

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota

October 16, 2019

The Kingsbury County Board of County Commissioners met in Special Session on Wednesday, October 16, 2019, at 10:00 A.M. in the County Commissioners Room in the Courthouse with Commissioners Delmer Wolkow, Roger Walls, Steve Spilde and Shelley Nelson present. Commissioner Joe Jensen attended via conference call. State's Attorney Gregg Gass, Jim Knight and Donna Palmlund, De Smet News, was also in attendance. Chairman Nelson presided.

AGENDA

Jennifer Barnard, Auditor, stated she needed to add discussion regarding an email that had been received to the agenda.

Spilde moved and Wolkow seconded to approve the agenda as amended. Motion carried.

PLEDGE OF ALLEGIANCE

Those present recited the Pledge of Allegiance.

PUBLIC COMMENT

Chairman Nelson asked for public comment. There was none.

LAKE THOMPSON CHANNEL AND OUTLET MAINTENANCE

Gass advised the Board to move into Executive Session under SDCL 1-25-2 for possible litigation for contractual matters.

Spilde moved and Walls seconded to adjourn from regular session and move into Executive Session for possible litigation at 10:03 A.M. All present voting aye, motion carried.

Spilde moved and Wolkow seconded to return to regular session. Chairman Nelson declared the Board out of Executive Session at 11:46 A.M.

Jensen moved and Spilde seconded to direct Gass to work with Knight in drafting a letter addressing the concerns raised by DENR in the maintenance of the Lake Thompson Channel and Outlet. All present voting aye, motion carried.

Barnard read the following resolution:

RESOLUTION 2019-15

LAKE THOMPSON CHANNEL AND OUTLET MAINTENANCE

WHEREAS, Kingsbury County, South Dakota, has met with residents on Lake Thompson in regards to the flooding that occurred throughout 2019; and

WHEREAS, the Board of County Commissioners hired Civil Design to evaluate the conditions at Lake Thompson's Channel and Outlet and Gregg Gass to represent the county at a hearing before the South Dakota Water Management Board; and

WHEREAS, the South Dakota Water Management Board approved the maintenance of the Lake Thompson Channel and Outlet subject to their continuing jurisdiction; and

WHEREAS, the Board of County Commissioners will assume no further responsibility for the Lake Thompson Channel and Outlet and will be taking this action on a one-time only basis.

NOW, THEREFOR, BE IT RESOLVED that the Board of County Commissioners for Kingsbury County will receive and pay bills up to and no more than \$10,000.00 for the maintenance project for the Lake Thompson Channel and Outlet as stated in a motion on September 24, 2019 with a roll call vote of Jensen - aye, Walls - aye, Nelson - aye, Wolkow - nay, Spilde - aye..

The underlined portion was added after the initial reading.

Walls moved and Spilde seconded to accept Resolution 2019-15 as amended. All present voting via roll call:

Jensen - aye, Walls - aye, Nelson - aye, Wolkow - nay, Spilde - aye. Motion carried.

EXECUTIVE SESSION

Nelson requested to move into Executive Session to discuss possible litigation.

Spilde moved and Wolkow seconded to adjourn from regular session and move into Executive Session for possible litigation at 11:57 A.M. All present voting aye, motion carried.

Wolkow moved and Spilde seconded to return to regular session. Chairman Nelson declared the Board out of Executive Session at 12:07 P.M.

Jensen needed to leave the meeting and ended the conference call.

AUDITOR

Barnard discussed an email that had been received regarding winter holidays.

It was the consensus of the Board to have further discussion at the October 22<sup>nd</sup> meeting.

The Board adjourned to Tuesday, October 22, 2019 at 8:30 A.M.

SIGNED

\_\_\_\_\_  
Shelley Nelson, Chairman

ATTEST

\_\_\_\_\_  
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of \_\_\_\_\_.