LAKE COUNTY COMMISSION MINUTES
February 19, 2019

The Board of Lake County Commissioners met in regular session on February 19, 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 February 19, 2019. Motion carried.

MINUTES APPROVED:

Motion by Slaughter, second by Johnson, to approve the unapproved minutes of February 5, 2019. Motion carried.

COMMUNITY COMMENTS: none

PAYROLL APPROVED:

Motion by Reinicke, second by Hageman, to approve the payroll of January 28-February 10, 2019. Motion carried. COMMISSIONERS: $2,611.35; 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: $3,204.66; VSO: $310.81; SHERIFF OFC: $14,607.67; JAIL: $10,868.85; EMA: $1,632.55; 911 COMM CENTER: $8,007.90; 24/7: $886.05; ROAD & BRIDGE: $16,911.46; WELFARE: $55.72; CHN: $1,093.09; WIC: $81.11; EXTENSION: $1,546.41; ZONING; $1,502.52. GRAND TOTAL $90,722.30.

ACCOUNTS PAYABLE APPROVED:

Motion by Johnson, second by Reinicke, to approve the accounts payable of February 14 and 20, 2019. Motion carried.

Accounts Payable 2-14-19 General: Dakotaland Fed Cr Union, Cu, $75.00, Lake Co Treasurer, Withholding, $14,722.83, **Auditor:** CenturyLink, Feb Service/Fax, $46.33, **Treasurer:** CenturyLink, Feb Service, $32.88, **St Atty:** Lake County Treasurer, Certified Mail, $15.24, CenturyLink, Feb Service, $46.32, **Gvt Bldg:** CenturyLink, Feb Service, $33.14, **DOE:** CenturyLink, Feb Service, $32.88, **ROD:** CenturyLink, Feb Service, $19.44, **VSO:** CenturyLink, Feb Service, $7.89, **Sheriff:** SD Dept of Health, Bl Alcohols, $400.00, Great Western Bank, Gas & Meals/Pierre, $137.60, **Jail:** CenturyLink, Feb Service, $73.19, **Support of Poor:** CenturyLink, Feb Service, $19.70, **Extension:** CenturyLink, Feb Service, $58.32, **Zoning:** CenturyLink, Feb Service, $32.88, **Hwy Rd-Br:** Dakotaland Fed Cr Union, Cu, $200.00, Lake Co Treasurer, Withholding, $3,923.41, Lake County Treasurer, Postage Stamps, $110.00, MidAmerican Energy, Service, $274.50, CenturyLink, Feb Service, $46.32, **911 Comm:** Lake Co Treasurer, Withholding, $1,869.82, CenturyLink, Feb Service, $371.90, Itc, Service, $115.55, Triotel Communication, Service, $169.53, **EMA:** Lake Co Treasurer, Withholding, $385.75, CenturyLink, Feb Service, $58.13, **24/7:** Lake Co Treasurer, Withholding, $184.02, **St Remittance:** SD Dept of Revenue, Jan Fees, $217,258.92, **M&P Fund:** SDACO, Jan Fees, $550.00, Grand Total: $241,271.49

Accounts Payable 2-20-19 Commissioner: Madison Daily Leader, Publishing, $617.82, SDACC, Reinicke, Slaughter, Wollmann, Hageman/Regs, $400.00, **Judicial:** Daniel Feldhaus Reporting, Transcripts, $64.60, Leibel, Jay, CAA Fee, $702.75, Pesall, Noel Robert, CAA Fee, $2,077.90, Stanford, Lori, CAA Fee, $142.50, De Castro, Manuel, CAA Fee, $228.00, Stanford, Lori, CAA Fee, $403.75, **Auditor:** Software Services, Jan Service, $260.00, Lake County Treasurer, Jan Ach Chgs, $39.28, Madison Instant Printing, Laminating, $4.98, Universal Services, Supplies, $137.50, Bureau of Adm, Dec Long Distance/Fax, $2.75, **Treasurer:** Software Services, Jan Service, $320.00, Office Peeps, Supplies, $95.47, Qualified Presort Service, Tax Notice Mailings, $3,308.99, Bureau of Adm, Dec Long Distance/Fax, $11.05, **St Atty:** NMS Labs, Lab Service, $322.00, Madison Daily Leader, Publishing, $25.90, Office Peeps, Supplies, $421.45, Shopko Stores, Supplies, $17.49, SDACC, Gust, Shelli/Regs, $100.00, Bureau of Adm, Dec Long Distance, $5.91, Relx Inc. Dba Lexis Nexis, Jan Subscription Fee, $190.00, **Gvt Bldg:** Campbell Supply, Supplies, $296.28, Lake County Intl Inc,

Supplies, $565.00, Campbell Supply, Supplies, $146.40, Grainger, Supplies, $156.94, Sturdevant's, Supplies $32.00, Vavra, Galen, Q-Mark/Berko Heater, $100.00, Hillyard/Sioux Falls, Ice Melt, $540.00, Northwestern Energy, Service, $10.00, **DOE:** Software Services, Jan Service, $160.00, The Schneider Corporation, Data Maint, $108.00, Madison Instant Printing, Supplies, $430.82, Office Peeps, Supplies, $39.07, Bureau of Adm, Dec Long Distance/Fax, $2.93, **ROD:** Government Forms & Supplies, Supplies, $989.46, Bureau of Adm, Dec Long Distance, $4.02, **VSO:** Office Peeps, Supplies, $838.31, Sodexo Inc & Affiliates, Vets Mtg/Coffee, $36.97, Bureau of Adm, Dec Long Distance/Fax, $9.47, **IT:** Software Services, Jan Service, $580.00, **Sheriff:** Lake Veterinary Clinic, Rocco Care, $100.00, Axon Enterprise, Supplies, $1,770.00, Ericsson Law Office Prof, Ryan/Notary Bond, $80.00, Gall's Llc, Uniforms, $374.80, Madison Instant Printing, Notary Stamp/Ryan, $25.98, Office Peeps, Supplies, $37.99, Power Promotions, Sew on Patches/Straps, $35.00, Sirchie Command Every Scene, Supplies, $146.45, Stemper Auto Body, Repairs/Tahoe, $6,607.01, Sturdevant's, Parts, $228.79, Wash & Ride, Car Wash, $16.50, **Jail:** Lewis Drug, Jan Prisoner Meds, $178.38, A & B Business, Copier Maint/Usage, $63.94, Lewis Drug, Supplies, $72.95, Office Peeps, Supplies, $251.15, Phoenix Supply, Supplies, $425.03, Bureau of Adm, Dec Long Distance/Fax, $49.72, Northwestern Energy, Service, $823.07, Sunshine Foods, Jan Prisoner Meals, $10,708.03, **Coroner:** Sanford Health Service, Autopsy, $2,350.00, **M I Board:** Ericsson, Richard, MI Hearing, $188.00, Lewis & Clark Bhs, MI Service, $330.00, Yankton Co Sheriff's Ofc, MI Service, $100.00, Yankton County Treasurer, MI Service, $118.75, Katterhagen, Mark, MI Service, $15.00, Lewno, Lucy, MI Service, $166.50, Lincoln County Treasurer, MI Service, $9.40, Lockwood, Darcy, MI Service, $15.00, Youngberg, Luci, MI CAA, $195.32, **Extension:** Lewis Drug, Supplies, $22.98, Bureau of Adm, Dec Long Distance, $7.11, **Zoning:** Anderson, Gene, Mtg/Mileage, $43.48, Bickett, Donald, Mtg/Mileage, $43.48, Jerlow, Douglas, Mtg/Mileage, $35.08, Johannsen, Craig, Mtg/Mileage, $25.84, Schaefer, Alan, Mtg/Mileage, $37.60,Office Peeps, Supplies, $48.63,Bureau of Adm, Dec Long Distance, $4.26, **Hwy Rd-Br:** Aramark Uniform Services, Service, $50.93, Builders First Source, Supplies, $74.54, Butler Machinery, Parts, $640.00, Campbell Supply, Supplies, $240.01, F & M Coop, Supplies, $243.95, I-State Truck Center, Parts, $135.00, Lake County Intl Inc, Supplies, $728.59, Northern Truck Equip, Cylinder, $607.63, Resykle, Llc, Iron/Argon, $83.38, Sturdevant's, Parts, $540.14, Bureau of Adm, Dec Long Distance, $13.07, Software Services, Jan Service, $40.00, Lyle Signs Inc, Numbers, $59.57, **911 Comm:** Interpreters Unlimited, Jan Interpreter Svc/Setup Fee, $263.75, Bureau of Adm, Dec Long Distance/Fax, $3.00, **EMA:** Northwestern Energy, Service, $128.38, Sturdevant's, Parts, $17.63, **Bldgs:** Campbell Supply, Supplies, $226.77, Grainger, Supplies, $262.40, **24/7:** PCS Mobile, Panasonic Laptops, $9,895.16, Pharmchem Inc, Jan Sweat Patch Analysis, $713.75, Satellite Tracking, Jan Gps Bracelets, $503.75, **Dive Team:** The Community Center, Rental, $40.00, Landshark Scuba, Supplies, $98.80, Sigler Company, Hydrotest, $156.00, Steves Tire & Service, Supplies, $5.90, Other: Court Ordered Services, $30,499.02, Grand Total: $86,968.10

RESTRICT FUNDS/EM:

Auditor Janke told the board the previous Emergency Manager requested $6,000 be restricted in Emergency Management beginning in 2018 and ending in 2023 to build a fund for digital communications. Kody Keefer, Emergency Manager, was present to explain the need for these funds. Motion by Reinicke, second by Slaughter, to further restrict $6,000 for digital communications, 22600N2741000, in the Emergency Management Fund. Motion carried.

2019-1 AUTOMATIC BUDGET SUPPLEMENT/SHERIFF:

Auditor Janke told the board the check has been received from the insurance company for the repair bill for the 2007 Tahoe in the sheriff’s department. Motion by Johnson, second by Hageman, to approve automatic budget supplement 2019-1 of $5,607.01 to the sheriff expense budget 10100X4290211 and revenue budget 10100R3730000. Motion carried.

HWY DEPT/PERSONNEL:

Dave Fedeler, Hwy Supt., met with the board to discuss an employee in his department that would like to submit his name to the list of firefighters that may be called to fight wildfires. This job may take

up to two weeks per incident. Motion by Reinicke, second by Johnson, to authorize Dustin Jung to take leave without pay for up to two weeks in a calendar year to serve as a wildfire firefighter, subject to the approval of the Hwy Supt. and to the other terms and conditions outlined in the leave without pay policy in the employee handbook. 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 2019-02: Motion by Johnson, second by Reinicke, to approve abatement 2019-02 in the amount of $446.58. Motion carried.

ABATEMENT 2019-03: Motion by Hageman, second by Slaughter, to approve abatement 2019-03 in the amount of $1,102.98. Motion carried.

ABATEMENT 2019-04: Motion by Reinicke, second by Johnson, to approve abatement 2019-04 in the amount of $40.02. Motion carried.

2016-2017 COUNTY AUDIT:

Jeff Schaefer, Dept of Legislative Audit, met with the board to present the engagement letter for the 2016-2017 audit. He told the board the audit is 95% complete.

2018 COUNTY ANNUAL REPORT:

Auditor Janke reviewed the December 31, 2018 Lake County annual report with the board. She reviewed the Combining Balance Sheet for other governmental funds, Exhibit IV statement of revenues, expenditures, and changes in fund balance, Exhibit I Statement of Net Position, schedule of changes in long-term debt, annual report for publication, and Motor Vehicle revenue.

MEETINGS ATTENDED:

Commissioner Slaughter met with the sheriff.

ZONING/PLATS:

Mandi Anderson, Zoning Officer, presented the following plats to the board.

Plat of Lot 5 Christiansen Sunrise Acres 2nd Addition in the SE1/4 of Section 26, T106N, R52W, 5th p.m. Lake County SD. Motion by Reinicke, second by Slaughter, to approve the plat as it meets county regulations, taxes have been paid in full, and staff recommendation. Motion carried.

Plat of Tract 1 of Winesburg Addition in the southwest quarter of Section 17, Township 105 North, Range 53 West of the 5th principal meridian, Lake County SD. Motion by Johnson, second by Slaughter, to approve the plat as it meets county regulations and taxes have been paid in full. Motion carried.

Tracts 6, 7, 8, & 9 of Keppen 3rd Addition, southeast quarter of Section 1, Township 105 North, Range 52 west of the 5th principal meridian, Lake County SD. Anderson told the board the Zoning Ordinance allows for no more than 4-single family homes per 1/4-1/4 of land, the NW1/4 of the SE1/4 has now met the maximum amount. Motion by Reinicke, second by Hageman, to approve the plat as it meets county regulations, taxes have been paid in full, and with this home the maximum single-family home requirement for the NW1/4 of the SE1/4 has been met. Motion carried.

Lot A of Mendhenke's Tract 1, an addition in Lake County, SD, in the NE1/4 of Section 22-T016N-R52W of the 5th p.m. Motion by Johnson, second by Reinicke, to approve the plat as it meets county regulations and taxes have been paid in full. Motion carried.

DRAINAGE PRESENTATION:

Alex Mastellar, Rinke Noonan Law Firm, met with the board for a drainage presentation. There were ten concerned citizens in attendance for the presentation. Mastellar did an overview of relevant drainage statutes in SDCL 46A-10A. He reviewed SDCL 46A-10A-20 and the six legal controls for drainage management. He stated any upstream landowner may drain downstream to a natural watercourse. He discussed the county's drainage plan, permitting process, and 2002 Drainage Ordinance. He pointed out Section 2.10 Evaluation of Permit Applications in the 2002 Drainage Ordinance to the board. There are very technical factors to be considered with the permit application. If he was working on a case with drainage, he would hire an engineer to evaluate the factors. Many

times, drainage complaints are a “neighbor issue” and the commissioners are put in the middle. The commissioners are acting like a judge to make a determination on drainage disputes but cannot award damages. Mastellar believes the state statute on drainage is sufficient and no unreasonable hardship or injury to the owner of the land receiving the drainage can occur. The commissioners discussed the following: permit is not needed for drainage maintenance, the commissioners are not engineers, should the farmer/landowner/renter be required to hire an engineer, drainage was started due to a shooting in Turner County in 1985, drainage records are important and should be passed with land sold and transferred, the tile mapping should be kept up, and the county follows many state statutes and could be sued over any of them. Mastellar suggests amending the drainage plan to exclude the Drainage Permits section and repeal the 2002 Drainage ordinance or within the ordinance delete the permit section. The statute of limitations was discussed. Mastellar told members it is 6 years from when something is noticed. Mike Phelps and Scott Backus asked questions of Mastellar. Mastellar sees more cases in counties that have ordinances.

DIVE TEAM STANDARD OPERATING GUIDELINES:

CAO Shelli Gust asked the board to review the Lake County Dive Team standard operating guidelines draft. It will be on the March 5th agenda for review and approval.

JANUARY 2019 REPORTS RECEIVED: Register of Deeds fees collected $17,273.50, Auditor’s account with the Treasurer, adjusted bank balance $7,314,440.83, Auditor’ general ledger $7,314,538.47, variance ($97.64) treasurer bank balance $7,314,611.48, Sheriff fees collected $28,725.15 and Zoning/Drainage fees collected $1,008.

TRAVEL REQUESTS:

Megan Houser and Debra Stamm-Gartner to attend an Instructor Development course on April 29-May 3, 2019 at Pierre. Glenda Blom to attend 4H online training on April 1st at Sioux Falls.

ADJOURNMENT:

Motion by Reinicke, second by Johnson, at 11:15 a.m. to adjourn. Motion carried. The next meeting will be on March 5, 2019 at 9 a.m.

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

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