LAKE COUNTY COMMISSION MINUTES
February 16, 2010

The Board of Lake County Commissioners met in Regular Session on February 16, 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 Hageman, second Bohl approves agenda of February 16, 2010. Additions: Vital Link, flex time & Zoning brd member appointment. Motion carried.

MINUTES APPROVED:
Motion Pedersen, second Bohl approves minutes of February 2, 2010. Motion carried.

ACCOUNTS PAYABLE:
Motion Hageman, second Petersen approves the following accounts payable. Motion carried.
COMMISSIONERS: Knology, service, $4.12, Madison Daily Leader, minutes, $529.41, **JUDICIAL:** Chris Giles, crt appt counsel, $123.00, Patricia Hartsell, transcript, $64.60, Philip Parent, public defender contract, $4,458.33, West Payment Center, Jan online service/supplements, $734.82, **AUDITOR:** Best Business Products, copier maintenance/usage, $37.17, Bureau of ADM., long distance/fax calls, $9.57, Central Business, lead, $2.20, Knology, service, $12.37, Qwest, phone/fax service, $43.43, Software Services Inc., services, $160.00, **TREASURER:** Bureau of ADM., long distance calls, $14.01, Central Business, copier maintenance, $25.00, Qwest, phone service, $30.95, Software Services Inc., Jan services, $40.00, Southwest office Solutions, supplies, $154.15, **DATA PROCESSING:** Software Services Inc., hardware upgrade services, $200.00, **STATES ATTY:** Bureau of ADM., long distance/fax calls, $6.32, Knology, service, $20.60, Lewis, photo processing, $9.88, Madison Community Hospital, emergency room services(3), $305.77, Madison Instant Printing, copies, $5.95, Qwest, phone service, $43.44, U.S. District Court, admission fee, $200.00, Verizon Wireless, service, $23.06, **GOVT BLDGS:** Bud's Clean Up Service, Jan services, $137.72, Bureau of ADM., long distance calls, $.38, Campbell Supply, supplies, $65.99, Chemco, de-icer, $70.20, Cole's Petroleum Inc., fuel, $ 180.58, Hillyard, supplies, $106.46, Home Service Water Cond., salt, $54.56, Knology, service, $4.12, Kundert-Williams Ins Agency, boiler ins renewal, $2,198.14, Northwestern Energy, util, $1,368.22, Pulford's Auto Parts, belt, $8.70, Qwest, phone service, $31.06, Verizon Wireless, service, $23.06, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, $2.63, Cole's Petroleum Inc., fuel, $ 19.82, Knology, service, $4.12, Qwest, phone service, $30.96, Southwest Office Solutions, ribbon/toner, $72.99, Verizon Wireless, service, $23.06, **REGISTER DEEDS:** Best Business Products, copier maintenance, $23.80, Bureau of ADM., long distance calls, $5.88, Qwest, phone service, $18.48, Southwest Office Solutions, stamp, $78.70, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, $3.44, Qwest, phone service, $11.67, **SHERIFF:** AW Direct, supplies, $81.87, Bub's Service, gas, $24.30, Cole's Petroleum Inc., fuel, $1,446.85, DSU Technology Support, services, $33.75, Madison Community Hospital, blood alcohols, $496.00, Ray O'Herron Co Inc., flashers, $263.10, Pulford's Auto Parts, part, $304.65, Southwest Office Solutions, supplies, $208.56, **JAIL:** Brookings Health System, female prisoner services, $1,582.71, Bureau of ADM., long distance/fax calls, $41.59, Knology, service, $37.08, Midwest Ear Nose & Throat, prisoner services, $590.00, Minnehaha County Regional Juvenile Detention Center, juv housing (2), $1,400.00, Northwestern Energy, util, $1,253.43, Pamida, refrigerator, $129.99, Pennington

County, transport prisoners, $200.70, Qwest, phone service, $67.67, Southwest Office Solutions, supplies, $13.99, Sunshine Foods, meals/bags, $2,317.48, Verizon Wireless, service, $170.30, **CORONER:** Ted Weiland, Renschler & McGillivray fees, $117.00, **SEARCH & RESCUE:** Classic Corner, fuel, $34.92, Northwestern Energy, util, $116.48, Qwest, phone service, $12.48, SD Firefighters Assn., dues, $225.00, **COUNTY WELFARE:** Knology, service, $4.12, Qwest, phone service, $18.58, SDACC, annual assessment, $6,503.00, Verizon Wireless, service, $23.06, **CHN:** KJAM-AM, advertising-POD, $112.00, LakeBrook, service call, $47.17, Madison Daily Leader, advertising-POD, $165.60, **MENTAL ILLNESS BOARD:** Chris Giles, MI hearing, $123.00, Yankton County Treasurer, MI counsel (2), $207.50, **EXTENSION:** B & B Appliance, repair stove, $40.00, Bureau of ADM., long distance/fax calls, $8.53, Best Business Products, copies, $317.43, Knology, service, $4.12, Northwestern Energy, util, $313.21, Qwest, phone service, $55.44, **WEED:** Knology, service, $4.12, Verizon Wireless, service, $23.07, **ZONING:** Gene Anderson, mtg/mileage, $41.28, Donald Bickett, mtg/mileage, $41.28, Bureau of ADM., long distance calls, $3.36, R Douglas Jerlow, mtg/mileage, $33.88, Craig Johannsen, mtg/mileage, $37.58, Knology, service, $4.12, Duane Larson, mtg/mileage, $36.84, Madison Daily Leader, notices, $25.81, Qwest, phone service, $18.48, Southwest Office Solutions, supplies, $47.25, **ROAD & BRIDGE:** Aramark Uniform Service, aprons/rugs, $76.64, Avera Queen of Peace, testing, $196.50, Boyer Trucks Sx Falls, part, $110.57, Bureau of ADM., long distance/fax calls, $.45, Campbell Supply, parts/supplies/tools, $121.49, CarQuest Auto Parts, parts/supplies, $81.94, Cole's Petroleum Inc., engine oil, $516.80/fuel, $93.50, Craig's Welding, repair, $70.00, Fastenal Co, parts, $13.40, Graham Tire Sx Falls, tires, $337.50, Holcomb Freightliner Inc., part, $52.45, Hyland Machine, repair, $40.00, Johnson Bros Excavation Inc., ditch work, $275.51, Knology, service, $4.12, Krug Products Inc., parts, $33.77, Madison Ace Hardware, shop supplies, $53.71, Michael Johnson Construction, snow sand, $2,110.56, Northwestern Energy, util, $1,353.98, Office Peeps, supplies, $18.42, Pamida, batteries, $7.49, Pulford's Auto Parts Inc., parts/supplies, $236.05, Qwest, phone service, $43.44, Sanitation Products Inc., parts, $863.95, Sioux Equipment, repair fuel system, $411.07, Sturdevant's Auto Parts, parts, $184.39, Tires Tires Tires, service calls, $350.00, Verizon Wireless, service, $46.16, Wheelco, towels, $117.80, Xcel Energy, util., $21.94, **911 COMM CENTER:** Bureau of ADM., long distance/fax calls, $1.97, Campbell Supply, tower site/battery, $59.47, Fastenal Co., parts, $163.89, First District Assn., mapping maintenance, $2,900.00, ITC, services, $115.55, Knology, service, $4.12, Pulford's Auto Parts, tower site/battery charger, $111.12, Qwest, phone service, $1,237.33, Triotel Comm Inc., Feb services, $169.53, Verizon Wireless, service, $23.08, **EMA:** Bureau of ADM., long distance/fax calls, $1.65, Knology, service, $8.24, Qwest, phone service, $37.87, SDEMA, dues, $60.00, Verizon Wireless, service, $28.31, **BUILDING:** Pro-Build, hwy dept insulation/ofc roof energy improvements, $3,615.45, **24/7 PROGRAM:** Intoximeters, mouthpieces (5,000), $600.00. **GRAND TOTAL: $48,230.28.**

INDIGENT #10-1:

Motion Bohl, second Hageman deny application of Madison Community Hospital on behalf of Indigent #10-1 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

INDIGENT #10-2:

Motion Pedersen, second Bohl deny application of Avera McKennan Hospital on behalf of Indigent #10-2 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

INDIGENT #10-4:

Motion Bohl, second Pedersen deny application of Madison Community Hospital on behalf of Indigent #10-4 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

INDIGENT #10-5:

Motion Hageman, second Giles deny application of Madison Community Hospital on behalf of Indigent #10-5 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

INDIGENT #10-6:

Motion Pedersen, second Bohl deny application of Avera McKennan Hospital on behalf of Indigent #10-6 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

INDIGENT #10-8:

Motion Giles, second Bohl deny application of Avera McKennan Hospital on behalf of Indigent #10-8 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

INDIGENT #10-9:

Motion Bohl, second Giles deny application of Avera McKennan Hospital on behalf of Indigent #10-9 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

INDIGENT #10-10:

Motion Hageman, second Bohl deny application of Avera McKennan Hospital on behalf of Indigent #10-10 for medical assistance. Indigent failed to meet eligibility guidelines pursuant to SDCL 23-13. Motion carried.

PAYROLL APPROVED:

Motion Giles, second Hageman approves the following payroll: 1-25-10 to 2-7-10. Motion carried.

COMMISSIONERS: $3,268.99; AUDITORS OFC: $4,560.80; TREASURERS OFC: $3,564.79; STATES ATTY OFC: $5,266.11; GOVT BLDGS: $3,510.40; DIR EQUALIZATION OFC: $4,274.41; REGISTER DEEDS OFC: $2,607.37; VSO: $196.80; SHERIFF OFC: $8,309.83; JAIL: $4,298.80; EMA: $1,385.84; 911 COMM CENTER: $6,490.48; ROAD & BRIDGE: $19,535.87; CHN: $1,125.60; WIC: $283.68; EXTENSION: $1,073.80; ZONING: $1,156.20. GRAND TOTAL $70,909.77.

FUEL QUOTES:

Motion Giles, second Hageman approves Cole's Petroleum ethanol 2.2022 & #2 diesel 2.0377. Motion carried.

	ethanol:	**#2 diesel:**
Cole's Petroleum	2.2022	2.0377
F & M	2.206	2.05

NAT'L DAY OF PRAYER:

Motion Giles, second Bohl approves request from Vital Link to use the Courthouse lawn at the flagpole on May 6, 2010 from 12:00 to 1:00 pm for the community wide time of prayer for the 59th National Day of Prayer. Motion carried.

ABATEMENT #10-1:

Motion Pedersen, second Bohl approves Abatement #10-1 Mark Weismantel 1012 NE 11th St Madison, SD 57042. Owner Occupied status was not used when assessment was calculated for taxes; $905.14. Motion carried.

ABATEMENT #10-2:

Motion Pedersen, second Bohl approves Abatement #10-2 Matthew Westall & Stacey Budahl 1524 NW 2nd St Madison, SD 57042. Owner Occupied status was not used when assessment was calculated for taxes; $404.67. Motion carried.

ABATEMENT #10-3:

Motion Giles, second Pedersen approves Abatement #10-3 Gary & Shirley Arneson $5.31 and Kathryn Jeratowski $2.44. Mobile homes moved out of County/monies in Tax Trust Fund. Motion carried.

DOE OVER TIME:

Motion Giles, second Hageman approves requested over time for Director of Equalization Ofc due to the March 1st deadline to print assessment notices. Motion carried.

FLEX TIME:

Derrick Shoenrock Bldgs & Grounds Supt presented hours that was acquired from September 16, 2009 through February 14, 2010 (40 ½ hrs). Requesting to use the time during February 23-26, 2010. Motion Giles, second Bohl approves the request from Derrick Shoenrock Bldgs & Grounds Supt with directions that over time hours or flex hours need to be flexed/used within the week, reported to Auditor's Ofc and recorded on attendance record per Lake County Employee Handbook. Motion carried.

ZONING BRD APPT:

Motion Bohl, second Pedersen approves the appointment of Craig Johannsen to the Planning & Zoning Board. Motion carried.

SB #130:

Attorney Jay Leibel discussed SB #130 an act to revise certain provisions concerning the Twp Rd System.

BULL DITCH:

Jay Leibel Atty, Bob Baumberger Lake County landowner, Ryan Zwart & Charley Zwart Moody County landowners discussed sharing the costs of cleaning out the Bull Ditch. CDI Civil Design Inc. presented (10-19-2009) to Wm Ellingson Moody County State's Atty an estimate of $8,400 for an engineering study to determine the conditions of the Bull Ditch. A fund raiser by area landowners/farmers raised $2,800 1/3 of the money for that particular study. Residents are requesting Lake County to help fund a 3 way contribution of $2,800/$8,400 (estimate) to fund the engineering study. Preliminary study could begin as soon as possible depending on the spring conditions. Motion Pedersen, second Hageman Lake County participates in this study in the amount up to $2,800, contingent upon Moody County participating, also the Moody Co. landowners contributing $2,800. Moody County to handle the financials with this Bull Ditch project. Motion carried.

BOARD OF ADJUSTMENT:

Motion Bohl, second Hageman convene as a Board of Adjustment at 10:02 am. Motion carried.

VARIANCE:

Randy Hansen property located at Tract A of Daniel & Hansen 1st Addition SE ¼ Sec 6 Chester Twp. Requesting to build an addition to the south of their existing home. Existing house sits 78' from the center line of the Twp road. Addition would be another 18' closer to the center line. Regulations are 108' from the center line of the road or 75' from the edge of the road right of way. Present was Randy Hansen. Motion Pedersen, second Bohl approves the Randy Hansen variance. Motion carried.

PLATS:

North Lakeside Drive Addition: Motion Bohl, second Hageman approves Plat of North Lakeside Drive Addition Lot 4 Sec 23 Lakeview Twp (plat of Tract 1). Motion carried.
Nelson's Addition: Motion Hageman, second Bohl approves Plat of Lot 1 Nelson's Addition SW ¼ Sec 34 Farmington Twp. Motion carried.
Christianson Addition: Motion Bohl, second Hageman approves Plat of Lot 1 & Lot 2 of Christianson Addition SW ¼ SE ¼ in Gov't Lot 3 Sec 6 Summit Twp. Motion carried.

ADJUSTMENT BOARD:

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

DRAINAGE BRD:

Motion Bohl, second Pedersen 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. On February 2, 2010 Deb Reinicke Zoning-Drainage requested to continue to February 16, 2010 @10:15 am allowing Mr. Norman to acquire an additional wavier. Present was Brian Swier & Robert Norman. Swier has a concern with the County culvert on Co Rd 451 which needs to be cleaned out. Signed waiver has not been received from Lois Erickson. Motion Hageman, second Pedersen to table until June 15th @10:15 am. Motion carried. Motion Pedersen, second Bohl return to Regular Session. Motion carried.

NUISANCE COMPLAINTS:

Ken Edick 810 Prospect Ave Winfred, SD 57076 and Charles Scholl appeared before the Commission to follow up on Edick's written complaints for Public Nuisances from December 2009 and January 7, 2010. Present was Deb Reinicke Zoning-Drainage, Shelli Gust State's Atty Legal Sec and 3 concerned citizens. Particularly a complaint involving Jeff Poncelet Concord Twp operating a repair shop in an Ag district (1992). Edick & Scholl had questions on past bonding requirements and Ag Zoning rules. Motion Giles, second Bohl table for 4 weeks (March 16, 2010 9:30 am) to allow Zoning Officer time to research all complaints and provide copies to Commissioners, Edick & Scholl and talk again, on open record, regarding these complaints. Motion carried.

REPORTS REC'D:

January 2010: Reg of Deeds mar lic $0, Dom Abuse $0, cert mar $210, ROD fees $3,770 & transfer fees $1,799. TOTAL: $5,779; Sheriff fees $200, pistol permits $51, civil fees $1,269.60, fingerprinting $170, PBT breath $956 & scram hookup $0, work release $1,375, accident reports $12, Reliance Tele. Comm $28.24. TOTAL: $4,191.84.

AUDITOR's ACCOUNT WITH TREASURER	INVESTMENT	INTEREST	MATURITY
January 2010	**AMOUNT**		**DATE**
Total balance of checking of First Bank & Trust	$5,823.15	0.15%	
Cash items	$689.80		
Silver	$84.61		
Currency	$2,991.00		
Amt of checks in Treas possession	$104,331.74		
First Bank & Trust Passbook Acct #905-022-7	$2,315,000.00	1.02%	
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 #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
	$3,619,920.30		

ADJOURN:

There being no further business Chairman Verhey at 11:15 a.m. declared the meeting adjourned until March 2, 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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