

UNAPPROVED MINUTES OF  
November 4, 2010

The Moody County Commissioners met in regular session on Thursday, November 4, 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. Also present was Rick Veldkamp, Commissioner Elect of Commissioner District #3.

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 October 31, 2010, which includes money collected for schools, cities, townships and state:

Total amount of deposits in bank:	\$ 5,885.35
Total amount of actual cash:	\$ 3,416.81
Total amount of checks and drafts in Treasurer's possession not exceeding 3 days:	\$ 544,739.75
Itemized list of all items, checks and drafts which have been in the treasurer's possession over 3 days:	
First National Bank Flandreau CD	\$ 1,800,000.00
First National Bank Flandreau Savings	\$ 2,761,720.07
Flandreau First Savings Bank CD	\$ 975,000.00
TOTAL	\$ 6,090,761.98

Dated this 10<sup>th</sup> day of November, 2010

Lori Schaefers

Moody County Auditor

Chairman May called the meeting to order. Motion by Stenberg, seconded by Firman to approve the agenda as amended. All voted "aye". Motion by Stenberg, seconded by Gullickson to approve the minutes of October 19, 2010, with the following correction: the County software system update to the INCODE Financial System and InVision Tax System will cost \$59,703 for the purchase price, and \$13,782 for the annual software maintenance fee, totaling \$73,485. All voted "aye".

Motion by Peper, seconded by Stenberg to adjourn to conduct business as Joint Board of Commissioners and Board of Planning and Zoning at 9:05 AM. All voted "aye". Also present was Director of Equalization Brenda Duncan. One plat was reviewed. Motion by Gullickson, seconded by Firman to approve the following resolution with all members voting "aye":

**COUNTY COMMISSION**

"BE IT RESOLVED by the County Commission of Moody County, South Dakota, that the plat of HILDEBRANDT'S CONSERVATION EASEMENT TRACT 1 IN THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 107 NORTH, RANGE 50 WEST OF THE 5<sup>TH</sup> PRINCIPAL MERIDIAN, MOODY COUNTY, SOUTH DAKOTA, be and the same is hereby approved.

I hereby certify that the above is a correct copy of the resolution passed by the County Commission, at a meeting held on the date adopted.

Adopted this 4th Day of November 2010.

Lori Schaefers, Auditor

Moody County, South Dakota

Motion by Firman, seconded by Peper to resume regular session at 9:10 AM. All voted "aye".

Auditor Schaefers reviewed pending poor relief cases with the Board. Motion by Peper, seconded by Gullickson to deny case #20101002 due to the individual being indigent by design. All voted "aye". Motion by Stenberg, seconded by Firman to deny case #20101001 due to no response from the patient to the information request. All voted "aye". Motion by Gullickson, seconded by Peper to approve case #20090206 in the amount of \$5,000.00. All voted "aye".

Motion by Firman, seconded by Peper to adjourn to conduct business as Drainage Board at 9:15 AM. All voted "aye".  
Motion by Gullickson, seconded by Firman to resume regular session at 9:30 AM. All voted "aye".

Bill Ellingson, State's Attorney met with the Board. Also present were Tracy Foltz, Director of Operations of MED-Star Ambulance, Jerry Doyle-Commissioner Elect of Commissioner District #1, Ryan Woodward of the Moody County Enterprise, Ambulance Director Dr. Gary Bruning, Ambulance Supervisor Kristene Rancour, EMT Carol Price, and county residents Brian Bergjord, Fred Smith, and Bob Sylva. Discussion was held on the ambulance coverage proposal submitted by Tracy Foltz. Discussion was also held on the options of cities and counties to contract exclusively with a company for an ambulance service. Discussion was then held on pre-employment physicals. The Commission asked Ellingson to draft a pre-employment physical policy for all departments at a tiered level, depending on the employees' job duties in each department.

Motion by Stenberg, seconded by Firman to enter into executive session at 9:45 AM. Reason: personnel discussion. All voted "aye". Motion by Firman, seconded by Peper to resume regular session at 9:55 AM. All voted "aye".

Auditor Schaefer reviewed 2010 department budgets with the Board.

Motion by Firman, seconded by Peper to grant permission to all interested elected and appointed officials to attend the District Meeting in DeSmet on November 15. All voted "aye".

As advertised, the hearing and first reading of the proposed amendments to The Moody County Zoning Ordinance Article V – Definitions, Section 540.0 Structure, were held at 10:00 AM. The second reading and adoption will be held November 16, 2010 at 10:00 AM.

Commissioner Firman presented the resolution of support for the JDC Joint Powers Agreement. Motion by Stenberg, seconded by Gullickson to approve the following resolution, with all members voting "aye":

#### RESOLUTION

WHEREAS, Minnehaha County and the Counties of Bon Homme, Brookings, Charles Mix, Clay, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Moody, Turner, and Yankton established a Joint Powers Agreement in 1995 to provide each with secure juvenile detention space when needed and share the debt service of expanding the Minnehaha County JDC to provide the needed space for such agreement; and

WHEREAS, the Joint Powers Agreement established by the counties is due to expire on June 31, 2015 and each member county plus Davison and Union Counties have expressed an interest in crafting a new Joint Powers Agreement; and

WHEREAS, these counties have met as a group to examine facility and programming needs of the Minnehaha County Regional Juvenile Detention Center over the next 15 to 20 years; and

WHEREAS, part of the work of the group has included contracting with Perspective Inc. to produce a pre-design report that includes a recommendation that the current JDC facility should be replaced; now it is hereby

#### RESOLVED:

1. That Moody County wishes to proceed to the design and development phase of a new Regional Juvenile Detention Center.
2. That Moody County understands Minnehaha County will assume the cost for all work associated with the design and development phase of a new Regional Juvenile Detention Center, and Moody County agrees to participate in the design and development phase. Minnehaha County may roll design and development costs into a bond issue for later reimbursement.
3. That participating in this design and developing phase will not commit the participating counties to anything other than continuing to gather information.
4. That by taking this step participating counties will be able to further identify the true size needs and cost of constructing a new JDC.

Dated this 4<sup>th</sup> day of November, 2010

Martin J May  
Chairman, Moody County Commissioners

ATTEST: Lori Schaefer  
Moody County Auditor

Schaefer discussed the Domestic Abuse Fund/Budget with the Board. Motion by Firman, seconded by Peper to approve

the following resolution with all members voting "aye":

RESOLUTION 10110401

WHEREAS, Commissioner Contingency Funds are included in the annual budget, and

WHEREAS, insufficient funds were provided to the Domestic Abuse Budget,

NOW, THEREFORE, BE IT RESOLVED, that pursuant to SDCL 7-21-6.1 it was moved and seconded to approve the following Contingency Transfer:

229-434-4220	Domestic Abuse Budget	200.00 CR
101-112-42971	Total Contingency Transfer	200.00 DB

Dated this 4th day of November 2010.

Martin May  
Chairman, Moody County Commissioners

ATTEST: Lori Schaefer  
Moody County Auditor

Glenda Erickson, Deputy Auditor and Marc Blum, Highway Superintendent met with the Board as representatives of the Personnel Committee. Erickson discussed a request by Assurant to offer life insurance to interested employees. Motion by Gullickson, seconded by Stenberg to authorize Assurant to offer life insurance policies to all interested, eligible employees at no cost to the County. All voted "aye". Erickson and Blum presented the Wellmark Health Insurance renewal proposals. Motion by Gullickson, seconded by Firman that based on the recommendation of the county personnel committee to approve the Wellmark Renewal Plan W9X/AXX (with a higher deductible, co-pay, and out of pocket expense to the employee), and to approve a 4% wage increase for county employees, both being effective January 1, 2011. Motion by Stenberg to amend the motion to approve a 3% wage increase for county employees. Motion died for a lack of a second. Chairman May called for a vote on the original motion. All voted "aye", motion carried. No change was made to the deductible cost sharing amounts.

Bob Gill, Veterans Service Officer met with the Board. Motion by Peper, seconded by Firman to enter into executive session at 11:05 AM. Reason: personnel discussion. All voted "aye". Motion by Gullickson, seconded by Peper to resume regular session at 11:30 AM. All voted "aye".

Highway Superintendent Marc Blum met with the Board. Discussion was held on various road projects, the purchase of a furnace for the highway shop, the purchase of a tailgate conveyer, and the 2010 budget.

Bob Gill, Veterans Service Officer met with the Board. Motion by Stenberg, seconded by Firman to enter into executive session at 11:57 AM. Reason: personnel discussion. All voted "aye". Motion by Peper, seconded by Gullickson to resume regular session at 12:02 PM. All voted "aye".

Auditor Schaefer reviewed the canvass process of the General Election votes with the Board. Schaefer presented a report on the use of the Automarks, the number of absentee votes in Moody County, and the countywide voter turnout, which was 64.4%. Motion by Firman, seconded by Stenberg to approve the official canvass of votes of the General Election of November 2, 2010 and authorize the Auditor to submit the signed, certified copy to the Secretary of State. All voted "aye".

Discussion was held on the Ambulance Department. Motion by Gullickson, seconded by Peper to revert back to paying the part-time on call EMT staff hourly for 1/3 of the actual hours they are on call, and revert back to paying the full-time EMTs their salary amount only, effective November 8, 2010. All voted "aye".

Motion by Stenberg, seconded by Firman to pay the 2011 SD Association of County Commissioners dues in the amount of \$1423.30. All voted "aye".

Motion by Peper, seconded by Firman to authorize Auditor Schaefer's to purchase a Dell PC computer system in the amount of \$650.00. All voted "aye".

Brenda Duncan, Director of Equalization met with the Board. Discussion was held on the productivity valuation method. Motion by Gullickson, seconded by Firman to authorize Duncan to attend the Ag Land Task Force meeting November 8 in Pierre. All voted "aye". Discussion was held on building permit fees. Motion by Firman, seconded by Peper to rescind the motion made on September 28, 2010 to set the \$1.00 per \$1,000 of valuation fee at a maximum fee of \$1,000 per building permit application,

and that the following be added to the zoning fees: *Wind Energy Systems - \$25 plus \$1 per thousand of valuation with a cap of \$1,000 per tower.* All voted "aye".

Scott Lewis, janitor met with the Board. Motion by Gullickson, seconded by Firman to replace the heating unit in the Director of Equalization's office, at a cost of \$3,000.00. All voted "aye". Discussion was held on the roof leaking on the entrance of the courthouse basement. Lewis will have a professional company come inspect the damage, and inspect mold that has possibly formed.

At 2:00 PM, the meeting was moved to the courtroom on the third floor of the courthouse. Jerry Doyle-Commissioner Elect of Commissioner District #1, Brian Bergjord, Fred Smith, and many other concerned County residents met with the Board. Discussion was held on the concern of privatizing the ambulance service. Residents spoke in favor of keeping the county ambulance service operated by the County. Discussion was held on the cost of the service, and how the residents felt the service should not be for profit, and should not be ran as a business. Discussion was also held on the concern of the ambulance service proposal submitted by Tracy Foltz of Med-Star. Residents also asked why the Santee Sioux Tribe or Flandreau City had not been approached on helping fund the service.

Linette Christensen, Treasurer met with the Board to review the County's finances. Christensen reviewed the County's CD's, reviewed the FDIC, and informed the Board of the need for the County to have an investment policy.

Discussion was held on the County ambulance service. The Board agreed to inquire with the City of Flandreau and the Santee Sioux Tribe about each contributing \$10,000 annually to the ambulance service. Commissioners Stenberg and Firman will make appointments to meet with each governing body at their next meetings.

Kari Anderson, Deputy Auditor met with the Board to review outstanding County liens. Motion by Gullickson, seconded by Firman to write off the following outstanding liens: liens for individuals who have been deceased over 5 years with no payment activity, liens for FIS students/parents/guardians who have no address within the state of SD with no payment activity, and liens recorded prior to 1990 with no payment activity and the individual has no record of owning real estate. All voted "aye".

Motion by Gullickson, seconded by Peper to grant comp time to Deputy Auditors Kari Anderson and Glenda Erickson during the week of the General Election. All voted "aye".

The following reports for October were received and filed in the Auditor's Office: Civil fees \$1,107.60, and Register of Deeds fees \$6,568.00.

Motion by Gullickson, seconded by Firman to approve the following claims and issue warrants, all voted "aye": General: Kari Anderson, travel 8.51, A&B Business, copy contract 44.10, Norma Anderson, service 24.00, Avera/Flandreau Medical, county nurse 2661.66, American Stamp & Marking, stamp 48.05, Alltel, cell phones 120.79, Nathan Bowden, travel 49.90, Best Business Products, copier maintenance 12.68, Bob's Electric, service 160.00, Brown & Saenger, supplies 36.83, Barnes & Noble, books 229.29, Boysen Insurance, bond/notary stamp 50.00, Mark Bonrud, reimbursement 674.20, C&R Supply, nozzle 92.80, Crossings Book Club, books 38.95, Century Business Products, copies/maintenance 70.00, Brenda Duncan, travel/reimbursement 309.35, Department of Revenue, blood alcohols 420.00, Doubleday Book Club, books 24.46, Donna Dietrich, services 274.70, William Ellingson, office expense 1567.32, Enterprise, publications/envelopes 2003.76, Marv Ekeren, service 30.00, First National Bank, deposit slips 24.00, Alvin Gullickson, travel 66.97, Brad Grootwassink, painting 480.00, Patricia Hartsel, service 197.60, Horn & Koletzky, court appointed attorney 270.40, Hillyard, supplies 213.23, Inter-Lakes Community Action, service 428.75, IBS, service 618.75, Justice Fire & Safety, extinguishers/maintenance 376.00, J&K, supplies 277.87, Knology, telephone/fax 290.11, Nelva Kooistra, service 54.00, Krulls Garage, service 15.00, Literary Guild Select, books 49.94, Martin May, travel 22.20, Matthew Bender & Co, law manuals 208.96, Maynards, supplies 5.67, Gary Mikelson, services 65.60, Moody County Public Health, flu shots 400.00, Minnehaha County Treasurer, jail housing/blood alcohol 12838.20, Steve Miller, court appointed attorney 4093.33, McLeod's Printing, envelopes 130.80, OfficeMax, supplies 61.94, Bob Pesall, court appointed attorney 5334.30, Powers-Dakota Stop, gas/jail meals 1923.19, Reader Service, books 49.41, John Shaeffer, court appointed attorney 4263.50, Lori Schaefer, travel 16.65, David Stenberg, travel 27.75, SD Sheriff's Association, 2011 dues 547.85, Sturdevant's, supplies 15.17, SDACC, 2011 dues 1423.30, Secretary of State, notary fee 30.00, Southwest Office Supply, supplies 451.50, Sanford Medical Center, poor relief 5000.00, Sparkle Car Wash, tokens 80.00, USPS envelopes/postage 753.60, Velvet Uniforms, uniforms/supplies 444.10, Van Diest, 24D Amine 6949.80, Brookings Health System, jail-blood alcohols 112.30, Election Workers/Polling Places, wages/mileage/rent 2968.31. Highway: Ahlers Automotive, repairs 24.00, Marc Blum, reimbursement 30.94, City of Colman, utilities 50.20, Don's Tire Shop, service 20.00, David Gaspar, reimbursement 1300.00, Interstate Power Systems, service 7630.25, J&K, supplies 60.57, Knology, phone/cable/internet 217.69, Kimball Midwest, supplies 94.27, L.G. Everist, rip rap 1390.22, Loiseau Construction, culvert 11101.95, River's Edge, gas 52.41, Sturdevant's, repairs 313.64, SDDOT, service 19242.66, Troy Jaacks, clay 220.00, Richard Wiese, clay 410.00. 911: Qwest, telephone 462.56. Flex: Brenda Duncan, reimbursement 1200.00. Miscellaneous: City of Flandreau, utilities 1542.57, Cardmember Service, gas/supplies/lodging 825.84, Knology, telephone/fax 76.91, Kingsbury County,

registration fees 68.00, MidAmerican Energy, natural gas 421.32, State Treasurer, monthly remittance 50395.71. October Payroll:  
150115.11.

- Meeting adjourned at 4:15 PM.

ATTEST: Lori Schaefers  
Moody County Auditor

Martin May, Chairman  
Moody County Board of Commissioners