

UNAPPROVED MINUTES OF  
February 16, 2010

The Moody County Commissioners met in regular session on Tuesday, February 16, 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.

Chairman May called the meeting to order. Motion by Gullickson, seconded by Peper to approve the agenda as amended. All voted "aye". Motion by Firman, seconded by Stenberg to approve the minutes of February 2, 2010. All voted "aye".

Register of Deeds Gail Meyer met with the Board to present a travel request. Motion by Gullickson, seconded by Stenberg to authorize ROD Meyer and Treasurer Linette Christensen to attend County Day in Pierre on February 22<sup>nd</sup>. All voted "aye". Meyer also discussed the ROD software program dealing with imaging and microfilming.

Auditor Schaefers reviewed 2009 poor relief cases that were denied, and reviewed current poor relief cases with the Board. Motion by Gullickson, seconded by Peper to deny Case #20100202, due to the notice of emergency hospitalization not being sent to the County within 15 days. All voted "aye". Motion by Firman, seconded by Stenberg to deny Case #20100101, due to no response from the patient to the information request. All voted "aye". Motion by Stenberg, seconded by Gullickson to deny Case #20100102, due to no response from the patient to the information request. All voted "aye". Motion by Peper, seconded by Stenberg to deny Case #20100103, due to no response from the patient to the information request. All voted "aye". Motion by Firman, seconded by Peper to deny Case #20100104, due to no response from the patient to the information request. All voted "aye". Motion by Stenberg, seconded by Peper to deny Case #20100105, due to no response from the patient to the information request. All voted "aye". Motion by Firman, seconded by Stenberg to deny Case #20100106, due to no response from the patient to the information request. All voted "aye". Motion by Peper, seconded by Stenberg to deny Case #20100107, due to no response from the patient to the information request. All voted "aye".

Motion by Gullickson, seconded by Peper to adjourn to conduct business as Joint Board of Commission and Planning & Zoning at 9:20 AM. All voted "aye". Also present were DOE Brenda Duncan, State's Attorney Bill Ellingson, Mike Mouldel of DISGEN/Uriel Wind/Flandreau Wind Farms LLC, Luke Muller of First District, and County landowners Jim Redder, Deb Redder, Joe Redder, Wayne Taylor, Stuart Keating, and Meredith Barron. As advertised, a public hearing was held at 9:15 AM to discuss the proposed amendments to the Moody County Zoning Ordinance. Motion by Stenberg, seconded by Firman to recommend to the Moody County Board of Commissioners the amendments to Chapter 2.04 A – Agricultural District, Chapter 4.10 Manufactured Home Provisions, and Chapter 4.22 Wind Energy System Requirements with the grammatical correction of the word "to" added to paragraph 9C on page 5. All voted "aye". Motion by Gullickson, seconded by Peper to resume regular session at 10:10 AM. All voted "aye".

State's Attorney Bill Ellingson met with the Board. Motion by Stenberg, seconded by Firman to enter into executive session at 10:14 AM. Reason: personnel discussion. All voted "aye". Motion by Firman, seconded by Gullickson to resume regular session at 10:16 AM. All voted "aye".

Mike Eisenbarth, newly hired Flandreau City Chief of Police, met with the Board to introduce himself and discuss the law enforcement relationship between the Moody County Sheriff's Office and the Flandreau City Police force.

Discussion was held on the proposed amendments to the Moody County Zoning Ordinance. Motion by Gullickson, seconded by Firman to approve the recommendation of the Planning and Zoning Board, and to hold the hearing and 1<sup>st</sup> 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 at the March 23, 2010 Commission meeting. All voted "aye".

Highway Superintendent Marc Blum met with the Board to present the weight limit enforcement resolution, and to discuss snow removal. Motion by Firman, seconded by Gullickson to approve the following resolution with all members voting "aye":

## MOODY COUNTY WEIGHT LIMIT ENFORCEMENT RESOLUTION

WHEREAS, seasonal climatic changes can be detrimental to our highways, and

WHEREAS, the Moody County Board of County Commissioners desires to protect existing Moody County Highways, ultimately saving tax dollars, and

WHEREAS, the Moody County Board of County Commissioners desire the enforcement of weight limitation of Moody County Roads as set forth and posted by the Moody County Highway Superintendent.

NOW THEREFORE BE IT RESOLVED:

WHEREAS, the limits on Moody County highways shall be set as seven (7) tons per axle on all asphalt surface roads and seven (7) tons on all gravel roads during the spring thaw period and when limit signs are in place. That the South Dakota Highway Patrol be and hereby is authorized and requested to enforce weight limitations on Moody County Roads.

BE IT FURTHER RESOLVED, that the penalty for the violation of the load restrictions shall be as set forth in SDCL 32-22-55.

Vote of Moody County Commission:

AYE: 5 NAY: 0

Dated this 16th day of February, 2010 at Flandreau, South Dakota.

ATTEST:

Lori Schaefers  
MOODY COUNTY AUDITOR

Martin May  
CHAIRPERSON  
MOODY COUNTY COMMISSION

The Board discussed Senate Bill 184. Motion by Peper, seconded by Stenberg to send a letter of support on SB #184 to the Representatives in Pierre. All voted "aye".

Ambulance Supervisor Kristene Rancour met with the Board. She discussed the Ambulance Department 2009 yearend report and the monthly activity summary. Rancour also discussed repairs to the ambulance and presented a purchase request. Motion by Firman, seconded by Gullickson to authorize the Ambulance Department to purchase a cot in the amount of \$11,438.00 from Stryker Sales Corporation. All voted "aye".

Sheriff Troy Wellman met with the Board to present a purchase request and an employee resignation. Motion by Firman, seconded by Peper to authorize the purchase of a shot gun lock, signal siren, center council, and light bar from Brian Kimball of Colman, with the total amount not to exceed \$1600.00. All voted "aye". Motion by Stenberg, seconded by Peper to accept the resignation of part-time dispatcher Jamie Gaspar effective February 13, 2010, and to authorize Wellman to advertise to hire a part-time dispatcher. All voted "aye".

Motion by Firman, seconded by Gullickson to approve the following claims and issue warrants, all voted "aye": General: A&B Business, copy contract 47.94, Avera/Flandreau Medical, jail-blood alcohols 497.00, Arrow Manufacturing, door latch 204.96, Access Elevator & Lifts, service 425.00, Buhl's Cleaners, service 48.30, William Ellingson, office expense 1612.72, Enterprise Publishing, publications 457.63, First National Bank, check blanks 69.25, Patricia Hartsel, service 83.60, Heiman, heat blankets 174.45, Hauge Associates, service 8.75, J&K, supplies 151.10, Knology, telephone 73.80, Literary Guild Select, books 16.98, Lincoln County Treasurer, service 750.67, Mystery Guild, books 19.98, Murdo Ford, 2010 Crown Victoria 22521.00, Master Blaster, supplies 14.88, Pesall Law Firm, court appointed attorney 4791.40, Physician's Claims, billing service 790.68, River's Edge Cooperative, gas 922.82, John Shaeffer, court appointed attorney 4627.00, Sioux Falls Two Way Radio, repair/antennas 58.48, Lori Schaefers, reimbursement 496.57, SDACC, poor relief-CCPR 3681.00, Stryker Sales, power cot 11437.60, Southwest Office Supply, supplies 84.93, US Postal Service, postage 359.20, Yankton County Treasurer, service 103.75. Highway: Ahlers Automotive, repairs 298.00, Anderson-Crane, repairs 1146.90, Curt's Collision, service 297.50, Dells Diesel, repairs 28.40, Dakota Riggers, repairs 59.70, Ekern Home Equipment, repairs 16.32, Enterprise, publication 56.00, Great Plains International, repairs 161.88, Linweld, supplies 522.48, Midstates Equipment, sealant 24713.29, Northern Truck, freight/restocking 150.01, Prostrillos, repairs 587.32, River's Edge Cooperative, diesel/grease/propane 559.28, Sanitation Products, repairs 360.15, Verizon Wireless, cell phone 49.09, Wheelco, repairs 100.06, Zabel, supplies 109.97, Light & Siren, repairs 789.35. 911: Qwest, telephone 445.89. 24/7 Sobriety: UPS Package Store, shipping 8.14. Water Conservation: East Dakota Water Development, monthly remittance 514.41. Miscellaneous: Dust Tex, service 141.58, Knology, telephone/fax 82.64, Qwest, telephone 369.69.

Meeting adjourned at 12:20 PM.

ATTEST: Lori Schaefers  
Moody County Auditor

Martin May, Chairman  
Moody County Board of Commissioners