LAKE COUNTY COMMISSION MINUTES
DECEMBER 3, 2013

The Board of Lake County Commissioners met in regular session on December 3, 2013 at 9 a.m. in the commission meeting room at the Lake County courthouse with the following members present: Dan Bohl, Ronald Golden, Roger Hageman, Scott Pedersen, and Kelli Wollmann. Chairman Pedersen called the meeting to order. The Pledge of Allegiance was recited.

AGENDA APPROVED:

Motion by Bohl, second by Wollmann, to approve the agenda of December 3, 2013. Motion carried.

MINUTES APPROVED:

Motion by Golden, second by Wollmann, to approve the minutes of November 19, 2013. Motion carried.

PAYROLL APPROVED:

Motion by Wollmann, second by Hageman, to approve the payroll of November 11-24, 2013. Motion carried. COMMISSIONERS: $2,191.35; AUDITORS OFC: $4,407.60; TREASURERS OFC: $4,100.60; STATES ATTY OFC: $5,650.22; GOVT BLDGS: $3,803.04; DIR EQUALIZATION OFC: $4,577.94; REGISTER DEEDS OFC: $2,811.28; SHERIFF OFC: $9,248.15; JAIL: $5,697.98; 911 COMM CENTER: $7,123.24; ROAD & BRIDGE: $17,727.78; CHN: $1,181.84; WIC: $384.00; EXTENSION: $1,300.01; WATER QUALITY: $1,280.00; ZONING: $1,531.20. GRAND TOTAL $73,016.23.

ACCOUNTS PAYABLE APPROVED:

Motion by Hageman, second by Golden, to approve the following accounts payable (2). Motion carried.

Accounts Payable 11-27-13 General Withholding: Aflac, Cancer/Int Care Premium, $1,337.00, Johnson Rodenburg, wage assignment, $450.00, Lake County Treasurer, Adv Taxes, $120.00, Lake Co Treasurer, withholdings, $11,788.24, Optilegra, Dec 13 Upgrade Premium, $322.80, SD Retirement System, Nov 13 Collections, $9,136.20, SD Supp Retirement Plan, Nov 13 Collections, $1,155.00, Wellmark Bcbs of SD, Dec 13 Emp/Sp Ins Premium, $2,323.70, **Commissioner:** Assurant Employee Benefit, Dec 13 Life Ins Premium, $31.36, Optilegra, Dec 13 Vision Premium, $35.76, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, **Auditor:** SD Retirement System, Nov 13 Collections, $819.93, Assurant Employee Benefit, Dec 13 Life Ins Premium, $22.05, Optilegra, Dec 13 Vision Premium, $26.82, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $885.80, **Treasurer:** SD Retirement System, Nov 13 Collections, $766.81, Assurant Employee Benefit, Dec 13 Life Ins Premium, $18.13, Optilegra, Dec 13 Vision Premium, $26.82, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $1,328.70, **St Atty:** SD Retirement System, Nov 13 Collections, $1,040.72, Assurant Employee Benefit, Dec 13 Life Ins Premium, $22.05, Optilegra, Dec 13 Vision Premium, $26.82, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, **Gvt Bldg:** SD Retirement System, Nov 13 Collections, $684.57, Assurant Employee Benefit, Dec 13 Life Ins Premium, $22.05, Optilegra, Dec 13 Vision Premium, $26.82, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $885.80, **DOE:** SD Retirement System, Nov 13 Collections, $771.27, Assurant Employee Benefit, Dec 13 Life Ins Premium, $22.05, Optilegra, Dec 13 Vision Premium, $26.82, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $1,328.70, **ROD:** SD Retirement System, Nov 13 Collections, $532.59, Assurant Employee Benefit, Dec 13 Life Ins Premium, $12.74, Optilegra, Dec 13 Vision Premium, $17.88, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, **VSO:** SD Retirement System, Nov 13 Collections, $20.13, Assurant Employee Benefit, Life Ins Credit, ($1.01), **Sheriff:** SD Retirement System, Nov 13 Collections, $2,136.20, Assurant Employee Benefit, Dec 13 Life Ins Premium, $44.10, Optilegra, Dec 13 Vision Premium, $53.64, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $2,214.50, **Jail:** SD Retirement System, Nov 13 Collections, $1,143.47, Assurant Employee Benefit, Dec 13 Life Ins Premium, $29.40, Optilegra, Dec 13 Vision Premium, $35.76, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $1,771.60, Verizon Wireless, Service, $215.00, **Coroner:** Assurant Employee Benefit, Dec 13 Life Ins Premium, $7.35, Optilegra, Dec 13 Vision

Premium, $8.94, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, **CHN:** SD Retirement System, Nov 13 Collections, $214.53, Assurant Employee Benefit, Dec 13 Life Ins Premium, $7.35, Optilegra, Dec 13 Vision Premium, $8.94, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, **Extension:** SD Retirement System, Nov 13 Collections, $236.44, Assurant Employee Benefit, Dec 13 Life Ins Premium, $7.35, Optilegra, Dec 13 Vision Premium, $8.94, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, Northwestern Energy, Service, $98.59, **Water Quality:** SD Retirement System, Nov 13 Collections, $230.40, Assurant Employee Benefit, Dec 13 Life Ins Premium, $7.35, Optilegra, Dec 13 Vision Premium, $8.94, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, **Zoning:** SD Retirement System, Nov 13 Collections, $275.61, Assurant Employee Benefit, Dec 13 Life Ins Premium, $7.35, Optilegra, Dec 13 Vision Premium, $8.94, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $442.90, **Hwy Rd-Br:** Aflac, Cancer/Int Care Premium, $430.02, Lake County Treasurer, Adv Taxes, $87.00, Lake Co Treasurer, withholdings, $4,674.92, Optilegra, Dec 13 Upgrade Premium, $175.52, SD Retirement System, Nov 13 Collections, $3,237.86, SD Supp Retirement Plan, Nov 13 Collections, $1,095.00, Wellmark Bcbs of SD, Dec 13 Emp/Sp Ins Premium, $894.24, SD Retirement System, Nov 13 Collections, $3,115.05, Assurant Employee Benefit, Dec 13 Life Ins Premium, $88.20, Optilegra, Dec 13 Vision Premium, $107.28, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $4,871.90, Northwestern Energy, Service, $65.06, Sioux Valley Energy, Hwy 34 St Lights, $140.80, **911 Comm:** Aflac, Cancer/Int Care Premium, $66.86, Lake Co Treasurer, withholdings, $1,895.67, Office Child Support Enf, Ch Support, $154.15, Optilegra, Dec 13 Upgrade Premium, $46.52, SD Retirement System, Nov 13 Collections, $1,129.51, SD Supp Retirement Plan, Nov 13 Collections, $45.00, Wellmark Bcbs of SD, Dec 13 Emp/Sgl Ins Premium, $65.76, SD Retirement System, Nov 13 Collections, $1,053.88, Assurant Employee Benefit, Dec 13 Life Ins Premium, $29.40, Optilegra, Dec 13 Vision Premium, $35.76, Wellmark Bcbs of SD, Dec 13 Health Ins Premium, $1,771.60, Centurylink, Service, $824.67, Sioux Valley Energy, Service, $73.88, **EMA:** Aflac, Cancer/Int Care Premium, $79.14, SD Retirement System, Nov 13 Collections, $159.67, SD Retirement System, Nov 13 Collections, $139.54, Assurant Employee Benefit, Life Ins Credit, ($5.74), Sioux Valley Energy, Brant Lk Sirens, $148.00, **LEPC:** Sioux Valley Wireless, Web Hosting, $19.95, **Adv Taxes:** Lake Co Treasurer, Adv Taxes, $437.23, Grand Total: $75,512.31

Accounts Payable 12-4-13 Commissioner: Pitney Bowes, Postage Lease, $1.07, **Election:** Pitney Bowes, Postage Lease, $13.78, SD Secretary of State, Mailings, $3.50, Janke, Roberta, Mileage, $109.52, **Judicial:** Callies, Kim, Transcripts, $558.20, Brown, Daniel, Crt Appt Atty Fee, $1,026.21, Pitney Bowes, Postage Lease, $17.23, Thomson Reuters-West, book, $191.50, WITNESS-JUROR-APPEARANCE FEES/MILEAGE: Camacho, Maryline, $20.74, Roth, Ethan, $57.00,One recipient, $20.74, Ahlgrim, Nicole, $50.74, Cunningham, Donald, $61.84, Fritz, Brian, $57.40, Johnson, Robert, $50.74, Kalvig, Karen, $50.74, Neville, Sandra, $54.44, Palmlund, Christopher, $50.74, Presuhn, Nancy, $50.74, Seitz, Kimberly, $50.74, **Auditor:** Empire Business Systems, forms, $126.10, Pitney Bowes, Postage Lease, $45.58, Janke, Roberta, Mileage, $16.90, **Treasurer:** Century Business Prod, Copier Maint, $31.25, Office Peeps, supplies, $12.08, Pitney Bowes, Postage Lease, $69.39, Janke, Roberta, Mileage, $16.90, Bureau of Adm, Oct Bit Billing, $15.00, **St Atty:** Total Security Concepts, Services, $660.00, A & B Business Solutions, Prints, $24.03, Office Peeps, supplies, $437.88, Pitney Bowes, Postage Lease, $11.93, Giles, Chris, cell phone reim, $270.00, **Gvt Bldg:** Automatic Bldg Ctrls, services, $267.00, Kolorworks, Paint/Supplies, $174.28, Cole's Petroleum, Gas, $210.46, Madison Ace Hardware, supplies, $13.98, Chemco Inc, supplies, $602.50, Timmer Supply, supplies, $1.48, City of Madison, Utilities, $31.43, **DOE:** Century Business Prod, Copier Maint/Usage, $35.05, Pitney Bowes, Postage Lease, $42.67, Pheasantland Industries, MH Decals, $84.14, Cole's Petroleum, Gas, $79.92, **ROD:** Marco, Copier Maint, $38.00, Pitney Bowes, Postage Lease, $14.31, Bureau of Adm, Oct Bit Billing, $5.00, **VSO:** Pitney Bowes, Postage Lease, $1.06, **Sheriff:** Pitney Bowes, Postage Lease, $14.84, Cole's Petroleum, Gas, $1,182.82, **Jail:** Fouberg, Jennifer, prisoner assessments, $40.00, Brookings Co Sheriff, female housing, $650.00, Brown's Cleaning, Nov Laundry, $575.00, **Coroner:** Weiland, Ted, Fees, $118.11, **SAR:** Donovan's Hobby, Repair Dry Suits, $385.80, McConaghy, Darrell, supplies, $92.03, Sioux Falls Two Way Radio, Batteries, $33.98,

Classic Corner, Diesel, $115.79, Snap-On Tools Corp, Lights, $160.00, City of Madison, Utilities, $88.88, **Support of Poor:** Pitney Bowes, Postage Lease, $1.59, **CHN:** Pitney Bowes, Postage Lease, $18.02, **MI Board:** Minnehaha County Auditor, MI Services, $135.00, **Recreation:** Boom Concrete, Toilets, $16,575.00, **Extension:** Friends of 4-H, 4H Barn Project, $6,360.00, Bud's Clean Up Service, Service, $711.11, City of Madison, Utilities, $380.08, Friends of 4-H, supplies, $146.47, Madison Ace Hardware, supplies, $5.65, **Weed Control:** Farmers Ag Center, chemicals, $6,969.50, **Zoning:** Century Business Prod, Copier Maint/Usage, $35.05, Pitney Bowes, Postage Lease, $10.34, **Hwy Rd-Br:** Van Den Hemel, Timothy, CDL reim, $25.00, Dawson Construction, services, $1,102.04, Fedeler's Glass & Repair, services, $300.00, Boyer Trucks-Sioux Falls, parts, $170.23, Butler Machinery, parts, $285.91, Fedeler's Glass & Repair, Windshields, $420.60, I-State Truck Center, parts, $44.13, Krug Products, Hose Assy, $19.77, Zep Sales & Service, supplies, $291.36, Snap-On Tools Corp, Scanner Update, $195.00, Truenorth Steel, Culverts, $8,270.78, Office Peeps, supplies, $67.32, Cole's Petroleum, Gas/Diesel, $12,875.30, Janke, Roberta, Mileage, $16.89, City of Madison, Utilities, $480.99, MidAmerican Energy, Util/Ramona, $29.72, Lyle Signs, Signs, $148.46, SD DOT, Wood Post, $1,202.29, **911 Comm:** Madison Daily Leader, Subscription, $93.06, Pitney Bowes, Postage Lease, $1.33, **EMA:** Pitney Bowes, Postage Lease, $1.86, **Law Library:** American Judicature Soc, Membership Fee, $75.00, Thomson Reuters-West, books, $191.50, Grand Total: $66,949.53

FUEL QUOTES:

The board reviewed the following fuel quotes: Cole's Petroleum ethanol 2.6640 and #1 diesel fuel 3.4425 and F&M Coop 2.66 ethanol and #1 diesel fuel 3.47. Motion by Golden, second by Bohl, to approve the quote of Cole's Petroleum. Motion carried.

TAX DEED SALE/SURPLUS SALE:

Motion by Bohl, second by Hageman, to declare the following surplus property, Lot 3 Block 7 Town Prop 2nd, Madison City. Motion carried. This property will be sold at public auction on December 17, 2013 at 10 a.m. at the first floor lobby of the courthouse.

STORM SHELTER GRANT:

Lake County received a grant of $4,688 for a public access storm shelter at the lake access area. Grant Award No 17-R, DES grant code DR-1984-SD-17-R. The toilets recently installed at the lake access area cannot be FEMA certified so the grant cannot be accepted. Motion by Hageman, second by Wollmann, to direct the Auditor to notify the State Hazard Mitigation officer of this decision to withdraw from the project. Motion carried.

TRANSFER LIQUOR LICENSE/MOONLITE:

This being the time and date as per advertisement, the board reviewed the transfer application of the Moonlite Inn/Charlene Fischer. Motion by Bohl, second by Hageman, to transfer the retail (on-sale) liquor license, RL-5729 Moonlite Inn from Cassandra Schumacher to Charlene Fischer. Motion carried.

2014 CHN CONTRACT:

Auditor Janke told the board the 2014 State of SD CHN contract decreased from $12,360 to $10,300 based on participant numbers. Motion by Bohl, second by Golden, to approve the chairman sign the 2014 contract for community health nursing services with the State of SD. Motion carried.

DAVISON COUNTY JAIL CONTRACT:

The board reviewed the 2014 Davison County contract. The rate per day remains the same at $86. Motion by Hageman, second by Wollmann, to approve the chairman sign the 2014 jail contract with Davison County. Motion carried.

2014 LIQUOR LICENSE RENEWALS:

Auditor Janke presented the following 2014 retailer on sale liquor license renewal applications: Broadwater Resort Inc., RL-6186, retailer on-sale liquor, dance hall, Sunday sales and lottery; Hillside Resort Inc. RL-6080, retailer on-sale liquor, dance hall, Sunday sales and lottery; Madison County Club Inc., RL-5731, retailer on-sale liquor and Sunday sales, Round Lake Partners LLC, The Lakes Restaurant & Lounge, RL-6313, retailer on-sale liquor, dance hall, Sunday sales and lottery; The Point, RL-5232, retailer on-sale liquor, dance hall, Sunday sales and lottery; Hef's, package off sale, Sunday sales and lottery, and Shipwreck Bar & Grill, dance hall, Sunday sales, and lottery. Motion by Hageman, second by Bohl, to approve the 2014 liquor license renewals. Motion carried.

AUTOMATIC BLDG CONTROLS INC:

The board reviewed the fire alarm proposals for the courthouse and the public safety building. Derrick Shoenrock, Bldgs & Grounds Supt., contacted ABC to get both buildings on the same schedule for annual maintenance. Motion by Bohl, second by Wollmann, to approve the chairman sign both proposals for 2014. Motion carried.

CHRISTMAS EVE HOLIDAY:

The board discussed the Christmas Eve holiday. The Governor granted administrative leave to state employees on December 24, 2013. Motion by Bohl, second by Golden, to approve the entire day on December 24, 2013 as a holiday. Motion carried.

Motion by Hageman, second by Wollmann, to approve overtime as need in the Auditor's office to process payroll during the Christmas holidays. Motion carried.

POOR FARM LAND:

Chairman Pedersen has been contacted by an individual wanting to buy land (2-4 acres) at the poor farm to build storage units. He contacted the States Attorney about this. The States Attorney discussed zoning issues with Pedersen. The board decided the land will remain as is.

MEETINGS ATTENDED:

Commissioner Golden attended the interviews for the EM/VSO and the Water Quality and Zoning department's job descriptions meeting. Commissioner Bohl attended the ICAP executive board meeting and Water Quality and Zoning departments job descriptions meeting. Commissioner Wollmann attended the EM/VSO interviews, 4H Leaders, Library, and SAR meetings. Commissioner Pedersen attended the LAIC meeting. Commissioner Hageman attended the District weed meeting at Mitchell.

MADISON LEADERSHIP GROUP:

The Madison Leadership group toured the courthouse, public safety building and attended the commission meeting. Introductions were made and the commission welcomed the group to the meeting. The commissioners discussed their duties on the Lake County Commission with the group.

DRAINAGE BOARD:

Motion by Golden, second by Bohl, to enter into a drainage board. Motion carried.

DRAINAGE APPLICATIONS:

Debra Reinicke, Drainage Officer, presented the following applications to the board.

#13-09 Richard and John Minnaert, SW1/4 exc S660' N1496' W660' & SE1/4 exc S1/2, Franklin Twp., new tile and replace existing tile.

#13-10 John Minnaert, S1/2SE1/4, Franklin Twp., new tile and replace existing tile.

John Minnaert was present to discuss these drainage applications. Jim, Leona and Verlyn Fods and Brian Top, TopSoil Consulting, were also in attendance. Minnaert and Verlyn Fods presented maps to the board. Minnaert and Fods have been trying to reach a mutual agreement regarding the costs of the project. They have not been able to resolve the costs of approximately $4,000 involved with boring thru the road. Reinicke and Chairman Pedersen told Minnaert and Fods they are not involved in deciding what the cost share of the project will be. Motion by Bohl, second by Golden, to table these drainage applications. If they are able to reach a mutual agreement, this would not need to come before the drainage board. Motion carried.

REGULAR SESSION:

Motion by Golden, second by Hageman, to adjourn as a drainage board and return to the regular session. Motion carried.

WATER QUALITY EDUCATION PROJECT:
John Maursetter, Environmental Officer, and Dale Droge, Water Quality Committee Member, met with the board to discuss a water quality education program for Lake County students. The focus would start with water quality activities for 4th grade students and expanded to the middle and high school students. Droge asked the commission if Maursetter could apply thru Lake County for a grant of $15,000 to $20,000 for a budget for this project. A 5% match would be required of the grant. The grant funding would be used to pay teachers to develop a curriculum of activities on a watershed. Motion by Hageman, second by Bohl, to approve Maursetter write the grant application, assist with development of curriculum, and visit classrooms as needed. Motion carried.
EXECUTIVE SESSION:
Motion by Hageman, second by Wollmann, to enter into executive session for personnel SDCL 1-25-2(1). Motion carried.
REGULAR SESSION:
Motion by Hageman, second by Bohl, to return to regular session. Motion carried.
JOB DESCRIPTIONS:
Motion by Golden, second by Bohl, to approve revised job descriptions for the Planning, Zoning, Drainage, and Natural Resources Officer and Environmental and Code Enforcement Officer. Motion carried.
CERTIFIED PARALEGAL:
Motion by Hageman, second by Bohl, to approve Shelli L Gust, certified paralegal, a raise effective December 23, 2013 from G2 to G6 at $17.50 per hour. Motion carried.
DRAINAGE BOARD:
Motion by Bohl, second by Hageman, to enter into a drainage board. Motion carried.
Drainage applications 13-17, 13-18, 13-19, 13-20 for Mark Mergen. Debra Reinicke presented the applications to the board. Mark Mergen was present to discuss these drainage applications. The commission took a road trip on November 19th to review these properties. Those present were Mark Mergen, Don Johnson, Greg Tiel, Jerry Swenson, Jay Leibel, Steve VanderBeek, Commissioners Bohl, Golden, Hageman, Pedersen, and Wollmann, John Maursetter, Reinicke, Jane Utecht, and Roberta Janke.
#13-17 SE1/4 Section 10-106-51, Wentworth Township. Jerry Swenson was present and objects to this drainage application.
#13-18 N1/2N1/2 Section 14-106-51, Wentworth Twp. Steve VanderBeek, State of SD Game, Fish and Parks, Wildlife Division, was present to discuss the wetland.
#13-19 SW1/4SE1/4 Section 11-106-51, Wentworth Twp. Steve VanderBeek, State of SD Game, Fish and Parks, Wildlife Division, was present to discuss the wetland.
#13-20 S1/2SE1/4 Section 16-106-51, Wentworth Twp. Don Johnson and his attorney, Jay Leibel, were present to object to this application.
Reinicke received an email from Benjamin Bigalke, Restoration Specialist USDA-NRCS, requesting more information on this project. She also read the notes of Maursetter on each drainage application.
#13-20 Mergen's original plan was to drain to the east. An alternate plan would drain to the west, elevation is good, and he has requested a permit from the railroad to tile in the railroad right of way. He has not submitted an amended plan for the board to review. Mergen also discussed: the need to correct open ditches, and permission from downstream landowners to go to an abandoned tile. Motion by Bohl, second by Wollmann, to deny #13-20 drainage application. Motion carried.
#13-17 There was discussion on the Bull Ditch. Jerry Swenson discussed water that has been up to his barn. Mergen has been trying to work this out with VanderBeek. The State of SD is not in favor of this project but leaves the decision to the county commission. Mergen discussed: getting permission from Wentworth Twp, WRP won't sign the waiver but they don't make the final decision on the land, and how to get the water to the Bull Ditch. Motion by Hageman, second by Bohl, to deny drainage application 13-17. Motion carried.
#13-18 and #13-19 There was more discussion on the Bull Ditch. Jay Leibel discussed a proposal years ago between Lake County, Moody County, and a citizens group to study the Bull Ditch. A study

was going to be done but engineering costs couldn't be determined and the study died. Mergen has been talking to VanderBeek but the final decision comes from the county commission. Motion by Bohl, second by Golden, to deny #13-18 and #13-19 drainage applications. Motion carried.

REGULAR SESSION:

Motion by Hageman, second by Golden, to adjourn as a drainage board and return to the regular session. Motion carried.

ADJOURNMENT:

There being no further business to come before the board, Chairman Pedersen at 12:22 p.m. adjourned the meeting until December 17, 2013 at 9 a.m.

/s/Roberta Janke	/s/Scott Pedersen
ROBERTA JANKE	SCOTT PEDERSEN

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