LAKE COUNTY COMMISSION MINUTES
October 4, 2022

The Board of Lake County Commissioners met in regular session on October 4, 2022, at 9 a.m. in the commission meeting room at the Lake County Courthouse. Chair Kelli Wollmann called the meeting to order. Auditor Paula Barrick called roll call: Commissioner Aaron Johnson, Commissioner Adam Leighton, Commissioner Deb Reinicke, Commissioner Dennis Slaughter, and Commissioner Wollmann all present. The Pledge of Allegiance was recited.

COMMUNITY COMMENTS:

Chair Wollmann told the board Lake County received the gold safety award at the 2022 SDACC/ SDACO county convention September 13th at Pierre.

AGENDA APPROVED:

Auditor Barrick informed the board the unassigning ARPA money will not be done at this meeting. Motion by Reinicke, second by Slaughter, to approve the agenda of October 4, 2022 with the change. Motion carried

MINUTES APPROVED:

Motion by Leighton, second by Johnson, to approve the unapproved minutes of September 20, 2022. Motion carried.

PAYROLL APPROVED:

Motion by Reinicke, second by Leighton, to approve payroll of September 19-October 2, 2022. Motion carried. Commissioners: $6,349.25; Auditors Ofc: $3,948.00; Treasurers Ofc: $5,447.20; States Attorney Ofc: $9,569.18; Govt Bldgs: $5,697.76; Dir Equalization Ofc: $5,887.69; Register Deeds Ofc: $4,369.28; VSO: $769.50; Sheriff Ofc: $20,406.97; Jail: $13,086.75; Coroner: $700.00; EMA: $1,978.40; 911 Comm Center: $11,175.85; 24/7: $869.44; Road & Bridge: $15,726.77; Welfare: $86.53; Extension: $1,796.00; Zoning; $1,874.93 Grand Total $109,739.50.

ACCOUNTS PAYABLE:

Auditor Barrick told the board a Menards bill in the amount $109.94 (motion and exit lights) will need to be paid with the October 5th accounts payable. Motion by Johnson, second by Slaughter, to approve accounts payable of September 23, 29, and October 5, 2022 with the addition of the Menards bill. Motion carried.

Accounts Payable 9-23-22 General: Dakotaland Fed Cr Union, Ded, $75.00, Lake Co Treasurer, Withholdings, $16,954.71, **Hwy Rd-Br:** Lake Co Treasurer, Withholdings, $3,254.92, **911 Comm:** Messerli & Kramer, Garnishment, $125.73, Breit & Boomsma, Pc, Garnishment, $134.73, Lake Co Treasurer, Withholdings, $2,723.34, **EMA:** Lake Co Treasurer, Withholdings, $461.97, **24/7:** Lake Co Treasurer, Withholdings, $151.58 **Grand Total: $23,881.98**

Accounts Payable 9-29-22 General: Aflac, Ded, $1,766.38, Avera, Prem, $15,282.96, Delta Dental, Prem, $455.00, Optilegra, Prem, $433.32, SD Retirement, Collections, $18,541.36, SD Supp Retirement, Collections, $2,678.54, Unum Life, Prem, $193.40, **Commissioner:** Midco, Util, $20.80, **Auditor:** Midco, Util, $24.46, **Treasurer:** Midco, Util, $6.00, **St Atty:** Midco, Util, $27.28, **Govt Bldg:** City Of Madison, Util, $29.97, Midco, Util, $6.82, Northwestern Energy, Util, $10.00, **DOE:** Midco, Util, $31.28, **ROD:** Midco, Util, $13.64, **VSO:** Midco, Util, $6.82, **Sheriff:** At&T, Util, $339.04, **Jail:** Midco, Util, $114.68, Northwestern Energy, Util, $109.33, **Support Of Poor:** Midco, Util, $6.82, **Recreation:** At&T, Util, $43.16, **Extension:** City Of Madison, Util, $638.30, Midco, Util, $123.66, Northwestern Energy, Util, $10.81, **Weed:** Midco, Util, $4.82, **Zoning:** Midco, Util, $6.82, **Hwy Rd-Br:** Aflac, Ded, $316.88, Avera, Prem, $6,626.94, Delta Dental, Prem, $358.30, Optilegra, Prem, $139.75, SD Retirement, Collections, $3,714.52, SD Supp Retirement, Collections, $175.00, Unum Life, Prem, $46.80, City Of Madison, Util, $451.58, Midamerican Energy, Util, $12.22, Northwestern Energy, Util, $10.00, Sioux Valley Energy, Hwy 34 Lights, $166.50, Midco, Util, $136.67, **911 Comm:** Aflac, Ded, $481.76, Avera, Prem, $6,268.29, Delta Dental, Prem, $136.50, Optilegra, Prem, $71.67, SD Retirement, Collections, $2,782.84, SD Supp Retirement, Collections, $105.00, Unum Life, Prem, $31.20, Midco, Util, $9.64, **EMA:** Aflac, Ded, $25.92, Avera, Prem, $735.34, Delta Dental, Prem, $45.50, Optilegra, Prem, $8.94, SD Retirement, Collections, $474.80, SD Supp Retirement,

Collections, $25.00, Unum Life, Prem, $5.20, Sioux Valley Energy, Sirens, $510.08, Midco, Util, $6.82, City Of Madison, Util, $213.30, Northwestern Energy, Util, $10.00, **24/7:** SD Retirement, Collections, $65.08 **Grand Total $65,093.51**

Accounts Payable 10-5-22 Commissioner: Quadient, Lease, $2.66, **Elections:** Quadient, Lease, $182.26, **Judicial:** Dawson, Jacob D, CAA, $4,128.05, Miller, Cody, CAA, $79.20, Stanford, Lori, CAA, $656.50, PGI, Phone System, $26.62, Juror Fees, $549.98, Witness Fees, $50.60, **Auditor:** Marco, Usage, $11.55, Quadient, Lease, $127.60, **Treasurer:** A & B Business, Maint, $103.93, Quadient, Lease, $288.03, **St Atty:** Century Business, Maint, $97.86, Quadient, Lease, $12.48, SD Paralegal Assn, Regs, $65.00, State Bar of SD, Fastcase, $275.00, **Govt Bldg:** A & B Pest, Serv, $980.00, Grainger, Knob, $2.76, Hillyard, Towels, $171.56, Ace Hardware, Supplies, $265.08, Menards, Supplies, $84.95, **DOE:** Quadient, Lease, $174.07, **ROD:** Century Business, Maint, $45.15, Quadient, Lease, $41.88, Governors Inn, Lodging, $87.00, **VSO:** Quadient, Lease, $.39, **Sheriff:** One Recipient, Deductible Reimburse, $800.00, Redwood Toxicology Lab, Tests, $373.00, Ace Hardware, Paint, $39.96, Quadient, Lease, $81.60, State Bar of SD, Fastcase, $275.00, **Jail:** Rising Hope Counseling, Prisoner Care, $1,680.00, We Care Dental, Prisoner Care, $844.00, Hillyard, Detergent, $178.83, **Support Of Poor:** Quadient, Lease, $2.66, **CHN:** DCI, Background Check, $26.75, Quadient, Lease, $34.60, **MI Board:** Serv: Larson, Dana J, $50.00, Larson, Val, $21.00, Lewno, Lucy, $228.78, Nelson, John M, $151.50, Oftedal, Abby, $252.50, Lockwood, Darcy, $21.00, Mallory Schulte, $380.35, **Extension:** Century Business, Maint, $137.02, Quadient, Lease, $.59, **Zoning:** Quadient, Lease, $31.75, **Hwy Rd-Br:** Banner Assoc, Engineer, $208,605.12, Wheelco, Spring, $399.00, Ace Hardware, Supplies, $115.41, Michael Johnson Const, Sand, $1,343.52, Quadient, Lease, $.50, Tracker Software, Maint, $4,425.00, I-State Truck Center, 2023 Freightliner 114SD, $117,810.00, Menards, Supplies, $24.99, **911 Comm:** CDW Government, Battery, $974.25, Quadient, Lease, $.50, At&T, Util, $40.04, Sioux Valley Energy, Serv, $109.69, **EMA:** Ace Hardware, Garage Opener, $99.98, Quadient, Lease, $1.47, SD Fed Property Agency, Cutters, $12.00, **24/7:** Alcohol Monitoring System, GPS Monitoring, $138.70, Intoximeters Inc, Supplies, $269.25 **Grand Total: $348,490.47**

APPROVE FUEL QUOTES:

Motion by Leighton, second by Slaughter, to approve the only quote from Cole's Petroleum. Motion carried. 10% Ethanol – 3.0282 #2 Diesel – 3.4840

RESOLUTION 2022-14/OPERATING TRANSFER TO EMA:

Chair Wollmann read Resolution 2022-14. Motion by Reinicke, second by Johnson, to approve Resolution 2022-14 and authorize the chair to sign. Motion carried.

RESOLUTION 2022-14
OPERATING TRANSFERS

WHEREAS, Lake County does not have enough cash in the Emergency Management Fund and it is allowable to do an operating transfer of cash from the General Fund to other funds;

THEREFORE BE IT RESOLVED, that $25,134 be transferred to the Emergency Management Fund. Grand total operating transfers $25,134.

Voting aye: Johnson, Leighton, Reinicke, Slaughter, and Wollmann
Voting nay: none
Dated this 4th day of October 2022.
LAKE COUNTY BOARD OF COMMISSIONERS
/s/Kelli Wollmann
Kelli Wollmann
Chair, Lake County Commission
ATTEST:
/s/Paula Barrick
Paula Barrick
Lake County Auditor

RAMONA SHOP/TREE CLEANUP:

CAO Gust presented a quote from Bickett & Sons to remove 3 ash trees that were damaged during the May 12th storm. The quote is for taking out and removing the trees, grinding the stumps, and filling with dirt. Motion by Slaughter, second by Reinicke, to approve the quote from Bickett & Sons for $4,500 for the trees and $500 for grinding the stumps. Motion carried.

RATIFY COPIER/PRINTER AGREEMENTS:

CAO Gust told the board a meeting was held with Neil Hlebichuk, Gordon Fleisch representative. Gordon Fleisch will be supplying the printers and copiers that will be purchased by four departments and fulfilling a service agreement for one department effective in the 2023 budget year. Auditor Barrick signed the agreements after the States Attorney's Office reviewed them. Motion by Leighton, second by Johnson, to ratify the purchase, lease, and service agreements with Gordon Fleisch. Motion carried.

SEPTEMBER TRAVEL REQUESTS:

Motion by Reinicke, second by Slaughter, to approve four September 2022 travel requests. Motion carried. The requests are on file in the Auditor's Office.

PERSONNEL/JAIL:

CAO Gust told the board Sheriff Walburg has hired a full-time correctional officer. Motion by Slaughter, second by Reinicke, to approve the hire of Jacob Seppala as a full-time correctional officer, at a rate of $19.35/hr, effective 10/6/22. Motion carried.

APPROVE SD OPIOID SETTLEMENT MEMORANDUM OF AGREEMENT:

CAO Gust informed the board a settlement has been finalized regarding the states and local political subdivisions against the three largest pharmaceutical distributors, one manufacturer, and its parent company. In October 2021, the commission took action to participate. Lake County will receive 0.82% of the localized share (30% of the funds), which equates to $4,269.17 for year one and additional funds annually for 18 years. The county may use the funds for approved uses or the county may approve grants to other eligible entities to use the funds. Motion by Leighton, second by Slaughter, to approve the South Dakota Opioid Settlement Memorandum of Agreement and authorize the chair to sign. Motion carried.

RESOLUTION 2022-13/ANNUAL ASSESSMENT OF PROPERTY APPLICATION OF DISCRETIONARY FORMULA TO SPECIFIED PROPERTIES:

Rick Becker, Director of Equalization, was present to discuss the changes to the discretionary formula. Chair Wollmann read the title of Resolution 2022-13. Motion by Slaughter, second by Leighton, to approve Resolution 2022-13: Annual Assessment of Property Application of Discretionary Formula to Specified Properties (SDCL 10-6-137 and 10-6-137.1) and authorize the chair to sign. Motion carried.

RESOLUTION 2022-13
ANNUAL ASSESSMENT OF PROPERTY
APPLICATION OF DISCRETIONARY FORMULA TO SPECIFIED PROPERTIES
(Discretionary Formula SDCL 10-6-137 and 10-6-137.1)

WHEREAS, Lake County, South Dakota, has previously adopted Resolution #2021-18: Resolution Updating Statutory References, Annual Assessment of Property - Application of Discretionary Formula to Specified Properties in compliance with Senate Bill 70 (2021); and

WHEREAS, Senate Bill 162 (2022) which amended SDCL 10-6-137 and added SDCL 10-6-137.1; and

WHEREAS, Lake County has deemed it in the best interest of the County to adopt a new Resolution updating said statutory references related to its implementation of a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-137 and SDCL 10-6-137.1.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137:

1) Any new industrial structure, including a power generation facility, or an addition to an existing structure, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(2));

2) Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-137(3));
3) Any new commercial structure, or any addition to an existing structure, except a commercial residential structure as described in SDCL § 10-6-137(5), if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(4));
4) Any new commercial residential structure, or addition to an existing structure, containing four or more units, if the new structure or addition has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(5));
5) Any new affordable housing structure containing four or more units, with a monthly rental rate of the units at or below the annually calculated rent for the state's sixty percent area median income being used by the South Dakota Housing Development Authority for a minimum of ten years following the date of first occupancy, if the structure has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(6)); and be it

FURTHER RESOLVED that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the "Pre-Adjustment Value"; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to SDCL § 10-6-137(2), (3), and (4) shall, following construction, be calculated as follows:

a. For the first tax year following construction, 20% of the Pre-Adjustment Value;
b. For the second tax year the following construction, 40% of the Pre-Adjustment Value;
c. For the third tax year following construction, 60% of the Pre-Adjustment Value;
d. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
e. For the fifth tax year following construction, 100% of the Pre-Adjustment Value; and

The assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction. Following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to SDCL § 10-6-137(5) and (6) shall, following construction, be calculated as follows:

a. For the first tax year following construction, 25% of the Pre-Adjustment Value;
b. For the second tax year following construction, 25% of the Pre-Adjustment Value;
c. For the third tax year following construction, 50% of the Pre-Adjustment Value;
d. For the fourth tax year following construction, 50% of the Pre-Adjustment Value;
e. For the fifth tax year following construction, 75% of the Pre-Adjustment Value;
f. For the sixth tax year following construction, 75% of the Pre-Adjustment Value;
g. For the seventh tax year following construction, 100% of the Pre-Adjustment Value; and

The assessed valuation during any of the seven years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction. Following the seven-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes; and be it

FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above described property, not apply the above formulas, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FURTHER RESOLVED that any real property receiving the benefit of a discretionary formula prior to July 1, 2022, must continue to be assessed and taxed in the manner provided for in any county or municipal resolution adopted pursuant to SDCL 10-6 and in effect prior to July 1, 2022, and must continue to be subject to the provisions of §§ 10-12-44, 11-9-20, and 13-13-20.4; and be it

FURTHER RESOLVED that all resolutions in conflict with this resolution are hereby repealed to the extent of such conflict.

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

Dated this 4th day of October 2022, at Madison, South Dakota.

BOARD OF LAKE COUNTY COMMISSIONERS
/s/Kelli Wollmann
Kelli Wollmann, Lake County Commission Chair
ATTEST:
/s/Paula Barrick
Paula Barrick, Lake County Auditor

SURPLUS PROPERTY/HIGHWAY:

Nels Nelson, Highway Superintendent, told the board he has received new radios for his department. Vantek has offered a trade-in value of $25 per radio for the old ones. Motion by Johnson, second by Reinicke, to declare surplus 24 highway department assets listed on the 10/4/2022 surplus property list for the purpose of trading them to Vantek Communications, with the trade-in value estimated at $25 per radio. Motion carried. Assets numbers are on file in the Auditor's Office.

UTILITY OCCUPANCY APPLICATION/PERMIT:

CAO Gust presented utility occupancy application 2022-22 of Sioux Valley Energy, Tim Schoolmeester, 47092 SD Highway 34, Colman. Work to be done-install new underground distribution electric cable running under 461A Ave at the intersection of 238th St (CR46). Hwy Supt. Nelson has reviewed and recommends approval of this application. Motion by Slaughter, second by Johnson, to approve the Utility Occupancy Application #2022-22 of Sioux Valley Energy and authorize the chair to sign. Motion carried.

APPROVE SD DOT BIG AGREEMENT FOR PRELIMINARY ENGINEERING:

CAO Gust told the board she has received an agreement from SD DOT for the $31,200 Preliminary Engineering BIG Grant that Lake County was awarded in August 2022 for Structure 40-071-210. This structure is located seven miles south and five miles west of Madison on 241st St (CR52). This is an 80/20 match with the State paying the PE firm for all costs and Lake County will be responsible for reimbursing the State for the 20% match. If costs exceed the grant amount, Lake County will be responsible for 100% of the additional costs. Motion by Reinicke, second by Slaughter, to approve the State of South Dakota Department of Transportation Bridge Improvement Grant Agreement for preliminary engineering for structure #40-071-210 and authorize the chair to sign. Motion carried.

5 YEAR COUNTY HIGHWAY AND BRIDGE IMPROVEMENT PLAN:

Nels Nelson, Hwy Supt, and CAO Gust presented to the board the five-year Highway and Bridge Improvement Plan. Chair Wollmann read Resolution 2022-12. Motion by Johnson, second by Slaughter, to approve Resolution 2022-12, A Resolution Adopting the Lake County Five Year Highway and Bridge Improvement Plan and authorize the chair to sign. Motion carried. Motion by Leighton, second by Slaughter, to authorize the Chair sign the Lake County Transportation Plan Certificate. Motion carried.

RESOLUTION 2022-12

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 September 26, 2022 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 LAKE COUNTY.

Dated at Lake County, South Dakota this 4th day of October, 2022.

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

BOARD OF LAKE COUNTY COMMISSIONERS

/s/Kelli Wollmann

Chair, Lake County Commission

ATTEST:

/s/Paula Barrick

Lake County Auditor

RATIFY EQUIPMENT AGREEMENT/HIGHWAY:

Hwy Supt. Nelson informed the board purchase orders for the road grater and loader were needed to be signed before October 1 to avoid an increase in price. Motion by Reinicke, second by Johnson, to ratify retail purchase orders with RDO for equipment. Motion carried.

TRANSFER OF ASSETS:

CAO Gust told the board the Buildings & Grounds department is transferring a truck (FA#5762) that is no longer in service to the Equalization department.

RAIF IMPROVEMENT FUNDING APPLIATION AND SCORING CRITERIA:

CAO Gust informed the board Summit Township was the only township that turned in the small structure improvement plan. The next step in the RAIF program is for Summit Township to submit an application for the grant funds by October 31st. After the application has been received, the board will have until 1/15/23 to award the funds. Gust went through the 12 required criteria the board must consider in granting the funds and the point system associated with this grant. Motion by Reinicke, second by Slaughter, to approve RAIF Improvement Funding Application and scoring criteria. Motion carried.

SHERIFF VACANCY/TIMELINE:

CAO Gust provided three proposed timelines to fill the sheriff's vacancy due to Tim Walburg's retirement. Gust reminded the board they have full discretion on the hiring process. The board agreed to option one which is a four-week vacancy timeline.

MEETINGS ATTENDED:

Commissioner Slaughter attended LAIC, 5-year Highway and Bridge Improvement Plan meeting, and attended a webinar on smart grant. Commissioner Wollmann attended the following meetings: FEMA Grant, LEPC, Madison Public Library, Lake County Safety, 4-H leaders, and sang at the state bridge naming dedication. Commissioner Reinicke attended 5-year Highway and Bridge Improvement Plan meeting and the state bridge naming dedication. Commissioner Johnson attended the 5-year Highway and Bridge Improvement Plan meeting.

REPORTS RECEIVED:

Auditor's Account with the Treasurer: June - $12,717,154.28 reconciled bank balance $12,467,259.78 variance ($249,894.50), July - $12,318,014.06 reconciled bank balance $12,212,992.10 variance ($105,021.96), and August - $10,999,765.31 reconciled bank balance $11,147,063.58 variance $147,298.27.

ADJOURN:

Motion by Reinicke, second by Johnson, at 10:25 a.m. to adjourn. Motion carried. The next meeting will be October 18, 2022, at 9 a.m. in the commission room.

/s/Paula Barrick
PAULA BARRICK
Lake County Auditor

/s/Kelli Wollmann
KELLI WOLLMANN
Chair, Lake County Commission

Published at the total approximate cost of $