

UNAPPROVED MINUTES OF
January 5, 2010

The Moody County Commissioners met in regular session on Tuesday, January 5, 2010 in the County Commissioners' Room in the Courthouse at 9:00 AM, with the following members present: Martin May, Alvin Gullickson, Tom Peper, David Stenberg, and Tony Firman, 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 December 31, 2009, which includes money collected for schools, cities, townships and state:

Total amount of deposits in bank:	\$ (62,147.28)
Total amount of actual cash:	\$ 1,012.90
Total amount of checks and drafts in Treasurer's possession not exceeding 3 days:	\$ 47,555.97
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	\$ 2,300,000.00
First National Bank Flandreau Savings	\$ 290,443.44
Colman Home Federal Bank Money Market CD	\$ 140,991.49
Flandreau First Savings Bank CD	\$ 1,525,000.00
TOTAL	\$ 4,243,373.82

Dated this 14th day of January, 2010

Lori Schaefers

Moody County Auditor

Chairman May called the meeting to order. Motion by Gullickson, seconded by Peper to approve the agenda as amended. All voted "aye". Motion by Peper, seconded by Gullickson to approve the minutes of December 29, 2009. All voted "aye".

The Board conducted the election for Chairman and Vice-Chairman for 2010. Commissioner Peper nominated Martin May for Chairman. Commissioner Stenberg nominated Alvin Gullickson for Chairman. Voting for May: Peper, Firman and Gullickson. Voting for Gullickson: Stenberg. Abstaining: May. Chairman for 2010 will be Commissioner Martin May. Motion by Gullickson, seconded by Firman to nominate Thomas Peper as Vice-Chairman, and that nominations cease with a unanimous ballot cast. All voted "aye".

Treasurer Linette Christensen met with the Board. Motion by Gullickson, seconded by Peper to approve the one-year step increase for Deputy Treasurer Linda Goetz to a Grade 8, Step C at \$11.36 per hour effective January 4, 2010. All voted "aye". Christensen discussed the interest rates on the County's Certificate of Deposits. Christensen then discussed accepting partial payments on delinquent taxes. Motion by Firman, seconded by Gullickson to authorize the County Treasurer to accept partial payments of taxes, upon application, to apply against the taxes due. All voted "aye".

Motion by Stenberg, seconded by Firman to adjourn to conduct business as Joint Board of Commission and Planning & Zoning at 9:15 AM. All voted "aye". Also present were Zoning Administrator 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, Jim Jepsen, and Marty Parsley. As advertised, a public hearing was to be held at 9:15 AM to amend the Moody County Zoning Ordinance. Motion by Stenberg, seconded by Gullickson to cancel said scheduled public hearing and to further discuss the amendment changes at future meetings. All voted "aye". Discussion was held on amendments to Chapter 4.22 of the Zoning Ordinance – Wind Energy System Requirements. Motion by Firman, seconded by Stenberg to resume regular session at 10:25 AM. All voted "aye".

Janitor John Hanson met with the Board to discuss his concerns with the water and piping in the Courthouse. The Board instructed Hanson to get opinions/estimates from two different plumbing companies. The Board also approved Brad Grootwassink to look at the paint peeling along the top of the third floor stairwell.

County Health Nurse Val Luze met with the Board. Luze discussed the H1N1 flu and vaccine. Motion by Firman, seconded by Stenberg to authorize Chairman May to sign the Amendment to the original 2010 agreement between Avera

Flandreau Medical Center, the Moody County Commission, and the SD Department of Health to reflect the change in the Public Health Preparedness and Response section to allow for additional funding and funding source from the State to be used specifically for H1N1 activities.

The Board reviewed the 2010 Board Assignments. Motion by Firman, seconded by Stenberg to approve the assignments as listed below with all members voting "aye":

2010 BOARD ASSIGNMENTS

Zoning/Board of Adjustments	Commissioners as represented by the district they serve
Zoning Administrator	Commissioner Tony Firman
Zoning Chairman	Commissioner Martin May
Juvenile Detention	Commissioner Tony Firman
First District	Commissioner Alvin Gullickson and Commissioner Tony Firman-Alternate
Drainage Board	Board of Commissioners
Drainage Officer	Each commissioner for respective cases located in their districts with input from other board members
ICAP	Commissioner Tony Firman
Community Counseling	Commissioner Alvin Gullickson
Community Health	Commissioner David Stenberg
Coroner	Dr. Tad Jacobs
Extension Board	Ada Jorgenson, Bruce Cramer, Laurel Tye, Karen Tufty, Tad Jacobs, Brad Kontz, and Commissioner David Stenberg
Fair Board	Lori Sutton, Cal Weatherly, Joel Curran, Mark Goetz, Linnea Janssen, Buddy Tye, Marc Burggraff, Karla Bjerke, and Commissioner Tony Firman
Weed & Pest Supervisor	Buddy Tye
Weed Board	Scott Christensen, Vince Nelson, and Commissioner Martin May
Resource Center Trustees	Ann DeLay, Janelle Steffen, and Commissioner Tom Peper
Combined Personnel, Salary, & Employee Benefits Board	Marc Blum, Glenda Erickson, Gail Meyer, Karen Spencer, Marlene Dahlmeier, Melissa Lacey, Mark Bonrud, Troy Wellman, Commissioner Alvin Gullickson, and Commissioner David Stenberg
Building Committee	Martin May
LEPC	Chairman Merle Gulbranson, Vice-Chairman Mark Bonrud, Secretary/Treasurer Ron Sward
Legal Newspaper	Moody County Enterprise

EMTs Mark Bonrud and Kristene Rancour met with the Board to present a travel request. Motion by Peper, seconded by Firman to authorize Bonrud and Rancour to attend the EMT Refresher Course January 6-8 in Sioux Falls. All voted "aye". Discussion was held on the training for the use of the new CPAP machine purchased by the County. Motion by Gullickson, seconded by Stenberg to authorize Bonrud to hire an individual from Bound Tree Medical of Sioux Falls for \$75.00 to train the Ambulance employees on the use of the CPAP machine. All voted "aye". Discussion was then held on the Ambulance Supervisor Position. Motion by Firman, seconded by Peper to appoint Kristene Rancour as Ambulance Supervisor for 2010. All voted "aye".

Attorney Paul Lewis met with the Board. Motion by Gullickson, seconded by Peper to enter into Executive Session at 11:30 AM. Reason: contractual matters. All voted "aye". Motion by Firman, seconded by Peper to resume Regular Session at 11:35 AM. All voted "aye".

Motion by Firman, seconded by Gullickson to authorize Chairman May to sign the Union Agreement by and between the General Drivers & Helpers Union Local 749 Affiliated with the International Brotherhood of Teamsters (Deputies and Dispatchers) and Moody County from January 1, 2010 – December 31, 2011. The new hourly wages for the following sheriff department personnel in accordance with the union contract are as follows: Nathan Bowden 12.28, Jennifer Christensen 11.50, Jesse Doyle 15.47, Lonnie Gruneich 13.86, Leetha Petersen 14.11, Pete Harper 12.28, and Carol Jensen 12.50. All full-time employees in the

bargaining unit will earn shift differential pay for hours worked from 5:00 PM to 8:00 AM every day, and all hours worked on holidays. The dispatchers' rate of pay shall be increased by seventy-five cents (\$.75) and the deputies' rate of pay shall be increased by one dollar twenty-five cents (\$1.25) per hour for these hours worked. All voted "aye".

Auditor Schaefer reviewed poor relief cases with the board. Motion by Gullickson, seconded by Peper to deny Case #20091203, due to the patient having the ability to pay and the hospital must exhaust all avenues of payment including accepting reasonable monthly payments from the individual. All voted "aye". Motion by Stenberg, seconded by Firman to deny Case #20090702, #20091007 and #20091013 due to no complete response from patient to the information request. All voted "aye". Motion by Peper, seconded by Gullickson to deny Case #20091001 due to no response from patient to the information request. All voted "aye". Motion by Gullickson, seconded by Stenberg to deny Case #20091106 due to no response from patient to the information request. All voted "aye". Motion by Stenberg, seconded by Gullickson to deny Case #20091105 due to no response from patient to the information request. All voted "aye". Motion by Peper, seconded by Firman to deny Case #20091104 due to no response from patient to the information request. All voted "aye". Motion by Firman, seconded by Gullickson to deny Case #20091103 due to the patient being eligible for services through IHS. All voted "aye". Motion by Peper, seconded by Gullickson to deny Case #20091102 due to no response from patient to the information request. All voted "aye". Motion by Gullickson, seconded by Stenberg to deny Case #20091107 due to no response from patient to the information request. All voted "aye". Motion by Firman, seconded by Peper to deny Case #20091201 due to the patient being eligible for services through IHS. All voted "aye". Motion by Peper, seconded by Stenberg to deny Case #20091206 due to no response from patient to the information request. All voted "aye".

Schaefer reviewed a proposed amendment to Section II (General Policies) of the Moody County Personnel Policies and Procedures Manual, dealing with the Americans With Disabilities Act. Motion by Firman, seconded by Gullickson to amend the Moody County Personnel Policies and Procedures Manual Section II, to include a section on Americans With Disabilities Act (letter Q), as required by the EEOC. All voted "aye".

Motion by Firman, seconded by Gullickson to approve the 2010 biweekly and hourly wages as follows with all members voting "aye":

Biweekly: David Stenberg 411.06, Martin May 411.06, Tom Peper 411.06, Alvin Gullickson 411.06, Anthony Firman 411.06, Lori Schaefer 1866.38, Linette Christensen 1575.01, Brenda Duncan 1572.54, William Ellingson 1840.10, Gail Meyer 1575.01, Robert Gill 595.62, Maurice Tye 1241.99, Terry Albers 1327.44, Mark Bonrud 1459.04, Kristene Rancour 1241.01, Troy Naasz 1400.65, Troy Wellman 1670.46, Marc Blum 1448.13.

Hourly: Glenda Erickson 14.48, Kari Anderson 11.68, Melissa Lacey 11.62, Linda Goetz, 11.07, Karen Spencer 16.24, Dianne Headrick 13.64, John Hanson 14.26, Marlene Dahlmeier 14.11, Carol Kiecksee 12.90, Janelle Steffen 13.81, Erica Rorvik 12.90, John Hay 13.25, Lacey Iott 12.70, Part-time EMT Basics 10.46, Part-time EMT Paramedics 12.60, Nathan Bowden 12.28, Jennifer Christensen 11.50, Jesse Doyle 15.47, Jamie Gaspar 11.56, Lonnie Gruneich 13.86, Brion Kimball 13.19, Lorileen Mittan 10.46, Leetha Petersen 14.11, Pete Harper 12.28, Randy Chamblin 16.24, Jeremy Elverud 13.08, David Gaspar 12.83, Jesse Gaspar 12.83, Wesley Harris 17.15, Lance Iott 12.28, Arnold Paulsen 15.57, Byron Solem 13.55, Barbara Warborg 13.13, Carol Jensen 12.50.

DOE Brenda Duncan met with the Board to discuss fees for building permits, conditional use permits, variances, and rezoning. Motion by Gullickson, seconded by Stenberg to approve the following resolution, with all members voting "aye":

RESOLUTION # 10010501

A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR BUILDING PERMITS, CONDITIONAL USE PERMITS, VARIANCES AND REZONING.

WHEREAS, it is necessary to establish or modify fee schedules for Building Permits, Conditional Use Permits and Variances issued by the Moody County Zoning Administrator and the Moody County Planning and Zoning Commission, Moody County Board of Adjustment and for Rezoning;

THEREFORE BE IT RESOLVED, that the following fee schedule is hereby adopted for Building Permits, Conditional Use Permits and Variances issued by the Moody County Zoning Administrator and the Moody County Planning and Zoning Commission, Moody County Board of Adjustment and for Rezoning:

Building Permit Fees:
\$25 plus \$1 per thousand of valuation

Bid price or estimates must be presented for all new structures and renovations.

In the event no written bid or estimate is available, a price will be determined from the most recent Marshall & Swift cost manual.

Other Fees:

Rezoning - \$200.00

Conditional Use Permit - \$100.00

Variance - \$100.00

Preliminary Plat - \$25.00

Final Plat - \$25.00

Special Meeting Fee – Regular fee doubled

Late Application Fees:

Whenever any work or activity for which a permit is required has been commenced without first obtaining the required permit the following fee schedule shall apply:

Building Permits

1. If an applicant applies for a building permit after beginning or finishing a building, but prior to being contacted by the Moody County Zoning Office, the building permit fee shall be one and one-half (1.5) times the regular fee.

2. If an application for a building permit is made after beginning or finishing a building and after being contacted by the Moody County Zoning Director, the building permit fee shall be two (2) times the regular fee.

Conditional Use Permits, Variances and Meeting Fees

In all cases where Conditional Use Permits and Variances are applied for after construction is begun or the activity is commenced then the fees for such permits, together with the required meeting fees, shall be two (2) times the regular required fees.

The payment of any such late fees shall not exempt any person from compliance with all other provisions of the zoning ordinance nor from any penalty prescribed by law.

To the extent inconsistent with this resolution all prior fee schedules are hereby revoked.

Adopted this 5th day of January 2010.

Martin May, Chairman
Moody County Board of County Commissioners

ATTEST: Lori Schaefers
Moody County Auditor

The Board reviewed the current county fees. Motion by Gullickson, seconded by Peper to approve the following fees for 2010. All voted "aye".

2010 Fee Schedules:

Election Fees:

Election Workers	\$125/day
Election School	\$30/session
Polling Place	\$35

Zoning Fees:

Building Permits	\$25 + \$1/1,000 of valuation
Conditional Use Permit	\$100
Variance Permit	\$100
Preliminary Plat	\$25
Final Plat	\$25
Special Meeting Fee	Regular fee doubled
Non-Compliance Fee	See Resolution #10010501

Ambulance Fees:

BLS Non Emergency	\$550
BLS Emergency	\$550
ALS Non Emergency	\$625
ALS Emergency	\$625
ALS 2	\$675

No Transport	\$125
No Transport -- Casino	\$100
No Transport -- Rodeo, JC's	\$50
Tier (Add to Base)	\$200
Loaded Mileage	\$12/mile
<u>Drainage Fees:</u>	\$20
<u>Special Beer License Permit:</u>	\$15
<u>Special License for Consuming/Blending Alcohol Beverages:</u>	\$5

The Board discussed the Civil Complaint of Steven Carl Larson (Plaintiff) vs. Moody County, South Dakota acting through the Moody County Sheriff's Office and Minnehaha County, South Dakota acting through the Minnehaha County Sheriff's Office and Minnehaha County Jail (Defendants).

The following reports were received and filed in the Auditor's Office: Register of Deeds fees \$13,448.00 and Civil fees \$1,471.44.

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 120.72, Brown & Saenger, tax deed sets 187.35, Buhl's Cleaners, service 50.60, Mark Bonrud, reimbursement 100.00, Century Business Products, copier maintenance 40.00, Brenda Duncan, reimbursement 94.86, Department of Revenue, blood alcohols 35.00, William Ellingson, office expense 1644.51, Emergency Medical Products, supplies 79.02, First Dist Assn, rural-dev-annual support 10424.75, Alvin Gullickson, travel 37.74, J&K, supplies 202.21, Paul Johnson, reimbursement 35.42, Knology, telephone/fax 276.18, Lincoln County Treasurer, service 223.00, Martin May, travel 22.20, Minnehaha County Sheriff, service 37.00, Powers—Dakota Stop, gas/jail meals 1674.71, Kristene Rancour, education class/reimbursement 100.00, David Stenberg, travel 74.00, Sturdevant's, supplies 3.99, SD State's Attorneys Association, dues 698.00, SDACC, CLERP 1122.38, Slowey Court Reporting, service 25.00, Southwest Office Supply, supplies 26.44, Tyler Technologies, maintenance 12227.00. Highway: City of Colman, utilities 55.30, DMV, licenses/title transfer 28.00, DWARE, maintenance/support 1250.00, Dickey's, repairs 313.16, J&K, supplies 142.81, Knology, phone/cable/internet 208.70, RDO Equipment, cutting edges 1500.00, Sturdevant's, repairs 452.72, SDACHS, dues 195.00, Verizon, cell phone 48.92, Wheelco, supplies 153.93. Flexible Spending: Glenda Erickson, reimbursement 165.01. Miscellaneous: City of Flandreau, utilities 1596.74, Knology, telephone/fax 78.88, MidAmerican Energy, natural gas 2965.08, State Treasurer, monthly remittance 51229.82. December Payroll: 1501251.50.

Meeting adjourned at 12:30 PM.

ATTEST: Lori Schaefer
Moody County Auditor

Martin May, Chairman
Moody County Board of Commissioners