LAKE COUNTY COMMISSION MINUTES
APRIL 16, 2019

The Board of Lake County Commissioners met in regular session on April 16, 2019 at 9 a.m. in the commission meeting room at the Lake County courthouse. Chair Kelli Wollmann called the meeting to order. Auditor Janke called roll call: Commissioner Roger Hageman, Commissioner Aaron Johnson, Commissioner Deb Reinicke, Commissioner Dennis Slaughter, and Commissioner Kelli Wollmann all present. The Pledge of Allegiance was recited.

AGENDA APPROVED:

Motion by Reinicke, second by Slaughter, to approve the agenda of April 16, 2019. Motion carried.

MINUTES APPROVED:

Motion by Johnson, second by Hageman, to approve the unapproved minutes of April 2, 2019. Motion carried.

COMMUNITY COMMENTS: Shelli Gust, Commission Administrative Officer, recognized the Lake County 911 Dispatchers for Telecommunicator's Week April 14-20. She also told the board Sheriff Tim Walburg received the Patriot Award last week. He was nominated for the award by Deputy Sheriff Ryan McVey.

PAYROLL APPROVED:

Motion by Reinicke, second by Slaughter, to approve the payroll of March 25-April 7, 2019. Motion carried. COMMISSIONERS: $5,752.30; AUDITORS OFC: $5,211.14; TREASURERS OFC: $4,160.56; STATES ATTORNEY OFC: $7,840.53; GOVT BLDGS: $4,365.12; DIR EQUALIZATION OFC: $5,824.80; REGISTER DEEDS OFC: $3,204.67; VSO: $665.38; SHERIFF OFC: $13,139.16; JAIL: $9,951.04; CORONER: $628.19; EMA: $1,648.00; 911 COMM CENTER: $7,561.91; 24/7: $1,595.70; ROAD & BRIDGE: $16,727.25; WELFARE: $55.72; CHN: $1,019.70; WIC: $154.50; EXTENSION: $1,536.80; ZONING; $1,502.52. GRAND TOTAL $92,544.99.

ACCOUNTS PAYABLE APPROVED:

Motion by Slaughter, second by Hageman, to approve the accounts payable of April 12 & 17, 2019. Motion carried.

Accounts Payable 4-12-19 General: Dakotaland Fed Cr Union, Cu, $75.00, Lake Co Treasurer, Withholding, $14,944.59, **Judicial:** First Bank & Trust, Witness Tvl Credit, ($210.86), **Auditor:** CenturyLink, April Service, $46.29, **Treasurer:** Lake County Treasurer, Tax Deed/MV Postage, $233.50, CenturyLink, April Service, $32.86, **St Atty:** CenturyLink, April Service, $46.29, **Gvt Bldg:** CenturyLink, April Service, $33.12, **DOE:** CenturyLink, April Service, $32.86, **ROD:** CenturyLink, April Service, $19.43, **VSO:** CenturyLink, April Service, $7.89, **Sheriff:** SD Dept of Health, Bl Alcohols, $300.00, Great Western Bank, Barcode Scanner/Printer/Gas-Pierre, $571.55, **Jail:** CenturyLink, April Service, $73.15, **Support of Poor:** CenturyLink, April Service, $19.69, **Dev Disabled:** SD Dept of Revenue, HSC Fee, $600.00, **Extension:** CenturyLink, April Service, $58.29, **Weed:** Verizon Wireless, Service, $35.35, **Zoning:** CenturyLink, April Service, $32.86, **Hwy Rd-Br:** Dakotaland Fed Cr Union, Cu, $200.00, Lake Co Treasurer, Withholding, $3,874.88, MidAmerican Energy, Util/Ramona, $249.00, Xcel Energy, Util/Ramona, $49.74, Verizon Wireless, Service, $70.68, CenturyLink, April Service, $46.29, **911 Comm:** Lake Co Treasurer, Withholding, $1,744.00, First Bank & Trust, Batteries, $203.90, ITC, Service, $115.55, Triotel Communication, Service, $167.53, Verizon Wireless, Service, $65.35, CenturyLink, April Service, $371.86, **EMA:** Lake Co Treasurer, Withholding, $388.35, First Bank & Trust, Meals/Lodging-Keefer, Kody, $694.03, Verizon Wireless, Service/Hotspot, $110.58, CenturyLink, April Service, $58.09, **24/7:** Lake Co Treasurer, Withholding, $303.02, **St Remittance:** SD Dept of Revenue, Mar Vr Fees, $235,774.15, **M&P Fund:** SDACO, Mar 19 Rod Fees, $282.00, Grand Total: $261,720.86

Accounts Payable 4-17-19 Commissioner: Madison Daily Leader, Publishing, $599.05, Gary's Bakery, Cookies/School Tour, $44.07, Subway, Subs/School Tour, $38.00, Hageman, Roger, Mileage/1st Dst Watertown, $59.22, **Elections** Innovative Ofc Solutions, HP Toner Cart, $24.30, **Judicial:** Daniel P Feldhaus Reporting, Transcripts, $79.60, De Castro, Manuel, CAA Fee, $4,588.50, Dawson, Jacob, CAA Fee, $2,320.35, Stanford, Lori, CAA Fee, $902.50, SDACC-Clerp,1st Qtr Assessment Fee, $3,677.00, Gr Plains Psychological, evaluation, $2,235.90,

WITNESS-JUROR-APPEARANCE FEES/MILEAGE: Benson, Chad, $22.60, Bergstrom, Kimberly, $10.84, Brown, Joseph, $22.60, Duncan, Christine, $16.72, Hansen, Virginia, $11.68, Kurtz, April, $10.84, McKinstry, Ruth, $10.84, Olson, Lacey, $20.08, Peters, Eileen, $10.84, Poncelet, Susan, $10.84, VanTassel, Leslie, $21.76, Walker, Linda, $10.84, Anderson, Gene, $68.48, Booze, Kari, $50.84, Jurgensen, Deborah, $58.40, Materese, Michael, $51.68, May, Lori, $58.40, Pickard, Somer, $66.80, Schmidt, Elvin, $50.84, Stewart Mathison, Donna, $50.84, Thompson, David, $50.84, South Dakota Law Review, Vol 64 Subscription, $35.00, **Auditor:** SD Retirement System, Sp Pay Fee, $45.00, Unemployment Ins Div,1st Qtr Remittance, $172.89, DCI, Background Check, $26.75, Innovative Ofc Solutions, Hp Toner Cart, $218.75, Lake County Treasurer, Mar 19 Ach Chg, $28.92, Madison Instant Printing, Notary Date Stamp/Barrick, $24.28, SDACO, Janke, Roberta Regs, $175.00, Bureau of Adm, Feb Long Distance Calls, $1.93, **Treasurer:** Unemployment Ins Div,1st Qtr Remittance, $125.56, Office Peeps, Supplies, $113.87, SDACO, Walburg, Deb/Regs, $175.00, Bureau of Adm, Feb Long Distance Calls, $8.68, **St Atty:** Unemployment Ins Div,1st Qtr Remittance, $210.71, Forum Communications, Publishing, $42.99, Madison Daily Leader, Publishing, $16.27, Bureau of Adm, Feb Long Distance/Fax Calls, $8.47, Relx Inc. Dba Lexis Nexis, Mar Subscription Fee, $190.00, **Gvt Bldg:** Unemployment Ins Div,1st Qtr Remittance, $235.27, Kone Inc, Elev Maint, $1,388.04, New England Door Closer, Elevator Repairs, $275.39, Campbell Supply, Supplies, $7.57, Builders First Source, Supplies, $9.56, Lewis Drug, Supplies, $24.96, Bureau of Adm, Feb Long Distance Calls, $.08, Bud's Clean Up Service, Mar Service, $191.84, Northwestern Energy, Service, $10.69, Lake Co Treasurer, Maint Fee, $125.00, Sturdevant's, Parts, $317.51, **DOE:** Unemployment Ins Div, 1st Qtr Remittance, $314.64, Century Business Prod, Copier Maint, $38.50, SDAAO, Becker, Rick/Regs, $525.00, Bureau of Adm, Feb Long Distance Calls, $4.48, **ROD:** Unemployment Ins Div, 1st Qtr Remittance, $65.44, Madison Instant Printing, Supplies, $88.39, Office Peeps, Supplies, $13.99, SDACO, Ebsen, Shirley/Regs, $175.00, Bureau of Adm, Feb Long Distance Calls, $2.30, **VSO:** Unemployment Ins Div, 1st Qtr Remittance, $30.47, Bureau of Adm, Feb Long Distance/Fax Calls, $4.86, **Sheriff:** Unemployment Ins Div, 1st Qtr Remittance, $713.26, Madison Reg Health System, Bl Alcohols, $595.00, Campbell Supply, Supplies, $115.00, Lake Veterinary Clinic, Service, $165.63, Twin Lakes Animal Clinic, Service, $244.00, Lake Veterinary Clinic, Rocco Care, $48.00, Office Peeps, Supplies, $135.46, F & M Coop, Tire/Tire Repair, $175.00, One Stop, Gas, $303.83, Sturdevant's, Parts, $501.94, Vantek Communications, Mobile Radio, $3,085.58, Wash & Ride, Car Wash, $42.25, Dana Safety Supply, Universal Mount/Credit, $66.98, **Jail:** Unemployment Ins Div, 1st Qtr Remittance, $640.90, Madison Reg Health System, Prisoner Care, $342.39, Lewis Drug, Prisoners Mar Meds, $744.18, Gall's Llc, Trousers, $66.38, Lewis Drug, Supplies, $81.40, Bureau of Adm, Feb Long Distance Calls, $32.69, Northwestern Energy, Service, $697.97, Sunshine Foods, Mar Prisoner Meals, $10,184.30, **Support of Poor:** Unemployment Ins Div, 1st Qtr Remittance, $3.00, SDACC-CCPR Fund, Annual Assessment, $1,186.00, **CHN:** Unemployment Ins Div, 1st Qtr Remittance, $56.48, Marco Inc, Copier Lease, $62.54, **WIC:** Unemployment Ins Div, 1st Qtr Remittance, $8.48, **MI Board:** Dean Schaefer, MI Service, $60.00, Ericsson, Richard, MI Hearing, $285.00, Lincoln County Treasurer, MI Hearing, $909.92, Minnehaha County Auditor, MI Hearing, $32.00, Oftedal, Abby, MI Hearing, $190.00, Yankton Co Sheriff's Ofc, MI Service, $50.00, Ericsson, Richard, MI Hearing, $190.00, Lewis & Clark BHS, MI Service, $165.00, Yankton Co Sheriff's Ofc, MI Service, $50.00, Lincoln County Treasurer, MI Crt Appt At, $450.20, **Extension:** Unemployment Ins Div, 1st Qtr Remittance, $83.10, Century Business Prod, Copier Maint/Usage, $137.72, Econ-O-Wash, Laundry, $7.50, Madison Daily Leader, Ag Week Ad, $22.50, Blom, Glenda, Mileage/Sioux Falls, $42.84, Hayford, Jennifer, Lodging/Ft Pierre, $34.20, Bureau of Adm, Feb Long Distance Calls, $7.66, Lake Co Treasurer, Maint Fee, $125.00, Lewis Drug, Supplies, $36.18, Shopko Stores, Supplies, $45.93, **Weed:** Madison Daily Leader, Publishing, $42.47, **Zoning:** Unemployment Ins Div, 1st Qtr Remittance, $81.00, Madison Daily Leader, Publishing, $48.49, Office Peeps, Supplies, $178.48, SD Planners Assn, Anderson, Mandi/Dues, $50.00, Bureau of Adm, Feb Long Distance Calls, $1.74, **Hwy Rd-Br:** Unemployment Ins Div, 1st Qtr Remittance, $969.72, Sioux Equipment, Labor/Fuel System, $170.00, Tran-Source, Labor, $244.00, Madison Ace Hardware, Supplies,

$19.99, Resykle, Llc, Iron/Oxygen, $125.64, Sioux Equipment, Mileage/Fuel System, $41.65, Sturdevant's, Parts, $309.04, Tran-Source, Supplies, $17.08, Campbell Supply, Supplies, $48.43, F&M Coop, Fuel Hose, $31.95, Hillyard/Sioux Falls, Supplies, $135.29, Lg Everist Inc, Riprap Crushed Quartzite, $2,401.98, F & M Coop, Gas, $317.67, DMC Wear Parts, Blades, $800.00, F&M Coop, Supplies, $9.95, Bureau of Adm, Feb Long Distance Calls, $10.39, Lake Co Treasurer, Maint Fee, $125.00, Fastenal Co, Supplies, $16.95, Campbell Supply, Supplies, $34.06, **911 Comm:** Unemployment Ins Div, 1st Qtr Remittance, $504.26, Quill Corporation, Supplies, $91.95, Bureau of Adm, Feb Long Distance Calls, $2.89, **EMA:** Unemployment Ins Div, 1st Qtr Remittance, $94.02, Fastenal Co, Cones/Flood, $63.82, Builders First Source, Sandbag Chute/Ladder/Flood, $231.30, Northwestern Energy, Service, $58.56, **24/7:** Unemployment Ins Div, 1st Qtr Remittance, $48.90, Mlsc, Inc, Drug Test, $1,180.00, Satellite Tracking, Mar Gps Bracelets, $230.75, Pharmchem Inc, Mar Sweat Patch Analysis, $485.35, **M&P Fund:** Century Business Prod, Dual Scan, $300.00, **Dive Team:** F & M Coop, #1 Diesel, $24.74, Steves Tire & Service, Supplies, $5.90, Grand Total: $53,501.94

APPROVE FUEL QUOTES:

The board reviewed the following fuel quotes: Cole's Petroleum ethanol 2.2172 and #2 diesel fuel 2.142 and Farstad Oil Inc ethanol 2.221 and #2 diesel fuel 2.145. Motion by Reinicke, second by Hageman, to approve the low quote of Cole's Petroleum. Motion carried.

MEETINGS ATTENDED:

All commissioners attended County Board of Equalization and the Madison Central 3rd grade student tours. Commissioner Slaughter met with VSO Courtney VanZanten and attended two wage scale committee meetings. Commissioner Wollmann met with CAO Gust. Commissioner Reinicke attended a Domestic Violence meeting and attended the city planning meeting as a DV board member. Commissioner Johnson attended two wage scale committee meetings.

SD DOT/DETOUR ROUTE AGREEMENT:

Dave Fedeler, Hwy Supt., met with the board to discuss the SD DOT agreement for use and restoration of detour and/or wet weather detour, Agreement SF-1. The portion of the county's highway system which may be used as a detour road by the State is identified as follows: Highway 34 Bypass from 2nd St NW (Pizza Ranch corner – Sta. 0+00) to Washington Ave (Prostrollo's Auto Mall – Sta. 99+00). Fedeler told the board this area has been videotaped to show the condition of the road now. Motion by Reinicke, second by Johnson, to approve the SD DOT agreement for use and restoration of detour agreement and authorize the chair to sign. Motion carried.

CHESTER BRIDGE AWARD:

Hwy Supt Fedeler reviewed the 2019 Bridge Improvement Grant award for Bridge 40-220-223, structure 1.65 of Chester on 464th Ave over Buffalo Creek. He told the board this bridge will go out for bids in late summer. The preconstruction meeting will be held for the first bridge, 40-220-223, awarded. The deadline for completion of this bridge is November 15th.

PERSONNEL/HWY DEPT:

Hwy Supt Fedeler met with the board to discuss the raise proposed for Dustin Jung at the last meeting. Commissioner Johnson told Fedeler the wage committee is working on a plan for adjustments in the 2020 budget. Commissioner Reinicke reminded members that Jung is doing mechanic work in the shop. Fedeler told commissioners Jung was started at a low rate and this raise was budgeted. Commissioners Johnson and Slaughter told members this is a big issue and not just in the highway department. Motion by Reinicke, second by Hageman, to approve a $1 an hour increase for Dustin Jung, from $17.67 to $18.67, Grade 7 Heavy Equipment Operator III. Commissioners Johnson and Slaughter nay. Motion carried. Motion by Reinicke, second by Hageman, to make the prior motion effective April 2nd. Slaughter nay. Motion carried.

ROAD MAINTENANCE/448TH AVE:

Commissioner Reinicke received a complaint from a taxpayer on 448th Ave/CR 47. This landowner would like more gravel and blading on this road near his property. Commissioners Johnson and Hageman have driven this road. They noticed soft spots and willow trees on the sides. Hwy Supt Fedeler told the board someone has tore up the road and it needs to dry out before maintenance can

be done. Fedeler told the board the landowner has a legitimate concern as there is a hole in the road.

PERSONNEL/DOE OFFICE-AUDITOR'S OFC:

Rick Becker, Director of Equalization, met with the board to discuss a $1 an hour raise for Jennie Larson, Field Appraiser. Becker told the board she has been given more duties in the office with bosanova and technology. She is a member of the IT committee. Commissioner Reinicke stated all departments are represented on the IT committee. Becker told the board he would reduce his rate by 25 cents if it could go to increase Larson's rate. He stated he is not overpaid. Auditor Janke asked the board to discuss the raise proposed for Paula Barrick at the last meeting. Janke told the commissioners Barrick was started at a low rate and has more responsibility in the auditor's office. Janke was told when preparing 2019 budget that no employee adjustments would be made so she did not include any in her budget. Hwy Supt Fedeler said he reduced two full-time employees and a part-time employee from the 2019 budget as he was directed to do. His budget was reduced $400,000 for 2019. The Hwy Dept is now fully staffed. Commissioner Reinicke said no more adjustments will be made in the Hwy Dept in 2020 if this is approved. The Wage Scale Committee asked for more time to see what the growth percentage for 2020 will be. Motion by Reinicke, second by Johnson, to reschedule this discussion with Becker and Janke until May 21st so the growth percentage can be looked at. Motion carried.

BLDGS & GROUNDS/QTRLY REPORT:

Dave Hare, Buildings & Grounds Supt., met with the board for his quarterly report. He discussed the following: plumbing in the courthouse between 2nd and 3rd floors is nearly completed, has been monitoring the 911 tower and generator, working on branches after the last storm, and prepping equipment for spring. He told commissioners he will be contacting Corey Johnke about canceling or postponing the pig sale at the 4-H grounds this Saturday.

EM/QTRLY REPORT:

Kody Keefer, Emergency Manager, met with the board for his quarterly report. He discussed the following: attended 3 classes and met with Wentworth Fire Dept, REACT, and LEPC. Since 3-13-19 he has been in constant contact with Chair Wollmann, Madison City Mayor, Madison City Officials, Fire Chiefs, Sheriff, 911 Director, CAO, and other Emergency Managers. He is working on the preliminary damage assessment due to Pierre on Tuesday, April 23rd. He told the board three shelters, Ramona, Nunda and Chester, were opened with the last storm. Commissioner Reinicke remarked on comments in the media that the City of Madison had no shelter available. He reported on the progress of Sioux Valley Energy repairs. The board expressed thanks to everyone for their efforts with the last storm.

CHN/QTRLY REPORT:

Maria Haider, Community Health Nurse, met with the board for the quarterly report. She discussed the following: 2019 POD exercise, immunization clinics, WIC, Family Planning, growth and development lessons, kindergarten roundup, Cribs for Kids program, and the first quarter stats.

PUBLIC HEARING/2ND READING ORD 19-70:

The Public Hearing and Second Reading of Ordinance #19-70, An Ordinance repealing Ordinance 02-38 and all amendments made thereto, Repealing the Lake County Drainage Plan, and Dissolving the Lake County Drainage Board began at 10:15 a.m. Twenty-eight concerned citizens were in attendance. CAO Gust gave an overview why the board is considering this ordinance. She discussed the following: counties are not required to have a drainage ordinance, the county does not need to be a layer of government managing drainage, the findings with drainage require specialized knowledge, commissioners act as a mediator, and the ordinance is more restrictive than state law. Wendy Kloeppner, States Attorney, told the board not many counties in SD are in the drainage business. After contacting several attorneys, she believes it is a legal liability to permit drainage. Chair Wollmann read the ordinance title. The following signed in and spoke during the meeting: Leroy Erickson, Bill Krech, Dale Droge, Brian Erickson, Duane Phelps, Charley Zwart, Rob Thuringer, Gene

Anderson, Lois Erickson, and Charles Johnson. Commissioner Reinicke stated her opinion on drainage has changed since she was the drainage officer to now being a commissioner. Now she is looking at the taxpayer dollars with litigation. She told those in attendance eliminating the drainage ordinance does not eliminate tiling just the county is no longer involved. She stated there are no drainage experts at the county and doesn't want to have the drainage applicants pay for an engineer. Commissioner Slaughter stated he could go either way with drainage. Repealing the drainage ordinance would remove one layer of the process and may encourage more tiling. He also sees good points to having a board. Commissioner Johnson has gone back and forth with this issue but is in favor of keeping the drainage ordinance. He stated there is always vulnerability being on a commission. Commissioner Hageman said drainage is very useful and it's better getting people together talking rather than going to court. He doesn't believe drainage is a burden and they have had many successes. He is in favor of the ordinance. Chair Wollmann has seen both sides. She said she has been personally sued on drainage and doesn't want to see her name on that paper again. She believes in tiling and people can still tile. She said it is a hard decision but the ordinance needs to go. Commissioner Reinicke stated if the county is sued, taxpayer dollars will have to be used and she is here to protect the tax dollars. Chair Wollmann stated there is state law in place. Commissioner Slaughter stated when he took the commission job, he knew he could be personally sued. He questions if their defense would be good enough to prove their decisions. Motion by Reinicke, second by Slaughter, to approve the second reading and adopt Ordinance #19-70, An Ordinance repealing Ordinance 02-38 and all amendments made thereto, Repealing the Lake County Drainage Plan, and Dissolving the Lake County Drainage Board. Hageman nay. Johnson nay. Reinicke aye. Slaughter aye. Wollmann aye. Motion carried. Rob Thuringer asked a question earlier in the meeting concerning what happens with Game, Fish & Parks if the ordinance is repealed. The question was asked again by Rosee Hansen. CAO Gust told her civil action would have to be taken. Charles Johnson asked questions about state law related to damage. CAO Gust referred him to SDCL 46A-10A-20.

COUNTY VSO/AMERICAN LEGION PROPOSAL:

HR Gust told members Commissioners Slaughter and Wollmann met with Travis Flisrand, Dept Adjutant with the American Legion Department of SD, regarding a potential office share partnership with Lake County. Courtney VanZanten, VSO, would like her position moved toward a full-time position. The American Legion position would be 3 days a week. The Lake County position is a maximum of 19 hours a week. Motion by Reinicke, second by Slaughter, to move forward and authorize Gust to prepare a memorandum of understanding. Motion carried.

EXECUTIVE SESSION:

Motion by Reinicke, second by Johnson, to enter into executive session for personnel SDCL 1-25-2(1). Motion carried.

REGULAR SESSION:

Motion by Reinicke, second by Slaughter, to return to the regular session. Motion carried. Chair Wollmann announced three personnel matters were discussed in executive session.

MARCH 2019 REPORTS RECEIVED: Register of Deeds fees collected $8,001.50, Auditor's account with the Treasurer $7,464,196.82 variance of ($131.37), Sheriff fees collected $40,172.11, and Zoning/Drainage fees collected $620.

TRAVEL REQUESTS:

Rick Becker, Deb Blanchette, and Jennie Larson to attend SDAAO annual conference on May 21-24 at Deadwood.

ADJOURNMENT:

Motion by Reinicke, second by Hageman, at 11:51 a.m. to adjourn. Motion carried. The next meeting will be held on May 7, 2019 at 9 a.m.

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

Published at the total approximate cost of $