LAKE COUNTY COMMISSION MINUTES
February 2, 2010

The Board of Lake County Commissioners met in Regular Session on February 2, 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 Bohl, second Giles approves agenda of February 2, 2010. Additions: dock for lake access and mileage for Water Quality Brd. Motion carried.

COMPUTER SOFTWARE:
Shirley Ebsen Dir of Equalization made a request to the Commission to acquire LogMeIn (free) software for DOE & Auditor so that they could access their office pc from their home pc. Motion Giles, second Pedersen to authorize Don Thomson EMA or Shirley Ebsen DOE to look into this software purchase but purchase the better system that would have secure access. Motion carried.

COUNTY BRD EQUALIZATION:
Shirley Ebsen Dir of Equalization discussed County Board of Equalization schedule that is set for April 13, 2010 9:00 am and end on May 4, 2010.

911 COMMUNICATIONS:
Julie Wegener 911 Communications requested a wage adjustment due to certification. Motion Hageman, second Pedersen approves wage adjustment for Scott Voigt G7,1 $11.80 to G9,1 $12.45 Certified Dispatcher effective January 15, 2010. Motion carried.

RESIGNATION ACCEPTED:
Motion Bohl, second Giles accept with regrets the resignation of Debi Jurgensen 911 Dispatch PT effective January 5, 2010. Motion carried.

MINUTES APPROVED:
Motion Giles, second Bohl approves minutes of January 19, 2010. Motion carried.

ACCOUNTS PAYABLE:
Motion Pedersen, second Hageman approves the following accounts payable. Motion carried. **COMMISSION:** Knology, service, $4.12, Pitney Bowes, postage meter rental, $2.11, **ELECTIONS:** Pitney Bowes, postage meter rental, $30.07, **JUDICIAL:** Chris S Giles, juv counsel, $205.00, Jerome Johnson, transcripts, $281.20, Pitney Bowes, postage meter rental, $21.52, JUROR/WITNESS/APPEARANCE FEE/MILEAGE: Brenda Sue Zillgitt $25.18, Sicily Bickett $20.74, **AUDITOR:** Best Business Products, copier maintenance/usage, $38.70, Bureau of ADM., Dec BIT billing, $5.00, Knology, service, $12.37, Office Peeps, index, $2.59, Pitney Bowes, postage meter rental, $57.32, **TREASURER:** Bureau of ADM., Dec BIT billing, $15.00, First Madison Insurance, Trygstad notary, $80.00, Madison Instant Printing, envelopes, $175.83, Pitney Bowes, postage meter rental, $113.20, **STATES ATTY:** A&B Business Inc., prints, $18.22, Knology, service, $20.60, Pitney Bowes, postage meter rental, $19.55, Q-Set, transcription, $93.75, SHI Intl Corp., license, $99.64, **GOVT BLDGS:** Bob's Electric of Madison Inc., ballast, $27.24, Chemco, supplies, $222.75, City of Madison, util, $963.57, Cole's Petroleum Inc., fuel, $125.33, Knology, service, $4.12, Madison Ace Hardware, supplies, $46.95, Madison RadioShack, HP computer, $579.99, MOMAR Inc., ice melt, $177.12, Shred-it, services, $117.48, **EQUALIZATION:** Cole's Petroleum Inc., fuel, $39.46, Knology, service, $12.36, Light Speed Technologies, hard drive, $62.00, Madison RadioShack, ribbon, $25.99, Pitney Bowes, postage meter rental, $53.16, **REGISTER OF DEEDS:** Bureau of ADM., Dec

BIT billing, $5.00, Knology, service, $8.24, McLeod's, plat cabinet/record books, $4,114.70, Pitney Bowes, postage meter rental, $18.83, **VETERANS SERVICE OFFICE:** Pitney Bowes, postage meter rental, $1.50, **SHERIFF:** Card member Service, postage, $48.80, Cole's Petroleum Inc., fuel, $1,267.27, Dakota Drug, envelopes, $4.74, Madison Instant Printing, folders, $15.00, Prostrollo Motor Co., Durango repairs, $158.17, The Radar Shop, recertification, $156.00, **JAIL:** Brookings County Sheriff's office, prisoner housing, $228.26, Brown's Cleaning, Jan laundry, $435.00, City of Madison, util, $660.01, Dakota Drug, lotion/prescriptions, $48.63, Knology, service, $37.08, **CORONER:** Ted Weiland, Lampson & Kasch fees, $131.80, **SEARCH & RESCUE:** Pitney Bowes, postage meter rental, $.18, **WELFARE:** Knology, service, $4.12, Pitney Bowes, postage meter rental, $2.79, **CHN:** Aramark Corp, DSU Dining Services, refreshments/sack lunches-POD, $868.70, Madison Ace Hardware, yardsticks-POD, $18.06, Madison RadioShack, supplies-POD, $106.91, Pitney Bowes, postage meter rental, $24.52, **MENTAL ILLNESS BOARD:** R L Ericsson, MI hearing, $123.00, Yankton County Sheriff's office, MI services, $25.00, **EXTENSION:** Best Business Products, copier lease, $113.00, Abbie Fout, supplies/Jan travel/subsistence, $86.01, Becky Jensen, Jan travel/subsistence/programs, $85.80, Knology, service, $4.12, Loopy's, supplies, $60.00, Sunshine Foods, supplies, $58.34, The Ohio State University, 4H literature, $148.23, **WEED DEPT:** Knology, service, $4.12, **ZONING:** Knology, service, $4.12, Pitney Bowes, postage meter rental, $11.46, SD Planners Assn., membership, $55.00, **ROAD & BRIDGE:** Cole's Petroleum Inc., fuel, $7,977.41, Knology, service, $4.12, MidAmerican Energy, util, $717.32, **911 COMM CENTER:** Batteries Plus, battery, $47.00, Bureau of Info & Telecommunications, teletype service, $2,250.00, Interlakes Medical Center, physical exam, $98.00, Knology, service, $4.12, Office Peeps, ribbons, $32.37, Pitney Bowes, postage meter rental , $.61, Quill, supplies, $82.31, RACOM Corp., repeater maintenance, $2,052.00, SHI Intl Corp., license, $99.64, Tri-State EMA, dues, $10.00, SDEMA, dues, $30.00, Scott Voigt, mileage/Pierre, $437.34, **EMA:** Knology, service, $8.24, Pitney Bowes, postage meter rental, $1.18, Tri-State EMA, dues, $10.00, **BUILDING:** Fastenal, straps/insulation project hwy dept., $372.28, **LAW LIBRARY:** West Payment Center, supplement, $88.75, **LEPC:** Donald Thomson, mtg meals, $96.40. **FLEXIBLE SPENDING:** One recipient $332.81. **GRAND TOTAL: $27,693.64**

PAYROLL APPROVED:

Motion Giles, second Bohl approves the following payroll 1-11-10 to 1-24-10. Motion carried. COMMISSIONERS: $1,877.75; AUDITORS OFC: $4,560.80; TREASURERS OFC: $3,622.39; STATES ATTY OFC: $4,872.35; GOVT BLDGS: $3,574.90; DIR EQUALIZATION OFC: $4,274.42; REGISTER DEEDS OFC: $2,607.37; VSO: $196.80; SHERIFF OFC: $9,338.20; JAIL: $5,354.94; EMA: $1,385.85; 911 COMM CENTER: $7,777.29; ROAD & BRIDGE: $16,454.82; CHN: $1,208.34; WIC: $431.43; EXTENSION: $1,089.14; ZONING: $1,156.20. GRAND TOTAL $69,782.99.

FUEL QUOTES:

Motion Hageman, second Pedersen approves Cole's Petroleum ethanol 2.3210, #1 diesel 2.2983 & #2 diesel 2.1122. Motion carried.

	ethanol:	#1 diesel:	#2 diesel:
Cole's petroleum	2.3210	2.2983	2.1122 (1-21-2010)
F & M Coop	2.35	2.32	2.13

COMMERCIAL SOLID WASTE:

Motion Hageman, second Pedersen approves the $25 Commercial Solid Waste Hauler License and Permit application for Waste Connections DBA Cook's Wastepaper & Recycling, Brookings, SD. Motion carried.

DEPUTY CORONER:

Motion Bohl, second Hageman upon the request from Coroner Ted Weiland, recommends appointing Thomas Kelly Johnson as Deputy Coroner for Lake County. Motion carried.

4-H GROUNDS/EXHIBIT HALL:

Motion Giles, second Pedersen approves the 4-H Grounds and 4-H Center rental agreement to Relay for Life June 5 & 6, 2010 and waive rental fee. Motion carried. Received proof of liability insurance and was placed on file.

DRAINAGE BRD:

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

DRAINAGE COMPLAINT #10-1:

Drainage Complaint #10-1 Brian Swier 22119 451st Ave Ramona, SD 57054 against Robert Norman 22373 449th Ave Ramona, SD 57054 Sec 9 S ½ Badus Twp. Deb Reinicke Zoning-Drainage requested to continue to February 16, 2010 @10:15 am. Additional time will allow Mr. Norman to acquire an additional wavier. Motion Giles, second Bohl table the Drainage Complaint #10-1 Brian Swier vs Robert Norman for 2 weeks. Motion carried.

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

ELEVATOR AGREEMENT:

Motion Giles, second Hageman approves the KONE Inc. agreement to supply and replace the hoistway door closer on 2nd floor $4,160; per 2010 budget request. Motion carried.

DOCK/LAKE ACCESS:

Scott Pedersen presented an estimated cost of a dock at the County Poor Farm public lake access area. Dock will have (1) 4'x8' ramp with (2) 4'x16' sections. End of the dock will have (2) 16' sections. Estimated cost $7,507 plus $250 installation and fall removal $150. Motion Bohl, second Giles approves dock purchase, installation and maintenance for the public access area. Motion carried.

MTGS ATTENDED:

LAIC: Giles, Pedersen & Bohl.

Water Quality: Pedersen.

CLEAN WATER:

Motion Giles, second Bohl approves reimbursing Water Quality volunteers' mileage to attend board meetings; reimburse on annual bases. Motion carried.

BOARD OF ADJUSTMENT:

Motion Hageman, second Pedersen convene as a Board of Adjustment at 9:45 am. Motion carried.

CONDITIONAL USE PERMIT:

Charles Scholl/Chuck's Recycling and Repair, Inc Conditional Use permit for 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, Greg Protsch Atty, Deb Reinicke Zoning-Drainage, Ken Meyer State's Atty and Shelli Gust Sec and five concerned citizens. Motion Giles, second Bohl authorize the Chairman to sign and adopt the 8 page Conditional Use Permit of Chuck's Recycling and Repair, Inc. document. Motion carried. Atty Protsch asked the Auditor to indicate in the record, that Mr. Scholl has not

specifically agreed to all the conditions set forth in the Conditional Use Permit. He would like to note on the record that he objects to all of the conditions, except for the (4) conditions that are allowed to be imposed pursuant to your Zoning Ordinance. Those 4 conditions are set forth on the top of Pg 2. Reason for objecting, making an objection on the record to the conditions, Mr. Scholl would have 30 days to appeal this decision of this board to the circuit court for judicial review. He may or may not appeal. If he does, he is merely exercising his statutory rights; he may not appeal. If he does not appeal and he desires to accept it, he will accept it in writing prior to commencement of the business as required in the permit.
Motion Giles, second Pedersen return to Regular Session at 9:58 a.m. Motion carried

NUSIANCE COMPLAINTS:

Deb Reinicke Zoning-Drainage and Ken Meyer State's Atty reviewed with the board the Zoning Ordinance Article VIII Section 3 enforcement procedures for complaints.

1ST DISTRICT:

Todd Kays 1st District Planning & Zoning Exec Dir presented the 2009 Economic Development report; copy was reviewed and placed on file.

BLDG INSPECTOR:

Kenny Blake and Todd Kays 1st District discussed bldg inspector duties, enforcement and funding. It was recommended to invite 1st District back for continued discussions.

EXECUTIVE SESSION:

Motion Bohl, second Hageman enter into Executive Session 11:32 a.m. for pending litigation with Ken Meyer State's Atty, Kay A. Schmidt Auditor, former Commissioners Craig Johannsen and Ron Jorgensen. Motion carried.

REGULAR SESSION:

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

Pre-issues Jan 2010

EM Logic, multi-hazard mitigation-PDM grant, $3,000.00, Emp G2000, flexible spending, $120.00, Interlakes Federal Credit Union, payroll deductions, $2,014.50, Lake County Treasurer, payroll withholdings, $17,234.70, Emp T1090, flexible spending, $208.33, Lake County Treasurer, advanced taxes, $134.67, City of Madison, util, $1,457.02, CPS Technology Solutions, IBM Power 6/software/maintenance, $28,913.00, Donovan's Hobby & Scuba, tank mounting kit/rock boots, $315.12, Money Handling Machines Inc., maintenance/check signer, $325.00, NACO, 2010 dues, $400.00, NDAA, 2010 dues, $95.00, National Sheriffs' Assn., 2010 dues, $100.00, SDAAO, 2010 dues (3), $165.00, SDACC, 2010 dues, $2,078.64, SDACC Clerp, claim statement, $1,746.92, SDML WC Fund, 2010 renewal billing, $30,359.00, SD Sheriff's Assn., 2010 dues, $688.28, SD States Atty Assn., 2010 dues, $838.00, SHI Intl Corp., laptop software, $479.95, The State Bar of SD, 2010 dues, $415.00, Unemployment Insurance Division, 4th qtr, $182.57, MidAmerican Energy, util-Ramona, $13.94, Sanitation Production Inc., new sander, $6,750.00, SDACHS, 2010 dues, $195.00, APCO, 2010 dues, $92.00, NENA, 2010 dues, $120.00, US Postal Service, postage meter refill, $1,000.00, State Remittance, Dec collections, $118,893.07, Lake County Treasurer, Dec direct deposit charge, $71.12, Emp G2000, flexible spending, $120.00, Interlakes Fed Cr Union, payroll deductions, $2,014.50, Lake County Treasurer, payroll withholdings, $15,632.51, Emp T1090, flexible spending, $208.33, Lake County Treasurer, advanced taxes, $294.25/$516.26/$282.86/$366.32/$252.68/$374.54, Dept of Public Safety, telecommunicator cards, $60.00, Racom Corp., maintenance contract, $8,550.00, Lake County Treasurer, advanced taxes, $213.23/$262.92/$340.09, Lake County Treasurer,

payroll withholdings, $16,146.23, Weed & Pest Conference, regs (2), $205.00. **Grand Total: $264,245.55**.

End of the Month Payables Jan 2010

AFLAC, cancer-int care premium, $1,742.92, Assurant Employee Benefits, Feb '10 life ins premium, $195.00, Johnson Rodenburg Lauinger, wage assignment, $300.00, Lake County Treasurer, RE taxes, $87.00, SD Retirement System, Jan '10 collections, $26,408.08, Supplemental Retirement, Jan '10 collections, $1,380.00, Employee T1095 refund Feb vision premium, $15.46, Vision Care Direct, Feb '10 premium, $856.48, Wellmark BCBS of SD, Feb '10 health ins premium, $17,055.59, City of Madison, utilities, $468.07, Sioux Valley Energy, services, $300.31, Sioux Valley Wireless, web hosting, $19.95, Verizon Wireless, service, $170.30. **GRAND TOTAL: $48,999.16.**

TRAVEL REQUESTS:

Bob Johnson & Ted LaFleur Weed & Pest Conference 2-17/2-19-2010 Aberdeen, SD.

ADJOURN:

There being no further business Chairman Verhey at 11:30 a.m. declared the meeting adjourned until February 16, 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

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