

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota
February 2, 2021

The Kingsbury County Board of County Commissioners met Tuesday, February 2, 2021 at 8:30 AM in the Courtroom in the County Courthouse with Commissioner Steve Spilde attending via Zoom. Commissioners Delmer Wolkow, Roger Walls, Joe Jensen, and Doug Kazmerzak present. Chairman Walls presided.

Also attending via Zoom were, Sheriff Strande, Tammy Anderson, Director of Equalization, and Donna Palmlund, Kingsbury Journal.

PLEDGE OF ALLEGIANCE

Those present stood and recited the Pledge of Allegiance.

APPROVE AGENDA

Jennifer Barnard, Auditor, informed the Board the items for the Treasurer will need to be moved to the next meeting and requested the following items be added to the agenda: the Memorandum of Understanding and Evaluation for Extension and Commissioner Spring Workshop.

Jensen moved and Kazmerzak seconded to approve the agenda as edited. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

PUBLIC COMMENT

Chairman Walls asked for public comment. Rita Anderson, with De Smet City Development, presented information to the Board on a city project to construct a walking path to the De Smet Forest, as well as the revitalization of downtown De Smet and updating signage.

CONFLICT OF INTEREST

Chairman Walls asked the Board if there was any conflict of interest. There was none.

HIGHWAY SUPERINTENDANT

David Sorenson, Highway Superintendent, met with the Board to discuss highway matters.

Sorenson informed the Board sanding and plowing was being done as needed. Chip sealing and rip rap projects were also being worked on.

Sorenson requested to schedule Bid Letting on March 2, 2021 at 9:00 A.M.

Sorenson informed the Board load limit postings at six ton will be done after mid-February.

WADE HOEFERT - WEB PAGE UPDATE

Wade Hoefert presented information and quotes to the Board on upgrading the County web site and the benefits an upgrade would provide.

Barnard informed the Board the current web site costs \$382.89 per year and has various issues including the inability to update the mobile side. Barnard stated the upgrade would have a cleaner look and have a reduced cost.

Kazmerzak moved and Wolkow seconded to approve the upgrade to a three year premium option at \$636.16 (\$212.06 per year) with a one time set up cost of up to \$750.00. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

PLANNING AND ZONING

Wolkow moved and Spilde seconded to adjourn from regular session and move into Planning and Zoning at 9:31 A.M. to discuss several plats and hold a Rezoning Hearing. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Chairman Walls declared the Board out of Planning and Zoning at 9:39 A.M.

Barnard read the following resolutions:

RESOLUTION # 2021 - 4

WHEREAS, The Kingsbury County Planning & Zoning Board met to review the Plat of Lot 26 of Vantage Point Development - Second Addition, A Part of the Government Lot 3 in, the Southeast 1/4 of the Southeast 1/4 of Section 28, TWP 110 North, RNG 55 West of the 5th PM, Kingsbury County, South Dakota on February 2, 2021; and

WHEREAS, the Kingsbury County Planning & Zoning Commission recommended approval of the same to the Kingsbury County Board of County Commissioners, and

Now, Therefore, be it resolved, that the Kingsbury County Board of County Commissioners accepts and approves the Plat of Lot 26 of Vantage Point Development - Second Addition, A Part of the Government Lot 3 in, the Southeast 1/4 of the Southeast 1/4 of Section 28, TWP 110 North, RNG

55 West of the 5th PM, Kingsbury County, South Dakota as recommended by the Planning & Zoning Commission.

Spilde moved and Jensen seconded to accept and approve Resolution 2021-4. All present voting via roll call: Wolkow - aye, Jensen - aye, Spilde - aye, Kazmerzak - aye, Walls - aye. Motion carried.

RESOLUTION # 2021 - 5

WHEREAS, The Kingsbury County Planning & Zoning Board met to review the Plat of Lot 27 of Vantage Point Development - Second Addition, A Part of the Government Lot 3 in, the Southeast 1/4 of the Southeast 1/4 of Section 28, TWP 110 North, RNG 55 West of the 5th PM, Kingsbury County, South Dakota on February 2, 2021; and

WHEREAS, the Kingsbury County Planning & Zoning Commission recommended approval of the same to the Kingsbury County Board of County Commissioners, and

Now, Therefore, be it resolved, that the Kingsbury County Board of County Commissioners accepts and approves the Plat of Lot 27 of Vantage Point Development - Second Addition, A Part of the Government Lot 3 in, the Southeast 1/4 of the Southeast 1/4 of Section 28, TWP 110 North, RNG 55 West of the 5th PM, Kingsbury County, South Dakota as recommended by the Planning & Zoning Commission.

Jensen moved and Spilde seconded to accept and approve Resolution 2021-5. All present voting via roll call: Wolkow - aye, Jensen - aye, Spilde - aye, Kazmerzak - aye, Walls - aye. Motion carried.

REZONING HEARING

The Board accepted the recommendation of the Planning and Zoning Board to accept the request to rezone Lots 1, 2 and 3 of Hauck's Bay Addition of Hauck's Landing Development, A Part of Government Lots 2 & 3 of Section 22 TWP. 110 North, RGE. 55 West of the 5th P.M., Kingsbury County.

Barnard read the first reading of Ordinance 54:

ORDINANCE #54

AN ORDINANCE ENTITLED, AN ORDINANCE AMENDING SECTION 1.03.01 THE OFFICIAL ZONING MAP, OF ORDINANCE 45 AN ORDINANCE AMENDING ORDINANCE 32 AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR KINGSBURY COUNTY, SOUTH DAKOTA, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, PURSUANT TO SDCL 11-2, 1967, AND AMENDMENTS THEREOF, AND FOR THE REPEAL OF ALL RESOLUTIONS AND/OR ORDINANCES IN CONFLICT HERewith.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF KINGSBURY COUNTY, SOUTH DAKOTA: that Section 1.03.01 The Official Zoning Map, adopted by Ordinance #45, on March 3, 2015, as amended, of the Zoning Ordinance of Kingsbury County be amended to classify the following property:

Lot A of Hauck's Bay Addition of Hauck's Landing Development, Kingsbury County, South Dakota, from "Ag" Agricultural Zoning District to "LP" Lake Park Zoning District. (Baker Township)

To "LP" Lake Park Zoning District from "Ag" Agricultural Zoning District

The Board scheduled a special meeting for the second reading for February 9, 2021 at 8:30 A.M.

MINUTES

Wolkow moved and Kazmerzak seconded to approve the minutes of January 19, 2021. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

MAINTENANCE

Lonnie Palmlund, Maintenance, met with the Board to discuss a lighting upgrade. Ken Winter, with G & R Controls, was also in attendance.

Palmlund and Winter provided information on the estimated cost of the project, rebate information from Otter Tail Power Company and the estimated cost savings from having more energy efficient units.

Palmlund stated the \$5,522.00 upfront cost of the project is available in the 2021 budget, and he would be able to complete the installation, saving additional funds. The estimated rebate from Otter Tail Power is around \$2,252.00.

Jensen moved and Spilde seconded to approve the lighting upgrade. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Palmlund informed the Board he had spoken with G&R Controls regarding the pump seal and gasket, and there is no longer a warranty on the part. Palmlund also stated an additional quote had been received from Mitchell Plumbing, who installed the unit, for \$1,740.00 to replace the pump seal and gasket. The quote from G&R Controls is between \$1,664.00 and \$2,336.00.

It was the consensus of the Board to work with Mitchell Plumbing for the repair work.

STATE'S ATTORNEY

Gary Schumacher, State's Attorney, met with the Board and requested to move into Executive Session for potential litigation.

Kazmerzak moved and Jensen seconded to adjourn from regular session and move into Executive Session for potential litigation at 10:30 A.M. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Wolkow moved and Jensen seconded to adjourn from Executive Session. Chairman Walls declared the Board out at 11:46 A.M.

Spilde moved and Jensen seconded to hold House of Glass in breach of contract for the window replacement project. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Wolkow moved and Kazmerzak seconded to readvertise for bids for the window project. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Jensen moved and Spilde seconded to dismiss the Writ of Certiorari in the Steffensen case. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

APPROVE CLAIMS

Wolkow moved and Spilde 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 - 5, nay - 0, abstain - 0. Motion carried.

MISCELLANEOUS

1ST DIST ASSC OF LOCAL GOVT. 13777.77 PROFESSIONAL SERVICES, ALCOHOL MONITORING SYSTEMS INC 45.18 SUPPLIES, APPEARA 55.64 SUPPLIES, AT&T 96.97 UTILITIES, BADGER OIL COMPANY 239.20 UTILITIES, CINDY BAU 60.00 UTILITES, BEADLE COUNTY SHERIFF 3710.00 PRISONER CARE, BELL BANK EQUIPMENT FINANCE 67723.94 RENTALS, PMB 0112 6.25 PROFESSIONAL SERVICES, BOB BODE CONSTRUCTION 1326.53 REPAIRS/MAINTENANCE/CULVERTS, JEFF BURNS 624.55 CAA FEES, BUTLER MACHINERY COMPANY 3227.57 REPAIRS/MAINTAINENCE/SUPPLIES, BRIAN CHRISTENSEN 81.84 WEED BOARD, CODINGTON COUNTY SHERIFF 52.50 PROFESSIONAL SERVICES, COOK'S WASTEPAPER & RECYCLING 48.63 UTILITIES, DE SMET CITY 10.00 SUPPLIES, AVERA DESMET HOSPITAL 130.00 PROFESSIONAL SERVICES, DE SMET WELDING 10.00 REPAIRS/MAINTENANCE, GREG DUFFY 60.00 WEED BOARD, E. BROOKMYER, INC 1252.35 SUPPLIES, GREGG GASS 537.00 PROFESSIONAL SERVICES/FILE CAB, GLACIAL LAKES AND PRAIRIES 581.00 2021 MEMBERSHIP, INFOTECH SOLUTIONS 2521.99 PROFESSIONAL SERVICES, INTERLAKES COMMUNITY ACTION 2841.58 COMM SERV WORKER/NUTRITION PGM, KINGBROOK RURAL WATER 40.45 UTILITIES, KINGSBURY JOURNAL 823.63 PUBLICATIONS, LINCOLN COUNTY 75.00 BMI, MCLEODS PRINTING & OFFICE SUPP 183.08 SUPPLIES, MICROFILM IMAGING SYSTEMS, INC 360.00 PROFESSIONAL SERVICES, EASTLINE SUPPLY 129.40

SUPPLIES, O'KEEFE IMPLEMENT 33063.00 EQUIPMENT, O'KEEFE IMPLEMENT 1100.11
 SUPPLIES, O'KEEFE IMPLEMENT 22.92 REPAIRS/MAINTENANCE, OFFICE PEEPS INC
 36.15 SUPPLIES, OFFICE PEEPS INC 189.97 SUPPLIES, RYAN OLSON 74.28 WEED
 BOARD, PRAIRIE AG PARTNERS 2771.26 SUPPLIES/FUEL/UTILITIES, PRAIRIE AG
 PARTNERS 13.67 REPAIRS/MAINTENANCE, PITNEY BOWES GLOBAL 207.12
 PROFESSIONAL SERVICES, PRAIRIE LAKES HEALTHCARE SYS 85.00 PROFESSIONAL
 SERVICES, PRAXAIR DISTRIBUTION INC. 142.04 SUPPLIES, PREMIER CONTRACTING,
 LLC 23197.02 SUPPLIES, MAGGIE PURINTUN 87.64 TRAVEL, QUILL 100.99
 SUPPLIES, RFD NEWS GROUP 675.27 PUBLISHING, DEAN SCHAEFER COURT REPORTING
 48.00 BMI, SD DEPT OF TRANSPORTATION 96.27 BRIDGE INSPECTIONS, SD PUBLIC
 HEALTH LABORATORY 165.00 CORONER, SDACO 192.00 MP & R REMITTANCE, SDML
 WORKERS' COMPESATION FUND 44,897.00 2021 RENEWAL, SDN COMMUNICATIONS
 916.00 PROFESSIONAL SERVICES, SPENCER QUARRIES/ 7326.05 SUPPLIES, STATE 4-
 H OFFICE--BANDS 66.00 SUPPLIES, STEVE STRANDE 11.30 REIMBURSEMENT, SHELLEY
 STRANDE 114.50 MATRON DUTY/REIMBURSEMENT, TIM SWANK 38.48 WITNESS
 REIMBURSEMENT, THYSSENKRUPP ELEVATOR CORP 173.58 PROFESSIONAL SERVICES,
 TRANSOURCE 13940.71 REPAIRS/MAINTENANCE, TRUGREEN 1074.76 PROFESSIONAL
 SERVICES, TRUSTWORTHY HARDWARE 36.96 SUPPLIES, TRUSTWORTHY HARDWARE 310.88
 SUPPLIES, TWO WAY SOLUTIONS, INC. 99.99 SUPPLIES, UNITED STATES TREASURY
 258.02 TAX PAYMENT, USPS (POSTAGE-BY-PHONE) 300.00 POSTAGE, VERIZON 420.20
 UTILITIES, DE SMET VETERINARY SERVICE 91.49 DOG CARE, VISA 76.05 LIC/CERT
 & ICLLOUD, VISA 182.95 WEB PAGE/ SUPPLIES, ROGER WALLS 70.50 WEED BOARD,
 ERLAND WEERTS 76.80 WEED BOARD, DAVID WHEELER 1448.40 CAA FEES, WILKINSON
 & SCHUMACHER LAW 460.75 CAA FEES,

END OF MONTH

COURTHOUSE SALARIES	\$90,934.08
HIGHWAY SALARIES	45,301.60

PAYROLL DEDUCTIONS

Sanford Health Plan	27,525.60
AFLAC	1,153.23
AFLAC	456.40
Office of Child Support Enforcement	403.00
The Principal Financial Group	241.09
Delta Dental	566.40
Avesis Third Party Administrators	205.95
SD Retirement Supplement Pretax	275.00
SD Retirement System	18,987.82
SD Retirement Supplement	575.00
AFSCME	335.30
Kingsbury County	39,391.19

OFFICE REPORTS

The Register of Deeds, Sheriff's and Director of Equalization's Reports of Fees Collected during the month of January 2021 were reviewed by the

Board. Jensen moved and Kazmerzak seconded that the Auditor's report with the Treasurer as of the close of business January 2021 be accepted as follows. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Cash on Hand	\$ 1,831.40
Checks in Treas. Possession less than 3 days	82,516.88
Credit Card	1,375.49
Cash Short	471.10
Cash Long-ISF Check	0.00
Demand Deposits	8,958.01
Savings Account	2,968,584.28
Revolving Loan Fund	295,301.97
Big Ditch MM	361,999.68
Time Deposits	1,657,523.80
TOTAL	5,378,562.61

BREAKDOWN OF MONEY BY FUNDS

County General Fund	2,125,148.29
Special Revenue Funds (Road & Bridge, E911 Fund CH Bldg, Revolving Loan, Emergency Management, Domestic Abuse Funds 24/7 & M&P Fund)	2,326,864.53
Drainage Ditch #4	188,053.70
Drainage Ditch Debt Service Cash	-1,826.89
Amount held for School Dist.	359,820.88
Amount held for Townships	41,368.29
Amount held for Cities	56,786.79
Amount held for East Dakota Water Dist.	1,361.16
State Remittance	147,027.31
Amount held for others	133,958.55
TOTAL	5,378,562.61

AUDITOR

Barnard informed the Board a request had been received from Wilber-Ellis Air, LLC, requesting permission to land on county roads for the purpose of servicing aircraft for arial application of chemical or fertilizer material.

Kazmerzak moved and Wolkow seconded to grant the request of Wilber-Ellis Air, LLC. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Barnard discussed technical issues that have occurred with the recording of meetings with the Board.

Barnard provided the Board with the tentative agenda for the Commissioner's Spring Workshop being held on March 17-18, 2021.

SHERIFF

Steve Strande, Sheriff, and Shelley Strande, Sheriff Office Manager, met with the Board to discuss several items.

Sheriff Strande informed the Board there has been an update to the Use of Force Policy in the Sheriff's Policy Manual from the State. With this update, there is a form requiring a signature for the South Dakota Public Assurance Alliance (SDPAA). Strande requested authorization for Chairman Walls to sign the form.

Wolkow moved and Jensen seconded to authorize Chairman Walls to sign the form for SDPAA. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Sheriff Strande requested authorization for himself and Shelley Strande to travel to Sheriff's Conference and Sex Offender Training in Deadwood, SD, April 19-23, 2021.

Jensen moved and Spilde seconded to approve the travel expenses for Strande and Strande to attend the conference and training in April. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

EXTENSION

The Board met with Mary Claire Bauer, Extension Advisor, to discuss the Memorandum of Understanding, with SDSU, and her plan for during maternity leave.

Jensen moved and Wolkow seconded to authorize Chairman Walls to sign the Memorandum of Understanding, with SDSU. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Wolkow moved and Jensen seconded to adjourn from regular session and move into Executive Session for personnel evaluation at 1:00 P.M. All present voting aye - 5, nay - 0, abstain - 0. Motion carried.

Kazmerzak moved and Spilde seconded to adjourn from Executive Session. Chairman Walls declared the Board out at 1:15 P.M.

The Board adjourned to Tuesday, February 9, 2021 at 8:30 A.M.

SIGNED _____
Roger Walls, Chairman

ATTEST _____
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of _____.