LAKE COUNTY COMMISSION MINUTES
January 21, 2020

The Board of Lake County Commissioners met in regular session on January 21, 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 January 21, 2020. Motion carried.

MINUTES APROVED:

Motion by Hageman, second by Slaughter, to approve the unapproved minutes of January 7, 2020. Motion carried.

COMMUNITY COMMENTS: none

PAYROLL APPROVED:

Motion by Reinicke, second by Johnson, to approve the payroll of December 30, 2019-January 12, 2020. Motion carried. COMMISSIONERS: $2,688.26; AUDITORS OFC: $5,282.15; TREASURERS OFC: $4,805.92; STATES ATTORNEY OFC: $8,203.77; GOVT BLDGS: $4,496.48; DIR EQUALIZATION OFC: $5,971.22; REGISTER DEEDS OFC: $3,300.87; VSO: $577.28; SHERIFF OFC: $15,593.59; JAIL: $13,274.53; EMA: $1,697.60; 911 COMM CENTER: $9,502.43; 24/7: $1,431.23; ROAD & BRIDGE: $19,282.45; WELFARE: $74.00; CHN: $1,149.51; WIC: $123.31; EXTENSION: $1,583.21; ZONING; $1,592.96 GRAND TOTAL $100,630.77.

ACCOUNTS PAYABLE APPROVED:

Motion by Johnson, second by Hageman, to approve the accounts payable of January 14, 17 and 22, 2020. Motion carried.

Accounts Payable 1-14-20 Auditor: Bureau of Adm, Nov Long Distance Calls, $4.04, Centurylink, Jan Service, $52.05, **Treasurer:** Bureau of Adm, Nov Long Distance Calls, $12.41, Centurylink, Jan Service, $33.01, **St Atty:** Centurylink, Jan Service, $46.51, Bureau of Adm, Nov Long Distance Calls, $11.04, **Gvt Bldg:** Bureau of Adm, Nov Long Distance Calls, $.17, City of Madison, Utilities 12-6-19, $1,972.32, Centurylink, Jan Service, $33.27, **DOE:** Bureau of Adm, Nov Long Distance Calls, $10.88, Centurylink, Jan Service, $33.01, **ROD:** Bureau of Adm, Nov Long Distance Calls, $3.50, Centurylink, Jan Service, $19.51, **VSO:** Bureau of Adm, Nov Long Distance Calls/Fax, $1.51, Centurylink, Jan Service, $33.13, **Sheriff:** Great Western Bank, Wallpaper, $302.54, **Jail:** Bureau of Adm, Nov Long Distance Calls, $37.04, City of Madison, Utilities 12-6-19, $2,524.05, Centurylink, Jan Service, $79.50, **Support of Poor:** Centurylink, Jan Service, $19.77, **Dev Disabled:** SD Dept of Revenue, HSC Fee, $552.44, **Extension:** Bureau of Administration, Nov Long Distance Calls, $9.09, Centurylink, Dec/Jan Service, $78.00, **Zoning:** Bureau of Adm, Nov Long Distance Calls, $11.95, Centurylink, Jan Service, $19.50, **Hwy Rd-Br:** Bureau of Adm, Nov Long Distance Calls, $13.82, Centurylink, Jan Service, $46.51, **911 Comm:** Triotel Communication Inc, Service, $171.53, Bureau of Adm, Nov Long Distance Calls, $7.06, Centurylink, Jan Service, $372.15, **EMA:** Centurylink, Jan Service, $46.64, **St Remit:** SD Dept of Revenue, Dec Fees, $161,842.81, **M&P Fund:** SDACO, Dec 19 ROD Fees, $474.00, **Grand Total: $ 168,874.76**

Accounts Payable 1-17-20 General: OCSE, Child Support, $325.85, Dakotaland Fed Cr Union, Cu 1-17-20, $75.00, Lake Co Treasurer, Withholding, $15,986.22, **Hwy Rd-Br:** Dakotaland Fed Cr Union, Cu 1-17-20, $200.00, Lake Co Treasurer, Withholding, $4,581.78, **911 Comm:** Lake Co Treasurer, Withholding, $2,276.39, **EMA:** Lake Co Treasurer, Withholding, $400.90, **24/7:** Lake Co Treasurer, Withholding, $276.61, **Due to St Treasurer:** SD Dept Of Revenue, 2019 Sales/Excise Tax, $2,346.05, **Grand Total: $ 26,468.80**

Accounts Payable 1-22-20 Commissioner: Madison Daily Leader, Minutes, $303.12, Pitney Bowes Inc, Red Ink Cartridge, $.41, Chamber of Commerce, 2020 Membership Dues, $175.00, Infotech Solutions Llc, Email(3), $15.00, **Election:** Pitney Bowes Inc, Red Ink Cartridge, $9.85, Infotech Solutions Llc, Email/Maint, $66.00, **Judicial:** Butler, Michael J, CAA Fees, $2,203.00, McCarty, Donald M, CAA Fees, $5,669.90, De Castro, Manuel J Jr, CAA Fees, $484.50, Stanford, Lori, CAA

Fees, $3,255.25, Oftedal, Abby, CAA Fees, $293.76, Gr Plains Psychological, Evaluation, $1,877.50, Office Peeps Inc, Surge Protector/Outlet, $112.11, Pitney Bowes Inc, Red Ink Cartridge, $19.70, WITNESS-JUROR-APPEARANCE FEES/MILEAGE: Wiese, Lindsay, $54.20, Reinicke, F Curt, $53.36, Menzel, Sandra, $60.92, Malcomb, Larry, $61.76, Mckillip, William, $58.40, Gardner, Rhannon, $55.04, Carper, Leanne, $58.40, Schaefer, Theresa, $55.88, Drew, Tracey, $53.36, Seitz, Duston, $20.84, **Auditor:** Software Services Inc, Dec Services, $40.00, Infotech Solutions Llc, Email/Maint, $151.50, Lake County Treasurer, Dec 19 ACH Charges, $48.20, Office Peeps Inc, Yellow Paper/Binder, $18.08, Pitney Bowes Inc, Red Ink Cartridge, $20.51, **Treasurer:** Software Services Inc, Dec Services, $80.00, Infotech Solutions Llc, Email/Maint, $161.85, Pitney Bowes Inc, Red Ink Cartridge, $38.63, Bureau Of Adm, Dec Bit Billing(3), $15.00, **St Atty:** Infotech Solutions Llc, Email/Maint, $152.00, Pitney Bowes Inc, Red Ink Cartridge, $2.61, Relx Inc. Dba Lexis Nexis, Dec Subscription Fee, $190.00, **Gvt Bldg:** Builders First Source, 2x4/Screws/Proform, $204.45, Infotech Solutions Llc, Email/Maint, $38.00, Kone Inc, Elev Maint 3-31-20, $1,447.32, Interstate Power Systems, Generator Labor/Mileage, $414.50, Home Service Water Cond, Salt 500#, $88.50, Hillyard/Sioux Falls, Supplies, $436.47, Menards-Sioux Falls West, Wallpaper Glue(3), $56.94, Builders First Source, Nails, $3.99, Runnings, Air Compressor/Oil, $233.51, Bud's Clean Up Service, Dec Service, $191.84, **DOE:** Infotech Solutions Llc, Email/Maint, $218.00, Pitney Bowes Inc, Red Ink Cartridge, $27.28, **ROD:** Infotech Solutions Llc, Email/Maint, $142.00, Century Business Prod Inc, Copier Maint, $26.25, DCI, Background Check, $26.75, Pitney Bowes Inc, Red Ink Cartridge, $6.84, **VSO:** Pitney Bowes Inc, Red Ink Cartridge, $.17, Infotech Solutions Llc, Email/Maint, $47.95, **GIS:** Infotech Solutions Llc, Maint, $33.00, **IT:** Software Services Inc, Dec Services, $20.00, Infotech Solutions Llc, Backup/Maint, $880.00, **Sheriff:** SD Dept Of Health, Tox Screens/ BL Testing, $1,075.00, Lake Veterinary Clinic, Rocco Care, $50.00, Infotech Solutions Llc, Email/Maint, $591.00, Madison Instant Printing, Business Cards/Shipping, $77.53, Atlas Consulting Group, Bothell Armor Carrier/Walburg, $327.00, Office Peeps Inc, Supplies, $136.21, Sirchie, Barrier Tape/Nark Kits/Bags, $250.52, Pitney Bowes Inc, Red Ink Cartridge, $13.32, Wash & Ride Llc, Car Washes(5), $23.00, Steves Tire & Service Inc, Thermostat/Oil Change/Alt, $688.30, Applied Concepts Inc, Radar Unit/Hwy Safety Grant, $3,236.00, **Jail:** Madison Family Dental Llc, Prisoner Care, $367.00, Lewis Drug Inc, Dec Prisoner Meds, $39.88, Pennington County Jail, Prisoner Transport, $132.65, Minnehaha Co Regional, Juv Housing, $7,590.00, A & B Business Solutions, Copier Maint/Usage, $83.29, Infotech Solutions Llc, Email/Maint, $281.00, Lewis Drug Inc, Water/Tums/Broom/Dustpan, $36.94, **Coroner:** Sanford Health Service, Autopsy, $2,700.00, **Support of Poor:** Infotech Solutions Llc, Email/Maint, $38.00, Pitney Bowes Inc, Red Ink Cartridge, $.58, **CHN:** Pitney Bowes Inc, Red Ink Cartridge, $8.02, **MI Board:** Lockwood, Darcy, MI Hearing, $21.00, Katterhagen, Mark, MI Hearing, $21.00, Lewno, Lucy, MI Hearing, $277.25, Lewis & Clark BHS, Mi Service, $534.00, Dean Schaefer Court Reporting, MI Hearing, $279.00, Yankton Co Sheriff's Ofc, MI Service, $50.00, Lincoln County Treasurer, MI Hearing, $437.75, Minnehaha County Auditor, MI Service, $256.00, Yankton County Treasurer, MI Hearing, $331.50, Oftedal, Abby, MI Hearing, $194.00, Avera Mckennan Hospital, MI Service, $714.00, Trefz, Marilyn F, MI Hearing, $135.25, Matson, Tyler P, MI Hearing, $97.40, Cook-Huber, Kerri, MI Hearing, $147.10, **Extension:** SDSU Print Lab, Business Cards/Envelopes/1000, $230.25, Office Peeps Inc, Shredder, $226.19, Hp Inc, Hp Laptop/Docking Station, $978.00, **Weed:** Weed & Pest Conference, Regs, $360.00, Sturdevant's Auto Parts, Brake Rotor/Brake Pads, $181.80, Hageman, Roger, Dst Mtg Reg, $25.00, **Zoning:** Thompson, Dale, Mtg/Mileage, $29.20, Anderson, Gene O, Mtg/Mileage, $43.48, Schaefer, Alan, Mtg/Mileage, $37.60, Johannsen, Craig, Mtg/Mileage, $25.84, Bickett, Donald, Mtg/Mileage, $43.48, Madison Daily Leader, Notices, $26.57, Infotech Solutions Llc, Email, $5.00, Farm & Home Publishers, Lake Co Plat Book, $57.00, Pitney Bowes Inc, Red Ink Cartridge, $5.15, **Hwy Rd-Br:** Banner Associates Inc, Culvert, $14,545.00, Madison Daily Leader, Bid Notice, $22.14, Michael Johnson Const Llc, Install Culvert, $9,947.03, Guardrail Enterprises Inc, Repair Guardrail, $7,000.00, Dakota Fluid Power Inc, Cylinder Repair, $761.09, Craig's Welding, Bushing Stick, $72.00, Aramark Uniform Services, Service, $128.66, Fastenal Co, Hardware, $45.50, Runnings, Supplies, $50.64, Sturdevant's Auto Parts, Supplies, $859.84, Builders First Source, Hardware/Mailbox, $19.99, Blackstrap Inc, Road Salt, $4,626.00,

Nebraska Salt & Grain Co, Ice Control Salt, $2,333.25, O'reilly Auto Parts, Mini Bulbs/Stop Leak/Shop, $85.61, Lake County Intl Inc, Filter/Rubber Track/Labor, $5,215.85, Wheelco, Spring(2)/Shackle Kit, $1,341.92, Madison Ace Hardware, Supplies, $101.38, Tran-Source, Def Level Sensor, $2,364.45, Michael Johnson Const Llc, Concrete Sand, $2,089.43, Krug Products Inc, Oring, $4.56, F & M Coop Oil Company, Oil(60), $991.00, Office Peeps Inc, Clip Boards/File Folders, $28.79, Tire Motive Service Cntr, Used Tire, $45.00, Infotech Solutions Llc, Email/Maint, $91.00, **911 Comm:** SD Dept Of Public Safety, TTY Service, $5,400.00, Racom Corporation, 2020 Equip Contract, $12,185.59, First District Assn, 2020 E-911 Maintenance, $3,500.00, Infotech Solutions Llc, Email/Maint, $337.00, Farm & Home Publishers, Lake Co Plat Book(2), $114.00, Pitney Bowes Inc, Red Ink Cartridge, $.18, **EMA:** Infotech Solutions Llc, Email/Maint, $56.75, Farm & Home Publishers, Lake Co Plat Book(2), $114.00, Pitney Bowes Inc, Red Ink Cartridge, $.17, Steves Tire & Service Inc, Tires(2), $204.06, **Bldg:** Northland Securities Inc, Annual Disclosure Report, $435.00, **24/7:** Pharmchem Inc, Dec 19 Sweat Patch Analysis/Patch Kits, $756.10, PCS Mobile, Panasonic CF33 Laptop/Keyboard, $4,947.58, Satellite Tracking, Dec GPS Bracelets(168 Days), $546.00, **Due to Advanced Tax:** Lake Co Treasurer, 2019 Advance Taxes, $550.30, Hallan, Bruce, MB Home Advance Pymt, $.60, Gillen, Dane, MB Home Advance Pymt, $.85, Herding, Corey, MB Home Advance Pymt, $1.12, Thompson, Scott, MB Home Advance Pymt, $1.12, Weber, William, MB Home Advance Pymt, $1.70, **Grand Total: $125,916.70**

APPROVE FUEL QUOTES:

The board reviewed the following fuel quotes of 12-31-19: Cole's Petroleum ethanol 2.0045, #1 diesel fuel 2.3370, #2 diesel fuel 2.0690; F&M Coop ethanol 2.003, #1 diesel fuel 2.32, #2 diesel fuel 2.065; Farstad Oil Inc. ethanol 2.0220, #1 diesel fuel 2.33 and #2 diesel fuel 2.0640. Motion by Johnson, second by Reinicke, to approve the low quote of F&M Coop. Motion carried.

MEETINGS ATTENDED:

Chair Wollmann attended 911 and LEPC. Commissioner Reinicke attended Domestic Violence Network and LEPC. Commissioner Johnson attended planning and zoning.

FIRST DISTRICT ASSN:

Todd Kays, Executive Director First District Association of Local Governments, reviewed the 2019 activities of First District for Lake County. He reviewed the First District governing body, FY 2020 district funding, staff of First District, planning district work areas, district results, and Lake County results. He presented a handout on 2019 Lake County activities. He told the board he will be in Lake County working on HMPG acquisitions in the City of Madison and a land survey of all structures in the county with the zoning office.

911 COMM/PERSONNEL:

April Denholm, 911 Communication Center Director, met with the board to discuss the new hire of Ben Gearhart and temporary hire of Matt Feistner no longer needed. Motion by Johnson, second by Reinicke, to approve the hire of Ben Gearhart, Dispatcher-Trainee (not certified), at a rate of $15.25 per hour, effective 1-21-2020 and contingent upon satisfactorily completing pre-employment screening. Motion carried.

Motion by Slaughter, second by Hageman, to acknowledge that the temporary hire (no benefits) of Matt Feistner, Certified 911 Dispatcher, will no longer be needed as of 3-1-2020. Motion carried.

4-H 1st QTR REPORT:

Jennifer Hayford, 4-H Advisor, met with the board for the first quarter (Oct-Dec) report. She discussed the following: Chester FFA and escape room, visited Chester, Madison, Rutland and Ramona 3rd grade classrooms, CloverBuds meet once a month, 4-H recognition event was held, Youth for quality care of animals training was held in November, Junior Leaders group hosted Skate Night for grades 8-12 at Sioux Falls, Brookings Career Fair, Festival of Trees held at the 4-H Center, and Cupcake Wars was held.

CHN/QTRLY REPORT:

Laura Olson, Community Health Nurse Office Manager, presented the Oct-Dec 2019 quarterly report for the CHN office. She discussed the following: POD exercise was held, flu clinics held, 574 doses

of influenza vaccine have been administered, WIC program has 156 women, infant and children enrolled, Family Planning Program went live with the new electronic health record system in January, and the Cribs for Kids program distributed 4 cribs.

BLDGS & GROUNDS/QTRLY REPORT:

Dave Hare, Buildings and Grounds Supt., met with the board for his quarterly report. He discussed the following: courthouse generator is installed, extension office carpet replaced, working on the front lobby and visitation area in the sheriff's building, and courthouse bathroom remodel project is moving along.

COURTHOUSE REMODEL/BATHROOMS/CHANGE ORDER:

Supt Hare told the board the quote he received at the time the bathroom plumbing project was awarded for epoxy pipe lining was $16,326.56. Architecture Incorporated requested a proposal request of Amert Construction for the epoxy pipe lining project as they were awarded the Courthouse Remodel/Bathrooms project. The Amert Construction proposal with Krohmer Plumbing doing the job is $16,180. Motion by Reinicke, second by Johnson, to approve the change order with Amert Construction for the epoxy pipe lining project of $16,180. Motion carried.

SOLID WASTE HAULER LICENSES:

Mandi Anderson, Natural Resources, presented two applications for 2020 commercial solid waste hauler license & permit. Each application had a certificate of liability insurance attached. Motion by Johnson, second by Reinicke, to approve the application of Dawson Construction Inc. for 2020. Motion carried. Motion by Reinicke, second by Slaughter, to approve the application of Garbage-N-More LLC for 2020. Motion carried.

BOARD OF ADJUSTMENT:

Motion by Reinicke, second by Slaughter, to enter into a board of adjustment. Motion carried. Chair Wollmann read the Public Records Guidelines. Mandi Anderson, Zoning Officer, presented the following variance and conditional use applications.

20-01 Variance application for Larry & Linda Ward—Lot 5 Blk 5 & Lot 5 Blk 3 Wentworth Park in the NE1/4 of Section 30-106-51, Wentworth Twp. Commissioner Slaughter acknowledged receipt of the zoning minutes and staff report. Larry Ward was present to discuss his request to build a new lake home adjacent to Lake Madison. The old structure has been destroyed due to major damage sustained during the September 2019 flood event. Larry Ward told the board he has been trying to follow all rules and regulations to build the new home. Reed Forster, neighbor to the north, was present to discuss his concerns with drainage and possible damage to two mature trees. Commissioner discussion included: 30 foot wide lot is hard to fit a structure on, following the proper procedures, will run-off be controlled, and how much fill will be required. Motion by Reinicke, second by Johnson, to approve variance permit 20-01 and adopt the findings outlined in the staff report. Motion carried.

20-01 Conditional use application for Orland Ridge LLC (Brian & Jeff Bosma)—a portion of the NE1/4 of NW1/4 excluding E 34 rods and N 14 rods & excluding the hwy, Section 24-105-54. To be platted as known as "Lot 1 of Orland Ridge Addition in the NE1/4 of NW1/4 of Section 24, Clarno Twp. Chair Wollmann acknowledged receipt of the zoning minutes and staff report. Ty Eschenbaum, A1 Development Solutions, was present to discuss the construction of a private wellhead for the water source to supply the Orland Ridge Dairy. The land is being purchased for the well operation site. The site is approximately two miles from the dairy. Motion by Reinicke, second by Slaughter, to approve the applicant's conditional use permit 20-01 and adopt the findings and specific conditions in the staff report. Motion carried.

REGULAR SESSION:

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

PLATS/ZONING OFC:

Mandi Anderson, Zoning Officer, presented the following plats to the board.

Plat of Lots 1 and 2 of Sky Edge Addition in the SW1/4 of Section 34, T106N, R52W of the 5th P.M., Lake County SD. Motion by Johnson, second by Slaughter, to approve the Plat of Lots 1 and 2 of Sky Edge Addition in the SW1/4 of Section 34, T106N, R52W of the 5th P.M., Lake County SD, as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of Orland Ridge Addition in the northeast quarter of the northwest quarter of Section 24, Township 105 North, Range 54 west of the 5th P.M. in Lake County SD. Motion by Reinicke, second by Slaughter, to approve the plat of Orland Ridge Addition in the northeast quarter of the northwest quarter of Section 24, Township 105 North, Range 54 west of the 5th P.M. in Lake County SD, as it meets county regulations, taxes have been paid in full and meets regulations for utility purposes only. Motion carried.

Plat of Lots A & B in Tract 1 of Fischer Place Addition an addition in the northwest quarter (NW1/4), the southwest quarter of the northeast quarter (SW1/4 NE1/4) and government lots 1, 2, 3, & 4, all in Section 24, Township 106 North, Range 52 west of the 5th P.M., Lake County SD. Motion by Johnson, second by Reinicke, to approve the plat of Lots A & B in Tract 1 of Fischer Place Addition an addition in the northwest quarter (NW1/4), the southwest quarter of the northeast quarter (SW1/4 NE1/4) and government lots 1, 2, 3, & 4, all in Section 24, Township 106 North, Range 52 west of the 5th P.M., Lake County SD, as it meets county regulations and taxes have been paid in full. Motion carried.

INDIGENTS/20-01 TO 20-07:

Mandi Anderson, Welfare Director, presented the following Indigent applications to the board.

INDIGENT 20-01: Motion by Slaughter, second by Reinicke to deny Application 20-01 based on the following findings and conclusions:

1) *An Application for Assistance was received from Avera McKennan on 10/3/2019.*
2) *To assist the County in determining whether 20-01 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-01 on 10/3/2019 inviting 20-01 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 20-01 is a 29-year old male who is presumed to be able to work.*
    b. *Patient 20-01 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 20-01's admission.*
    c. *The actual cost of hospitalization is low enough that Patient 20-01 is presumed to have the ability to make reasonable monthly payments and pay the debt for hospitalization over a period of 5 years.*
    d. *Patient 20-01 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(2).*
4) *No evidence or documentation supporting that 20-01 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 20-01 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-01 qualifies for county poor relief under SDCL 28-13.*

Motion carried.

INDIGENT 20-02: Motion by Slaughter, second by Johnson, to deny Application 20-02 based on the following findings and conclusions:

1) *An Application for Assistance was received from Avera Heart Hospital on 12/2/2019.*
2) *To assist the County in determining whether 20-02 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-02 on 12/2/2019 inviting 20-02 to make application for assistance. The County did not receive a response.*

3) *Based on the documentation provided by Avera Heart Hospital to the County, the County finds that:*
    a. *Patient 20-02 is a 53-year old male who is presumed to be able to work.*
    b. *The actual cost of hospitalization is low enough that Patient 20-02 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 20-02 was hospitalized as an outpatient for 15 hours in an observation care unit, which may indicate the hospital services received did not constitute emergency hospital services as that term is defined in SDCL 28-13-27(2).*
4) *No evidence or documentation supporting that 20-02 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 20-02 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-02 qualifies for county poor relief under SDCL 28-13.*

Motion carried.

INDIGENT 20-03: Motion by Reinicke, second by Slaughter, to deny Application 20-03 based on the following findings and conclusions:

1) *An Application for Assistance was received from Avera McKennan on 12/6/2019.*
2) *To assist the County in determining whether 20-03 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-03 on 12/6/2019 inviting 20-03 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 20-03 is a 29-year old male who is presumed to be able to work.*
    b. *Patient 20-03 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 20-03's admission.*
    c. *The actual cost of hospitalization is low enough that Patient 20-03 is presumed to have the ability to make reasonable monthly payments and pay the debt for hospitalization over a period of 5 years.*
    d. *Patient 20-03 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(2).*
4) *No evidence or documentation supporting that 20-03 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 20-03 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-03 qualifies for county poor relief under SDCL 28-13.*

Motion carried.

INDIGENT 20-04: Motion by Reinicke, second by Hageman, to deny Application 20-04 based on the following findings and conclusions:

1) *An Application for Assistance was received from Avera McKennan on 12/6/2019.*
2) *To assist the County in determining whether 20-04 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-04 on 12/6/2019 inviting 20-04 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 20-04 is a 29-year old male who is presumed to be able to work.*
    b. *Patient 20-04 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 20-04's admission.*

   c. *The actual cost of hospitalization is low enough that Patient 20-04 is presumed to have the ability to make reasonable monthly payments and pay the debt for hospitalization over a period of 5 years.*
   d. *Patient 20-04 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(2).*
4) *No evidence or documentation supporting that 20-04 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 20-04 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-04 qualifies for county poor relief under SDCL 28-13.*

Motion carried.

INDIGENT 20-05: Motion by Hageman, second by Reinicke, to deny Application 20-05 based on the following findings and conclusions:

1) *An Application for Assistance was received from Avera McKennan on 12/6/2019.*
2) *To assist the County in determining whether 20-05 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-05 on 12/6/2019 inviting 20-05 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 20-05 is a 34-year old male who is presumed to be able to work.*
   b. *The actual cost of hospitalization is low enough that Patient 20-05 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 20-05 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(2).*
4) *No evidence or documentation supporting that 20-05 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 20-05 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-05 qualifies for county poor relief under SDCL 28-13.*

Motion carried.

INDIGENT 20-06: Motion by Johnson, second by Reinicke, to deny Application 20-06 based on the following findings and conclusions:

1) *An Application for Assistance was received from Avera McKennan on 12/6/2019.*
2) *To assist the County in determining whether 20-06 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-06 on 12/6/2019 inviting 20-06 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 20-06 is a 47-year old male who is presumed to be able to work.*
   b. *The actual cost of hospitalization is low enough that Patient 20-06 is presumed to have the ability to make reasonable monthly payments and pay the debt for hospitalization over a period of 5 years.*
   a. *Patient 20-06 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(2).*
4) *No evidence or documentation supporting that 20-06 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 20-06 is a medically indigent person, as that term is defined in SDCL 28-13-1.3, or whether 20-06 qualifies for county poor relief under SDCL 28-13.*

Motion carried.

INDIGENT 20-07: Motion by Hageman, second by Slaughter, to deny Application 20-07 based on the following findings and conclusions:

1) *An Application for Assistance was received from Avera McKennan on 12/30/2019.*
2) *To assist the County in determining whether 20-07 is a medically indigent person that qualifies for county poor relief, a letter was sent to 20-07 on 12/31/2019 inviting 20-07 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 20-07 is a 43-year old female who is presumed to be able to work.*
    b. *The actual cost of hospitalization is low enough that Patient 20-07 is presumed to have the ability to make reasonable monthly payments and pay the debt for hospitalization over a period of 5 years.*
4) *No evidence or documentation supporting that 20-07 is a medically indigent person that qualifies for county poor relief has been provided to the County.*
5) *Patient 20-07 was hospitalized for less than 24 hours for voluntary behavioral health services; therefore, the hospital services received do not constitute emergency hospital services as that term is defined in SDCL 28-13-27(2).*

Motion carried.

EM/QTRLY REPORT:

The board reviewed the 1st quarter (Oct-Dec 2019) report for the Emergency Management Department.

1st QTR/LEMPG:

CAO Shelli Gust reviewed the Local Emergency Management Performance Grant 1st quarter report with the board. Motion by Reinicke, second by Slaughter, to approve the 1st quarter LEMPG and authorize the chair to sign. Motion carried.

UTILITY OCCUPANCY APPLICATION/PERMIT:

Nels Nelson, Hwy Supt., presented the following utility occupancy application/permit to the board.

#20-01 Midco, Greg Adams, Project Coordinator, 1305 N Terry Ave., Sioux Falls SD Work to be done—bury two new 1.25" pipe from 14" PED corner of Union and SW 10th in Madison and set new vault. #18 was added to application—Nelson talked to Greg Adams on the phone reminding him to stay to the back of the ROW. Motion by Reinicke, second by Slaughter, to approve utility occupancy application 20-01 of Midco and authorize the chair to sign. Motion carried.

HWY BID AWARDING/USED TRUCK:

Nels Nelson, Hwy Supt., met with the board to discuss the bids for the used truck with snow plow, optional right-hand wing & optional slide-in sander. He told the board the truck from Boyer Trucks Sioux Falls has been sold. Commissioner Hageman and Nelson looked at the 2009 Mack truck of I-State Truck Center. A small leak on the driver's side of the truck and a tear in the driver's seat cover would be fixed if purchased. I-State would also do a complete DOT inspection and switch out the front tires to meet the specs. Motion by Reinicke, second by Hageman, to accept the bid of I-State Truck Center in the amount of $64,483 for the 2009 Mack Dump Truck with snow plow and right-hand wing for the following reasons:

a. Neither Nuss Truck & Equipment nor I-State Truck Center met all of the basic specifications. However, the bid of I-State Truck Center is in conformance with more of the specifications than Nuss Truck & Equipment, and their deviations from the specifications are not as significant.
b. The basic specifications were for an age range 2009 or newer. The dump truck bid by Nuss Truck & Equipment and equipment is for a 2007, a deviation of 2 years.

c. The basic specifications were for mileage of 135,000 or less. The dump truck bid by Nuss Truck & Equipment has 282,101 miles, a deviation of 147,101 miles. The dump truck bid by I-State Truck Center has 168,804 miles, a deviation of 33,804 miles.
d. The basic specifications were for an automatic transmission. The dump truck bid by Nuss Truck & Equipment has a 10-speed manual transmission, a significant deviation for our staff.
e. The basic specifications were for an optional slide-in sander. The dump truck bid by Nuss Truck & Equipment does have a slide-in sander. The dump truck bid by I-State Truck Center does not have a slide-in sander, but it does have a tail gate sander, which is a technical variance the county reserves the right to waive.

Motion carried.

RESOLUTION 2020-4/SEASONAL LOAD RESTRICTIONS:

Chair Wollmann read Resolution 2020-4/An on-going resolution establishing Lake County seasonal load restrictions and repealing Resolution 2016-5. Hwy Supt Nelson told the board the resolution is necessary for the spring thaw. He told the board many roads have alligator tracking and roads with sloughs on both sides of the road show damage. He presented a handout from Minnehaha County on load restrictions and overweight/oversize permit requirements. The resolution establishes the load limit restrictions on all hard surface roads and gravel roads of seven (7) tons per axle with four exceptions. The restrictions would be in effect from Feb 15 to April 30th when the signs are up. Motion by Hageman, second by Johnson, to adopt Resolution 2020-4 and authorize the chair to sign. Motion carried.

RESOLUTION 2020-4
AN ON-GOING RESOLUTION ESTABLISHING LAKE COUNTY SEASONAL LOAD RESTRICTIONS AND REPEALING RESOLUTION 2016-5

WHEREAS, Lake County, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction; and

WHEREAS, South Dakota Codified Law 32-22-24 mandates that the highway authority responsible for maintenance of the highways set reduced load limits during the period of each year from February 15 to April 30, inclusive and may increase, lessen, or remove these restrictions if highway conditions warrant; and

WHEREAS, that authority may be exercised without formal resolution if the highway authority erects or causes to be erected and maintained signs designating the restrictions; and

WHEREAS, if highway and climatic conditions warrant, the highway authority may extend the time period mentioned by resolution; and

WHEREAS, Lake County wishes to establish Load Limit Restrictions during the period of time from February 15 to April 30, inclusive, of any year; and

WHEREAS, Lake County requests the South Dakota Highway Patrol to assist and enforce the seasonal load restrictions on the posted gross limits per axle;

NOW, THEREFORE, BE IT RESOLVED that the Lake County Board of Commissioners does hereby establish Load Limit Restrictions on all hard surface and gravel roads of seven (7) tons per axle, with the following exceptions:

1. County Road #51 (446 Ave) from SD Hwy #34 north for 7 miles – restricted to 80,000 pounds gross weight for any vehicle or combination of vehicles, 6-Ton per axle

2. County Road #53 (445 Ave) from County Road R22 (226 Street) north for 6 miles – restricted to 80,000 pounds gross weight for any vehicle or combination of vehicles, 6-Ton per axle

3. County Road #19 (462 Ave) OFF SD HWY 34 (235 Street) 462 Ave, 461 Ave, & 461A Ave, south on R19 (462 Ave) for 3.64 miles – restricted to 80,000 pounds gross weight for any vehicle or combination of vehicles, 6-Ton per axle

4. County Road #21 (461 Ave) at 461 Ave & 238 Street south on R21 (461 Ave) for 6 miles – restricted to 80,000 pounds gross weight for any vehicle or combination of vehicles, 6-Ton per axle

IT IS FURTHER RESOLVED that the Lake County Board of Commissioners designates the County Highway Superintendent as the authorized representative of the County and empowers the County Highway Superintendent with

the authority to implement and remove the Load Limit Restrictions during this period of time as he so determines, on behalf of the County for all roads under the jurisdiction of Lake County; and

IT IS FURTHER RESOLVED that if highway and climatic conditions warrant, the County Highway Superintendent is authorized to extend the time period mentioned by resolution; and

IT IS FURTHER RESOLVED that the County Highway Superintendent is authorized to erect and maintain signs designating provisions of this resolution as provided by state law and that the implemented load limits shall not be effective until or unless such signs are erected and maintained; and

IT IS FURTHER RESOLVED that the County Highway Superintendent is authorized to work with the South Dakota Highway Patrol and request the South Dakota Highway Patrol to enter the County of Lake with scales adequate to weigh motor vehicles to insure compliance with state laws pertaining to vehicle weight and with the weight laws established by this resolution.

IT IS FURTHER RESOLVED that Resolution 2016-5 is inconsistent with this Resolution and is therefore hereby repealed.

Voting aye: Wollmann, Hageman, Johnson, Reinicke, Slaughter Voting nay: none

Dated this 21st day of January, 2020, at Madison, South Dakota.

BOARD OF LAKE COUNTY COMMISSIONERS

/s/Kelli Wollmann

Kelli Wollmann, Lake County Commission Chair

ATTEST:

/s/Roberta Janke

Roberta Janke, Lake County Auditor

CHANNEL CLEANOUTS/JOINT PROJECT:

Hwy Supt Nelson showed the commission pictures of two areas, bridge structure by Stempers on 456th Ave and bridge structure by Don Hansen on County Road 40, where there is excessive silting and water diversion. The channels need to be cleaned out for proper flow through the bridge structures. Each channel area that needs cleanout is adjacent to property owned by the City of Madison. A quote was obtained from Michael Johnson Construction for this project. The cost of cleanout on the structure at 456th is $8,500. The cost of the cleanout on the structure on CR40 is $9,000. The cost will increase if dirt cannot be leveled on site and needs to be hauled away. Nelson has approached Gary Gonyo at the City of Madison about a 50/50 split of these bills. The City will discuss this project at their meeting later today. Motion by Johnson, second by Hageman, to authorize the Hwy Supt to move forward with the channel cleanout project, contingent upon splitting the costs 50/50 with the City of Madison. Motion carried.

OVERTIME REQUEST/HWY OFC MGR:

Hwy Supt Nelson requested 10 hours a week overtime until the end of February for Debbie Rowley, Hwy Office Manager, to get caught up on FEMA paperwork and regular work. Motion by Reinicke, second by Johnson, to authorize Debbie Rowley to work overtime, maximum of 10 hours per week, through the end of February 2020. Motion carried.

2020 HWY BUDGET:

Hwy Supt Nelson met with the board to make them aware the rentals/contractor line in the 2020 hwy budget is already overspent and he still has five projects that have to be done this year. He estimated the cost of the five projects at $50,000.

HWY DEPT/QTRLY REPORT:

Hwy Supt Nelson presented the 4th quarter (Oct-Dec 19) report for the hwy department. He discussed the following: seven culvert repairs done by contractors, bridge #143-150 on CR 40 and new box culvert #189-210 on CR52 done by Nolz Dragline Construction, seven culvert repairs done by county employees, the paved surfaces over the structures still need to be paved, graveled CR 47 and CR 29 six miles each, hauled 80 loads of gravel to culvert #189-210 project, four different snow events, three sanders need replacement, and discussed truck repairs. As of February 3, 2020, the administrative policy for over width and overweight permits will change—requests need to be

received 24 hours prior to the time needed. Commissioner Reinicke asked questions of Nelson about a mechanic position at the Hwy Dept.

2019 YEAREND REPORTS:

Auditor Janke presented the following reports for 12-31-2019. Auditor's collected and uncollected tax report for December 31, 2019—tax collections were 99%, General Fund surplus analysis as of December 31, 2019—fund balance 24.2%

DECEMBER 2019 REPORTS RECEIVED: Register of Deeds fees collected $13,204, Auditor's account with the Treasurer $6,896,068.65 reconciled bank balance $6,895,920.46 variance ($148.19), Sheriff fees collected $20,385.76, and Zoning fees collected $1,117.

TRAVEL REQUESTS:

Robert Johnson to attend Weed & Pest Conference on February 18-21 at Aberdeen.

Nels Nelson and Tim Tolley to attend 2020 Asphalt Conference on February 26 & 27 at Pierre.

ADJOURNMENT:

Motion by Reinicke, second by Johnson, to adjourn at 11:59 a.m. Motion carried. The next commission meeting will be held on February 4, 2020 at 9 a.m.

/s/Roberta Janke	/s/Kelli Wollmann
ROBERTA JANKE	KELLI WOLLMANN
Lake County Auditor	Chair, Lake County Commission

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