LAKE COUNTY COMMISSION MINUTES
OCTOBER 6, 2020

The Board of Lake County Commissioners met in regular session on October 6, 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 Slaughter, to approve the agenda of October 6, 2020. Motion carried.

MINUTES APPROVED:

Motion by Hageman, second by Johnson, to approve the unapproved minutes of September 17, 2020. Motion carried.

COMMUNITY COMMENTS: None

PAYROLL APPROVED:

Motion by Reinicke, second by Slaughter, to approve the payroll of September 7-20, 2020. Motion carried. COMMISSIONERS: $2,688.26; ELECTIONS: 175.00; AUDITORS OFC: $4,673.30; TREASURERS OFC: $4,805.92; STATES ATTORNEY OFC: $8,283.23; GOVT BLDGS: $4,496.48; DIR EQUALIZATION OFC: $5,735.06; REGISTER DEEDS OFC: $3,374.16; VSO: $577.28; SHERIFF OFC: $16,777.64; JAIL: $13,533.39; EMA: $1,697.60; 911 COMM CENTER: $8,977.27; 24/7: $1,401.34; ROAD & BRIDGE: $15,154.67; WELFARE: $74.00; CHN: $1,145.53; WIC: $127.29; EXTENSION; $1,316.00; ZONING; $1,592.96. GRAND TOTAL $96,606.38.

Motion by Johnson, second by Slaughter, to approve the payroll of September 21-October 4, 2020. Motion carried. COMMISSIONERS: $5,572.01; ELECTIONS: $65.63; AUDITORS OFC: $4,707.51; TREASURERS OFC: $4,805.92; STATES ATTORNEY OFC: $8,203.76; GOVT BLDGS: $4,496.48; DIR EQUALIZATION OFC: $5,892.15; REGISTER DEEDS OFC: $3,326.31; VSO: $577.28; SHERIFF OFC: $16,585.51; JAIL: $12,319.77; CORONER: $576.75; EMA: $1,697.60; 911 COMM CENTER: $8,006.88; 24/7: $1,215.37; ROAD & BRIDGE: $15,553.82; WELFARE: $74.00; CHN: $1,193.25; WIC: $79.55; EXTENSION: $1,316.00; ZONING: $1,592.96. GRAND TOTAL $97,858.51.

ACCOUNTS PAYABLE:

Motion by Reinicke, second by Hageman, to approve the accounts payable of September 25 and 30 and October 7, 2020. Motion carried. **Accounts Payable 9-25-20 Sheriff:** Verizon Wireless, lost check, ($280.13), **Hwy Rd-Bridge:** DCI, void check, ($46.00), **Judicial:** Great Plains Psychological, duplicate payment, ($4,002.50), **Grand Total: ($4,328.63)**

Accounts Payable 9-25-20 General: Dakotaland Fed Cr Union, $75.00, Lake Co Treasurer, Withholdings, $15,445.29, Office Child Support Enf, Child Support, $260.77, **Hwy Rd-Br:** Lake Co Treasurer, Withholdings, $3,422.81, **911 Comm:** Lake Co Treasurer, Withholdings, $2,041.64, **EMA:** Lake Co Treasurer, Withholdings, $400.92, **24/7:** Lake Co Treasurer, Withholdings, $266.46, **Grand Total: $21,912.89**

Accounts Payable 9-30-20 General: Aflac, Sept Cancer/Int Care, $2,292.74, Avera Health Plans, Oct 20 Health Prem, $3,605.18, Optilegra Inc, Oct 20 Vision Upgrade, $213.77, SD Retirement System, Sept 20 Collections, $8,570.62, SD Supp Retirement Plan, Sept 20 Collections, $1,890.00, **Commissioner:** Optilegra Inc, Oct 20 Vision Prem, $35.76, Unum Life Insurance, Oct 20 Life Ins Prem, $19.17, Infotech Solutions LLC, Ofc 365(3), $15.00, Midcontinent Comm, Service, $31.92, **Election:** Infotech Solutions LLC, Tech(2), $66.00, **Auditor:** SD Retirement System, Sept 20 Collections, $546.72, Avera Health Plans, Oct 20 Health Ins Prem, $1,153.50, Optilegra Inc, Oct 20 Vision Prem, $17.88, Unum Life Insurance, Oct 20 Life Ins Prem, $14.40, Infotech Solutions LLC, Email Host(3)/Tech(3), $114.00, Midcontinent Comm, Service, $23.94, **Treasurer:** SD Retirement System, Sept 20 Collections, $576.72, Avera Health Plans, Oct 20 Health Ins Prem, $1,730.25, Optilegra Inc, Oct 20 Vision Prem, $26.82, Unum Life Insurance, Oct 20 Life Ins Prem, $14.40, Infotech Solutions LLC, Ofc 365(3)/Tech(4), $161.85, Bureau Of Administration, Aug Bit Billing (3), $18.75, **St Atty:** SD Retirement System, Sept 20 Collections, $989.21, Avera Health Plans, Oct 20 Health Ins Prem, $1,153.50, Optilegra Inc, Oct 20 Vision Prem, $26.82, Unum Life Insurance, Oct 20

Life Ins Prem, $14.40, Infotech Solutions LLC, Ofc 365(4)/Tech(5), $185.00, Midcontinent Comm, Service, $31.92, **Gvt Bldg:** SD Retirement System, Sept 20 Collections, $539.56, Avera Health Plans, Oct 20 Health Ins Prem, $1,153.50, Optilegra Inc, Oct 20 Vision Prem, $26.82, Unum Life Insurance, Oct 20 Life Ins Prem, $14.40, Infotech Solutions LLC, Ofc 365(1)/Tech(1), $38.00, City Of Madison, Utilities, $78.33, Midcontinent Comm, Service, $7.98, Northwestern Energy, Service, $10.00, **DOE:** SD Retirement System, Sept 20 Collections, $695.74, Avera Health Plans, Oct 20 Health Ins Prem, $1,730.25, Optilegra Inc, Oct 20 Vision Prem, $26.82, Unum Life Insurance, Oct 20 Life Ins Prem, $19.20, Infotech Solutions LLC, Ofc 365(4)/Tech(6), $218.00, Midcontinent Comm, Service, $39.90, **ROD:** SD Retirement System, Sept 20 Collections, $155.99, Avera Health Plans, Oct 20 Health Ins Prem, $1,153.50, Optilegra Inc, Oct 20 Vision Prem, $17.88, Unum Life Insurance, Oct 20 Life Ins Prem, $9.60, Infotech Solutions LLC, Ofc 365(2)/Tech(4), $152.00, Midcontinent Comm, Service, $15.96, **VSO:** Infotech Solutions LLC, Ofc 365(2)/Tech(1), $47.95, Midcontinent Comm, Service, $7.98, **GIS:** Infotech Solutions LLC, Tech(1), $33.00, **IT:** Infotech Solutions LLC, Tech(2)/Backup/Firewall, $880.00, **Sheriff:** SD Retirement System, Sept 20 Collections, $2,522.30, Avera Health Plans, Oct 20 Health Ins Prem, $3,460.50, Optilegra Inc, Oct 20 Vision Premium, $71.52, Unum Life Insurance, Oct 20 Life Ins Prem, $38.40, Infotech Solutions LLC, Ofc 365(12)/Tech(15)/Pw (8), $881.67, Verizon Wireless, Jetpack Service, $280.27, **Jail:** SD Retirement System, Sept 20 Collections, $1,993.44, Avera Health Plans, Oct 20 Health Ins Prem, $4,037.25, Optilegra Inc, Oct 20 Vision Prem, $62.58, Unum Life Insurance, Oct 20 Life Ins Prem, $38.40, Infotech Solutions LLC, Ofc 365(10)/Tech(4), $192.00, Midcontinent Comm, Service, $143.58, Northwestern Energy, Service, $55.04, **Coroner:** Optilegra Inc, Oct 20 Vision Prem, $8.94, Unum Life Insurance, Oct 20 Life Ins Prem, $4.80, **Support Of Poor:** SD Retirement System, Sept 20 Collections, $8.88, Avera Health Plans, Oct 20 Health Ins Prem, $28.84, Optilegra Inc, Oct 20 Vision Prem, $.45, Unum Life Insurance, Oct 20 Life Ins Prem, $.24, Infotech Solutions LLC, Ofc 365(1)/Tech(1), $38.00, Midcontinent Comm, Service, $7.98, **CHN:** SD Retirement System, Sept 20 Collections, $137.94, Optilegra Inc, Oct 20 Vision Prem, $7.15, Unum Life Insurance, Oct 20 Life Ins Prem, $3.84, **WIC:** SD Retirement System, Sept 20 Collections, $14.80, Optilegra Inc, Oct 20 Vision Prem, $1.79, Unum Life Insurance, Oct 20 Life Ins Prem, $.96, **Extension:** SD Retirement System, Sept 20 Collections, $157.92, Unum Life Insurance, Oct 20 Life Ins Prem, $4.80, Midcontinent Comm, Service, $7.98, City Of Madison, Utilities, $502.75, Northwestern Energy, Service, $11.71, **Weed:** Midcontinent Comm, Service, $7.98, **Zoning:** SD Retirement System, Sept 20 Collections, $191.16, Avera Health Plans, Oct 20 Health Ins Prem, $547.91, Optilegra Inc, Oct 20 Vision Prem, $8.49, Unum Life Insurance, Oct 20 Life Ins Prem, $4.56, Infotech Solutions LLC, Ofc 365(1)/Tech(1) Aug 20, $123.00, Midcontinent Comm, Service, $7.98, **Hwy Rd-Br:** Aflac, Sept Cancer/Int Care, $246.64, Avera Health Plans, Oct 20 Emp/Sp Prem, $1,076.18, Optilegra Inc, Oct 20 Vision Upgrade, $112.29, SD Retirement System, Sept 20 Collections, $1,857.43, SD Supp Retirement Plan, Sept 20 Collections, $350.00, SD Retirement System, Sept 20 Collections, $1,806.71, Avera Health Plans, Oct 20 Health Ins Prem, $5,190.75, Optilegra Inc, Oct 20 Vision Prem, $80.46, Unum Life Insurance, Oct 20 Life Ins Prem, $43.20, City Of Madison, Utilities, $450.47, Northwestern Energy, Service, $10.43, Sioux Valley Energy, Hwy 34 St Lights, $166.50, Midcontinent Comm, Service, $15.96, Infotech Solutions LLC, Ofc 365(2)/Tech(2), $91.00, **911 Comm:** Aflac, Sept Cancer/Int Care, $206.38, Avera Health Plans, Oct 20 Emp/Family Prem, $1,062.28, Optilegra Inc, Oct 20 Vision Upgrade, $12.20, SD Retirement System, Sept 20 Collections, $1,029.88, SD Supp Retirement Plan, Sept 20 Collections, $80.00, SD Retirement System, Sept 20 Collections, $1,029.88, Avera Health Plans, Oct 20 Health Ins Prem, $2,883.75, Optilegra Inc, Oct 20 Vision Prem, $44.70, Unum Life Insurance, Oct 20 Life Ins Prem, $24.00, Infotech Solutions LLC, Ofc 365(2)/Tech(4), $142.00, Midcontinent Comm, Service, $15.96, Sioux Valley Energy, Service, $95.22, **EMA:** Aflac, Sept Cancer/Int Care, $28.08, SD Retirement System, Sept 20 Collections, $203.72, SD Supp Retirement Plan, Sept 20 Collections, $25.00, SD Retirement System, Sept 20 Collections, $203.72, Avera Health Plans, Oct 20 Health Ins Premium, $576.75, Optilegra Inc, Oct 20 Vision Premium, $8.94, Unum Life Insurance, Oct 20 Life Ins Premium, $4.80, Infotech Solutions LLC, Ofc 365(1)/Tech(1)

Aug 20, $45.50, Midcontinent Comm, Service, $7.98, City Of Madison, Utilities, $253.53, Northwestern Energy, Service, $10.00, **24/7:** SD Retirement System, Sept 20 Collections, $40.24, **Grand Total: $65,762.93**

Accounts Payable 9-30-20 Hwy Rd-Br: Butler Machinery Co, Duplicate Payment/20201407, ($25,344.53), **Grand Total: ($25,344.53)**

Accounts Payable 10-07-20 Election: Election Sys & Software, Ballots/sample ballots, $2,825.06, Office Peeps Inc, Labels, $19.99, **Judicial:** Dawson, Jacob D, CAA Fees, $7,614.95, De Castro, Manuel J Jr, CAA Fees, $242.50, Stanford, Lori, CAA Fees, $1,513.25, Deya Thorin Spanish Interpreter, Interpreter serv, $232.24, Certified Languages Interpreter, Interpreter serv, $49.50, Schildhauer, Terri, Grand jury/transcript, $175.20, **WITNESS-JUROR-APPEARANCE FEES/ MILEAGE:** Boldt, Pamela, $50.84, Booze, Kenneth, $53.36, Buchholtz, Robbi, $54.20, Francis, Mary, $50.84, Graham, Cecil, $59.24, Knapp, Sharon, $50.84, Lutter, Andrew, $57.56, Sheeks, Nicholas, $51.68, Smith, Mark, $53.36, Stratton, Kaylee, $58.40, Harris, Joseph, $20.00, **Auditor:** Marco Technologies Llc, Copier Usage, $7.50, Office Peeps Inc, Toner, $166.27, Innovative Ofc Solutions, Envelopes, $220.42, **Treasurer:** A & B Business Solutions, Printer Maint, $192.75, **St Atty:** A & B Business Solutions, Copier Maint/Usage, $66.99, Gust, Shelli L, Mileage/Sioux Falls, $39.90, **Gvt Bldg:** G & R Controls Inc, Annual Prevent Maint, $5,759.00, Menards-Sioux Falls West, Deadbolt/ Frame Extension, $113.98, A & B Pest, Spray Bugs/Crthse-Ext, $555.00, Barger Electric LLC, Hose Cap/Ball Valve/PSB, $250.87, Automatic Bldg Ctrls Inc, Psb-Crthse/Annual Test/Fire, $730.00, Menards-Sioux Falls West, Pine Sol/Wiring Flag Pole, $21.95, Home Service Water Cond, Salt, $44.25, Office Peeps Inc, Wall Calendar, $15.80, 1000bulbs.Com, 4ft Led Lights, $154.91, Kolorworks Inc, Paint Supplies/Zoning Office, $50.96, Cole's Petroleum Inc, Gas, $116.28, Shred-It USA, Service, $166.92, **DOE:** Century Business Prod Inc, Copier Maint/Usage, $50.22, **ROD:** Century Business Prod Inc, Copier Maint, $26.25, **Sheriff:** Redwood Toxicology Lab, Tests, $442.00, A & B Business Solutions, Copier Maint, $99.82, Mcleods Office Supply, Traffic Tickets (3), $128.89, Gall's LLC, Shirts (16)/Pants (2), $500.24, SD Sheriffs' Association, Postage, $52.65, AT&T Mobility, Service, $68.42, Cole's Petroleum Inc, Gas, $1,159.74, **Jail:** SD Sheriffs' Association, Savin Annual Maint Fee, $880.00, Phoenix Supply, Jail supplies, $197.96, Office Peeps Inc, Legal Pads/12, $10.84, SD Sheriffs' Association, Postage, $52.65, Sunshine Foods Inc, Sept Prisoner Meals, $6,683.60, **Coroner:** Sanford Health Service, Autopsy, $2,351.00, **Support Of Poor:** Midstates Glass, Laminate/Window/Covid 19, $90.00, **CHN:** Marco Inc, Copier Lease, $67.30, SD Ofc Of Child & Family, 4th Qtr Pymt, $2,671.05, **MI Board:** Lewno, Lucy, MI Hearing, $156.50, Katterhagen, Mark, MI Hearing, $12.00, Lockwood, Darcy, MI Hearing, $12.00, Yankton Co Sheriff's Ofc, MI Service, $50.00, Ericsson, Richard L, MI Hearing, $194.00, **Extension:** Century Business Prod In, Copier Maint/Usage, $137.58, Lewis Drug Inc, Bug Spray, $9.99, Shop 4h-Nat'l 4h Council, Thank Yous/ Motto Banner, $68.50, Office Peeps Inc, Weekly/Planner, $13.02, Shop 4h-Nat'l 4h Council, 4-H Supplies, $130.41, Sunshine Foods Inc, Supplies, $22.63, **Zoning:** Office Peeps Inc, Toner, $561.90, Dakota Fixture And Cabinet, Window Countertop/Covid, $912.50, **Hwy Rd-Br:** Butler Machinery Co, AC Labor/Parts, $1,067.88, Banner Associates Inc, Culvert/40-220-223, $335.00, SD Dept Of Transportation, Br 40-220-223, $84,115.11, Madison Reg Health System, Pre Emp-Screen, $72.00, Avera Occupational Medic, Drug Screen, $101.20, DCI, Background Check, $26.75, Roger's Service & Exhaust, AC Compressor Belt, $168.34, Krug Products Inc, Parts, $15.18, Tran-Source, Turn Signal Switch, $199.29, Aramark Uniform Services, Service, $157.64, Cole's Petroleum Inc, Tran Fluid, $1,112.00, Office Peeps Inc, Toner, $307.70, Cole's Petroleum Inc, Gas/Diesel, $5,015.99, Diesel Machinery Inc, Blades, $1,021.38, Bowes Construction Inc, Crushed Gravel/ Testing, $96,410.00, John Deere Financial, Diesel Exhaust Fluid, $166.80, Xcel Energy, Util/Ramona, $12.43, Midamerican Energy, Util/Ramona, $10.04, **911 Comm:** Dan's Refrigeration, Heat Pump 2nd Pymt, $4,293.18, **EMA:** Sioux Valley Energy, Brant Lk Sirens (3), $509.87, Steves Tire & Service In, Oil Change, $48.49, Cole's Petroleum Inc, Gas, $78.03, **24/7:** Pharmchem Inc, Aug Sweat Patch, $827.95, Intoximeters Inc, Mouthpieces, $1,250.00, Redwood Toxicology Lab, Test Cups, $630.00, **Grand Total: $237,672.67**

ABC FIRE ALARM PROPOSALS:

Shelli Gust, CAO, presented the 2021 ABC fire alarm proposals for the courthouse and public safety buildings. The public safety building proposal remains at $339. The courthouse building proposal remains at $283. Motion by Slaughter, second by Reinicke, to approve the 2021 proposals with ABC and authorize the chair to sign. Motion carried.

911 PERSONNEL:

April Denholm, 911 Comm Center Director, met with the board to discuss the new hire of Jennifer Miller. Motion by Slaughter, second by Reinicke, to approve the hire of Jennifer Miller as a full-time 911 Communications Dispatcher-Trainee (Not Certified), at a rate of $15.25 an hour, effective 10/7/2020, contingent upon a successful background check and pre-employment screening. Motion carried.

MEETINGS ATTENDED:

Commissioner Slaughter attended 5 year highway plan, East Dakota Transit, LAIC, and the first meeting of the Road & Bridge Advisory Committee. Commission Wollmann attended a SD Public Funds Investment Trust (SDFIT) zoom meeting. Commissioner Reinicke attended the first meeting of the Road & Bridge Advisory Committee, Domestic Violence, and 5 year highway plan.

5 YEAR COUNTY HIGHWAY AND BRIDGE IMPROVEMENT PLAN:

Commissioner Slaughter acknowledged receipt of the 5 Year County Highway and Bridge Improvement Plan. Nels Nelson, Hwy Supt, presented to the board maps that included: county roads that were turned to gravel in 2020, inventory of all county roads, chip seal plan for the next 5 years, gravel roads where the highway dept plan to pull shoulders, roads that will have an overlay applied, and the bridge plan. To receive more public input, discussion was held regarding having public road meetings in the evenings or possibly one meeting during the day and one meeting in the evening. Chair Wollmann read Resolution 2020-19. Motion by Hageman, second by Johnson, to adopt the Lake County 5 Year Highway and Bridge Improvement Plan. Motion carried. Motion by Reinicke, second by Slaughter, to approve Resolution 2020-19 and authorize the chair to sign. Motion carried.

RESOLUTION 2020-19
A RESOLUTION ADOPTING THE LAKE COUNTY FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN

WHEREAS, the South Dakota Department of Transportation Local Bridge and Improvement Grant Fund requires that in order to be eligible to apply for Bridge Improvement Grant funds, Counties are required to develop a five-year Highway and Bridge Improvement Plan, hereinafter referred to as Plan; and

WHEREAS, Lake County has utilized the South Dakota Department of Transportation, County Staff, the First District Association of Local Governments, Townships, and the general public in developing the various components of the Plan; and

WHEREAS, the Plan includes maps and lists identifying an inventory of highways and bridges, project needs, and revenue sources; and

WHEREAS, Lake County held a public meeting on October 5, 2020 to solicit input into the Plan, and the citizens who attended expressed an interest in the Plan; and

WHEREAS, the County will be able to use the Plan as a tool to budget for transportation enhancements and better coordinate transportation issues with other entities.

NOW, THEREFORE, BE IT RESOLVED BY THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE LAKE COUNTY FIVE-YEAR HIGHWAY AND BRIDGE IMPROVEMENT PLAN IS HEREBY ADOPTED AND IS RECOGNIZED AS THE HIGHWAY AND BRIDGE IMPROVEMENT PLAN FOR LAKECOUNTY.

Dated at Madison, South Dakota this 6th day of October, 2020.

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

LAKE COUNTY BOARD OF COMMISSIONERS

/s/Kelli Wollmann

Kelli Wollmann, Lake County Commission Chair

ATTEST:

/s/Paula Barrick

Paula Barrick, Lake County Auditor

SE ELECTRIC FRANCHISE APPLICATION/RESOLUTION 2020-17:

Brad Schardin, SE Electric Coop General Manager, appeared via phone regarding his application for a franchise to construct rural electric transmission and distribution lines, in, along and across the public highways of Lake County. Schardin told the Commissioners that SE Electric would notify township officials of construction in their township and that affected areas will be put back to original condition. Chair Wollmann read Resolution 2020-17 Southeastern Electric Cooperative, Inc. franchise application. Motion by Reinicke, second by Slaughter, to approve Resolution 2020-17 and authorize the chair to sign. Motion carried.

State of South Dakota	)	Before the Honorable Board of County
	)ss.	Commissioners of Lake County,
County of Lake	)	South Dakota

IN THE MATTER OF THE APPLICATION OF Southeastern Electric Cooperative, Inc. for a franchise to construct rural electric transmission and distribution lines, in, along and across the Public Highways of Lake County, South Dakota	RESOLUTION 2020-17

WHEREAS, the Southeastern Electric Cooperative, Inc., PO Box 388, Marion, South Dakota 57043, a rural electric cooperative, on the 23rd day of September, 2020, filed with the County Auditor of Lake County, South Dakota, its verified Application for the purpose of obtaining a franchise or easement of right-of-way granting said Southeastern Electric Cooperative, Inc. the right to erect and maintain poles and wires for the purpose of conducting and transmitting electricity for lighting, heating and power purposes in, along and across public highways of Lake County, South Dakota, for rural electrification; and

WHEREAS, it appears that due Notice of the time and place of the hearing of said Application has been given to all persons, firms and corporations owning or operating electric, telephone and telegraph lines on any part of the public highways of Lake County, South Dakota, and other parties interested in this matter, by the County Auditor of Lake County, South Dakota, as provided for by law; and

WHEREAS, pursuant to said Notice, said Application was heard by the Board of County Commissioners of Lake County, South Dakota, on this 6th day of October, 2020, at the hour of 9:30 o'clock a.m., in the Lake County Courthouse in the City of Madison, Lake County, South Dakota; and

WHEREAS, this matter has been continued to this date without any additional notice being necessary; and

WHEREAS, no persons, firm or corporation has appeared in opposition to granting said Application and it appearing to the satisfaction of the Board of the County Commissioners of Lake County, South Dakota, that it will be for the best interest of the public in general for said Lake County, and it further appearing to the satisfaction of the Board that the construction, operation and maintenance of rural electrification transmission and distribution lines, in, along and across the public highways of Lake County, South Dakota, without interfering with the operation and maintenance of any other line existing in said highways or other users of said highways; and

WHEREAS, in consideration for this grant, Southeastern Electric Cooperative, Inc. agrees to indemnify and hold harmless Lake County and its agents, employees from and against all claims, damages, losses and expenses, fees, arising out of or resulting from Southeastern Electric Cooperative Inc.'s construction, operation and maintenance of rural electrification transmission and distribution lines, in, along and across the public highways of Lake County, South Dakota; and

WHEREAS, in consideration for this grant, Southeastern Electric Cooperative, Inc. agrees to restore at its expense, the affected areas in as good condition as before said work was commenced to the best of its ability, and replace any affected structures (culverts and signs); and

WHEREAS, in consideration for this grant, Southeastern Electric Cooperative, Inc. agrees to abide by Lake County's permitting and notification process and also notify Township officials of any work being done in the Township rights-of-way.

NOW THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of the County of Lake, State of South Dakota, that the right to construct, maintain and operate poles and lines for the purpose of transmitting and distribution of electricity and energy for lighting, heating and power purposes, in, along and across the public highways of Lake County, South Dakota, for rural electrification purposes for a period of twenty (20) years from and after the date hereof, be, and the same is hereby granted Southeastern Electric Cooperative, Inc., subject to the terms and conditions of Chapter 31-26 of the South Dakota Codified Laws and acts amendatory thereto relating to the construction of utility lines along and across the public highways, and the conditions above.

Passed and approved this 6th day of October, 2020.
/s/Kelli Wollmann
Kelli Wollmann, Chair
Board of Lake County Commissioners,
Lake County, South Dakota
ATTEST:
/s/Paula Barrick
Paula Barrick, County Auditor
Lake County, South Dakota

NW ENERGY FRANCHISE APPLICATION/RESOLUTION 2020-18:

Robert Gehm, Northwestern Energy, Real Estate Representative, met with the board to discuss a franchise to construct, lay, maintain, and operate natural gas pipelines and mains in, along, and across the public highways of Lake County. Discussion was held on township officials notification of construction in their township and constructed areas back to original state. Gehm wanted to speak with his legal counsel before assuring the board of their request. Motion by Reinicke, second by Johnson, to table NW Energy's application for franchise until the end of the commission meeting. Motion carried.

HIGHWAY DEPT/PERSONNEL:

Supt. Nelson told the Board that he has filled one of the two positions at the highway department. Motion by Slaughter, second by Hageman, to approve the hire of Mark Johnson as a full-time heavy equipment operator, at a rate of $18.25/hr, effective October 7, 2020, contingent upon a satisfactory background check and pre-employment screening. Motion carried.

UTILITY OCCUPANCY/SIOUX VALLEY ENERGY:

Hwy Supt. Nelson presented the following utility occupancy application and permits (2) and underground construction on county roads right of way (1).

2020-27 Sioux Valley Energy, Jim Kuyper, PO Box 216, Colman, SD. Project-install new service for tile lift pump, W.O. 28884, this will be underground installation on 460th Ave. Vibra plowing in ditch and will be boring water way. Some back hoe work will be needed for bore and grounding of cable. Motion by Reinicke, second by Johnson, to approve utility occupancy permit #2020-27 of Sioux Valley Energy and authorize the chair to sign. Motion carried.

2020-29 Northwestern Energy, Brady Hallenbeck, 1232 22nd Ave S, Brookings, SD. Project-install new 4" plastic gas main from the west ROW of 456th Ave along north ditch of 241st St. The main will cross to the east ROW of 456th north of 241st St. and will be bored south along 456th Ave along east ROW across 241st St or Highway 52. Motion by Reinicke, second by Johnson, to approve utility occupancy permit #2020-29 of Northwestern Energy only for county ROW and authorize the chair to sign. Motion carried.

2020-07 Richard Minnaert, 45568 241st St, Madison, SD. Project-install 10" PVC cl 200 pipe for drain tile under 241st St (CR 52). Hwy Supt. Nelson stated he would like the ditch bottom to be 4 ½' deep instead of the 3' stated in the application. Motion by Johnson, second by Reinicke, to approve #2020-07 of Richard Minnaert on the condition that it will be a 4 1/2' ditch bottom and authorize the chair to sign. Motion carried.

SD DPS OEM SUB-RECIPIENT AGREEMENT (2019 SPRING BLIZZARDS):
CAO Gust told the board that the Department of Public Safety, Office of Emergency Management has a payment ready to process for Lake County. The approved costs were $61,491.05, with a 75% federal share $46,118.29 and a 25% non-federal share $15,372.76. Motion by Reinicke, second by Slaughter, to acknowledge receipt of and approve the Sub-Recipient Agreement between Lake County and State of South Dakota, Department of Public Safety, Office of Emergency Management for DR-4440 (2019 Spring Blizzards) and ratify the signature of Nels Nelson on said agreement. Motion carried.

NACO LEADERSHIP DEVELOPMENT ACADEMY:
CAO Gust informed the board that NACO is offering a High Performance Leadership Development Academy. The 12 week online course will start in January 2021. NACO will pay the enrollment for one person. If more than one would want to participate, NACO is offering a discounted rate. Three employees have expressed interest in this course: Grant Lanning, Sarina Talich, and Ashley Allgaier. Motion by Reinicke, second by Slaughter, to approve Grant Lanning, Sarina Talich, and Ashley Allgaier to attend the online NACO High Performance Leadership Development Academy with funds to come out of the Commissioners budget. Motion carried.

NW ENERGY FRANCHISE APPLICATION/RESOLUTION 2020-18:
Motion by Reinicke, second by Johnson, to resume discussion with Robert Gehm, Northwestern Energy, Real Estate Representative. Motion carried. After discussing with his legal counsel, Gehm told the board they will notify township officials of any work being done in their township and construction sites will be put back in their original state. Chair Wollmann read Resolution #2020-18 with the added requirements.

State of South Dakota	)	Before the Honorable Board of County
	)ss.	Commissioners of Lake County,
County of Lake	)	South Dakota

IN THE MATTER OF THE APPLICATION OF Northwestern Corporation, as Delaware Corporation, d/b/a NorthWestern Energy for a franchise to construct, lay, maintain, and operate natural gas pipelines and mains on and along the public highways located in Lake County, South Dakota	RESOLUTION 2020-18

RESOLUTION AND RECITALS

I.

WHEREAS, **NorthWestern Corporation, a Delaware Corporation, d/b/a NorthWestern Energy (NorthWestern),** has filed an application with the Lake County Board of Commissioners pursuant to SDCL Section 7-8-23 on September 10, 2020, seeking the right to construct, lay, maintain, and operate natural gas pipelines and mains along the county highways located in Lake County, South Dakota.

II.

WHEREAS, the Lake County Board of Commissioners has the jurisdiction and authority to grant the application of **NorthWestern** as set forth in paragraph I above, subject to such conditions as it may desire to impose.

THEREFORE, BE IT RESOLVED by the Lake County Board of Commissioners as follows:

1. That the application of **NorthWestern** dated September 9, 2020, for permission to construct, lay, maintain, and operate natural gas pipelines and mains on and along Lake County Roads is granted subject to the conditions set forth herein.
2. That this grant is for a period of twenty (20) years from and after October 6, 2020, or as may be extended by the Lake County Board of Commissioners in writing at a subsequent date.

3. That as consideration for this grant, **NorthWestern** agrees to indemnify and hold harmless Lake County, its officers and employees from any and all liability, damages, claims, demands or otherwise, whether the same is based on contract or otherwise in law or in equity associated with the design, construction, installation, laying, operating, inspecting, repairing, maintaining, replacing and removing of pipes, mains, valves and all other devices used in connection with the operation of its natural gas pipeline located pursuant to this grant, except such liability, damages, claims or demands which arise as a result of the negligence of the county, its officers, employees or agents.
4. That as additional consideration for this grant, **NorthWestern** agrees to restore, at its expense, the affected areas in as good condition as before said work was commenced and replace any structures affected, i.e. culverts and signs; and if the county road should be rebuilt or construction and maintenance of the county road requires the removal or relocation of the pipeline, it shall be solely at the expense of **NorthWestern**.
5. That as additional consideration for this grant, **NorthWestern** agrees to abide by Lake County's permitting and notification process and also notify Township officials of any work being done in Township rights-of-way.
6. That the rights and conditions by this grant shall be binding upon the successors and assigns of **NorthWestern.**
7. This grant shall further be subject to all rules and regulations as are prescribed by the State of South Dakota relating to the construction, operation and maintenance of gas pipelines and mains.
8. That this grant shall not be effective until execution of the acceptance of the conditions set forth below by **NorthWestern**.

Dated this 6th day of October, 2020.
/s/Kelli Wollmann
Kelli Wollmann, Chair
Board of County Commissioners
ATTEST:
/s/Paula Barrick
Paula Barrick, County Auditor

The foregoing resolution was made by Commissioner Reinicke and seconded by Commissioner Johnson, and upon a vote being taken thereon:

The following voted yea: Wollmann, Hageman, Johnson, Reinicke, Slaughter

The following voted nay:

Whereupon the Chair declared the resolution adopted.

OCTOBER 2020 REPORTS RECEIVED:

Auditor's account with the Treasurer $7,706,685.37 reconciled bank balance $7,702,750.33 variance ($3,935.04).

ADJOURNMENT:

Motion by Reinicke, second by Johnson, at 11:36 a.m. to adjourn. Motion carried. The next meeting will be October 20, 2020 in the commission room.

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

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