

UNAPPROVED MINUTES OFApril 6, 2010

The Moody County Commissioners met in regular session on Tuesday, April 6, 2010 in the County Commissioners' Room in the Courthouse at 9:00 AM, with the following members present: Martin May, Chairman, Alvin Gullickson, David Stenberg, Tony Firman, and Tom Peper, with Lori Schaefers, Auditor as Clerk of the Board.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

To the Honorable Board of County Commissioners, Moody County:

I hereby submit the following report of my examination of the cash and cash items in the hands of the County Treasurer of this County as of March 31, 2010, which includes money collected for schools, cities, townships and state:

Total amount of deposits in bank:	\$ 5,616.24
Total amount of actual cash:	\$ 1,178.20
Total amount of checks and drafts in Treasurer's possession not exceeding 3 days:	\$ 39,743.77
Itemized list of all items, checks and drafts which have been in the treasurer's possession over 3 days:	\$ 517.30
First National Bank Flandreau CD	\$ 2,650,000.00
First National Bank Flandreau Savings	\$ 350,399.54
Colman Home Federal Bank Money Market CD	\$ 141,202.27
Flandreau First Savings Bank CD	\$ 1,175,000.00
TOTAL	\$ 4,363,657.32

Dated this 14th day of April, 2010

Lori Schaefers

Moody County Auditor

Chairman May called the meeting to order. Motion by Firman, seconded by Peper to approve the agenda as amended. All voted "aye". Motion by Gullickson, seconded by Stenberg to approve the minutes of March 23, 2010. All voted "aye".

Auditor Schaefers reviewed pending poor relief cases. Motion by Gullickson, seconded by Peper to deny case #20100218 as applicant did not respond to request for information. All voted "aye". Motion by Stenberg, seconded by Peper to deny case #20100217 as applicant did not respond to request for information. All voted "aye". Motion by Firman, seconded by Gullickson to deny Case #20100216 as applicant did not respond to request for information. All voted "aye". Motion by Peper, seconded by Stenberg to deny Case #20100215B as applicant did not respond to request for information. All voted "aye". Motion by Stenberg, seconded by Gullickson to deny Case #20100215A as applicant did not respond to request for information. All voted "aye". Motion by Firman, seconded by Peper to deny Case #20100214 as applicant did not respond to request for information. All voted "aye". Motion by Gullickson, seconded by Stenberg to deny Case #20100301 as applicant did not respond to request for information. All voted "aye".

Motion by Firman, seconded by Stenberg to accept the estimate of Pulscher Brothers, Inc. to install a medium duty overhead door opener behind the sheriff's office in the amount of \$718.23. All voted "aye". Motion by Gullickson, seconded by Firman to reimburse Shannon Pulscher \$651.60 for two 55-gallon drums of oil to incorporate into the ground to keep down the dust at the 4-H barn, with \$100 to be reimbursed by a donation from the 4-H leaders. All voted "aye".

Schaefers presented a letter from Howard Stimson, grandson of Arthur Stimson, who was courthouse custodian from 1950-1961. Motion by Firman, seconded by Stenberg to authorize Stimson to place in the courthouse a 17" x 21" George Washington's print "The Prayer at Valley Forge" in memory of his grandfather, Arthur Stimson, with the location within the courthouse to be approved by the Commission. All voted "aye".

The second reading of the proposed amendments to The Moody County Zoning Ordinance Chapter 2.04 "A" – Agricultural District, Chapter 4.10 Manufactured Home Provisions, and Chapter 4.22 Wind Energy System Requirements was held. Motion by Firman, seconded by Peper to approve the following ordinance, with all members voting "aye":

Ordinance 2010-01

AN ORDINANCE ENTITLED, an ordinance to amend Moody County Zoning Ordinance 2004-1, as amended, Chapter 2.04 "A" – Agricultural District, Chapter 4.10 Manufactured Home Provisions, and Chapter 4.22 Wind Energy Systems

Requirements.

Be it ordained by the Board of County Commissioners of Moody County, South Dakota that Chapter 2.04 "A" – Agricultural District, Chapter 4.10 Manufactured Home Provisions, and Chapter 4.22 Wind Energy Systems Requirements of Moody County Zoning Ordinance 2004-01, as amended, be amended to change certain chapters of the ordinance.

Additions indicated by italics and underscores

Deletions indicated by overstrikes

CHAPTER 2.04 "A" AGRICULTURAL DISTRICT

Section 2.04.04 Conditional Uses

30. Private Wind Energy Conversion Systems (PWECS)

CHAPTER 4.10 MANUFACTURED HOME PROVISIONS

Section 4.10.02 Type I and Type II Manufactured Homes

6. Variance from Maximum Age Requirement

~~Type I and Type II manufactured homes may receive a variance from the maximum age requirement (Chapter 4.10). The Board of Adjustment may grant a variance if the applicant requesting the placement of the manufactured home meets the following requirements:~~

~~a. The applicant shall provide a photograph of the manufactured home's exterior and interior.~~

~~b. That it shall have been shown to the satisfaction of the Board of Adjustment that the said manufactured home complies with the gas, plumbing, electrical, and construction requirements of Moody County.~~

~~c. That the applicant shall obtain, and present to the Board of Adjustment, the written consent of all property owners owning property immediately adjacent (excluding streets and alleys) to the proposed building site.~~

CHAPTER 4.22 WIND ENERGY SYSTEM (WES) REQUIREMENTS

Section 4.22.01 Purpose

The purpose of this ordinance is to insure that the placement, construction and modification of a Wind Energy System (WES) facility is consistent with the County's land use policies, to minimize the impact of WES facilities, to establish a fair and efficient process for review and approval of applications, to assure a comprehensive review of environmental impacts of such facilities, and to protect the health, safety and welfare of the County's citizens.

Section 4.22.02 Applicability

The requirements of these regulations shall apply to all WES facilities except private facilities with a single tower height of less than seventy-five (75) feet and used primarily for on-site consumption of power.

Section 4.22.03 Federal and State Requirements

All WES shall meet or exceed standards and regulations of the Federal Aviation Administration and South Dakota State Statutes and any other agency of federal or state government with the authority to regulate WES.

Section 4.22.04 General Provisions

1. Mitigation Measures

a. Site Clearance. The permittees shall disturb or clear the site only to the extent necessary to assure suitable access for construction, safe operation and maintenance of the WES.

- b. Topsoil Protection. The permittees shall implement measures to protect and segregate topsoil from subsoil in cultivated lands unless otherwise negotiated with the affected landowner.
- c. Compaction. The permittees shall implement measures to minimize compaction of all lands during all phases of the project's life and shall confine compaction to as small an area as practicable.
- d. Livestock Protection. The permittees shall take precautions to protect livestock during all phases of the project's life.
- e. Fences. The permittees shall promptly replace or repair all fences and gates removed or damaged during all phases of the project's life unless otherwise negotiated with the affected landowner.
- f. Roads
 - i. Public Roads. Prior to commencement of construction, the permittees shall identify all state, county or township "haul roads" that will be used for the WES project and shall notify the state, county or township governing body having jurisdiction over the roads to determine if the haul roads identified are acceptable. The governmental body shall be given adequate time to inspect the haul roads prior to use of these haul roads. Where practical, existing roadways shall be used for all activities associated with the WES. Where practical, all-weather roads shall be used to deliver cement, turbines, towers, assemble nacelles and all other heavy components to and from the turbine sites.
 - ii. The permittees shall, prior to the use of approved haul roads, make satisfactory arrangements with the appropriate state, county or township governmental body having jurisdiction over approved haul roads for construction of the WES for the maintenance and repair of the haul roads that will be subject to extra wear and tear due to transportation of equipment and WES components. The permittees shall notify the County of such arrangements upon request of the County.
 - iii. Private Roads. The permittees shall promptly repair private roads or lanes damaged when moving equipment or when obtaining access to the site, unless otherwise negotiated with the affected landowner.
 - iv. Control of Dust. The permittees shall utilize all reasonable measures and practices of construction to control dust.
 - v. Soil Erosion and Sediment control Plan. The permittees shall develop a Soil Erosion and Sediment Control Plan prior to construction and submit the plan to the County. The Soil Erosion and Sediment Control Plan shall address the erosion control measures for each project phase, and shall at a minimum identify plans for grading, construction and drainage of roads and turbine pads; necessary soil information; detailed design features to maintain downstream water quality; a comprehensive revegetation plan to maintain and ensure adequate erosion control and slope stability and to restore the site after temporary project activities; and measures to minimize the area of surface disturbance. Other practices shall include containing excavated material, protecting exposed soil, stabilizing restored material and removal of silt fences or barriers when the area is stabilized. The plan shall identify methods for disposal or storage of excavated material.

2. Setbacks

Wind turbines shall meet the following minimum spacing requirements.

- a. Distance from ~~existing~~ established off-site residences, businesses, churches, and public buildings owned and/or maintained by a governmental entity shall not be less than one thousand (1,000) feet. ~~Distance from on-site or lessor's the residence of the landowner on whose property the tower(s) are erected shall be not less than one thousand (1,000) feet unless written permission is granted by the affected property owner.~~ five hundred (500) feet. Distance from any such building may be less than one thousand (1,000) feet but shall not be less than one point one (1.1) times the system height provided an appropriate document stating the terms of such agreement is recorded with the Moody County Register of Deeds. For the purposes of this section only, the term "business" does not include agricultural uses.
- b. Distance from public right-of-way shall be not less than one point one (1.1) times the system height. ~~two (2) times the height of the wind turbines, System height shall be measured from the ground surface to the tip of the blade when in a fully vertical position.~~
- c. Distance from any property line shall be not less than one point one (1.1) times the system height, unless appropriate easement has been obtained from adjoining property owner and recorded with the Moody County Register of Deeds. ~~two (2) times the height~~

3. Electromagnetic Interference. The permittees shall not operate the WES so as to cause microwave, television, radio, or navigation interference contrary to Federal Communications Commission (FCC) regulations or other law. In the event such interference is caused by the WES or its operation, the permittees shall take the measures necessary to correct the problem.
4. Lighting. Towers shall be marked as required by the Federal Aviation Administration (FAA). There shall be no external lights on the towers other than what is required by the FAA upon commissioning of the WES. External lights during construction, at entrance level and internal light at all of the levels shall be permitted if required by OSHA, for the unique use of access to the tower or maintenance of the facilities and working inside of the towers. This restriction shall not apply to infrared heating devices used to protect the monitoring equipment. Upon commencement of construction of a Tower, in cases where there are residential uses located within a distance which is three hundred (300) percent of the height of the Tower from the Tower and when required by federal law, dual mode lighting shall be requested from the FAA. Beacon lighting, unless required by FAA, shall not be utilized.
5. Turbine Spacing. The base(s) of the turbines shall be spaced no closer than two and one half (2.5) rotor diameters (RD) (measurement of blades tip to tip) within a string, and 10 RDs between strings. If required during final micro siting of the turbines to account for topographic conditions, up to ten (10) percent of the towers may be sited closer than the above spacing but the permittees shall minimize the need to site the turbines closer.
6. Footprint Minimization. The permittees shall design and construct the WES so as to minimize the amount of land that is impacted by the WES. Associated facilities in the vicinity of turbines such as electrical/electronic boxes, transformers and monitoring systems shall ~~to the greatest extent feasible~~ be mounted on the foundations used for turbine towers or inside the towers or close to the foundation (according to electrical code minimum distance requirements) unless otherwise negotiated with the affected landowner.
7. ~~Electrical Cables~~ Collector Lines. Collector lines are the conductors of electric energy from the Wind Energy System to the feeder lines. When located on private property the permittees shall place electrical lines, known as collectors, and communication cables underground between the WES tower and the feeder lines when located on private property. The exception to this requirement is when environmental constraints and/or the total distance of collectors from the substation require an overhead installation due to line loss from an underground installation. Collectors and cables shall also be placed within or immediately adjacent to the land necessary for turbine access roads unless otherwise negotiated with the affected landowner. This paragraph does not apply to feeder lines.
- ~~8. Feeder Lines. The permittees shall place overhead electric lines, known as feeders, on public rights-of-way if a public right-of-way exists. Changes in routes may be made as long as feeders remain on public rights-of-way and approval has been obtained from the governmental unit responsible for the affected right-of-way. If no public right-of-way exists, the permittees may place feeders on private property. When placing feeders on private property, the permittees shall place the feeder in accordance with the easement negotiated with the affected landowner. The permittees shall submit the site plan and engineering drawings for the feeder lines before commencing construction.~~
8. Feeder Lines. Feeder lines are the conductors of electric energy from the collector lines to the main electric terminal. The permittees shall submit the site plan and engineering drawings for overhead electric lines, known as feeders prior to approval for conditional use permit. Final placement of Feeder Lines shall be approved by the Board of Adjustments.
- Feeder Lines shall be placed on private property. When placing feeders on private property, the permittees shall place the feeder in accordance with the easement negotiated with the affected landowner. Where proper easement may not be attained by the permittees, feeders may be placed in public rights-of-way provided the following conditions are met:
 - a. Concrete or other similar materials used in the construction of the support structure is not exposed or visible above ground
 - b. The permittees agrees that any relocation of feeder lines in conjunction with road improvements shall be performed at the expense of the permittees.
9. Decommissioning/Restoration/Abandonment
 - a. Cost Responsibility. The owner or operator of a WES is responsible for decommissioning that facility and for all costs associated with decommissioning that facility and associated facilities.
 - b. Decommissioning Plan. ~~Within 120 days of completion of construction~~ Prior to the issuance of a permit, the permittees shall submit to the County a decommissioning plan describing the manner in which the permittees anticipate decommissioning the project in accordance with the requirements of paragraph (b) below. The plan shall include the estimated decommissioning cost per turbine and a description of the manner in which the permittees will ensure that it has

the financial capability to carry out these restoration requirements when they go into effect. The permittees shall ensure that it carries out its obligation to provide for the resources necessary to fulfill these requirements. The County may at any time request the permittees to file a report with the County describing how the permittees are fulfilling this obligation.

- c. Financial Assurance. After the fifteenth (15th) year of operation of a WES facility, the Board may require a performance bond, surety bond, letter of credit, corporate guarantee or other form of financial assurance that is acceptable to the Board to cover the anticipated costs of decommissioning the WES facility, not to exceed the amount specified and approved in the Decommissioning Plan per Section 9.b.
 - d. Site Restoration. The decommissioning of the WES shall begin within eight (8) months of the ~~Upon~~ expiration of this permit, or ~~upon~~ earlier termination of operation of the WES and be completed within eighteen (18) months of the expiration of this permit or earlier termination of operation of the WES. The permittees shall have the obligation to dismantle and remove from the site all towers, turbine generators, transformers, overhead collector and feeder lines and ~~underground cables~~, foundations, buildings and ancillary equipment to a depth of four (4) feet. To the extent possible the permittees shall restore and reclaim the site to its pre-project topography and topsoil quality. All access roads shall be removed unless written approval is given by the affected landowner requesting that one or more roads, or portions thereof, be retained. Any agreement for removal to a lesser depth or for no removal shall be recorded with the County and shall show the locations of all such foundations. All such agreements between the permittees and the affected landowner shall be submitted to the County prior to completion of restoration activities. The site shall be restored in accordance with the requirements of this condition within eighteen (18) months after expiration.
 - e. Failure to Decommission. If the WES facility owner or operator does not complete decommissioning, the Board may take such action as may be necessary to complete decommissioning, including requiring forfeiture of the bond. The entry into a participating landowner agreement shall constitute agreement and consent of the parties to the agreement, their respective heirs, successors, and assigns, that the Board may take such action as may be necessary to decommission a WES facility.
 - f. Limitation of County Responsibility/Liability. Under no circumstances does the County assume any financial responsibility for decommissioning or site restoration expenses. Nor can the County be held responsible in any way for the enforcement or lack of enforcement of any provisions herein for decommissioning, or for the adequacy or inadequacy of any bond or other financial responsibility that may be required under this Ordinance. The landowner and permittees will have no recourse against the County for enforcement of any provision under this subsection 9.
10. Abandoned Turbines. The permittees shall advise the County of any turbines that are abandoned prior to termination of operation of the WES. The County may require the permittees to decommission any abandoned turbine.
 11. Height from Ground Surface. The minimum height of blade tips, measured from ground surface when a blade is in fully vertical position, shall be twenty-five (25) feet.
 12. Towers.
 - a. Color and Finish. The finish of the exterior surface shall be non-reflective and non-glass.
 - b. All towers shall be singular tubular design.
 13. Noise. Noise level shall not exceed 50 dBA, average A-weighted Sound pressure including constructive interference effects at the ~~property line of~~ perimeter of the principal and accessory structures of existing off-site residences, businesses, and public buildings.
 14. Permit Expiration. The permit shall become void if no substantial construction has been completed within two (2) years of issuance unless otherwise specified by the Board of Adjustment.
 15. Required Information for Permit.
 - a. Boundaries of the site proposed for WES and associated facilities on United States Geological Survey Map or other map as appropriate.
 - b. Map of easements for WES.
 - c. ~~Copy of easement agreements with landowners~~ Affidavit attesting that necessary easement agreements with landowners have been obtained.

- d. Map of occupied established residential structures, businesses and public buildings.
- e. Preliminary map of sites for WES, access roads and utility collector and feeder lines. Final map of sites for WES, access roads and utility lines to be submitted sixty (60) days prior to construction.
- f. Proof of utility right-of-way easement for access to utility transmission lines and/or utility interconnection.
- g. Location of other WES in general area.
- h. Evidence of consultation with state and federal wildlife agencies indicating the applicant has addressed environmental concerns and impact (e.g. native habitat, rare species, and migratory routes).Project schedule
- i. ~~Mitigation measures~~ Final haul road agreements to be submitted sixty (60) days prior to construction.

16. Additional Provisions. Upon being granted a conditional use permit hereunder, the permittees agree that the following additional provisions shall apply:

- a. All permittees and system owners agree to hold the County harmless from any and all claims that may be made against it for injuries to person or property, and for any and all other legal actions that may be brought against it in connection with the construction, maintenance, placement of facilities or operation of any system for which a permit may be granted hereunder, and to indemnify the County for all monetary claims that may be successfully pursued, as well as all costs including reasonable attorney's fees incurred by the County in defending any such claims.
- b. All obligations under this Ordinance shall be binding upon all permittees, system owners and operators and their successors and assigns.

Section 4.22.05 PRIVATE WIND ENERGY CONVERSION SYSTEMS (PWECS) The regulations regarding Private Wind Energy Conversion Systems (hereafter referred to as PWECS) shall be as follows:

1. **Limited use. No PWECS installed in accordance with the requirements of these regulations shall generate power as a commercial enterprise as defined by the Public Utility Commission.**
2. **Setback Requirements. The minimum setback distance between each wind turbine tower and all surrounding property lines, overhead utility or transmission lines, other wind turbine towers, electrical substations, public roads and dwellings shall be equal to no less than one point one (1.1) the system height, unless written permission is granted by the affected entity.**
3. **Contiguous property owners and planned developments may construct a PWECS for their use in common. If property held by more than one (1) single owner is used to meet the setback requirements, a site plan establishing easements or reserved areas must be submitted to the Board of Adjustment for their approval.**
4. **Tower Access. Climbing access to the PWECS tower shall be limited either by means of a fence six (6) feet high around the tower base with a locking portal, or by limiting tower climbing apparatus so there is access to it no lower than twelve (12) feet from the ground.**
5. **Electromagnetic Interference. If a PWECS is installed in any location along or within the major access of an existing microwave communications link, the person desiring to install the PWECS shall be required to provide a letter from the business whose link they are within or adjacent to stating the business is affected would have no objection to the installation of the PWECS.**
6. **Air Space. A PWECS shall be located or installed in compliance with the guidelines of the Federal Aviation Administration Regulations with regard to Airport Approach Zones and clearance around VOR stations.**
7. **Interconnect. The PWECS, if interconnected to an electric utility distribution system, shall meet the interconnect requirements of the elective utility company.**

DEFINITIONS

Abandoned Turbine. An inoperable turbine which has had no efforts to maintain or repair it or the inoperable equipment for a period of three (3) years.

Established residences, businesses, churches and buildings owned and/or maintained by a government entity. Those

buildings which are existing or for which a building permit has been applied for prior to application by a Wind Energy System for a conditional use permit hereunder, and as to any building existing for at least 3 years, it must have been occupied or used within three (3) years prior to the filing of the WES application.

- **Private Wind Energy Conversion System (PWECS).** Any mechanism or device, not owned by a public or private utility company, designed for the purpose of converting wind energy into electrical or mechanical power to be used on the site where said power is generated.

- **Turbine.** The parts of the Wind Energy System including the blades, generator, and tail.

- **Wind Energy System (WES).** A commonly owned and/or managed integrated system that converts wind movement into electricity. All of the following are encompassed in this definition of system:

- a. Tower or multiple towers.
- b. Generator(s).
- c. Blades.
- d. Power collection systems, and
- e. Electric interconnection systems.

- **This ordinance shall become effective 20 days after publication.**

Adopted 4/6/10.

Martin May, Chairman
Tom Peper, Commissioner
David Stenberg, Commissioner
Tony Firman, Commissioner
Alvin Gullickson, Commissioner

ATTEST:
Lori Schaefers
Moody County Auditor

First Reading:	March 23, 2010
Second Reading:	April 6, 2010
Adoption:	April 6, 2010
Publication Date:	April 21, 2010
Effective Date:	May 11, 2010

Motion by Gullickson, seconded by Peper to enter into executive session at 9:25 a.m. Reason: personnel discussion. All voted "aye". Motion by Stenberg, seconded by Firman to resume regular session at 9:30 a.m. All voted "aye".

Extension Agents Paul Johnson and Donna Bittiker, along with Weed Supervisor Buddy Tye met with the Board to discuss the janitor position at Extension. The Board instructed Schaefers to look into other options for the position. Motion by Firman, seconded by Gullickson to authorize Johnson to attend State Shooting Sports in Pierre April 23-25, and to attend Extension training in Pierre May 12-14. All voted "aye". The Board discussed the Extension cell phone bill, and requested Johnson to start logging his cell phone calls. Discussion was held on the 2010 State budget.

Kristene Rancour, Ambulance Supervisor met with the Board to present the Ambulance Department's February and March monthly reports.

Auditor Schaefers informed the Board the County had been awarded the Energy Efficiency Conservation Block Grant Award that was applied for in January. Schaefers has not been sent any detailed information yet, but should be receiving a packet from the SD Bureau of Administration soon.

Auditor Schaefers reviewed department budgets with the Board.

Linette Christensen, Treasurer met with the Board to present a travel request. Motion by Gullickson, seconded by Peper to authorize Deputy Treasurers Linda Goetz and Melissa Lacey to attend the Deputy Workshop May 19-20 in Pierre. All voted "aye".

Schaefers presented a travel request. Motion by Peper, seconded by Gullickson to authorize Schaefers, ROD Gail Meyer,

and Treasurer Linette Christensen to attend the SDACO Spring Workshop May 12-14 in Pierre. All voted "aye". Schaefer informed the Board that she would be attending the 911 reporting training April 7 in Sioux Falls.

Highway Superintendent Marc Blum met with the board. Motion by Stenberg, seconded by Firman to authorize Chairman May to sign the Right of Way Certificate, the Letting Authorization, and the Utilities Certificate for Project BRO 8051 (Trent Bridge). All voted "aye". Motion by Firman, seconded by Peper to authorize Blum to purchase 2 wings from Sanitation Products at \$14,485.00 per wing retroactive to February 2, 2010. All voted "aye". Discussion was held on a culvert located on the Ward road and on load limits. Discussion was held on overlay projects. Motion by Gullickson, seconded by Firman to advertise for bids for the 9 mile overlay project on Moody County Highway 3A, with bid opening to be held on May 4th. All voted "aye". Motion by Peper, seconded by Firman to authorize Schaefer to advertise for a budget supplement hearing to fund part of the overlay project, with the hearing to be held on May 4th. All voted "aye".

At 1:00 PM the meeting was moved to the Farmers Room of the Courthouse. Also present were State's Attorney Bill Ellingson, Attorney Jay Liebel, Jay Gilbertson of EDWDD, Marlys Thoms, Jim Heinrich, Colin "Chip" O'Malley, Tom Schmidt, Duane Voelker, Ryan Zwart, Charley Zwart, Brian Maas, Dale Maas, Dan Sharton, Jim Baumberger, Dale Bunkers, Jon Bunkers, Dale Ellens, Randy Carper, and Greg VanZanton. Liebel informed the Commissioners that CDI Civil Design Inc. presented (10-19-2009) an estimate of \$8,400 for an engineering study to determine the conditions of Bull Ditch. A fundraiser by area landowners/farmers raised \$2,800, 1/3 of the money for the study. Residents are requesting that Lake County and Moody County each contribute \$2,800 to help fund the engineering study, with repayment depending on the engineering study results and whether or not the water district will be reactivated. Discussion was also held on boundaries and voting issues within the district. The meeting was moved back into the County Commissioners' Room. All parties left the meeting except State's Attorney Bill Ellingson, Ryan Zwart, and Charley Zwart. Jeff Nelson of Baldrige and Nelson Architects was also present. Motion by Gullickson, seconded by Firman to loan the Bull Ditch District up to \$2,800 for the purpose of inspection of Bull Ditch, with landowners and Lake County each contributing \$2,800, and Lake County to handle the financials. All voted "aye".

Jeff Nelson of Baldrige and Nelson Architects met with the Board to discuss the roof of the courthouse and painting the 3rd floor of the courthouse. Nelson will meet with the Board at the next meeting after researching the roof conditions.

Allen Van Meveren met with the Board to discuss a new business opportunity, and to discuss a building permit. Also present was DOE Brenda Duncan.

Director of Equalization Brenda Duncan met with the Board to discuss the Board of Equalization appeals process with the Board, and to review the number of appeals for the 2010 assessment year. The Board of Equalization will meet April 26, 2010 at 9:00 a.m. in the County Commissioners' Room.

The following reports were received and filed in the Auditor's Office: Register of Deeds fees \$4,556.00, and Civil fees \$1,302.48.

Motion by Peper, seconded by Firman to approve the following claims and issue warrants, all voted "aye": General: Avera Flandreau Medical, county nurse 2661.66, Alltel, cell phones 120.79, Access Elevator & Lifts, maintenance 425.00, Bob's Electric, service 51.02, Brown & Saenger, supplies 348.32, Donna Bittiker, travel 82.88, Buhl's Cleaners, service 57.50, Community Counseling, mental health 1250.00, Cybercoach, service 806.25, Century Business Products, copies, 80.40, Dakotabilities, service 360.00, Department of Revenue, blood alcohols 70.00, William Ellingson, office expense 1563.85, Emergency Medical Products, supplies 582.86, Alvin Gullickson, mileage 30.71, Peter Harper, reimbursement 36.00, Patricia Hartsel, service 47.60, Hillyard, supplies 66.50, Integrated Business Solutions, service/conversion/untangle 1393.75, J&K, supplies 122.76, Knology, telephone/fax 287.69, Krull's Garage, service 158.90, Linweld, supplies 78.72, Martin May, mileage 54.02, Bob Pesall, court appointed attorney 4874.62, Physician's Claims Company, service 2591.04, John Shaeffer, court appointed attorney 439.50, David Stenberg, mileage 27.75, SDACO, registrations 580.00, SDACC, CLERP 1408.06, Successful Farming, subscription 15.95, Terri Schildhauer, service 74.20, Steve's Tire & Service, service 2384.97, Schneider Corporation, GIS support/maintenance 9800.00, Southwest Office Supply, supplies 279.74, Yankton County Sheriff, service 25.00, Witnesses, witness fees 72.56. Highway: Ahlers Automotive, repairs 208.00, City of Colman, utilities 47.80, Dell's Diesel Service, repairs 1890.85, Dickey's Service, repairs 30.00, Dakota Riggers, repairs 59.70, Ekern Home Equipment, repairs 28.52, Great Plains International, repairs 93.68, Holcomb Freightliner, supplies 329.27, Hubers Automotive, repairs 35.00, J&K, supplies 71.89, Kimball Midwest, supplies 112.44, NAPA, repairs 70.05, Powers Oil Company, gas 1984.50, Rudys Welding, repairs 45.00, River's Edge Cooperative, propane/oil/misc., 389.55, Sturdevant's, repairs 686.78, Sanitation Products, snow wings 28970.00, Verizon Wireless, cell phone 49.09, Wheelco, repairs/supplies 331.32. Flex: Jennifer Christensen, reimbursement 113.00, Marlene Dahlmeier, reimbursement 271.00. Miscellaneous: City of Flandreau, utilities 1532.72, Cardmember Service, phone/lodg/supp/post/gas 1959.08, Knology, telephone/fax 78.19, MidAmerican Energy, natural gas 2097.54, Powers, gas/jail meals/supplies 1484.69, State Treasurer, monthly remittance 80633.85. March Payroll: 204338.08.

January 8, 2008

Meeting adjourned at 4:00 PM.

ATTEST: Lori Schaefers
Moody County Auditor

Martin May, Chairman
Moody County Board of Commissioners