LAKE COUNTY COMMISSION MINUTES
APRIL 7, 2015

The Board of Lake County Commissioners met in regular session on April 7, 2015 at 9 a.m. in the commission meeting room at the Lake County courthouse with the following members present: Dan Bohl, Ronald Golden, Roger Hageman, Scott Pedersen, and Kelli Wollmann. Chairman Pedersen called the meeting to order. The Pledge of Allegiance was recited.

AGENDA APPROVED:

Motion by Bohl, second by Hageman, to approve the agenda of April 7, 2015. Motion carried.

MINUTES APPROVED:

Motion by Wollmann, second by Bohl, to approve the minutes of March 17, 2015. Motion carried.

PAYROLL APPROVED:

Motion by Hageman, second by Golden, to approve the payroll of March 16-29, 2015. Motion carried. COMMISSIONERS: $4,212.05; AUDITORS OFC: $5,176.52; TREASURERS OFC: $4,783.93; STATES ATTORNEY OFC: $6,650.21; GOVT BLDGS: $3,804.80; DIR EQUALIZATION OFC: $4,870.71; REGISTER DEEDS OFC: $3,465.84; VSO: $210.12; SHERIFF OFC: $11,185.16; JAIL: $5,693.82; EMA: $1,487.32; 911 COMM CENTER: $8,640.19; ROAD & BRIDGE: $17,957.69; CHN: $1,153.60; WIC: $708.00; EXTENSION: $1,392.81; WATER QUALITY: $1,371.21; ZONING; $1,640.80. GRAND TOTAL $84,404.78.

ACCOUNTS PAYABLE APPROVED:

Motion by Golden, second by Bohl, to approve the following accounts payable (4). Motion carried.
Accounts Payable 3-20-15 General Withholding: Dakotaland Fed Cr Union, withholding, $247.00, Lake Co Treasurer, withholding, $12,113.86, **Gvt Bldg:** Northwestern Energy, Service, $31.13, **Jail:** Northwestern Energy, Service, $892.43, Verizon Wireless, Service, $215.00, **SAR:** Northwestern Energy, Service, $114.27, **Extension:** Northwestern Energy, Service, $376.41, **Hwy Rd-Br:** Dakotaland Fed Cr Union, withholding, $325.00, Lake Co Treasurer, withholding, $4,666.93, Northwestern Energy, Service, $975.61, **911 Comm:** Lake Co Treasurer, withholding, $2,301.72, **EMA:** Lake Co Treasurer, withholding, $263.44, Grand Total: $22,522.80
Accounts Payable 3-31-15 General Withholding: Aflac, Cancer/Int Care Prem, $1,923.50, Optilegra Inc, Apr 15 Upgrade Premium, $301.58, SD Retirement System, Mar 15 Collections, $6,657.76, SD Supp Retirement Plan, Mar 15 Collections, $1,245.00, Wellmark Bcbs of SD, Apr 15 Emp/Sp Ins Premium, $1,851.44, **Commissioner:** Assurant Employee Benefit, Apr 15 Life Ins Prem, $33.92, Optilegra Inc, Apr 15 Vision Premium, $35.76, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $454.60, Midcontinent Comm, Service, $9.56, **Auditor:** SD Retirement System, Mar 15 Collections, $482.05, Assurant Employee Benefit, Apr 15 Life Ins Prem, $23.85, Optilegra Inc, Apr 15 Vision Premium, $26.82, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $909.20, Midcontinent Comm, Service, $28.68, **Treasurer:** SD Retirement System, Mar 15 Collections, $546.08, Assurant Employee Benefit, Apr 15 Life Ins Prem, $19.61, Optilegra Inc, Apr 15 Vision Premium, $26.82, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $1,363.80, **St Atty:** SD Retirement System, Mar 15 Collections, $769.81, Assurant Employee Benefit, Apr 15 Life Ins Prem, $23.85, Optilegra Inc, Apr 15 Vision Premium, $26.82, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $454.60, Midcontinent Comm, Service, $38.24, **Gvt Bldg:** SD Retirement System, Mar 15 Collections, $456.56, Assurant Employee Benefit, Apr 15 Life Ins Prem, $23.85, Optilegra Inc, Apr 15 Vision Premium, $17.88, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $909.20, Midcontinent Comm, Service, $9.56, **DOE:** SD Retirement System, Mar 15 Collections, $581.43, Assurant Employee Benefit, Apr 15 Life Ins Prem, $23.85, Optilegra Inc, Apr 15 Vision Premium, $26.82, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $1,363.80, Midcontinent Comm, Service, $28.68, **ROD:** SD Retirement System, Mar 15 Collections, $388.62, Assurant Employee Benefit, Apr 15 Life Ins Prem, $13.78, Optilegra Inc, Apr 15 Vision Premium, $17.88, Midcontinent Comm, Service, $19.12, **VSO:** SD Retirement System, Mar 15 Collections, $25.22, Assurant Employee Benefit, Apr 15 Life Ins Prem, $1.19, Optilegra Inc, Apr 15 Vision Premium, $1.34, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $68.19, **Sheriff:** SD Retirement System, Mar 15 Collections, $1,788.24, Assurant Employee Benefit, Apr 15 Life Ins Prem,

$55.65, Optilegra Inc, Apr 15 Vision Premium, $44.70, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $2,727.60, **Jail:** SD Retirement System, Mar 15 Collections, $817.73, Assurant Employee Benefit, Apr 15 Life Ins Prem, $31.80, Optilegra Inc, Apr 15 Vision Premium, $35.76, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $1,818.40, Midcontinent Comm, Service, $105.12, **Coroner:** Assurant Employee Benefit, Apr 15 Life Ins Prem, $7.95, Optilegra Inc, Apr 15 Vision Premium, $8.94, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $454.60, **SAR:** Midcontinent Comm, Service, $9.56, **Support of Poor:** Midcontinent Comm, Service, $9.56, **CHN:** SD Retirement System, Mar 15 Collections, $116.37, Assurant Employee Benefit, Apr 15 Life Ins Prem, $7.95, Optilegra Inc, Apr 15 Vision Premium, $8.94, **Extension:** SD Retirement System, Mar 15 Collections, $167.14, Assurant Employee Benefit, Apr 15 Life Ins Prem, $7.95, Optilegra Inc, Apr 15 Vision Premium, $8.94, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $454.60, Midcontinent Comm, Service, $9.56, **Weed:** Midcontinent Comm, Service, $9.56, **Water Quality:** SD Retirement System, Mar 15 Collections, $164.54, Assurant Employee Benefit, Apr 15 Life Ins Prem, $7.95, Optilegra Inc, Apr 15 Vision Premium, $8.94, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $454.60, Midcontinent Comm, Service, $9.56, **Zoning:** SD Retirement System, Mar 15 Collections, $196.90, Assurant Employee Benefit, Apr 15 Life Ins Prem, $7.95, Optilegra Inc, Apr 15 Vision Premium, $8.94, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $454.60, Midcontinent Comm, Service, $9.56, **Hwy Rd-Br:** Aflac, Cancer/Int Care Prem, $393.82, Lake County Treasurer, Adv Taxes, $87.00, Optilegra Inc, Apr 15 Upgrade Premium, $128.00, SD Retirement System, Mar 15 Collections, $2,250.68, SD Supp Retirement Plan, Mar 15 Collections, $230.00, Wellmark Bcbs of SD, Apr 15 Emp/Ch Ins Premium, $452.58, SD Retirement System, Mar 15 Collections, $2,164.06, Assurant Employee Benefit, Apr 15 Life Ins Prem, $95.40, Optilegra Inc, Apr 15 Vision Premium, $107.28, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $4,546.00, Butler Machinery, Regs, $371.00, Sioux Valley Energy, Hwy 34 St Lights, $140.80, Midcontinent Comm, Service, $9.56, **911 Comm:** Aflac, Cancer/Int Care Prem, $59.70, Optilegra Inc, Apr 15 Upgrade Premium, $54.60, SD Retirement System, Mar 15 Collections, $1,021.74, SD Supp Retirement Plan, Mar 15 Collections, $80.00, Wellmark Bcbs of SD, Apr 15 Emp/Sgl Ins Premium, $35.02, SD Retirement System, Mar 15 Collections, $975.48, Assurant Employee Benefit, Apr 15 Life Ins Prem, $39.75, Optilegra Inc, Apr 15 Vision Premium, $44.70, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $1,818.40, Centurylink, Mar Service, $826.59, Midcontinent Comm, Service, $9.56, Sioux Valley Energy, Service, $102.92, **EMA:** Optilegra Inc, Apr 15 Upgrade Premium, $39.00, SD Retirement System, Mar 15 Collections, $184.90, SD Supp Retirement Plan, Mar 15 Collections, $25.00, SD Retirement System, Mar 15 Collections, $159.68, Assurant Employee Benefit, Apr 15 Life Ins Prem, $6.76, Optilegra Inc, Apr 15 Vision Premium, $7.60, Wellmark Bcbs of SD, Apr 15 Health Ins Premium, $386.41, Sioux Valley Energy, Sirens, $436.18, Midcontinent Comm, Service, $9.56, Grand Total: $48,560.21

Accounts Payable 4-3-15 General Withholding: Dakotaland Fed Cr Union, withholding, $247.00, Lake Co Treasurer, withholding, $13,221.66, **Hwy Rd-Br:** Dakotaland Fed Cr Union, withholding, $325.00, Lake Co Treasurer, withholding, $4,629.57, **911 Comm:** Houser, Megan, Refund, $12.50, Lake Co Treasurer, withholding, $2,281.30, **EMA:** Lake Co Treasurer, withholding, $305.17, Grand Total: $21,022.20

Accounts Payable 4-8-15 Commissioner: Pitney Bowes, Postage Lease, $1.06, **Election:** Pitney Bowes, Postage Lease, $13.78, **Judicial:** Callies, Kim, Transcripts, $1,322.60, Parent, Philip, Crt Apt Atty Fees, $2,358.00, SDACC-Clerp, Qtrly Assessment Fee, $2,493.29, Callies, Kim, Batteries, $20.11, Deya Thorin Spanish, interpreter service, $178.00, Guzman, Sandra, Interpreter Service, $88.00, Pitney Bowes, Postage Lease, $17.76, WITNESS-JUROR-APPEARANCE FEES/MILEAGE: Callies, Carrie, $50.74, Dahm, Delaine, $51.48, Donley, Austin, $50.74, Janke, Erik, $54.44, Leisinger, Lori, $57.40, Pach, Berin, $51.48, Wohlers, Phillip, $50.74, One Recipient, $34.80, **Auditor:** Unemployment Ins Div, 1st Qtr Remittance, $193.74, Marco Inc, Copier Maint, $48.08, Pitney Bowes, Postage Lease, $47.17, Brown & Saenger, Toner, $249.00, **Treasurer:** Unemployment Ins Div, 1st Qtr Remittance, $185.98, Century Business, Copier Maint, $37.50, Pitney Bowes, Postage Lease, $56.69, Office Peeps, supplies, $91.27, Bureau of Adm, Feb Bit Billing, $15.00, Office Peeps, Cash Register, $570.00, **IT:** Stadel, Brenda, Mar Website Changes, $162.50,**St**

Atty: Unemployment Ins Div, 1st Qtr Remittance, $210.33, Pitney Bowes, Postage Lease, $9.28, SDTLA, Dues, $100.00, **Gvt Bldg:** Unemployment Ins Div, 1st Qtr Remittance, $257.96, Grainger, supplies, $46.94, Hillyard/Sioux Falls, supplies, $603.33, Kolorworks, Paint, $24.99, Grainger, supplies, $70.99, Madison Ace Hardware, supplies, $169.35, Timmer Supply, supplies, $33.86, Shred-It Usa-Sioux Falls, Service, $89.20, City of Madison, Utilities, $2,164.50, **DOE:** Unemployment Ins Div, 1st Qtr Remittance, $330.64, Century Business Prod, Copier Maint/Usage, $55.99, Pitney Bowes, Postage Lease, $48.23, Outer World, Decals, $55.00, Prostrollo Auto Plaza, Repairs, $721.39, **ROD:** Unemployment Ins Div, 1st Qtr Remittance, $74.59, Marco Inc, Copier Maint, $45.56, Pitney Bowes, Postage Lease, $16.70, Office Peeps, supplies, $12.11, Bureau of Adm, Feb Bit Billing, $5.00, **VSO:** Unemployment Ins Div, 1st Qtr Remittance, $15.75, Pitney Bowes, Postage Lease, $.53, **Sheriff:** Unemployment Ins Div, 1st Qtr Remittance, $659.75, Neve's Uniforms & Equip, uniforms, $69.91, Pitney Bowes, Postage Lease, $18.55, Office Peeps, supplies, $26.54, McLeods Office Supply, Tickets, $134.57, Prostrollo Auto Plaza, Warranty Deduct, $100.00, Stern Oil Co, Gas, $1,300.97, Sioux Falls Two Way Radio, Antenna, $71.90, Carquest Auto Parts, supplies, $79.08, Pulford's Auto Parts, supplies, $59.54, Dept of Revenue, Plate/Title, $14.00, Prostrollo Auto Plaza, 2015 Ford Taurus Int, $26,587.00, Mobile Electronic Svc, Siren-Light/Install, $2,850.63, **Jail:** Unemployment Ins Div, 1st Qtr Remittance, $388.08, Fouberg, Jennifer, Nurse Assessment, $40.00, Brookings Co Sheriff, female housing, $260.00, A & B Business Solutions, Copier Maint/Usage, $42.70, Bob Barker Company, supplies, $25.96, Phoenix Supply, supplies, $222.00, Office Peeps, supplies, $86.96, Madison Instant Printing, supplies, $164.66, City of Madison, Utilities, $1,513.97, Sunshine Foods, Meals, $3,912.00, **Coroner** Weiland, Ted, Fee, $58.50, **SAR:** Prostrollo Auto Plaza Co, Filter/Repairs, $526.78, Classic Corner, Diesel Fuel, $77.20, City of Madison, Utilities, $252.61, **Support of Poor:** Randall Funeral Home, County Burial, $890.00, Pitney Bowes, Postage Lease, $1.06, Steidl-Jenson, Sierra, Mileage, $26.27, **CHN:** Unemployment Ins Div, 1st Qtr Remittance, $74.06, Marco Inc, Copier Maint, $57.65, Pitney Bowes, Postage Lease, $20.67, **WIC:** Unemployment Ins Div, 1st Qtr Remittance, $30.62, Anderson, Amanda, Tvl Exp/Mileage, $181.66, Best Western Ramkota Hotel, Lodging, $57.00, **MI Board:** Lincoln County Treasurer, Mi Hearing, $247.50, Lewno, Lucy, Mi Hearing, $241.75, Rehfuss, Cathy, Mi Hearing, $52.50, Swanda, Karen, Mi Hearing, $52.50, Lincoln County Treasurer, Mi Hearing, $18.00, Yankton County Treasurer, Mi Service, $200.50, Fox, Daniel, Mi Crt Appt Atty, $233.52, Ravnsborg, Jason, Mi Crt Appt Atty, $143.00, Thurman, Creighton A, Mi Crt Appt Atty, $610.90, Mikelson, Gary, Mi Crt Apt Atty, $622.00, **Extension:** Unemployment Ins Div, 1st Qtr Remittance, $94.43, Marco Inc, Copier Lease, $258.59, City of Madison, Utilities, $436.44, Sunshine Foods, supplies, $27.65, **Weed:** Graham Tire Sf North, Tires, $788.46, Stern Oil Co, Gas, $13.95, SD Assn Weed/Pest Supr, Dues, $50.00, **Water Quality:** Unemployment Ins Div, 1st Qtr Remittance, $92.97, Pitney Bowes, Postage Lease, $.53, **Zoning:** Unemployment Ins Div, 1st Qtr Remittance, $111.25, Century Business Prod, Copier Maint/Usage, $55.99, Pitney Bowes, Postage Lease, $10.60, Office Peeps, supplies, $76.40, **Hwy Rd-Br:** Unemployment Ins Div, 1st Qtr Remittance, $1,242.06, Casanova, Larry, CDL-reim, $25.00, Fedeler, Dave, CDL-Reim, $25.00, Casanova, Larry, clothing-reim, $100.00, Madison Daily Leader, publishing, $100.80, Barger Electric, Labor, $149.23, Butler Machinery, Labor, $498.30, Aramark Uniform Services, Service, $51.76, Barger Electric, supplies, $1,058.51,Bierschbach Equipment, supplies, $100.00, Bob's Elec of Madison, supplies, $43.07, Butler Machinery, supplies, $1,792.93, Fastenal, supplies, $24.94, Hillyard/Sioux Falls, supplies, $166.01, Krug Products, Hose Asy, $169.34, Little Falls Machine, supplies, $249.87, Madison Ace Hardware, supplies, $22.99, Northern Power Prod, part, $517.67, Carquest Auto Parts, supplies, $4.00, Stern Oil Co, Gas/Diesel, $7,128.16, Fedeler, Dave, Tvl Exp, $49.65, Cedar Shore Resort, Lodging, $84.95, Best Western Ramkota Hotel, Lodging, $193.98, City of Madison, Utilities, $687.34, MidAmerican Energy, Util/Ramona, $127.34, Lyle Signs, Sign/posts, $442.80, KTP Enterprises, supplies, $411.50, **911 Comm:** Unemployment Ins Div, 1st Qtr Remittance, $608.20, Rollins, Nate, CPR Class, $100.00, Pitney Bowes, Postage Lease, $1.06, **EMA:** Unemployment Ins Div, 1st Qtr Remittance, $89.27, Pitney Bowes, Postage Lease, $1.33, Tri-State Ema, Dues, $10.00, Stern Oil Co, Gas, $89.65, **24/7:**

Pharmchem Inc, Patch Kit/Patch Overlay $243.20, **LEPC:** Ilchuk Enterprises, Web Hosting, $180.00, Grand Total: $75,825.76

GPS BRACELETS:

Tim Walburg, Sheriff, met with the board to discuss the change in price for the GPS bracelets from Corrisoft LLC. The county must purchase a minimum of 3 units at start-up and throughout the life of the 4 year contract at $6 per unit per day.

OATH OF OFFICE/DIRECTOR:

Shirley Ebsen, Director of Equalization, took her oath of office as per SDCL 10-3-14. Due to recent turnover in the SD Department of Property Tax, compliance audits for 2014 were not completed. She told the board only one appeal has been received for county board on April 14.

JDC JOINT POWERS AGREEMENT ADDENDUM:

Shelli Gust, Paralegal, reviewed the JDC joint powers agreement addendum with the board. The Joint Powers agreement entered into on July 1, 1995 expires on June 30, 2015. Commissioner Bohl received the agreement at a meeting he recently attended. The agreement would extend to June 30, 2017 services provided by Minnehaha County to utilize the secure and non-secure facilities for children ordered detained by Courts or for those children detained as a result of statutory in-take criteria. Motion by Bohl, second by Wollmann, to approve the chairman sign the letter of support. Motion carried

THOMSON REUTERS/WEST LAW:

Gust told the board a representative of West Law contacted the States Attorney about a new service offered. The new 36 month agreement will cost $702 each month. Public access to the law library provided by the county is located in the States Attorney's office. Motion by Golden, second by Wollmann, to authorize the chairman to sign the agreement. Motion carried.

4-H BARN AGREEMENT:

The board reviewed the application of Mike Clark to rent the 4-H barn on May 2, 2015 for a 4-H pig sale. The previous applications for rental of the 4-H barn and exhibit hall on April 18 were canceled. Motion by Hageman, second by Bohl, to approve the chairman sign the application. Motion carried.

SURPLUS LISTING 4-7-2015:

The board reviewed the surplus listing of 4-7-15. Motion by Hageman, second by Wollmann, to declare surplus the items on the 4-7-2015 listing. Motion carried.

CONSTRUCTION ROAD RIGHT-OF-WAY:

The board reviewed three applications of MidAmerican Energy Co., for underground construction on county roads right-of-way. Application is to replace/install 490 ft of main with new 2 inch plastic main and associated services. All sites will be bored. Application #1—there will be a crossing 80 ft south of W 4th St for a service to 330 S Pleasant Ave, Ramona Village. Application #2—there will be a crossing 170 ft south of W 5th St., Ramona Village. Application #3—install 2 inch plastic main from southwest corner of S Pleasant Ave and W 4th St south 380 ft along the west side of S Pleasant Ave. There will be a crossing on the south side of W 4th St. Motion by Golden, second by Bohl, to approve the chairman sign the 3 applications to bore under county roads. Motion carried.

4-H EXHIBIT BLDG/RENTAL:

The board reviewed the 4-H exhibit building application of Jennie Larson for a graduation reception on May 17, 2015. Motion by Hageman, second by Wollmann, to approve the chairman sign the application. Motion carried.

BURN BAN/ORDINANCE 15-59:

Chris Giles, States Attorney, and Doug Huntrods, Emergency Manager, discussed enacting a burn ban in Lake County. Giles told the board they could place the plan in effect with a resolution or

ordinance. The penalty with an ordinance would be a Class II misdemeanor. Huntrods spoke with local fires officials in the county and they jointly recommend the commission consider enacting a ban on open burning which is authorized by SDCL 7-8-20(18). He suggests an ordinance which ties the ban on open burning to the declaration by the National Weather Service that Lake County is under a Red Flag Warning or when the Grassland Fire Danger rating in Lake County reaches very high or extreme. Discussion was held on what happens if a fire is started and is not burned out when a ban goes into effect and exceptions to the burn ban. Motion by Golden, second by Bohl, to approve first reading of Ordinance 15-59. Motion carried.

ORDINANCE #15-59

An Ordinance Authorizing the Lake County Board of Commissioners to Declare a Fire Danger Emergency and to Prohibit Open Burning Within the County

BE IT ORDAINED BY LAKE COUNTY, that the Commissioners of Lake County are charged with protecting the health and safety of the citizens of Lake County, including all property situated herein; and

By South Dakota Codified Law 7-8-20(18) the Lake County Board of Commissioners authorizes the Lake County Office of Emergency Management to enact the Declaration of a Fire Danger Emergency and to Prohibit Open Burning Within the County or restrict open burning, after consultation with local fire officials and law enforcement officials, in order to protect the public health and safety; and

Subject to separate action by the Lake County Board of Commissioners, said declaration of fire danger emergency and prohibition or restriction of open burning within the county will be enforced immediately and autonomously when the National Weather Service has declared a Red Flag Warning in Lake County or when the Grassland Fire Danger Rating in Lake County reaches Very High or Extreme, meaning that wildfire and dangerous fire hazards exist.

"Open burning" shall be defined as any outdoor fire, including but not limited to the prescribed burning of fence rows, fields, wildlands, trash, and debris, the intentional burning of any substance, whether natural or manmade, or the intentional casting off of any burning substance, whether natural or manmade, except the burning of such substance in a container sufficient so as to prohibit the escape of any of the burning substance, or any sparks, flames, or hot ashes from the container. The escape of any such burning substance or the escape of any sparks, flames, or hot ashes from any such container shall be deemed prima facie evidence that the container was insufficient so as to meet the exception from the definition of an open burning set forth herein. This also excludes fires contained within liquid-fueled or gas-fueled stoves, fireplaces within all buildings, charcoal grill fires at private residences, and permanent fire pits or fire grates located on supervised developed picnic grounds and campgrounds.

Section I. Definitions:

A. Open Fire: Any outdoor fire, including a campfire, that is not contained within a fully enclosed fire box or structure from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, duct, or chimney with spark arresters. Open fire shall not include charcoal grills, liquid fuel grills, outdoor fireplaces, burn barrels, as defined herein.
B. Charcoal Grill: A metal or stone device not resting on the ground with a metal grate designed to cook food using charcoal briquettes, char wood, hard wood, or similar fuel.
C. Liquid Fuel Grill: A metal or stone device designed to cook food using liquefied or gaseous combustible fuel.
D. Burn Barrel: A metal container used to hold combustible or flammable waste materials so that they can be ignited for the purpose of disposal. Burn barrels must have a metal grate; metal grate opening shall be no larger than 1/4" square covering at any time when in use. Burn barrels must be located in a safety zone, away from any or all combustible materials, of a 15 feet radius of the burn barrel.
E. Outdoor Fireplaces: A manufactured appliance constructed of non-combustible materials, with a maximum fuel area of three (3) feet, including a screen, (screen opening shall be no larger than 1/4" square), chimney or other device placed above the fuel area, fueled by cut or split wood, located not closer than 15 feet to any combustible surface and continually attended.
F. Campground: Any permitted commercial campground operated by private individuals or corporations, State of South Dakota, Lake County, or the United States National Park Service.

Section II. Regulations:

A. Open Fire: No person shall set any open fire in Lake County, outside the boundaries of any municipality, when the National Weather Service has declared a Red Flag Warning in Lake County or when the Grassland Fire Danger Rating in Lake County reaches Very High or Extreme.
B. Burn Barrels: No person may ignite a fire in a burn barrel when the National Weather Service has declared a Red Flag Warning in Lake County or when the Grassland Fire Danger Rating in Lake County reaches Very High or Extreme.
C. Campgrounds: The ban on open burning (open fire) does not apply to those designated areas falling within the boundaries of any permitted commercial, state, county or federal campgrounds unless otherwise specifically banned by resolution of the Lake County Board of Commissioners.

Subject to separate action by the Lake County Board of Commissioners, said declaration of fire danger emergency and prohibition or restriction of open burning within the county will remain in place only until the area is no longer under a Red Flag Warning or when the Grassland Fire Danger Index Rating is no longer in a Very High or Extreme status according to the National Weather Service; and the notice of such shall be with local media outlets.

The maximum penalty for violation of this ordinance shall be as follows: (1) a fine not to exceed the fine established by subdivision 22-6-2(2) for each violation, or by imprisonment for a period not to exceed thirty days for each violation, or by both the fine and imprisonment; or (2) an action for civil injunctive relief, pursuant to chapter 21-8.

This Ordinance is declared to be necessary for immediate preservation of the public safety in accordance with the provisions of SDCL 7-18A-8 and is effective immediately upon adoption.

Voting aye: Bohl, Golden, Hageman, Pedersen, and Wollmann Voting nay: none

Dated this 21st day of April, 2015.

/s/Scott Pedersen
Scott Pedersen, Chairman
Board of County Commissioners
Lake County, South Dakota

ATTEST:
/s/Roberta Janke
Roberta Janke
Lake County Auditor

First reading: April 7, 2015
Second reading: April 21, 2015
Adoption: April 21, 2015
Publication: April 16 & 23, 2015
Effective Date: April 21, 2015

ENVIRONMENTAL & CODE ENFORCEMENT:

John Maursetter, Environmental & Code Enforcement Officer, presented his monthly report to the board. He discussed the following: reviewed drainage applications, two nuisance complaints, reviewed the Timmer project on Lake Herman, SB2 and SB3 concerning drainage passed and not sure how this will affect the county, Section 22 Corps of Engineers meeting, GIS committee meeting, letters sent to businesses needing conditional use permits, and attended EDWDD meeting.

BLDGS & GROUNDS/MONTHLY REPORT:

Shane Fry, Bldgs & Grounds Supt., presented his monthly report to the board. He discussed the following: 3 incidents of plumbing leaks in the 911 Comm Center ceiling, lights and shelves in the jail, SD Network bored fiber option to the P.S. building, in compliance with Safety Benefits Inc. had Randy Minnaert, Madison Fire Chief, do a walk-thru of the courthouse looking for safety issues, service

contracts in place, water tests done at the courthouse, and cleaning done at extension office and shop.

SDSU EXTENSION/MOU:

Amanda Stade, 4H Advisor, met with the board to discuss the memorandum of understanding between SDSU Extension and Lake County. She explained the agreement and told the board the Food & Nutrition program is no longer housed at the extension office. That space is now being used for craft supplies. Motion by Bohl, second by Wollmann, to approve the chairman sign the MOU with SDSU Extension. Motion carried.

ALCOHOL BEV LICENSES/THE LAKES:

Richard & Char Bothwell met with the board to discuss the transfer of licenses, RB-3103 retail on-off sale malt beverage and RL-6313 retail on-sale liquor, from The Lakes Restaurant & Lounge /Round Lake Partners LLC to The Lakes Bar and Grill, R.C. Bothwell Family LLC. Bothwell discussed all the development in that area since 1990. Motion by Golden, second by Wollmann, to approve the transfer applications. Motion carried.

ALCOHOL BEV LICENSES/THE POINT:

Steve Engebretson met with the board to discuss the transfer of licenses, retail on-sale liquor RL-5232 and retail on-off sale malt beverage RB-2000, from The Point/OnPoint LLC to The Point/ URbarthe Point. Motion Wollmann, second by Hageman, to approve the transfer applications. Motion carried. Rosie Jamison, Madison Chamber, was present to discuss the benefits of adding attractions at the lakes.

911 COMM CENTER/PSAP AGREEMENT:

Julie Wegener, 911 Comm Center Supt., met with the board to discuss the Next Generation 9-1-1 System user agreement. The Lake County 911 communications public safety answering point (PSAP) is an authorized public safety answering point within the State of SD seeking to utilize the SD NG9-1-1 System. Motion by Bohl, second by Golden, to approve the chairman sign the agreement. Motion carried.

911 COMM CENTER/PERSONNEL:

Wegener met with the board to discuss personnel in the 911 Comm Center. Motion by Bohl, second by Wollmann, to regretfully accept the resignation of Kathryn Haak, 911 Dispatcher, effective April 30, 2015. Motion carried. Motion by Golden, second by Wollmann, to approve Wegener advertise for a full-time dispatcher. Motion carried. Motion by Hageman, second by Bohl, to approve a raise for Megan Houser, 911 Dispatcher, from $13.50 to $14.00, Grade 4 county certified, effective April 3, 2015. Motion carried. Motion by Hageman, second by Bohl, to accept the resignation of Miah Barnhart, 911 Dispatcher part-time, effective April 7, 2015. Motion carried. Wegener also wants to take Matt Feistner off the part-time list. Auditor Janke asked Wegener to get something in writing. Wegener asked the board to consider a 50 cent an hour raise for Scott Voigt, part-time dispatcher, based on he has rescheduled his life around the needs of the 911 Comm Dept. The board will wait until the new salary study is available to make a decision.

SLA/2ND QUARTER:

Chairman Pedersen asked Huntrods about the second quarter State and Local Agreement he prepared. He reported the financial section will be completed when the information is available from the auditor's office. Motion by Wollmann, second by Hageman, to approve the chairman sign the 2nd quarter SLA. Motion carried.

ZONING/SEELEY PLAT:

Debra Reinicke, Zoning Officer, presented the Seeley plat, Tracts 1, 2, and 3 of Seeley Addition to the village of Chester in the southwest quarter of section 14, township 105 north, range 51 west of the 5th principal meridian, Lake County SD. Penny Boatwright, Register of Deeds, found an error on this plat. The legal should be: Tracts 1, 2, and 3 of Seeley Addition in Block 3 to the village of Chester in the southwest quarter of section 14, township 105 north, range 51 west of the 5th principal meridian Motion by Golden, second by Bohl, to approve the corrected plat which includes the words Block 3 in the legal. Motion carried.

REZONING/ERFMAN:

Chairman Pedersen discussed a conversation he had with Chip Erfman concerning rezoning from LP I to LP III to build storage buildings on Lot 5 Marr's Beach Addition. Lake County is an adjoining landowner. The board has no objections to this project.

NATIONAL COUNTY GOVT DAY:

Commissioner Wollmann discussed an approximate expenditure of $200 for posters for National County Government Day. These posters could be used for other events at the courthouse. Motion by Bohl, second by Golden, to approve the approximate expense of $200. Motion carried. She discussed the schedule for Madison Elementary tours on April 21st.

MEETINGS ATTENDED:

Commissioner Golden attended a GIS and Bull Ditch meeting. Commissioner Wollmann attend the SDACC spring workshop at Pierre, 4H leaders and SAR meetings. Commissioner Bohl attended a meeting on a recreational trail, ICAP meeting, LAIC annual meeting, and 1st District meeting. Commissioner Hageman attended an EDWDD & First District meetings. Chairman Pedersen attended the LAIC annual meeting and meeting on the bypass road with city officials.

MADISON SRO:

Ben Gant, Madison School Resource Officer, and Justin Meyer, Sergeant Madison Police Dept., met with the board to give an update on the School Resource Officer program at the Madison schools. Gant encouraged all the commissioners to attend the Empower Graduation (formerly known as DARE) at Madison Elementary school on April 24th. He presented an activity report to the board. Gant and Steve Rowe, Lake County School Resource Officer, have worked together on a case.

2015 OVERLAY PROJECT:

Dave Fedeler, Hwy Supt., met with the board to discuss the 2015 overlay project on CR#23.
The board discussed completing five miles of overlay instead of 4 miles on CR#23 based on STP funding available. Lake County awarded AC mat construction on March 17, 2015 for 4 miles based on available funding. Fedeler learned today the county could use 2015 STP funds and borrow ahead on STP funding for the next two years which would allow completing 5 miles of overlay. Motion by Bohl, to approve completing five miles of overlay on road CR#23 based on allocated 2015 STP funds and borrowing ahead on STP funds for 2016 and 2017, second by Hageman. Motion carried.

AC MAT CONSTRUCTION:

The board discussed the AC Mat construction bid from the March 17 bid awarding. Motion by Hageman, second by Wollmann, to approve Option B with Double H Paving Inc (the low bidder) for 5 miles overlay on CR#23 for $1,235,847.50. Motion carried.

EXECUTIVE SESSION:

Motion by Bohl, second by Wollmann, to enter into executive session for pending litigation SDCL 1-25-2(3) and personnel SDCL1-25-2(1). Motion carried.

REGULAR SESSION:

Motion by Golden, second by Bohl, to return to the regular session. Motion carried. Chairman Pedersen announced that two pending litigation matters and two personnel matters were discussed in executive session.

INDIGENTS/SETTLEMENT:

Motion by Golden, second by Hageman, to authorize the State's Attorney's office to extend a settlement offer to Sanford Health in CIV 14-99, Indigent #14-21 and CIV 14-106, Indigent #14-17 and #14-20 in exchange for those two files being dismissed with prejudice. Motion carried. Motion by Golden, second by Hageman, to direct the welfare director, contingent upon acceptance of the settlement offer to contact the indigent involved in CIV 14-99 and request they sign a promise to pay form with minimal monthly payments and work with the welfare office to attempt to secure major medical insurance plan; if insurance is secured and maintained, the monthly payments may be waived at the discretion of the welfare office. Motion carried.

TRAVEL REQUESTS:

Megan Houser to attend 9-1-1 basic training on May 31-June 12 at Pierre and EMD Priority Dispatch training on June 15-17 at Pierre.

Sheryl Koenig to attend 9-1-1- basic training on May 31-June 12 at Pierre and EMD Priority Dispatch training On June 15-17 at Pierre.
April Denholm to attend Crisis Communications training on May 11 at Sioux Falls and Complacency, Cannibalism & Critical Thinking—Avoiding Toxicity on May 12th at Sioux Falls.
Tim Tolley to attend a paving seminar at Butler in Sioux Falls on April 7-8.
Glenda Blom to attend Fair Entry training on April 22 at Sioux Falls.

ADJOURNMENT:

There being no further business to come before the board, Chairman Pedersen at 1:35 p.m. adjourned the meeting until April 14, 2015 for County Board of Equalization at 9 a.m.

/s/Roberta Janke	/s/Scott Pedersen
ROBERTA JANKE	SCOTT PEDERSEN
Lake County Auditor	Chairman, Lake County Commission

Published at the total approximate cost of $