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
Search & Rescue--Verhey
Solid Waste--Hageman
Veterans Services--Pedersen
Weed Board--Hageman
Winfred Clean Up Project--Verhey

Motion Bohl, second Giles approves the 2010 Commissioner Appointments. Motion carried.

OTHER APPOINTMENTS:

Clean Water Quality Committee--Craig Johannsen, Jan Nicolay, Chuck Robbins, Gene Hexom, Charlie Stoneback, Larry Kotten, Cory Heidelberger, Dale Droge, Terry Ryan, Linda Hilde, Walt Schaefer, Martin Jarrett, Michelle Goodale, Bryan Schultz, Charlie Johnson & Kent Petersen

Director of Equalization--Shirley Ebsen
Emergency Management--Don Thomson
Health Board--B. F. Heilman, M.D, Robert Summerer D.O, David Jencks City Atty, Ken Meyer State's Atty, Madison City Police Chief Pulford and Sheriff Roger Hartman
Highway Superintendent--Scott Mathison
Legal Newspaper--Madison Daily Leader
Mental Health Board--Jim Baltzer, Carol Nordling & Charles Stoneback (3 yr terms effective 10-20-09) Atty's Richard Ericsson, Abby Oftedal & Chris Giles
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 Pedersen 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 2010. Motion carried.

CLEAN WATER LETTER:

Commissioner Giles requested the Auditor to send a letter to the Clean Water Quality volunteers of their appointments. Suggest they meet every month and report to the Commission on quarterly basis as to their findings. Committee to choose day and time to meet and the Public Safety Bldg basement would be made available.

WAGE ADJUSTMENTS:

Scott Mathison Hwy Supt presented a request for wage adjustments for four Hwy Dept employees. Motion Giles, second Pedersen approves wage adjustments effective December 28, 2009. Kelly Johannsen G9,8 Light Equip Operator $14.07 to G12,8 Heavy Equip Operator I $14.82, Robert Johnson G13,10 Heavy Equip Operator II/Weed Supt $15.55 to G15,10 Heavy Equip Operator III/Supt $16.05, Steve Sandness G9,8 Light Equip Operator $14.07 to G12,8 Heavy Equip Operator I $14.82 and Tim VanDenHemel G9,7 Light Equip Operator $13.86 to G12,7 Heavy Equip Operator I $14.61. Motion carried.

HWY BRIDGE WORK ORDER:

Motion Giles, second Bohl approves the work order for consultant services with Aason Engineering Company, Inc. Project No. BRO 8040 (15) PCN 00ZB for bridge structure 1.9 E & 1 N of Rutland over Battle Creek SN 40-219-060 Sec 3 Rutland Twp. Estimated cost to the County is $10,322.31. Motion carried.

ACCOUNTS PAYABLE:

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

COMMISSIONERS: NACO, 2010 dues, $400.00, SDACC, 2010 dues, $2,078.64, **JUDICIAL:**SDACC Clerp, claim statement, $1,746.92, **AUDITOR:** Money Handling Machines Inc., maintenance/check signer, $325.00, **DATA PROCESSING:** CPS Technology Solutions, IBM Power 6/software/maintenance (upgrade AS400 mainframe), $28,913.00, **STATES ATTY:** NDAA, 2010 dues, $95.00, SD States Atty Assn., 2010 dues, $838.00, SHI Intl Corp., laptop software, $479.95, The State Bar of SD, 2010 dues, $415.00, **GOVT BLDGS:** City of Madison, util, $747.40, SDML WC Fund, 2010 renewal billing, $30,359.00, Unemployment Insurance Division, 4th qtr, $182.57, **EQUALIZATION:** SDAAO, 2010 dues (3), $165.00, **SHERIFF:** National Sheriffs' Assn., 2010 dues, $100.00, SD Sheriff's Assn., 2010 dues, $688.28, **JAIL:** City of Madison, util, $709.62, **SEARCH & RESCUE:** Donovan's Hobby & Scuba, tank mounting kit/rock boots, $315.12, **ROAD & BRIDGE:** MidAmerican Energy, util, $13.94, Sanitation Production Inc., new sander, $6,750.00, SDACHS, 2010 dues, $195.00, **911 COMM CENTER:** APCO, 2010 dues, $92.00, NENA, 2010 dues, $120.00. Grand Total $75,729.44.

PAYROLL APPROVED:

Motion Petersen, second Hageman approves the following payroll 12-14-09 to 12-27-09. Motion carried.

COMMISSIONERS: $3,269.74; AUDITORS OFC: $4,560.60; TREASURERS OFC: $3,576.18; STATES ATTY OFC: $5,192.55; GOVT BLDGS: $4,231.20; DIR EQUALIZATION OFC: $4,274.40; REGISTER DEEDS OFC: $2,622.44; VSO: $196.80; SHERIFF OFC: $8,753.64; JAIL: $5,682.87; EMA: $1,385.85; 911 COMM CENTER: $7,204.47; ROAD & BRIDGE: $21,372.83; CHN: $1,551.12; WIC: $0; EXTENSION: $1,089.14; ZONING: $1,156.20. GRAND TOTAL $76,120.03.

GF&P/4-H CENTER:

Motion Giles, second Pedersen approves SD GF&P to use the Lake County 4-H Center January 14, 2010 7-9 pm Goose Management public meeting. Wave rental fee for GF&P because of a State organization. Motion carried.

DRAINAGE BRD:

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

DRAINAGE COMPLAINT #10-1:

Deb Reinicke Zoning-Drainage presented 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. Present for testimony was Brian Swier and Robert Norman. The tile outlet is within ½ mile of Swier's property and water flow comes within 75' of the house causing water in the basement. Motion Giles, second Pedersen table for 4 weeks and get Rich Loosbrock involved with a solution to the drainage problem. Motion carried. Appointment set for February 2, 2010 9:30 am. Drainage form needs to be completed by the contractor and review current procedures. Motion Giles, second Pedersen return to Regular Session. Motion carried.

CJIS ACCESS:

Ken Meyer State's Atty presented a request to the Commission for query access to CJIS so the State's Atty Ofc can access defendants' prior criminal histories within the State. Access will allow State's Atty Ofc to monitor payments that defendants are to make and prepare necessary paperwork to bring them back to court if they are in violation of their orders. Motion Giles, second Bohl allow a Data Access Agreement between Lake County and Unified Judicial System. Document must be signed by Sheriff, State's Atty and Chairman Verhey. Motion carried.

EMERGENCY CLOSURE:

Ken Meyer State's Atty presented concerns from his office staff regarding the current closures of the County Courthouse. Non-essential employees are to account for work time missed by deducting the time from their sick leave account. Meyer requested more flexibility within each individual dept. Motion Giles, second Bohl approves the new revision to the Emergency Closure policy. Motion carried. All employees will receive the new page for the Employee Handbook.

Emergency Closure

The Lake County Chairperson has the authority to close the Courthouse when inclement weather threatens the safety of its employees. Inclement weather includes, but is not limited to winter snowstorms, ice storms or loss of power.

When the Courthouse is closed, only essential Departments are required to remain at work. Essential departments include: 911 Communications Center, Highway Dept, Sheriff's Dept, Jailers, Courthouse Custodians, and EMA. All other departments will be expected to leave the facility. There will be no exceptions to this policy.

Essential department employees will be paid their regular wages when at work. **Non-essential department employees shall have the option to be paid from their sick leave account or take leave without pay.**

Non-essential department employees may make up any time not worked during the balance of the affected week rather than taking sick leave or leave without pay. To the extent that a Department Head has work that can be assigned and completed off-site, the employee shall have the option to work and make-up any lost time off-site. Employees must have advance approval from their Department Head before making up time.

PUBLIC SERVICE LEAVE:

Ken Meyer State's Atty researched other counties on county employee's taking fire, ambulance and Search & Rescue calls during work hours. Motion Giles, second Hageman approve option #3. Employee must submit copies of on call schedules to the Auditor's Ofc. Motion carried. All employees will receive the new page for the Employee Handbook.

Public Service Leave

Appointed and Regular full-time or part-time employees who desire to take leave for paid or volunteer fire, ambulance, or search & rescue work during scheduled working hours may do so. An hourly employee who is on duty when called to do such work will be paid at the regular rate for the hours that would have been worked up to two (2) hours paid time off in a work day. If the hourly employee is gone longer than two (2) hours in a work day, they must take vacation or leave without pay for the remaining hours that would have been worked. The employee shall file their on-call schedule with the Lake County Auditor's Office. Employees are encouraged to go on a call only if necessary.

VACATION OF ROADWAYS:

Ken Meyer State's Atty reviewed the legal document for the vacation of certain parts of Franklin Avenue and West Street in Winfred Village, SD. Lake County owns lots 7, 8, 9 Blk 3 Original Plat of Winfred, SD which adjoins West Street on the east. The petition and notice of hearing on Petition for Vacation of Public Hwys was presented to the County from Jerome Lammers Atty. County does not have any opposition to the request.

TECHNOLOGY USAGE POLICY:

Don Thomson EMA and Ken Meyer State's Atty reviewed the current Technology Usage Policy with concerns on employees using computers for banking information, Face Book and Twitter. Monitoring will continue to determine compliance to the Employee Handbook.

2010 ASSESSMENT PLAN:

Shirley Ebsen Dir of Equalization and Rick Becker Deputy discussed the new Ag valuations for Lake County. Productivity valuation only applies to Ag property. All other property will continue to be assessed based on market. Plans are to have an informational meeting on this issue when all the correct information arrives from Dept of Revenue.

INDIGENT #09-21:

Motion Giles, second Hageman approves medical assistance $4,565.11 on behalf of Avera McKennan Hospital for Indigent #09-21. Motion carried.

EXECUTIVE SESSION:

Motion Pedersen, second Bohl enter into Executive Session 11:37 a.m. for personnel matters with Roger Hartman Sheriff and Kay A. Schmidt Auditor. Motion carried.

REGULAR SESSION:

Motion Hageman, second Bohl return to Regular Session 11:53 a.m. Motion carried.

MTGS ATTENDED:

Giles & Pedersen: Atty Greg Protsch/Scholl Conditional Use Permit.

TREASURER OFC/OVER TIME:

Linda Fischer Treasurer presented overtime request to Commissioner Pedersen for Bonnie MacLeod 8 hours starting January 4th through January 15th to send out tax notices. February 16th through February 19th to allow Linda Fischer vacation time. Motion Giles, second Pedersen approves the requested over time in the Treasurer's Ofc for 2 pay periods in January and 1 pay period in February as requested. Motion carried.

Pre-issues December 2009:

Lake County Treasurer, advanced taxes, $108.71, Lake County Treasurer, Nov direct deposit charge, $43.60, Emp G2000, flexible spending, $120.00, Interlakes Fed Cr Union, payroll deductions, $2,014.50, Lake County Treasurer, payroll withholdings, $14,214.09, Emp T1090, flexible spending, $208.33, US Postal Service, postage meter refill, $2,761.50, Lake County Treasurer, payroll withholdings, $3,463.24, State Remittance, Nov collections, $117,420.74, Emp G2000, flexible spending, $120.00, Interlakes Fed Cr Union, payroll deductions, $2,014.50, Lake County Treasurer, payroll withholdings, $13,701.11, Emp T1090, flexible spending, $208.33, Caterpillar Financial, motor grader lease, $54,961.59, Qwest, phone service, $880.70, Mid-American Specialties, supplies, $210.10. **GRAND TOTAL: $212,451.04.**

End of the Month Payables December 2009:

AFLAC, cancer-int care premium, $1,742.92, Assurant Employee Benefits, Jan 10 life ins premium, $191.52, Johnson Rodenburg Lauinger, wage assignment, $200.00, Lake County Treasurer, RE taxes, $87.00, SD Retirement System, Dec 09 collections, $18,115.51, Supplemental Retirement, Dec 09 collections, $895.00, Vision Care Direct, Jan 10 premium, $864.72, Wellmark BCBS of SD, Jan 10 health ins premium, $15,978.76. **GRAND TOTAL: $38,075.43.**

ADJOURN:

There being no further business Chairman Verhey at 11:50 a.m. declared the meeting adjourned until January 19, 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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