LAKE COUNTY COMMISSION MINUTES
August 18, 2020

The Board of Lake County Commissioners met in regular session on August 18, 2020 at 9 a.m. in the commission meeting room at the Lake County courthouse. Chair Kelli Wollmann called the meeting to order. Auditor Janke 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 August 18, 2020. Motion carried.

MINUTES APROVED:

Motion by Hageman, second by Johnson, to approve the unapproved minutes of August 4, 2020. Motion carried.

PAYROLL APPROVED:

Motion by Reinicke, second by Hageman, to approve the payroll of July 27-August 9, 2020. Motion carried. COMMISSIONERS: $5,572.01; AUDITORS OFC: $7,341.30; TREASURERS OFC: $4,805.92; STATES ATTORNEY OFC: $8,536.77; GOVT BLDGS: $4,792.00; DIR EQUALIZATION OFC: $5,860.72; REGISTER DEEDS OFC: $3,326.31; VSO: $577.28; SHERIFF OFC: $15,078.45; JAIL: $11,835.74; CORONER: $576.75; EMA: $1,697.60; 911 COMM CENTER: $7,971.82; 24/7: $1,012.87; ROAD & BRIDGE: $16,916.75; WELFARE: $74.00; CHN: $1,137.57; WIC: $135.24; EXTENSION: $1,390.03; ZONING: $1,592.96. GRAND TOTAL $100,232.09.

COMMUNITY COMMENTS: Chair Wollmann thanked Roberta “Bobbi” Janke, Lake County Auditor, for her service to the commission and Lake County.

ACCOUNTS PAYABLE APPROVED:

Motion by Johnson, second by Reinicke, to approve the accounts payable of August 13 and 19, 2020. Motion carried.

Accounts Payable 8-13-20 General: Dakotaland Fed Cr Union, $75.00, Lake Co Treasurer, Withholdings, $16,362.73, Office Child Support Enf, Child Support, $260.77 **Election:** Bureau Of Administration, Jul Fax Services, $.66 **Judicial:** Premiere Global Services, Jul Phone System, $26.62 **Auditor:** Bureau Of Administration, Jul Long Distance, $4.81, Century Link, Aug Service, $46.57 **Treasurer:** Bureau Of Administration, Jul Long Distance, $12.81, Century Link, Aug Service, $45.04 **St Atty:** Bureau Of Administration, Jul Long Distance, $9.22, Century Link, Aug Service, $52.56 **Gvt Bldg:** Century Link, Aug Service, $33.30, City Of Madison, Utilities, $1,769.32 **DOE:** Bureau Of Administration, Jul Long Distance, $2.31, Century Link, Aug Service, $33.04 **ROD:** Bureau Of Administration, Jul Long Distance, $10.42, Century Link, Aug Service, $19.52 **VSO:** Bureau Of Administration, Jul Long Distance, $12.26, Century Link, Aug Service, $35.21 **Sheriff:** Great Western Bank, Gas/Ipswitch, $22.00 **Jail:** Great Western Bank, Cart/Supplies, $266.20, Bureau Of Administration, Jul Long Distance, $48.96, Century Link, Aug Service, $79.60, City Of Madison, Utilities, $2,356.42 **Support Of Poor:** Bureau Of Administration, Jul Long Distance, $.66, Century Link, Aug Service, $19.78 **Develop Disabled:** SD Dept Of Revenue, HSC Services (2), $1,200.00 **Recreation:** Great Western Bank, Cradle Point/Asurion, $721.84 **Extension:** Century Link, Aug Service, $39.04, First Bank & Trust, Newsletter-Smore, $79.00 **Weed:** Verizon Wireless, $32.37 **Zoning:** Bureau Of Administration, Jul Long Distance, $33.30, Century Link, Aug Service, $19.99 **Hwy Rd-Br:** Lake Co Treasurer, Withholdings, $3,924.21, Bureau Of Administration, Jul Long Distance, $15.45, Century Link, Aug Service, $52.56, Verizon Wireless, service, $64.72 **911 Comm:** Lake Co Treasurer, Withholdings, $1,768.56, Bureau Of Administration, Jul Long Distance, $18.02, Century Link, Aug Fax Svc, $122.38, Itc, Service, $115.55, Triotel Communication, services, $169.53, Verizon Wireless, Service, $44.92 **EMA:** Lake Co Treasurer, Withholdings, $400.90, First Bank & Trust, Gas-Vivian/Spearfish, $256.89, Century Link, Aug Service, $31.13, Verizon Wireless, Service, $84.93, Century Link, Aug Service, $13.52 **24/7:** Lake Co Treasurer, Withholdings, $210.50 **State MV:** SD Dept Of Revenue, Jul Fees, $293,686.50 **SDACO M&P:** SDACO, Jul 20 Rod Fees, $596.00 **Grand Total: $325,307.60**

Accounts Payable 8-19-20 Commission: Madison Daily Leader, Minutes/notices, $753.98 **Election:** Mcleods Office Supply, Absentee Packets, $1,176.00 **Judicial:** Woodall, Kristin, Transcripts, $154.80, Dawson, Jacob D, CAA, $6,138.40, De Castro, Manuel J Jr, CAA, $1,170.50, Stanford, Lori, CAA, $7,485.25, Gr Plains Psychological, COS, $4,002.50. **Witness-Juror-Appearance Fees/Mileage:** Boldt, Pamela, $10.84, Booze, Kenneth, $13.36, Buchholtz, Robbi, $14.20, Devaney, Jane, $10.84, Drewes, Casey, $10.84, Francis, Mary, $10.84, Graham, Cecil, $19.24, Jaton, Ashley, $20.08, Knapp, Sharon, $10.84, Lutter, Andrew, $17.56, Sheeks, Nicholas, $11.68, Smith, Mark, $13.36, Stratton, Kaylee, $18.40 **Auditor:** Software Services Inc, Jul Services, $280.00, Lake County Treasurer, July ACH Charge, $29.80, Office Peeps Inc, Planners/Nameplate, $46.70 **Treasurer:** Office Peeps Inc, Battery/Toner/Folder, $144.20 **St Atty:** Office Peeps Inc, Weekly/Yearly Planner, $56.94 **Gvt Bldg:** Bob's Elec Of Madison, ROD office repair, $1,862.10, Interstate Power Systems, Generator Labor/Mileage, $1,003.74, Cole's Petroleum Inc, Gas, $180.48, Hillyard/Sioux Falls, Disinfecting Solution Covid-19, $114.77, Madison Ace Hardware, Light Bulbs, $68.50, Runnings, Pronto Glyphosate 2.5gl (2), $92.97, Sturdevant's Auto Parts, Tail Light, $57.43 **DOE:** Software Services Inc, Jul Services, $920.00, Builders First Source,4x8 Lumber/Vault Cabinet, $125.48, Office Peeps Inc, Desk Cal/Rubber Bands, $9.22, Runnings, Tape, $19.49 **ROD:** Software Services Inc, Jul Services, $80.00, Century Business Prod In, Copier Maint, $26.25, Madison Instant Printing, Envelopes (1000), $200.55, Office Peeps Inc, Label/Notepad, $36.37 **IT:** Software Services Inc, Jul Services, $80.00 **Sheriff:** Redwood Toxicology Lab, services, $1,843.00, Lake Veterinary Clinic, K9 (2) Care Jul, $226.50, Krug Products Inc, Ship Pkg, $15.82, Cole's Petroleum Inc, Gas, $1,140.03, Steves Tire & Service In, services, $909.17 **Jail:** Lewis Drug Inc, Jul Meds, $197.58, Gall's Llc, Tactical Trousers (2), $76.68, Lewis Drug Inc, Tape/Test Strips/Labels, $147.22, Madison Ace Hardware, Paint Supplies, $38.46, Sunshine Foods Inc, Jul Prisoner Meals, $5,686.45 **Coroner:** Hofman, Micah, Fee, $58.50, Rustand, Mark, Bag/Mileage, $81.68 **CHN:** Marco Inc, Copier Lease, $67.30 **MI Board:** Lewis & Clark Bhs services, $184.00, Lincoln County Treasurer Services (3), $1,673.14, Oftedal, Abby, MI Hearings (2) $194.00, Avera Mckennan Hospital, Inv Hold, $2,142.00 **Extension:** Century Business Prod, Copier Maint/Usage, $155.04, Lewis Drug Inc, Batteries/Hand Sanitizer, $31.97, Office Peeps Inc, Yellow/Black Crtdg, $128.91 **Weed:** Farmers Ag Center Llc, Glyphosate/Pramitol, $93.52, Roger's Service & Exhaust, Labor/Ac TR030, $138.70, Runnings, Aluminum Pump, $202.38 **Zoning:** Bickett, Donald, Meeting/Mileage, $43.48, Jerlow, R Douglas, Meeting/Mileage, $35.08, Johannsen, Craig, Meeting/Mileage, $25.84, Schaefer, Alan, Meeting/Mileage, $37.60, Thompson, Dale, Meeting/Mileage, $29.20, Madison Daily Leader, Hodne Homes Variance, $57.44, Madison Instant Printing, Signs (30), $120.00 **Hwy Rd-Br:** Banner Associates Inc, Br/40-140-143, $536.00, Michael Johnson Const Llc, Crushed Rock, $1,710.75, Diesel Machinery Inc, Poly/Steel Broom, $813.00, F & M Coop Oil Company, Labor Tire Repairs/LD950, $188.00, Roger's Service & Exhaust, Labor Fees/Ac Recharge TR037, $85.00, T & H Welding, Labor Fees/Box Extensions, $167.50, DCI, Background Check, $46.00, Hillyard/Sioux Falls, Paper Towels/Toilet Paper, $222.66, Lake County Intl Inc, Skid Loader Cut Edge, $324.45, Lawson Products, Nylon Lock Nut (100), $14.17, O'reilly Auto Parts, Ignition Switch SR002, $29.98, Roger's Service & Exhaust, Freon, TR037, $32.15, Runnings, Refrigerant/Lock Pin/Blo Gun, $157.96, Sturdevant's Auto Parts, Wix Oil Filter (2)/TR034, $233.58, T & H Welding, Box Extension Laser Cut, $189.36, Tran-Source, Belt/TR038, $828.09, F & M Coop Oil Company, Def-Diesel Fluid, $175.00, Truenorth Steel Inc, Culverts (2), $727.20, Office Peeps Inc, Phone/Spkr, $66.19, Bowes Construction Inc, 25.86 Tons E-2 Asphalt @ $57.50, $1,486.95, Myrl & Roy's Paving Inc, Hot Mix 52.38 Tn@55, $2,880.90, Cole's Petroleum Inc, Gas/Diesel, $5,041.90, Tiger Corporation, Blades/Bolt/Nut/Return, $160.28, F & M Coop Oil Company, O Rings/LD950, $59.00, Lyle Signs Inc, Hwy Signs, $284.70, Bierschbach Equipment, Yellow Marker/500, $325.00, Spencer Quarries, Rip Rap 309.74 Ton@$15, $4,646.10 **911:** Office Peeps Inc, Alcohol Isopropyl, $137.40, Quill Corporation, Computer Mouse/Ink, $317.79, Sturdevant's Auto Parts, Filter/Tower Site Generator, $6.92 **EMA:** Runnings, Windshield Wash/Wasp Spray, $7.56, Cole's Petroleum Inc, Gas, $90.24 **Bldg:** Runnings, Pressure Washer, $100.00 **24/7:** Pharmchem Inc, Sweat Patch Analysis (28), $799.40, Satellite Tracking, Jul GPS Bracelets (99 Days), $321.75 **Fire:** Chester Fire Department,

2020 Fire Distribution, $4,180.44, Madison Fire Department, 2020 Fire Distribution, $43,073.34, Nunda Fire Department, 2020 Fire Distribution, $3,495.56, Oldham Fire Department, 2020 Fire Distribution, $1,076.54, Ramona Fire Department, 2020 Fire Distribution, $2,001.27, Wentworth Fire Department, 2020 Fire Distribution, $5,470.15 **Grand Total: $124,789.42**

DEF FLUID QUOTES:

The board reviewed the quotes for DEF fluid/200 gallon: F&M 1.40/gal, Kibble 1.59/gal, Case IH 1.95/gal. Motion by Hageman, second by Slaughter, to approve the low quote of F&M Coop. Motion carried.

2021 LEMPG AGREEMENT:

The Local Emergency Management Performance Grant Program (LEMPG) is an annual agreement that provides 50% funding for the Emergency Manager's salary and benefits. Motion by Reinicke, second by Slaughter, to approve the 2021 LEMPG agreement and addendum and authorize the chair to sign. Motion carried.

COUNTY ROADS AND BRIDGES ADVISORY COMMITTEE:

CAO Shelli Gust reviewed the general guidelines for the County Roads and Bridges advisory committee. Motion by Reinicke, second by Johnson, to establish the County Roads and Bridges Advisory Committee under the following general guidelines:

1) Committee is created by and serves at the pleasure of the Lake County Commission.
2) Committee is an advisory board only, with no authority to exercise sovereign power, to expend funds, or to make decisions on behalf of the Commission.
3) Committee is directed to provide information and offer recommendations to Commissioners regarding county roads and bridges, funding for county roads and bridges, and the needs of the Highway Department. Commissioners may refer specific questions or issue further instructions to the committee at their discretion.
4) Committee shall consist of 11 members: 2 County Commissioners (Deb Reinicke and Dennis Slaughter), Highway Superintendent, Auditor, Commission Administrative Officer, and 6 members of the public. Members of the public will be selected by the Commission through an application process.
5) Committee is intended to be informal, meetings may be open to the public, but are not required to be.

Motion carried.

TEMP SPECIAL ON-SALE LICENSES:

Cam Shafer, Sporty's Bar & Grill, met with the board to discuss two temporary special on-sale licenses for wedding receptions at Camp Lakodia. He provided all the required documentation.

2020-04 Wedding reception on August 22, 2020 at Camp Lakodia—Motion by Reinicke, second by Slaughter, to approve the Temporary Special On-Sale license application #20-04 of Sporty's Bar and Grill for a wedding reception to be held at Camp Lakodia on August 22, 2020. Motion carried.

2020-05 Wedding reception on August 29, 2020 at Camp Lakodia-- Motion by Reinicke, second by Johnson, to approve the Temporary Special On-Sale license application #20-05 of Sporty's Bar and Grill for a wedding reception to be held at Camp Lakodia on August 29, 2020. Motion carried.

PUBLIC AUCTION/SURPLUS PROPERTY:

Nels Nelson, Hwy Supt., and Dave Hare, Bldgs & Grounds Supt., met with the board to discuss a public auction of surplus property. Motion by Reinicke, second by Slaughter, to move forward with a public auction/surplus property sale in the spring of 2021 and any item selling for over $1,000 be supplemented to the budget that paid for the item. Motion carried.

GRAVEL PIT/POOR FARM PROPERTY:

Nels Nelson, Hwy Supt., met with the board to discuss core samples for the south poor farm property and gravel pit. He told the board he did not have the money in his budget to pay for core samples this year. Discussion was held on how many core samples are needed, how much gravel is in the current pit, mining near the bike path, how long will the current pit last, use of a drone to help estimate gravel, and getting the samples when the crop is out.

UTILITY OCCUPANCY/SIOUX VALLEY:

Hwy Supt Nelson presented the following utility occupancy applications and permits.
2020-21 Sioux Valley Energy, Terry Plecity, PO Box 216, Colman SD. Project—directional bore CR 42 and install URD in private ROW, remove overhead line crossing road, CR42/236th ST. Motion by Johnson, second by Slaughter, to approve utility occupancy permit 2020-21 of Sioux Valley Energy and authorize the chair to sign. Motion carried.
2020-22 Sioux Valley Energy, Terry Plecity, PO Box 216, Colman SD. Project—directional bore 225th ST/CR22. Motion by Reinicke, second by Hageman, to approve utility occupancy permit 2020-22 of Sioux Valley Energy and authorize the chair to sign. Motion carried.

HWY DEPT/PERSONNEL:

Hwy Supt Nelson told the board he recommends the hire of Jonathan Rasmussen, Heavy Equipment Operator. Motion by Johnson, second by Hageman, to approve the hire of Jonathan Rasmussen as a full-time Heavy Equipment Operator, at a rate of $18.25 per hour, effective 8-31-20, contingency upon a satisfactory background check and pre-employment screening. Motion carried.

JAIL/PERSONNEL:

HR Gust told the board of a resignation and new hire in the jail. Motion by Reinicke, second by Johnson, to approve, with regret, the resignation of Austin Kurkowski, Correctional Officer, effective 8-16-20. Motion carried. Motion by Hageman, second by Reinicke, to approve the hire of Troy Fox as a full-time correctional officer, at a rate of $16.25 per hour, effective 8-11-2020. Motion carried.

WELFARE/INDIGENT APPS:

Mandi Anderson, Welfare Director, presented the indigent applications 2020-17 through 2020-25 to the board.

(20-17): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of 53,266.97 (before cost ratio reduction) for services provided for (20-17) on 5/1/2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. (20-17) passed away on June 23, 2020. A response was never received. Motion by Reinicke, second by Hageman, to deny Application (20-17) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 6/5/2020.
2) To assist the County in determining whether 20-17 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-17 on 6/9/2020 inviting 20-17 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 20-17 was a 57-year old male who was presumed to be able to work.
    b. Patient 20-17 neglected to purchase major health insurance.
    c. Patient 20-17 was hospitalized for less than 24 hours, which may indicate the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
4) No evidence or documentation supporting that 20-17 is a medically indigent person that qualifies for county poor relief has been provided to the County.
5) The County is aware through prior history with 20-17 and public records that 20-17 owns real property in Lake County. 20-17's household resources and equity value of real property and residence far exceed the amount owed; SDCL 28-13-32.8
6) The County is able to determine that 20-17 is not a medically indigent person, as that term is defined in SDCL 28-13-1.3, 20-17 is indigent by design by failing to purchase major health insurance; therefore 20-17 does not qualify for county poor relief under SDCL 28-13.

Motion carried.

(20-18): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of $15,049.34 (before cost ratio reduction) for services provided for (20-18) on 4/30/2020- ?2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. A response was received on 6/11/2020 by (20-18), states that he along with his parents brought him to Avera in Sioux Falls after the Madison Community Hospital refused to see him for non-emergency mental health evaluation due to covid-19 new guidelines. He states he had been living out of state and just recently moved by home with his parents and has not applied for a job nor applied for health insurance. He has regularly been seeing Community Counseling here in Madison for his depression. He was seen at Avera for a voluntary mental health hold and evaluation. Motion by Johnson, second by Slaughter, to deny Application (20-18) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 6/5/2020.
2) To assist the County in determining whether 20-18 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-18 on 6/9/2020 inviting 20-18 to make application for assistance. The County receive a response on 6/11/2020.
3) Based on the response received by 20-18, the County finds that:
    a. Patient 20-18 is a 22- year old male that is not disabled and is able to work but has chosen not to.
    b. Patient 20-18 neglected to purchase or apply for major medical insurance.
    c. That the hospital stay was a voluntary mental health hold and evaluation.
4) Based on the documentation provided by Avera McKennan to the County, the County finds that:
    a. Patient 20-18 is a 22-year old male who is presumed to be able to work.
    b. The actual cost of hospitalization is low enough that Patient 20-18 is presumed to have the ability to make reasonable monthly payments and pay the debt for hospitalization over a period of 5 years.
    c. The hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
5) No evidence or documentation supporting that 20-18 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 20-18 is not a medically indigent person, as that term is defined in SDCL 28-13-1.3, 20-18 is indigent by design by failing to purchase major health insurance and choosing not to work, the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1) ; therefore 20-18 does not qualify for county poor relief under SDCL 28-13.

Motion carried.

(20-19): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of $85,513.46 (before cost ratio reduction) for services provided for (20-19) on 5/1/2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. A response was never received. Motion by Reinicke, second by Slaughter, to deny Application (20-19) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 6/5/2020.
2) To assist the County in determining whether 20-19 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-19 on 6/9/2020 inviting 20-19 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 20-19 is a newborn infant of Patient 20-20 whom neglected to apply for medical insurance through the Department of Social Services of SD for Medicaid for pregnant women and their infants.
4) No evidence or documentation supporting that 20-19 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 20-19 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, 20-19's guardian neglected to apply for medical insurance, therefore, does not qualify for county poor relief under SDCL 28-13.

Motion carried.

(20-20): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of $19,828.13 (before cost ratio reduction) for services provided for (20-20) on 4/30/2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. A response was never received. Motion by Hageman, second by Slaughter, to deny Application (20-20) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 6/5/2020.
2) To assist the County in determining whether 20-20 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-20 on 6/9/2020 inviting 20-20 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 20-20 neglected to apply for medical insurance through the Department of Social Services of SD for Medicaid for pregnant women and their infants.
4) No evidence or documentation supporting that 20-20 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 20-20 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, 20-20 neglected to apply for medical insurance, therefore, does not qualify for county poor relief under SDCL 28-13.

Motion carried.

(20-21): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of $30,639.03 (before cost ration reduction) for services provided for (20-21) on 4/27/2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. A response was never received. Motion by Slaughter, second by Reinicke, to deny Application (20-21) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 6/5/2020.
2) To assist the County in determining whether 20-21 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-21 on 6/9/2020 inviting 20-21 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 20-21 is a 30-year old male who is presumed to be able to work.
    b. Patient 20-21 may be a member of a Native American tribe who is eligible or would have been eligible for services through the Indian Health Service if the services had been applied for within seventy-two hours of 20-21's admission.
    c. Patient 20-21 was hospitalized for less than 24 hours, which may indicate the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
4) No evidence or documentation supporting that 20-21 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 20-21 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-21 qualifies for county poor relief under SDCL 28-13.

Motion carried.

(20-22): An application for Poor Relief Assistance has been made by Avera Heart Hospital of SD in the amount of $682.50 (before cost ratio reduction) for services provided for (20-22) on 3/30/2020. After investigating the documents, it appears this was a non-emergent outpatient scheduled appointment. This patient is known to own property and has assets, is currently on disability and could make reasonable monthly payments.
Motion by Johnson, second by Slaughter, to deny Application (20-22) based on the following findings and conclusions:

1) An Application for Assistance and Hospital Request for Payment was received from Avera Heart Hospital on 6/11/2020.
2) The County is aware through prior history with 20-22 and public records that 20-22 owns real property and assets that far exceed the amount owed.
3) Based on the documentation provided by Avera Heart to the County, the County finds that:
    a. Patient 20-22 is a 60-year old male who is on disability.
    b. The actual cost of hospitalization is low enough that Patient 20-22 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 20-22 was seen for an outpatient appointment which may indicate the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
4) No evidence or documentation supporting that 20-22 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 20-22 is not a medically indigent person, as that term is defined in SDCL 28-13-1.3, and 20-22 does not qualify for county poor relief under SDCL 28-13.

Motion carried.

(20-23): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of 12,250.66 (before cost ratio reduction) for services provided for (20-23) on 5/14/2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. (20-23) passed away on June 23, 2020. A response was never received. Motion by Hageman, second by Slaughter, to deny Application (20-23) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 6/18/2020.
2) To assist the County in determining whether 20-23 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-23 on 6/19/2020 inviting 20-23 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 20-23 was a 57-year old male who was presumed to be able to work.
    b. Patient 20-23 neglected to purchase major health insurance.
    c. Patient 20-23 was hospitalized for less than 24 hours, which may indicate the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
4) No evidence or documentation supporting that 20-23 is a medically indigent person that qualifies for county poor relief has been provided to the County.

5) The County is aware through prior history with 20-23 and public records that 20-23 owns real property in Lake County. 20-23's household resources and equity value of real property and residence far exceed the amount owed; SDCL 28-13-32.8
6) The County is able to determine that 20-23 is not a medically indigent person, as that term is defined in SDCL 28-13-1.3, 20-23 is indigent by design by failing to purchase major health insurance; therefore 20-23 does not qualify for county poor relief under SDCL 28-13.

Motion carried.

(20-24): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of 17,509.39 (before cost ratio reduction) for services provided for (20-24) on 5/29/2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. (20-24) passed away on June 23, 2020. A response was never received. Motion by Slaughter, second by Johnson, to deny Application (20-24) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 7/2/2020.
2) To assist the County in determining whether 20-24 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-24 on 7/7/2020 inviting 20-24 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 20-24 was a 57-year old male who was presumed to be able to work.
    b. Patient 20-24 neglected to purchase major health insurance.
    c. Patient 20-24 was hospitalized for less than 24 hours, which may indicate the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
4) No evidence or documentation supporting that 20-24 is a medically indigent person that qualifies for county poor relief has been provided to the County.
5) The County is aware through prior history with 20-24 and public records that 20-24 owns real property in Lake County. 20-24's household resources and equity value of real property and residence far exceed the amount owed; SDCL 28-13-32.8
6) The County is able to determine that 20-24 is not a medically indigent person, as that term is defined in SDCL 28-13-1.3, 20-24 is indigent by design by failing to purchase major health insurance; therefore 20-24 does not qualify for county poor relief under SDCL 28-13.

Motion carried.

(20-25): An application for Poor Relief Assistance has been made by Avera McKennan Hospital in the amount of $29,144.65 (before cost ratio reduction) for services provided for (20-25) on 6/19/2020. A letter was sent inviting them to complete an application and furnish the information needed to determine eligibility. A response was never received. Motion by Reinicke, second by Johnson, to deny Application (20-25) based on the following findings and conclusions:

1) An Application for Assistance was received from Avera McKennan on 7/24/2020.
2) To assist the County in determining whether 20-25 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-25 on 7/28/2020 inviting 20-25 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 20-25 is a 63-year old female who is presumed to be able to work.
    b. The actual cost of hospitalization is low enough that Patient 20-25 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 20-25 final diagnosis was not documented which may indicate the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(1).
4) The County is aware through prior history with 20-25 and public records that 20-25 owns real property in Lake County. 20-25's household resources and equity value of real property and residence far exceed the amount owed; SDCL 28-13-32.8
5) No evidence or documentation supporting that 20-25 is a medically indigent person that qualifies for county poor relief has been provided to the County.
6) The County is unable to determine whether 20-25 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-25 qualifies for county poor relief under SDCL 28-13.

Motion carried.

BOARD OF ADJUSTMENT:

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

Commissioner Slaughter acknowledged receipt of the planning commission minutes of August 12, 2020.

COND USE/VARIANCES/ZONING:

Zoning Officer Anderson presented the following conditional use and variance applications to the board.

2020-12 Conditional use application of Brian & Andrea Van Liere—Lots 33-34-35 Block D.E. Spawns subdivision in Govt Lots 3-4-5 Section 10, Chester Twp. The applicants waived their right to personal appearance but would appear by phone if necessary. They are requesting to build an unattached garage on their lot in the middle row of Spawns Circle on Brant Lake. There were no proponents or opponents present. Motion by Johnson, second by Hageman, to approve the applicant's conditional use permit 2020-12 and adopt the findings and specific conditions outlined in the staff report. Motion carried.

2020-09 Variance application of Tyler & Sarah Frost—Lots 1 & 2 in Block 2 Lemme Addition in the W1/2 of NE1/4 of Section 11, Herman Twp. The applicants waived their right to personal appearance but would appear by phone if necessary. They are requesting to build a new unattached garage in the backyard of their property in the Lemme's Planned Development. There were no proponents or opponents present. Motion by Reinicke, second by Hageman, to approve the applicant's variance permit 2020-09 and adopt the specific findings outlined in the staff report. Slaughter nay. Motion carried.

2020-10 Variance application of Derek & Jeannie Williams—structures on real property Hares Beach Lot CH-102, Portion Lot 1 #765 Hare's Beach in the NW1/4 of Section 30-106-51, Wentworth Twp. The applicants waived their right to personal appearance but would appear by phone if necessary. They are requesting to build an addition onto their existing lake home on leased land on Lake Madison. There were no proponents or opponents present. Motion by Hageman, second by Johnson, to approve the applicant's variance permit 2020-10 and adopt the specific findings outlined in the staff report. Motion carried. Commissioner Reinicke would like large leased land lot lines included for discussion when the zoning ordinance is reviewed.

REGULAR SESSION:

Motion by Reinicke, second by Slaughter, to adjourn as a board of adjustment and return to the regular session. Motion carried.

PLATS/ZONING:

Zoning Officer Anderson presented the following plats to the board.

Plat of Lot 2 Scully's 1st Addition in Govt Lot 1 in the NW1/4 of Section 32, T106N, R51W, 5th p.m. Lake County SD. Motion by Reinicke, second by Slaughter, to approve the Plat of Lot 2 Scully's 1st Addition in Govt Lot 1 in the NW1/4 of Section 32, T106N, R51W, 5th p.m. Lake County SD, as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of Tract 1 and Tract 2 of Pitts Addition in the southwest quarter of the northwest quarter of Section 1, Township 105 north, Range 51 west of the 5th principal meridian, Lake County SD. Motion by Johnson, second by Reinicke, to approve the Plat of Tract 1 and Tract 2 of Pitts Addition in the southwest quarter of the northwest quarter of Section 1, Township 105 north, Range 51 west of the 5th principal meridian, Lake County SD, as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of Lot 11 of Block 3 of Woodland's 54th Addition a subdivision of Govt Lot 7 of Section 22, Township 106 north, Range 52 west of the 5th p.m. in Lake County SD. Motion by Hageman, second by Reinicke, to approve the Plat of Lot 11 of Block 3 of Woodland's 54th Addition a subdivision of Govt Lot 7 of Section 22, 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 31 of Block 1 of Woodland's 73rd Addition a subdivision of Govt Lot 8 of Section 22, Township 106 north, Range 52 west of the 5th p.m. in Lake County SD. Motion by Johnson, second by Slaughter, to approve the Plat of Lot 31 of Block 1 of Woodland's 73rd Addition a subdivision of Govt Lot 8 of Section 22, 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 2 in Block 8 of Lakes Community Addition in the northeast quarter of Section 32-T106N-R51W of the 5th p.m., Lake County SD. Motion by Reinicke, second by Slaughter, to approve the Plat of Lot 2 in Block 8 of Lakes Community Addition in the northeast quarter of Section 32-T106N-R51W of the 5th p.m., Lake County SD as it meets county regulations and taxes have been paid in full. Motion carried.

2021 BUDGET DISCUSSION:

Paula Barrick, Auditor Appointee, reviewed the changes made at the last commission meeting and the means of finance for 2021 budget. She told the board First District was contacted about using Cares Act funding to purchase laptops for each department. Cares Act may pay for laptops if the department currently does not have a laptop. Dave Hare discussed a capitol project for COVID-19 and safety to offices in the county. He received a quote for 5 offices of $44,874. This project will not be approved for Cares Act funding at this time. He would also like to add the States Attorney's office and Hwy Dept office in this project. Motion by Reinicke, second by Hageman, to move forward with this project this year for COVID-19 and safety concerns and approve $60,000 for the project. Motion carried. Auditor Janke told the board a cash transfer will be needed for the Govt Bldg Fund before yearend.

HR Gust reviewed each proposed wage and benefit change for 2021.

#1—Motion by Reinicke, second by Johnson, to leave the wage scale as is for FY21. Motion carried.

#2—Motion by Johnson, second by Hageman, to include a 3% cost of living increase in the proposed budget for all employees for FY21. Motion carried.

#3—Motion by Reinicke, second by Johnson, to include individual wage adjustments, in addition to the 3% for 15 employees in the proposed budget, as the rates recommended by the Wage Committee, with Human Resources and the Auditor's office to work together to make sure the proposed budget is adjusted accordingly. Motion carried.

#4—Motion by Slaughter, second by Reinicke, to grant 80 hours of sick leave to employees during the first year of employment effective FY21 especially due to COVID-19. Motion carried.

#5—Motion by Slaughter, second by Hageman, to allow an employee to donate up to 40 hours of accrued sick leave (in addition to the donation of vacation leave already permitted) to another employee due to serious illness or emergency circumstance, effective FY21. Motion carried.

#6—Motion by Johnson, second by Slaughter, to allow a probationary employee to take up to 2 days (16 hours) of accrued vacation during the 6-month probationary period at the discretion of the employee's department head effective FY21. Motion carried.

#7—Motion by Johnson, second by Reinicke, to adjust the accrual cap and accrual rate for vacation leave as follows effective FY21. Motion carried.

a. 1st year of employment
    i. Accrual rate: 1.54 hours per two-week pay period
    ii. Accrual cap: 45 hours
    iii. Payout cap upon separation or retirement: 45 hours
b. 2nd year of employment through the 5th year of employment
    i. Accrual rate: 3.08 hours per two-week pay period
    ii. Accrual cap: 160 hours
    iii. Payout cap upon separation or retirement: 120 hours
c. 6th year of employment through the 10th year of employment
    i. Accrual rate: 4.62 hours per two-week pay period
    ii. Accrual cap: 200 hours
    iii. Payout cap upon separation or retirement: 160 hours
d. 11th year of employment and beyond
    i. Accrual rate: 6.15 hours per two-week pay period
    ii. Accrual cap: 240 hours
    iii. Payout cap upon separation of retirement: 200 hours

#8—Motion by Reinicke, second by Johnson, to include a 25 cent per hour increase in differential pay for night, overtime, and holiday night hours for eligible employees in the proposed budget. Motion carried.
#9—Motion by Johnson, second by Hageman, to include a 25 cents per hour increase in on-call pay for eligible employees in the Sheriff Dept. in the proposed budget. Motion carried.
#10—Motion by Reinicke, second by Johnson, to allow all full-time employees to be eligible for up to $750 medical reimbursement AFTER the employee has paid $750 of their health insurance deductible. Motion carried.
#11—Motion by Reinicke, second by Slaughter, to include $200/month health insurance reimbursement for eligible employees (those not on the county health insurance) in the proposed budget. Motion carried.

MEETINGS ATTENDED:

Chair Wollmann sang at the 4-H Horse Show. Commissioners Reinicke and Johnson attended a personnel policy committee meeting. Commissioner Johnson attended planning and zoning.

TRAVEL REQUESTS:

Nels Nelson to attend Hwy Supt certification on October 1st at Pierre.

REPORTS RECEIVED:

Register of Deeds fees collected $18,779, Auditor's account with the Treasurer $7,856,711.68 reconciled bank balances $7,856,489.88 variance ($221.80), Zoning fees collected $3,401 and Sheriff fees collected $18,893.27.

ADJOURNMENT:

Motion by Reinicke, second by Johnson, at 11:33 a.m. to adjourn. Motion carried. The next meeting will be held on September 1, 2020 in the commission room.

ROBERTA JANKE	KELLI WOLLMANN
Lake County Auditor	Chair, Lake County Commission

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