp. Requesting a side yard variance; plans to build storage bldg (36x24x10) 6' from west lot line. Regulations require 30' side yards in "AG" district. Present was Mark Hollingsworth. Motion Giles, second Bohl approves Mark & Deb Hollingsworth variance. Motion carried.

**Bjorn Nelson** property located at Lot 29 Hilde's Addition parcel #2287-29 Lakeview Twp. Requesting a side yard variance to build a new home but will be 9' on one side & 5'8" on the other side. Regulations require 9' side yards in "LP I" District. Motion Giles, second Bohl approves Bjorn Nelson variance. Motion carried.

**PLATS:**

**G. Hemmer Addition:** Motion Pedersen, second Bohl approves Plat of G. Hemmer Third Addition SW ¼ SW ¼ Sec 25 Lakeview Twp (Lots 1 thru 6). Motion carried.

**Stratton's Addition:** Motion Hageman, second Bohl approves Plat of Stratton's Addition SE ¼ Sec 9 Wentworth Twp. Motion carried.

**CONDITIONAL USE:**

**Dale & Kathy England** property located at Lot 9 & Lot 14 Blk 2 Dirks Pleasure Resort Herman Twp. Requesting oversized accessory bldg (24x80). Regulations in "LP I" district require Conditional Use for an accessory bldg exceeding 1200 sq ft w/12' sidewalls. Present was Dale & Kathy England. Motion Hageman, second Pedersen approves Dale & Kathy England conditional use permit. Motion carried.

**ADJUSTMENT BOARD:**

Motion Hageman, second Pedersen return to Regular Session. Motion carried.

**PS BLDG/A.C. QUOTES:**

Derrick Shoenrock Bldgs & Grounds presented the following quotes for Public Safety Bldg. Motion Bohl, second Giles approves Trane Equipment \$21,066.18 less \$600 waived for mobile AC units=\$20,466.18; 15 Ton Chiller Model # TTA, 5 yr compressor & 5 yr labor warranty. County to provide the crane to remove and replace unit, as well as disposal of the faulty York chiller. Motion carried.

Johnson Controls \$22,162, Trane Equipment \$20,466, Baete-Forseth HVAC \$23,512 & Howe \$21,200

**EXECUTIVE SESSION:**

Motion Giles, second Hageman enter into Executive Session 11:12 a.m. for personnel matters with Bobbi Janke and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Hageman return to Regular Session 11:42 a.m. Motion carried

**TIME CLOCKS/OVER TIME:**

Motion Pedersen, second Bohl discontinue the use of time clocks in all Departments and use Employee Attendance Sheets effective August 24, 2009. Department Heads will be accountable. Motion carried.

**TREAS OFC/OVER TIME:**

Linda Fischer Treasurer presented over time requests but wasn't sure of the number of people or hours. Requested August 28 & 31<sup>st</sup> end of month MV (1 to 1 1/2 hrs), Sept 21-23 Treasurer's State Convention, Sept 29 & 30<sup>th</sup> end of month MV (1 to 1 1/2 hrs), Oct 13-16 Treasurer's vacation, October 29 & 30 tax deadline (1-2 hrs) & 31<sup>st</sup> tax deadline (2-3 hrs). Motion Bohl, second Hageman approves over time requests. Motion carried.

**PAYROLL APPROVED:**

Motion Hageman, second Bohl approves the following payroll 7-27-09 to 8-9-09. Motion carried.

COMMISSIONERS: \$3,489.34; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,405.37; STATES ATTY OFC: \$5,514.54; GOVT BLDGS: \$3,753.60; DIR EQUALIZATION OFC: \$4,126.46; REGISTER DEEDS OFC: \$2,506.75; VSO: \$188.76; SHERIFF OFC: \$8,394.03; JAIL: \$4,587.94; EMA: \$1,332.12; 911 COMM CENTER: \$5,325.63; ROAD & BRIDGE: \$16,345.73; CHN: \$1,135.26; WIC: \$231.24; EXTENSION: \$1,098.83; ZONING: \$1,131.42. GRAND TOTAL \$66,948.42.

**SAFETY BENEFITS:**

Motion Pedersen, second Hageman approves the Law Enforcement & Procedures Agreement w/SD Public Assurance Alliance for the Sheriff's Dept starting in 2010. Motion carried.

**TRAVEL REQUESTS:**

Rick Becker & Deb Blanchette 2009 Assessor Sch Sept 13-18, 2009 Rapid City, SD  
DOE Ofc Productivity workshop 8-20-09 Sx Falls & 8-19-09 Watertown, SD  
Don Thomson SDEMA conference Sept 15-17, 2009 Brookings, SD  
Don Thomson CVSO Sch-conference August 31-Sept 3, 2009 Pierre, SD  
Deb Reinicke SDPA Western Planner Conference Sept 8-11, 2009 Spearfish, SD

**REPORTS REC'D:**

**July, 2009:** Bldg permits \$2,368, Sheriff civil fees \$1,332.02, fees-warrants \$375, work release \$1,760, PBT-breath \$1,089, PBT-scam hookup \$60, pistol permits \$45, accident report copies \$36, fingerprint cards \$100 & Reliance Telephone comm \$65.07, U.A. \$35, scam bracelet repair cost \$700=\$5,597.09. Prisoners housed 79 & days served 487; Mar lic \$70, Dom Abuse \$210, Cert Mar \$300, ROD fees \$4,614 & transfer fees \$2,894.00=\$8,088.

AUDITOR's ACCOUNT WITH TREASURER	INVESTMENT	INTEREST	MATURITY
July 2009	AMOUNT		DATE
Total balance of checking of First Bank & Trust	-\$27,462.35	0.20%	
Cash items	\$910.83		
Silver	\$74.25		
Currency	\$2,870.00		
Amt of checks in Treas possession	\$16,180.60		
First Bank & Trust Passbook Acct #905-022-7	\$1,900,000.00	1.53%	
Great Western Passbook Acct #100021474	\$600,000.00	75%	
American State Bank Cert of deposit #8295	\$100,000.00	3.00%	8/8/2009
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	1.76%	5/10/2010
First Bank & Trust Cert of deposit #67507	\$100,000.00	1.76%	6/21/2010
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
Wells Fargo Brokerage CD's			
Silver State Bank	\$95,000.00	3.75%	7/31/2009
First Regional Bank	\$95,000.00	3.75%	7/30/2009

**ADJOURN:**

There being no further business Chairman Verhey at 12:00 Noon and declared the meeting adjourned until September 1, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

# **LAKE COUNTY COMMISSION MINUTES**

**September 1, 2009**

**BLUE STAR FLAG PRESENTATION:**

Chairman Bert Verhey and Joe Thompson Bldgs & Grounds presented a Blue Star Flag to Wendy Tolley mother of Senior Airman Adam Schwiesow SD Air Nat'l Guard who has completed a tour of duty in Kuwait.

**AGENDA APPROVED:**

The Board of Lake County Commissioners met in Regular Session on September 1, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

Motion Bohl, second Hageman approves agenda of September 1, 2009. Motion carried.

**CONCERNED CITIZENS:**

Doug Caron requested clarification on property located at 6305 Lakeview Drive. Number of concerns was discussed such as building ability on the lot, noxious weeds & drainage. Also in attendance were Ken Meyer State's Atty, Deb Reinicke Planning & Zoning, Rod Goeman and other area landowners. Commission recommended Caron to file a drainage complaint.

**ORDINANCE #09-48:**

This being the date and time set per advertisement for 2<sup>nd</sup> Reading for Ordinance #09-48 An Ordinance Establishing Flood Damage Prevention. Chairman Verhey opened the hearing for discussion. Present was Ken Meyer State's Atty, Deb Reinicke Zoning & Drainage, Jan Nicolay Brant Lk Sanitary District. State's Atty recommended changes. Board decision was delayed until 11:30 am to allow Zoning & Drainage Officer time to make new copies of all changes recommended by State's Atty. Delay for further review.

**911 COMMUNICATIONS:**

Julie Wegener 911 Communications Director recommended hiring (3) PT Communications Dispatchers that would allow to cover 3 shifts on holidays. Motion Giles, second Bohl approves hiring (3) PT Communication Dispatchers w/no benefits G7 \$11.26 Scott Voigt, Deborah Jurgensen & Cynthia Schut. Motion carried.

**MINUTES APPROVED:**

Motion Giles, second Pedersen approves minutes of August 18, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Hageman approves the following accounts payable. Motion carried.

**COMMISSIONERS: Domestic Seed, weed spray/Winfred, \$51.75, AUDITOR:**

Bureau of ADM., internet/email service, \$5.00, Linda Fischer, mileage, \$27.57, **TREASURER:**

Bureau of ADM., internet/email service, \$15.00, Linda Fischer, mileage, \$27.56, **DATA**

**PROCESSING:** Universal Services, ribbons, \$70.95, **STATES ATTY:** A & B Business Inc,

4581 prints, \$20.57, Justin Kapinus, witness exp, \$1,134.40, Office Systems, desk organizer,

\$14.99, One recipient, medical reimbursement, \$500.00, **GOVT BLDGS:** Automatic Building

Controls, annual test, \$352.00, City of Madison, utilities, \$1,548.85, Home Service Water Cond.,

salt, \$34.10, Johnson Controls, cooler rental, \$600.00, Mac's Repair, trimmer repair, \$107.22,

Madison Ace Hardware, supplies, \$166.68, Midwest Glass, replace window, \$167.79, Timmer

Supply, supplies, \$66.17, **EQUALIZATION:** Rick Becker, travel exp., \$54.77, Deb Blanchette,

travel exp., \$12.36, Shirley Ebsen, travel exp., \$68.74, Office Systems, copier maintenance,

\$31.60, SDAAO, web training (2), \$100.00, **REGISTER DEEDS:** Bureau of ADM.,

internet/email service, \$5.00, **SHERIFF:** Card member Service, batteries/gas, \$90.13, Century

Business Products, copier drum, \$237.12, F & M Coop Oil, tire repair, \$8.00, Madison

Community Hospital, blood alcohols, \$372.00, Office Systems Inc., office supplies, \$32.99,

Pizza Ranch, pizza, \$151.85, Prostrollo Auto Mall, clip, \$12.76, Prostrollo Motor Co.,

repairs/Durango, \$34.60, **JAIL:** Bob Barker Co, blankets, \$149.40, City of Madison, utilities,

\$674.01, Interlakes Medical Center, prisoner care, \$306.00, Madison Community Hospital,

prisoner care, \$394.42, **SEARCH & RESCUE:** Madison Ace Hardware, oil, \$11.98, **CARE OF**

**AGED:** ICAP, Sept community service worker hours, \$574.00, **EXTENSION:** Becky Jensen,

travel exp/supplies, \$122.68, **ZONING:** Deb Reinicke, mileage, \$12.95, **ROAD & BRIDGE:**

Aramark Uniform Serv., aprons/rugs, \$57.00, Boyer Trucks, parts/labor, \$1,495.53, Central

Business Supply, office supplies, \$6.26, Cole's Petroleum Inc., engine oil, \$109.20, Domestic

Seed, chemical/grass seed, \$193.20, Krug Products, hose assembly, \$97.24, LG Everist Inc.,

rock, \$279.91, M&T Fire & Safety, supplies, \$38.25, Madison RadioShack, printer ribbon,

\$37.99, MidAmerican Energy, utilities/Ramona, \$10.03, Myrl & Roy's, hot mix, \$9,159.70, SD

DOT, bridge exp, \$983.86, **911 COMM CENTER:** North Dakota APCO, regs, \$90.00, **FIRE**

**DEPT TRUST:** Madison Fire Dept, \$24,122.83, Chester Fire Dept., \$2,297.42, Ramona Fire

Dept., \$1,083.06, Nunda Fire Dept \$1,903.57, Wentworth Fire Dept \$2,806.12, Oldham Fire

Dept \$607.17, **FLEXIBLE SPENDING:** One recipient \$80.00, One recipient, \$252.00.

**GRAND TOTAL: \$54,078.30.**

**PAYROLL APPROVED:**

Motion Hageman, second Bohl approves the following payroll 8-10-09 to 8-23-09. Motion carried.

COMMISSIONERS: \$1,988.10; AUDITORS OFC: \$4,381.41; TREASURERS OFC: \$3,356.05; STATES ATTY OFC: \$4,956.03; GOVT BLDGS: \$3,753.60; DIR EQUALIZATION OFC: \$4,079.61; REGISTER DEEDS OFC: \$2,503.13; VSO: \$188.76; SHERIFF OFC: \$8,376.78; JAIL: \$4,580.24; EMA: \$1,332.12; 911 COMM CENTER: \$6,163.52; ROAD & BRIDGE: \$15,689.93; CHN: \$1,091.78; WIC: \$454.02; EXTENSION: \$1,029.00; ZONING: \$1,110.60. GRAND TOTAL \$65,034.68.

**DETOX DISCUSSION:**

Continued discussion was held on Detoxification Contract. Present was Ken Meyer State's Atty, Peggy Young Welfare, Community Counseling representatives Susan Wicks and Jack Thomson Sheriff's Dept will not hold people to detox in the jail. Motion Giles, second Bohl approves contract as Community Counseling being the gate keepers. Change October 1, 2009 and if they agree end on December 31, 2010 and be agreeable with both parties. Motion carried.

**CB #09-97:**

Motion Giles, second Hageman approves County Burial #09-97 \$850. Motion carried.

**LIEN RELEASE:**

Motion Giles, second Bohl approve release Court Appointed Counsel Lien of Charles Scholl \$15,532.28 from Winfred property pursuant to the County's settlement agreement. Motion carried.

**FLU SHOTS:**

Motion Pedersen, second Bohl approves offering Lake County employee seasonal flu shots. County will pay \$15 and employee pays \$3.00. Motion carried.

**FIRE ALARM:**

Motion Giles, second Hageman approves ABC Automatic Building Controls, Inc contract \$352 for the annual fire alarm checkout proposal per NFPA Code 72. Motion carried.

**4-H EXHIBIT HALL:**

Motion Pedersen, second Bohl approves 4-H Center rental agreement for LAIC Lake Area Improvement Corp for a "Housing Expo" Saturday September 12, 2009 8:30 am to 3:30 pm. Rental fee waived. Motion carried.

**MTGS ATTENDED:**

Bohl=Library.

**AG PRODUCTIVITY:**

Shirley Ebsen Dir of Equalization presented information on the proposed AG Productivity Information which is included on the County's website at [lakecountysd.com](http://lakecountysd.com)

**CHESTER SANITARY DIST:**

Jerome Lammers Atty for Chester Sanitary District and Kim Hansen Chairman CSD presented Resolution #09-01 declaring intention to annex in the District the following property pursuant to SDCL 34A-5-42.

All that part of the West Half (W1/2) of the Northwest Quarter (NW1/4) lying west of the railway right-of-way in Section Fourteen (14), Township One Hundred Five (105), Range Fifty-one (51), except the South One Hundred Fifty Feet (S150') thereof, and except the North Three Hundred Feet (N300') of the West Three Hundred Feet (W300') thereof; and

Tract A of Carruther's Second Addition in the Northwest Quarter (NW1/4) of Section Fourteen (14), Township One Hundred Five (105), Range Fifty-one (51); and Lot One (1) of Carruther's Addition in the Northwest Quarter (NW1/4) of Section Fourteen (14), Township One Hundred Five (105), Range Fifty-one; and

Gaspar's Addition, except the West Ten Feet (W10') thereof, in the Northeast Quarter (NE1/4) of Section Twenty-two (22), Township One Hundred Five (105), Range Fifty-one (51); and

The East Half (E1/2) of the East Half (E1/2) of the Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4) of Section Fifteen (15), Township One Hundred Five (105), Range Fifty-one (51); and

The East Half (E1/2) of the Northeast Quarter (NE1/4) of Section Fifteen (15), Township One Hundred Five (105), Range Fifty-one (51), except that part thereof owned by Chester School District which is already included in Chester Sanitary District; and

Except any part of the above described real property which is already included in Chester Sanitary District, all in Lake County, South Dakota.

Motion Bohl, second Hageman approves request from Chester Sanitary District for proposed annexation in the District boundaries. Motion carried.

**ZONING OFC/OVER TIME:**

Deb Reinicke Zoning-Drainage Officer requested over time of 2-3 hrs attending SD Planners Conference Sept 8-11, 2009 Spearfish, SD. Motion Giles, second Bohl approves 2-3 over time hours for Deb Reinicke September 11, 2009. Motion carried.

**WEBSITE:**

Motion Pedersen, second Giles approves request from Darin Namken Commission Soup in placing Lake County's website on the quick links tab on [madisonsd.com](http://madisonsd.com) and [Madison.sd.us](http://Madison.sd.us). Motion carried.

**SURPLUS PROPERTY:**

Motion Bohl, second Pedersen approves declaring the following items surplus and participate with City of Madison's Surplus Sale September 18, 2009. Motion carried.

Lanier copier with stand asset # 4006, Desk/Harter asset #00544, All steel double pedestal desk asset #02287, Corner desk unit asset #04569, Computer Desk asset #02262 & Epson main frame printer asset #04137.

**BID NOTICE:**

Motion Pedersen, second Bohl approves Notice to Bidders for energy projects. Bid letting will be held September 15, 2009 10:45 am. Notice will be published September 3 & 10, 2009. Motion carried. Bid specifications are available from Derrick Shoenrock Bldgs & Grounds Supt lakebldg@iw.net.

**PROVISIONAL BUDGET HEARING:**

This being the date and time set per advertisement for 2010 Provisional Budget Hearing Chairman Verhey opened the hearing for discussion. Members from the Lake County Historical Society Dale Nighbert, Sue Larsen and John Hess "Thanked" the Commission for the continued support and invited everyone to tour the Smith-Zimmerman Museum. Shirley Ebsen Dir of Equalization requested subscribing to Agri Data Inc for information that is available in converting Ag land data from crop to productivity. Cost is \$400 per yr plus \$200 additional subscriber. Mapping is from FSA field maps of the previous year. Requested additional staffing for clerical duties. Motion Giles, second Bohl approves adding Treasurer Ofc insurance \$4,508; increase Hwy Dept tires \$6,000, patching \$6,000 & blades \$4,000; Dir of Equalization added 25% position + benefits \$8,876, Field Appraiser grade change due to certification \$669 & added Agri Data programs \$600, added Zoning health ins \$1,159. TOTAL: \$31,812. Apply \$47,812 (includes \$16,000 Rd & Bridge operating transfer) from cash reserves to support 2010 Budget. Motion carried.

**ORDINANCE #09-48:**

This being the date and time set per advertisement for 2<sup>nd</sup> Reading for Ordinance #09-48 An Ordinance Establishing Flood Damage Prevention. Ken Meyer State's Atty and Deb Reinicke Zoning & Drainage returned with revised changes and a clean copy of Ordinance #09-48. Motion Giles, second Pedersen approve as amended. All voting aye. Motion carried.

**Pre-issues July 2009**

Interlakes Fed Cr Union, payroll deductions, \$1,964.50, Lake County Treasurer, payroll withholdings, \$13,901.44, Office of Child Support Enf., child support, \$250.62, State Remittance, June collections, \$154,502.99, Kapinus, Justin, witness fee, \$371.60, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$1,964.50, Lake County Treasurer, payroll withholdings, \$14,798.88, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$300.00, US Postal Service, postage stamps, \$147.60, Lake County Treasurer, June ACH direct deposit charge, \$43.44, Jason Fischer, RE taxes, \$17.74, Emp G2000, flexible spending, \$120.00, Lake County Treasurer, payroll withholdings, \$14,357.33, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$116.66. **GRAND TOTAL: \$203,478.54**

**End of the Month Payables July 2009,**

AFLAC, cancer-intensive care, \$1,742.92, Assurant Employee Benefits, Aug 09 life ins premium, \$191.52, Johnson Rodenburg Lauinger, wage assignment, \$300.00, Lake County Treasurer, RE taxes, \$87.00, SD Retirement System, July 09 collections, \$24,198.00, Supplemental Retirement, July 09 collections, \$1,087.50, Vision Care Direct, Aug 09 premium, \$864.72, Wellmark BCBS of SD, Aug 09 health ins premium, \$15,630.95, Sioux Valley Energy, services, \$278.49, Sioux Valley Wireless, website hosting, \$19.95, **GRAND TOTAL: \$44,401.05.**

**TRAVEL REQUESTS:**

Julie Wegener 911 Communications Dakota 911 APCO Conference Oct 12-15, 2009 Fargo, ND. Glenda Blom Extension pickup 4-H display exhibits @ State Fair 9-7-09 Huron, SD.

**ADJOURN:**

There being no further business Chairman Verhey at 11:30 a.m. declared the meeting adjourned until September 15, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**

**September 15, 2009**

The Board of Lake County Commissioners met in Regular Session on September 15, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Bohl approves agenda of September 15, 2009. Motion carried.

**HOMELAND SECURITY:**

Don Thomson EMA presented an update on the 2009 Homeland Security Program allocations. The \$50,000 Energy Improvement grant has been awarded as of August 21, 2009 with a 3 year time frame for completion.

**MINUTES APPROVED:**

Motion Giles, second Pedersen approves minutes of September 1, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** City of Madison, shingle disposal, \$75.00, Civil Design Inc., boundary survey, Winfred property, \$2,541.07, Farmers Ag Center LLC, amine/Winfred property & Towles cemetery, \$89.86, Chris Giles, mileage, \$39.22, Madison Ace Hardware, signs/poor farm

& Winfred property, \$18.33, Madison Daily Leader, notices/minutes, \$379.19, Menard's, fencing materials/poor farm, \$3,358.01, Resykle LLC, poor farm & Winfred property supplies, \$65.25, **ELECTIONS:** Bureau of Adm., fax calls, \$21, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, Sept public defender contract, \$4,166.66, Lutheran Social Services, services, \$124.90, West Payment Center, Aug online service, \$521.82, **AUDITOR:** Best Business Products, copier maintenance, \$23.80, Bureau of ADM., long distance/fax calls, \$7.48, City Directory Inc., directory, \$128.00, Madison Daily Leader, annual budget, \$279.45, Madison Instant Printing, attendance records, \$171.00, Matthew Bender, books, \$57.47, Qwest, phone service, \$30.94, Southwest Office Solutions, supplies, \$42.67, copy paper, \$30.50, **TREASURER:** Bureau of ADM., long distance calls, \$3.98, MV line \$13.83, Central Business, copier maintenance, \$25.00, City Directory Inc., directory, \$128.00, Qwest, phone service, \$30.94, Southwest Office Solutions, supplies, \$14.46, supplies MV line, \$184.77, **DATA PROCESSING:** Central Business, ink cart (2) Zoning, \$39.98, Madison RadioShack, ink cart (5) Sheriff, \$141.94, monitor-ROD, \$219.99, switch-St Atty, \$49.99, Marshall & Swift, program/book, \$1,347.15, Qwest, phone service, \$12.47, Southwest Office Solutions, ink cart (3) Zoning, \$75.97, ink cart (3) Doe, \$41.97, **STATES ATTY:** Bureau of ADM., long distance/fax calls, \$12.18, Lewis, photo processing, \$6.38, Madison Instant Printing, color copies, \$97.14, Qwest, phone service, \$43.41, Southwest Office Solutions, copy paper, \$122.00, Verizon Wireless, service, \$28.12, Stacy Wiebesiek, deposition, \$75.50, **GOVT BLDGS:** Bud's Clean Up Service, Aug services, \$137.72, Bureau of ADM., long distance calls, \$2.03, Campbell Supply, supplies, \$244.80, Chemco, supplies, \$167.85, Cole's Petroleum Inc., fuel, \$230.48, Home Service Water Cond., salt, \$27.28, Pro-Build, supplies, \$29.61, Qwest, phone service, \$31.03, Shred-It, supplies, \$64.20, Verizon Wireless, service, \$28.13, **EQUALIZATION:** Bureau of ADM. long distance/fax calls, \$8.16, Cole's Petroleum Inc., fuel, \$49.60, Qwest, phone service, \$30.93, Southwest Office Solutions, supplies, \$9.99, copy paper, \$22.88, Verizon Wireless, service, \$28.12, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$43.25, Bureau of ADM., long distance calls, \$4.12, City Directory Inc., directory, \$128.00, Madison Instant Printing, envelopes, \$206.21, Qwest, phone service, \$18.47, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance/fax calls, \$7.00, Qwest, phone service, \$11.66, Donald Thomson, registration, \$25.00, **SHERIFF:** City Directory Inc., directory, \$128.00, Cole's Petroleum Inc., fuel, \$994.13, F & M Coop, tire repair, \$5.00, Graham Tire SD North, tires, \$371.96, Mac's Repair, lights/radio repair, \$94.69, Madison Instant Printing, folders, \$15.00, Madison RadioShack, supplies, \$50.97, Matthew Bender, books, \$57.47, Prostrullo Auto Mall, services, \$87.00, Southwest Office Solutions, supplies, \$136.97, Sturdevant's Auto Parts, parts, \$345.52, **JAIL:** Brown's Cleaning, Aug jail laundry, \$435.00, Bureau of ADM., long distance/fax calls, \$43.04, Minnehaha County Regional Juvenile Detention Center, juv housing, \$675.00, Northland Family Practice, prisoner services, \$111.00, Northwestern Energy, util, \$44.72, Qwest, phone service, \$67.59, Sunshine Foods, prisoner meals, \$3,244.00, **CORONER:** Ted Weiland, Yow fee, \$58.50, **SEARCH & RESCUE:** Classic Corner, fuel, \$40.25, Madison RadioShack, batteries, \$19.99, Northwestern Energy, util, \$13.80, Qwest, phone service, \$12.46, **COUNTY WELFARE:** Bureau of ADM., long distance calls, \$3.60, Miller Funeral Home, county burial, \$2,175.00, Qwest, phone service, \$18.56, Senior Companions of SD, 3<sup>rd</sup> qtr allotment, \$288.75, Southwest Office Solutions, copy paper, \$3.04, Verizon Wireless, service, \$28.12, **AMBULANCE:** Madison Community Hospital, 3<sup>rd</sup> qtr allotment, \$3,750.00, **CARE OF AGED:** East Dakota Transit, 3<sup>rd</sup> qtr allotment, \$1,455.00, **MENTAL ILLNESS/DRUG ABUSE:** Community Counseling Service, 3<sup>rd</sup> qtr allotment, \$4,185.00, **PUBLIC LIBRARY:** Madison Public Library, 3<sup>rd</sup> qtr allotment, \$550.00, **EXTENSION:** Best Business Products, copier maintenance, \$113.00, Glenda Blom, travel expense, \$69.37, Bureau of ADM., long distance/fax calls, \$13.40, Becky Jensen, fair exp, \$37.00, Loopy's, supplies, \$47.50, Madison Daily Leader, ad, \$52.50, Pamida, supplies, \$188.12, Qwest, phone service, \$55.41, Southwest Office, supplies, \$74.12, copy paper, \$61.00, Sunshine, supplies, \$95.10, **SOIL CONSERVATION:** Interlakes Water Quality, Lake Madison Dev Assn., 3<sup>rd</sup> qtr allotment, \$625.00, Lake County Conservation Dst., 3<sup>rd</sup> qtr allotment, \$8,996.25, **WEED:** Campbell Supply, parts/supplies, \$18.72, Cole's Petroleum Inc., fuel, \$4.13, Pulford's Auto Parts Inc., parts, \$78.79, Verizon Wireless, service, \$28.12, **ZONING:** Gene Anderson, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$8.21, First District, 3<sup>rd</sup> qtr allotment, \$3,694.00, Holiday Inn/Spearfish, lodging, \$240.00, R Douglas Jerlow, mtg/mileage, \$33.88, Duane Larson, mtg/mileage, \$36.84, Madison Daily Leader, notices, \$29.32, Qwest, phone service, \$18.46, Debra Reinicke, mileage, \$291.56, Southwest Office Solutions, supplies, \$35.37, copy paper, \$4.58, Steve Terwilliger, mtg/mileage, \$30.18, **TOURISM:** Smith-Zimmerman Museum/Lake County Historical Society, 3<sup>rd</sup> qtr allotment, \$600.00, **ROAD & BRIDGE:** Boyer Trucks Sx Falls, part, \$331.24, Bureau of Adm., long distance/fax calls, \$9.20, Butler Machinery Co., parts, \$291.91, Campbell Supply, parts/supplies, \$32.71, Central Business, supplies, \$32.57, Cole's Petroleum Inc., fuel, \$6,608.34, F&M Coop, tires expense, \$23.95, Farm Plan, part, \$68.86, Fastenal, parts/supplies, \$28.49, Holcomb Freightliner Inc., parts, \$75.72, Johnson Feed Inc., calcium chloride, \$1,557.92, Lake County International Inc., oil/parts, \$59.89, Light & Siren, part, \$201.41, Madison Ace Hardware, supplies, \$53.30, Michael Johnson Construction, washed rock, \$603.87, Pro-Build, cement, \$59.80, Pulford's Auto Parts Inc., parts, \$358.23, Qwest, phone service, \$43.41, Resykle LLC, supplies, \$43.75, Schuneman Equipment Co., parts, \$350.30, Southwestern Office Solutions, copy paper, \$30.50, Sturdevant's Auto Parts, parts, \$246.64, Tires Tires Tires, tire expense, \$45.00, Tractor Salvage & Welding, blades, \$2,585.88, Verizon Wireless, service, \$56.26, Xcel Energy, util/Ramona, \$7.25, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$5.08, City Directory Inc., directories, \$204.00, ITC, Sept services, \$115.55, McCook Telephone, Sept services, \$169.53, Mid-American Specialties Inc., pencils, \$306.80, Qwest, phone service, \$1,236.87, Southwestern Office Solutions, copy paper, \$30.50, Verizon Wireless, service, \$28.13, **EMA:** Bureau of ADM., long distance calls, \$3.60, Madison Daily Leader, Nat'l Night Out advertising-HLS08, \$165.38, Qwest, phone service, \$37.85, Verizon Wireless, service, \$33.35, **DOMESTIC ABUSE:** Domestic Violence Network, 3<sup>rd</sup> qtr allotment,

\$1,260.00, **LAW LIBRARY:** West Payment Center, books, \$88.75, **FLEXIBLE SPENDING:** One recipient \$166.88, One recipient \$63.00. **GRAND TOTAL: \$69,253.47.**

**PAYROLL APPROVED:**

Motion Hageman, second Bohl approves the following payroll 8-24-09 to 9-6-09. Motion carried.

COMMISSIONERS: \$3,214.34; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,350.55; STATES ATTY OFC: \$5,453.04; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,079.61; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$8,964.87; JAIL: \$4,879.30; EMA: \$1,332.12; 911 COMM CENTER: \$5,934.61; ROAD & BRIDGE: \$15,127.68; CHN: \$1,077.61; WIC: \$355.32; EXTENSION: \$1,029.01; ZONING: \$1,110.60. **GRAND TOTAL \$66,540.66.**

**FUEL QUOTES:**

Motion Hageman, second Pedersen approves Cole's Petroleum ethanol 2.0668 & #2 diesel 1.9245. Motion carried.

	<b>ethanol:</b>	<b>#2 diesel:</b>
<b>Cole's Petroleum</b>	<b>2.0668</b>	<b>1.9245</b>
<b>F &amp; M Coop</b>	<b>2.18</b>	<b>2.028</b>

**ENGINEER AGREEMENT:**

Motion Giles, second Bohl approves CDI Civil Design Inc engineering work order P6327 (08) PCN 02DA \$12,669.18 for the 2010 County Rd #51 overlay project. Motion carried.

**SOLID WASTE AGREEMENT:**

Motion Pedersen, second Bohl approves Lake County Waste Tire Agreement Phase II with SD DENR pursuant to SDC L 46A-1-60. Regional Landfill Assistance funds of \$6,000 or 50% of the cost whichever is less, appropriated for the removal of waste tire piles and other solid waste in Lake County. Motion carried.

**EXECUTIVE SESSION:**

Motion Hageman, second Bohl enter into Executive Session 9:17 a.m. for personnel matters with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Pedersen, second Bohl return to Regular Session 9:37 a.m. Motion carried.

**HONOR FLIGHT BENEFIT:**

Joe Thompson Bldgs & Grounds requested the County to host an Honor Flight Benefit to raise money for World War Veterans trip to Washington, D.C. Chilli feed and raffle is being planned for October 20, 2009 in the basement of the Public Safety Bldg.

**INDIGENT #09-18:**

Motion Giles, second Bohl deny medical assistance application of Avera McKennan for Indigent #09-18. Unable to meet Lake County Welfare guidelines. Motion carried.

**COUNTY BURIAL #09-08CB:**

Motion Bohl, second Hageman deny County Burial #09-0CB due to County residency. Motion carried.

**ALCOHOL & MENTAL COMMITMENTS:**

Motion Giles, second Bohl authorize Peggy Young County Welfare Director to approve applications for voluntary mental commitments or alcohol commitments if they meet the County's Indigent guidelines. Motion carried.

**FIRST DISTRICT PLANNING:**

Motion Bohl, second Hageman approves Resolution #09-9 continue support for First District Assoc Local Government 10-1-2009 - 9-30-2010 \$15,339.80. Motion carried.

**RESOLUTION #09-9**

**TO CONTINUE SUPPORT FOR THE FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS DURING FISCAL YEAR 2010**

(October 1, 2009 - September 30, 2010)

The Lake County Board of County Commissioners, having adopted and signed a Joint Cooperative Agreement on the 14<sup>th</sup> day of March, 1972, creating the First Planning and Development District, Model Rural Development Program, do hereby agree to renew their participation in the Joint Cooperative Agreement for Fiscal Year 2010 (October 1, 2009 - September 30, 2010). To support the Joint Cooperative Agreement and the activities of the District staff, the Lake County Board of County Commissioners will provide \$15,339.380 to the First District Association of Local Governments during the aforementioned Fiscal Year 2010 period.

**ADOPTION:**

Adopted this 15<sup>th</sup> day of September, 2009.

S/s Bert Verhey Chairman Lake County Commission

**ATTEST:**

S/s Kay A. Schmidt Auditor

**TRAVEL REQUEST:**

Deb Reinicke Solid Waste Brd & Committee Mtg 9-21-09 & 9-30-09 Sioux Falls, SD.

**CLEAN WATER:**

Chris Giles discussed having a Clean Water committee formed in Lake County. Recommended Jan Nicolay & Robert Todd as committee members and others. Invite them to attend the October 20, 2009 meeting for continued discussion.

**BOARD OF ADJUSTMENT:**

Motion Pedersen, second Bohl convene as a Board of Adjustment. Motion carried.

**PLAT:**

**Pedersen Addition:** Motion Bohl, second Hageman approves Tract A of Pedersen Addition NW ¼ Sec 3 Chester Twp. Motion carried.

**VARIANCE:**

**Glen Visser** property located at Lot 3 DeDe & Cozad's Replat & Lot 4 Johnson Park & part of vacated lane, Wentworth Twp. Requesting a side yard variance. Regulations in a "LP I" District requires a 9' side yard. Present was Glen Visser. Motion Pedersen, second Giles approves Glen Visser variance. Motion carried.

**CONDITIONAL USE:**

"PD" PLANNED DEVELOPMENT was presented by Charles Keppen in a "AG" District located in Sec 1 Franklin Twp. Requesting to develop 8 lots with private road that will be connected to a minimum maintenance road. No structure can be built within 150' of the edge of the runway. Motion Pedersen, second Bohl approves "PD Planned Development for Charles Keppen. Motion carried.

**REGULAR SESSION:**

Motion Pedersen, second Hageman return to Regular Session. Motion carried.

**DRAINAGE BRD:**

Motion Hageman, second Bohl enter into a Drainage Board. Motion carried.

**DRAINAGE COMPLAINT #09-2:**

Drainage Complaint #09-2 Doug Caron 6303 Lakeview Dr Wentworth, SD vs. Jay Van Liere 6305 Lakeview Dr Wentworth, SD W ½ Lot A Lakeview Drive Second Addition, Sec 23 Lakeview Twp. Doug Caron presented the complaint due to a dirt pile, trench and drainage. Jay Van Liere presented pictures of the area. Other concerned citizens were also present. Motion Giles, second Pedersen to table until 2<sup>nd</sup> meeting in October. Recommended Commissioners to individually visit the site and return on October 20, 2009 9:00 am. Motion carried.

Motion Pedersen, second Bohl to return to Regular Session. Motion carried.

**BOARD OF ADJUSTMENT:**

Motion Hageman, second Bohl convene as a Board of Adjustment. Motion carried.

**CONDITIONAL USE:**

Rick Yager property located in Herman Twp. Requesting to start a salvage/junkyard business in an "AG" District. Parcel is located in Zone A & B of the Aquifer Overlay District. Present was Rick Yager, Mayor Gene Hexom, City Commissioner Dick Ericsson, City Engineer Chad Comes for testimony. Motion Bohl, second Hageman deny Rick Yager Conditional Use Permit due to location. Motion carried.

**REGULAR SESSION:**

Motion Bohl, second Hageman return to Regular Session. Motion carried.

**BID LETTING:**

This being the date and time set per advertisement for sealed bids for energy improvement projects the following bids were opened & read.

**#1 Courthouse front & north door replacements**

Brookings Glass & Mirror 610 12 St. S. Brookings, SD \$3,850/cashier check \$192.50

Midwest Glass, Inc 1333 Main Ave S. Brookings, SD \$5,105 (no cashier check)

Motion Bohl, second Giles approves Brookings Glass & Mirror \$3,850. Motion carried.

**#2 Courthouse 4<sup>th</sup> floor siding & insulation replacement**

Steve Williams/Williams Custom Homes 23753 SD Hwy 19 Madison, SD \$5,727.30/cashier check \$286.37.

Motion Pedersen, second Bohl approves Williams Custom Homes \$5,727.30. Motion carried.

**#3 Courthouse 4<sup>th</sup> floor window replacement**

Steve Williams/Williams Custom Homes 23753 SD Hwy 19 Madison, SD \$11,443/cashier check \$572.15.

Midwest Glass, Inc. 1333 Main Ave S. Brookings, SD \$7,129.36 (no cashier check)

Motion Giles, second Bohl approves Williams Custom Homes \$11,443. Motion carried.

**#4 4-H Exhibit Hall heating system replacement**

Jared's Electric 302 NW 7<sup>th</sup> Madison, SD \$8,500/cashier check \$425

Chester Hardware Inc 402 4<sup>th</sup> St Chester, SD \$10,466.34/cashier check \$1,046.63

Colton Plumbing & Heating, LLC P.O. Box 38 Colton, SD \$15,000/cashier check \$750

Motion Bohl, second Hageman approves Jared's Electric \$8,500. Motion carried.

**2010 BUDGET ADOPTED:**

Jan Nicolay presented budget request and concerns from the Interlakes Government Relations Committee for the need of a building inspector. Motion Pedersen, second Bohl acknowledge receipt of a letter from Interlakes Government Relations Committee members Yvonne Ernster Brant Lake Improvement Assoc, Matt Larsen Lake Madison Development Assoc and Jan Nicolay Interlakes Government Relations Chairman. Motion carried.

Motion Hageman, second Bohl approves 2010 Lake County Budget as presented. Motion carried.

**ANNUAL BUDGET FOR LAKE COUNTY, SD**

For the Year January 1, 2010 to December 31, 2010

COUNTY TAX LEVIES	Dollars	\$'s/1,000
WITHIN LIMITED LEVY:		
*General County Purposes (10-12-9)	3,155,783	3.428
LIMITED LEVY (10-12-21)	3,155,783	3.428
SUB TOTAL		
OUTSIDE LIMITED LEVY:		
Courthouse, Jail, etc., Bldg (7-25-1)	28,395	.031
UNLIMITED LEVY - SUB TOTAL	28,395	.031
LIMITED AND UNLIMITED	3,184,178	3.459
TOTAL TAXES LEVIED BY COUNTY		

\*These Amounts include the 25% to be distributed to cities.

**RESOLUTION ADOPTION OF ANNUAL BUDGET FOR Lake County, South Dakota**

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and



Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, elimination's and additions have been made thereto.

**NOW THEREFORE BE IT RESOLVED**, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, **SHALL BE APPROVED AND ADOPTED AS THE ANNUAL BUDGET OF THE APPROPRIATION AND EXPENDITURES FOR Lake County**, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2010 and ending December 31, 2010 and the same is hereby approved and adopted by the Board of County Commissioners of Lake County, South Dakota, this 15th day of September, 2009. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor Lake, County, South Dakota. The accompanying taxes are levied by Lake County for the year of January 1, 2010 through December 31, 2010.

**BOARD OF COUNTY COMMISSIONERS OF  
LAKE COUNTY**, South Dakota

s/s Bert Verhey Chairman

S/s Dan Bohl

S/s Chris Giles

S/s Roger Hageman

S/s Scott Pedersen

ATTEST:

S/s Kay A. Schmidt Auditor

**MTGS ATTENDED:**

Bohl & Giles=Juvenile Detention Center Sioux Falls, SD.

Giles=East Dakota Transit.

**REPORTS REC'D:**

August 2009: bldg permits \$2,855, sewer permits \$200, application fees \$225 & plat reviews \$75; Sheriff civil fees \$1,894.20, fees-warrants \$250, work release \$700, PBT-breath \$898, PBT-scam hookup \$60, pistol permits \$42, accident report copies \$32, fingerprint cards \$150=\$4,026.20. Prisoners housed 59 & days served 316; Mar lic \$270, Dom Abuse \$90, Cert Mar \$210, ROD fees \$5,070 & transfer fees \$3,625=\$9,265.

AUDITOR'S ACCOUNT WITH TREASURER	INVESTMENT	INTEREST	MATURITY
August 2009	AMOUNT		DATE
Total balance of checking of First Bank & Trust	\$1,775.90	0.19%	
Cash items	\$612.27		
Silver	\$94.34		
Currency	\$2,339.00		
Amt of checks in Treas possession	\$24,038.16		
First Bank & Trust Passbook Acct #905-022-7	\$2,135,000.00	1.42%	
Great Western Passbook Acct #100021474	\$500,000.00	75%	
American State Bank Cert of deposit #8349	\$100,000.00	2.00%	8/8/2010
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	1.76%	5/10/2010
First Bank & Trust Cert of deposit #67507	\$100,000.00	1.76%	6/21/2010
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
	<b>\$3,958,859.67</b>		

**ADJOURN:**

There being no further business Chairman Verhey at 11:50 a.m. declared the meeting adjourned until October 6, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

# LAKE COUNTY COMMISSION MINUTES

October 6, 2009

The Board of Lake County Commissioners met in Regular Session on October 6, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

## AGENDA APPROVED:

Motion Bohl, second Pedersen approves agenda of October 6, 2009. Additions: County Rd # 17 Summit Twp and Richard Schmidt drainage. Motion carried.

## CHN/POD GRANT:

Jen Foubert CHN presented grant information for a POD Point Of Distribution that is a mass vaccination/dispensing campaign. Funding is 100%. Motion Giles, second Bohl accept the 100% POD Grant for Lake County's Community Health Nursing program. Motion carried.

## MINUTES APPROVED:

Motion Pedersen, second Hageman approves minutes of September 15, 2009. Motion carried.

## ACCOUNTS PAYABLE:

Motion Hageman, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Domestic Seed & Supply, lawn mix/poor farm, \$1,045.00, fertilizer/poor farm, \$108.53, Jim Fitzgerald, mileage, \$266.40, Johnson Brothers Excavation Inc., dig holes/Winfred, \$918.37, Knology, service, \$3.68, Madison Ace Hardware, fencing materials/poor farm, \$17.52, Madison Daily Leader, notices/minutes, \$1,083.16, Menard's, fencing materials/poor farm, \$39.84, Resykle, iron/oxygen, \$102.00, Ronald Tolley, mileage, \$106.56, **JUDICIAL:** Kim Callies, transcripts, \$632.40, DeCastro Law Firm, appeal counsel, \$306.05, Chris Giles, juv counsel, \$369.00, **JUROR/WITNESS/APPEARANCE FEES-MILEAGE:** Val Thielen \$20.74, Dale Wilson \$20.74, Jacob Mark Waba \$27.40, **AUDITOR:** Best Business Products, copier maintenance, \$23.80, Bureau of ADM., Aug BIT billing, \$5.00, Central Business, green copy paper, \$9.98, Linda Fischer, lodging, \$80.00, Knology, service, \$11.07, Madison RadioShack, supplies, \$53.71, Kay Schmidt, travel expense, \$41.47, SDACO, directory, \$10.00, Southwest Office Solutions, supplies, \$29.66, **TREASURER:** Bureau of ADM., Aug BIT billing, \$15.00, Central Business, copier maintenance, \$25.00, Linda Fischer, lodging, \$80.00, Lake County Treasurer, postage, \$11.08, Kay Schmidt, mileage, \$29.97, SDACO, directory, \$10.00, Southwest Office Solutions, supplies, \$730.06, **DATA PROCESSING:** Madison RadioShack, hard drive Doe, \$99.99 ink cart, \$108.97, Microfilm Imaging Systems, plats scanned, \$490.00, Pitney Bowes, postage meter rental, \$358.00 supplies, \$293.95, Software Services Inc., Aug services, \$500.00, Southwest Office Solutions, ink cart Doe, \$13.99 toner (4) Ext, \$582.96 ink cart (2) Zoning, \$55.98, Universal Services, ribbons Aud., \$141.90, **STATES ATTY:** A&B Business Inc., prints, \$18.60, Knology, service, \$18.40, Madison Instant Printing, color copy, \$1.19, Verizon Wireless, service, \$33.37, **GOVT BLDGS:** Benny's Biffies LLC, rental, \$161.00, Bud's Clean Up Services, Sept services, \$137.72, Kim Callies, sound system batteries, \$63.55, City of Madison, util, \$2,060.40, Cole's Petroleum Inc, fuel, \$153.44, Hillyard, supplies, \$283.07, Knology, service, \$3.68, Madison Ace Hardware, supplies, \$55.99, MARC, supplies, \$140.21, Millennium Recycling Inc., e-waste, \$167.10, Pro-Build, louver, \$80.99, Pulford's Auto Parts, batteries, \$160.15, Shred-It, services, \$448.68, Timmer Supply, supplies, \$55.68, Unemployment Insurance Div., 3<sup>rd</sup> Qtr remittance, \$118.90, Verizon Wireless, service, \$33.37, **EQUALIZATION:** Rick Becker, travel expense/review mileage, \$114.39, Deb Blanchette, travel expense, \$54.48, Cole's Petroleum Inc, fuel, \$52.49, Shirley Ebsen, travel expense, \$149.80, Knology, service, \$11.07, Office Systems Inc., copier maintenance, \$31.60, Southwest Office Solutions, supplies, \$18.17, Verizon Wireless, service, \$33.37, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$43.01, Brown & Saenger, cal refill, \$2.83, Bureau of ADM., Aug BIT billing, \$5.00, Knology, service, \$7.38, McLeod's, mort books, \$668.50, SDACO, directory, \$10.00, Southwest Office Solutions, supplies, \$39.16, **SHERIFF:** Bub's Service, battery, \$130.95, Card member Service, travel expense, \$7.05, Cole's Petroleum Inc, fuel, \$1,140.68, Lake County Treasurer, postage/stamps, \$225.36, Madison Community Hospital, blood alcohols, \$682.00, McLeod's, day books, \$54.38, Office Systems, appt book, \$9.78, Prostrullo Auto Mall, alignment/sensor, \$92.83, Southwest Office Solutions, supplies, \$42.65, Sturdevant's Auto Parts, parts, \$12.66, West Payment Center, supplement, \$76.00, **JAIL:** Bob Barker Co., supplies, \$215.20, Brown's Cleaning, Sept laundry, \$435.00, City of Madison, util, \$783.43, Dakota Drug, supplies/prescriptions, \$197.13, Knology, service, \$33.21, Sunshine, antacid/bags, \$15.96, **CORONER:** Bernard Schmanski, Olson fee, \$58.50, **SEARCH & RESCUE:** Corey Gunderson, training mileage, \$74.00, M&T Fire & Safety Inc., rescue jack equipment, \$3,800.00, **COUNTY WELFARE:** Knology, service, \$3.68, Verizon Wireless, service, \$33.37, **WIC:** Peggy Young, meal, \$7.99, **CARE OF AGED:** ICAP, Oct community service worker hours, \$574.00, **MENAL ILLNESS BOARD:** Donna Dietrich, MI hearing, \$25.29, Abby Oftedal, MI hearing, \$184.50, **EXTENSION:** Best Business, copies, \$235.46, Best Business Products, lease pmt, \$113.00, Becky Jensen, Sept tvl, \$173.28, Knology, service, \$3.68, Lewis, photos, \$39.80, Loopy's, supplies, \$26.00, Madison RadioShack, supplies, \$41.77, Pamida, batteries, \$4.99, Power Promotions, ribbons, \$384.00, SDSU CES, reg fee, \$90.00, Sunshine, supplies, \$43.95, **WEED:** C&R Supply Inc., part/supplies, \$59.41, Cole's Petroleum Inc, fuel, \$2.02, Knology, service, \$3.68, Pulford's Auto Parts, parts, \$28.11, Verizon Wireless, service, \$33.37, **ZONING:** Knology, service, \$3.68, Southwest Office Solutions, supplies, \$36.98, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$62.72, Bob's Radiator, repairs, \$20.00, Butler Machinery Co., part, \$315.30, CarQuest Auto Parts, parts, \$2.88, Cole's Petroleum Inc, fuel, \$7,932.70, Conney Safety, white pants, \$187.24, Dakota Fluid Power, filters, \$62.11, Domestic Seed, grass seed, \$107.50, Graham Tire SF North, tires, \$2,000.00, Harold's Electric, parts, \$52.65, Johnson Brothers Excavation, culvert exp., \$2,012.15, Knology, service, \$3.68, Krug Products Inc., hoses, \$112.26, Lake Co International, parts, \$975.20, Madison RadioShack, ink cart (2), \$71.28, MidAmerican Energy, util., \$10.39, Miller Loaders, parts, \$14.25, Myrl & Roy's Paving Inc., hot mix, \$5,894.39, Northern Tool/Equipment, \$348.02, Old Dominion Brush, broom bristles, \$1,144.00, Pheasant Country Express, snow salt, \$3,111.29, Pulford's Auto Parts, parts, \$132.62, Resykle, iron/oxygen,

\$80.10, SD DOT, I-beam, \$1,000.00, SD DOT, bridge expense, \$2,215.27, Sturdevant's Auto Parts, parts, \$189.34, Verizon Wireless, service, \$66.74, WW Tire Service, tire expense, \$2,559.76, Xcel Energy, util, \$7.33, Zep Sales & Service, supplies, \$192.63, **911 COMM CENTER:** ITC, services, \$115.55, Knology, service, \$3.68, Language Line, Aug services, \$90.00, McCook Coop Telephone, services, \$167.53, Office Systems Inc., supplies, \$56.10, Quill Corp., supplies, \$48.17, Verizon Wireless, service, \$33.37, Walter, maintenance contract, \$1,910.00, **EMA:** Knology, service, \$7.36, Madison RadioShack, dvd's, \$27.99, Donald Thomson, reg fee, \$30.00, Verizon Wireless, service, \$38.56, **BUILDING:** Dakota Plumbing Inc., install toilets Jail, \$712.77, Jared's Electric, repairs, \$1,295.92, Timmer Supply, Jail toilets/valve (2), \$4,311.62, **24/7 SOBRIETY PROGRAM:** Intoximeters, 5000 mouthpieces, \$600.00, **SAR DONATIONS:** Lewis, parade candy, \$55.69, M&T Fire & Safety Inc., rescue jack equipment, \$3,485.63, **LEPC:** Heiman Fire Equipment, red directional chevron mats, \$444.75, **FLEXIBLE SPENDING:** One recipient \$70.00, One recipient \$71.49, One recipient \$50.00, **GRAND TOTAL: \$69,064.43.**

#### **PAYROLL APPROVED:**

Motion Bohl, second Giles approves the following payroll 9-7-09 to 9-20-09 & 9-21-09 to 10-4-09. Motion carried.

#### **Payroll of September 7-20, 2009**

COMMISSIONERS: \$1,823.10; AUDITORS OFC: \$4,381.41; TREASURERS OFC: \$3,356.05; STATES ATTY OFC: \$4,988.94; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,079.60; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$9,095.81; JAIL: \$4,826.34; EMA: \$1,332.12; 911 COMM CENTER: \$6,682.98; ROAD & BRIDGE: \$15,357.72; CHN: \$1,050.66; WIC: \$423.00; EXTENSION: \$1,102.50; ZONING: \$1,207.78. **GRAND TOTAL \$65,958.61.**

#### **Payroll of September 21-October 4, 2009**

COMMISSIONERS: \$3,324.34; AUDITORS OFC: \$4,381.41; TREASURERS OFC: \$3,367.00; STATES ATTY OFC: \$5,489.89; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,133.19; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$8,750.14; JAIL: \$4,268.98; EMA: \$1,332.12; 911 COMM CENTER: \$6,443.64; ROAD & BRIDGE: \$15,445.60; CHN: \$1,081.05; WIC: \$366.60; EXTENSION: \$1,029.01; ZONING: \$1,110.60. **GRAND TOTAL \$66,774.17.**

#### **ONE DAY MALT BEVERAGE:**

Motion Pedersen, second Bohl approves One Day Malt Beverage license \$50.00 for Smith/Koller Wedding Oct 17, 2009 Camp Lakodia. Motion carried.

#### **FUEL QUOTES:**

Motion Giles, second Hageman approves Cole's Petroleum ethanol 2.0189 & #2 diesel 1.9230. Motion carried.

<b>Cole's Petroleum</b>	<b>2.0189</b>	<b>1.9230</b>
F & M Coop	2.127	1.986

#### **NUSIANCE COMPLAINT:**

Commission acknowledged receipt of a letter from Town of Ramona regarding the Orlyn Reinicke property in Badus Twp. Per Ken Meyer State's Atty recommended forwarding the nuisance complaint to Deb Reinicke Zoning-Drainage for the necessary complaint actions.

#### **MTGS ATTENDED:**

Bohl=Library, ICAP & Community Counseling

Giles=LAIC

Pedersen Interlakes Gov't Relations/clean water

#### **WAGE ADJUSTMENT:**

Motion Petersen, second Bohl approves wage change for Deb Blanchette DOH 8-29-08 G9,8 Field Appraiser \$13.67 to G10,8 + .25=\$13.92 effective September 18, 2009 due to completing the Field Appraiser certification. Motion carried.

#### **BLDG INSPECTOR:**

Todd Kays 1<sup>st</sup> District Planning discussed Building Inspector position. 1<sup>st</sup> District will survey the 8 counties in the District for the need of a Building Inspector and report back to the Commission. No decision was made at this time.

#### **DRAINAGE BRD:**

Motion Pedersen, second Bohl enter into a Drainage Board. Motion carried.

#### **DRAINAGE #09-3:**

This being the date and time set per advertisement for Drainage Application #09-3 LeRoy Erickson Sec 9 Badus Twp (N ½ NW ¼ & S ½ NW ¼). *It was noted that LeRoy Erickson was NOT present for the hearing.* Bryan Schultz US Fish & Wildlife representative met with opposition to the drainage. Motion Bohl, second Pedersen deny Drainage application #09-3 due to LeRoy Erickson was not present for the hearing. Motion carried.

Motion Hageman, second Giles to return to Regular Session. Motion carried.

#### **EXECUTIVE SESSION:**

Motion Bohl, second Hageman enter into Executive Session 10:06 a.m. for potential and pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

#### **REGULAR SESSION:**

Motion Hageman, second Giles return to Regular Session 10:35 a.m. Motion carried.

#### **NAT'L 4-H WEEK:**

Deb Stamm President 4-H Leaders Assoc and Glenda Blom Extension Secretary requested the Chairman to proclaim October 4-10, 2009 as National 4-H Week in Lake County. Motion Pedersen, second Giles recommend Chairman Verhey to sign & proclaim October 4-10, 2009 as National 4-H Week in Lake County. Motion carried.

#### **NATIONAL 4-H WEEK**

**October 4-10, 2009**

WHEREAS, 4-H youth across the nation are leading efforts to solve problems in their communities and make a difference for their futures.

WHEREAS, 4-H is one of the largest youth development organizations in South Dakota and the largest in the nation with six million young people.

WHEREAS, 4-H in South Dakota claims 8,186 youth members and 1,412 adult volunteers, while Lake County's 4-H program numbers more than 157 members and more than 100 volunteers.

WHEREAS, 4-H as part of the Cooperative Extension Service of South Dakota State University is a program where youth learn through opportunities that provide them hands-on experiences in 4-H's mission mandates of science, engineering and technology; healthy living; and citizenship.

WHEREAS, 4-H has connected youth and their communities with the innovative research and resources from our nation's 106 land-grant universities and colleges for more than 100 years; NOW, THEREFORE, I, Bert Verhey, Chairman of the Lake County Board of Commissioners, do hereby proclaim October 4-10, 2009, as National 4-H Week in Lake County. I urge the people of this community to take advantage of the opportunity to become more aware of this special program that enhances our youth people's interests in their futures as part of Lake County 4-H Youth Development and to join us in recognizing the unique partnership between our county and our state University System.

S/s Bert Verhey Chairman

Lake County Board of Commissioners

October 6, 2009

**COUNTY BURIAL #09-9CB:**

Motion Giles, second Pedersen approves County Burial #09-9CB and authorize State's Atty to assist with efforts to collect. Motion carried.

**INDIGENT #09-19:**

Motion Pedersen, second Bohl deny medical assistance to Indigent #09-19. Based on income level and no attempts to settle outstanding bills. Motion carried.

**FLU SHOT CLINIC:**

Motion Giles, second Pedersen authorize the CHN & Welfare Offices to host a Flu Shot Clinic after 5 pm in the Commission & Election rooms. Motion carried.

**JAYCEES HAUNTED HOUSE:**

Commissioners will allow the Jaycees to use the main barn at the 4-H grounds for the Haunted House on Oct 22 & 24, 2009. They will require use of the barn the entire month of October for construction.

**CASH DESIGNATED:**

Motion Pedersen second Bohl approves designating \$44,000.00 from General Fund Reserve and apply to the General Fund Scholl property restoration project. Motion carried.

**LAKE COUNTY GENERAL FUND SURPLUS ANALYSIS**

DATE:

9/30/09

**ASSETS:**

101 Cash	2,151,294.71
108 Taxes Receivable--Current	1,397,681.79
110 Taxes Receivable--Delinquent	36,282.25

**TOTAL ASSETS**

**3,585,258.75**

**LIABILITIES AND EQUITY:**

224 Deferred Revenue	1,433,964.04
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**FUND BALANCES:**

271.99 Reserved for Election Grant	51,727.02
272.01 Designated for Next Year's Appropriations (one of the following)	79,551.00
March - 3/4 of the current year budget	
September - 1/4 current year + subsequent year	0.00
December - subsequent year	
272.03 Designated for Capital Outlay Accumulations	100,000.00
272.04 Designated for Hwy Mat Overlay Project	91,349.00
272.04 Designated for Scholl property restoration	44,000.00
272.09 Undesignated	1,784,667.69

**TOTAL LIABILITIES AND EQUITY**

**3,585,258.75**

Following Year General Fund Budget

(use September - 1/4 current year + subsequent yr)	4,452,408.00
	40.00%

The unreserved, undesignated fund balance, account 272.09, divided by the following year General Fund budget resulting in the fund balance percentage

**Pre-issues Sept 2009**

Lake County Treasurer, Aug direct deposit charge, \$43.44, Estes, Jackie, witness fee/mileage, \$20.74, Rushmore Plaza, lodging, \$1,110.00, US Postal Service, postage meter refill, \$1,000.00, Emp G2000, flexible spending, \$135.00, Interlakes Fed Cr Union, payroll deductions, \$1,964.50, Lake County Treasurer, payroll withholdings, \$14,204.16, Office of Child Support Enf., child support, \$250.62, Emp T1090, flexible spending, \$208.33, First Bank & Trust, SF, check order, \$75.18, State Remittance, Aug collections, \$155,717.16, Donovan's Hobby & Scuba, dive equipment, \$523.71, Emp G2000, flexible spending, \$84.00, Interlakes Fed Cr Union, payroll deductions, \$2,014.50, Lake County Treasurer, payroll withholdings, \$14,140.94, Emp T1090, flexible spending, \$208.33, Lake County Treasurer, advanced taxes, \$156.56, Johnson Bros Excavation Inc, knock over Winfred elevator, \$1,836.74, **GRAND TOTAL: \$193,693.91.**

**End of the Month Payables Sept 2009,**

AFLAC, cancer-intensive care premium, \$1,742.92, Assurant Employee Benefits, Oct 09 life ins premium, \$191.52, Johnson Rodenburg Lauinger, wage assignment, \$200.00, Lake County Treasurer, RE taxes, \$87.00, SD Retirement System, Sept 09 collections, \$16,027.50,

Supplemental Retirement, Sept 09 collections, \$895.00, Vision Care Direct, Oct 09 premium, \$864.72, Wellmark BCBS of SD, Oct 09 health ins premium, \$15,978.76, City of Madison, utilities, \$866.31, Sioux Valley Wireless, website hosting, \$19.95, Verizon Wireless, services, \$165.00, Sioux Valley Energy, services, \$279.33, **GRAND TOTAL: \$37,318.01.**

**ADJOURN:**

There being no further business Chairman Verhey at 11:30 a.m. declared the meeting adjourned until October 20, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**  
**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**  
**October 20, 2009**

The Board of Lake County Commissioners met in Regular Session on October 20, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Bohl approves agenda of October 20, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Hageman, second Bohl approves minutes of October 6, 2009. Motion carried.

**DRAINAGE BRD:**

Motion Bohl, second Pedersen enter into a Drainage Board. Motion carried.

**DRAINAGE #09-2:**

Chairman Verhey opened the tabled Drainage Complaint #09-2 Doug Caron vs Jay Van Liere. Property located at 6305 Lakeview Dr Wentworth, SD W ½ Lot A Lakeview Drive Second Addition, Sec 23 Lakeview Twp. Testimony was given from Caron, Van Liere, Rod Goeman and Deb Reinicke Zoning & Drainage. Written testimony was received & placed on file from Martin Jarrett Big Sioux CWS and Tom Murray. DENR plans to visit the site on Thursday October 22, 2009. Motion Giles, second Bohl table until November 3, 2009 11:00 am. Mr. Van Liere is to return with a plan to address the drainage & erosion problem. Deb Reinicke Zoning & Drainage to visit the site with DENR. Acquire DENR's recommendation. Motion carried. Motion Pedersen, second Hageman return to Regular Session. Motion carried.

**COMPROMISE OF POOR LIEN:**

Wayne Grad and Dick Ericsson Atty requested consideration on a reasonable offer of a \$5,000 settlement for the \$9,304.54 Sadie Grad poor lien. Commissioner Chris Giles disqualified himself from this appointment. Motion Hageman, second Pedersen accepts the proposed Compromise of Poor Lien Resolution #09-10 for Sadie Grad \$5,000.00. Motion carried.

**RESOLUTION #09-10**

**COMPROMISE OF POOR LIEN**

WHEREAS, there is presently on file in the office of the Register of Deeds a lien registered by Lake County as a poor lien against Sadie Grad, deceased, of 702 S. Harth Avenue, Madison, South Dakota 57042; and

WHEREAS, the lien presently on file in the office of the Lake County Register of Deeds against the above named person is in the total amount of \$9,304.54.

THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Lake County, South Dakota hereby compromise said County Poor lien against Sadie Grad for the consideration of Five Thousand Dollars (\$5,000.00) in cash paid, and in return for the payment of said amount of money, Lake County hereby releases the claim against Sadie Grad. The Lake County Commissioners hereby authorize the Lake County Auditor and instruct said Auditor to file a full and complete release of said lien, all of said acts being performed by said Lake County in the best interests of said county.

Dated this 20<sup>th</sup> day of October 2009.

S/s Bert Verhey Chairman

Lake County Commission

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**BOARD OF ADJUSTMENT:**

Motion Hageman, second Bohl convene as a Board of Adjustment. Motion carried.

**CONDITIONAL USE PERMIT & VARIANCE:**

**BPS, LLC Mark Peltier** property located at Blk 2A Silver Creek Lakes Addition, Gov't Lots 3,4, & 5 Sec 32 Wentworth Twp. Requesting to amend the Conditional Use & Variance that was granted in November of 2007 to start a Park Home Development. BPS would like to use the 9 lots for RV's. The RV's would have to be pulled out by end of October and could not arrive until mid April. The lots about the campground area. Lake County regulations require that being there will be a change in use, the process of a new & amended Conditional Use & Variance need to be applied for. Motion Pedersen, second Bohl approves amending the 2007 BPS, LLC conditional use permit & variance allowing 9 RV's on the lots. Motion carried.

**VARIANCE:**

**David & Patty Foley** property located at E498' of W1080' S350' SE ¼ Sec 3 Lakeview Twp. Requesting to be closer to the road right-of-way. Regulations require structures to be 75' from the road right-of-way. Motion Giles, second Pedersen approves David & Patty Foley variance.

Motion carried.

**Steve & Linda Wicks** property located at S15 Rods E16 Rods NE ¼ SE ¼ Sec 21 Summit Twp. Requesting to be closer to the road right-of-way. Regulations require structures to be 75' from the road right-of-way. Motion Bohl, second Hageman approves Steve & Linda Wicks variance. Motion carried.

**James Olson** property located at Lot 37 Hilde's Addition parcel #2287-37 Lakeview Twp. Requesting to be closer to the sideyard in the "LP I" District. Regulations require 9' side yards in "LP I" District, Lake Madison. Motion Bohl, second Hageman approves James Olson variance. Motion carried

#### **PLATS:**

**Tract M of Christiansen's:** Motion Pedersen, second Bohl approves Plat of Lots 1 & 2 of Tract M of Christiansen's Harbor 10<sup>th</sup> Addition NE ¼ Sec 26 Lakeview Twp. Motion carried.

**Dilly's Addition:** Motion Giles, second Hageman approves Plat of Dilly's Addition NW ¼ Sec 3 Rutland Twp. Motion carried.

**Meehan's Addition:** Motion Pedersen, second Giles approves Plat of Lot 1 Meehan's Addition SW ¼ Sec 6 Herman Twp. Motion carried.

**Engbretson Addition:** Motion Hageman, second Bohl approves Plat of Lot 1 Ed Engbretson 2<sup>nd</sup> Addition N ½ SE ¼ SE ¼ Sec 26 Lakeview Twp. Motion carried.

**Hansen Addition:** Motion Pedersen, second Bohl approves Plat of Lot 1 Hansen Addition SW ¼ Sec 14 Nunda Twp. Motion carried.

#### **ADJUSTMENT BOARD:**

Motion Bohl, second Hageman return to Regular Session. Motion carried.

#### **DRAINAGE BRD:**

Motion Hageman, second Pedersen enter into a Drainage Board. Motion carried. Hageman resend his motion.

#### **ACCOUNTS PAYABLE:**

Motion Hageman, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Campbell Supply, twine/poor farm fencing, \$14.36, Chris Giles, mileage, \$39.22, New Deal Tire, tire disposal/Phase III Winfred, \$4,560.60, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, Oct public defender contract, \$4,166.66, de Castro Law Office, counsel, \$558.78, Chris Giles, counsel (2), \$959.40, Lutheran Social Services, interpreter services, \$102.60, West Payment Center, supplements, \$268.75, **AUDITOR:** Bureau of ADM., long distance/fax calls, \$5.34, internet/email \$5.00, **TREASURER:** Bureau of ADM., long distance/fax calls, \$10.41, internet/email \$15.00, **DATA PROCESSING:** IBM, AS/400 maintenance, \$602.91, Madison RadioShack, ink cart (2) Sheriff, \$52.98, Pitney Bowes, postage meter rental, \$358.00, Software Services Inc., Sept services, \$1,340.00, **STATES ATTY:** Bureau of ADM., long distance/fax calls, \$12.76, Office Systems Inc., supplies, \$71.70, **GOVT BLDGS:** Bob's Electric of Madison, ballast, \$27.24, Bureau of ADM., long distance calls, \$3.03, Campbell Supply, supplies, \$95.90, Hillyard, supplies, \$245.08, Home Service Water Cond., salt, \$27.28, KONE Inc., elevator maintenance, \$1,028.64, Shoenrock Plbg & Htg., machine rental, \$76.53, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$6.25, Office Systems Inc., copier maintenance, \$31.60, SDAAO, commercial/training, \$100.00, **REGISTER OF DEEDS:** Brown & Saenger, calendar, \$18.42, Bureau of ADM., long distance calls, \$3.34, internet/email \$5.00, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, \$77, **SHERIFF:** Gall's, raincoats (3), \$125.96, Graham Tire SF N., tires, \$373.46, Madison Comm Hospital, blood alcohols, \$868.00, Prostrullo Auto Mall, repairs, \$178.24, **JAIL:** Bureau of ADM., long distance/fax calls, \$34.68, Brookings County Sheriff, female housing, \$260.00, Dakota Drug, supplies, \$14.26, Davison county Sheriff, female housing, \$260.00, Northwestern Energy, util, \$43.32, Sunshine Foods, prisoner meals, \$3,572.00, Verizon Wireless, service, \$169.74, **CORONER:** LCM, autopsy, \$2,105.95, **SEARCH & RESCUE:** City of Madison, utilities, \$115.45, Classic Corner, fuel, \$55.42, Northwestern Energy, util, \$13.63, Donald Thomson, Garmin GPS, \$217.28, **COUNTY WELFARE:** Bureau of ADM., long distance calls, \$.62, **MENTAL ILLNESS BOARD:** Denise Cody, MI hearing, \$24.00, Donna Dietrich, MI hearing, \$97.06, Richard Ericsson, MI hearing, \$205.00, Joan Kittelson, MI hearing, \$24.00, Lincoln County Auditor, MI hearings(4), \$548.10, Gary Mikelson, MI hearing, \$65.60, Abby Oftedal, MI hearing, \$184.50, Yankton County Sheriff, MI services, \$25.00, **EXTENSION:** Best Business Product, copies, \$233.24, Bureau of ADM., long distance/fax calls, \$15.41, City of Madison, util, \$300.77, Northwestern Energy, util, \$12.37, **WEED:** C&R Supply Inc., parts, \$18.72, Campbell Supply, supplies, \$31.77, **ZONING:** Donald Bickett, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$8.08, R Douglas Jerlow, mtg/mileage, \$33.88, Duane Larson, mtg/mileage, \$36.84, Steve Terwilliger, mtg/mileage, \$30.18, **ROAD & BRIDGE:** Boyer Trucks Sioux Falls, parts, \$143.31, Bureau of ADM., long distance/fax calls, \$1.44, Butler Machinery Co., part, \$48.18, Campbell Supply, parts/supplies, \$146.35, Cole's Petroleum Inc., engine oil, \$530.20, F&M Coop, tire expense, \$399.90, Fastenal Co., supplies/parts, \$59.63, Holcomb Freightliner Inc., parts, \$43.14, Hyland Machining, repair, \$35.00, Schuneman Equipment Co., parts, \$370.46, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$2.74, Language Line Services, Sept usage, \$90.00, Quill, ink carts, \$51.25, Julie Wegener, conf mileage, \$178.71, **EMA:** Bureau of ADM., long distance/fax calls, \$11.19, **BUILDING:** ProAction Uniforms, breaching blanket/grant, \$4,875.00, **LAW LIBRARY:** West Payment Center, Sept services, \$521.82, **FLEXIBLE SPENDING:** One recipient \$37.29. **GRAND TOTAL: \$32,702.97.**

#### **PAYROLL APPROVED:**

Motion Petersen, second Giles approves the following payroll 10-5-09 to 10-18-09. Motion carried.

**COMMISSIONERS:** \$1,823.10; **AUDITORS OFC:** \$4,381.40; **TREASURERS OFC:** \$3,438.47; **STATES ATTY OFC:** \$4,878.46; **GOVT BLDGS:** \$3,558.72; **DIR EQUALIZATION OFC:** \$4,099.61; **REGISTER DEEDS OFC:** \$2,503.12; **VSO:** \$188.76;

SHERIFF OFC: \$8,873.96; JAIL: \$4,727.82; EMA: \$1,332.12; 911 COMM CENTER: \$6,981.45; ROAD & BRIDGE: \$15,307.21; CHN: \$1,148.10; WIC: \$366.60; EXTENSION: \$1,043.70; ZONING: \$1,110.60. GRAND TOTAL \$65,763.20.

#### **SNOW REMOVAL NOTICE:**

Motion Bohl, second Hageman approves publishing one time the following Public Snow Removal Notice. Motion carried.

#### **PUBLIC SNOW REMOVAL NOTICE**

NOTICE IS HEREBY GIVEN, by the Lake County Commission, that an individual who plows snow from a driveway onto a public road, or plows snow from a driveway across a public road piling it in the ditch, may be in violation of a South Dakota law that prohibits dumping on or within highway right-of-ways. Intentional dumping on a highway right-of-way is a Class 1 misdemeanor, carrying a maximum possible punishment of one year in the county jail and/or a \$2,000 fine. This may also be a violation of a South Dakota law that prohibits the destruction of a highway grade or ditch, which is a Class 2 misdemeanor, carrying a maximum possible punishment of thirty days in the county jail and/or a \$500 fine.

Publish: 10/23/09

#### **MENTAL ILLNESS APPT:**

Motion Pedersen, second Bohl appoints Jim Baltzer, Carol Nordling & Charles Stoneback to the County's Mental Illness Board effective immediately for a 3 year term. Motion carried.

#### **DRAINAGE BRD:**

Motion Hageman, second Bohl enter into a Drainage Board. Motion carried.

#### **DRAINAGE #09-5:**

This being the date and time set per advertisement for Drainage Application #09-5 Dale Bunkers SE ¼ SE ¼ MW ¼ Sec 34 Lakeview Twp. Present was Dale & Jon Bunkers and in opposition was Bryan Schultz US Fish & Wildlife. Requesting to replace an open ditch with 800' to 1,000' of 6" perforated tile. Motion Bohl, second Pedersen approves Drainage #09-5 Dale Bunkers. Motion carried.

#### **DRAINAGE #09-4:**

This being the date and time set per advertisement for Drainage Application #09-4 Robert Norman S ½ Sec 9 Badus Twp. Present was Robert Norman and in opposition was Bryan Schultz US Fish & Wildlife. Requesting to replace tile in ditches with 8" perforated pipe. Motion Giles, second Hageman approves Drainage #09-4 Robert Norman. Motion carried.

#### **DRAINAGE #09-3:**

This being the date and time set per advertisement for Drainage Application #09-3 LeRoy Erickson N ½ NW ¼ & S ½ NW ¼ Sec 9 Badus Twp. Present was LeRoy Erickson and in opposition was Bryan Schultz US Fish & Wildlife. Requesting new tile w/6" perforated pipe. Motion Giles, second Hageman approves Drainage #09-3 LeRoy Erickson. Opposed: Bohl. Motion carried.

#### **UNDERGROUND CONSTRUCTION:**

Loosbrock Drainage made application for Occupancy for Underground Construction on County Roads Right-Of-Way to bore under County Road #17 with 6" PVC pipe. Location is NE ¼ Sec 33 & SW ¼ Sec 27 Rutland Twp. Motion Pedersen, second Bohl approves Loosbrock Drainage for the underground construction under County Road #17 Rutland Twp. Motion carried. Motion Bohl, second Hageman to return to Regular Session. Motion carried.

#### **CLEAN WATER:**

Robert Todd, Dale Droge, Terry Ryan and Rod Goeman Lake Madison concerned citizens discussed clean water quality project for a County wide program. Motion Giles, second Bohl set a meeting for November 10, 2009 7 pm at Lake County 4-H Exhibit Hall. Invite all three Lake Assoc's, East Dakota Water, Lake County Consr Dist, City and Twp Officials. Motion carried.

#### **MTGS ATTENDED:**

Bohl: Juvenile Detention Center & Library

Giles: Juvenile Detention Center & East Dakota Transit

#### **NOON RECESS:**

Commissioners recessed at 12:20 pm. Return at 1:00 pm.

#### **ADMINISTRATIVE HEARING:**

Administrative hearing was held with the following in attendance: Indigent #09-17 w/spouse, Robert Nelson Atty Avera Hospital, Ken Meyer State's Atty, Shelli Gust Sec and Peggy Young Welfare Director. Hearing was requested by Robert Nelson Atty following the denial of medical assistance for Indigent #09-17. Motion Giles, second Bohl deny based upon that insurance coverage was available with the employer. Motion carried.

#### **REPORTS REC'D:**

September 2009: bldg permits \$3,055, sewer permits \$200, application fees \$225 & plat reviews \$75; Sheriff civil fees \$1,843.45, fees-warrants \$225, work release \$200, PBT-breath \$1,239, PBT-scam hookup \$120, pistol permits \$45, accident report copies \$32, fingerprint cards \$80, Reliance Telephone Comm \$162.82=\$3,947.27. Prisoners housed 65 & days served 381; Mar lic \$40, Dom Abuse \$120, Cert Mar \$180, ROD fees \$4,139 & transfer fees \$3,608=\$8,087.

AUDITOR's ACCOUNT WITH TREASURER	INVESTMENT	INTEREST	MATURITY
	AMOUNT		DATE
September 2009			
Total balance of checking of First Bank & Trust	\$1,852.94	0.15%	
Cash items	\$915.49		
Silver	\$93.63		
Currency	\$2,872.00		
Amt of checks in Treas possession	\$29,847.75		
First Bank & Trust Passbook Acct #905-022-7	\$2,137,351.59	1.35%	
Great Western Passbook Acct #100021474	\$175,000.00	0.74%	
American State Bank Cert of deposit #8349	\$100,000.00	2.00%	8/8/2010
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326			

American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	1.76%	5/10/2010
First Bank & Trust Cert of deposit #67507	\$100,000.00	1.76%	6/21/2010
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
	<b>\$3,642,933.40</b>		

**ADJOURN:**

There being no further business Chairman Verhey at 2:30 p.m. declared the meeting adjourned until November 3, 2009 at 9 a.m.

It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**

**October 27, 2009**

The Board of Lake County Commissioners met in Special Session on October 27, 2009 at 8:00 a.m. with the following members present: Dan Bohl, Chris Giles, Scott Pedersen, Bert Verhey, and Auditor Kay A. Schmidt. Absent: Roger Hageman. Chairman Verhey called the meeting to order.

**EXECUTIVE SESSION:**

Motion Giles, second Pedersen enter into Executive Session 8:01 a.m. for personnel matters with Derrick Shoenrock Bldgs & Grounds, Don Thomson EMA and Kay A. Schmidt Auditor.

Motion carried.

**REGULAR SESSION:**

Motion Pedersen, second Giles return to Regular Session 8:55 a.m. Motion carried.

**ADJOURN:**

There being no further business Chairman Verhey at 8:57 a.m. declared the meeting adjourned until November 3, 2009 at 9 a.m.

It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**

**November 3, 2009**

The Board of Lake County Commissioners met in Regular Session on November 3, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Hageman, second Bohl approves agenda of November 3, 2009. Motion carried.

**MINUTES APPROVED:**

Motion Bohl, second Hageman approves minutes of October 20 & 27, 2009. Motion carried.

**BOARD OF ADJUSTMENT:**

Motion Hageman, second Bohl convene as a Board of Adjustment at 9:03 am. Motion carried.

**CONDITIONAL USE PERMIT:**

**Charles Scholl/Chuck's Recycling Repair, Inc** property located at N802' W1275' NE ¼ ex S607' of E 817' Sec 25 Concord Twp parcel #4450B. Requesting to start salvage & recycling business in the "AG" District. Regulations require a "Conditional Use" in the "AG" District for this type of business. Present was Charles Scholl, Greg Protsch Atty, Michele Dancer Crt Reporter on behalf of Atty Protsch, Greg Pulford, Jay Leibel Atty, Deb Reinicke Zoning-Drainage, Ken Meyer State's Atty and Shelli Gust Sec. Testimony was presented by the following: Atty Protsch, Scholl, Atty Leibel, Pulford, Andy Wood, Willy Hahn, Dean Kooiker, Franklin Black, Roy Nelson, Richard Heilman and Don McCarthy. Photos were presented for review from Protsch and Leibel. Leibel presented hand written petitions from concerned citizens opposing the Conditional Use. Protsch objected. Ken Meyer State's Atty recommended that only the witnesses that were present could testify since they could be cross-examined. Those not present could not testify since they were not subject to cross examination and questioning.



Motion Giles, second Bohl upon the recommendation of Ken Meyer State's Atty to not allow the petitions into evidence. Motion carried. Motion Giles, second Bohl that the board accepts all exhibits and photos 1-83 since there were no objections. Motion carried. Motion Giles, second Pedersen to table for two weeks. Motion carried.

**ADJUSTMENT BOARD:**

Motion Pedersen, second Bohl return to Regular Session at 11:10 am. Motion carried.

**DRAINAGE BRD:**

Motion Pedersen, second Hageman enter into a Drainage Board. Motion carried.

**DRAINAGE APPLICATIONS:**

**#09-6:** This being the date and time set per advertisement for Drainage Application #09-6 Dennis Rensch SE ¼ Sec 8 Badus Twp (new tile). Present for testimony was Dennis & Donna Rensch, Deb Reinicke Zoning-Drainage and Ken Meyer State's Atty. In opposition was Tom Tornow US Fish & Wildlife. Motion Hageman, second Pedersen approves Drainage Application #09-06 Dennis Rensch. Motion carried.

**#09-7:** This being the date and time set per advertisement for Drainage Application #09-7 Lee Klein (operator) Wm Klein Owner E ½ SW ¼ & SE ¼ & NE ¼ Sec 32 Lakeview Twp (new tile). Present for testimony was Lee Klein, Deb Reinicke Zoning-Drainage and Ken Meyer State's Atty. In opposition was Todd St Sauver SD Game, Fish & Park. Motion Giles, second Hageman approves Drainage Application #09-07 Lee Klein. Motion carried. Motion Pedersen, second Hageman to return to Regular Session. Motion carried.

**JOINT POWERS AGREEMENT:**

Ken Meyer State's Atty, Chad Comes City Engineer and Keith Van Eye Public Works Dept presented a Joint Powers Agreement between City of Madison and Lake County. Agreement is for a proposed recreational trail that would pass through Lake County and specifically affects Lake County as the proposed route would be located within or partially within Lake County Right of Way along the west side of Highland Avenue and be adjacent to and south of the Lake County Right of Way along County Rd 38 extending to Lake Herman State Park. Trail would also cross Highland Avenue approximately at a point 200' north of 7<sup>th</sup> Street South and would cross County Road 38 at the stop sign located at the intersection of County Rd 38 & Highland Ave. County to grant a permanent easement to Madison to enter onto the statutory Right of Ways of Lake County for the purposes of construction, operation, maintenance, repair and replacement of a 10' asphalt surface trail along the route. Agreement shall be in effect as long as the recreational trail is in existence. City agrees to indemnify and hold harmless Lake County, it's agents, employees or volunteers from any and all losses, expenses, damages, demands & claims in connection with or arising out of any injury or alleged injury to any persons (including death), or damage or alleged damage to personal or real property, sustained or alleged to have been sustained in connection with, or to have arisen out of the construction, operation of the recreation trail in any manner of fashion; and further the City agrees to defend any suit or action brought against Lake County; it's agents, employees or volunteers, or any of them, based upon such alleged injury or damage and to pay any and all damages, costs and expenses, including attorney's fees in connection therewith or resulting there from. City shall provide draft construction plans to Lake County for review and comment. City shall maintain positive drainage to the same extent that it currently exists or better. City shall restore, maintain, and/or extend any existing drainage structures currently within the Right of Way to facilitate positive drainage. City shall provide adequate erosion control and permanent reseeding within all locations disturbed within existing Right of Way. City shall restore any disturbance within the Right of Way to the reasonable satisfaction of Lake County. Motion Pedersen authorize Chairman to sign Joint Powers Agreement with the City of Madison. Chairman called for a second. Verhey made the second. Bohl recues from the vote. Motion carried.

**BULL DITCH REPAIRS.**

Motion Giles, second Bohl allow further discussion with Moody County to acquire more information on repairing the Bull Ditch. Motion carried.

**OT ALLOWED:**

Motion Giles, second Hageman authorize overtime for court preparations in the State's Atty Ofc for the year or as needed. Motion carried.

**EXECUTIVE SESSION:**

Motion Bohl, second Hageman enter into Executive Session at 12:03 p.m. for potential and pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Pedersen return to Regular Session at 12:30 p.m. Motion carried.

**DRAINAGE BRD:**

Motion Hageman, second Bohl enter into a Drainage Board at 12:32 p.m. Motion carried.

**DRAINAGE #09-2:**

Chairman Verhey opened for discussion the tabled Drainage Complaint #09-2 Doug Caron vs Jay Van Liere. Property located at 6305 Lakeview Dr Wentworth, SD W ½ Lot A Lakeview Drive Second Addition, Sec 23 Lakeview Twp. A drainage plan was reviewed by Jay Van Liere. Also present was Doug Caron, Rod Goeman and Deb Reinicke Zoning & Drainage. Motion Hageman, second Giles to return to Regular Session. Motion carried.

**#09-08CB:**

Motion Giles, second Pedersen upon reconsideration of September 15<sup>th</sup> denial for #09-08 CB \$1,075 agree to pay one-half of the bill \$537.50 and Pennington County paying \$537.50. Motion carried.

**INDIGENT #09-20:**

Motion Giles, second Bohl deny medical assistance to Indigent #09-20. Based upon that insurance coverage was available with the employer. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Bohl, second Petersen approves the following accounts payable. Motion carried.

**JUDICIAL:** Community Counseling Services, crt ordered service, \$531.00, SDACC CLERP, claim statement, \$4,606.40, APPEARANCE/WITNESS/JUROR FEE/MILEAGE: Janelle Leisinger \$20.74, Aza Inks \$20.74, Shane Spargur \$20.74, Brenda Zillgitt \$25.18, Debra Blazek, \$10.74, Owen Bundy, \$100.00, Rhonda DeVaney, \$101.48, Ethel Dover, \$10.74, Matthew Ellens, \$43.30, Fred Fedeler, \$120.72, Ana Goodin, \$50.74, Wang Haomin, \$101.48, Nicole Johnson, \$100.00, Ronald Kolbeck, \$137.00, Myron Moen, \$101.48, Lane Oswald, \$101.48, Duane Wright, \$17.40, Janice Zillgitt, \$101.48, **AUDITOR:** Madison Instant Printing, envelopes, \$621.49, **DATA PROCESSING:** DSU Technology Support Services, services-sheriff, \$82.50, GeoLand Mgt LLC, online mapping program-DOE, \$600.00, Marshall & Swift, residential estimator 17, \$786.65, SHI Intl Corp-St Atty, software, \$570.51, **STATES ATTY:** A&B Business Inc., prints, \$15.79, Madison Instant Printing, color copies, \$21.42, Kenneth Meyer, mileage, \$38.41, Office Systems, supplies, \$283.16, **GOVT BLDGS:** Chemco Inc., supplies, \$164.96, City of Madison, util, \$1,014.50, Fastenal, supplies, \$12.24, Kolorworks, paint, \$36.88, Office Systems, supplies, \$4.23, Shred-It, services, \$327.64, Smith Irrigation, winterize Courthouse & Field Dreams, \$225.00, Superior Lamp Inc., bulbs, \$421.51, Timmer Supply Co., supplies, \$27.77, **EQUALIZATION:** Madison Instant Printing, MB home postcards, \$80.40, **SHERIFF:** Prostrullo Auto Mall, parts, \$16.42, Wireless World, battery, \$39.99, **JAIL:** Brown's Cleaning, Oct laundry, \$435.00, Card member Service, service charge, \$10.17, City of Madison, util, \$735.64, **CORONER:** Judson Bergan, inquest juror fee, \$50.00, Dakota Forensic Consulting, inquest testimony, \$1,059.40, Gerald Elpert, inquest juror fee, \$50.00, Wilson Kleibacker, inquest juror fee, \$50.00, Ted Weiland, Alberty & Ericksen fees, \$173.24, **SEARCH & RESCUE:** M&T Fire & Safety, TNT pump service, \$195.00, **COUNTY WELFARE:** Ellsworth Funeral Home, county burial, \$537.50, Weiland Funeral Chapel, county burial, \$1,338.50, **CARE OF AGED:** ICAP, Nov community service worker hours, \$574.00, **MENTAL ILLNESS BOARD:** Ross Den Herder, MI counsel, \$157.43, Donna Dietrich, MI hearing, \$137.64, Nelda Kooistra, MI hearing, \$15.00, Cathy Rehfuß, MI hearing, \$15.00, Slowey Court Reporting Service, MI hearing (2), \$55.00, Yankton Co Sheriff, MI services, \$25.00, **ZONING:** Debra Reinicke, mileage, \$18.13, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$63.79, Central Business Supply, supplies, \$179.78, City of Madison, util, \$316.47, Dakota Plumbing Inc., culvert work, \$114.59, Dawson Construction Inc., bridge/approach work, \$428.57, Lyle Signs Inc., signs/posts, \$870.97, Madison Ace Hardware, supplies, \$24.76, MidAmerican Energy, util, \$11.02, SD DOT, 09 striping roads, \$14,727.96, Wells Fargo, truck lease/purchase, \$18,680.79, One recipient, medical reimbursement, \$500.00, **911 COMM CENTER:** McCook Coop, Nov services, \$167.53, Priority Dispatch, card set maint, \$39.00, Quill Corp., supplies, \$70.51, Telecom Super Store, equipment, \$35.81, One recipient, medical reimbursement \$500.00, **BUILDING:** Madison Ace Hardware, supplies-4H insulation project, \$8.98, Timmer Supply Co., supplies-4H insulation project, \$53.15, **LEPC:** Don Thomson, mtg meals, \$98.84, **FLEX SPENDING:** One recipient \$773.14, One recipient \$1,500.00, One recipient \$109.16. **GRAND TOTAL: \$56,620.78.**

**PAYROLL APPROVED:**

Motion Hageman, second Bohl approves the following payroll 10-19-09 to 11-1-09. Motion carried.

COMMISSIONERS: \$3,214.34; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,722.36; STATES ATTY OFC: \$5,076.58; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,099.61; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$7,839.77; JAIL: \$4,771.64; EMA: \$1,332.12; 911 COMM CENTER: \$7,386.59; ROAD & BRIDGE: \$15,364.71; CHN: \$1,214.14; WIC: \$214.32; EXTENSION: \$1,029.00; ZONING: \$1,110.61 **GRAND TOTAL \$67,007.79.**

**BID LETTING:**

This being the date and time set per advertisement for sealed bids for Energy Project #5 County Hwy Dept (1001 SW 4<sup>th</sup>) installation of gable roof and insulation on existing flat roof. The following bids were opened & read.

Bid #1: Miller Construction Inc. Dennis Miller P.O. Box 194 Madison, SD \$3,840 w/\$192 cashier check #391021 (materials & labor)

Bid #2: Steve Williams/Williams Custom Homes 23753 SD Hwy 19 Madison, SD \$2,295 w/\$114.75 check #5518 (labor only/materials furnished by County)

Motion Bohl, second Giles approves Steve Williams/Williams Custom Homes 23753 SD Hwy 19 Madison, SD \$2,295. Motion carried.

**MTGS ATTENDED:**

Bohl: Library & 911 and Giles: LAIC & 911.

**Pre-issues October 2009:** Lake County Treasurer, advanced taxes, \$1,140.47, First Bank & Trust, deposit slips, \$83.00, Lake County Treasurer, advanced taxes, \$407.97, Lake County Treasurer, Sept direct deposit charge, \$43.20, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$2,014.50, Lake County Treasurer, payroll withholdings, \$14,227.69, Emp T1090, flexible spending, \$208.33, SD Sheriff's Assn., reg fee, \$75.00, State Remittance, Sept collections, \$143,827.33, Lake County Treasurer, advanced taxes, \$458.10, Qwest, Oct phone service, \$1,700.31, Lake County Treasurer, advanced taxes, \$291.64, Lake County Treasurer, advanced taxes, \$280.35, US Postal Service, postage meter refill, \$1,808.85, Lake County Treasurer, payroll withholdings, \$14,095.31, Interlakes Fed Cr Union, payroll deductions, \$2,014.50, Emp T1090, flexible spending, \$208.33, Emp G2000, flexible spending, \$120.00, Knology, Internet services, \$136.85, Lake County Treasurer, advanced taxes, \$3,000.00, Lake County Treasurer, advanced taxes, \$76.74. **GRAND TOTAL: \$186,338.47.**

**End of the Month Payables Oct 2009:** AFLAC, cancer-int care premium, \$1,742.92, Assurant Employee Benefits, Nov 09 life ins premium, \$191.52, Johnson Rodenburg Lauinger, wage assignment, \$200.00, Lake County Treasurer, RE taxes, \$87.00, SD Retirement System, Oct 09 collections, \$15,855.97, Supplemental Retirement, Oct 09 collections, \$895.00, Vision Care

Direct, Nov 09 premium, \$864.72, Wellmark BCBS of SD, Nov 09 health ins premium, \$15,978.76, City of Madison, Field of Dreams utilities, \$22.32, Sioux Valley Energy, services, \$272.57, Sioux Valley Wireless, website hosting, \$19.95. **GRAND TOTAL: \$36,130.73.**

**TRAVEL REQUESTS:**

Don Thomson EMA/PDM Pre-Disaster Mitigation Mtg Nov 9, 2009 Brookings, SD.

**ADJOURN:**

There being no further business Chairman Verhey at 1:30 p.m. declared the meeting adjourned until November 17, 2009 at 9 a.m.

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**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**

**November 10, 2009**

The Board of Lake County Commissioners met at the Lake County 4-H Exhibit Hall in Special Session on November 10, 2009 at 7:00 p.m. with the following members present: Dan Bohl, Chris Giles, Scott Pedersen and Bert Verhey. Absent: Roger Hageman and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Pedersen, second Giles approves agenda of November 10, 2009. Motion carried.

**CLEAN WATER QUALITY:**

Chairman Bert Verhey turned the meeting over to Commissioner Scott Pedersen. Discussion continued about clean water issues in Lake County. Approximately 32 concerned citizens were present. Fifteen volunteers signed up to be part of the Committee to pursue the project. Appointments would be made at the first meeting in January 2010.

**ADJOURN:**

There being no further business Chairman Verhey at 8:30 p.m. declared the meeting adjourned until November 17, 2009 at 9 a.m.

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**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

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**LAKE COUNTY COMMISSION MINUTES**

**November 17, 2009**

The Board of Lake County Commissioners met in Regular Session on November 17, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Bohl, second Giles approves agenda of November 17, 2009. Additions: Notice of Supplement for mat overlay project and employee resignation. Motion carried.

**911 COMMUNICATIONS:**

Julie Wegener 911 Communications requested a wage adjustment due to certification. Motion Pedersen, second Hageman approves wage adjustment for Matthew Feistner G7 11.26 to G9 11.76 certified effective October 30, 2009. Motion carried.

**RESIGNATION ACCEPTED:**

Motion Giles, second Bohl accept with regrets the resignation of Joe Thompson Deputy Bldgs & Grounds Supt effective January 11, 2010. Commission would like to thank him for 15 years of employment with Lake County. Motion carried.

**ADVERTISE POSITION:**

Motion Bohl, second Hageman allow for the advertisement with SD Dept of Labor the position of Deputy Bldgs & Grounds Supt G8. Motion carried.

**EXTENSION EDUCATOR:**

Becky Jensen Extension Educator introduced to the Commission the new educator Abbie Fout. Commission welcomed her to Lake County.

**MINUTES APPROVED:**

Motion Hageman, second Bohl approves the amended minutes of November 3, 2009; minutes to reflect that Miller Construction did not comply with the specs for labor only. Motion carried.

Motion Bohl, second Hageman approves minutes of November 10, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Hageman approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Chris Giles, mileage, \$23.31, Madison Daily Leader, drainage notices, \$89.38, minutes/notices, \$811.78, Sunshine, cookies/1<sup>st</sup> District mtg, \$23.15, **JUDICIAL:** Arneson, Issenhuth, Leibel & Parent LLP, Nov public defender contract, \$4,166.66, Patricia Hartsel, transcript, \$34.20, SD Human Services Center, crt ordered services, \$500.00, West Payment Center, Oct online services, \$521.82, **WITNESS/APPEARANCE/JUROR FEE/MILEAGE:** Sarah Poppen \$20.74, Tonya Mott \$20.74, Josh Hewett \$20.74, Betty Knopf \$20.74, Heather Poulos \$20.74, Aaron Goos \$20.74, Jeffrey Hayden \$20.74, Jeanette Smith \$105.10, Ashley Smith \$20.00, Ashlee Jones \$57.00, Brett Hoffman \$64.40, Elysha Anderson \$20.00, Martell Mabry \$108.80, **AUDITOR:** Best Business Products, copier maintenance, \$23.80, Bureau of ADM., long distance/fax calls, \$5.10, Qwest, phone service, \$30.94, **TREASURER:** Bureau of ADM., long distance/fax calls, \$3.65, mv line \$13.85, Central Business, copier maintenance, \$25.00, Qwest, phone service, \$30.94, Southwest Office Solutions, toner/MV \$89.99, supplies, \$35.74, **DATA PROCESSING:** Central Business, ink cart-Zoning, \$59.97, Madison Radioshack, ink cart-St Atty, \$19.99, ink cart-Ext., \$26.99, ink cart-Sheriff, \$16.99, Qwest, phone service, \$12.47, Software Services Inc., Oct services, \$960.00, Southwest Office Solutions, ink cart (5) Zoning, \$147.95, printer/toner-Jail, \$558.99, Jennie Thompson, USB/mouse-St Atty., \$43.09, **STATES ATT'Y:** Bureau of ADM., long distance/fax calls, \$16.47, Office Systems Inc., supplies, \$16.48, Q-Set, transcript, \$62.50, Qwest, phone service, \$43.41, SD Continuing Legal Ed., renew subscription, \$90.00, West Payment Center, SDCL work comp, \$30.50, **GOVT BLDGS:** Bud's Clean Up Service, service, \$137.72, Bureau of ADM., long distance calls, \$.88, Campbell Supply, supplies, \$80.74, Cole's Petroleum Inc., fuel, \$110.37, Home Service Water Cond, salt, \$47.74, MARC, supplies, \$296.63, Northwestern Energy, util, \$177.23, Pro-Build, supplies, \$25.31, Qwest, phone service, \$31.03, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, \$5.56, Cole's Petroleum Inc., fuel, \$128.76, Qwest, phone service, \$30.93, SD State Archives, maps, \$13.00, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, \$24.28, Bureau of ADM., long distance/fax calls, \$4.12, Lar-Jo's, supplies, \$90.82, Qwest, phone service, \$18.47, Southwest Office Solutions, supplies, \$46.31, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance/fax calls, \$1.49, Qwest, phone service, \$11.66, **SHERIFF:** Cole's Petroleum Inc., fuel, \$1,306.00, Madison Community Hospital, blood alcohols, \$992.00, Madison RadioShack, cable, \$7.99, Pulford's Auto Parts, parts, \$24.00, Southwest Office Solutions, supplies, \$94.42, file cabinet, \$1,091.60, Sturdevant's Auto Parts, headlight capsule, \$6.17, Velvet Uniforms, vest, \$660.54, West Payment Center, SDCL work comp, \$30.50, **JAIL:** Bureau of ADM., long distance/fax calls, \$45.44, Davison County Sheriff's Ofc, female housing, \$455.00, Lewis, prisoner allergy meds, \$5.99, Madison Verizon Wireless, services, \$169.74, Minnehaha County Juvenile Detention Center, juv housing, \$270.00, Northland Family Practice, prisoner services, \$97.00, Northwestern Energy, util, \$349.12, Pamida, cups, \$15.92, Qwest, phone service, \$67.59, Sunshine, prisoner meals, \$2,932.00, Volunteers of America, Dakotas, juv housing, \$600.00, **CORONER:** LCM, Alberty autopsy, \$2,105.95, Ted Weiland, Anderson & Olson fees, \$117.00, **SEARCH & RESCUE:** Northwestern Energy, util, \$15.33, Qwest, phone service, \$12.46, **COUNTY WELFARE:** Bureau of ADM., long distance calls, \$.30, Qwest, phone service, \$18.56, **COMMUNITY HEALTH NURSE:** Linda Adkins, stickers/POD, \$44.02, Central Business, recharge toner, \$65.00, Madison Daily Leader, flyers/POD, \$95.00, **MENTAL ILLNESS BOARD:** Lewis & Clark BHS Inc., MI services (2), \$284.00, Shepherd Reporting LLC, MI hearing, \$25.00, Creighton Thurman, MI counsel, \$179.86, Yankton County Treasurer, MI counsel (2), \$228.00, **EXTENSION:** American Red Cross-Great Plains Chapter, rental, \$10.00, Best Business Products, copier rental, \$113.00/usage, \$163.33, Glenda Blom, postage/photos, \$3.65, Bud's Clean Up Service, services, \$111.84, Bureau of ADM., long distance/fax calls, \$16.30, Dave Daniel, mtg/mileage, \$33.14, Mardee Dossett, mtg/mileage, \$27.22, Abbie Fout, Oct travel/subsistence, \$39.93, Suzanne Jatton, mtgs/mileage, \$101.64, Becky Jensen, supplies/subsistence, \$98.46, Craig Johannsen, mtgs/mileage, \$75.16, Loopy's, supplies, \$81.50, Madison Daily Leader, notice, \$47.25, Madison Instant Printing, printing poster, \$23.52, Madison RadioShack, supplies, \$16.77, John Morse, mtg/mileage, \$30.92, NEAFCS-SD, dues, \$115.00, National 4H Council, supplies, \$260.40, Northwestern Energy, util, \$139.66, Pamida, env, \$1.29, Qwest, phone service, \$55.41, SDAE4-HE, dues, \$70.00, Southwest Office Solutions, env., \$39.99, Sunshine, bag, \$1.49, **WEED:** City of Madison, LaFleur mtg., \$25.00, Cole's Petroleum Inc., fuel, \$77.59, Robert Johnson, reg., \$12.00, Ted LaFleur, reg., \$12.00, Pulford's Auto Parts Inc., parts/supplies, \$140.23, **ZONING:** Brown & Saenger, supplies, \$25.08, Bureau of ADM., long distance/fax calls, \$10.76, Madison Daily Leader, notices, \$76.24, Qwest, phone service, \$18.46, Debra Reinicke, mileage, \$47.36, Southwest Office Solutions, supplies, \$73.54, **ROAD & BRIDGE:** Avera Queen of Peace, 3 tests, \$226.50, Bob's Radiator & Machine, repair, \$40.00, Boyer Trucks Sx Falls, parts, \$6.85, Bureau of ADM., long distance/fax calls, \$.59, Campbell Supply, parts/supplies, \$159.41, Central Business Supply, supplies, \$52.26, Cole's Petroleum Inc., fuel, \$8,710.40, engine oil, \$530.20, F&M Coop, tire expense, \$162.70, Force American Dist LLC, part, \$41.48, Krug Products Inc., hose assembly, \$30.29, Lake County International Inc., parts, \$200.83, Madison Daily Leader, notice, \$8.99, Pamida, contact, \$9.99, Prostrullo Auto Mall, part, \$21.79, Pulford's Auto Parts Inc., parts/supplies, \$103.96, Qwest, phone service, \$43.41, Resykle LLC, supplies, \$60.00, Sturdevant's Auto Parts, parts/supplies, \$86.81, Xcel Energy, util, \$7.54, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$7.69, Matthew Feistner, mileage, \$388.50, First Dst Assn Govts, 09 E-911 mapping maintenance, \$2,900.00, ITC, Nov services, \$115.55, Language Line Services, Oct usage, \$90.00, Mid-American Specialties Inc., magnets, \$300.04, Qwest, phone service, \$1,236.72, **EMA:** Bureau of ADM., long distance calls, \$10.06, Qwest, phone service, \$37.85, **BUILDING:** Pro-Build, insulation/waferboard-4-H insulation project, \$1,700.78, **LAW LIBRARY:** West Payment Center, supplements, \$119.25, **FLEXIBLE SPENDING:** One recipient \$20.00, one recipient \$307.12, one recipient, \$69.50, **GRAND TOTAL: \$42,752.33.**

**PAYROLL APPROVED:**

Motion Petersen, second Bohl approves the following payroll 11-2-09 to 11-15-09. Motion carried.

COMMISSIONERS: \$1,823.10; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,490.67; STATES ATTY OFC: \$4,742.04; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,099.61; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$9,503.43; JAIL: \$4,833.34; EMA: \$1,332.12; 911 COMM CENTER: \$7,065.66; ROAD & BRIDGE: \$15,307.21; CHN: \$1,173.48; WIC: \$411.72; EXTENSION: \$1,029.00; ZONING: \$1,110.60. GRAND TOTAL \$66,553.98.

**FLEX TIME/POD:**

Motion Pedersen, second Hageman allow County employees who volunteered to help with the POD Point of Distribution, H1N1 vaccinations, to use Flex time. Motion carried.

**FUEL QUOTES:**

Motion Hageman, second Bohl approves Cole's Petroleum ethanol 2.2993 & #2 diesel 2.1318. Motion carried.

	<b>ethanol:</b>	<b>#2 diesel:</b>
<b>Cole's Petroleum</b>	<b>2.2993</b>	<b>2.1318</b>
<b>F &amp; M Coop</b>	<b>DIDN'T QUOTE BY 12:00</b>	

**MUD NOTICE:**

Motion Hageman, second Bohl allow Hwy Dept to publish the following Mud Notice on November 17, 2009. Motion carried.

**NOTICE**

Farmers and contractors in Lake County are being asked to clean up excess mud or dirt that is being dragged onto the county highways, as there have been problems in the past with near tragic accidents caused by big chunks of mud or dirt that have stuck on tractor tires or caught in between duals.

We realize tires cannot be cleaned off thoroughly before pulling out on the highway, but if chunks of mud do fall off, the operator should clean the mud off the road so it is not a hazard for the traveling public; also the person leaving such a hazard on the highway may be civilly liable for personal injury or property damage caused by the mud or dirt.

Any area brought to our attention, that has not been cleaned up, will be cleaned up and charged to the individual followed by the issuance of a littering ticket to anyone disregarding this notice.

Your help in making Lake County roads safe will be appreciated.

Lake County Highway Department  
Scott Mathison Lake County Highway Superintendent  
Roger Hartman Lake County Sheriff

**DRAINAGE BRD:**

Motion Bohl, second Hageman enter into a Drainage Board. Motion carried.

**DRAINAGE #09-8:**

This being the date and time set per advertisement for Drainage Application #09-8 Donald Hansen NE ¼ Sec 20 Lakeview Twp (new tile). Present for testimony was Donald Hansen, Deb Reinicke Zoning-Drainage and Ken Meyer State's Atty. In opposition were Bryan Schultz US Fish & Wildlife, John Hess and Judy Myers. Motion Giles, second Bohl to approve part of parcel NE ¼ Sec 20 of Donald Hansen. Motion carried. Motion Giles, wish to make motion to table approval of a request for the SW portion parcel until John Hess makes application for drainage on adjoining land. Second by Pederson. Motion carried.

**DRAINAGE #09-9:**

This being the date and time set per advertisement for Drainage Application #09-9 John Ebsen SW ¼ Sec 30 Herman Twp (new tile). Present for testimony was John Ebsen, Deb Reinicke Zoning-Drainage and Ken Meyer State's Atty. In opposition was Steve Vanderbeek Game, Fish & Parks, Terry Schultz land operator/on behalf of landowner Janet Reynolds. Motion Hageman, second Bohl approves new tile for Drainage Application #09-9 John Ebsen SW ¼ Sec 30 Herman Twp. Motion carried.

Motion Giles, second Pedersen to return to Regular Session. Motion carried.

**LEADERSHIP MADISON:**

Nineteen area Leadership Madison Committee members attended the Lake County Commission meeting and various other departments throughout the Courthouse & P.S. Bldg.

**BOARD OF ADJUSTMENT:**

Motion Hageman, second Bohl convene as a Board of Adjustment. Motion carried.

**CONDITIONAL USE PERMIT:**

Deb Reinicke Zoning-Drainage was present for discussion on the Conditional Use Permit of Charles Scholl/Chuck's Recycling Repair, Inc. No decision was made at this time. The tabled Conditional Use Permit is scheduled for December 1, 2009 10:00 am. Motion carried. Motion Giles, second Pedersen return to Regular Session. Motion carried.

**HONOR FLIGHT:**

Deb Blanchette presented to Mike Rhenhart Chester Supt \$404 in donations from a recent Chilli feed. Donations were raised for Veterans to participate in the Honor Flight to Washington, DC.

**MTGS ATTENDED:**

Bohl=Chamber & Water Quality.  
Giles=Bull Ditch & Water Quality.  
Pedersen=Water quality.  
Verhey=Sioux Valley District & Water Quality.

**ADVERTISE SUPPLEMENT:**

Motion Pedersen, second Hageman allow advertisement for a proposed supplemental budget hearing on December 1, 2009. Propose \$557,186.16 to the Rd & Bridge fund for the completed mat overlay project on County Roads 26, 19 & 29 and (1) box culvert. Motion carried.

**REPORTS REC'D:**

October 2009 marriage license \$50, Dom Abuse \$150, cert mar \$40, ROD fees \$3,674 & transfer fees \$2,343.50. TOTAL: \$6,257.50; Sheriff fees \$1,949.51, warrants \$375, work release \$375, PBT - Breath \$983, PBT scam hookup \$60, pistol permits \$66, accident report copies \$20, fingerprint cards \$70, Reliance telephone comm \$71.05. TOTAL: \$3,969.56, prisoners housed 66 & days served 331; Bldg permits \$2,516, sewer permit fees \$100, plat fees \$25, variances & conditional use fees \$375, drainage fees \$735=\$3,751.

<b>AUDITOR's ACCOUNT WITH TREASURER</b>	<b>INVESTMENT</b>	<b>INTEREST</b>	<b>MATURITY</b>
<b>October 2009</b>	<b>AMOUNT</b>		<b>DATE</b>
Total balance of checking of First Bank & Trust	\$717,868.65	0.15%	
Cash items	\$612.74		
Silver	\$87.26		
Currency	\$1,300.00		
Amt of checks in Treas possession	\$3,443.42		
First Bank & Trust Passbook Acct #905-022-7	\$5,785,000.00	1.27%	
Great Western Passbook Acct #100021474	\$175,000.00	0.74%	
American State Bank Cert of deposit #8349	\$100,000.00	2.00%	8/8/2010
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
East River Federal Credit Union Cert of deposit #294	\$250,000.00	4.25%	11/25/2009
East River Federal Credit Union Cert of deposit #295	\$250,000.00	4.25%	11/25/2009
First Bank & Trust Cert of deposit #602597	\$100,000.00	1.76%	5/10/2010
First Bank & Trust Cert of deposit #67507	\$100,000.00	1.76%	6/21/2010
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
	<b>\$7,978,312.07</b>		

**ADJOURN:**

There being no further business Chairman Verhey at 12:30 p.m. declared the meeting adjourned until **December 1, 2009** at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSIONER MINUTES**

**December 1, 2009**

The Board of Lake County Commissioners met in Regular Session on December 1, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Bohl, second Hageman approves agenda of December 1, 2009. Additions: Executive Session/personnel matter. Motion carried.

**MINUTES APPROVED:**

Motion Giles, second Pedersen approves minutes of November 17, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Hageman, second Bohl approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Golden Land Surveying, services, \$793.00, **ELECTIONS:**

Best Western Ramkota Hotel, lodging (3), \$240.00, Kay A Schmidt, travel expenses, \$211.74,

**JUDICIAL:** Kim Callies, transcripts, \$991.40, Jerome Johnson, transcript, \$34.00,

**JUROR/APPEARANCE/WITNESS FEE/MILEAGE:** Neisha Bjorklund \$20.74, Jared Fods

\$20.74, Josh Bjorklund \$20.74, John VanMeveren \$31.10, Mark Dubbelde \$23.70, Ryan

McManus \$64.40, Justin Anderson \$10.74, Susan Anderson \$21.10, Jesse Baumberger \$108.88,

Dan Bruns \$15.92, Thomas Callahan \$18.14, James Carmody \$24.80, Carol Cordts \$10.74,

Leroy Demaray \$101.48, April Denholm \$101.48, Deanne DeRungs \$19.62, Bradley Franken

\$11.48, Charlotte Groce \$107.40, Melissa Hegg \$102.96, Marjorie Hetland \$10.74, Clare

Johnson \$17.40, Mary Lenz \$10.74, Charles Lohsant \$108.88, Matthew McGirr \$10.74,

Barbara Meyer \$101.48, Gerald Ottoson \$10.74, Carnae Peacock \$10.74, Alice Poppen \$101.48,

Renae Prottollo \$102.96, Ella Roling \$15.18, Roger Schmidt \$21.10, Brian Scholl \$11.48,

Bonnie Stanford \$101.48, Ryan Steffensen \$101.48, Kim Streff \$13.70, Arnold Thompson

\$108.88, Edward Tyc \$10.74, Douglas VanLiere \$10.74, Justin Kapinus \$445.58, **AUDITOR:**

Brown & Saenger, copy paper, \$31.50, Bureau of ADM., Oct BIT billing, \$5.00, Linda Fischer,

mileage, \$24.79, **TREASURER:** Brown & Saenger, copy paper, MV line, \$31.50, Bureau of

ADM., Oct BIT billing, \$15.00, Linda Fischer, mileage, \$24.79, **DATA PROCESSING:** Pitney

Bowes, postage meter rental, \$358.00, **STATES ATTY:** A&B Business Inc., prints, \$39.22,

Justin Kapinus, travel expense, \$1,254.73, Lewis, photos/Kleenex, \$10.80, Office Systems Inc.,

supplies, \$16.11, **GOVT BLDGS:** Bob's Electric of Madison, bulbs, \$76.71, Dust-Tex, soap,

\$63.55, Hillyard, supplies, \$287.88, Kolorworks, blind, \$125.00, Madison Ace Hardware,

supplies, \$23.06, Shoenrock Plbg & Htg., sewer machine rental, \$66.33, Shred-it, services,

\$113.92, **DOE:** Office Systems Inc., supplies, \$31.60, Pheasant land Industries, decals, \$109.70,

**REGISTER DEEDS:** Brown & Saenger, copy paper, \$31.50, Bureau of ADM., Oct BIT billing, \$5.00, McLeod's, burial cards, \$50.44, **SHERIFF:** Brown & Saenger, copy paper, \$94.50, Card member Service, lodging/gas, \$167.59, Mobile Electronic Service Inc., lamp replacement, \$63.00, Prostrollo Auto Mall, clip, \$4.50, Prostrollo Motor Co., repairs, \$278.95, Tim Walburg, travel expense, \$3.79, **JAIL:** Dakota Drug, supplies/prescriptions, \$72.95, Minnehaha County Auditor, 2<sup>nd</sup> half/SE Regional Area Joint Powers Agreement, \$3,821.32, **SEARCH & RESCUE:** M&T Fire & Safety, 6V battery, \$32.00, **COUNTY WELFARE:** Senior Companions of SD, 4<sup>th</sup> qtr allotment, \$288.75, **COMMUNITY HEALTH NURSE:** Veronica Contreras, translator/POD, \$75.00, Forrest Fawbush, breakdown/cleanup-POD, \$83.33, Gage Gunderson, breakdown/cleanup-POD, \$83.33, Derek Landeen, breakdown/cleanup-POD, \$83.33, **AMBULANCE:** Madison Community Hospital, 4<sup>th</sup> qtr allotment, \$3,750.00, **CARE OF AGED:** East Dakota Transit, 4<sup>th</sup> qtr allotment, \$1,455.00, **MENTAL ILLNESS/DRUG ABUSE:** Community Counseling Service, 4<sup>th</sup> qtr allotment, \$4,185.00, **MENTAL ILLNESS BOARD:** Lincoln County Auditor, MI hearings (2), \$271.77, **PUBLIC LIBRARY:** Madison Public Library, 4<sup>th</sup> qtr allotment, \$550.00, **EXTENSION:** Best Business, copier rental, \$113.00, Brown & Saenger, copy paper, \$94.50, DSU, work study, \$706.94, Abbie Fout, tvl & subsistence, \$78.44, Becky Jensen, tvl & supplies, \$264.25, Learning ZoneXpress, nutrition lessons, \$388.37, University of Florida, book, \$52.00, **SOIL CONSERVATION:** Interlakes Water Quality/Lake Madison Dev Assn., 4<sup>th</sup> qtr allotment, \$625.00, Lake County Conservation District, 4<sup>th</sup> qtr allotment, \$8,996.25, **ZONING:** First District, 4<sup>th</sup> qtr allotment, \$3,694.00, **TOURISM:** Smith-Zimmerman Museum/Lake County Historical Society, 4<sup>th</sup> qtr allotment, \$600.00, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$63.79, Boyer Trucks Sx Falls, parts, \$1,771.10, Brown & Saenger, copy paper, \$31.50, Butler Machinery, blades, \$2,147.22, Central Business Supply, supplies, \$25.98, Cole's Petroleum Inc., grease, \$83.80, Driveline Service Inc., parts, \$199.06, Flint Hills, demurrage fee, \$231.00, Holcomb Freightliner Inc., parts, \$769.91, Johnson Bros Excavation, pea rock/labor, \$1,026.00, Krug Products Inc., hose assembly, \$201.14, Myrl & Roy's Paving Inc., 2009 overlay project, \$1,020,310.16, Vander Haags Inc., parts, \$100.00, Wheelco, parts/supplies, \$177.80, WW Tire Service Inc., tire expense, \$998.00, **911 COMM CENTER:** Madison Daily Leader, subscription renewal, \$93.06, Office Systems Inc., supplies, \$33.39, **DOMESTIC ABUSE:** Domestic Violence Network, 4<sup>th</sup> qtr allotment, \$385.00, **BUILDING:** Amert Construction, crane rental, \$300.00, City of Madison, landfill service, \$90.00, Trane, chiller installation, \$20,466.18, Williams Custom Homes, siding/windows-4<sup>th</sup> floor, \$17,170.30, **SAR DONATIONS:** M&T Fire & Safety, pump replacement, \$3800.00, **GRAND TOTAL: \$1,108,679.94**

#### **HAZARD MITIGATION GRANT:**

Don Thomson EMA updated the Commission on the County's 2003 Pre-Disaster Mitigation Plan. Motion Giles, second Pedersen approve submitting a grant application for the 2010 Multi-Hazard Mitigation Program Plan project. Local matching fund requirement will be made by hard cash and/or in-kind commitment of up to \$2,995.53 for the PDM Pre-Disaster Mitigation plan. Motion carried.

#### **EM LOGIC:**

Motion Giles, second Bohl approves the contract with EM Logic Dennis Anderson with assisting and reviewing the County's 2003 Pre-Disaster Mitigation Plan. The cost of \$12,000 by Anderson will be part of the grant funding. Motion carried.

#### **2010 SALARY RESOLUTION:**

Motion Bohl, second Pedersen approves the following 2010 Salary Resolution effective December 14, 2009. Motion carried.

#### **#09-14 2010 SALARY RESOLUTION**

#### **2010 SALARY RESOLUTION ESTABLISHING SALARIES AND BONDS OF THE ELECTED OFFICIALS AND EMPLOYEES OF LAKE COUNTY:**

Motion by Bohl, second Pedersen, to adopt the following resolution establishing salaries and bonds for the various departments of Lake County, SD, and that the salaries and bonds of the officers and employees of Lake County, become effective December 14, 2009 unless otherwise set forth in the South Dakota Codified Laws and that they be paid, biweekly, every other Friday (except the first payroll which will be paid on Monday, January 4, 2010) with 27 pay periods this year (2160 hrs). Motion carried. **ELECTED OFFICIALS:** Compensation of County Commissioners, five (5) elected at-large positions, salary \$10,140. Bond: \$5,000, **DAN BOHL**, **CHRIS GILES**, **ROGER HAGEMAN**, **SCOTT PEDERSEN**, and **BERT VERHEY**, salary of County Auditor, **KAY A. SCHMIDT**, \$50,911, longevity pay, \$900, bond \$50,000, Register of Deeds, **PENNY BOATWRIGHT**, \$44,237, longevity pay, \$900, bond \$5,000, Treasurer, **LINDA FISCHER**, \$41,558, longevity pay \$900, bond \$50,000, States Attorney, **KEN MEYER**, \$66,636, bond \$5,000, Sheriff, **ROGER HARTMAN**, \$49,097, longevity pay \$900, bond \$5,000. **APPOINTED, SUPERVISORY AND PROFESSIONAL OFFICIALS: Hourly Rates:** Director of Equalization, **SHIRLEY EBSSEN** G23,12, one (1) full time position, \$18.64 per hour, longevity pay, \$900, Veteran's Service Officer, **DON THOMSON** G9,19, one (324 hrs/15%) part-time position, \$16.40 per hour, longevity pay \$81, Emergency Management Director, **DON THOMSON** G24,19, (1836 hrs/85%) position, \$20.38 per hour, longevity pay \$459, Zoning-Drainage Director, **DEB REINICKE** G19,20 one (1620 hrs/75%) position, \$19.27 per hour, longevity pay \$675, Bldgs & Grounds Supt., **DERRICK SHOENROCK** G22,23, one (1) full time position, \$20.68 per hour, Highway Superintendent, **SCOTT MATHISON** G25,27, one (1) full time position, \$22.35 per hour, longevity pay \$900, Ofc Manager/Community Health Nurse Ofc-Welfare Manager, **PEGGY YOUNG** G9,8, one (1) full time position, \$14.07 per hour, longevity pay, \$420, **DEPUTIES AND CLERK POSITIONS: Hourly Rates:** Deputy II Auditor's Ofc, **ROBERTA JANKE** G12,23, one (1) full time position, \$18.05 per hour, longevity pay, \$900, Deputy I Auditor's Ofc, **LINDA WALKER** G6,18, one (1) full time position, \$15.39 longevity pay \$540, Deputy II Treasurer's Ofc, **NANCY TRYGSTAD** G11,11, one (1) full time position, \$15.24 per hour, Deputy I Treasurer's Ofc, **BONNIE MACLEOD**, G5,2, one position (5/7hr days, 1890 hrs/87.5%), \$11.52 per hour, Sec/Ofc Clerk-Director of Equalization Ofc, **DEB**

REINICKE G2,20, one (540/25%) position \$14.76 per hour, longevity pay \$225, Deputy Director of Equalization RICK BECKER, G16,11, one (1) full time position, \$16.57 per hour, longevity pay, \$600, Field Appraiser DEBRA BLANCHETTE G10,9, one (1) full time position, \$14.53 per hour, Deputy II Register of Deeds Ofc, CAROL NORDLING G5,18, one position (1728 hrs/80%), \$15.14 per hour, longevity pay \$660, Paralegal II/Office Manager States Attorney Ofc, JENNIE THOMPSON G23,11, one (1) full time position, \$18.42 per hour, longevity \$600, Sec States Attorney Ofc. SHELLI GUST G2,8, one (1) full time position, \$12.21 per hour, CHN/Clerical Assistant/WIC-Family Planning, BETTY HULM, G5,5, (1) part time position 832 hrs \$11.82 per hour, no benefits, Ofc Sec/Manager, Extension Ofc, GLENDA BLOM G5,19, one position (5/7hr days, 1890 hrs/87.5%), \$15.34 per hour, longevity pay \$900.00, Deputy Bldgs & Ground Supt, JOE THOMPSON G8,16, one (1) full time position, \$15.51 per hour, longevity pay \$900, Custodian/Maint I. VICKI MENOR, G8,4, one position (1728 hrs/80%), \$12.75 per hour. **SHERIFF'S DEPARTMENT:** Chief Deputy, TIMOTHY WALBURG, G20,11, one (1) full time position, \$17.63 per hour, longevity pay \$300, Deputy Sheriff I, NICOLE CUDMORE, G16,4, one (1) full time position, \$14.44 per hour, MARK REIF, G16,3 one (1) full time position, \$14.65 per hour, MATTHEW SCHLUETER G16,8, one (1) full time position, \$15.93 per hour, Sec, Receptionist, Jailer-Matron Dispatcher, MARGARET VICKMARK G9,16, one (1) full time position, \$15.76 per hour, longevity pay, \$420. **JAILER/DETENTION OFFICERS:** TED ELLINGSON G9,7, one full-time position, \$13.73 per hour, longevity pay \$300, CHARLES PULFORD, G9,4 one full-time position, \$13.01 per hour, BRENDT ROHLCK, G9,3 one full-time position, \$13.01 per hour, REBECCA FIEGEN, G9,3 one full-time position, \$13.01. **911 COMMUNICATIONS CENTER:** Communications Director, JULIE WEGENER G23,17, one (1) full time position, \$19.70 per hour, longevity pay, \$840, Deputy Director-Trainer, MIAH BARNHART, G12,5, one (1) full time position (1728 hrs/80%), \$14.23 per hour, Dispatcher I certified, APRIL DENHOLM, G9,5, one (1) full time position, \$13.44 per hour, longevity pay, \$300, DANESE JOHANNSEN, G9,4, one (1) full time position, \$13.22 per hour, MATTHEW FEISTNER, G9,2, one (1) full time position (1728 hrs/80%) \$12.31 per hour. **PART TIME POSITIONS CERTIFIED W/NO** benefits, three (3), HEATHER HEDGER, G9,7, 144 hrs/\$13.86 per hour, RICHARD NEISH G9,16, 384 hrs/\$15.76 per hour, DEBRA STAMM-GARTNER G9,12, 144 hrs/\$14.92 per hour, NOT CERTIFIED, three (3), DEBORAH JURGENSEN G7,1 400 hrs/\$11.80 per hour, CYNTHIA SCHUT G7,1 400 hrs/\$11.80 per hour, SCOTT VOIGT G7,1 400 hrs/\$11.80 per hour. **HIGHWAY EMPLOYEES:** Foreman, DAVE FEDELER G19,23, one (1) full-time position, \$19.90 per hour, longevity \$900, Shop Foreman & Mechanic, TIM TOLLEY G18,7, one (1) full-time position, \$16.45, Heavy Equip Operator's III two (2) full-time positions, LARRY CASANOVA G15,14 \$17.59 per hour, longevity pay, \$780, RODNEY LARSEN G15,19, \$18.00 per hour, longevity pay \$780, Weed Supervisor/Heavy Equipment Operator II, ROBERT JOHNSON, G13,10, one (1) full-time position, \$15.55 per hour, longevity pay, \$420, Heavy Equip Operator II, KELLY HYLAND, G13,8, one (1) full-time position, \$14.59 per hour, longevity pay \$360, Heavy Equipment Operator I one (1) full-time position, WAYNE REYNOLDS, G12,8 one (1) full-time position, \$15.05, Light Equip Operators three (3) full-time positions, STEVE SANDNESS, G9,8 \$14.07, KELLY JOHANNSEN, G9,8, \$14.07, TIM VAN DENHEMEL, G9,7, \$13.86, Part time Seasonal Labor (1) position, MIKE O'CONNELL G5,11 (373 ¼ hrs) \$14.00 per hour, no benefits, Hwy Office Manager/Weed Sec, DEBBIE ROWLEY G11,24, one (1) full time position, \$18.00 per hour, longevity pay, \$900. **ELECTION PRECINCT WORKERS:** Superintendent \$175 per election, Deputies, AutoMARK assistant, Registration table, Resolution Board and Absentee Precinct \$150 per election, School attendance \$25 and Precinct rent \$50. **LONGEVITY PAY** is based on the number of years of service. Longevity pay is paid the week before the last pay period of the year and is based on the following schedule: after 5 years full-time service \$60 per year; 15 year maximum \$900.00. No longevity for part-time employees. **RETIREMENT:** full time employees receive 6%. Sheriff, Deputies & Jailers receive 8%. **DIFFERENTIAL PAY:** fifty cents per hour, 6 p.m. to 6 a.m. for Sheriff Deputies, Jailers, and 911 Communications Center. **OTHER BENEFITS:** life insurance \$3.60/\$43.20 yr, vision insurance \$7.22/\$86.64 yr, and health insurance \$347.81/\$4,173.72 single health coverage; annual benefits \$4,303.56. Approved and adopted this 1<sup>st</sup> day of December 2009.

S/s Bert Verhey CHAIRMAN

ATTEST:

S/s Kay A. Schmidt AUDITOR

#### **RESOLUTION #09-12**

Motion Giles, second Bohl approves the following Resolution #09-12 Supplement Budget for the Hwy Dept. Motion carried.

#### **RESOLUTION #09-12**

##### **APPROVING SUPPLEMENTAL BUDGET**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, has authorized the County Auditor to publish a NOTICE OF HEARING ON SUPPLEMENTAL BUDGET and WHEREAS, no person or representatives have appeared to object to the adoption of such supplemental budget and said budget is necessary for the indispensable function of Government as provided in SDCL 7-21-22, THEREFORE, BE IT RESOLVED that the following supplemental budget be adopted:



**Rd & Bridge Fund: MAT OVERLAY PROJECT**

Hwy Reserve	20100X4291311	\$237,052.00 (2008 unused budget)
Wheel Tax	20100X4292311	\$205,000.00 (2008 unused budget)
Hwy Reserve	20100X4291311	\$ 91,349.00 (applied from Gen cash reserve)
Hwy Reserve	20100X4291311	\$ 22,145.04 (applied from Gen cash reserve)
Hwy Reserve	20100X4291311	\$ 1,640.12 (close out Restricted Hwy Reserve)
		\$557,186.16

Dated this 1st day of December 2009.

Lake County Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**CASH TRANSFER:**

Motion Pedersen, second Hageman approves the following Cash Transfer for the Hwy Dept. Motion carried.

**#09-13 OPERATING TRANSFER RESOLUTION**

WHEREAS, there is need to transfer One hundred thirteen thousand four hundred ninety-four dollars and 04/100 (\$113,494.04) from the General Fund Cash to Road & Bridge Cash and One thousand six hundred forty dollars and 12/100 (\$1,640.12) from Restricted Hwy Reserve Cash fund for normal operations of the Road & Bridge Fund. NOW THEREFORE BE IT RESOLVED, by the Board of Lake County Commissioners that One hundred thirteen thousand four hundred ninety-four dollars and 04/100 (\$113,494.04) from the General Fund Cash to Road & Bridge Cash and One thousand six hundred forty dollars and 12/100 (\$1,640.12) from Restricted Hwy Reserve Cash fund. Operating Cash transfer General (101) and Restricted Hwy Reserve (201) to Rd & Bridge (201) \$115,134.16.

Dated this 1st day of December 2009.

LAKE COUNTY BOARD OF COMMISSIONERS

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Auditor

**2010 LIQUOR RENEWALS:**

Motion Pedersen, second Hageman approves the 2010 renewal applications for Retail On-Sale Liquor, Package Off Sale, Dance Hall, Sunday Sales and Video Lottery excluding Madison County Club. Motion carried.

**Robert F. Bucknell Jr Broadwater Resort** Retail On-Sale RL-6186 Dance Hall, Sunday Sales & (5) Video Lottery; **Hillside Resort Inc.** Retail On-Sale RL-6080 Dance Hall, Sunday Sales & (3) Video Lottery; **Round Lake Partners LLC The Lakes Restaurant & Lounge** Retail On-Sale RL-6313; Dance Hall, Sunday Sales & (6) Video Lottery; **Charlene Fischer Moonlite Inn** Retail On-Sale RL-5729, Sunday Sales & (2) Video Lottery; **Dennis C. Peterson The Point** Retail On-Sale RL-5232; Dance Hall, Sunday Sales & (4) Video Lottery; **Jacqueline J. Van Liere Hef's Package** (Off-Sale) PL-4498, Sunday Sales & (4) Video Lottery; **Steve's Bar & Grill Shipwreck** Dance Hall, Sunday Sales & (5) Video Lottery. Total: \$7,400 County General Fund.

**ABATEMENT #09-8:**

Motion Giles, second Bohl approves Abatement #09-8 Brant Lake Sanitary District connection fees due to an error in certifications for Troy Anderson & Sharilyn Jones Trust. TOTAL: \$5,000. Motion carried.

**ABATEMENT #09-9:**

Motion Bohl, second Pedersen approves Abatement #09-9 Good Shepherd Free Lutheran Church. Tax exempt entity purchased property on March 31, 2009 allowing 9 months of abatement \$3,098.90. Motion carried.

**RENTAL AGREEMENT:**

Motion Giles, second Bohl approves the rental agreement for Lake County 4-H Center with Leader Printing December 7, 2009 \$100 MEP Lean Workshop 8:00 am-4:30 pm. Motion carried.

**MTGS ATTENDED:**

Bohl=ICAP & Library

Pedersen=Lake Madison Water Quality

**EXECUTIVE SESSION:**

Motion Giles, second Pedersen enter into Executive Session 9:36 a.m. for personnel matters with Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Pedersen return to Regular Session 9:52 a.m. Motion carried.

**PAYROLL APPROVED:**

Motion Giles, second Pedersen approves the following payroll 11-16-09 to 11-29-09. Motion carried.

COMMISSIONERS: \$3,214.34; AUDITORS OFC: \$4,381.40; TREASURERS OFC: \$3,350.55; STATES ATTY OFC: \$5,041.21; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,099.60; REGISTER DEEDS OFC: \$2,503.12; VSO: \$188.76; SHERIFF OFC: \$8,729.37; JAIL: \$4,810.96; EMA: \$1,332.12; 911 COMM CENTER: \$6,455.59; ROAD & BRIDGE: \$15,307.23; CHN: \$1,314.49; WIC: \$135.36; EXTENSION: \$1,043.70; ZONING: \$1,110.60. GRAND TOTAL \$66,577.12.

**BOARD OF ADJUSTMENT:**

Motion Pedersen, second Bohl convene as a Board of Adjustment at 10:02 am. Motion carried.

**CONDITIONAL USE PERMIT:**

**Charles Scholl/Chuck's Recycling and Repair, Inc** property located at N802' W1275' NE ¼ exc S607' of E 817' NE ¼ Sec 25 Concord Twp parcel #4450B. Requesting to start salvage & recycling business in the "AG" District. Regulations require a "Conditional Use" in the "AG" District for this type of business. Present was Charles Scholl, Gen. Dist. Atty. & Clerk.

District for this type of business. Present was Charles Scholl, Greg Protsch Atty, Michele Dancer Crt Reporter on behalf of Atty Protsch, Greg Pulford, Jay Leibel Atty, Deb Reinicke Zoning-Drainage, Ken Meyer State's Atty and Shelli Gust Sec and other concerned citizens. State's Atty Ken Meyer opened the Conditional Use Permit stating that the Atty's would have time for brief discussion. Atty Protsch submitted 2 additional exhibits. Motion Giles, second Hageman approves exhibits #72 & #73. Motion carried. Motion Pedersen, second Giles allow Exhibit #74 be part of the record. Motion carried. Commissioners reviewed certain conditions for the permit if granted. Motion Giles, second Bohl to approve the Conditional Use Permit application pending review of the list of conditions to be included with it. Motion carried. States Atty will prepare draft and return in 2 weeks. Motion Pedersen, second Bohl return to Regular Session. Motion carried

#### **Pre-issues November 2009**

Lake County Treasurer, Oct direct deposit charge, \$43.84, Emp G2000, flexible spending, \$165.00, Interlakes Fed Cr Union, payroll deductions, \$2,014.50, Lake County Treasurer, payroll withholdings, \$14,385.28, Emp T1090, flexible spending, \$208.33, US Post Office, stamps, \$261.00, State Remittance, Oct collections, \$96,906.03, Codington County Treasurer, district meeting regs, \$41.25, Lake County Treasurer, advanced taxes, \$207.73, Verizon Wireless, services, \$240.45, Lake County Treasurer, advanced taxes, \$500.00, Emp G2000, flexible spending, \$120.00, Interlakes Fed Cr Union, payroll deductions, \$2,014.50, Lake County Treasurer, payroll withholdings, \$14,361.22, Emp T1090, flexible spending, \$208.33, Lake County Treasurer, advanced taxes, \$300.00, Lake County Treasurer, advanced taxes, \$535.00.  
**GRAND TOTAL: \$132,512.46.**

#### **End of the Month Payables Nov 2009,**

AFLAC, cancer-int care premium, \$1,742.92, Assurant Employee Benefits, Dec 09 life ins premium, \$191.52, Johnson Rodenburg Lauinger, wage assignment, \$200.00, Lake County Treasurer, RE taxes, \$87.00, SD Retirement System, Nov 09 collections, \$16,151.43, Supplemental Retirement, Nov 09 collections, \$895.00, Vision Care Direct, Dec 09 premium, \$864.72, Wellmark BCBS of SD, Dec 09 health ins premium, \$15,978.76, City of Madison, utilities, \$830.01, Knology, services, \$126.85, Sioux Valley Energy, services, \$268.31, Sioux Valley Wireless, website hosting, \$19.95. **GRAND TOTAL: \$37,356.47.**

#### **ADJOURN:**

There being no further business Chairman Verhey at 11:45 a.m. declared the meeting adjourned until December 15, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

### **LAKE COUNTY COMMISSION MINUTES**

**December 15, 2009**

The Board of Lake County Commissioners met in Regular Session on December 15, 2009 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

#### **BLUE STAR FLAG PRESENTATION:**

The Blue Star Flag was presented by Joe Thomspson and Chairman Verhey to Gwen Thomson mother of Captain Chad Thomson, who is serving his 2<sup>nd</sup> duty in Southwest Asia with headquarters Company 3<sup>rd</sup> Battalion 505<sup>th</sup> Parachute Infantry Regiment 82<sup>nd</sup> Airborne Division.

#### **AGENDA APPROVED:**

Motion Hageman, second Bohl approves agenda of December 15, 2009. Motion carried.

#### **BOARD OF ADJUSTMENT:**

Motion Pedersen, second Hageman convene as a Board of Adjustment at 9:02 am. Motion carried.

#### **CONDITIONAL USE PERMIT:**

**Charles Scholl/Chuck's Recycling and Repair, Inc** Conditional Use permit continued for discussion on property located at N802' W1275' exc S607' of E 817' NE ¼ Sec 25 Concord Twp parcel #4450B. Requesting to start salvage & recycling business in the "AG" District. Regulations require a "Conditional Use" in the "AG" District for this type of business. Present was Charles Scholl, Greg Protsch Atty, Michele Dancer Crt Reporter on behalf of Atty Protsch, Deb Reinicke Zoning-Drainage, Ken Meyer State's Atty and Shelli Gust Sec and eight concerned citizens. State's Atty Ken Meyer presented the 20 page document explaining the conditions to be met for the Conditional Use Permit along with a power point presentation. Atty Protsch requested a little more flexibility with the conditions and the first deadline of January 22, 2010 for sign installation, initial inspection, surety bond and ceasing any other business. Motion Giles, table until January 5, 2010 9:00 with 1 hour on the agenda, second Bohl. Motion carried. Mr. Protsch will have the opportunity to put in writing their concerns with the conditions and submit to Ken Meyer State's Atty and Commission prior to the January 5<sup>th</sup> meeting. Motion Hageman, second Bohl return to Regular Session at 9:50 a.m. Motion carried

#### **TRANSFER LICENSE:**

**Madison Country Club:** Present was Mark Sullivan. Motion Giles, second Pedersen approves the transfer for Retail On-Sale Liquor from Madison Country Club Hospitality Randy Russell to Breinn E. Sullivan and renewal applications for 2010 Retail On-Sale Liquor and Sunday Sales. Motion carried. (transfer \$150, liquor renewal \$950 & Sunday Sales \$100=\$1,200).

**HISTORICAL SOCIETY:**

Cindy Bilka and Kelli Wollmann Smith-Zimmerman Museum were introduced to the Commission by Joe Thompson. It was agreed to proceed with County's historical display case agreement with Smith Museum Historical Society. Updated agreement will be available in the near future.

**EMPLOYEE APPRECIATION:**

Chairman Verhey presented an Employee Appreciation plaque to Joe Thompson Deputy Bldgs & Grounds Supt for 15 years of service.

**PUBLIC DEFENDER CONTRACT:**

Ken Meyer State's Atty presented the proposed Amended Public Defender Contract with changes to eliminate the firm name of Arneson, Issenhuth, Leibel & Parent and change to Philip R. Parent. Motion Hageman, second Bohl approves the amended Public Defender contract naming

Phillip R. Parent, Atty at Law, Sole Proprietorship, and Manuel J. de Castro Atty at Law of de Castro Law Office, PLLC. Motion carried.

**MADISON INTERNSHIP PRGM:**

Ken Meyer State's Atty presented information on the Madison Internship Program at the Madison High School with Lake County State's Attorney Office and Nicole Knisley Nov 30, 2009 to Feb 24, 2010 10:50 to 11:50 am. Liability insurance to be covered by Madison High School.

**EXECUTIVE SESSION:**

Motion Pedersen, second Bohl enter into Executive Session 10:00 a.m. for potential and pending litigation with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Bohl, second Hageman return to Regular Session 10:15 a.m. Motion carried.

**SHERIFF GRANTS:**

Roger Hartman Sheriff and Tim Walburg Deputy Sheriff updated the Commission on the 2009 grants that have been received throughout the year. Most current stimulus grant is from JAG/BYRE which is managed by Ofc of Homeland Security. Grant application for the new homeland Security Program has been awarded in the amount of \$2,741 for planning, training and exercise.

**JUVENILE DETENTION CONTRACT:**

Motion Hageman, second Bohl approves 2010 Minnehaha County Juvenile Detention contract for secure and non-secure detention \$140 per day. Non-secure detention at the Volunteers of America, Dakotas facility \$100 per day. Motion carried.

**BOARD OF ADJUSTMENT:**

Motion Bohl, second Hageman convene as a Board of Adjustment. Motion carried.

**PLATS:**

**HYLAND'S ADDITION:** Motion Bohl, second Pedersen approves Plat of Lot 1 Hyland's Addition S ½ NE ¼ Sec 11 Badus Twp. Motion carried.

**CHRISTIENSEN'S HARBOR:**

Motion Pedersen, second Bohl approves Plat of Tract F1 Christiansen's Harbor 6<sup>th</sup> Addition & Lot 28B Christiansen's Harbor 13<sup>th</sup> Addition N ½ Sec 26 Lakeview Twp. Motion carried.

**BROWN'S ADDITION:**

Motion Hageman, second Bohl approves Plat of Lot 1 Brown's Addition NE ¼ Sec 26 Wayne Twp. Motion carried.

**CASLER'S ADDITION:**

Motion Bohl, second Hageman approves Plat of Lot 1 Casler's Addition SW ¼ Sec 26 Farmington Twp. Motion carried.

**BAASCH'S ADDITION:**

Motion Giles, second Pedersen approves Plat of Lot 1 Baasch's Addition NW ¼ Sec 34 Lakeview Twp. Motion carried.

**KLINGBIL'S ADDITION:**

Motion Hageman, second Bohl approves Plat of Lot 1 Klingbille's Addition SW ¼ Sec 20 LeRoy Twp. Motion carried.

**RICHTER HOMESTEAD:**

Motion Bohl, second Pedersen approves Plat of Richter Homestead Addition NE ¼ Sec 31 Farmington Twp. Motion carried.

**SCHULTZ'S & VAN DAM'S:**

Motion Bohl, second Hageman approves Plat of Schuldt's & Van Dam's Addition NW ¼ Sec 23 Chester Twp. Motion carried. (Plat is correcting an encroachment so that the property may be sold).

**VARIANCE:**

**Ed Eisenbeisz/Donald Jensen** property located at NW ¼ & E ½ SW ¼ Sec 6 Wayne Twp. Requesting to be 50' from the road right-of-way with a shelterbelt. Regulations require 100' from the road right-of-way. Motion Hageman, second Bohl approves the Ed Eisenbeisz/Donald Jensen variance. Motion carried.

**ADJUSTMENT BOARD:**

Motion Bohl, second Hageman return to Regular Session. Motion carried.

**TRAFFIC CONTROL SIGNING:**

Sonia Downs Traffic & Safety Engineer Ofc of Project Development and Scott Mathison Hwy Supt discussed the traffic control signing project to be administrated 100% through SDDOT to upgrade all regulatory signs within Lake County. Project is planned for year 2015. Cities, Towns or Twps may apply for this project. Also present was Lakeview Twp Chairman Larry Kotten. Motion Giles, second Pedersen approves the Federal Aid Surface Transportation Program Resolution for Lake County. Motion carried. Cities, Towns or Twps to submit resolutions directly to SDDOT.

**RECOVERY ZONE/BONDS:**

Tobin Morris Northland Securities explained the Recovery Zone Economic Development Bonds (Gov't use) and Recovery Zone Facility Bonds (private use) to the Commission. Also present was Cindy Callies Madison High School Bus Mgr, Mayor Gene Hexom and City Finance Officer Jeff Heinemeyer. No decision was made at this time.

**US FISH & WILDLIFE:**

Tom Tornow and James Gropper US Fish & Wildlife Service presented a recommendation on a purchase of land by US Fish & Wildlife. Approximately 11.76 acres, more or less could be obtained from Myrl & Roy's Paving, Inc. Trust fund/Revenue Sharing funds of \$2,300 are proposed for NW ¼ NE ¼ Sec 21 lying northeasterly of State Hwy 19 Lakeview Twp including abandoned railroad right-of-way except Parcel No. One and except Parcel No. Two of the plat of the Lake County W.A. No 10 and except Lot H-2. Motion Pedersen, second Bohl approves Chairman to sign the US Fish & Wildlife Service agreement. Motion carried.

**EXECUTIVE SESSION:**

Motion Pedersen, second Hageman enter into Executive Session 11:58 a.m. for personnel matters with Derrick Shoenrock Bldgs & Grounds Supt. and Kay A. Schmidt Auditor. Motion carried.

**REGULAR SESSION:**

Motion Giles, second Hageman return to Regular Session 12:42 p.m. Motion carried.

**NEW HIRE:**

Motion Giles, second Bohl offer the Bldgs & Grounds Deputy position to Brian Gillman, G8,5 \$13.00. Options include 20 hrs boiler training to increase 1 grade to G9 +.25 and additional 20 hrs Hillyard/floor chemicals training to increase an additional grade G10 +.25. Also provide training options and grade changes to Vicki Menor PT Bldgs & Grounds. Gillman's first day of hire will be December 21, 2009, pending completion of a physical. Motion carried.

**CHN CONTRACT:**

Motion Pedersen, second Bohl approves the Chairman to sign the 2010 SD Dept of Health Community Health Services contract \$13,390 per 2010 County budget approval. Motion carried.

**ABATEMENT #09-10:**

Motion Giles, second Bohl approves Abatement #09-10 City of Madison Rosebud/LAIC to City \$1,151.28, Farmers Elevator to City \$69.97, Clarke to City \$108.13 and Clarke to City Special Assm't (curb & gutter) \$5,838.57. Motion carried.

**RESOLUTIONS APPROVED:**

Motion Pedersen, second Hageman approves the following #09-15, #09-16 and #09-17 Automatic Supplements. Motion carried.

**RESOLUTION #09-15****APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, hereby approves the Automatic Supplement. Said budgets are necessary for the indispensable function of Government as provided in SDCL 7-21-20.1. The County has received unanticipated funds from the State of South Dakota for Sheriff/DUI \$12,154.70 used to supplement budgets for Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to

Sheriff budget:

10100X4110211	SHERIFF state grant/DUI/Salaries	10,509.14
10100X4120211	SHERIFF state grant/DUI/FICA	806.03
10100X4130211	SHERIFF state grant/DUI/Retirement	839.53
		\$12,154.70

Approved this 15th day of December 2009.

Lake County Board of Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**RESOLUTION #09-16****APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, hereby approves the Automatic Supplement. Said budgets are necessary for the indispensable function of Government as provided in SDCL 7-21-20.1. The County has received unanticipated funds from the State of South Dakota for Commissioners/waste tire & Winfred clean up \$5,228.40 and Sheriff/equip/grant (2 digital video systems & 1 vest) used to supplement budgets for Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to

Sheriff budget:

10100X4220111	COMMISSIONERS/prof services	5,228.40
10100X4351211	SHERIFF/equip/grant	3,162.00
		\$8,390.40

Approved this 15th day of December 2009.

Lake County Board of Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**RESOLUTION #09-17****APPROVING AUTOMATIC SUPPLEMENT**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, has authorized the County Auditor to publish a NOTICE OF HEARING ON SUPPLEMENTAL BUDGET and WHEREAS, no person or representatives have appeared to object to the adoption of such supplemental budget and said budget is necessary for the indispensable function of Government as provided in SDCL 7-21-22, THEREFORE, BE IT RESOLVED that the following supplemental budget be adopted:

**Gov't Bldg Fund:**

23300X4350161 Courtroom=Judges bench/bullet proof lining \$2,437.50

Dated this 15th day of December 2009.

Lake County Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**FUEL QUOTES:**

Motion Giles, second Hageman approves Cole's Petroleum ethanol 2.3483 and #2 diesel 2.1568 (12-2-09). Motion carried.

	ethanol:	#2 diesel
<b>Cole's Petroleum</b>	<b>2.3483</b>	<b>2.1568 (12-2-09)</b>
<b>F &amp; M Coop</b>	<b>2.355</b>	<b>2.156</b>

Motion Pedersen, second Giles approves F & M Coop #1 diesel 2.45 (12-10-09). Motion carried.

	#1 diesel
<b>Cole's Petroleum</b>	<b>2.8850</b>
<b>F &amp; M Coop</b>	<b>2.45 (12-10-09)</b>

**PAYROLL APPROVED:**

Motion Hageman, second Bohl approves the following payroll 11-30-09 to 12-13-09 and longevity. Motion carried.

COMMISSIONERS: \$1,823.10; AUDITORS OFC: \$4,381.42; TREASURERS OFC: \$3,350.55; STATES ATTY OFC: \$4,706.67; GOVT BLDGS: \$3,558.72; DIR EQUALIZATION OFC: \$4,099.60; REGISTER DEEDS OFC: \$2,517.62; VSO: \$188.76; SHERIFF OFC: \$8,471.58; JAIL: \$4,610.22; EMA: \$1,332.12; 911 COMM CENTER: \$6,205.97; ROAD & BRIDGE: \$15,307.21; CHN: \$1,236.70; WIC: \$360.96; EXTENSION: \$1,029.00; ZONING: \$1,110.60. GRAND TOTAL \$64,290.80.

LONGEVITY: AUDITORS OFC: \$2,280.00; TREASURERS OFC: \$900.00; STATES ATTORNEY OFC: \$540.00; GOVT BLDGS: \$900.00; DIR EQUALIZATION OFC: \$1,665.00; REGISTER DEEDS OFC: \$1,500.00; VETERANS SERVICE OFFICE: \$72.00; SHERIFF OFC: \$1,260.00; EMA: \$408.00; 911 COMM CENTER: \$780.00; ROAD & BRIDGE: \$4,800.00; CHN: \$360.00; EXTENSION: \$900.00; ZONING: \$675.00. GRAND TOTAL \$17,040.00.

**MINUTES APPROVED:**

Motion Giles, second Hageman approves minutes of December 1, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Pedersen, second Bohl approves the following accounts payable. Motion carried.

COMMISSIONERS: Campbell Supply, poor farm fencing, \$348.11, Madison Daily Leader, minutes/notices, \$531.36, Lyle Signs Inc., sign-poor farm, \$259.68, Power Promotions, plaque, \$68.15, JUDICIAL: Arneson, Issenhuth, Leibel & Parent LLP, Dec public defender contract, \$4,166.66, Dan Brown, crt appt counsel(2), \$240.10, DeCastro Law Office, crt appt counsel, \$4,563.30, Sunshine Foods, cookies/supplies, \$27.92, West Payment Center, Nov services, \$521.82, AUDITOR: Bureau of ADM., long distance/fax calls, \$9.97, Empire Business Systems Inc., supplies, \$63.50, Madison Instant Printing, attendance cards, \$171.00, Pamida, tape, \$12.98, Qwest, phone service, \$30.94, TREASURER: Bureau of ADM. long distance calls, \$3.86, MV line \$7.10, Central Business Supply, copier maintenance, \$25.00, Madison Instant Printing, env, \$174.47, Qwest, phone service, \$30.94, Retail Data Systems, ribbons, \$36.42, Southwest Office Solutions, supplies, \$90.34, DATA PROCESSING: Future PC, service call-sheriff, \$90.00, Madison RadioShack, hard drives(12), \$1,380.00, ink cart-doe, \$13.99, Qwest, phone service, \$12.47, SDSU Stores, ink cart-extension, \$60.52, Software Services Inc., Nov services, \$1,280.00, Southwest Office Solutions, toner-sheriff, \$115.99, toner/ink cart-doe, \$134.95, ink cart-zoning, \$19.99, STATES ATTY: Bureau of ADM., long distance calls, \$8.94, Madison Instant Printing, color copies, \$20.00, Kenneth Meyer, phone clip, \$26.49, Qwest, phone service, \$43.41, Verizon Wireless, service, \$25.88, GOVT BLDGS: Bud's Clean Up Service, Nov services, \$137.72, Bureau of ADM., long distance calls, \$47, Campbell Supply, supplies, \$104.83, City of Madison, util, \$1,206.87, Cole's Petroleum Inc., fuel, \$86.89, Hillyard, supplies, \$306.55, Home Service Water Cond., salt, \$27.28, Northwestern Energy, utilities, \$382.70, One recipient, medical reimbursement, \$500.00, Qwest, phone service, \$31.03, Verizon Wireless, service, \$25.88, EQUALIZATION: Bureau of ADM., long distance/fax calls, \$7.59, Cole's Petroleum Inc., fuel, \$75.15, Madison Instant Printing, supplies, \$121.74, Qwest, phone service, \$30.93, Southwest Office Solutions, supplies, \$40.26, Verizon Wireless, service, \$25.88, REGISTER DEEDS: Best Business Products, copier maintenance, \$23.80, Bureau of ADM., long distance calls, \$3.55, Qwest, phone service, \$18.47, Southwest Office Solutions, supplies, \$14.99, VETERANS SERVICE OFFICE: Bureau of ADM., long distance/fax calls, \$2.76, Qwest, phone service, \$11.66, SHERIFF: Bub's Service, battery, \$117.95, CDW Gov Inc., software-JAG/Byrne Grant, \$2,220.38, Cole's Petroleum Inc., fuel, \$1,261.04, Dell Marketing, Opti 360 minitower base-JAG/Byrne Grant, \$618.85, Great Western Bank, check blanks, \$68.50, Interstate All Battery Center, batteries, \$269.10, Madison Community Hospital, blood alcohols, \$496.00, Madison Daily Leader, notice of sale, \$68.44, Madison Instant Printing, folders, \$15.00, Mobile Electronic Service Inc., car repairs, \$107.00, Pulford's Auto Parts Inc., parts, \$8.96, Southwest Office Solutions, supplies, \$172.38, JAIL: Best Business Products, toner, \$51.92, Bob Barker Co Inc., supplies, \$669.46, Brookings County Sheriff's office, female housing, \$4,875.00, Brown's Cleaning, Nov laundry, \$435.00, Bureau of ADM., long distance/fax calls, \$37.03, City of Madison, util, \$621.56, Minnehaha County Regional Juvenile Detention Center, juv housing(3), \$4,590.00, Northland Family Practice, prisoner services, \$87.00, Northwestern Energy, utilities, \$477.06, Pamida, socks, \$30.00, Qwest, phone service, \$67.59, Sunshine Foods, prisoner meals, \$2,060.00, bags, \$6.98, Volunteers of America, Dakotas, juv housing(2), \$2,200.00, CORONER: Ted Weiland, Croissant fee, \$58.50, SEARCH & RESCUE: Lake County REACT, 2010 dues, \$608.00, Northwestern Energy, utilities, \$35.33, Qwest, phone service, \$12.46, COUNTY WELFARE:

Bureau of ADM., long distance calls, \$.50, Qwest, phone service, \$18.56, Verizon Wireless, service, \$25.88, **CHN:** Aramark Dining Services, refreshments/sack lunches-POD, \$725.54, Campbell Supply, tape-POD, \$54.46, KJAM-AM, advertising-POD, \$112.00, Madison Daily Leader, advertising-POD, \$118.35, Madison RadioShack, office supplies-POD, \$303.13, Miner County Pioneer, advertising-POD, \$84.50, **CARE OF AGED:** ICAP, Dec community service worker hrs, \$574.00, **MENTAL ILLNESS BOARD:** Avera University Psychiatry Assn., MI hearing assessment, \$891.00, Richard Ericsson, MI hearing, \$123.00, Lincoln County Auditor, MI hearing, \$234.00, **EXTENSION:** Best Business Products, copies, \$187.73, Bureau of ADM., long distance calls, \$8.82, Abbie Fout, books, \$49.16, Loopy's, supplies, \$13.00, Pamida, batteries, \$16.96, Qwest, phone service, \$55.41, SDSU Stores, supplies, \$73.48, Southwest Office Solutions, supplies, \$32.28, Sunshine Foods, supplies, \$11.61, **WEED:** Pulford's Auto Parts Inc., part, \$15.36, Verizon Wireless, service, \$25.88, **ZONING:** Gene Anderson, mtg/mileage, \$41.28, Donald Bickett, mtg/mileage, \$41.28, Bureau of ADM., long distance calls, \$11.34, Madison Daily Leader, notices, \$24.24, Qwest, phone service, \$18.46, Southwest Office Solutions, supplies, \$16.64, Steve Terwilliger, mtg/mileage, \$30.18, **ROAD & BRIDGE:** Aramark Uniform Services, supplies, \$31.36, Bureau of ADM., long distance/fax calls, \$1.98, Butler Machinery Co., parts, \$931.30, Campbell Supply, parts/supplies, \$92.73, Central Business, supplies, \$95.70, Cole's Petroleum Inc., fuel, \$7,927.59, engine oil \$546.80, Driveline Service Inc., parts, \$167.59, F&M Coop, tire expense, \$16.00, Fastenal co., parts/supplies, \$106.79, Graham Tire Sx Falls, tire expense, \$1,227.14, Hillyard, supplies, \$65.73, Hyland Machining, repair, \$80.00, Lake County Conservation District, living snow fence, \$67.50, Lake County International Inc., parts, \$11.54, Light & Siren, parts, \$161.88, Madison Daily Leader, notice, \$41.40, Madison RadioShack, ribbon, \$37.99, Mid American Energy, util, \$11.46, Pulford's Auto Parts Inc., parts, \$546.28, Qwest, phone service, \$43.41, Resykle LLC, iron, \$112.46, Rockmount Research/Alloys Inc., supplies, \$204.23, Sturdevant's Auto Parts, parts/tools, \$140.28, Verizon Wireless, service, \$51.78, Wheelco, parts/supplies, \$218.44, WW Tire Service Inc., tires, \$850.00, Xcel Energy, util, \$7.25, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, \$5.48, ITC, Dec services, \$115.55, Lyle Signs, letters, \$188.71, McCook Cooperative Tele, Dec services, \$169.53, Office Peeps Inc., supplies, \$11.15, Qwest, phone service, \$356.02, RACOM, upgrade/additions, \$75,662.25, Verizon Wireless, service, \$25.89, **EMA:** Bureau of ADM., long distance/fax calls, \$1.90, Madison RadioShack, toner, \$164.99, Qwest, phone service, \$37.85, RACOM Corp., radios/installation, \$3,450.00, PSIC grant \$13,804.00, Verizon Wireless, service, \$31.12, **BUILDING:** Associated Consulting Engineering Inc., electrical/contract mgt services, \$1,150.00, Domestic Seed & Supply, snow blower, \$899.00, Gary's Custom Woodworking, base unit & countertop-St Atty, \$380.00, **24/7 FUND:** Dell Marketing, Opti 360 minitower/Dell Latitude(4), \$15,781.79, Intoximeters, repairs, \$123.90, Madison RadioShack, adapter cable, \$17.99, **LAW LIBRARY:** West Payment Center, supplements, \$177.50, **FLEX SPENDING:** One recipient, \$270.07. **GRAND TOTAL: \$170,709.07.**

#### REPORTS REC'D:

July-Sept CHN quarterly report. November 2009: marriage license \$30, Dom Abuse \$90, cert mar \$165, ROD fees \$2,903 & transfer fees \$3,778.00. TOTAL: \$6,966.00; Sheriff fees \$2,571.12, warrants \$125, work release \$450, PBT - Breath \$1,027, pistol permits \$54, accident report copies \$20, fingerprint cards \$170, Reliance telephone comm \$2.68. TOTAL: \$4,419.80, prisoners housed 61 & days served 263; Bldg permits \$1,082 & drainage fees \$455=\$1,537.

AUDITOR'S ACCOUNT WITH TREASURER	INVESTMENT	INTEREST	MATURITY
November 2009	AMOUNT		DATE
Total balance of checking of First Bank & Trust	\$240,502.01	0.15%	
Insufficient fund/checks	\$909.90		
Cash items	\$468.93		
Silver	\$80.70		
Currency	\$4,430.00		
Amt of checks in Treas possession	\$86,528.53		
First Bank & Trust Passbook Acct #905-022-7	\$4,360,000.00	1.10%	
Great Western Passbook Acct #100021474	\$175,000.00	0.74%	
American State Bank Cert of deposit #8349	\$100,000.00	2.00%	8/8/2010
American State Bank Cert of deposit #8313	\$95,000.00	2.50%	1/22/2010
American State Bank Cert of deposit #8317	\$100,000.00	2.50%	2/4/2010
American State Bank Cert of deposit #8326	\$100,000.00	2.00%	3/28/10
First Bank & Trust Cert of deposit #602597	\$100,000.00	1.76%	5/10/2010
First Bank & Trust Cert of deposit #67507	\$100,000.00	1.76%	6/21/2010
First Bank & Trust Cert of deposit #6270102334	\$99,000.00	1.41%	11/25/2010
First Bank & Trust Cert of deposit #6270102342	\$99,000.00	1.41%	11/25/2010
First Bank & Trust Cert of deposit #6270102350	\$99,000.00	1.41%	11/25/2010
First Bank & Trust Cert of deposit #6270102369	\$99,000.00	1.41%	11/25/2010
Great Western Cert of deposit #144109269	\$100,000.00	2.10%	2/4/2010
Great Western Cert of deposit #144109272	\$100,000.00	2.10%	2/4/2010
	<b>\$6,058,920.07</b>		

**TRAVEL REQUEST:**

Ken Meyer State's Atty Joint Mtg w/Federal & State Prosecutors 12-18-09 Sioux Falls, SD.

**ADJOURN:**

There being no further business Chairman Verhey at 1:30 p.m. declared the meeting adjourned until December 29, 2009 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**

**December 29, 2009**

The Board of Lake County Commissioners met in Regular Session on December 29, 2009 at 9 a.m. with the following members present: Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Absent: Dan Bohl. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Giles, second Pedersen approves agenda of December 29, 2009. Additions: Recovery Bonds, Thoms property & POD/employee attendance. Motion carried.

**MINUTES APPROVED:**

Motion Pedersen, second Hageman approves minutes of December 15, 2009. Motion carried.

**ACCOUNTS PAYABLE:**

Motion Hageman, second Petersen approves the following accounts payable. Motion carried.

**COMMISSIONERS:** Campbell Supply, supplies/poor farm, \$25.74, Johnson Brothers Excavation, dig holes/Winfred, \$1,301.02, Knology, service, \$4.12, Lyle Signs, signs-poor farm, \$70.60, Sioux Valley Energy, Brant Lake sirens, \$81.73, **JUDICIAL:** Chris Giles, crt appt counsel(2), \$266.50, **JUROR/APPEARANCE/WITNESS FEE/MILEAGE:** Donald Aker \$10.74, Darwin Algra \$10.74, Lois Alverson \$20.36, Rosella Alverson \$24.80, Gregory Aus \$10.74, Mark Barger \$12.96, Dennis Beck \$15.92, James Becker \$10.74, Joyce Becker \$21.84, Robbie Beyer \$21.10, Thomas Bloom \$12.96, Allan Brandt \$11.48, Michael Bucknell \$15.18, Nancy Carmody \$24.80, Kenneth Christiansen \$10.74, Dalton Crow \$14.44, Debra Dissing \$24.06, Susie Dold \$21.84, Jeremy Eichmann \$19.62, Imogene Ellis \$12.96, Robert Ford \$10.74, Benjamin Fox \$13.70, Goldie Framness \$10.74, Brice Franken \$15.92, Rodney Goeman \$10.74, Michael Goth \$10.74, Darin Greenhoff \$18.88, Michael Halseth \$10.74, Crystal Hansen \$24.80, Stanley Hansen \$13.70, Jerald Heckenlaible \$10.74, Rhonda Heidelberg \$10.74, Richard Jerlow, \$15.92, Scott Kalvig \$10.74, Margaret Kisor \$18.88, Lee Klein \$13.70, Karen Lembecke \$10.74, Eric Lewis \$18.88, Pamela Libby \$10.74, Daniel Lindholm \$15.18, Diane Loomis \$22.58, Charles Lundholm \$10.74, Lawrence McGillivray \$15.18, Joel Molascos \$10.74, Daniel Mortenson \$10.74, Dylan Nelson \$10.74, Timothy Nelson \$15.92, Michael Neumann \$21.10, Gerald Odea \$14.44, Joan Patterson \$10.74, Cynthia Petrone \$10.74, Sarah Phillips \$10.74, Stephanie Ryan \$10.74, Robert Schaaf \$10.74, Bernard Schmanski \$10.74, Steven Serphen \$21.84, James Shafer \$10.74, Rodney Smith \$23.32, Patricia Stout \$10.74, Bonnie Stratton \$17.40, Michael Tyler \$10.74, Bruce Ullom \$10.74, Arleen Weerheim \$13.70, Michael Weiss \$10.74, Ray Wenk \$10.74, Maridee Wiese \$13.70, Teresa Wise \$10.74, James Wittenhagen \$17.40, David Wommack \$21.10, **AUDITOR:** Best Business Office, copier maintenance/usage, \$63.72, Bureau of ADM, Nov bit billing, \$5.00, Knology, service, \$12.37, Madison RadioShack, recorder, \$83.99/pen, \$3.99, Office Peeps Inc, office supplies, \$48.90/indexes, \$62.16, **TREASURER:** Bureau of ADM, Nov bit billing, \$15.00, Lake County Treasurer, postage, \$11.08, Southwest Office Solutions, supplies-MV, \$89.99/supplies, \$29.47, **DATA PROCESSING:** DSU, technical support-Sheriff, \$55.00, Hewlett-Packard Co., HP Compaq(2)-Aud, \$2,314.00, Madison RadioShack, PA system, \$4,074.81/ink cart(4)-Aud, \$116.96, Pitney Bowes, postage meter rental, \$358.00, Software Services, Dec services, \$1,380.00, Southwest Office Solutions, toner/ink cart-doe, \$46.97, **STATES ATTY:** A & B Business, prints, \$17.84, Knology, service, \$20.60, Lake County Treasurer, postage, \$.61, Ken Meyer, tvl exp, \$38.44, Office Peeps Inc, office supplies, \$24.90/chair, \$296.00, Pamida, Kleenex, \$5.99, Don Thomson, USB drives-St Atty, \$42.15, **GOVT BLDGS:** Bud's Clean-Up Service, services, \$137.72, Campbell Supply, scoop shovels, \$41.98, Diede Temperature Control, 2<sup>nd</sup> Qtr maintenance, \$535.50, Knology, service, \$4.12, Madison Ace Hardware, bulb, \$8.78, Shred-it, services, \$174.44, Swiftair, boiler repairs, \$657.35, Don Thomson, mini-blinds, \$37.78, **EQUALIZATION:** Knology, service, \$12.36, Office Peeps Inc, office supplies, \$31.60, Southwest Office Solutions, supplies, \$22.99, **REGISTER DEEDS:** Bureau of ADM, Nov bit billing, \$5.00, Knology, service, \$8.24, **VETERANS SERVICE OFFICE:** Madison RadioShack, file folder, \$14.98, **SHERIFF:** Bob Barker Co., steel bench, \$363.45, Bub's Service, battery, \$117.95, Dell Marketing, OptiPlex 960 computer, \$1,489.60, Gall's, flashlight batteries, \$121.96, Interstate All Battery Center, battery, \$15.50, Lake County Treasurer, postage, \$32.79, Office Peeps Inc, office supplies, \$10.08, **JAIL:** Dakota Drug, supplies/prescriptions, \$86.85, Davison County Sheriff, female housing, \$195.00, Knology, service, \$37.08, Minnehaha County Treasurer, female housing, \$157.46, Southwest Office Solutions, supplies, \$32.98, Verizon Wireless, service, \$169.74, **SEARCH & RESCUE:** City of Madison, utilities, \$136.29, M & T Fire & Safety, traffic batons(6), \$108.99, **COUNTY WELFARE:** Knology, service, \$4.12, **CHN:** Kathy Hansen, mtg-POD, \$27.53, LakeBrook, refrigerator, \$466.00, Don Thomson, 8-port switch-POD, \$84.79, **MENTAL ILLNESS BOARD:** Donna Dietrich, MI hearing(2), \$310.08, Nelva Kooistra, MI hearing(2), \$30.00, Heather LaCroix, MI hearing, \$187.48, Cathy Rehfuß, MI hearing(2), \$30.00, Slowey Court

Reporting, MI services, \$25.00, **EXTENSION:** Glenda Blom, wash towels/postage, \$7.57, Bud's Clean-Up Service, services, \$74.56, City of Madison, utilities, \$392.17, Abbie Fout, 4H supplies, \$273.64, Knology, service, \$4.12, Learning Zone, supplies, \$162.16, NASCO, supplies, \$266.29, Northwestern Energy, utilities, \$206.94, Produce for Better Health, supplies, \$499.90, SDSU Stores, supplies, \$22.35, Southwest Office Solutions, supplies, \$1,008.79, University of NE, literature, \$67.95, Sue Warns, cookies, \$24.00, **WEED:** Domestic Seed, chemical, \$15,645.00, Farmers Ag Center, chemical, \$5,500.00, Knology, service, \$4.12, Pulford's Auto Parts, parts/supplies, \$52.58, **ZONING:** Knology, service, \$4.12, **ROAD & BRIDGE:** Aramark Uniform Services, aprons/rugs, \$38.32, Brock White, crack sealing material, \$23,793.00, Butler Machinery, blades/parts, \$1,828.41, Campbell's Supply, supplies/tools, \$293.00, CarQuest Auto Parts, impact wrench/parts, \$563.85, Central Business Supply, supplies, \$6.49, City of Madison, utilities, \$479.93, Cole's Petroleum, fuel, \$14,265.60, F & M Coop, diesel/tire exp, \$7,380.00, Graham Tire, tire exp, \$8,718.46, Huron Culvert & Tank Co., culvert inventory, \$4,126.20, Johnson Brothers Excavation, pea rock, \$8,884.80, Knology, service, \$4.12, Krug Products, hose assy, \$98.76, Lake County Treasurer, postage, \$1.73, Lyle Signs, signs, \$5,039.50, Madison Ace Hardware, supplies, \$803.36, Madison RadioShack, supplies, \$71.98, Michael Johnson Construction, pea rock, \$3,185.60/sand-pea rock, \$10,259.44, Nielsen's, part, \$60.49, Northwestern Energy, utilities, \$454.29, Office Peeps Inc, supplies, \$167.42, Pamida, supplies, \$25.25, Pheasant Country Express, snow salt, \$5,170.20, ProBuild, lumber, \$11.50, Pulford's Auto Parts, parts/supplies, \$662.35, SD DOT, bridge exp/stripping, \$8,131.92/\$945.70, Sioux Equipment, fuel system repair, \$404.69, Sioux Valley Energy, Hwy 34 lighting, \$97.64, Sturdevant's, parts/supplies, \$147.44, Tires Tires Tires, tire exp, \$8.00, WW Tire Service, tire exp, \$3,744.82, Zep Sales, supplies, \$92.20, **911 COMM CENTER:** Interlakes Medical Center, physical, \$98.00, Knology, service, \$4.12, Language Line Service, services, \$90.00, Mid-American Specialties, supplies, \$210.10, Office Peeps Inc, office supplies, \$2.03, Quill Corp., supplies, \$52.86, Sioux Valley Energy, services, \$66.63, **EMA:** Knology, service, \$8.24, Madison RadioShack, supplies, \$19.98, **BUILDING:** ProBuild, insulation-Hwy Dept, \$8,738.40, **LEPC:** Sioux Valley Wireless, web hosting, \$19.95, **GRAND TOTAL:** \$161,399.48

#### **FUEL QUOTES:**

Motion Hageman, second Pedersen approves Cole's Petroleum ethanol 2.2336 & #1 diesel

2.3144. Motion carried.	<b>ethanol:</b>	<b>#1 diesel fuel:</b>
Cole's Petroleum	2.2336	2.3144
F & M	2.30	2.36

#### **AUTOMATIC SUPPLEMENTS:**

Motion Giles, second Pedersen approves the following #09-18 EMA Automatic Supplement \$4,503.18. Motion carried.

#### **RESOLUTION #09-18**

##### **APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, hereby approves the Automatic Supplement upon the adoption of such EMA Emergency Management Agency budget. Said budgets are necessary for the indispensable function of Government as provided in SDCL 7-21-20.1. The County has received unanticipated EMA '07 Homeland Security grant \$223.56 & '08 Homeland Security Citizen Corp \$1,479.62 from the State of South Dakota and City of Madison P25 upgrade reimbursement \$2,800.00 used to supplement budget of Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to EMA budget to be adopted:

22600X4351222 EMA \$4,503.18

Approved this 29th day of December 2009.

Lake County Board of Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

Motion Pedersen, second Hageman approves the following #09-19 24/7 Sobriety Fund Automatic Supplement \$17,123.68. Motion carried.

#### **RESOLUTION #09-19**

##### **APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, hereby approves the Automatic Supplement upon the adoption of such 24/7 Sobriety budget. Said budget is necessary for the indispensable function of Government as provided in SDCL 7-21-20.1. The County has received unanticipated funds for the 24/7 Sobriety Program from the Sheriff upon collections for PBT breath tests used to supplement budget of Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to 24/7 Sobriety Program budget to be adopted:

24800X4260212 24/7 SOBRIETY FUND \$17,123.68

Approved this 29th day of December 2009.

Lake County Board of Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor



Motion Hageman, second Giles approves the following #09-20 Bldg Fund Automatic Supplement \$27,761.61. Motion carried.

**RESOLUTION #09-20**

**APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, hereby approves the Automatic Supplement upon the adoption of such Bldg Fund budget. Said budget is necessary for the indispensable function of Government as provided in SDCL 7-21-20.1. The County has received unanticipated funds for the Energy Improvement grant to supplement budget of Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to Bldg Fund budget to be adopted:

23300X4352161 BLDG FUND \$27,761.61

Approved this 29th day of December 2009.

Lake County Board of Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

Motion Hageman, second Pedersen approves the following #09-21 POD/Point of Distribution.

Automatic Supplement \$1,861.99. Motion carried.

**RESOLUTION #09-21**

**APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, hereby approves the Automatic Supplement upon the adoption of such General Fund budget. Said budget is necessary for the indispensable function of Government as provided in SDCL 7-21-20.1. The County has received unanticipated funds for the POD/Point of Distribution grant to supplement budget of Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to General Fund/CHN budget to be adopted:

10100X4351421 GENERAL FUND \$1,861.99

Approved this 29th day of December 2009.

Lake County Board of Commissioners

S/s Bert Verhey Chairman

Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**CONTINGENCY FUND:**

Motion Pedersen, second Hageman approves the following #09-22 2009 Contingency Transfer Resolution. Motion carried.

**RESOLUTION #09-22**

**TRANSFER FROM CONTINGENCY FUND**

WHEREAS, SDCL 7-21-6.1 provides for the establishing of a Contingency Fund, and SDCL 7-21-32.1 provides for the utilization of these funds:

AND WHEREAS it appears there is a need to transfer from the established Contingency Fund to the various departments to continue to provide the indispensable function of County government by covering anticipated expenditures in the amount of **\$102,663.86**.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners that **\$102,663.86** be transferred from the Contingency Fund to the following fund:

**GENERAL FUND**

**COMMISSIONERS:**

PROF SERVICES	10100X4220111	20,938.36
AUDIT	10100X4221111	11,907.50

**JUDICIAL SYSTEM:**

CRT APPT'D COUNSEL	10100X4222130	8,666.00
CRT ORDERED SERVICES	10100X4224130	2,466.04

**GOVERNMENT BLDG:**

SALARIES	10100X4110161	1,200.89
INSURANCE PACKAGE	10100X4210161	1,261.75
UNEMPLOYMENT INS	10100X4220161	2,679.00
REPAIRS & MAINT	10100X4250161	2,684.60
SUPPLIES	10100X4260161	1,864.26

**GOVERNMENT BLDG:**

PROFESSIONAL SERVICES	23300X4251161	1,150.00
FURNITURE & EQUIP	23300X4350161	7,961.07

**DIR OF EQUALIZATION:**

INSURANCE	10100X4150162	1,616.00
REPAIRS & MAINT	10100X4250162	411.90
SUPPLIES	10100X4260162	108.19
TRAVEL & CONFERENCE	10100X4270162	1,366.24

**PREDATORY ANIMAL CONTROL:**

PREDATORY ANIMAL	10100X4290166	.40
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**JAIL:**

SALARIES	10100X4110212	8,048.30
FEMALE HOUSING	10100X4241212	1,726.07
JUVENILE HOUSING	10100X4242212	463.47

**CORONER:**

INSURANCE	10100X4150213	191.46
PROFESSIONAL SERVICES	10100X4220213	439.26
AUTOPSY	10100X4221213	5,754.24

**911 COMMUNICATIONS:**

SALARIES	20700X4110225	10,372.24
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<b>WIC:</b>		
SALARIES	10100X4110426	338.29
<b>DEVELOPMENTAL DISABLED:</b>		
PROFESSIONAL SERV	10100X4220442	4,079.74
<b>MENTAL ILLNESS BRD:</b>		
PROFESSIONAL SERV	10100X4220445	4,152.59
CRT APPT COUNSEL	10100X4222445	633.03
<b>EXTENSION:</b>		
SALARIES	10100X4110611	182.97
<b>GRAND TOTAL:</b>		<b>\$102,663.86</b>

Dated this 29th day of December 2009.

Signed:

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Auditor

**BUILDING INSPECTIONS:**

Kennard Blake was present to discuss building codes and 3 tier inspections. No decision was made at this time. County will contact Todd Kayes First District Planning to write regulations with fee and inspector costs.

**WAIVER RESOLUTION:**

The Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds were reviewed. A State Energy Grant has been approved for \$800,000 which would cover the Courthouse for a Geo Thermal heating system/natural gas back up and air conditioning. Motion Pedersen, second Giles to waive Lake County's Recovery Zone Economic Development Bonds \$3,308,000 and Recovery Zone Facility Bonds \$4,961,000. Motion carried.

**RESOLUTION #09-23**

Motion to waive the Lake County's volume cap allocation for recovery zone bonds pursuant to 26 USCA 1400U-1(a)(3)(A) in the following amounts:

ALLOCATION TYPE	ALLOCATION AMOUNT	WAIVED
Recovery Zone Economic Development Bonds	3,308,000	3,308,000
Recovery Zone Facility Bonds	4,961,000	4,961,000

**WAIVER OF VOLUME CAP ALLOCATION FOR RECOVERY ZONE BONDS**

As per a motion passed December 29, 2009, Madison, South Dakota does hereby pursuant to 26 USCA 1400U-1(a)(3)(A) and Internal Revenue Service Notice 2009-50 waive the following allocations:

ALLOCATION TYPE	ALLOCATION AMOUNT	WAIVED
Recovery Zone Economic Development Bonds	3,308,000	3,308,000
Recovery Zone Facility Bonds	4,961,000	4,961,000

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**AUTOMATIC SUPPLEMENT:**

Motion Pedersen, second Bohl approves the following #09-24 Sheriff and EMA Automatic Supplements \$17,005.88. Motion carried.

**RESOLUTION #09-24**

**APPROVING AUTOMATIC SUPPLEMENT 7-21-20.1**

WHEREAS, The Board of County Commissioners of Lake County, South Dakota, hereby approves the Automatic Supplement upon the adoption of such General & EMA budgets. Said budgets are necessary for the indispensable function of Government as provided in SDCL 7-21-20.1. The County has received unanticipated funds for the Sheriff Byrne Jag State grant \$3,202.68 and EMA PSIC federal grant \$13,803.20 to supplement budgets of Lake County.

THEREFORE, BE IT RESOLVED that the following automatic supplement to General & EMA budgets be adopted:

10100X4351211	Sheriff equip/grant program	\$ 3,202.68
22600X4351222	EMA equip/grant program	\$13,803.20

Approved this 29th day of December 2009.

Lake County Board of Commissioners

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Lake County Auditor

**OPERATING TRANSFER:**

Motion Bohl, second Hageman approves the following #09-25 Operating Transfer Resolution \$98,822.43. Motion carried.

**#09-25 OPERATING TRANSFER RESOLUTION**

WHEREAS, there is a need to transfer Thirty-six thousand three hundred thirty-five dollars and 40/100 (\$36,335.40) from the General Fund Cash to Road & Bridge cash funds for normal operations and Sixty Two thousand four hundred eighty-seven dollars and 03/100 (\$62,487.03) from Restricted Snow Cash fund for normal operations to the Road & Bridge Cash.

NOW THEREFORE BE IT RESOLVED, by the Board of Lake County Commissioners that Ninety-Eight Thousand, Eight Hundred Twenty-Two Thousand and 43/100 (\$98,822.436) be transferred to Road & Bridge Cash Fund.

Operating transfer/Rd & Bridge	10100X4292911	\$36,335.40
Restricted cash/Snow	20100A1070000	<u>\$62,487.03</u>
		\$98,822.43

Dated this 29th day of December 2009.

LAKE COUNTY BOARD OF COMMISSIONERS

S/s Bert Verhey Chairman

ATTEST:

S/s Kay A. Schmidt Auditor

**THOMS PROPERTY:**

Commissioner Pedersen updated the Board on the adjoining property of Ted Thoms/Sunset Harbor near the County's gravel pit/Poor Farm land/Lake Access.

**CASH DESIGNATED:**

Motion Bohl, second Pedersen approves designating General Fund Reserve for a Courthouse heating, AC & electrical repairs project \$800,000 (estimated costs) and Rd & Br future mat overlay/equipment \$444,170. Motion carried.

LAKE COUNTY	GENERAL FUND SURPLUS ANALYSIS	12/31/09
ASSETS:	101 Cash	2,945,352.34
	108 Taxes Receivable--Current	36,453.30
	110 Taxes Receivable--Delinquent	23,793.85
TOTAL ASSETS:		3,005,599.49
LIABILITIES AND EQUITY:		
	224 Deferred Revenue	65,450.15
FUND		
BALANCES:	271.99 Reserved for Election Grant	47,818.37
	271.99.02 Designated for Scholl property restoration	28,368.64
	272.01 Designated for Next Year's Appropriations	79,551.00
	272.03 Designated for C.O. Accumulations/Poor Farm	93,846.03
	272.04 Designated for C.O. Accumulations/Bldg Fund	800,000.00
	272.05 designated for C.O. Accumulations/Rd & Br	444,170.00
	272.09 Undesignated	1,446,395.30
TOTAL LIABILITIES AND EQUITY:		3,005,599.49
	Following Year General Fund Budget	3,604,256.00
		40.13%

The unreserved, undesignated fund balance, account 272.09, divided by the following year General Fund budget resulting in the fund balance percentage.

**MTGS ATTENDED:**

Pedersen I-20 Corridor.

**ADJOURN:**

There being no further business Chairman Verhey at 11:15 a.m. declared the meeting adjourned until January 5, 2010 at 9 a.m.

**It is the policy of Lake County not to discriminate against the disabled in employment or the provision of service. Any person with a disability wishing to attend any Commission meeting and who may require special arrangements may contact the Lake County Auditor at 256-7600. All attempts shall be made to satisfy these requirements.**

**KAY A. SCHMIDT**

**LAKE COUNTY AUDITOR**

Published once at the total approximate cost of \_\_\_\_\_.

**LAKE COUNTY COMMISSION MINUTES**

**January 5, 2010**

The Board of Lake County Commissioners met in Regular Session on January 5, 2010 at 9 a.m. with the following members present: Dan Bohl, Chris Giles, Roger Hageman, Scott Pedersen, Bert Verhey and Auditor Kay A. Schmidt. Chairman Verhey called the meeting to order.

**AGENDA APPROVED:**

Motion Pedersen, second Bohl approves agenda of January 5, 2010 as amended. Additions: Water Quality Committee appointments and Treasurer Ofc over time request. Motion carried.

**2010 REORGANIZATION:**

This being the first meeting for the New Year Chairman Bert Verhey called for nominations for Chairman. Commissioner Hageman nominated Verhey for Chairman, seconded by Pedersen. Motion Bohl, second Giles nominations cease. Motion carried. Chairman Verhey called for Vice-Chairman nominations. Commissioner Giles nominated Pedersen for Vice-Chairman, seconded by Hageman. Motion Hageman, second Bohl nominations cease. Motion carried. Chairman Verhey called for Commissioner appointments to the following boards:

- Bldg & Grounds--Bohl
- Chamber of Commerce--Verhey (monthly)
- 911 Communications--Bohl (2 yrs//2009 & 2010) & Giles (1 yr//2010)
- Drainage--Hageman
- East Dakota Transit--Giles
- East Dakota Water Development--Hageman
- Emergency Management Agency--Bohl
- Extension Board--Verhey
- First District Planning, Watertown--Hageman
- Insurance--Pedersen & Verhey
- Interlakes Community Action Board--Bohl
- Interlakes Gov't Relations --Pedersen
- Lake Area Improvement--Giles
- Lake County Access--Giles & Pedersen
- Lake Madison Dev. Assn--Pedersen
- LEPC (Local Emergency Planning Comm)--Bohl
- Minnehaha County Regional Juvenile Detention--Bohl & Giles
- Planning & Zoning--Pedersen '09&'10 (review bldg permits weekly/Tues am)
- Public Library Board--Bohl