

LAKE COUNTY COMMISSION MINUTES

December 6, 2011

The Board of Lake County Commissioners met in regular session on December 6, 2011 at 9 a.m. in the commission meeting room at the Lake County courthouse with the following members present: Roger Hageman, Scott Pedersen, and Kelli Wollmann.

Absent: Dan Bohl and Chris Giles. Chairman Pedersen called the meeting to order.

AGENDA APPROVED:

Motion by Wollmann, second by Hageman, to approve the agenda of December 6, 2011 with the addition of lake access area. Motion carried.

MINUTES APPROVED:

Motion by Hageman, second by Wollmann, to approve the minutes of November 15, 2011. Motion carried.

PAYROLL APPROVED:

Motion by Wollmann, second by Hageman, to approve the payroll of November 14-27, 2011. Motion carried.

COMMISSIONERS: \$3,612.44; AUDITORS OFC: \$4,553.76; TREASURERS OFC: \$3,925.58; STATES ATTY OFC: \$5,498.27; GOVT BLDGS: \$3,640.16; DIR EQUALIZATION OFC: \$4,326.40; REGISTER DEEDS OFC: \$3,104.79; VSO: \$199.20; SHERIFF OFC: \$10,366.95; JAIL: \$5,947.51; EMA: \$1,399.44; 911 COMM CENTER: \$7,569.48; ROAD & BRIDGE: \$16,180.82; CHN: \$1,333.92; WIC: \$96.16; EXTENSION: \$1,243.20; ZONING: \$1,168.20; ENVIRONMENTAL SPECIALIST: \$1,341.00. GRAND TOTAL \$75,507.28.

ACCOUNTS PAYABLE APPROVED:

Motion by Hageman, second by Wollmann, to approve the following accounts payable (4). Motion carried.

Accounts Payable 11-21-11, General Withholdings: Lake Co Treasurer, withholdings, \$9,492.94, Dakotaland Fed Cr Union, \$372.00, **Gvt Bldg:** Northwestern Energy, Util, \$105.34, **SAR:** Northwestern Energy, Util, \$13.44, **Extension:** Northwestern Energy, Util, \$63.56, Lake Co Treasurer, withholdings, \$3,692.50, Dakotaland Fed Cr Union, \$725.00, **Hwy Road & Bridge:** Northwestern Energy, Util, \$16.61, Lake Co Treasurer, withholdings, \$1,680.58, **911 Comm:** Office Child Support Enf, Ch Support, \$154.15, Centurylink, Service, \$909.71, Lake Co Treasurer, withholdings, \$439.25, **Flex Spending Acct:** One recipient, \$208.33, One recipient, \$120.00, Grand Total: \$17,993.41,

Accounts Payable 11-30-11, General Withholdings: Aflac, Cancer-Int Care Premium, \$1,270.04, Johnson Rodenburg, Nov collections, \$300.00, Lake County Treasurer, Adv Taxes, \$88.20, SD Retirement System, Nov 11 Collections, \$5,907.08, SD Supp Retirement Plan, Nov 11 Collections, \$595.00, Dakota Eye Care, Dec 11 Premium, \$315.32, Wellmark Bcbs of SD, Dec 11 Premium, \$1,533.54, **Commissioner:** Assurant Employee Benefit, Dec 11 Life Ins Premium, \$28.81, Dakota Eye Care, Dec 11 Vision Premium, \$36.10, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$405.61, Sioux Valley Energy, Brant Lk Sirens, \$116.67, Midcontinent Comm, Service, \$7.20, **Auditor:** SD Retirement System, Nov 11 Collections, \$522.12, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$19.35, Dakota Eye Care, Dec 11 Vision Premium, \$21.66,

Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$811.22, Midcontinent Comm, Service, \$21.62, **Treasurer:** SD Retirement System, Nov 11 Collections, \$501.66, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$19.35, Dakota Eye Care, Dec 11 Vision Premium, \$21.66, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$1,216.83, **IT:** Shoenrock, Derrick, internet parts, \$275.59, **St Atty:** SD Retirement System, Nov 11 Collections, \$633.23, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$19.35, Dakota Eye Care, Dec 11 Vision Premium, \$21.66, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$405.61, Midcontinent Comm, Service, \$28.83, **Govt Bldg:** SD Retirement System, Nov 11 Collections, \$436.80, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$19.35, Dakota Eye Care, Dec 11 Vision Premium, \$21.66, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$811.22, Midcontinent Comm, Service, \$7.20, **DOE:** SD Retirement System, Nov 11 Collections, \$520.62, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$20.96, Dakota Eye Care, Dec 11 Vision Premium, \$23.46, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$1,318.23, Midcontinent Comm, Service, \$21.62, **ROD:** SD Retirement System, Nov 11 Collections, \$348.25, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$11.18, Dakota Eye Care, Dec 11 Vision Premium, \$14.44, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$405.61, Midcontinent Comm, Service, \$14.42, **VSO:** SD Retirement System, Nov 11 Collections, \$23.90, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$0.97, Dakota Eye Care, Dec 11 Vision Premium, \$1.08, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$60.84, **Sheriff:** SD Retirement System, Nov 11 Collections, \$1,460.61, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$2,433.66, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$38.70, Dakota Eye Care, Dec 11 Vision Premium, \$43.32, **Jail:** SD Retirement System, Nov 11 Collections, \$735.90, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$1,622.44, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$25.80, Dakota Eye Care, Dec 11 Vision Premium, \$28.88, Midcontinent Comm, Service, \$79.29, Verizon Wireless, Service, \$133.50, **Coroner:** Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$405.61, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$6.45, Dakota Eye Care, Dec 11 Vision Premium, \$7.22, **Support of Poor:** Midcontinent Comm, Service, \$7.20, **CHN:** SD Retirement System, Nov 11 Collections, \$137.00, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$405.61, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$6.45, Dakota Eye Care, Dec 11 Vision Premium, \$7.22, **Extension:** SD Retirement System, Nov 11 Collections, \$147.78, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$405.61, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$6.45, Dakota Eye Care, Dec 11 Vision Premium, \$7.22, Midcontinent Comm, Service, \$7.20, **Weed:** Midcontinent Comm, Service, \$7.20, **Zoning:** SD Retirement System, Nov 11 Collections, \$140.18, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$304.21, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$4.84, Dakota Eye Care, Dec 11 Vision Premium, \$5.42, Midcontinent Comm, Service, \$7.20, **Env Specialist:** SD Retirement System, Nov 11 Collections, \$144.00, Assurant Employee Benefit, Pymt Adjustment, \$1.32cr, **Hwy Road & Bridge:** Aflac, Cancer-Int Care Premium, \$365.54, Lake County Treasurer, Adv Taxes, \$87.00, SD Supp Retirement Plan, Nov 11 Collections, \$440.00, SD Retirement System, Nov 11 Collections, \$3,962.73, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$5,000.73, Assurant Employee Benefit, Dec

11 Life Ins Premium, \$77.40, Dakota Eye Care, Dec 11 Vision Premium, \$252.76, Sioux Valley Energy, Hwy 34 Lights, \$124.80, Midcontinent Comm, Service, \$7.20, **911 Comm:** Aflac, Cancer-Int Care Premium, \$66.86, SD Retirement System, Nov 11 Collections, \$1499.57, SD Supp Retirement Plan, Nov 11 Collections, \$30.00, Dakota Eye Care, Dec 11 Premium, \$73.64, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$2,101.87, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$32.25, Midcontinent Comm, Service, \$7.20, Sioux Valley Energy, Service, \$80.34, **EMA:** Aflac, Cancer-Int Care Premium, \$79.14, SD Retirement System, Nov 11 Collections, \$359.78, Dakota Eye Care, Dec 11 Premium, \$9.46, Wellmark Bcbs of SD, Dec 11 Health Ins Premium, \$344.77, Assurant Employee Benefit, Dec 11 Life Ins Premium, \$5.48, Midcontinent Comm, Service, \$14.42, **LEPC:** Sioux Valley Wireless, Web Hosting, \$19.95, Grand Total: \$43,046.06,

Accounts Payable 12-2-11, General Withholdings: Dakotaland Fed Cr Union, \$372.00, Lake Co Treasurer, withholdings, \$10,404.73, **Hwy Road & Bridge:** Dakotaland Fed Cr Union, \$360.00, Lake Co Treasurer, withholdings, \$3,657.79, **911 Comm:** Lake Co Treasurer, withholdings, \$1,867.43, Office Child Support Enf, Ch Support, \$154.15, **EMA:** Lake Co Treasurer, withholdings, \$439.26, **Flex Spending:** One recipient, \$208.33, One recipient, \$120.00, Grand Total: \$17,583.69,

Accounts Payable 12-7-11, Commissioner: Design Arc, Services, \$444.40, Myrl & Roy's Paving, Snow Sand-Lk Access, \$198.00, Campbell Supply, Gate-Lk Access, \$139.59, Janke, Roberta, supplies, \$4.02, Reinicke, Debra, Mileage, \$36.26, Pitney Bowes, Lease, \$1.41, Wollmann, Kelli, Mileage, \$24.23, **Election:** Pitney Bowes, Lease, \$27.39, Barrick, Paula, School Exp, \$30.96, Best Western Ramkota Hot, Lodging, \$320.00, Janke, Roberta, School Exp/Mileage, \$167.47, Walker, Linda, School Exp, \$33.78, **Judicial:** Leibel, Jay, Crt Appt Atty, \$1,041.00, Stanford, Lori, Crt Appt Atty, \$371.50, SDACC-Clerp, Clerp Qtrly Pymt, \$800.99, Parent, Philip, Dec Public Defender Contract, \$4,770.41, Pitney Bowes, Lease, \$22.05, West Group Payment Center, books, \$133.00, WITNESS-JUROR-APPEARANCE FEES/MILEAGE: Black, Franklin, \$55.18, Blazek, Debra, \$20.00, Blazek, Hunter, \$20.00, Blazek, Joel, \$20.74, Hageman, Lance, \$64.80, Hansen, Joann, \$50.74, Heath, Jennifer, \$20.74, Kappenman, Angi, \$51.48, Riedel, Halley, \$50.74, Schlisner, Graydon, \$58.14, Singleterry, Chad, \$61.44, Spotanske, Scott, \$55.92, Wettlaufer, Carly, \$64.80, **Auditor:** Marco, Copier Maint, \$29.06, Janke, Roberta, Ink Cart, \$70.96, McLeods Office Supply, Green Bar, \$813.30, Madison Instant Printing, supplies, \$130.00, Pitney Bowes, Lease, \$55.81, Bureau of Adm, Oct Bit Billing, \$5.00, **Treasurer:** Mastel, Bruce, Host Database, \$55.00, Century Business, Copier Maint, \$50.00, Lake County Treasurer, Postage, \$55.90, McLeods Office Supply, Green Bar, \$44.90, Pitney Bowes, Lease, \$110.69, Wollmann, Kelli, Mileage, \$24.24, Bureau of Adm, Oct Bit Billing, \$15.00, **St Atty:** First Madison Insurance, Notary Bond fee, \$80.00, Yahoo Custodian of Record, Request Information, \$20.44, US Bank Nat'l Assn, Subpoena fees, \$16.25, A & B Business, Prints, \$26.19, Lake County Treasurer, Postage, \$5.59, Office Peeps, supplies, \$225.22, Pitney Bowes, Lease, \$18.65, Office Peeps, supplies, \$227.99, **Gvt Bldg:** Chemco, supplies, \$38.61, Cole's Petroleum, Fuel, \$95.45, Colonial Research, supplies, \$318.18, Hillyard/SF, supplies, \$178.72, Madison Ace Hardware, supplies, \$14.73, Timmer Supply, supplies, \$145.95, Campbell Supply, Compressor-PS Bldg, \$313.09, Shoenrock, Derrick, Mileage-parts, \$39.22, City of Madison, Field Dreams,

\$10.58, Shred-It Sioux Falls, Service, \$74.46, City of Madison, Util, \$816.08, **DOE:** Office Peeps, Copier Maint/Usage, \$35.60, Central Business, supplies, \$55.95, McLeods Office Supply, Green Bar, \$44.90, Madison Radioshack, SanDisk, \$23.99, Pitney Bowes, Lease, \$52.23, Campbell Supply, supplies, \$17.99, Cole's Petroleum, Fuel, \$120.08, **ROD:** Pitney Bowes, Lease, \$17.72, Bureau of Adm, Oct Bit Billing, \$5.00, **VSO:** Pitney Bowes, Lease, \$1.54, **Sheriff:** Madison Community Hosp, BI Alcohols, \$806.00, Lake County Treasurer, Postage, \$7.03, Office Peeps, supplies, \$48.98, Pitney Bowes, Lease, \$9.70, Cole's Petroleum, Fuel, \$1,293.18, **Jail:** Northland Family Practice, Services, \$289.00, Midwest Protection Agency, Transport prisoner, \$895.00, Lewis Drug, prisoner Meds, \$171.70, Minnehaha Co Treasurer, female housing, \$540.82, City Of Madison, Util, \$763.23, Brown's Cleaning, Nov Laundry, \$500.00, **Coroner:** Weiland, Ted, Lynn Williams Fee, \$65.90, **SAR:** Pitney Bowes, Lease, \$.18, City of Madison, Util, \$129.86, M & T Fire & Safety, Helmet Repairs, \$821.54, Pamida, Scanner, \$99.99, **Support of Poor:** Pitney Bowes, Postage Lease, \$2.58, Senior Companions of SD, 4th Qtr Allotment, \$375.00, Lake Co Food Pantry, 4th Qtr Allotment, \$200.00, **CHN:** Pitney Bowes, Lease, \$23.02, **Ambulance:** Madison Community Hosp, 4th Qtr Allotment, \$4,375.00, **Care of Aged:** East Dakota Transit, 4th Qtr Allotment, \$2,250.00, **Drug Abuse;** Community Counseling, 4th Qtr Allotment, \$2,092.50, **Mental Health Center:** Community Counseling, 4th Qtr Allotment, \$2,092.50, **MI Board:** Avera University, MI Services, \$151.76, Ericsson, Richard, MI Service, \$164.00, Slowey Court Reporting, MI Hearing, \$27.50, Horn, Garrett, MI Crt Appt Atty, \$229.40, **Public Library:** Madison Public Library, 4th Qtr Allotment, \$1,500.00, **Extension:** Marco, Copies, \$347.28, Best Business Products, Copier Lease, \$113.00, Central Business Supply, Calendar, \$24.99, Lewis Drug, supplies, \$8.15, Loopy's Dollar Store, supplies, \$14.00, Madison Ace Hardware, supplies, \$11.49, SDSU Extension Service, Mileage/St Vehicle, \$83.46, City of Madison, Util, \$300.55, Power Promotions, Purple Ribbons, \$750.00, **Soil Cons Dist:** Lake County Cons District, 4th Qtr Allotment, \$13,220.00, **Weed:** Cole's Petroleum, Fuel, \$276.43, Johnson, Robert, Mtg Exp, \$14.00, **Zoning:** First District Assn, 4th Qtr Allotment, \$3,975.75, Pitney Bowes, Lease, \$11.49, **Economic Dev/Tourism:** Lake Area Improvement Cr, 4th Qtr Allotment, \$6,250.00, Smith-Zimmermann Museum, 4th Qtr Allotment, \$750.00, **Hwy Road & Bridge:** One Recipient, Ins/clothing Reimbursements, \$600.00, American Eng Testing, services, \$1,045.00, One recipient, Crop Damage/Flooding R22, \$960.00, One recipient, CDL Reimbursement, \$25.00, G & H Radiator Repair, services, \$135.00, Aramark Uniform Services, Aprons/Rugs, \$128.08, Bierschbach Equipment, supplies, \$60.76, Boyer Trucks-SF, parts, \$18.86, Fastenal, Hardware, \$44.99, Hillyard/Sioux Falls, supplies, \$166.25, Madison Ace Hardware, supplies, \$168.96, Meridian Grain, Deliver Road Salt, \$3,072.13, Myrl & Roy's Paving, Snow Sand, \$1,077.00, Sanitation Products, parts, \$54.84, Share Corp, supplies, \$199.26, Contech Construction, Pipe, \$12,150.90, Central Business, supplies, \$24.73, Lake County Treasurer, Stamps, \$88.00, McLeods Office Supply, Green Bar, \$134.70, Cole's Petroleum, Fuel, \$14,914.73, Butler Machinery, Blades/parts, \$3,081.79, Graham Tire SF North, tires/service, \$2,168.86, WW Tire Service, Tires, \$1,550.60, City of Madison, Util, \$404.10, MidAmerican Energy, Util-Ramona, \$19.19, Lyle Signs, signs, \$832.11, SD DOT, wood post, \$770.56, Schuneman Equipment Saw, \$1,054.24, Michael Johnson Const, Pea Rock, \$6,992.50, **911 Comm:** Language Line Services, Oct Usage, \$90.00,

Pitney Bowes, Lease, \$1.79, Quill Corp, supplies, \$159.15, Campbell Supply, supplies, \$15.99, **EMA:** Pitney Bowes, Lease, \$1.75, Central Business, supplies, \$20.18, Danko Emergency Equip, Upgrade Sirens, \$1,194.00, Thomson, Donald, Shipping, \$71.35, DMS, Inc, Triage Tags, \$732.68, **Law Library:** West Group Payment Center, Oct Online Service, \$577.53, **Grand Total:** \$114,544.96

HVAC/ELECTRICAL RETROFIT PROJECT/PROGRESS REPORT:

Derrick Shoenrock, Bldgs & Grounds Supt., discussed the following items with the board concerning the progress on the hvac/electrical retrofit project: Dec 1st the heat system was brought on line, 100% of heat to date is from the geothermal system. Commission Chris Giles in attendance.

Other items discussed: the project being substantially complete so no penalties assessed, heater in EMA office bathroom, 8 outside lights, fire alarm system, lights in courtroom, ceiling falling down in the zoning office. Shoenrock discussed the \$520 bill to fix the ceiling in the Zoning office, cost of \$4,364 involved with adding acoustical tile ceilings in the CHN and DOE offices, cost of \$1,400 to install new lighting in the CHN office, Redlinger Bros to issue credit of \$1,540 on ceiling projects in CHN and DOE office (hide holes and wires).

Motion by Giles, second by Wollmann, to approve up to \$5,000 to upgrade and make repairs to ceilings and lighting in the Zoning, Director of Equalization, and Community Health Nurse offices. Motion carried.

Commissioner Giles discussed the States Attorney's office needing a new light near copier. Shoenrock to obtain quote and return to the board for approval.

RECORD RETENTION/BASEMENT:

Commissioner Wollmann presented a video of the vaults and rooms in the courthouse basement. She would like to see the areas reorganized to make it more accessible for the public and would work with the Auditor, Treasurer, and Register of Deeds in reorganizing their vaults. Shoenrock to assist Wollmann as necessary.

PUBLIC ACCESS AREA:

Chairman Pedersen discussed the hookup fee from the Lake Madison Sanitary District with the board. The hookup fee will go from \$3,000 to \$5,000 on January 1, 2012. Chairman is exploring the idea of a combined storm shelter and bathroom at the lake access area and discussed the idea of selling some property in this area. Motion by Giles, second by Wollmann, to approve the \$3,000 hookup fee to the Lake Madison Sanitary District from the committed for lake access area fund balance. Motion carried.

EXECUTIVE SESSION:

Motion by Hageman, second by Wollmann, to enter into executive session for pending litigation. Motion carried. Ken Meyer, States Attorney and Auditor Janke in attendance.

REGULAR SESSION:

Motion by Wollmann, second by Hageman, to return to the regular session. Motion carried.

MADISON LEADERSHIP GROUP:

The Madison Leadership group toured the courthouse and attended the commission meeting. Introductions were made and the commission welcomed the group to the meeting.

DRAINAGE BOARD:

Debra Reinicke, Drainage officer, presented the following drainage application to the board.

Drainage application #11-25, Duane & Barb Hyland Trust, N½ Section 30-108-52, Nunda Twp, new tile. Duane and Barb Hyland were present to discuss application. U.S. Fish and Wildlife was notified but did not appear. Duane Hyland explained his project to the board. Calvin Jatton was present to discuss his opposition to this project and the history of problems with other drainage issues. Reinicke left the meeting to see if the ditches were vested. She returned to say Hyland's ditches are vested. Motion by Giles, second by Hageman, to approve drainage application 11-25 for Duane & Barb Hyland. Motion carried.

The board directed Reinicke to invite Chuck Lebeda to a meeting on December 20, 2011 at 10:30 a.m. to discuss the problem in Nunda Twp Section 31 and 32 where maintenance is needed at the site where 6 culverts are placed.

Drainage application #11-26, Lynette Molstad Trust/John Molstad, NE1/4 Section 26-108-54, Wayne Twp, new tile. John Molstad was present to discuss project.

U.S. Fish and Wildlife was notified but did not appear. Motion by Hageman, second by Giles, to approve drainage application 11-26, Lynette Molstad Trust. Motion carried.

REGULAR SESSION:

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

GIS PROJECT/DOE:

Shirley Ebsen, Director of Equalization, met with the board to update them on the GIS project. Ebsen is not satisfied with the progress made on this project. She suggested paying the balance for 2011 on December 20th and not paying the balance due on January 31, 2012 until the project is finished and the staff has received appropriate training. The board concurred with Ebsen. Ebsen to send letter to Schneider Corp with assistance from the States Attorney. Ebsen also discussed the 25% position in her office.

AMENDED RESOLUTION AND ORDER:

Jerome Lammers, Attorney, presented an amended resolution and order for the board's approval. A plat is being processed to more accurately define the vacated right-of-way. Jeff Heinemeyer and Steven Unverzagt were in attendance. Motion by Giles, second by Wollmann, to approve amended resolution and order. Motion carried.

RESOLUTION AND ORDER

The Board of County Commissioners of Lake County, South Dakota, having received a petition by Steven Unverzagt, Eric Unverzagt, Chris Unverzagt, Jeff

Heinemeyer and Richard Bothwell, at least two of whom are residents and voters of Lake County, South Dakota, to vacate a public right-of-way described as follows:

That part of the north one-half (1/2) of 237th Street/461A Avenue, which is forty-one and one-quarter feet (41.25') in width, which lies directly north and west of the said county road, beginning at a point where the north side of said road intersects Lot Twenty-seven (27), in Zimmerman Park, west to and terminating at Lake Madison, approximately forty-three feet (43') east to west, all adjacent to Lot Twenty-seven (27) in Zimmermann Park in Lake County, South Dakota, situated in Government Lot Three (3), Section Thirty-two (32), Township One Hundred Six (106), Range Fifty-one (51), and the names of the legal and equitable owners of the land adjacent to or through which said road and street pass are Steven Unverzagt, Eric Unverzagt and Chris Unverzagt; and

That part of the south one-half (1/2) of 237th Street/461A Avenue, which is forty-one and one-quarter feet (41.25') in width, which lies directly west of the said county road, beginning at the west side of the south half of said road, west through Lot 9A of Pipestone Pass First Addition to and terminating at Lake Madison, approximately forty-three feet (43') or less, east to west, situated in Government Lot Three (3), Section Thirty-two (32), Township One Hundred Six (106), Range Fifty-one (51), and the names of the legal and equitable owner of the land adjacent to or through which said road and street pass is Lakes Community Homeowners Association;

and it further appearing, and the said Board of County Commissioners so finding, that the public interest will be better served by such proposed vacating of said public right-of-way; that said Board of County Commissioners having set Tuesday, the 6th day of September, 2011, at 12:15 o'clock p.m., at the County Commission Room at the Courthouse in Lake County, South Dakota, as the day, time and place for public hearing on said petition, and notice of said hearing having been duly published according to law, and said Board of County Commissioners having fully reviewed the petition of Steven Unverzagt, Eric Unverzagt, Chris Unverzagt, Jeff Heinemeyer and Richard Bothwell, and being fully advised in the premises; and said Board of County Commissioners having found and determined that Steven Unverzagt, Eric Unverzagt, Chris Unverzagt, Jeff Heinemeyer and Richard Bothwell, the latter two on behalf of Lakes Community Homeowners Association, Inc., are the owners of all property adjoining said public right-of-way as described in their petition, and said Board of County Commissioners having passed a Resolution and Order to vacate said public right-of-way as described above; and, thereafter, petitioners and landowners having expressed a desire to plat the vacated right-of-way in order to more accurately define said vacated right-of-way, a copy of which proposed plat is hereto attached and marked Exhibit A, and said

Resolution and Order coming back before the Board of County Commissioners for a vote upon an amendment of said Resolution and Order which would permit the said owners to plat the property being vacated and upon motion of Chris Giles, and seconded by Kelli Wollman, and said vote having resulted in 4 in favor of said Amended Resolution and Order and 0 against said Amended Resolution and Order, therefore duly adopted.

Upon this approval of the vacation by the Board of County Commissioners, the property owners intend to officially plat the vacated road right-of-way and shall submit this plat as an exhibit for public record, so as to specifically define the individual lots in accordance with this Amended Resolution and Order.

NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDERED, that the above described public right-of-way be, and the same hereby is, vacated, and NOTICE IS HEREBY GIVEN, as required by SDCL 31-3-9, that thirty (30) days after the last publication of this notice, said public right-of-way will be vacated as provided by law and without further proceedings.

Dated this 6th day of December, 2011.

/s/Scott Pedersen
SCOTT PEDERSEN, Chairman
Board of County Commissioners
Lake County, South Dakota

ATTEST:

/s/Roberta Janke
ROBERTA JANKE
Lake County Auditor

CITY OF MADISON/RESOLUTION 11-20:

Fred Snoderly, Public Works Director of City of Madison, met with the board to discuss a solid waste application with the SD DENR for the construction and operation of a yard waste/compost facility located in the NE1/4 Section 17, T106N, R52W, Lake County. Motion by Giles, second by Hageman, to approve Resolution 11-20. Motion carried.

**RESOLUTION 11-20
THE CITY OF MADISON**

WHEREAS, the City of Madison desires to establish a yard waste/compost facility for the purpose of solid waste management; and

WHEREAS, the City of Madison has approved siting the proposed facility; and

WHEREAS, the siting of this proposed facility is not in conflict with any established zoning laws or ordinances; and

WHEREAS, the City of Madison will file a solid waste application with the South Dakota Department of Environment and Natural Resources (DENR); and

WHEREAS, DENR will review that application to determine that the facility can be operated within the South Dakota laws and regulations; and

WHEREAS, DENR may recommend the approval of the permit with conditions adequate to safeguard the environment; and

WHEREAS, the Board of Minerals and Environment will review, modify, approve, or deny the permit if the tentative recommendations and/or conditions of the permit are contested by any interested party; and

WHEREAS, the County Commission of Lake County is required by South Dakota law SDCL 34A-6-103 to approve of a solid waste facility prior to the issuance of a solid waste permit;

IT IS THEREFORE RESOLVED that the County Commission of Lake County hereby approves construction and operation of the proposed facility to be operated under the terms of a solid waste permit to be issued by the Board of Minerals and Environment.

Voting aye: Giles, Hageman, Pedersen, Wollmann Voting nay: none

Dated this 6th day of December, 2011.

/s/Scott Pedersen

Scott Pedersen

Chairman, Lake County Commission

ATTEST:

/s/Roberta Janke

Roberta Janke

Lake County Auditor

EAST DAKOTA TRANSIT/FUNDING:

Commissioner Giles discussed a 30% cut from state funding for the East Dakota Transit. He suggested \$1,500 from the contingency fund be paid to East Dakota yet this year. Auditor Janke told commission she would need to advertise this as a supplemental budget request. The board agreed to have Janke advertise.

CHN QTRLY REPORT:

Jen Fouberg, CHN, presented the 3rd quarter report for the Community Health office.

2012 CHN CONTRACT:

Auditor Janke asked Fouberg to explain the 2012 contract between the Lake County Commission and the SD Dept of Health, Community Health Service. The amount for 2012 is \$12,360 down from 2011 \$13,390. Fouberg said after their last analysis it was determined they had more staff than was necessary. Motion by Giles, second by Wollmann, to approve the 2012 CHN contact. Motion carried.

SUPPORT OF POOR:

Peggy Young, Welfare Manager, presented the following applications to the board.

Indigent 11-8: Motion by Giles, second by Wollmann, to deny assistance based on lack of information provided by the indigent. Motion carried.

Indigent 11-9: Motion by Giles, second by Wollmann, to approve assistance to Indigent 11-9 contingent on \$20 per month repayment, bills figured at the medicaid rate, and one bill for child paid by medicaid. Motion carried.

Indigent 11-10: Motion by Wollmann, second by Hageman, to deny assistance to Indigent 11-10 based on refusal to assist with application. Motion carried.

Commissioner Wollmann asked Young on her opinion on drug testing indigents prior to assistance. Wollmann attended the Sioux Valley District meeting where this topic was discussed.

RESOLUTION 11-21/MADISON COMM HOSPITAL:

Tammy Miller, Madison Community Hospital, met with the board to ask for support from the Lake County Commission to pursue funding for a potential replacement building. Motion by Hageman, second by Wollmann, to approve Resolution 11-21. Motion carried.

**RESOLUTION 11-21
MADISON COMMUNITY HOSPITAL**

WHEREAS, the Madison Community Hospital serves 18,000 citizens in the hospital's service area;

WHEREAS, the Lake County Commission is very supportive of the hospital's efforts to improve the health care delivery system in Lake County, South Dakota;

WHEREAS, modern, well designed and well equipped hospitals and clinics are vital to a community;

NOW THEREFORE BE IT RESOLVED, that the Board of Lake County Commissioners supports the board members of the Madison Community Hospital pursuing funding for a potential replacement building.

Voting aye: Giles, Hageman, Pedersen, Wollmann Voting nay: none

Dated this 6th day of December, 2011.

/s/Scott Pedersen

Scott Pedersen

Chairman, Lake County Commission

ATTEST:

/s/Roberta Janke

Roberta Janke

Lake County Auditor

EXECUTIVE SESSION:

Motion by Hageman, second by Wollmann, to enter into executive session for contractual matters. Motion carried. Tim Walburg, Chief Deputy Sheriff, and Auditor Janke in attendance.

REGULAR SESSION:

Motion by Wollmann, second by Hageman, to return to the regular session. Motion carried.

JAIL POLICY/PROCEDURES:

Motion by Giles, second by Hageman, to approve Jen Fouberg, Registered Nurse, to assist with some medical care for jail inmates pursuant to the new jail policy at the rate of \$40 per hour for the first hour and prorated every fifteen minutes thereafter, Fouberg to provide proof of her liability insurance as an independent contractor. Motion carried.

LAST MEETING FOR 2011:

Auditor Janke requested the commission meet on December 29, 2011 at 9 a.m. for a short yearend meeting. Motion by Giles, second by Hageman, to approve Dec 29, 2011 for last meeting in 2011. Motion carried.

AUTOMATIC SUPPLEMENT/CHN BUDGET:

Motion by Hageman, second by Wollmann, to approve the automatic supplement to the CHN Budget/grant-pod line 10100X4351421 for \$1,301.30 based on grant money received. Motion carried.

EXECUTIVE SESSION:

Motion by Wollmann, second by Hageman, to enter into executive session for personnel matters. Motion carried. Debra Reinicke, Zoning officer, and Auditor Janke in attendance.

REGULAR SESSION:

Motion by Hageman, second by Wollmann, to return to the regular session. Motion carried.

DesignArc/Gary Zay:

The commission acknowledged receipt of the letter regarding Meyer's Honey Farm field inspection on November 14, 2011 from Gary Zay, DesignArc. The board advised Reinicke to work with the Director of Equalization, Fire Chief, and contractor to resolve the concerns on A.H. Meyer & Sons Inc building code report. Motion by Giles, second by Hageman, to direct Debra Reinicke to write a letter to Gary Zay, DesignArc, and ask him to complete any reports on projects in Winfred and Chester and submit final bill for services. Motion carried.

MEETINGS ATTENDED:

Dan Bohl and Kelli Wollmann attended the Sioux Valley Dst Meeting at Codington County. Wollman attended the library board meeting. Roger Hageman attended a weed meeting in Mitchell. Chris Giles attended the East Dakota Transit meeting. Chairman Pedersen discussed an email from Kerwin Miller concerning signage at The Harbor on Lake Madison.

REPORTS RECEIVED:

The Sheriff's report for October 2011 was received, fees collected \$4,486.88.

TRAVEL REQUESTS:

Julie Wegener to attend 9-1-1- Coordination Board meeting on December 8, 2011 at Oacoma, SD.

ADJOURNMENT:

Motion by Wollmann, second by Giles, at 1:10 p.m. to adjourn until December 20, 2011 at 9 a.m.

/s/Roberta Janke
ROBERTA JANKE
Lake County Auditor

/s/Scott Pedersen
SCOTT PEDERSEN
Chairman, Lake County Commission

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