

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota

February 18, 2020

The Kingsbury County Board of County Commissioners met Tuesday, February 18, 2020 at 8:30 A.M. in the County Commissioners meeting room in the Courthouse with Commissioners Joe Jensen, Steve Spilde, Shelley Nelson, Delmer Wolkow and Roger Walls present. Chairman Walls presided.

This meeting was recorded and available in the Auditor's office for listening.

PLEDGE OF ALLEGIANCE

Those present recited the Pledge of Allegiance.

APPROVE AGENDA

Jensen moved and Spilde seconded to approve the agenda. All present voting aye, motion carried.

PUBLIC COMMENT

Chairman Walls asked for public comment. Donna Palmlund, De Smet News, apologized for the error in the paper regarding who was contracted for the tree removal.

CONFLICT OF INTEREST

Chairman Walls asked the Board if there was any conflict of interest. Nelson stated she had a conflict with Reed Hauck's zoning item and would abstain from any action taken.

2020 CENSUS BOUNDARY VERIFICATION

Jennifer Barnard, Auditor, explained a boundary verification item had been received requesting Chairman Walls signature. Information had already been submitted that no boundary changes had occurred for the county and Barnard had been in contact with Todd Kays with First District.

Nelson moved and Wolkow seconded for Chairman Walls to sign the boundary verification pending verification by Kays. All present voting aye, motion carried.

MINUTES

Wolkow moved and Spilde seconded to approve the minutes of February 4, 2020. All present voting aye, motion carried.

Nelson moved and Jensen seconded to approve the minutes of February 10, 2020. All present voting aye, motion carried.

APPROVE CLAIMS

Nelson moved and Wolkow seconded that the following claims presented to the Board for consideration be approved and the County Auditor be directed to issue warrant checks for payment of same. All present voting aye, motion carried.

MISCELLANEOUS

1481 GRILLE 1483.26 EMPLOYEE APPRECIATION DINNER, BELL BANK EQUIPMENT FINANCE 67723.94 MOTOR GRADER LEASE/PURCHASE, CENTURYLINK 232.33 UTILITIES, CENTURYLINK 1146.65 UTILITIES, CONVENIENT PAYMENTS 250.00 EQUIPMENT, GREATER HURON DEVELOPMENT CORP 100.00 QUICKBOOKS TRAINING, INTERLAKES COMMUNITY ACTION 382.67 COMM SERV WORKER 2/2020, KINGBROOK RURAL WATER 33.00 UTILITIES, KINGSBURY ELECTRIC COOP 832.60 UTILITIES, MICROFILM IMAGING SYSTEMS, INC 360.00 PROFESSIONAL SERVICES, MOTOROLA SOLUTIONS 6436.08 HLS GRANT- RADIOS, BYRON NOGELMEIER 520.00 CAM FEES JAN 2020, NORTHWESTERN 814.12 UTILITIES, NORTHWESTERN 958.70 UTILITIES, OTTERTAIL POWER COMPANY 246.94 UTILITIES, OTTERTAIL POWER COMPANY 2345.48 UTILITIES, QUILL 106.77 SUPPLIES, STATE 4-H OFFICE 47.50 SUPPLIES, USPS- (POSTAGE-BY-PHONE) 200.00 POSTAGE,

LEGISLATIVE ISSUES

Barnard provided the Board with information on SB 157 and HB 1177. The Board discussed issues the both Bills. Also discussed was the status of the Vermillion Basin Water Development District and the need to have a local vote.

ORDINANCE 51

Barnard read the first reading of Ordinance 51. Graham Schukking, with Dutch Dakota Dairy, and State's Attorney Gregg Gass were present for the reading.

ORDINANCE 51

AN ORDINANCE REVISING ORDINANCE #45, AN ORDINANCE REVISING ORDINANCE #32, AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR KINGSBURY COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 11-2, 1967 SDCL AND AMENDMENTS THEREOF AND FOR THE REPEAL OF ALL RESOLUTIONS AND ORDINANCES IN CONFLICT THEREWITH

BE IT ORDAINED by the Board of Kingsbury County Commissioners:

That Chapter 4.01.02 "Conditional Uses" be amended to read as follows:

Section 4.01.02 Conditional Uses:

37. Transportation/application of manure outside of Kingsbury County in accordance with the requirements of Chapter 5:39

That Article V General Requirements be amended to include the following new Chapter:

Chapter 5.39. Transportation/Application of Manure generated outside Kingsbury County

1. Transportation of Manure into the County: Any landowner with the "A" Agricultural District receiving and utilizing manure generated from a concentrated animal feeding operation which has a State General Permit and is furthermore located outside of Kingsbury County shall be required to obtain a conditional use permit to transport and land apply manure.
2. Haul road agreements with applicable road authorities are required.
3. Land application of manure shall be in accordance with Section 5.12.05.4.vi "Manure Management and Operation Plan" and Section 5.12.05.9 "Manure Application Setbacks".

Effective Date

This ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

All ordinances or parts of ordinances in conflict therewith are hereby repealed.

There was no one present in opposition to the ordinance.

Nelson explained to Schukking this had been passed several years ago but not updated in the Ordinance book. This will ensure those entities wanting to bring manure into the county need to follow the same regulations Schukking's dairy follow.

Punctuation and typo edits were made.

Spilde moved and Nelson seconded to accept the first reading of Ordinance 51 as edited. All those present voting via roll call: Jensen - aye, Nelson - aye, Walls - aye, Wolkow - aye, Spilde - aye. Motion passed.

4-H MAINTENANCE

Ron Blachford met with the Board to discuss the need to remove several trees at the fairgrounds.

Gass stated the property was owned by the City of De Smet and leased by the County. Gass advised Blachford to have the Fair Board contact the city for the approval of the tree removal.

Blachford requested authorization to dispose of the trees on the county site pending the approval of the city to remove them. It was mentioned the city has a disposal site for vegetation debris.

PLANNING AND ZONING

Wolkow moved and Spilde seconded to adjourn from regular session and move into Planning and Zoning at 10:00 A.M. to discuss zoning with Reed Hauck. All present voting aye, motion carried.

Chairman Walls declared the Board out of Planning and Zoning at 10:55 A.M.

AUDITOR

Barnard met with the Board to discuss several items.

Barnard informed the Board highway crew employee, Shane Sumpter, resigned on January 3rd with his last day of employment being January 17, 2020. Sumpter has a balance of 50.5 vacation hours is available.

Jensen moved and Nelson seconded to pay Sumpter the 50.5-hour balance of vacation time. All present voting aye, motion carried.

Barnard informed the Board a representative of Risty Benefits stopped at the office and would like to put some numbers together to see if they could reduce the cost of the county employee health insurance costs.

It was the consensus of the Board for Risty Benefits to look into the cost savings possibility.

Barnard informed the Board an email had been received regarding Governor Noem providing administrative leave for Easter weekend, April 10 and 13, 2020.

It was the consensus of the Board to follow the County Policy manual and follow the State closure.

EVALUATION

Nelson moved and Wolkow seconded to adjourn from regular session and move into Executive Session for personnel evaluation at 11:14 A.M. All present voting aye, motion carried.

Board adjourned for lunch from 12:00 P.M. and reconvened in Executive Session at 1:00 P.M.

Wolkow moved and Spilde seconded to adjourn from Executive Session and return to regular session. Chairman Walls declared the Board out at 1:50 P.M.

The Board adjourned to Tuesday, February 18, 2020 at 8:30 A.M.

SIGNED _____
Roger Walls, Chairman

ATTEST _____
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of _____.