LAKE COUNTY COMMISSION MINUTES
DECEMBER 15, 2020

The Board of Lake County Commissioners met in regular session on December 15, 2020 at 9 a.m. in the commission meeting room at the Lake County courthouse. Chair Kelli Wollmann called the meeting to order. Auditor Barrick called roll call: Commissioner Roger Hageman, Commissioner Aaron Johnson, Commissioner Deb Reinicke, Commissioner Dennis Slaughter, and Commissioner Kelli Wollmann all present. The Pledge of Allegiance was recited.

AGENDA APPROVED:

Motion by Reinicke, second by Johnson, to approve the agenda of December 15, 2020. Motion carried.

MINUTES APPROVED:

Motion by Hageman, second by Reinicke, to approve the unapproved minutes of December 1, 2020. Motion carried.

COMMUNITY COMMENTS: None

PAYROLL APPROVED:

Motion by Reinicke, second by Slaughter to the payroll of November 30-December 13, 2020. Motion carried. Commissioners: $2,688.26; Auditors Ofc: $4,645.92; Treasurers Ofc: $4,805.92; States Attorney Ofc: $8,203.76; Govt Bldgs: $4,496.48; Dir Equalization Ofc: $6,066.41; Register Deeds Ofc: $3,350.24; VSO: $577.28; Sheriff Ofc: $13,876.59; Jail: $13,320.87; EMA: $1,697.60; 911 Comm Center: $9,334.12; 24/7: $1,920.76; Road & Bridge: $17,929.75; Welfare: $74.00; CHN: $1,145.52; WIC: $127.28; Extension; $1,316.00; Zoning; $1,592.96. Grand Total $97,169.72.

Motion by Reinicke, second by Hageman, to approve the 2020 longevity payroll. Motion carried.

LONGEVITY PAYROLL 2020: Auditors Ofc: $540.00; States Attorney Ofc: $1,680.00; Govt Bldgs: $1,500.00; Dir Equalization Ofc: $1,620.00; Register Deeds Ofc: $900.00; Sheriff Ofc: $2,640.00; 911 Comm Center: $1,980.00; Road & Bridge: $2,340.00; Welfare: $15.00; Zoning: $285.00. Grand Total $13,500.00.

ACCOUNTS PAYABLE:

Motion by Johnson, second by Slaughter, to approve the accounts payable of December 4, 11 & 16, 2020. Motion carried.

Accounts Payable 12-4-20 General: Dakotaland Fed Cr Union, $75.00, Lake Co Treasurer, Withholdings, $17,688.93, Office Child Support Enf, Child Support, $260.77, Hwy Rd-Br: Lake Co Treasurer, Withholdings, $3,914.21, 911 Comm: Lake Co Treasurer, Withholdings, $2,633.74, Office Child Support Enf, Child Support, $214.23, EMA: Lake Co Treasurer, Withholdings, $400.90, 24/7: Lake Co Treasurer, Withholdings, $245.81, Grand Total: $25,433.59

Accounts Payable 12-11-20 General: Lake Co Treasurer, Withholdings/Longevity, $1,877.71, Commissioners: First Bank & Trust, Zoom 1 Yr Subscription-Covid, $149.90, Bureau of Adm, Nov Long Distance/Fax, $2.01, First Bank & Trust, HP 14" Chromebook(6)-Covid, $2,642.56, Elections: Bureau of Adm, Nov Long Distance/Fax, $8.88, Auditor: Software Services Inc, Nov 20 Services, $500.00, First Bank & Trust, Ink Roller/Check Stamper, $113.50, Lake County Treasurer, Nov 20 ACH Charges, $30.04, Bureau of Adm, Nov Long Distance/Fax, $6.19, Centurylink, Dec Service, $48.14, Treasurer: Bureau of Adm, Nov Long Distance/Fax, $23.73, Centurylink, Dec Service, $45.96, St Atty: First Bank & Trust, Wireless Mouse, $28.31, Bureau of Adm, Nov Long Distance/ Fax, $8.69, Centurylink, Dec Service, $54.17, Gvt Bldg: First Bank & Trust, Electrostatic Sprayer(2)/ Backpack-Covid,$3,149.97, Centurylink, Dec Service, $34.36, DOE: Bureau of Adm, Nov Long Distance Calls, $7.16, Centurylink, Dec Service, $34.17, ROD: Bureau of Adm, Nov Long Distance Calls, $7.28, Centurylink, Dec Service, $20.03, VSO: Bureau of Adm, Nov Long Distance Calls, $3.73, Centurylink, Dec Service, $36.26, Sheriff: Great Western Bank, Nylon Flashlight Holster, $13.98, Jail: Bureau of Adm, Nov Long Distance Calls, $47.85, Centurylink, Dec Service, $82.27, Support of Poor: Bureau of Adm, Nov Long Distance Calls, $1.91, Centurylink, Dec Service, $20.31, Dev Disabled: SD Dept of Revenue, HSC Fees, $600.00, Extension: Bureau of Adm, Nov Long Distance Calls, $10.63, Centurylink, Dec Service, $40.10, Weed: Verizon Wireless, Service, $12.97,

Zoning: Bureau of Adm, Nov Long Distance Calls, $13.33, Centurylink, Dec Service, $20.48, Hwy Rd-Br: Lake Co Treasurer, Withholdings/Longevity, $615.14, Midamerican Energy, Utilities/Ramona, $16.94, Xcel Energy, Utilities/Ramona, $17.12, Bureau of Adm, Nov Long Distance Calls, $23.14, Centurylink, Dec Service, $54.18, Verizon Wireless, Service, $84.54, Software Services Inc, Nov 20 Services, $460.00, 911 Comm: Lake Co Treasurer, Withholdings/Longevity, $455.08, Bureau of Adm, Nov Long Distance Calls, $10.41, Centurylink, Dec Service, $124.52, Itc, Service, $115.55, Triotel Communication Inc, Service, $167.53, Verizon Wireless, Service, $42.00, EMA: Centurylink, Dec Service, $32.20, Verizon Wireless, Svc/Hotspot, $82.01, Centurylink, Dec Service/PS Annex, $14.03, St Remittance: SD Dept of Revenue, Nov Fees, $239,469.35, M&P Fund: SDACO, Nov 20 ROD Fees, $520.00, Grand Total: $252,000.32

Accounts Payable 12-16-20 General: Commissioner: Madison Daily Leader, Publications, $714.82, Pitney Bowes Global, Postage Lease, $2.70, Infotech Solutions Llc, Ofc (3) Nov 20, $15.00, Elections: Pitney Bowes Global, Postage Lease, $64.71, Infotech Solutions Llc, Tech(2) Nov 20, $66.00, Judicial System: Dawson, Jacob D, CAA Fees, $1,421.05, Stanford, Lori, CAA Fees, $1,042.75, Dawson, Jacob D, CAA Fees, $1,183.15, Premiere Global Services, Dec Phone System, $26.62, Pitney Bowes Global, Postage Lease, $126.93, Mood Media, Beldin Conductor/Covid, $409.86, Auditors Office: Infotech Solutions Llc, Email(3)/Tech(3) Nov 20-Monitor, $443.99, Pitney Bowes Global, Postage Lease, $131.22, Office Peeps Inc, W2/1099 Forms & Env/Cyan Cart, $276.73, Treasurers Office: Infotech Solutions Llc, Ofc(3)/Tech(4) Nov 20, $161.85, Pitney Bowes Global, Postage Lease, $274.46, Bureau Of Administration, July Bit Billing (3), $18.75, St Atty: Infotech Solutions Llc, Ofc(4)/Tech(5) Nov 20/Dell computer, $2,834.98, A & B Business Solutions, Copier Maint/Usage, $79.44, Pitney Bowes Global, Postage Lease, $14.90, Office Peeps Inc, Toner (4), $208.92, SD Paralegal Assn Inc, 2021 Dues/Gust, Shelli, $65.00, Relx Inc. Dba Lexis Nexi, Nov Subscription Fee, $190.00, Gvt Bldgs: Infotech Solutions Llc, Ofc(1)/Tech(1) Nov 20, $38.00, Madison Ace Hardware, Coupler/Clips, $13.58, Runnings, Coupling/Screws/Conduit, $30.97, Lake County Intl Inc, Tractor Headlight, $63.44, Timmer Supply Company, Return Ship/UPS To Grainger/ expansion plug, $14.29, Madison Ace Hardware, Battery/Brush/Bulbs/Bolts, $177.19, City Of Madison, Utilities, $1,875.46, Bud's Clean Up Service, Oct & Nov Service, $383.68, DOE: Schneider Geospatial Llc, Annual Beacon Billing, $9,120.00, Infotech Solutions Llc, Ofc(4)/Tech(6) Nov 20, $218.00, Pitney Bowes Global, Postage Lease, $171.13, Steinley Real Estate App, Uspap Course/ Becker, $200.00, F & M Coop Oil Company, Tires(2)/Balance, $228.73, Sturdevant's Auto Parts, Breaklight Bulb, $2.69, ROD: Infotech Solutions Llc, Ofc(2)/Tech(4) Nov 20, $157.00, Pitney Bowes Global, Postage Lease, $42.21, Office Peeps Inc, Correction Pen, $8.10, VSO: Pitney Bowes Global, Postage Lease, $.80, Infotech Solutions Llc, Ofc(2)/Tech(1) Nov 20, $47.95, GIS: Infotech Solutions Llc, Tech(1) Nov 20,$33.00, IT: Infotech Solutions Llc, Tech(2)/Backup/Firewall/domain renewal, $899.95, Sheriff: Redwood Toxicology Lab, Bl Alcohols(6), $300.00, Redwood Toxicology Lab, Return Labels/Boxes, $16.44, Lake Veterinary Clinic, Rocco Care Nov 20, $75.00, Infotech Solutions Llc, Ofc(12)/Tech(15)/Pm(8) Nov 20, $656.67, Gall's Llc, Women's Stryke Pant(2)/Talich, $142.00, Pitney Bowes Global, Postage Lease, $87.92, Kustom Signals Inc, Speedboard Trailer Repair, $144.90, Be Online Inc, Ozone Generator & Meter/Covid, $1,394.00, Office Peeps Inc, Legal Paper/ Envelopes/Folders, $38.75, Walburg, Tim, Facemasks/10-Covid, $50.00, Talich, Sarina, Cell Phone Reimburse/June-Dec, $240.00, Lanning, Grant, Cell Phone Reimburse/June-Dec, $210.00, Hofman, Micah, Cell Phone Reimburse/June-Dec, $120.00, Rowe, Steve, Cell Phone Reimburse/June-Dec, $120.00, Williams, Craig S, Cell Phone Reimburse/June-Dec, $120.00, Dierkhising, Aric, Cell Phone Reimburse/June-Dec, $90.00, Walburg, Tim, Cell Phone Reimburse/June-Dec, $240.00, Steves Tire & Service Inc, Oil Chg 2020 Durango, 2017 Ford, 2013 Ford/tire balance, $1,375.48, Jail: Madison Family Dental Llc, 4 recipients,$1,762.00, Lewis Drug Inc, Nov Prisoner Meds/Jail supplies, $941.41, Reliance Telephone System, Camera/Booking Room/Install, $492.00, Infotech Solutions Llc, Ofc(10)/ Tech(4)/WA Pt Nov 20, $192.00, Satellite Tracking, Nov Gps Bracelets/60 Days, $195.00, Walburg, Tim, Facemasks/10-Covid, $50.00, City Of Madison, Utilities, $1,773.97, Sunshine Foods Inc, Nov Prisoner Meals, $6,958.49, Support Of Poor: Infotech Solutions Llc, Ofc(1)/Tech(1) Nov 20, $38.00, Pitney Bowes Global, Postage Lease, $3.70, Lake Co Food Pantry Inc, 4th Qtr Allotment, $669.00,

CHN: Marco Inc, Copier Lease, $72.78, Pitney Bowes Global, Postage Lease, $44.81, Sodexo Inc & Affiliates, Pod Expenses/Meals 10/21/20, $516.60, Paulson, Joann, Pod Plan/Facilitation, $3,004.28, Ambulance: Madison Reg Health System, 4th Qtr Allotment, $7,500.00, Care Of Aged: Interlakes Comm Action, 4th Qtr Allotment, $3,250.00, East Dakota Transit, 4th Qtr Allotment, $3,062.50, Developmentally Disabled: Valiant Living, 4th Qtr Allotment, $1,250.00, Mental Illness Board: Lewno, Lucy, MI Hearing, $175.00, Katterhagen, Mark, MI Hearing, $18.00, Lockwood, Darcy, MI Hearing, $18.00, Yankton Co Sheriff's Ofc, MI Service, $100.00, Lincoln County Treasurer, MI Service, $705.90, Youngberg, Luci, MI Hearing, $388.94, Busch, Megan, Crt MI Hearing, $203.24, Fox, Daniel L, Crt MI Hearing, $254.90, Cook-Huber, Kerri, Crt MI Hearing, $186.30, Koletzky, Sherri J, Crt MI Hearing, $349.20, Public Library: Madison Public Library, 4th Qtr Allotment, $4,750.00, Historical Museum: Smith-Zimmermann Museum, 4th Qtr Allotment, $750.00, Extension: Sunshine Foods Inc, 3 Ounce Cups (2), $8.98, Lewis Drug Inc, Candycanes (3 Box)/Gulf Wax(4), $25.03, Conservation District: Lake County Cons District, 4th Qtr Allotment, $13,375.00, Weed:, SD Assn Weed/Pest Supr, Nelson, Nels/Dues, $50.00, Planning & Zoning: First District Assn, 4th Qtr Allotment, $5,211.59, Madison Daily Leader, Publications, $50.15, Infotech Solutions Llc, Ofc(1)/ Tech(1) Nov 20, $48.00, Pitney Bowes Global, Postage Lease, $32.51, Office Peeps Inc, Toner-Blk/Yellow/Cyan/Mag, $535.15, Economic Dev/Tourism: Lake Area Improvement Crp, 4th Qtr Allotment, $6,250.00, Prairie Historical Society, 4th Qtr Allotment, $750.00, Road & Bridge: SD Dept Of Transportation, Br 40-220-223/Project CS6353, $118,632.68, Madison Daily Leader, Publication, $9.30, Butler Machinery Co, Excavator Lease/1st Pymt, $31,506.42, Tire Motive Service Cntr, Labor/ Brakes, $807.50, T & H Welding, Wing Mount/Labor, $1,230.00, Dakota Fluid Power Inc, Drive Motor Repair, $1,253.55, Airgas USA Llc, Airgas Hazmat/1 Yr Lease, $94.97, Vander Haag's Inc, Hub/ Tr037, $175.00, Michael Johnson Const Llc, Concrete Sand/438.74 Ton, $3,071.18, Krug Products Inc, Male/Female Coupler, $24.09, Lake County Intl Inc, Tog Switch, $293.55, Tire Motive Service Cntr, Axle seal/Brake/Drum/Spring Kit, $631.50, F & M Coop Oil Company, Fuel Nozzle/Propane, $119.41, Sturdevant's Auto Parts, Oil-Filter, $27.62, O'reilly Auto Parts, Air Filter, $53.48, Carquest Auto Parts, Fuel Spin-On/Band Clamp/Oil filters/Seals/Bearings, $625.01, Runnings, Lock Pin/Clamp/ Tubing, $91.99, Butler Machinery Co, Blades (10), $1,385.10, T & H Welding, Wing Mount Steel, $64.27, Madison Ace Hardware, Chainsaw Chain/Oil/Sharpen, $346.45, Tran-Source, Coolant Pipe/ Link Rod, $601.03, Cole's Petroleum Inc, Eng Oil/Drum Deposit (3), $970.45, Michael Johnson Const Llc, Crushed Rock/Culverts/128.44ton, $2,337.61, Lake County Treasurer, Certified Mail (3), $20.85, Office Peeps Inc, Highlighter/Clipboard/Cor Tap, $37.47, Buffalo Ridge Concrete, Concrete/Winter Heat, $210.00, F & M Coop Oil Company, Oring/Tire Repair, $85.00, Graham Tire Sf North, Replacement Tire, $104.84, Infotech Solutions Llc, Ofc(2)/Tech(2) Nov 20, $91.00, Lyle Signs Inc, 911 Signs/Firemarker, $226.09, Runnings, Reflect Letters, $4.74, SD Dept Of Transportation, Pavement Markings, $9,981.89, 911: Infotech Solutions Llc, Ofc(2)/Tech(6) Nov 20, $208.00, Pitney Bowes Global, Postage Lease, $.70, Infotech Solutions Llc, Mini Display Port(3)/Adapter, $89.96, EMA: Infotech Solutions Llc, Ofc(1)/Tech(1) Nov 20, $45.50, Pitney Bowes Global, Postage Lease, $1.50, Madison Ace Hardware, Key Rack/Keys-Command Trlr, $25.95, Domestic Abuse: Domestic Violence Network, 4th Qtr Allotment, $790.00, Gvt Bldgs: Amert Construction Co, ROD/AUD/ TREAS/DOE/SA remodel-COVID, $52,374.00, 24/7: Pharmchem Inc, Patch Kit/Overlay/Sweat Patches, $1,033.75, Grand Total: $324,616.99

APPROVE FUEL QUOTES:

The board reviewed the following DEF fluid (200 gallons) quotes dated December 7, 2020: F&M - $1.40/gal, Kibble Equipment-$1.39/gal, Lake County International, $2.25/gal. Motion by Slaughter, second by Reinicke, to approve the low quote of Kibble Equipment. Motion carried.

PERSONNEL POLICY/HOLIDAY PREMIUM PAY/OVERTIME:

Motion by Reinicke, second by Slaughter, to count hours worked on a holiday towards hours worked for the purposes of overtime and to amend the employee handbook to reflect this change effective January 1, 2021. Motion carried.

DETENTION SERVICES AGREEMENT:

The board reviewed the annual agreement for Detention Services between Minnehaha County, Lutheran Social Services South Dakota, and Lake County. The states attorney and sheriff have reviewed the agreement. The rate will increase from $236.90 to $244.00 per day for secure detention and non-secure detention at the Regional Juvenile Detention Center. The rate will increase from $236.90 to $244.00 per day for beds for non-secure detention at Lutheran Social Services South Dakota. Motion by Slaughter, second by Hageman, to approve the agreement between Minnehaha County, Lutheran Social Services South Dakota, and Lake County for secure and non-secure juvenile detention in 2021 and authorize the chair to sign. Motion carried.

RESOLUTION 2020-22/APPOINTMENT OF APPLICANT AGENT AND SLA AGREEMENT FOR PDM: The next step in the Pre-Disaster Mitigation Plan update process is to designate an applicant agent and to enter into a State and Local Agreement with the State of South Dakota. The applicant agent is then authorized to sign documents related to this project without each document needing to come back before the full commission. Chair Wollmann read Resolution 2020-22.

RESOLUTION #2020-22
APPOINTMENT OF APPLICANT AGENT

WHEREAS Lake County is submitting a grant application to the Federal Emergency Management Agency and the State of South Dakota; and
WHEREAS Lake County is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all application documents;
NOW THEREFORE BE IT RESOLVED that the Lake County Board of County Commissioners appoints Kelli Wollmann and/or Kody Keefer as the authorized Applicant Agent.
Voting aye: Wollmann, Hageman, Johnson, Reinicke, Slaughter Voting nay: none
Dated this 15th day of December, 2020, at Madison, South Dakota.
Appointing Authority
Dated this 17th day of December, 2019, at Madison, South Dakota.
BOARD OF LAKE COUNTY COMMISSIONERS
/s/Kelli Wollmann
Kelli Wollmann, Lake County Commission Chair
ATTEST:
/s/Paula Barrick
Paula Barrick, Lake County Auditor
Motion by Hageman, second by Slaughter, to approve Resolution 2020-22 and authorize the chair to sign. Motion carried. Motion by Hageman, second by Slaughter to approve the State-Local Assistance Agreement for Pre-Disaster Mitigation and authorize the chair to sign. Motion carried.

APPROVE BOX CULVERT PROJECT 40-190-192:
Motion by Reinicke, second by Johnson, to acknowledge receipt of the performance bond, payment bond, and insurance documentation from Nolz Dragline & Construction Inc., and approve the Agreement Between Owner and Contractor for Construction Contract (Stipulated Price) and authorize the chair to sign. Motion carried.

MEETINGS ATTENDED:
Commissioner Slaughter attended the Road & Bridge Advisory Board meeting and went with Hwy Supt. Nelson and Commissioner Hageman to Sioux Falls to look at a truck. Commissioner Hageman went with Hwy Supt. Nelson and Commissioner Slaughter to Sioux Falls to look at a truck. Commissioner Wollmann attended a safety committee meeting and a 4H group meeting. Commissioner Reinicke attended the Road & Bridge Advisory Board meeting, Domestic Violence Board Meeting and the 4H Festival of Trees. Commissioner Johnson attended the Planning & Zoning meeting.

EXTENSION/YOUTH DEVELOPMENT SUPPLIES:
Jen Hayford, 4-H Advisor, asked the board for their approval of purchasing poultry cages and cattle gates out of this years budget. There are no funds available in the youth development budget line,

but overall, the Extension department will be in the black. As this was an unbudgeted expense, Hayford requested the commission to approve this expenditure. Motion by Reinicke, second by Slaughter, to authorize the Extension Office to move forward with their purchase of poultry cages and cattle gates, up to $1,159.76. Motion carried.

LAKES BAR & GRILL/LIQUOR & MALT BEV/SD FARM WINE TRANSFER:

This being the date and time as per advertisement, the board reviewed the application of Mike Anderson/Anderson Group Inc. to transfer the Lakes Bar & Grill/Trappmeyer LLC., Retail (on-sale) Liquor & Retail (on-off sale) Malt Beverage & SD Farm Wine to Anderson Group Inc. Mike Anderson was present to discuss his purchase of the Lakes Bar & Grill. Motion by Johnson, second by Reinicke, to approve the transfer application for the Retail (on-sale) Liquor and Retail (on-off sale) Malt Beverage & SD Farm Wine from Lakes Bar & Grill/Trappmeyer LLC to Anderson Group Inc./Mike Anderson. Motion carried.

CHRISTMAS EVE HOLIDAY:

HR Gust discussed an email from Governor Noem regarding Christmas Eve. Motion by Reinicke, second by Hageman, to observe an additional half day of holiday on December 24th. Motion carried.

CREEK CLEANOUT/456TH UPDATE:

CAO Gust informed the board that the county has received authorization from the Department of the Army, Corps of Engineers, to move forward with the maintenance dredging of accumulated sediments and debris as well as the installation of riprap for erosion control in the creek near the bridge on 456th Ave. The City of Madison has requested that we complete a Floodplain Development Permit which has been done and approval should be soon. The costs for the project will be shared with the City of Madison (50/50), with the County's cost $4,250.

PLANNING & ZONING VACANCIES:

Doug Jerlow and Gene Anderson will not be renewing their terms of office on the Planning & Zoning Board. Motion by Reinicke, second by Slaughter, to acknowledge with regret, the retirement of Doug Jerlow and Gene Anderson and to commend them on their years of service to the Lake County Planning & Zoning Board. Motion carried.

WELFARE/INDIGENTS:

Mandi Anderson, Welfare Director, presented the following applications from Avera McKennan Hospital to the board.

INDIGENT 20-26:

Motion by Reinicke, second by Johnson, to deny Application 20-26 based on the following findings and conclusions:

1) An Application for Assistance and Hospital Request for Payment was received from Avera Heart on 9/19/2020.
2) To assist the County in determining whether 20-26 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-26 on 9/22/2020 inviting 20-26 to make application for assistance. The County received a response.
3) Based on the response received by 20-26, the County finds that:
   a. Patient 20-26 neglected to purchase or apply for major medical insurance.
   b. Patient 20-26 has been approved for Avera's financial Aid assistance program.
4) Based on the documentation provided by Avera Heart to the County, the County finds that:
   a. Patient 20-26 is a 57-year old male who is presumed to be able to work.
5) No evidence or documentation supporting that 20-26 is a medically indigent person that qualifies for county poor relief has been provided to the County.
6) The County is able to determine that 20-26 is not a medically indigent person, as that term is defined in SDCL 28-13-1.3, 20-26 is indigent by design by failing to purchase major health insurance; therefore 20-26 does not qualify for county poor relief under SDCL 28-13.

Motion carried.

INDIGENT 20-28:

Motion by Slaughter, second by Hageman, to deny Application 20-28 based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 9/3/2020.
2) To assist the County in determining whether 20-28 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-28 on 9/3/2020 inviting 20-28 to make application for assistance. The County did not receive a response.
3) Based on the documentation provided by Avera McKennan to the County, the County finds that:
   a. Patient 20-28 is a 55-year-old male who is presumed to be able to work.
   b. The actual cost of hospitalization is low enough that Patient 20-28 is presumed to have the ability to make reasonable monthly payments and pay the debt for hospitalization over a period of 5 years.
   c. Patient 20-28 final diagnosis indicates the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
   d. Patient was seen for voluntary behavior health services.
4) No evidence or documentation supporting that 20-28 is a medically indigent person that qualifies for county poor relief has been provided to the County.
5) The County is able to determine that 20-28 is not a medically indigent person, as that term is defined in SDCL 28-13-1.3, , the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1) ; therefore 20-28 does not qualify for county poor relief under SDCL 28-13.

Motion carried.

INDIGENT 20-29:

Motion by Reinicke, second by Johnson, to deny Application 20-29 based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 10/30/2020.
2) To assist the County in determining whether 20-29 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-29 on 10/30/2020 inviting 20-29 to make application for assistance. The County did not receive a response.
3) Based on the documentation provided by Avera McKennan to the County, the County finds that:
   a. Patient 20-29 is a 58-year old male who is presumed to be able to work.
4) No evidence or documentation supporting that 20-29 is a medically indigent person that qualifies for county poor relief has been provided to the County.
5) The County is unable to determine whether 20-29 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-29 qualifies for county poor relief under SDCL 28-13.

Motion carried.

BOARD OF ADJUSTMENT:

Motion by Reinicke, second by Slaughter, to enter into a Board of Adjustment. Motion carried. Commissioner Slaughter acknowledged receipt of the unapproved Planning Commission minutes from December 9th regular meeting.

#20-13 Variance for Tracey Anderson – Lots 20-21 Blocks A & C & vacated road lying between said lots in Wentworth Park Subdivision in the SE ¼ of Section 30-106-51, Wentworth Township. Anderson waived his right to person appearance. The applicant is requesting to build a deck addition onto their existing upper-level living area above the garage. There were no proponents or opponents present. Motion by Reinicke, second by Johnson, to approve the applicant's variance permit #20-13 and adopt the specific findings outlined in the staff report. Motion carried.

#20-14 Variance for Tim Hagen/TNT Storage - Lot 10 in Tract A in Line Tract 4 of Government Lot 4 of Section 30, Wentworth Township. Hagen was present to ask for a 6' variance from the rear yard setback to his storage unit. Hagen presented a picture which showed the difficulty of driving into the proposed storage unit if the variance was not approved. The picture was entered into the record. There were no proponents or opponents present. Motion by Johnson, second by Reinicke, to approve the applicant's variance permit #20-14 and adopt the specific findings outlined in the staff

report. Chair Wollmann called for a roll call vote: Commissioner Hageman-Nay; Commissioner Johnson-Aye; Commissioner Reinicke-Aye; Commissioner Slaughter-Aye; Commissioner Wollman-Nay. Motion failed. Hagen left the meeting. Wollmann and Hageman were advised that findings supporting denial of the applicant's variance would need to be made. Wollmann advised that she did not want to deny the applicant's variance, and that she voted nay because she preferred to postpone the application so a site visit could be made. Reinicke suggested tabling the application until the end of the meeting. Motion by Reinicke, second by Hagman, to table Variance 20-14 until the end of today's meeting for further discussion. Chair Wollmann called for a roll call vote: Commissioner Hageman-Aye; Commissioner Johnson-Aye; Commissioner Reinicke-Aye; Commissioner Slaughter-Aye; Commissioner Wollmann-Aye. Motion carried.

A brief recess was taken to give Zoning Officer Anderson an opportunity to contact the applicant and invite him back at the end of the meeting.

REGULAR SESSION:

Motion by Reinicke, second by Johnson, to return to regular session. Motion carried.

ZONING/PLATS:

Plat of Lots 1 & 2 of Robson's 2nd Addition in the SE 1/4 of Section 4, Township 106 North, Range 52 West of the 5th P.M. in Lake County, SD. Motion by Reinicke, second by Slaughter, to approve Plat of Lots 1 & 2 of Robson's 2nd Addition in the SE 1/4 of Sections 4, Township 106 North, Range 52 West of the 5th P.M in Lake County, SD as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of Lot 8 in Block 2 of Lakes Community Addition in the South 1/2 of Section 32-T106N-R51W of the 5th P.M. in Lake County, SD. Motion by Johnson, second by Reinicke, to approve Plat of Lot 8 in Block 2 of Lakes Community Addition in the South 1/2 of Section 32-T106N-R51W of the 5th P.M. in Lake County, SD as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of J-Olson's Addition in the SW 1/4 of Section 6, Township 107 North, Range 51 West of the 5th P.M. in Lake County, SD. Motion by Reinicke, second by Slaughter, to approve Plat of J-Olson's Addition in the SW 1/4 of Section 6, Township 107 North, Range 51 West of the 5th P.M. in Lake County, SD as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of Lots 12A and 13A of Earl Spawn's Subdivision of Government Lot 3 in Section 10, Township 105 North, Range 51 West of the 5th P.M. Lake County, SD. Motion by Reinicke, second by Johnson, to approve Plat of Lots 12A and 13A of Earl Spawn's Subdivision of Government Lot 3 in Section 10, Township 105 North, Range 51 West of the 5th P.M. Lake County, SD as it meets county regulations and taxes have been paid in full. Motion carried.

FIRST READING ORDINANCE #20-73:

Chair Wollmann read Ordinance #20-73/An Ordinance Amending The Official Zoning Map of Lake County by Rezoning Certain Property. Motion by Johnson, second by Reinicke, to approve first reading of Ordinance #20-73. Motion carried.

ORDINANCE NO. 20-73

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF LAKE COUNTY BY REZONING CERTAIN PROPERTY.

BE IT ORDAINED BY LAKE COUNTY, SOUTH DAKOTA:

That Lake County has previously adopted the Lake County Official Zoning Map on August 18, 2002.

That Lakes Community LLC has made application to the Lake County Planning and Zoning Commission to rezone: A portion of Lots 1 & 2 Lakes Community 2nd Addition in NE ¼ of 5-105-51 & SE ¼ of 32-106-51 to be replated and known as: Lots 1-24 of Lake's Community Storage Association 2nd Addition in NE ¼ of 5-105-51 & SE ¼ of 32-106-51, Lake County, South Dakota from Lake Park District-1 & Agricultural to Lake Park District-3.

That the Lake County Planning and Zoning Commission recommended to approve the application to rezone.

That the Lake County Board of Commissioners have to approve the rezone application for the rezone to take effect.

That Ordinance 02-37, the Lake County Official Zoning Map, is hereby amended as follows:

A portion of Lots 1 & 2 Lakes Community 2nd Addition in NE ¼ of 5-105-51 & SE ¼ of 32-106-51 to be replated and known as: Lots 1-24 of Lake's Community Storage Association 2nd Addition in NE ¼ of 5-105-51 & SE ¼ of 32-106-51, Lake County, South Dakota from Lake Park District-1 & Agricultural to Lake Park District-3

That in all other respects, the Lake County Official Zoning Map dated August 18, 2002, shall remain unchanged and is hereby re-ordained.

All the foregoing, being duly considered, is hereby adopted by vote of the Lake County Board of Commissioners on the _____ day of _____, 20____

_____, _____

Lake County Board of Commissioners

ATTEST:

_____

Lake County Auditor

FIRST READING: December 15, 2020

SECOND READING: January 5, 2021

ADOPTED: January 5, 2021

PUBLISHED: January 8, 2021

EFFECTIVE: January 28, 2021

BOARD OF ADJUSTMENT:

Motion by Reinicke, second by Johnson, to enter into a Board of Adjustment. Motion carried.

#20-15 Variance for Richard and Mary Schneider – Lot 8 in Tract A in Line Tract 4 of Government Lot 4 of Section 30, Wentworth Township. The applicants signed a waiver of appearance. The Schneiders are requesting a 6' variance from the rear yard setback to build a private storage building on their LP-3 lot. Zoning Officer Anderson suggested that Pictometry be available to help with any commissioner's concerns, as she utilizes Pictometry in the preparation of her staff report and the various angles of photos may provide the same information that a site visit would. CAO Gust assisted in viewing the site through Pictometry. There were no proponents or opponents. Motion by Reinicke, second by Johnson, to approve variance 20-15 with the following findings outlined in the staff report:

1) The proposed application is the minimum variance that will make possible the reasonable use of the land, building or structure.
2) Granting the variance will be in harmony with the general purpose and intent of the Ordinance.
3) The granting of the variance would not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4) That there are extraordinary and exceptional situations and special conditions or circumstances that exist which are peculiar to the land, structure, or building involved.
5) The granting of the variance request would not confer on the applicant special privilege denied to others in the LP-3 district.
6) Conditions particular to the property were not the result of the actions of the applicant and a literal enforcement of the ordinance would result in unnecessary and undue hardship.
7) That the non-conforming USE of neighboring lands, structures or buildings in the same district, and no permitted or non-conforming USE of lands, structures, or buildings in other districts was not considered grounds for the issuance of this variance.
8) Adjoining landowners have been notified as per Article V Section 505, Lake County Zoning Ordinance.
9) By reason of exception, narrowness, shallowness or shape of a specific piece of property.
10) The reasons set forth justify the granting of the variance.

Chair Wollmann called for a roll call vote: Commissioner Hageman-Nay; Commissioner Johnson-Aye; Commissioner Reinicke-Aye; Commissioner Slaughter-Aye; Commissioner Wollmann-Aye. Motion carried.

#20-14 Variance for Tim Hagen/TNT Storage, LLC-Lot 10 in Tract A in Line Tract 4 of Government Lot 4 of Section 30, Wentworth Township. The applicant was present. CAO Gust summarized the Board of Adjustment's actions that had taken place after the applicant had left the meeting. Motion by Johnson, second by Slaughter, to reconsider Variance #20-14. Commissioner Hageman abstained. Motion carried. Hageman indicated that he abstained because he had the same fire safety concerns as the Planning Commission. Zoning Officer Anderson suggested that Pictometry be available to help with any commissioner's concerns, as she utilizes Pictometry in the preparation of her staff report and the various angles of photos may provide the same information that a site visit would. CAO Gust assisted in viewing the site through Pictometry. Hagen informed the board that there will be no utilities on this property. There were no proponents or opponents present. Motion by Reinicke, second by Johnson, to approve variance 20-14 with the following findings outlined in the staff report:

1) The proposed application is the minimum variance that will make possible the reasonable use of the land, building or structure.
2) Granting the variance will be in harmony with the general purpose and intent of the Ordinance.
3) The granting of the variance would not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4) That there are extraordinary and exceptional situations and special conditions or circumstances that exist which are peculiar to the land, structure, or building involved.
5) The granting of the variance request would not confer on the applicant special privilege denied to others in the LP-3 district.
6) Conditions particular to the property were not the result of the actions of the applicant and a literal enforcement of the ordinance would result in unnecessary and undue hardship.
7) That the non-conforming USE of neighboring lands, structures or buildings in the same district, and no permitted or non-conforming USE of lands, structures, or buildings in other districts was not considered grounds for the issuance of this variance.
8) Adjoining landowners have been notified as per Article V Section 505, Lake County Zoning Ordinance.
9) By reason of exception, narrowness, shallowness or shape of a specific piece of property.
10) The reasons set forth justify the granting of the variance.

Chair Wollmann called for a roll call vote: Commissioner Hageman-Nay; Commissioner Johnson-Aye; Commissioner Reinicke-Aye; Commissioner Slaughter-Aye; Commissioner Wollmann-Aye. Motion carried.

REGULAR SESSION:

Motion by Reinicke, second by Hageman, to return to regular session. Motion carried.

NOVEMBER 2020 REPORTS RECEIVED: Zoning/Drainage fees collected $2,737.00.

ADJOURN:

Motion by Reinicke, second by Johnson, to adjourn the meeting at 11:36 a.m. Motion carried. The next meeting will be Thursday, December 30th at 9 a.m for yearend business only.

/s/ Paula Barrick	/s/ Kelli Wollmann
PAULA BARRICK	KELLI WOLLMANN
Lake County Auditor	Chair, Lake County Commission

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