LAKE COUNTY COMMISSION MINUTES
January 18, 2022

The Board of Lake County Commissioners met in regular session on January 18, 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 Chair Kelli Wollmann all present. The Pledge of Allegiance was recited.

COMMUNITY COMMENTS: None

AGENDA APPROVED:

CAO Shelli Gust told the board the public hearing for 605 Meats, LLC, package off-sale liquor license will not be held. Motion by Reinicke, second by Johnson, to approve the revised agenda of January 18, 2022. Motion carried.

MINUTES APPROVED:

Motion by Slaughter, second by Johnson, to approve the unapproved minutes of January 4, 2022. Motion carried.

PAYROLL APPROVED:

Motion by Reinicke, second by Leighton, to approve the payroll of Dec 27 – Jan 9, 2022. Motion carried. Commissioners: $5,842.55; Auditors Ofc: $5,007.25; Treasurers Ofc: $4,967.25; States Attorney Ofc: $8,991.35; Govt Bldgs: $4,969.76; Dir Equalization Ofc: $5,267.20; Register Deeds Ofc: $4,009.30; VSO: $474.50; Sheriff Ofc: $17,078.86; Jail: $13,312.42; Coroner: $598.76; EMA: $1,818.40; 911 Comm Center: $12,336.55; 24/7: $1,193.27; Road & Bridge: $19,486.15; Welfare: $78.53; CHN: $1,207.00; WIC: $380.28; Extension: $1,596.00; Zoning: $1,722.93. Grand Total $110,338.31.

ACCOUNTS PAYABLE:

Motion by Leighton, second by Slaughter, to approve the accounts payable of January 13 and 19, 2022. Motion carried.

Accounts Payable 1-13-22 General:

Dakotaland Fed Cr Union, Cu 1-14-22, $75.00, Lake Co Treasurer, Withholdings, $16,928.93, **Auditor:** BOA, Util, $8.46, Centurylink, Util, $49.24, **Treasurer:** BOA, Util, $24.27, Centurylink, Util, $45.49, **St Atty:** First Bank, Supplies, $17.99, BOA, Util, $12.19, Centurylink, Util, $49.24, **Govt Bldg:** BOA, Util, $0.46, Centurylink, Util, $35.75, **DOE:** BOA, Util, $4.04, Centurylink, Util, $35.49, **ROD:** BOA, Util, $7.92, Centurylink, Util, $21.75, **VSO:** Verizon, Util, $40.01, BOA, Util, $3.84, Centurylink, Util, $35.49, **Jail:** Great Western, Monitor, $94.62, BOA, Util, $57.21, Centurylink, Util, $76.74, **Support Of Poor:** BOA, Util, $0.15, Centurylink, Util, $22.00, **Extension:** BOA, Util, $2.31, Centurylink, Util, $51.49, **Weed**: Verizon, Util, $12.96, **Zoning:** BOA, Util, $42.41, Centurylink, Util, $21.75, **Hwy Rd-Br:** Lake Co Treasurer, Withholdings, $4,134.52, Midamerican Energy, Util, $256.73, Xcel Energy, Util, $24.33, Verizon, Util, $124.74, BOA, Util, $9.81, Centurylink, Util, $21.75, **911 Comm:** Lake Co Treasurer, Withholdings, $2,715.27, OCSE, Child Support, $214.23, Verizon, Util, $41.95, Triotel Comm, Util, $171.53, ITC, Util, $115.55, BOA, Util, $12.20, Centurylink, Util, $135.29, **EMA:** Lake Co Treasurer, Withholdings, $424.27, First Bank, Spare Tires, $799.65, Verizon, Util, $81.96, Centurylink, Util, $57.50, **24/7:** Lake Co Treasurer, Withholdings, $237.93, **St Remit:** SD Dept Of Rev, Fees, $160,769.05, **St Treasurer:** SD State Treasurer, Excise/Sales Tax, $1,816.99, **SDACO M&P:** SDACO, Fees, $506.00, **Grand Total: $190,448.45**

Accounts Payable 1-19-22 Judicial: Daniel P Feldhaus Reporting, Transcripts, $95.00, Nelson, John, CAA Fees, $514.80, De Castro, Manuel J Jr, CAA Fees, $1,277.10, Juror-Witness-Appearance Fee/Mileage: $520.56, **Auditor:** Unemployment Ins, Remit, $87.61, Software Serv, Serv, $528.00, **Treasurer:** Unemployment Ins, Remit, $89.81, Software Serv, Serv, $308.00, **St Atty:** Relx Inc. Dba Lexis Nexis, Fee, $190.00, **Govt Bldg:** Timmer's, Supplies, $59.96, Kone, Maint, $1,577.91, Lake County Intl, Brushes, $579.60, City Of Madison, Util, $1,831.16, **ROD:** Software Serv, Serv, $88.00, Leader Printing, Envelopes, $75.00, **VSO:** Unemployment Ins, Remit, $27.57, **IT:** Software Serv, Serv, $176.00, **Sheriff:** Redwood Toxicology, Tests, $596.00, SD Sheriffs' Assoc, Dues, $836.00,

Steves Tire & Serv, Serv, $227.45, Graham Tire, Tires, $584.04, **Jail:** Unemployment Ins, Remit, $71.42, Lewis Drug, Meds, $293.99, City Of Madison, Util, $1,669.81, Sunshine Foods, Prisoner Meals, $7,468.64, **Support Of Poor:** Weiland Funeral Chapel, Serv, $1,597.44, **Extension:** Menards, Lights, $79.99, Madison Daily Leader, Sub, $128.00, Lewis Drug, Tape, $2.99, Outer World, Decals, $303.60, Sunshine Foods, Supplies, $13.50, **Weed:** Weed/Pest Board of SD, Reg, $150.00, SDSU Extension Pugsly, Reg, $55.00, **Zoning:** Mtg/Mileage: Hansen, Daniel, $44.70, Schaefer, Alan, $42.60, Bickett, Donald, $48.48, **Hwy Rd-Br:** Unemployment Ins, Remit, $176.34, Force America Dist, Cable, $61.57, Boyer Trucks, Batteries, $457.40, Butler Machinery, Serv, $463.76, Sturdevant's, Parts, $1,089.83, Tran-Source, Valve, $198.30, Cox Alignment, Supplies, $393.00, Lake County Intl, Supplies, $86.81, Boyer Trucks, Supplies, $59.90, Runnings, Wire, $35.20, Aramark Uniform, Serv, $170.26, Lawson Products, Safety Glasses, $279.62, Nebraska Salt & Grain, Salt, $4,769.78, Lake County Intl, Def Fluid, $195.00, Butler Machinery, Oil, $89.12, Truenorth Steel, Supplies, $695.50, Timmer's, Thermostat, $73.19, Software Serv, Serv, $44.00, Lyle Signs, Sign, $67.38, **911 Comm:** Unemployment Ins, Remit, $65.77, First District Assn, Maint, $3,500.00, Madison Daily Leader, Sub, $128.00, **EMA**: Div Of Motor Vehicles, Title Trans, $21.20, **Bldg:** Northland Securities, Annual Disclosure, $435.00, **24/7:** Unemployment Ins, Remit, $44.43, Satellite Tracking, Serv, $221.00. **Grand Total: $36,061.09**

PERSONNEL SHERIFF/JAIL:

HRS Shelli Gust informed the board Austin Powell would like to resign his position as part-time, as needed, correctional officer. Motion by Slaughter, second by Leighton, to approve the resignation of Austin Powell, as part-time, as needed correctional officer, effective January 18, 2022. Motion carried. Gust also told the board Hanna Reinicke has accepted the position of deputy sheriff. Motion by Slaughter, second by Reinicke, to approve the status change for Hanna Reinicke, from correctional officer at a rate of $18.60/hr to deputy (not certified) at a rate of $18.85/hr, effective January 24, 2022. Motion carried.

AMENDMENT II TO WIC SUB-RECIPIENT AGREEMENT:

SD Department of Health has requested changes to section 1.1 and section 1.2 to include additional detail in relation to Amendment I. This does not change any amounts or terms of the contract, and payments will not be interrupted. Motion by Johnson, second by Reinicke, to approve Amendment II, WIC subrecipient agreement 22SC091226. Motion carried.

MEETINGS ATTENDED:

Commissioner Reinicke attended Domestic Violence Network board meeting. Commissioner Johnson attended Planning & Zoning.

LAIC/QUARTERLY REPORT:

Brooke Rollag, Executive Director, presented the quarterly report for LAIC. Items included: tracking state ARPA money, DSU expansion, housing concerns, and child care.

4-H ADVISOR/QUARTERLY REPORT:

Jen Hayford, 4-H Advisor, presented the 4-H activities in her quarterly report. The report will be on file in the Auditor's Office.

CHN-WIC/QUARTERLY REPORT:

Maria Haider, CHN, presented the quarterly report for the CHN/WIC Office. The report will be on file in the Auditor's Office.

RESOLUTION 2022-04/SUPPORT LEGISLATION MOVE 911 DISPATCHERS TO CLASS B WITHIN SOUTH DAKOTA RETIREMENT SYSTEM:

Chair Wollmann read Resolution 2022-04/A Resolution Supporting Legislation to Move South Dakota 911 Dispatchers from Class A to Class B (Public Safety) within the South Dakota Retirement System. Motion by Johnson, second by Slaughter, to approve Resolution 2022-04 and authorize the chair to sign. April Denholm, 911 Supervisor, was present to ask support from the board for this resolution. Discussion was held as to the necessity of this resolution. Four board members voted for the resolution with one board member voted against. The resolution passed.

RESOLUTION 2022-04
A RESOLUTION SUPPORTING LEGISLATION TO MOVE SOUTH DAKOTA 911 DISPATCHERS FROM CLASS A TO CLASS B (PUBLIC SAFTEY) WITHIN THE SOUTH DAKOTA RETIREMENT SYSTEM

WHEREAS, criteria for Class B Membership in the South Dakota Retirement System include the following:

1) The primary duty must be to preserve the safety of the general public and the protection of human life and both private and public property.
2) The duties of the group must be such that age reduces the capacity to perform at an acceptable level. The result of the reduced capacity must be that safety of individual citizens and/or their property is substantially reduced.
3) The appointing authority (typically a County Commission or City Council) must approve the request and make a judgment that the reduced capacity brought about by age will result in increased danger to individual citizens and their property, declare there is justification to the taxpayers to include this group of public safety employees in Class B, and declare they are willing to pay the increased costs of Class B.
4) The duties must be hazardous, stressful, and physically demanding.
5) The individual is responsible for the safety of individuals and their property.
6) Statutes for the group define responsibility for the safety of individuals and their property.

NOW, THEREFORE, BE IT RESOLVED that the Lake County Commission finds that South Dakota 911 Dispatchers meet the criteria for Class B membership in the South Dakota Retirement System, that there is justification to taxpayers to include South Dakota 911 Dispatchers in the group of public safety employees in Class B, and that the County is willing to pay the increased costs of Class B membership for South Dakota 911 Dispatchers employed by the County.

BE IT FURTHER RESOLVED that the Lake County Commission supports legislation to move South Dakota 911 Dispatchers from Class A to Class B (Public Safety) within the South Dakota Retirement System and encourages the Ninety-Seventh Legislature of the State of South Dakota to pass such legislation during the 2022 legislative session.

Dated at Madison, South Dakota this 18th day of January, 2022.
Voting aye: Johnson, Leighton, Slaughter, Wollmann Voting nay: Reinicke
BOARD OF LAKE COUNTY COMMISSIONERS
/s/Kelli Wollmann
Lake County Commission Chair
ATTEST:
/s/Paula Barrick
Lake County Auditor

APPROVE SOFTWARE LICENSE AGREEMENT/TYLER TECHOLOGIES:
CAO Gust presented the Register of Deeds software license agreement with Tyler Technologies. Gust went through this agreement with the board. Motion by Reinicke, second by Johnson, to approve the License and Services Agreement with Tyler Technologies and authorize the chair to sign. Motion carried.

APPROVE SAAS AGREEMENT/TYLER TECHNOLOGIES:
CAO Gust explained the SAAS agreement from Tyler Technologies for the Auditor, Treasurer, and Sheriff Departments. Motion by Leighton, second by Johnson, to approve the software as a Service Agreement with Tyler Technologies and authorize the chair to sign. Motion carried.

ORDINANCE 22-79/AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF LAKE COUNTY BY REZONING CERTAIN PROPERTY:

Chair Wollmann read Ordinance 22-79. Motion by Johnson, second by Reinicke, to approve the first reading of Ordinance 22-79. Motion carried.

ORDINANCE NO. 22-79

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

BE IT ORDAINED BY LAKE COUNTY, SOUTH DAKOTA:

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

That Smith's Cove, LLC has made application to the Lake County Planning and Zoning Commission to rezone the South ½ of Lot 1 & the South ½ of Lot 2, excluding the West 100' of the North 584.5' & Lot 10 except for Thompson Tract 1 thereof, all in Section 6-105-51, Lake County SD from Agricultural District to Lake Park District-1. And a portion of which to represent the Lake Park District-3 shall be subdivided in the future as: Lot 1 in Block 2 and Lot 1 in Block 6 of Smith's Cove Addition in the NE ¼ of Section 6-105-51, Lake County SD.

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

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

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

> South 1/2 of Lot 1 & the South 1/2 of Lot 2, excluding the West 100' of the North 584.5' & Lot 10 except for Thompson Tract 1 thereof, all in Section 6-105-51, Lake County SD from Agricultural District to Lake Park District- 1. And a portion of which shall be subdivided in the future to represent the Lake Park District-3 as: Lot 1 in Block 2 and Lot 1 in Block 6 of Smith's Cove Addition in the NE 1/4 of Section 6-105-51, Lake County SD.

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

All the foregoing, being duly considered, is hereby adopted by vote of the Lake County Board of Commissioners on the 1st day of February, 2022.

/s/Kelli Wollmann
Chair, Lake County Board of Commissioners
ATTEST:
/s/Paula Barrick
Lake County Auditor

FIRST READING:	January 18, 2022
SECOND READING:	February 1, 2022
ADOPTED:	February 1, 2022
PUBLISHED:	February 4, 2022
EFFECTIVE:	February 24, 2022

BOARD OF ADJUSTMENT:

Motion by Reinicke, second by Leighton, to enter into a board of adjustment. Motion carried. Commissioner Slaughter acknowledged receipt of the unapproved Planning Commission minutes of January 12, 2022. Mandi Anderson, Planning & Zoning Officer, presented the following conditional use permits.

#22-01 Conditional Use application of Shoenrock Properties LLC-Lot 17 (excluding the East 13" North 25') & all of Lot 18 Block 9 of Chester Village Original Plat, Chester Township. John and Melissa Dougan, applicants, and Chris Shoenrock, owner, were present to discuss Conditional Use application 22-01. Chair Wollmann read the public hearing comment guidelines. Proponents from the audience who spoke were: Keli Anderson, Scott Larson, Cary Leibeg, Jeff Hass, and Lisa Christenson. Some issues the proponents presented included: more lottery machines bring in more crime, more traffic, should expand the Shipwreck which is owned by the Dougan's, and another casino would not be a value for the youth and community. Chair Wollmann called for any opponents or proponents who would like to speak in the audience or on Zoom. There were none. Attorney

Brendan Reilly, Dougan's attorney, told the board this is a land use issue only and this business is compatible with the surrounding buildings. Melissa Dougan told the board expanding the Shipwreck is not an option and she would like to also install a tanning salon in this building. John Dougan told the board, he and his wife are very involved in the community, they want to grow a local business, and there are not enough workers to staff the Shipwreck seven days a week. Chris Shoenrock informed the board his building was built in 1914, he would like to make the downtown like it used to be, he would like to bring more revenue to Chester, electricity and plumbing are not connected, and there are no issues of parking. Discussion was held among the commissioners. Motion by Johnson, second by Reinicke, to grant conditional use permit #22-01 and adopt the facts and the recommended findings of the Planning Commission listed in the staff report. Motion carried.

#22-03 Conditional Use application of Shoenrock Properties LLC-Lot 17 (excluding the East 13" North 25') & all Lot 18 Block 9 of Chester Village Original Plat, Chester Township. John and Melissa Dougan, applicants, and Chris Shoenrock, owner, were present to discuss Conditional Use application 22-03. Zoning Officer Anderson told the board the applicants would like to install a tanning salon. Chair Wollmann called for any opponents or proponents who would like to speak in the audience or on Zoom. There were none. Motion by Reinicke, second by Leighton, to grant conditional use permit #22-03 and adopt the facts and the recommended findings of the Planning Commission listed in the staff report. Motion carried.

#22-02 Conditional Use application of Dan Stapleton Properties, LLC-Lot 3A Christiansen Sunrise Acres 2nd Addition, SE 1/4 of Section 26, Lakeview Township. Dan Stapleton signed a waiver of personal appearance. The applicant would like to build an attached garage with greater dimensions. Chair Wollmann called for any opponents or proponents who would like to speak in the audience or on Zoom. There were none. Motion by Reinicke, second by Leighton, to grant conditional use #22-02 and adopt the facts and the recommended findings of the Planning Commission listed in the staff report. Motion carried.

REGULAR SESSION:

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

PLATS/ZONING:

Zoning Officer Anderson presented the following plats to the board.

Plat of Lot 2 of Reiff Addition in the SW1/4 of the SW1/4 Section 27-T106N-R51W of the 5th P.M., Lake County, SD. Motion by Leighton, second by Slaughter, to approve the plat of Lot 2 of Reiff Addition in the SW1/4 of the SW1/4 Section 27-T106N-R51W of the 5th P.M., Lake County, SD, as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of Block 1 of Deragisch Addition in the NE1/4 of Section 18, T108N, R52W of the 5th P.M., Lake County, SD. Motion by Reinicke, second by Slaughter, to approve the plat of Block 1 Deragisch Addition, located in the NE1/4 of Section 18, 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 Tract 2B of Lakes Community Addition in Government Lot 3, in the SW1/4 of Section 32-T106N-R51W of the 5th P.M., in Lake County, SD. Motion by Reinicke, second by Leighton, to approve the plat of Tract 2B of Lakes Community Addition in Government Lot 3 in the SW1/4 of Section 32-T106N-R51W of the 5th P.M., Lake County, SD, as it meets county regulations and taxes have been paid in full. Motion carried.

Plat of Lot 32 in Block 8 of Lakes Community Addition in Government Lot 7 in Section 32-T106N-R51W of the 5th P.M., in Lake County, SD. Motion by Leighton, second by Johnson, to approve the plat of Lot 32 in Block 8 of Lakes Community Addition in Government Lot 7 in Section 32-T106N-R51W of the 5th P.M., in Lake County, SD, as it meets county regulations and taxes have been paid in full. Motion carried.

HIGHWAY/QUARTERLY REPORT:

Nels Nelson presented the quarterly report for the Highway Department. The report will be on file in the Auditor's Office.

EM/LEMPG 1ST QUARTER:

Kody Keefer, EM, presented the quarterly report for Emergency Management. The report will be on file in the Auditor's Office. Motion by Johnson, second by Leighton, to approve the 1st quarter LEMPG and authorize the chair to sign. Motion carried.

ABATEMENTS/ELDERLY TAX FREEZE:

Deb Walburg, Treasurer, met with the board to discuss three abatements where the applicants missed the deadline for the elderly tax freeze.

ABATEMENT 2022-1: Motion by Johnson, second by Reinicke, to approve abatement 2022-1 in the amount of $446.05, subject to approval of the municipality in which the property is located. Motion carried.

ABATEMENT 2022-2: Motion by Slaughter, second by Leighton, to approve abatement 2022-2 in the amount of $854.90, subject to the approval of the municipality in which the property is located. Motion carried.

ABATEMENT 2022-3: Motion by Reinicke, second by Johnson, to approve abatement 2022-3 in the amount of $598.48, subject to the approval of the municipality in which the property is located. Motion carried.

OFFICE RENOVATION PROJECT/SHERIFF-JAIL DEPT:

Tim Walburg, Sheriff, met with the commission to ask permission to redesign his front office. Walburg said the funds from the 24/7 fund will be used to pay for this renovation. Amert Construction has submitted a quote for $19,125. Motion by Reinicke, second by Johnson, to allow Sheriff Walburg to move forward with his renovation plans using the 24/7 fund to pay for this project. Motion carried.

EXECUTIVE SESSION:

Motion by Reinicke, second by Slaughter, to enter into executive session. Motion carried.

REGULAR SESSION:

Motion by Reinicke, second by Johnson, to return to regular session. Motion carried. Chair Wollmann reported one personnel and one pending litigation issues were discussed.

REPORTS RECEIVED:

Annual Weed Board and Building & Grounds quarterly report. Register of Deeds collected $30,893.00 and Zoning collected $1,868.00.

ADJOURN:

Motion by Leighton, second by Reinicke, at 12:08 p.m. to adjourn. Motion carried. The next meeting will be February 1, 2022 at 9 a.m.

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

Published at the total approximate cost of $