LAKE COUNTY COMMISSION MINUTES
September 14, 2010

The Board of Lake County Commissioners met in Regular Session on September 14, 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 September 14, 2010. Additions: change in time closure for Nat'l Guard parade & deactivation ceremony and 4-H rental agreement to Cub Scouts. Motion carried.

EXECUTIVE SESSION:

Motion Giles, second Hageman enter into Executive Session 9:03 a.m. proposed & pending litigation with Ken Meyer States Atty and Kay A. Schmidt Auditor. Motion carried.

REGULAR SESSION:

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

SUPPLEMENT APPROVED:

Motion Pedersen, second Hageman approves the following Resolution #10-7 approving the Supplemental Budget for Gov't Bldg Fund $22,300. Motion carried.

RESOLUTION #10-7
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:

23300X4520161 Retaining wall/masonry repairs $22,300

Dated this 14th day of September, 2010.

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

HOURS CHANGED:

Motion Giles, second Bohl to adjust the hours at the Courthouse, Hwy Dept, Extension Ofc & Public Safety Bldg, closing on Friday September 17, 2010 8:00 am to noon for the return of the 211th Engineer Company of the National Guard. Motion carried.

BOARD OF ADJUSTMENT:

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

CONDITIONAL USE PERMIT:

Tom & Alla Jones property located at S ½ Lot 5 & Lots 6 &7 Sunrise Heights Herman Twp. Requesting to build a 40x40x16 accessory bldg. Regulations in "LP I" district are 30x40x12 or 1200 sq ft. Motion Giles, second Hageman approves Tom & Alla Jones Conditional Use Permit. Motion carried.

VARIANCE:

Brice & Brenda Franken property located at Tract A Hemmingson's Addition NW ¼ Sec 3 Franklin Twp. Requesting 50' variance from the 100' setback for a shelterbelt. Ag district requires a variance for a shelterbelt closer than 100' from the road right of way. Motion Hageman, second Bohl approves Brice & Brenda Franken variance. Motion carried.

PLATS:

Jorgensen's Addition: Motion Bohl, second Giles approves Plat of Jorgensen's Addition a Subdivision of Lot 1 Tunender's Addition Gov't Lot 2 NW ¼ Sec 15 Herman Twp. Motion carried.

Hoff's Addition: Motion Hageman, second Pedersen approves Plat of Lot 1 Hoff's Addition NW ¼ Sec 30 Herman Twp. Motion carried.

REGULAR SESSION:

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

MINUTES APPROVED:

Motion Giles, second Pedersen approves minutes of September 7, 2010. Motion carried.

ACCOUNTS PAYABLE:

Motion Pedersen, second Giles approves the following accounts payable. Motion carried. **COMMISSIONERS:** Lakes Community Association, services, $1,780.00, Madison Daily Leader, minutes, $145.45, Scott Pedersen, 2009 IBC manual, $117.66, Porta Pros Inc., rental/lake access, $180.00, **ELECTIONS:** Brown & Saenger, absentee supplies, $1,382.51, Bureau of ADM., fax calls, $.06, Intab, pencils, $85.86, Lakes Restaurant & Lodge, rent, $50.00, Madison Daily Leader, notices(2), $73.20, Synergy Graphics Inc., services, $150.00, **JUDICIAL:** Philip Parent, Sept public defender contract, $4,458.33, West Payment Center, books, $106.50, **AUDITOR:** Bureau of ADM., long distance/fax calls, $14.79, Madison Daily Leader, budget notice, $469.20, Qwest, phone service, $43.40, **TREASURER:** Bureau of ADM., long distance calls, $13.10, Qwest, phone service, $30.92, Southwest Office Solutions, supplies, $193.70, **STATES ATTY:** Bureau of ADM., long distance/fax calls, $8.42, Qwest, phone service, $43.44, **GOVT BLDGS:** Bob's Electric of Madison, services, $40.00, Bureau of ADM., long distance calls, $.17, Chemco, batteries, $15.50, Farm Plan, supplies, $175.29, Home Service Water Cond., salt, $54.56, Northland Chemical Corp., supplies, $239.72, Shred-it, services, $64.20, Qwest, phone service, $31.06, **EQUALIZATION:** Bureau of ADM., long distance/fax calls, $6.79, Marshall & Swift, software/book, $1,387.65, Qwest, phone service, $30.96, Southwest Office Solutions, supplies, $37.47, **REGISTER DEEDS:** Bureau of ADM., long distance calls, $3.33 Qwest, phone service, $18.48, Southwest Office Solutions, supplies, $17.95, **VETERANS SERVICE OFFICE:** Bureau of ADM., long distance calls, $1.21, Qwest, phone service, $11.67, **SHERIFF:** Office Peeps, office supplies, $15.21, Southwest Office Solutions, supplies, $88.41, Sturdevant's Auto Parts, part, $4.79, **JAIL:** Bureau of ADM., long distance/fax calls, $42.67, Qwest, phone service, $67.67, Sunshine Foods, prisoner meals, $2,594.90, **SEARCH & RESCUE:** Qwest, phone service, $12.48, **COUNTY WELFARE:** Bureau of ADM., long distance calls, $.17, Senior Companions of SD, 3rd qtr allotment, $288.75, Qwest, phone service, $18.58, **COMMUNITY HEALTH NURSE:** Nicky's, meals, $87.48, **AMBULANCE:** Madison Community Hospital, 3rd qtr allotment, $3,750.00, **CARE OF AGED:** East Dakota Transit, 3rd qtr allotment, $2,000.00, ICAP, Sept community service worker hours, $625.00, **DRUG ABUSE/MENTAL HEALTH:** Community Counseling Service, 3rd qtr allotments, $4,185.00, **MENTAL ILLNESS BOARD:** Lewis & Clark BHS, MI services, $142.00, **PUBLIC LIBRARY:** Madison Public Library, 3rd qtr allotment, $1,250.00, **EXTENSION:** Best Business Products, copier lease, $113.00, copies $400.70, Glenda Blom,

laundry service, $13.35, Bureau of ADM., long distance/fax calls, $15.04, Abbie Fout, travel/subsistence, $296.02, Becky Jensen, travel/subsistence, $267.18, Loopy's, supplies, $42.75, Madison Ace Hardware, keys, $7.57, Madison RadioShack, supplies, $202.66, Pamida, supplies, $62.17, Qwest, phone service, $55.44, Sunshine, supplies, $27.09, **SOIL CONSERVATION:** Lake County Conservation District, 3rd qtr allotment, $13,220.00, **WEED:** Bureau of ADM., long distance/fax calls, $1.21, **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, $11.01, First District, 3rd qtr allotment, $3,835.00, Craig Johannsen, mtg/mileage, $37.58, Madison Daily Leader, notices, $26.58, Qwest, phone service, $18.48, Southwest Office Solutions, supplies, $177.94, **TOURISM:** Lake Area Improvement Corp., 3rd qtr allotment, $6,250.00, Smith-Zimmerman Museum/Lake County Historical Society, 3rd qtr allotment, $600.00, **ROAD & BRIDGE:** Qwest, phone service, $43.44, Xcel Energy, util, $8.29, **911 COMM CENTER:** Bureau of ADM., long distance calls, $1.73, Madison Daily Leader, ad, $13.68, Qwest, phone service, $356.06, RACOM Corp., repeater maintenance, $2,052.00, Debra Reinicke, mileage, $12.58, **EMA:** Bureau of ADM., long distance calls, $5.30, Qwest, phone service, $37.87. **DOMESTIC ABUSE:** Domestic Violence Network, 2nd qtr allotment, $1,495.00. **BUILDINGS:** Mike Kroger Masonry & Restoration, retaining wall repairs, $22,300.00. **GRAND TOTAL: $78,781.58.**

PUBLIC ACCESS DOCK:

Motion Giles, second Bohl approves a change and addition to the Lake Madison access dock by adding 2 new 4' x 16' truss float aluminum dock sections from Interlakes Sport Center $3,663.80. Motion carried. Funds available in the Capital Outlay Accumulations fund.

TREASURER OFFICE HOURS:

Motion Hageman, second Pedersen allow additional work hours for Treasurer's Office due to Treasurer Linda Fischer's absence due to family illness. Motion carried.

4-H EXHIBIT HALL:

Motion Giles, second Bohl approves 4-H Center rental agreement to Cub Scouts Pack 5 Day Camp for BB gun & archery activities September 18, 2010 1:00 to 3:00 pm; upon proof of liability insurance. Motion carried.

MTGS ATTENDED:

Giles: East Dakota Transit.

DRAINAGE BRD:

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

DRAINAGEAPPLICATION:

This being the date and time set per advertisement for Drainage Applications #10-5, #10-6 & #10-7 were presented by Deb Reinicke Zoning-Drainage Officer. In attendance were Tim Leighton & Jeffry Oftedal. Fax copy of opposition was noted from SD Game, Fish & Parks Steve VanderBeek.

#10-05 Jeffry D. Oftedal SW ¼ Sec 11 Rutland Twp drainage applications for new tile. Motion Giles second Pedersen approves #10-05 Jerry D. Oftedal drainage. Motion carried.

#10-06 Jeffry D. Oftedal E ½ NE ¼ & NE ¼ SE ¼; SW ¼; S ½ SE ¼; W ½ NE ¼ & NW ¼ SE ¼ and W ½ NW ¼ Sec 14 Rutland Twp drainage application for new tile. Motion Pedersen, second Hageman approves #10-06 Jeffry D. Oftedal drainage. Motion carried.

#10-07 Timothy Leighton NW ¼ Sec 11 Rutland Twp drainage application for new tile. Motion Bohl, second Giles approves #10-07 Timothy Leighton drainage. Motion carried.

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

DELINQUENT TAXES:
Motion Pedersen, second Bohl grant an extension to pay delinquent real estate taxes $2,500 on or by October 1st and balance on or before November 15, 2010 to David R. Meehan Sr & Letha Meehan P.O. Box 127 Montrose, SD 57048 E125' Lots 4 & 5 County Auditor's 4th Addition to Madison City, Certificate #2006-00112. Motion carried.

EXECUTIVE SESSION:
Motion Hageman, second Giles enter into Executive Session 10:53 a.m. for contractual matters with Terry Sattleree Union Negotiator, Roger Hartman Sheriff, Ken Meyer States Atty and Kay A. Schmidt Auditor. Motion carried.

REGULAR SESSION:
Motion Giles, second Pedersen return to Regular Session 12:24 p.m. Motion carried.

MTGS ATTENDED:
Giles: East Dakota Transit.

REPORTS REC'D:
August, 2010: Bldg permits $1,507, plat review fees $50, and drainage fees $200. Total $1,757; mar lic $70, Dom Abuse $210, cert mar $330, ROD fees $4,750 & transfer fees $5,102. Total $10,462; Sheriff fees $1,584.60, work release $700, PBT-Breath $1,079, pistol permits $60, accident report copies $8, fingerprint cards $210 & Reliance Telephone comm. $122.66. Total $3,764.26. Prisoners housed 46 & days served 245.

AUDITOR's ACCOUNT WITH TREASURER August	INVESTMENT AMOUNT	INTEREST	MATURITY DATE
Total balance of checking of First Bank & Trust	$61,885.13	.05%	
Cash items	$680.03		
Silver	$102.13		
Currency	$1,859.00		
Amt of checks in Treas possession	$19,702.40		
First Bank & Trust Passbook Acct #905-022-7	$2,590,000.00	1.01%	
Great Western Passbook Acct #100021474	$0.00	0.50%	
American State Bank Cert of deposit #8435	$100,000.00	1.60%	8/8/2011
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
	$3,760,228.69		

ADJOURN:
There being no further business Chairman Verhey at 12:24 p.m. declared the meeting adjourned until September 28, 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 or lakeauditor@lakecountysd.com. All attempts shall be made to satisfy these requirements.

KAY A. SCHMIDT
LAKE COUNTY AUDITOR

Published once at the total approximate cost of _____.