

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota

March 3, 2020

The Kingsbury County Board of County Commissioners met Tuesday, March 3, 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

Jennifer Barnard, Auditor, informed the Board two items from Monday's mail needed to be added to the agenda including a Federal Surplus Property form update and an Assessment of Polling Location for ADA regulations.

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

HIGHWAY

David Sorenson met with the Board to discuss highway matters.

Sorenson stated the hauling of rock had continued and now load limits have been posted in surrounding counties. Kingsbury County load limit signs would be posted this week at 6 Tons the same as in previous years.

Sorenson stated graveling on CR 15 had started.

Sorenson requested to move into Executive Session for personnel.

Jensen moved and Wolkow seconded to adjourn from regular session and move into Executive Session for personnel at 8:38 A.M. All present voting aye, motion carried.

Nelson moved and Spilde seconded to adjourn from Executive Session and return to regular session. Chairman Walls declared the Board out at 8:44 A.M.

Bid Opening ***ALL NEED TO BE CHANGED***

Item #1 - Road Oil

Jebro - CRS 2P at \$530.85 per ton
- CSS 1-H at \$460.85 per ton
- MC 3000 at \$563.11 per ton

Flinthills - MC 3000 at 567.61 per ton

Sorenson recommended to accept the bid from Jebro.

Nelson moved and Jensen seconded to accept the bid from Jebro. All present voting aye, motion carried.

Item #2 - Asphalt Hot Mix

Asphalt Paving - Class E-1 with 20% RAP at \$62.50 per ton

Jamir Reclamation Inc - Class E-1 with RAP at \$55.00 per ton
(Bowes)

Sorenson recommended to accept all bids to be used based on availability.

Jensen moved and Spilde seconded to accept all bids. All present voting aye, motion carried.

Item #3 Gravel Crushing

Fisher Sand at \$3.98 per ton of 3/4 inch
Bowes Construction at \$3.35 per ton of 3/4 inch
1st Rate Excavating at \$3.25 per ton of 3/4 inch

Sorenson recommended to accept the low bid.

Spilde moved and Wolkow seconded to accept the bid from 1st Rate Excavating. All present voting aye, motion carried.

Item #4 - Fuel

Stern Oil - #1 Diesel at \$2.3436, #2 Diesel at \$1.9634 and Unleaded with Ethanol at \$2.1706 (all per gallon)
Cole - #1 Diesel at \$2.1945, #2 Diesel at \$1.7735 and Unleaded with Ethanol at \$1.8740 (all per gallon)

Sorenson recommended to accept the low bid.

Nelson moved and Wolkow seconded to accept the bid from Cole. All present voting aye, motion carried.

Item #5 - Pea Rock and Quartzite chips
LG Everest - Pea Rock at \$18.30 per ton
- Quartzite chips at \$18.30 per ton

Spencer - Quartzite chip at 10.50 per ton for 6,800 ton

Sorenson recommended to accept the low bid.

Wolkow moved and Jensen seconded to accept the bid from Spencer. All present voting aye, motion carried.

True North Steele sent in a bid for culverts with a variety of costs based on size of the culvert and the thickness of the steel.

Sorenson recommended to accept the bid from True North Steele.

Spilde moved and Nelson seconded to accept True North Steele's bid amounts. All present voting aye, motion carried.

Sorenson presented documentation required to designate an engineer firm for bridge inspections in the county. Sorenson recommended to stay with Civil Design.

Nelson moved and Jensen seconded to retain Civil Design and for Chairman Walls to sign the forms. All present voting aye, motion carried.

Sorenson presented documentation from the State of South Dakota Department of Transportation Joint Powers Account Agreement for signature which the Board had previously agreed to comply with. This is in regards to the repair of two bridges damaged in the 2019 flooding.

Sorenson requested authorization to attend the Highway Superintendent Association Short Course in Deadwood, SD, March 24-26, 2020.

Wolkow moved and Jensen seconded to approve travel expenses for Sorenson to attend the Short Course March 24-26, 2020. All present voting aye, motion carried.

State's Attorney Gregg Gass joined the meeting.

Gass discussed the trees that were removed from the property and reviewed several South Dakota Codified Laws regarding the selling and/or surplusage of county property. Gass discussed with the Board a request for the wood from the discarded trees for private use.

Nelson moved and Wolkow seconded for no value to be placed on the trees removed from the Courthouse property and for the county to be absolved from liability for the picking up of the wood from county property. All present voting aye, motion carried.

Gass discussed issues that were found in the new lease for the highway department. Gass stated he is in conversation with the leasing company and feels that the issues will be resolved.

Casey Harty and Anthony Halverson came before the Board to discuss updates to the Highway Union Contract. The union rep was not present, and an updated copy of the union contract had not been received. The union contract update was tabled to the next meeting.

Sorenson, Harty, Halverson and the Board discussed possible new protocols at the highway department.

ORDINANCE 51

Barnard read the second reading of Ordinance 51. This will be published separate from the minutes.

There was no one present in opposition to the ordinance.

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

STATES ATTORNEY

Gregg Gass, States Attorney met with the Board and requested to move into Executive Session for possible litigation.

Jensen moved and Nelson seconded to adjourn from regular session and move into Executive Session for possible litigation at 10:16 A.M. All present voting aye, motion carried.

Nelson moved and Wolkow seconded to adjourn from Executive Session and return to regular session. Chairman Walls declared the Board out at 11:00 A.M.

PUBLIC COMMENT

Chairman Walls asked for public comment. There was none

MAINTENANCE

Lonny Palmlund, Maintenance, met with the Board to inform them maintenance is needing to be done for the new boiler system. The cost will be \$1,350.00. When the maintenance is complete we will know if this will need to be done annually or bi-annually.

CONFLICT OF INTEREST

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

MINUTES

Jensen moved and Spilde seconded to approve the minutes of February 18, 2020. All present voting aye, motion carried.

JIM KNIGHT

Jim Knight, Lake Area resident, met with the Board to provide an update on the Lake Thompson Outlet and Twin Lakes Road repair.

Knight stated he had been in contact with Jason Petersen, with Civil Design, to get a quote for the mapping of the hard bottom to prevent its removal. Bros Engineering was also contacted with no quote received as of today.

A Lake Project District for Lake Thompson has been established and the president is Mike Young. The Lake Project District has hired Rinke Noonan Law Firm to represent them as needed.

Knight informed the Board the mitigation for FEMA funding to repair Twin Lakes Road fell through. De Smet Township is now looking at the possibility of a special assessment for 34 residents who utilize the road and would benefit from the needed repair.

APPROVE CLAIMS

Wolkow moved and Nelson 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

AAA COLLECTIONS, INC. 17.50 JUSTIN MAULDEN AGENCY FEE, ALCOPRO, INC. 579.00 SUPPLIES, TAMMY ANDERSON 94.36 TRAVEL REMIBURSEMENT, APPEARA 52.22 SUPPLIES, AT&T 103.48 UTILITIES, BADGER OIL COMPANY 2308.25 SUPPLIES/FUEL/UTILITIES, CINDY BAU 74.00 CELL PHONE & TRAVEL REIMBURSEM, MARY CLAIRE BAUER 91.00 TRAVEL REIMBURSEMENT, BEADLE COUNTY SHERIFF 980.00

PRISONER CARE, BEADLE COUNTY SHERIFF 3000.00 PRISONER CARE, RONALD
BLACHFORD 100.00 TRACTOR RENTAL, BOB BODE CONSTRUCTION 2193.88
REPAIRS/MAINTENANCE/SUPPLIES, RANDALL BOHN 50.84 JUROR FEES, BUTLER
MACHINERY COMPANY 370.55 SUPPLIES, CENTURY BUSINESS PRODUCTS 99.48 COPIER
MAINTENANCE, BRIAN CHRISTENSEN 387.68 WEED BOARD, CODINGTON COUNTY SHERIFF
1750.00 PRISONER CARE, COLES PETROLEUM 19604.72 FUEL, COUNTY WIDE
DIRECTORY, LLC 40.00 SUPPLIES, SMITH'S LUMBER 276.93 SUPPLIES, AVERA
DESMET HOSPITAL 369.00 PROFESSIONAL SERVICES, DE SMET NEWS 10.99
PUBLICATION, DE SMET NEWS 356.89 PUBLICATIONS, DE SMET WELDING 2050.95
REPAIRS/MAINTENANCE, DEREK ANDERSON 11.00 TRAVEL, EQUIPMENT BLADES, INC
1392.00 SNOW, JARED ERSTAD 72.68 JUROR FEES, REX GEYER 58.40 JUROR FEES,
ROBERT GREENE 56.72 JUROR FEES, ELAINE GROON 66.80 JUROR FEES, ANTHONY
HALVERSON 11.00 TRAVEL, PATRICIA J. HARTSEL, RPR 493.00 PROFESSIONAL
SERVICES, CASEY HARTY 11.00 TRAVEL, TIM HARTY 11.00 TRAVEL, GREG HESBY
11.00 TRAVEL, HILLYARD/SIOUX FALLS 181.33 SUPPLIES, CITY OF HURON 3854.64
PROFESSIONAL SERVICES, HURON GARAGE DOOR COMPANY 310.20 SUPPLIES, INFOTECH
SOLUTIONS 3685.48 PROFESSIONAL SERV/ SHER. COMP, J & L MACHINE & WELDING
INC 35.00 SUPPLIES, MICHAEL JENKINS 20.00 TRAVEL REIMBURSEMENT, JOE JENSEN
68.04 TRAVEL REIMBURSEMENT, BRETT JODOZI 68.48 JUROR FEES, MARK
KATTERHAGEN 15.00 BMI, KEVIN CURD 11.00 TRAVEL, KINGSBURY CONSERVATION
DIST 804.97 TRAVEL REIMBURSEMENT, KINGSBURY ELECTRIC COOP 692.49 SUPPLIES,
MARC LENZ 11.00 TRAVEL, LEWIS DRUG STORES 34.68 PRISONER CARE, LUCY LEWNO
166.50 BMI, LITTLE FALLS MACHINE INC 243.29 SUPPLIES/SNOW, DARCY LOCKWOOD
15.00 BMI, LAKE PRESTON TIMES 620.65 PUBLICATIONS, LISA MALONE 59.24 JUROR
FEES, MAYNARD'S FOOD CENTER 12.88 SUPPLIES, MCLEODS PRINTING & OFFICE SUPP
11.26 SUPPLIES, COLE MUNGER 50.84 JUROR FEES, EASTLINE SUPPLY 474.76
SUPPLIES, BRADLEY NOVRESKO 31.84 GRAND JURY- AUSTIN PEDERSEN, O'KEEFE
IMPLEMENT 89.73 SUPPLIES, O'KEEFE IMPLEMENT 1655.19 SUPPLIES, O'KEEFE
IMPLEMENT 53.64 REPAIRS/MAINTENANCE, OFFICE PEEPS INC 646.49 SUPPLIES,
PALMLUND AUTOMOTIVE 100.00 SUPPLIES, PALMLUND AUTOMOTIVE 675.00
PROFESSIONAL SERVICES, PRAIRIE AG PARTNERS 3674.89
REPAIRS/SUPPLIES/FUEL/UTILITIE, PRAIRIE AG PARTNERS 49.95
REPAIRS/MAINTENANCE, KHAYLEI PEACOCK 50.00 GRAND JURY WITNESS, MAGGIE
PURINTUN 61.97 SUPPLIES/TRAVEL REIMBURSEMENT, QUILL 179.64 SUPPLIES, QUILL
783.13 SUPPLIES, RFD NEWS GROUP 393.38 PUBLICATIONS, RICH'S GAS & SERVICE
35.55 FUEL, KENT SCKERL TREE SERVICE 11400.00 TREE REMOVAL, SD FEDERAL
PROPERTY AGENCY 112.50 SUPPLIES, SDACHS 275.00 PROFESSIONAL SERVICES,
SDACHS 100.00 TRAVEL, SDACO 714.00 MP & R NOV 2019- FEB 2020, SDN
COMMUNICATIONS 912.00 PROFESSIONAL SERVICES, SOUTH DAKOTA PUBLIC ASSURANCE
578.97 INS ON 2019 CATERPILLAR, DAVID SORENSON 449.10 TRAVEL, DAVID
SORENSON 11.50 SUPPLIES, STEVE STRANDE 132.17 TRAVEL REIMBURSEMENT, TIM
HAUG 11.00 TRAVEL, DENNIS E TOWERS JR 11.00 TRAVEL, TRANSOURCE 255.36
SUPPLIES, TRAVIS BOLDT 34.50 SUPPLIES, TRUENORTH STEEL 1970.00
SUPPLIES/SNOW, TRUSTWORTHY HARDWARE 132.93 SUPPLIES, TRUSTWORTHY HARDWARE
481.36 EQUIPMENT AND SUPPLIES, TSCHETTER AND HOHM CLINIC 225.00 PRISONER
CARE, TYLER TECHNOLOGIES, INC. 3151.90 PROFESSIONAL SERVICES, US POSTAL
SERVICE 84.25 SUPPLIES, VERIZON 221.80 UTILITIES, JESSICA VIRCHOW 27.30
TRAVEL REIMBURSEMENT, VISA 20.62 SUPPLIES, VISA 116.69 SUPPLIES/WEB PAGE,

VISA 369.15 REPAIRS/MAINTENANCE, JON WIENK 58.40 JUROR FEES, JENNY WILK
 81.08 GRAND JURY, MARY WILKINSON 63.44 JUROR FEES, NICOLE WOLFE 133.16
 GRAND JURY, WILKINSON & SCHUMACHER LAW 2261.00 CAA, YANKTON COUNTY SHERIFF
 OFFICE 50.00 BMI,

END OF MONTH

COURTHOUSE SALARIES	\$50,743.31
HIGHWAY SALARIES	31,999.62

PAYROLL DEDUCTIONS

Sanford Health Plan	26,988.59
AFLAC	1,538.35
AFLAC	537.26
Office of Child Support Enforcement	421.00
The Principal Financial Group	255.95
Delta Dental	951.20
Avesis Third Party Administrators	217.22
SD Retirement Supplement Pretax	3,250.00
SD Retirement System	13,397.54
SD Retirement Supplement	675.00
AFSCME	283.20
Kingsbury County	25,531.81

OFFICE REPORTS

The Register of Deeds, Sheriff's and Director of Equalization's Reports of Fees Collected during the month of February 2019 were reviewed by the Board. Jensen moved and Wolkow seconded that the Auditor's report with the Treasurer as of the close of business February 28, 2019 be accepted as follows. All present voting aye, motion carried.

Cash on Hand	\$ 2,427.43
Checks in Treas. Possession less than 3 days	58,992.42
Credit Card	2,091.97
Cash Short	589.85
Cash Long	
Demand Deposits	7,478.89
Savings Account	2,225,067.15
Revolving Loan Fund	294,524.10
Big Ditch MM	357,312.64
Time Deposits	1,657,523.80
TOTAL	4,606,008.25

BREAKDOWN OF MONEY BY FUNDS

County General Fund	1,853,301.45
Special Revenue Funds (Road & Bridge, E911 Fund CH Bldg, Revolving Loan,	

Emergency Management, Domestic Abuse Funds 24/7 & M&P Fund)	1,793,184.65
Drainage Ditch #4	187,911.75
Drainage Ditch Debt Service Cash	-5,415.43
Amount held for School Dist.	439,562.13
Amount held for Townships	43,173.40
Amount held for Cities	46,904.97
Amount held for East Dakota Water Dist.	1,567.22
State Remittance	91,395.61
Amount held for others	145,422.50
TOTAL	4,606,008.25

The Board adjourned for lunch from 12:00 P.M. to 1:00 P.M.

EMERGENCY MANAGEMENT

Cindy Bau, Emergency Management and 911 Coordinator, met with the Board to discuss several items.

Bau informed the Board she had received the approval to place a sand pile on Lester Wienk's property for lake area residents. Bau and the Board discussed additional sand and sandbag distribution locations.

Bau reminded the Board of the EOC training on Wednesday. Bau also stated the location needed to change due to technology needs for the training and requested Chairman Walls sign a contract for room rental at the De Smet Event Center. The cost is \$70.00 for the all-day room rent and \$50.00 deposit that would be returned.

Nelson moved and Jensen seconded for Chairman Walls to sign the contract and to approve the rental cost. All present voting aye, motion carried.

Bau informed the Board of a new life saving tool that had been demonstrated at the LEPC last meeting. The tool is a sleeve that inflates to keep the victim above water and can also be used in grain bin accidents. Bau stated she ordered 18, at \$379.00 each, to be purchased with the funds donated by Dakota Access for emergency equipment.

Barnard requested authorization to transfer enough funds from the assigned fund and to schedule a Budget Supplement Hearing to give budget authority for the purchase.

Nelson moved and Jensen seconded to make the funds available. All present voting aye, motion carried.

Bau and the Board discussed any needed preparedness for the Corona Virus.

TREASURER

Elaine Blachford, Treasurer, met with the Board to discuss QuickBooks training that had previously been approved. Deputy Treasurers Michelle Longville and Jessica Virchow attended the training in Huron on Wednesday, February 26th. The Saturday trainings were then opened for free and Blachford decided to have her deputies join her in attending this more in-depth training, too. These classes are 8 hour long and held on March 1 and 7, 2020.

Blachford informed the Board there are 6 properties that she would need to start the process for taking tax deed.

DIRECTOR OF EQUALIZATION

Tammy Anderson, Director of Equalization, met with the Board to discuss multiple items.

Anderson informed the Board the County Equalization Boards begin on April 14, 2020 and would like to schedule through April 17th if needed.

Anderson informed the Board of a scheduling change for Assessor's School that had already been approved to July 6-10, 2020.

Anderson also made travel for herself and Deputy Purinton to attend the SDAAO Conference June 23-26, 2020 in Sioux Falls, and for Deputy Purinton to attend Assessor School September 13-18, 2020 in Chamberlain.

Nelson moved and Jensen seconded to approve travel for the dates mentioned. After additional discussion, all present voting aye, motion carried.

Anderson discussed publication requirements for tax exempt property.

Anderson presented two new requests for tax abatements.

Jensen moved and Nelson seconded to deny the abatement application for Record number 7596. All present voting via roll call: Jensen - aye, Nelson - aye, Walls - aye, Wolkow - aye, Spilde - aye. Motion carried.

Delmer moved and Spilde seconded to deny the abatement application for Record number 7164. All present voting via roll call: Jensen - aye, Nelson - aye, Walls - aye, Wolkow - aye, Spilde - aye. Motion carried.

Anderson requested to move into Executive Session for personnel.

Jensen moved and Spilde seconded to adjourn from regular session and move into Executive Session for personnel at 2:33 P.M. All present voting aye, motion carried.

Nelson moved and Jensen seconded to adjourn from Executive Session and return to regular session. Chairman Walls declared the Board out at 2:44 P.M.

AUDITOR

Barnard met with the Board to discuss several items.

Barnard presented requests from Wilde Air LLC, of Volga, and Wilber-Ellis LLC, of Huron, for permission to land small aircraft on County Roads for the purpose of needs related to applying chemical to fields.

Jensen moved and Spilde seconded to approve the requests for both Wilde Air LLC and Wilber-Ellis LLC. All present voting aye, motion carried.

Barnard informed the Board she would be gone for vacation from March 5-11, 2020.

Barnard requested authorization to travel to the Spring Workshop on May 12-13, 2020 and to attend a South Dakota specific tabletop exercise for potential election scenarios on May 11, 2020. Both events would be held in Pierre.

Jensen moved and Wolkow seconded to approve travel expenses for both events in May. All present voting aye, motion carried.

Barnard requested authorization to transfer \$500,000.00 of the budgeted amount from the General Fund to the Highway Fund.

Wolkow moved and Spilde seconded to approve the transfer of funds to the Highway Fund. All present voting aye, motion carried.

Barnard informed the Board a request to update Authorized Representatives/Officials for the Bureau of Administration Federal Property Agency. Barnard requested authorization to update the information and to sign the request.

Nelson moved and Jensen seconded to authorize Barnard to update the information requested and to sign the form. All present voting aye, motion carried.

Barnard informed the Board the U.S. Department of Justice will be conducting an access review of the polling places in Kingsbury County.

Barnard discussed visiting each previously utilized polling location to verify they are ADA compliant.

EXECUTIVE SESSION

Nelson moved and Wolkow seconded to adjourn from regular session and move into Executive Session for personnel at 3:18 P.M. All present voting aye, motion carried.

Wolkow moved and Spilde seconded to adjourn from Executive Session and return to regular session. Chairman Walls declared the Board out at 4:11 P.M.

The Board adjourned to Tuesday, March 17, 2020 at 8:30 A.M.

SIGNED _____
Roger Walls, Chairman

ATTEST _____
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of _____.