LAKE COUNTY COMMISSION MINUTES
July 20, 2010

The Board of Lake County Commissioners met in Regular Session on July 20, 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 Hageman approves agenda of July 20, 2010. Motion carried.

2006 IBC CODE:

Dick Amert contractor requested the Commission to adopt the 2006 IBC Code. IBC spells out fire codes related to sprinkler systems. Amert plans to construct the addition to the Lake County International building. A waiver could not be issued at this time. County will discuss the 2006 IBC Code with Todd Kays 1st Planning on August 17, 2010. No decision was made at this time.

SUPPLEMENT APPROVED:

Motion Hageman, second Pedersen approves the following Resolution #10-6 Mental Health Center professional services $8,370. Motion carried.

RESOLUTION #10-6
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:

General Fund:

10100X4220444 Mental Health Center Prof Services $8,370

Dated this 20th day of July, 2010.

Lake County Commissioners
S/s Bert Verhey Chairman
ATTEST:
S/s Kay A. Schmidt Lake County Auditor

DRAINAGE BRD:

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

Water on the crown of the road in Herman Twp located in E ½ NE ¼ Sec 29 was discussed. Present was Chuck Lebeda NRCS, Scott Leighton & David Zolnowsky Herman Twp Officials and John Ebsen Herman Twp landowner. No action was taken at this time. GF & P will be included on the August 3, 2010 agenda.

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

LICENSES APPROVED:

Motion Bohl, second Hageman approves the applications for a new Retail (On-Sale) Liquor License (Jolly Cart) $150 to Round Lake Partners, LLC and new (On-Off) Malt Beverage License to Lakes Golf Course, LLC $300. Motion carried.

DRAINAGE BRD:

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

DRAINAGE COMPLAINT #10-1:

Tabled from July 6, 2010 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 was continued. Present was Brian Swier & Robert Norman. Also present was Deb Reinicke, Ken Meyer States Atty and Shelli Gust legal assistant. Signed waiver has now been received from Lois Nelson. Norman met with Loosbrock and developed a plan. Motion Giles, second Bohl modify the drainage to solid pipe to solve the problem. Motion carried. Motion Giles, second Bohl return to Regular Session. Motion carried.

BOARD OF ADJUSTMENT:

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

CONDITIONAL USE PERMIT:

Justin & Joy Hurst property located at Lot 3 Tract 1 Colton Park Siding South Addition Wentworth Twp. Requesting to build an oversized accessory bldg (36x40x10). Regulations in "LP I" District are 30x40x12 or 1200 sq ft for an accessory bldg. Motion Giles, second Pedersen approves Justin & Joy Hurst conditional use permit. Motion carried.

Brian & Stephanie Graeb property located at Tract A of the David Larson 1st Addition SW ¼ Sec 5 Summit Twp. Requesting to start dog kennel business. Regulations require under the "AG" District a Conditional use permit for this type of business. Motion Bohl, second Giles approves Brian & Stephanie Graeb conditional use permit. Motion carried.

PLATS:

Schultz's Addition: Motion Pedersen, second Bohl approves Plat of Schultz's Addition NE ¼ Sec 18 Lakeview Twp. Motion carried.

Gruenhagen Conservation Easement: Motion Giles, second Bohl approves Plat of L.G. Gruenhagen Conservation Easement Tract 1 NE ¼ Sec 10 Wayne Twp. Motion carried.

Jones Addition: Motion Bohl, second Pedersen approves Plat of Jones Addition N ½ NW ¼ Sec 29 Wentworth Twp. Motion carried.

Jones Storage 2nd Addition: Motion Pedersen, second Hageman approves Jones Storage 2nd Addition N ½ NW ¼ Sec 29 Wentworth Twp. Motion carried. Motion Hageman, second Bohl return to Regular Session. Motion carried.

DRAINAGE BRD:

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

DRAINAGE #10-4:

This being the date and time set per advertisement for Drainage Application #10-4 Doyle Renaas SE ¼ Sec 4 Nunda Twp (new tile). Present for testimony was Doyle Renaas. A letter was received in opposition from Game, Fish & Parks Steve VanderBeek. Motion Giles, second Pedersen approves new tile for Drainage Application #10-4 Doyle Renaas. Motion carried. Motion Giles, second Bohl return to Regular Session. Motion carried.

ROAD APPROACH:

Jeff & Dawn Brown 46001 238th St Wentworth, SD 57075 requesting a new approach to their property on Long Lake. Also present was Eileen Bruner, Phil Halverson and Atty Jay Leibel in opposition. Motion Bohl, second Verhey approve new approach off County Road. Roll call vote: Bohl yes, Hageman yes, Giles yes, Pedersen yes, Verhey yes. 5 ayes. Motion carried.

SCHOLL CONDITIONAL USE:

Charles Scholl met requesting an extension to the guidelines of a proposed Conditional Use Permit. The permit was granted by the County but Scholl has not accepted. Motion Giles, second Bohl to table until August 3, 2010 9:30 am to allow proper advertisement of the agenda to modify conditions. Motion carried.

EXECUTIVE SESSION:
Motion Hageman, second Bohl enter into Executive Session 12:15 p.m. for pending litigation and proposed contractual matters with Ken Meyer State's Atty and Kay A. Schmidt Auditor. Motion carried.
REGULAR SESSION:
Motion Hageman, second Bohl return to Regular Session 12:22 p.m. Motion carried.
PERSONNEL POLICY:
Motion Giles, second Bohl approves the following Personnel Policy change. Motion carried. Hours of work/Highway & Weed Department: The County Highway Superintendent shall determine the work schedule for the employees of the County Highway Department, which includes the Weed Department and the Office Manager. All full-time employees and any seasonal part-time employees will be scheduled to work40 hours per week. Hours will be scheduled in order to make the best utilization of manpower and to manage the workload throughout the year. The County Highway Superintendent shall also determine the work schedule for any authorized overtime.
MINUTES APPROVED:
Motion Bohl, second Giles approves minutes of July 6, 2010 as amended. Motion carried.
ACCOUNTS PAYABLE:
Motion Giles, second Hageman approves the following accounts payable. Motion carried. **COMMISSIONERS:** Bureau of ADM., fax call, $.05, Central Business, card stock/laminate, $3.78, Knology, service, $5.05, Madison Daily Leader, minutes/notices, $921.38, Madison Instant Printing, lamination/Winfred, $13.95, Pitney Bowes, lease billing, $2.11, Porta Pros Inc, Porta potty rental-lake access, $180.00, **ELECTIONS:** Central Business, disk zip(2), $17.98, Madison Daily Leader, publishing, $807.91, Pitney Bowes, lease billing, $30.07, Software Services Inc, June services, $260.00, **JUDICIAL:** Jeff Anderson, witness fee/mileage, $20.74, DeCastro Law Office, medical records, $24.13, Kendria Longcrow, witness fee/mileage, $20.74, Philip Parent, July public defender contract, $4,458.33, Pitney Bowes, lease billing, $21.52, West Payment Center, June online services, $547.91, **AUDITOR:** Best Business Products, copier maintenance/usage, $42.35, Bureau of ADM., long distance/fax calls, $7.64, Central Business, supplies, $1.88, Knology, service, $15.15, Pitney Bowes, lease billing, $57.32, Qwest, phone service, $43.23, Software Services Inc, June services, $20.00, West Payment Center, SDCL supplements, $170.00, **TREASURER:** Bureau of ADM., long distance calls $3.02, MV line $19.19, Madison Daily Leader, notices(3), $64.04, Pitney Bowes, lease billing, $113.20, Qwest, phone service, $30.95, Software Services Inc, June services, $80.00, Southwest Office Solutions, supplies, $80.28, West Payment Center, SDCL supplements, $16.00, **DATA PROCESSING:** Software Services Inc, June services, $80.00, **STATES ATTY:** Bureau of ADM., long distance calls, $10.77, Knology, service, $25.27, Pitney Bowes, lease billing, $19.55, Qwest, phone service, $43.44, SDTLA, dues, $100.00, Verizon Wireless, service, $24.67, West Payment Center, SDCL supplements, $245.50, **GOVT BLDGS:** Bud's Clean Up Service, June services, $137.72, Bureau of ADM., long distance calls, $.59, Campbell Supply, supplies, $214.20, City of Madison, utilities, $68.91, F& M Coop, quiklift, $55.50, Farm Plan, belt set, $35.54, Helena Chemical Co., supplies, $26.95, Hillyard, towels, $82.91, Home Service Water Cond, salt, $40.92, Knology, service, $5.06, KONE Inc, elevator maint, $1,088.04, Mormar Inc., supplies, $563.21, Mustang Seeds Inc., supplies, $16.78, Northwestern Energy, utilities, $12.27, Port Pros Inc, Porta potty rental, $90.00, Pulford's Auto Parts Inc., battery, $81.59, Qwest, phone service, $31.06, Shred-it, services, $64.20, Superior Lamp Inc, bulbs,

$354.42, Verizon Wireless, service, $66.85, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, $10.07, Knology, service, $15.18, Pitney Bowes, lease billing, $53.16, Qwest, phone service, $30.96, SDAAO, regs(3)/credit, $450.00, Software Services Inc, June services, $480.00, Southwest Office Solutions, supplies, $166.95, Verizon Wireless, service, $24.67, West Payment Center, SDCL supplements, $16.00, **REGISTER DEEDS:** Best Business Products, copier maintenance/usage, $47.59, Bureau of ADM., long distance calls, $3.08, Knology, service, $10.12, McLeod's, fee book, $717.07, Pitney Bowes, lease billing, $18.83, Qwest, phone service, $18.48, Southwest Office Solutions, supplies, $32.33, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, $4.78, Pitney Bowes, lease billing, $1.50, Qwest, phone service, $11.67, SDVSOA, dues, $50.00, **SHERIFF:** Century Business Products Inc., copier, $949.00, Madison Community Hospital, blood alcohols, $992.00, Madison Daily Leader, ad, $21.90, Mobile Electronic Service Inc., repair light bar, $155.00, Motorola, radio, $2,228.80, Office Peeps, supplies, $5.79, SF Two Way Radio Service, services, $380.97, Southwest Office Solutions, supplies, $218.15, West Payment Center, SDCL supplements, $621.50, **JAIL:** Bob Barker Co., shampoo, $91.98, Bureau of ADM., long distance/fax calls, $42.83, Knology, service, $45.54, Madison Family Dental LLC, prisoner dental services, $126.00, Northwestern Energy, utilities, $58.55, Pennington County Jail, transport prisoner, $209.20, Qwest, phone service, $67.67, Verizon Wireless, services, $170.17, **CORONER:** Ted Weiland, Hopf & Swenson fee, $128.47, **SEARCH & RESCUE:** City of Madison, utilities, $76.91, Northwestern Energy, utilities, $14.27, Pitney Bowes, lease billing, $.18, Qwest, phone service, $12.48, **COUNTY WELFARE:** Bureau of ADM., long distance calls, $.22, Knology, service, $5.06, McGreevy Clinic Avera, one recipient, $246.37, Pitney Bowes, lease billing, $2.79, Qwest, phone service, $18.58, Verizon Wireless, service, $24.67, West Payment Center, SDCL supplements, $16.00, **COMMUNITY HEALTH NURSE:** Pitney Bowes, lease billing, $24.52, **MENTAL ILLNESS BOARD:** Lewis & Clark BHS, MI services, $142.00, Yankton County Sheriff, MI services(2), $50.00, Luci Youngberg, MI counsel, $195.76, **CARE OF AGED:** ICAP, July community service worker hrs, $625.00, **EXTENSION:** Best Business Products, copier lease, $113.00, Best Business Products, copies, $582.34, Glenda Blom, laundry service/postage, $10.44, Bureau of ADM., long distance calls, $18.08, City of Madison, utilities, $337.65, Abbie Fout, travel exp/supplies, $73.93, Becky Jensen, June tvl exp, $242.37, Jurgens Printing, state fair books, $115.00, Knology, service, $5.06, Loopy's, supplies, $149.50, Madison Ace Hardware, supplies, $21.48, Madison Daily Leader, supplies, $39.00, Madison RadioShack, supplies, $32.14, Northwestern Energy, utilities, $9.00, Outer World, signs, $110.00, Pamida, supplies, $23.31, Qwest, phone service, $55.44, Southwest Office Solutions, supplies, $57.15, Sunshine, supplies, $194.42, **WEED:** Campbell Supply, supplies/parts, $24.33, Knology, service, $5.06, Pulford's Auto Parts Inc., parts/supplies, $118.42, Sturdevant's Auto Parts, parts, $27.72, Verizon Wireless, service, $24.91, **ZONING:** Joe Aldrich, mtg/mileage, $36.84, Gene Anderson, mtg/mileage, $41.28, Donald Bickett, mtg/mileage, $41.28, Bureau of ADM., long distance calls, $7.55, Central Business, supplies, $76.50, R Douglas Jerlow, mtg/mileage, $33.88, Craig Johannsen, mtg/mileage, $37.58, Knology, service, $5.06, Madison Daily Leader, notices, $26.19, Pitney Bowes, lease billing, $11.46, Qwest, phone service, $18.48, Southwest Office Solutions, supplies, $582.29, **ROAD & BRIDGE:** Boyer Trucks Sx Falls, parts, 569.83, Bureau of ADM., long distance/fax calls, $.36, Butler Machinery Co, parts, $192.78, Campbell Supply, supplies/parts, $243.07, Caterpillar Financial, loader lease pymt, $31,858.00, Central Business Supply, supplies, $84.44, City of Madison, utilities, $351.17, Cole's Petroleum Inc., oils, $286.70, Contech Construction Products, culverts, $4,341.75, Dakota

Fluid Power Inc., repair, $1,487.73, F&M Coop, tire expense, $272.55, Farm Plan, part, $302.32, Hillyard, towels, $95.92, Knology, service, $5.06, Huron Culvert & Tank, culvert, $3,874.38, Krug Products Inc, parts, $35.57, Madison Daily Leader/Printing, envelopes, $165.00, Michael Johnson Construction, gravel/rock/approach work, $3,049.45, Myrl & Roy's Paving Inc., hot mix, $20,585.39, Northwestern Energy, utilities, $9.66, Pulford's Auto Parts inc., parts, $432.10, Qwest, phone service, $43.44, SD Dept of Transportation, bridge expense, $1,540.22, Verizon Wireless, service, $120.50, West Payment Center, SDCL supplements, $16.00, Xcel Energy, utilities, $8.46, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, $4.32, Campbell Supply, supplies/parts, $18.25, Knology, service, $5.06, Language Line Services, June usage, $90.00, 911 CARES/PSTC, training book, $41.50, Office Peeps, supplies, $12.96, Pitney Bowes, lease billing, $.61, Quill Corp., ink cart(4)/pens, $92.97, Qwest, phone service, $1,237.15, Triotel Communications, July services, $171.53, Verizon Wireless, service, $24.66, **EMA:** Central Business, graphic tape(4), $19.80, Bureau of ADM., long distance calls, $4.35, Knology, service, $10.12, Pitney Bowes, lease billing, $1.18, Qwest, phone service, $37.87, Verizon Wireless, service, $24.66, **BUILDING:** KONE Inc, 4th floor elevator door repairs, $4,000.00, **24/7 SOBRIETY PROGRAM:** Intoximeters, mouthpiece/500, $600.00.
GRAND TOTAL: $101,493.57.

PAYROLL APPROVED:

Motion Giles, second Bohl approves the following payroll 6-28-10 to 7-11-10. Motion carried. COMMISSIONERS: $1,877.75; AUDITORS OFC: $4,560.81; TREASURERS OFC: $3,752.14; STATES ATTY OFC: $4,890.77; GOVT BLDGS: $3,714.40; DIR EQUALIZATION OFC: $4,274.40; REGISTER DEEDS OFC: $2,607.37; VSO: $196.80; SHERIFF OFC: $10,211.91; JAIL: $6,137.46; EMA: $1,385.85; 911 COMM CENTER: $7,321.21; ROAD & BRIDGE: $17,233.18; CHN: $1,149.25; WIC: $248.22; EXTENSION: $1,081.47; ZONING: $1,156.20. GRAND TOTAL $71,799.19.

2008-2009 AUDIT:

Rod Fortin Dept of Legislative Audit presented endorsement letter for the 2008-2009 Lake County audit $55.00 per hr. Motion Pedersen, second Hageman approves Chairman to sign the Legislative Audit endorsement letter. Motion carried.

FUEL QUOTES:

Motion Pedersen, second Hageman approves Cole's Petroleum ethanol 2.2897 & #2 diesel 2.1588. Motion carried.

Cole's Petroleum ethanol 2.2897 and #2 diesel fuel 2.1588 and F&M Coop ethanol 2.324 and #2 diesel fuel 2.18.

ONE DAY MALT BEVERAGE:

Motion Hageman, second Giles to re-issue One Day Malt Beverage license to the Chester Fire Dept for the Chester Street Dance. No additional $50.00 was necessary because of inclement weather in the area the night of July 10, 2010. Motion carried.

INDIGENT #10-55:

Motion Pedersen, second Hageman table until August 3, 2010. Motion carried.

TRAVEL REQUESTS:

Deb Reinicke Zoning Solid Waste Brd SWB mtg July 27th & Aug 24th 4:00 pm Sx Falls, SD

REPORTS:

June 2010: Bldg permits $2,457, plat review fees $25, sewer fees $100, E-911 $35, drainage fees $715. Total $875; mar lic $120, Dom Abuse $360. Cert mar $315, ROD fees $4,739 & transfer fees $3,473. Total $9,007.50; Sheriff fees $1,847.00, work release $2,525, PBT-Breath

$1,250, PBT Scram hookup $470, pistol permits $42, accident report copies $20, fingerprint cards $80, Reliance Telephone comm. $67.40. Total $6,301.40; Community Health Nurses 2nd quarterly report.

AUDITOR's ACCOUNT WITH TREASURER June, 2010	INVESTMENT AMOUNT	INTEREST	MATURITY DATE
Total balance of checking of First Bank & Trust	$41,824.97	.07%	
Cash items	$1,025.78		
Silver	$93.93		
Currency	$2,496.00		
Amt of checks in Treas possession	$32,900.66		
First Bank & Trust Passbook Acct #905-022-7	$2,925,000.00	1.01%	
Great Western Passbook Acct #100021474	$0.00	0.50%	
American State Bank Cert of deposit #8349	$100,000.00	2.00%	8/8/2010
American State Bank Cert of deposit #8383	$95,000.00	1.76%	1/22/2011
American State Bank Cert of deposit #8397	$100,000.00	1.75%	3/28/2011
American State Bank Cert of deposit #8420	$100,000.00	1.60%	5/27/2011
American State Bank Cert of deposit #8385	$100,000.00	1.75%	2/4/2011
American State Bank Cert of deposit #8422	$100,000.00	1.60%	6/23/2011
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
Interlakes Federal Credit Union Cert of deposit #45100-1	$95,000.00	2.00%	2/4/2011
	$4,089,341.34		

REPORTS REC'D: CHN 2nd quarterly report.

2011 BUDGET APPT'S:

The following 2011 Budget requests were received: Roger Hartman Sheriff-Jail, Julie Wegener 911, Scott Mathison Hwy Supt, Conservation District, ECCO, East Dakota Transit, Library, LAIC, Smith-Zimmerman Heritage Museum, Historic Prairie Village, Ambulance and Ted Weiland Coroner. No decisions were made at this time.

ADJOURN:

There being no further business Chairman Verhey at 3:10 p.m. declared the meeting adjourned until August 3**,** 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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