LAKE COUNTY COMMISSION MINUTES
AUGUST 19, 2014

The Board of Lake County Commissioners met in regular session on August 19, 2014 at 8 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 Wollmann, second by Hageman, to approve the agenda of August 19, 2014. Motion carried.

MINUTES APPROVED:

Motion by Bohl, second by Golden, to approve the minutes of August 5, 2014. Motion carried.

COMMUNITY COMMENTS:

Jan Nicolay appeared before the board to discuss the proposed School Resource Officer position. She has worked in a school district that had a SRO and felt the visibility of an SRO in the school gives a sense of security. She felt children need positive relationships with law enforcement. She would like to see a SRO in each school. Ronald Budde was also present to discuss the SRO. He was asked to return at 11:30 a.m. for SRO discussion.

PAYROLL APPROVED:

Motion by Hageman, second by Bohl, to approve the payroll of August 4-17, 2014. Motion carried. COMMISSIONERS: $2,279.05; AUDITORS OFC: $4,584.41; TREASURERS OFC: $4,360.55; STATES ATTY OFC: $6,014.40; GOVT BLDGS: $3,946.40; DIR EQUALIZATION OFC: $4,801.82; REGISTER DEEDS OFC: $2,923.59; VSO: $204.00; SHERIFF OFC: $9,404.79; JAIL: $5,053.88; EMA: $1,292.00; 911 COMM CENTER: $7,689.00; ROAD & BRIDGE: $15,199.60; CHN: $1,099.00; WIC: $622.40; EXTENSION: $1,352.00; WATER QUALITY: $1,331.20; ZONING: $1,592.80. GRAND TOTAL $73,750.89.

ACCOUNTS PAYABLE APPROVED:

Motion by Wollmann, second by Hageman, to approve the following accounts payable (3). Motion carried.

Accounts Payable 8-8-14 General Withholdings: Dakotaland Fed Cr Union, withholdings, $372.00, Lake Co Treasurer, withholdings, $12,307.62, **Gvt Bldg:** Verizon Wireless, service, $25.61, **DOE:** Verizon Wireless, service, $25.61, **Weed:** Verizon Wireless, service, $25.61, **Water Quality:** Verizon Wireless, service, $36.04, **Hwy Rd-Br:** Dakotaland Fed Cr Union, withholdings, $325.00, Lake Co Treasurer, withholdings, $3,939.35, Verizon Wireless, service, $51.19, **911 Comm:** Lake Co Treasurer, withholdings, $2,062.70, Office Child Support Enf, ch sup, $154.15, ITC, service, $115.55, Triotel Communication, service, $171.53, Verizon Wireless, service, $25.61, **EMA:** Lake Co Treasurer, withholdings, $254.45, Verizon Wireless, service, $67.75, Grand Total: $19,959.77

Accounts Payable 8-14-14 Sheriff: SD Dept of Revenue, bl alcohols, $485.00, **Coroner:** SD Dept of Revenue, bl alcohol, $35.00, **Dev Disabled:** SD Dept of Revenue, service-HSC, $929.30, **State Remittance:** SD Dept of Revenue, fees, $271,797.57, **ROD:** SDACO, July ROD fee, $426.00, Grand Total: $273,672.87

Accounts Payable 8-20-14 Commissioner: Madison Daily Leader, publishing, $472.52, Infotech Solutions, email, $3.00, S D A C O, regs, $330.00, **Election:** Bureau of Adm, long distance calls, $3.43, Madison Instant Printing, laminate, $3.99, Office Peeps, supplies, $14.96, Infotech Solutions, maint, $60.00, **Judicial:** Parent, Philip, Aug contract, $5,000.00, A To Z World Languages, interpreter service, $150.00, Walker, Shelbie, witness fee/mileage, $60.70, Thomson Reuters-West, July online service, $898.32, **Auditor:** Software Services, July service, $120.00, Infotech Solutions, email/maint, $249.00, Lake County Treasurer, Jul ach chg, $43.92, Office Peeps, supplies, $40.96, S D A C O, regs, $165.00, Bureau of Adm, long distance/fax calls, $6.78, Centurylink, Aug service, $46.14, Infotech Solutions, monitor/speakers, $149.98, **Treasurer:** Mastel, Bruce, host database, $35.00, Software Services, July service, $320.00, Legal Process of Minnesota, services, $70.00, Lake County

Treasurer, postage, $110.54, Madison Instant Printing, env, $175.86, Office Peeps, supplies, $18.24, Bureau of Adm, long distance/fax calls, $5.30, Office Peeps, toner, $82.60, Bureau of Adm, long distance/fax calls, $3.44, Centurylink, Aug service, $32.76, **IT:** Software Services, July service, $40.00, Infotech Solutions, backup maint, $770.00, **St Atty:** Certified Driver Records, service, $14.00, Great Western Bank, service, $37.00, Infotech Solutions, email/maint, $163.50, Lake County Treasurer, postage, $4.00, Madison Instant Printing, supplies, $26.52, Giles, Chris, mileage, $11.84, Bureau of Adm, long distance/fax calls, $5.19, Centurylink, Aug service, $46.14, **Gvt Bldgs:** Infotech Solutions, email/maint, $51.75, G & R Controls, service, $774.24, Campbell Supply, supplies, $52.93, Cole's Petroleum, gas/diesel, $182.29, Fastenal Co, supplies, $.72, G & R Controls, supplies, $15.00, Home Service Water Cond, salt, $42.12, John Deere Financial, supplies, $93.90, Pro-Build, supplies, $149.70, G & R Controls, service, $115.66, Hillyard/Sioux Falls, supplies, $340.75, Bureau of Adm, service, $85.00, Bud's Clean Up, Jul service, $167.12, Centurylink, Aug service, $33.02, City of Madison, utilities, $32.82, Northwestern Energy, service, $10.00, Shred-It USA-Sioux Falls, service, $94.26, Carquest, parts, $106.87, **DOE:** Software Services, July service, $240.00, Infotech Solutions, email/maint, $226.50, Central Business, supplies, $19.58, Madison Instant Printing, copies, $24.96, Cole's Petroleum, gas, $83.72, Bureau of Adm, long distance/fax calls, $4.27, Centurylink, Aug service, $32.76, **ROD:** Software Services, July service, $100.00, Infotech Solutions, email/maint, $66.00, McLeods Office Supply, supplies, $131.36, Office Peeps, supplies, $21.08, Bureau of Adm, long distance calls, $3.85, Centurylink, Aug service, $19.38, **VSO:** Bureau of Adm, long distance/fax calls, $4.78, Infotech Solutions, email/maint, $9.45, Centurylink, Aug service, $7.86, **Sheriff:** Infotech Solutions, email/maint, $231.00, Lewis Drug, supplies, $2.99, Neve's Uniforms, pants, $35.95, Office Peeps, supplies, $8.87, Cole's Petroleum, gas, $2,352.91, Splash & Dash, car wash, $11.00, **Jail:** Madison Community Hosp, prisoner services, $12,000.00, Lewis Drug, prisoner medication, $45.32, Fouberg, Jennifer, nursing assessment, $40.00, Lewis Drug, female medications, $1.00, Mitchell Clinic, female medical service, $32.00, Infotech Solutions, email/maint, $108.00, Bob Barker Co, supplies, $165.35, Lewis Drug, supplies, $20.90, Bureau of Adm, long distance/fax calls, $21.73, Centurylink, Aug service, $72.90, Northwestern Energy, service, $10.00, Verizon Wireless, service, $215.05, Sunshine, meals, $2,488.00, **SAR:** Infotech Solutions, email, $3.00, Centurylink, Aug service, $13.38, City of Madison, utilities, $98.51, Northwestern Energy, service, $16.58, **Support of Poor:** Avera Health Plans, Sept prem, $451.35, Lewis Drug, July meds, $45.98, Infotech Solutions, email/maint, $33.00, Bureau of Adm, long distance calls, $.04, Centurylink, Aug service, $19.64, **M I Board:** Lewis & Clark BHS, MI hearing, $160.00, Oftedal, Abby, MI hearing, $174.00, Yankton Co Sheriff's Ofc, MI service, $50.00, Yankton Co Treasurer, MI hearing, $110.00, **Recreation:** Campbell Supply, supplies, $4.98, **Extension:** Central Business, supplies, $70.82, Econ-O-Wash, laundry, $14.00, US Post Office, stamps, $264.00, Bureau of Adm, long distance/fax calls, $7.96, Infotech Solutions, email, $3.00, Centurylink, Aug service, $58.14, American Income Life Ins, ins, $80.00, Campbell Supply, supplies, $30.82, First Bank & Trust, supplies, $76.24, Klingbile, Chris, supplies, $27.83, Loopy's Dollar Store, supplies, $7.50, Madison Daily Leader, publishing, $59.40, Pro-Build, plywood, $51.44, Sunshine Foods, supplies, $23.77, **Weed:** Cole's Petroleum, gas/diesel, $745.98,Campbell Supply, supplies, $67.83, Farmers Ag Center, supplies, $170.52, Pulford's, supplies, $25.70, City of Madison, water, $253.41, Bureau of Adm, long distance/fax calls, $10.86, Infotech Solutions, email, $3.00, **Water Quality:** Infotech Solutions, email/maint, $33.00, Bureau of Adm, long distance calls, $1.56, Centurylink, Aug service, $13.38, **Zoning:** Aldrich, Joseph, mtg/mileage, $36.84, Anderson, Gene, mtg/mileage, $41.28, Bickett, Donald, mtg/mileage, $41.28, Jerlow, Douglas, mtg/mileage, $33.88, Johannsen, Craig, mtg/mileage, $25.74, Madison Daily Leader, publishing, $26.00, Infotech Solutions, email/maint, $33.00, Office Peeps, supplies, $28.84, Reinicke, Debra, mileage, $6.66, SD Planners Assn, regs, $80.00, Bureau of Adm, long distance calls, $5.19, Centurylink, Aug service, $19.38, **Hwy Rd-Br:** Madison Daily Leader, publishing, $45.01, Flatten Digging, service, $1,785.70, Tire Motive Service, service, $75.00, Aramark Uniform Services, service, $97.46, Campbell Supply, supplies, $74.08, F & M Coop, supplies, $12.50, Fastenal Co, supplies $14.16, Helena Chemical, supplies, $43.25, Pulford's, supplies, $26.81, Resykle, iron, $22.00, Sturdevant's, parts, $326.66, Zep Sales & Service, supplies, $291.20, Lake County

Treasurer, stamps, $49.00, Concrete Materials, asphalt, $1,216.00, Cole's Petroleum, gas/diesel, $4,750.45, Campbell Supply, supplies, $22.31, F & M Coop, tire repair, $21.70, Flint Hills Resources, road oil, $19,111.54, Jebro Inc, road oil, $6,608.00, S D A C O, regs, $165.00, Xcel Energy, util/Ramona, $10.30, Centurylink, Aug service, $46.14, Infotech Solutions, email, $108.00, Spencer Quarries, rock chips, $1,005.12, **911 Comm:** Carquest, battery, $80.99, Language Line Services, Jul service, $90.00, Infotech Solutions, email/maint, $148.50, Quill Corporation, printer/supplies, $333.96, Bureau of Adm, long distance calls, $3.36, Centurylink, Aug service, $371.66, **EMA:** Infotech Solutions, email/maint, $53.55, Sturdevant's, parts, $72.09, Cole's Petroleum, gas, $129.92, First Bank & Trust, tvl exp, $210.32, Bureau of Adm, long distance calls, $2.11, Centurylink, Aug service, $44.54, **24/7:** Pharmchem Inc, service, $336.00, **Adv Taxes:** Lake Co Treasurer, adv taxes, $150.32, Grand Total: $72,610.72

SPECIAL MALT BEV LICENSE:

The board reviewed the special malt beverage license application for St. Thomas Aquinas Church for a church picnic on September 7, 2014 at the St. Thomas Rec Center. Motion by Wollmann, second by Golden, to approve the application. Motion carried.

MINNEHAHA COUNTY HOUSING CONTRACT:

The board reviewed the housing contract between Minnehaha County and Lake County concerning the rates charged to Lake County for the housing of prisoners in the Minnehaha County jail. The new contract is dated July 1, 2014 to June 30, 2015. Tim Walburg, Sheriff, told the board the daily bed rate was increased one dollar to $81.20 per prisoner day. The work release status rate is $35 per day. Motion by Golden, second by Wollmann, to approve the chairman sign the contract. Motion carried.

911 DEPUTY DIRECTOR:

Commissioner Golden told the board he would like Matt Feistner, 911 Deputy Director, to receive a rate adjustment for time served as 911 Interim Director when the director was on medical leave. Motion by Golden, second by Bohl, to approve Matt Feistner a rate adjustment from $15.60 to $16 from July 1st-August 9th, 2014 only. Motion carried. In the future these adjustments will be made on a situation by situation basis.

EM/VSO-MONTHLY REPORT:

Doug Huntrods, Emergency Manager and Veteran's Service Officer, met with the board for his monthly report. He discussed the following: Citizen Corp grant received for generator light stand-GoPro camera-masks, assisted 911 Deputy Director with grant applications, attended multi-hazard training in Fargo, Lake Madison siren project paperwork finished, and updated the SAM site. The sirens at Lake Madison will be inspected on August 29th by Jim Poppens, SDOEM. Huntrods attended the following meetings: LEPC, 911 dispatch meeting with Miner and Moody counties, and attended the Ramona and Wentworth parades. He was contacted by 14 Veteran's and worked 45 hours on the RAV program. He is working to have a Vet Center office staffed by personnel from Sioux Falls available in his back office. He will have a RAV event at Prairie Village on Saturday from 9 to 1.

2015 SLA:

Motion by Bohl, second by Hageman, to approve the chairman sign the Emergency Management FFY 2015 State and Local Agreement (SLA) between the State of SD and Lake County. Motion carried.

FIELD OF DREAMS AGREEMENT:

Chris Giles, States Atty., discussed an agreement with the City of Madison, the Madison Area Youth Baseball Association and Lake County for the Field of Dreams. The county will furnish garbage

receptacles and arrange for pickup of garbage. This previously was a shared responsibility of the City and County. The cost of irrigation and restroom facility initial operations and seasonal winterization of systems will be shared 50/50 by the County and Madison Area Youth Baseball Assn. Motion by Bohl, second by Wollmann, to approve the chairman sign the agreement. Motion carried. The agreement will be sent to the City of Madison and Madison Area Youth Baseball Assn for their signatures.

LITIGATION UPDATE:

Giles told the board Jodi Roy, individual, and First National Bank, special administrator of the estate of Christopher Bryon Mark John Alberty who died in the jail, brought action against Lake County. He told the board the summary judgment was in favor of Lake County. The case was dismissed as the judge found the county employees acted appropriately with no negligence or wrong-doing.

SPEED ZONES/CHESTER:

Giles and Commissioners Bohl and Golden attended the meeting in Chester on August 11, 2014 concerning the proposed speed zone ordinances. There were 12 concerned citizens in attendance at that meeting. The group agreed to have a 15 mph speed zone at the school and school zone ahead signs. Chester Township will apply for a grant for flashing light signs in the school zone as they were estimated to cost $6,000. The township officials want a 25 mph speed zones in residential areas in Chester. The township needs to officially request these speed zones from the county. Second reading of Ordinances 14-56, 14-57, 14-58 and 14-59 was held but the ordinances were not approved on August 5, 2014. Motion by Bohl, second by Hageman, to rescind proposed Ordinances 14-56, 14-57, 14-58 and 14-59. Motion carried.

TRACTORS (3) BID AWARDING:

The bid opening for three (3) new tractors with (2) loaders was held as per advertisement at 9:30 a.m. on August 18, 2014 with Dave Fedeler, Hwy Supt., and Auditor Janke present. A representative of Titan Machinery Inc/Tri-State Equipment was also present. The bids were as follows:

Item #1 Tractor with loader—2 year annual payment with 1st payment due January 2015 with 400 annual hours. Item #2 Tractor only –2 year annual payment with 1st payment due Jan 2015 with 250 annual hours. Item #3 Tractor with loader—2 year annual payment with 1st payment due Jan 2015 with 400 annual hours. Delivery within 30 days of bid awarding.

	Item #1	Item #2	Item #3	Total
Titan Machinery Inc/Tri-State Equipment	**22,484.14**	**24,678.83**	**11,666.23**	**58,830.20**
The interest rates are 4.90% on #1 and #2 and 5% on #3				
Lake County International Inc.	**15,420**	**0**	**6,900**	**22,230**
The interest rate is 0%.				
James River Equipment	**15,776.94**	**12,656.89**	**7,669.84**	**36,103.67**
The interest rate is 4.15%				

Motion by Golden, second by Wollmann, to approve the bid of Lake County International $22,230 for 2 year lease on three tractors with option to buy at lease end. Motion carried.

LEGISLATIVE AUDIT:

Brenda Colombe, Dept of Legislative Audit, met with the board to discuss the 2012-2013 audit of Lake County. She and Dillion Deboer will be conducting the audit. She has budgeted 185 hours for the audit at $59.50 per hour. The Dept has gone to a paperless system and the county would not be charged for any training hours associated with that new system.

MEETINGS ATTENDED:

Commissioner Golden attended the speed zone mtg at Chester and East Dakota Transit meeting. Commissioner Wollmann attended the Madison City meeting concerning the SRO, and read a thank

you from a 4H club. Commissioner Bohl attended the mtg at Chester, City and County planning, and ICAP board meeting. Chairman Pedersen attended the LMDA annual picnic and SRO meeting. All commissioners attended the Sioux Valley Commissioners Assn meeting hosted by Lake County on August 18th.

DRAINAGE BOARD:

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

DRAINAGE HEARING:

Debra Reinicke, Drainage Officer, presented the drainage application **#14-02 Brad Minor/Minor Enterprises,** SW1/4 Section 7-107-51, Rutland Twp., new tile. Brad Minor was present to discuss his application. Roger Clark was present to discuss his concerns with this project. Minor stated this property is all farmed and water is flowing in the natural direction. Clark questioned why the other downstream landowners affected by this weren't present. Reinicke explained the rule of notifying landowners one mile downstream. Clark said the creek is silted full. The creek is a tributary of Battle Creek. Any additional water flowing will set on his property. He has already spent money on a rock crossing on his property. Motion by Bohl, second by Hageman, to table this drainage hearing until September 2, 2014 at 10 a.m. Motion carried. Reinicke is to notify more of the downstream landowners.

BOARD OF ADJUSTMENT:

Motion by Hageman, second by Wollmann, to adjourn as a drainage board. Motion carried. Motion by Wollmann, second by Golden, to enter into a board of adjustment. Motion carried.

VARIANCES/COND USE/PLATS:

Reinicke presented the following to the board.

Robert Riddle variance application—Lot 36 Blk 3 Southside View, Parcel #433, Chester Twp. Robert Riddle was present to discuss a variance from the backyard setback to build an accessory building. Motion by Hageman, second by Golden, to approve the variance. Motion carried.

Plat of Lot 1A and 2A of the Peninsula Estates second addition in Gov't Lot 3, section 36, T106N, R52W, 5th p.m., Lake County SD. Motion by Golden, second by Hageman, to approve plat. Motion carried. Commissioner Golden recuses himself from the Baumberger plat.

Plat of Baumberger's Addition in the NE1/4 of Section 14, Township 106 north, range 52 west of the 5th p.m. in Lake County, SD. Motion by Hageman, second by Wollmann, to approve the plat. Motion carried.

Plat of Lots 6A and 6B of Lakes Community Addition in the northeast quarter of Section 32-T106N-R51W of the 5th p.m., Lake County SD. Motion by Golden, second by Wollmann, to approve the plat. Motion carried. Commissioner Golden recuses himself from the Heirigs plat.

Plat of Heirigs Addition in the SW1/4 of Section 3, Township 106 North, Range 53 west of the 5th p.m. in Lake County, SD. Motion by Wollmann, second by Bohl, to approve the plat. Motion carried.

David & Deb Ahlers conditional use application—Lot 21A Brant Lake Hills 11th Addition parcel #15-M-1, Chester Twp. The applicants were not present to discuss their conditional use to build a boat house closer than the 25' setback from the OHWM. Motion by Golden, second by Hageman, to approve the conditional use application. Motion carried.

REGULAR SESSION:

Motion by Wollmann, second by Hageman, to adjourn as a board of adjustment and return to the regular session. Motion carried.

POOR FARM LAND APPRAISAL:

Dan Lemme met with the board to discuss the recent appraisal of 8.3 acres at the county's poor farm. The county hired Rogers Appraisal Service Inc to do the appraisal. Chairman Pedersen read the following from the appraisal: "based on the results of the appraisal investigation and analysis, it is my opinion the subject property's fee simple market value, in the **as is** condition, as of July 15, 2014, is estimated in the amount of $500,000". Lemme told the board his offer today would be between $250,000 and $300,000 because of the reclamation that needs to be done to get the property buildable. Kingdom Capitol could develop the area and property taxes would be forever. The cost for the appraisal was $5,000. The contractor for the Hwy 19 project, Loiseau Construction, would like the dirt/material at the gravel pit. Lemme told the board Loiseau Construction needs an answer by Sept 1st about this material. Chairman Pedersen, Dave Fedeler, Hwy Supt., Lemme, and a rep from Loiseau Construction will meet at the gravel pit to discuss options for the dirt/material.

WELFARE/INDIGENTS:

Sierra Steidl-Jenson, Welfare Director, met with the board to discuss three applications.

INDIGENT 14-19: Motion by Bohl, second by Hageman, to deny medical assistance to Indigent 14-19 based on unable to determine medical indigency as defined by SDCL 28-13.1.3. Motion carried.

INDIGENT 14-17 AND 14-20: Steidl-Jenson told the board she is waiting to see if this Indigent will qualify for medicaid.

BOARD OF ADJUSTMENT:

Motion by Golden, second by Hageman, to enter into a board of adjustment. Motion carried.

TAX INCREMENTAL DISTRICT NUMBER 3:

Brenda Thompson, BBJ Madison Properties East, LLC, and Tobin Morris, Dougherty & Company LLC, met with the board to discuss the proposed TID #3. There were 19 in attendance for this discussion. The City of Madison passed Resolution No. 2014-9 on April 28, 2014 consenting to Lake County creating TID #3 within the corporate limits of the City. Debra Reinicke, Zoning Officer, told the board the Lake County Planning & Zoning board recommended the county commission consider this at their meeting on August 13, 2014. This project will provide affordable workforce housing. Amy Crissinger and Marcus Garstecki, DSU, Madison Mayor Roy Lindsay, Julie Gross, LAIC, Jamie McKinney, Mills Property Management, and Vince Schaefer, Madison Central School, spoke in favor of this project.

Creation of Lake County SD TID #3—The Developer has approached officials with Lake County regarding the possibility of creating a Tax Incremental Financing District ("TID") to assist in the Project Costs within the Plan on land located within the corporate limits of the City of Madison and within Lake County, South Dakota. AS presented by the developer, the TID will consist of one phase, as follows: Acquisition of land, design and construction of improvements with associated ingress, egress, project costs and infrastructure to accommodate approximately 14 multi-family town-homes and 40 storage units to be placed upon the site. Timing and weather permitting Developer intends to begin construction in the late summer/fall of 2014. Developer is aware that pursuant to SDCL 11-9-13 no expenditure may be provided for in the Plan more than five years after a Tax Incremental District is create unless an amendment is adopted by the governing body under SDCL 11-9-23.

Property within Tax Increment District #3--The real property to be located within the Tax Increment District is within Lake County and is within the municipal boundary of the City of Madison at 1002 and 1040 NE 3rd Street, Madison, and will consist of the parcels, described as follows: Parcel 1—Lots 1-2 & S ½ Lot 3 Block 8 shown on the Plat of A.A. Bartlett's Addition to Madison, SD; Parcel 2—Lots 1-6 Block 1 A.A. Bartlett's Addition to Madison, SD. The Tax Increment District will be approximately 1.375 acres.

The total value of all active TIF districts in Lake County is less than ten percent of the total taxable valuation. The total cost of the project is $375,000. It is anticipated no increment generated by TID #3 will be available until calendar year 2016 and will end in 2028. The county will receive $3,750 administrative fee. The project plan and contract are available for public inspection in the Auditor's office.

RESOLUTION 14-12/TID#3:

Motion by Bohl, second by Wollmann, to approve the chairman sign Resolution 14-12. Motion carried

RESOLUTION NO. 14-12

RESOLUTION TO SET THE BOUNDARIES AND PROVIDE FOR THE CREATION OF TAX INCREMENTAL DISTRICT NUMBER THREE (#3), COUNTY OF LAKE AND APPROVING PROJECT PLAN

WHEREAS, the Lake County Planning Commission has recommended the District Boundaries for Tax Incremental District Number Three, County of Lake, and has recommended its creation; and

WHEREAS, the Lake County Planning Commission has recommended the approval of the Tax Incremental District Number Three Project Plan; and

WHEREAS, the governing body of the City of Madison has, pursuant to SDCL 11-9-8 adopted Resolution No. 2014-9, thereby consenting to the creation of Tax Incremental District Number Three, County of Lake, within the municipal boundaries of the City of Madison; and

WHEREAS, the Lake County Commission has considered the boundaries of Tax Incremental District Number Three as sufficient; and

WHEREAS, the Lake County Commission finds that all requirements have been met in order to approve said Project Plan; and

WHEREAS, the Lake County Commission has the powers, pursuant to SDCL 11-9, to create Tax Incremental District Number Three, County of Lake, and to define its boundaries;

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION:

1. Approval of Project Plan. The Tax Incremental District Number Three Project Plan is hereby approved, a copy of which is on file with the County Auditor.
2. Authority and Declaration of Necessity. The Lake County Commission (hereinafter referred to as the "Commission"), declares the necessity for the creation of Tax Incremental District Number Three, (hereinafter referred to as the "District"), pursuant to SDCL Chapter 11-9. Further, the Commission finds that the improvement of the area within the District is likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within the county.
3. Findings. All findings made in the tax increment plan are included herein by reference. The plan is feasible and in conformity with the master plan of the County. The Commission makes the following findings:
    a. That no less than fifty percent (50%) by area of the real property within the proposed Tax Incremental District will stimulate and develop the general economic welfare and prosperity of the State of South Dakota through the promotion and advancement of affordable housing.
    b. Improvements to the District will significantly and substantially enhance the value of all property within the District.
    c. The aggregate assessed value of the District plus the tax incremental base of all other existing Districts in the county does not exceed Ten (10%) percent.
    d. The boundaries of the District are as follows:
        i. Parcel 1: Lots 1-2 & S 1/2 Lot 3 Block 8 shown on the Plat of A. A. Bartlett's Addition to Madison, SD;
        Parcel 2: Lots 1-6 Block 1 A. A. Bartlett's Addition to Madison, SD.

4. Creation of District. There is hereby created, pursuant to SDCL Chapter 11-9, Tax Incremental District Number Three, County of Lake. The District is hereby created on the day this Resolution becomes effective.
5. Effective 20 Days After Publication. This resolution shall become effective 20 days after publication and absent any challenge at law all findings and conclusions in the tax increment plan for Tax Incremental District Number Three shall be final.

Voting aye: Bohl, Golden, Hageman, Pedersen and Wollmann Voting nay: none

Approved this 19th day of August, 2014.

/s/Scott Pedersen

Chairman, Lake County Commission

ATTEST:

/s/Roberta Janke

Lake County Auditor

RESOLUTION 14-13/TID#3:

Motion by Wollmann, second by Bohl, to approve the chairman sign Resolution 14-13. Motion carried.

RESOLUTION NO. 14-13

RESOLUTION APPROVING DEVELOPER'S AGREEMENT

WHEREAS, the Lake County Commission has after notice, public meetings and due consideration created Tax Increment District No. Three in Lake County and

WHEREAS, a Plan for development within said District has been prepared, reviewed, and considered by the Commission and a copy of said plan has been filed with the Auditor of Lake County at the Courthouse in Madison, South Dakota, and

WHEREAS, an Agreement with BBJ Madison Properties East, LLC establishing the terms and conditions for development within said District has been prepared, reviewed and considered by the Commission and a copy of said agreement has been filed with the Auditor of Lake County at the Courthouse in Madison, South Dakota and

WHEREAS, it is in the best interest of the County for reason set out in such Plan and Agreement that the Plan and agreement be accepted, approved, adopted and executed.

BE IT RESOLVED BY THE COUNTY COMMISSION

1. That Lake County, pursuant to SDCL Chapter 11-9, hereby established, accepts, adopts and authorizes execution of the Developer's Agreement with BBJ Madison Properties East, LLC for the development of Tax Increment District Number Three, Lake County, South Dakota, as the same is on file with the Auditor of Lake County.
2. The County approves the development agreement in substantially the form attached to the Tax Increment District Number Three project plan and authorize the appropriate officers of the County to execute the same.

Voting aye: Bohl, Golden, Hageman, Pedersen and Wollmann Voting nay: none

Approved this 19th day of August 2014

/s/Scott Pedersen

Chairman, Lake County Commission

ATTEST:

/s/Roberta Janke

Lake County Auditor

REGULAR SESSION:

Motion by Hageman, second by Wollmann, to adjourn as a board of adjustment and return to the regular session. Motion carried.

SCHOOL RESOURCE OFFICER/MADISON CENTRAL:
Vince Schaefer, Tom Farrell and Jennie Thompson, Madison Central Representatives, and Roy Lindsay, Mike Waldner, Justin Meyer and Chuck Pulford, Madison City Representatives, met with the board to discuss the proposed School Resource Officer in the Madison Central School District. The board reviewed a joint agreement for all 3 entities. Farrell discussed the following: looked at SRO's in other communities, all students would benefit with a SRO, and the legislative solution didn't work. Waldner discussed the following: preventing situations from happening, building relationships with law enforcement, SRO would be a Madison City employee, this will be a flexible position, and Madison Police Chief will do the scheduling of SRO. States Attorney Giles spoke in favor of the SRO. He told the board the sheriff is requesting another deputy to provide outreach to the other schools. Ronald Budde asked the following questions of Waldner: primary responsibility of the SRO, will electronic surveillance equipment be used, qualifications needed for the SRO when reporting to many entities, and cost overrun above $75,000. Concerns of the county commission included: all schools in Lake County cannot budget for an SRO but deserve the SRO, and the county commissioners have to look at the welfare of all students in Lake County. Jan Nicolay told those present that the SRO at Madison Central will not have time to go to another school. Sheriff Walburg told of a student victim of assault his department was involved with. Motion by Golden, second by Wollmann, to approve the chairman sign the SRO agreement. Commissioner Hageman asked for more input before they commit to this. Voting aye: Golden and Pedersen. Voting nay: Wollmann, Hageman, and Bohl. Motion failed. The board asked Sheriff Walburg to explain his plans for a new deputy sheriff position. Motion by Bohl, second by Wollmann, to reconsider the prior motion after discussion with Sheriff Walburg. Motion carried. Walburg told the board the 24/7 program is designed to keep people out of jail. This program has created the need for more personnel in the sheriff's dept to monitor the drug patch, scram, and breath tests. This deputy sheriff position would also be available to go to Chester, Rutland and Oldham-Ramona schools. He presented letters from Rutland School and Oldham-Ramona School supporting Walburg's request to add an officer for the School Resource Office program. He told the board the 24/7 Fund cash could be used for this position. Motion by Bohl, second by Wollmann, to approve the chairman sign the SRO agreement with the City of Madison and Madison Central School for $25,000 for 3 years. Motion carried.

2015 BUDGET DISCUSSION:
Auditor Janke asked Sheriff Walburg if $25,000 was the correct number to transfer out of the 24/7 Fund for 2015. He agreed to $25,000. Janke told the board the Director of Equalization requested a part-time with benefits position and different vehicle for 2015. A pictometry program amount will be reduced and assigned at yearend. Amounts will be included in 2015 for both requests. The board reviewed the requests that were 25% or more than 2014. Commissioner Wollmann recuses herself from discussion on Prairie Village. The board reduced Prairie Village by $2,000 and Community Service worker by $2,527. A tractor lease payment will be added to the Building Fund budget. Commissioner Golden would like to see a part-time position for Information Technology.

TRAVEL REQUESTS:
Debra Reinicke to attend the Planning Conference on October 22-23, 2014 at Watertown SD.
Glenda Blom to attend the State Fair on August 27-29-30, 2014 at Huron SD.

JULY 2014 REPORTS RECEIVED: Register of Deeds fees collected $14,868.50, Auditor's account with the Treasurer $6,196,194.26 in all accounts, Sheriff fees collected $8,569.00, Zoning &Drainage $4,455.00.

ADJOURNMENT:

The board adjourned at 1:04 p.m.

RECONVENE:

The board reconvened as Dave Fedeler, Hwy Supt., and Debbie Rowley, Hwy Office Manager, were present to discuss an emergency situation with the overlay project. Myrl & Roy's Paving Inc. was told by the Hwy Dept. that CR#23 had a 5 inch base. In reality it has a 1 ½ inch base so the road did not allow milling and salvage of recycled asphalt pavement. Since milling is not possible, the existing roadway will require leveling course to fill the ruts in the driving lanes. States Attorney Giles was called to the meeting to discuss this change order needed on the overlay bid. The budget line for overlay is $614,961 and the new project cost will be $765,850.19. Auditor Janke, Fedeler, and Rowley will review the 2014 budget. Janke will advertise a budget supplement for 2014. They will also review the 2015 budget request for possible revisions. Motion by Hageman, second by Wollmann, to approve the change order with Myrl & Roy's Paving Inc for approximate project cost of $765,850.19 for CR#23 and cancel segment 2 (3 miles on CR25) this year due to this increased cost. Motion carried.

ADJOURNMENT:

There being no further business to come before the board, Chairman Pedersen at 1:33 p.m. adjourned the meeting until September 2, 2014 at 8 a.m.

/s/Roberta Janke	/s/Scott Pedersen
ROBERTA JANKE	SCOTT PEDERSEN
Lake County Auditor	Chairman, Lake County Commission

Published at the total approximate cost of $