

# OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota

January 27, 2025

The Kingsbury County Board of County Commissioners met Monday, January 27, 2025, at 10:00 A.M. in the Commissioner Room of the County Courthouse with Commissioners Kyle Lee, Troy Nelson, Steve Spilde, Corey Lundquist, and Roger Walls present. Chairman Lee presided.

Also attending were Gary Schumacher - States Attorney, John Delzer - Attorney and Todd Wilkinson - Attorney.

Attending via Zoom were Michelle Longville - Treasurer, Tammy Anderson - Director of Equalization, Amy Halverson - Kingsbury Journal, Natale Remund - HR Consultant, and Jennifer Tobin.

## PLEDGE OF ALLEGIANCE

Those present stood and recited the Pledge of Allegiance.

## APPROVE AGENDA

Motion by Walls and seconded by Lundquist to approve the agenda. All present voting aye. Motion carried.

## PUBLIC COMMENT

Chairman Lee asked for public comment. There was none.

## CONFLICT OF INTEREST

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

## EXECUTIVE SESSION

Motion by Lundquist and seconded by Nelson to adjourn from regular session and move into executive session for personnel at 10:05 A.M. All present voting aye. Motion carried.

Chairman Lee declared the Board back into regular session at 10:58 A.M.

## APPOINTMENT OF STATES ATTORNEY

Motion by Nelson and seconded by Spilde to appoint John Delzer as Kingsbury County States Attorney effective 2/28/25. All present voting aye. Motion carried.

Schumacher administered the Oath of Office to the newly appointed States Attorney - John Delzer.

Delzer requested the Board confirm the position of Deputy States Attorney opening and approve the appointment of Todd Wilkinson to the position.

Motion by Lundquist and seconded by Nelson to confirm the position of Deputy States Attorney opening and to approve the appointment of Todd Wilkinson to the position. All present voting aye. Motion carried.

Delzer administered the Oath of Office to the newly appointed Deputy States Attorney - Todd Wilkinson.

#### VSO

Natalie Remund, HR Consultant, requested approval to advertise for the Veteran's Service Officer position due to Gary Schumacher leaving the position as of February 28, 2025.

Motion by Nelson and seconded by Spilde to approve advertising for the Veteran's Service Officer position at 8 hrs. per week in office with up to 20 hrs. per week total. All present voting aye. Motion carried.

#### OPEN DISCUSSION

Chairman Lee advised the Board that he had applied for party status with the Public Utilities Commission concerning Summit Carbon Solutions pipeline due to the deadline being January 24, 2025, and requested the Board approve Lee's signing of the application.

Motion by Lundquist and seconded by Walls to approve the signing of said application in order to meet the January 24, 2025 deadline. All present voting aye. Motion carried.

#### PLANNING AND ZONING

Motion by Nelson and seconded by Lundquist to adjourn from regular session and move into Planning & Zoning at 11:07 A.M. All present voting aye. Motion carried.

Chairman Lee declared the Board out of Planning & Zoning and back into regular session at 11:41 A.M.

#### TAX INCREMENT DISTRICT RESOLUTION

Echo Steffensen, Auditor, read the following Resolution 2025-4 by title only as presented by the Planning and Zoning Commission:

Resolution 2025-4

RESOLUTION APPROVING AND RECOMMENDING OF TAX INCREMENTAL DISTRICT PLAN  
NUMBER ONE,  
KINGSBURY COUNTY

WHEREAS, the Planning Commission of Kingsbury County, South Dakota, received an application to create a Tax Incremental District and thereafter prepared a Notice of Hearing held on January 27th, 2025 at 11:00 a.m. at the Kingsbury County Courthouse advising interested parties that they were being given a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District on real property consisting of the following parcels:

District Legal Description:

- The East Half (E1/2) and the Southwest Quarter (SW1/4) of Section Nineteen (19), Township One Hundred Ten (110) North, Range Fifty-Seven (57) West, Kingsbury County, South Dakota.

All Located in Kingsbury County, South Dakota including within and adjacent rights-of-way.

WHEREAS, such Notice was published in the official newspapers of Kingsbury County not less than ten (10) nor more than thirty (30) days from the date of the hearing which was held on January 27<sup>th</sup>, 2025.

WHEREAS, a copy of the Notice was sent prior to publication by first-class mail to the Chief Executive Officers of the following taxing entities:

Kingsbury County Commission  
Iroquois School District 2-3  
Esmond Township  
Vermillion Basin Water District  
Iroquois Fire and Rescue

WHEREAS, a hearing was held on January 27<sup>th</sup>, 2025 as provided in such Notice, and all interested parties were allowed a reasonable opportunity to be heard on the proposed Tax Incremental District One plan;

NOW THEREFORE, BE IT RESOLVED by the County Commission of Kingsbury County, South Dakota:

1. Authority and Declaration of Necessity. The County Commission declares the necessity for the approval of Tax Incremental District Number One plan, Kingsbury County (hereinafter sometimes referred to as the "District"), pursuant to SDCL Chapter 11-9, and finds that the improvement of the area within the District is likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within Kingsbury County.

2. Findings. The County Commission makes the following findings with regard to economic development:

- a. More than 50% of the property in the District by area will stimulate and develop the general economic welfare and prosperity of the County;
- b. Improvements to the District will significantly and substantially enhance the value of all property within the District;
- c. The proposed improvements will create new jobs, provide housing, develop property into commercial opportunities and diversify the overall economic base of Kingsbury County.
- d. The aggregate assessed value of the District plus the tax incremental base of all other existing Districts in the County does not exceed Ten (10%) percent of the total assessed valuation in the County;
- e. The South Dakota Department of Revenue has reviewed the TIF Plan and classified the Tax Increment District One of Kingsbury County to be Economic Development.

3. Boundaries of District. The Boundaries of the district are determined to be as follows:

- The East Half (E1/2) and the Southwest Quarter (SW1/4) of Section Nineteen (19), Township One Hundred Ten (110) North, Range Fifty-Seven (57) West, Kingsbury County, South Dakota.

All Located in Kingsbury County, South Dakota including within and adjacent rights-of-way.

4. Findings of Annual Appropriation TID. Tax Increment District #1 will be designated as an Annual Appropriations TIF to ensure that it does NOT count against constitutional debt.
5. Creation of Tax Incremental Fund. There is hereby created, pursuant to SDCL 11-9-31, a Tax Incremental District Number One Fund, which shall be a segregated asset account. All tax increments collected pursuant to Tax Incremental District Number One shall be deposited into the Tax Incremental District Number One Fund. All funds in the Tax Incremental District Number One

Fund shall be used solely for those purposes expressly stated and reasonably inferred in SDCL Chapter 11-9

6. Adoption of Tax Increment Plan. The County Commission of Kingsbury County does hereby adopt the Tax Increment Plan Number One as presented.

Motion by Walls and seconded by Spilde to accept and adopt Resolution 2025-4 and for Chairman Lee to sign the same.

All present voting via roll call. Lee - aye, Nelson - aye, Walls - aye, Spilde - aye, and Lundquist - aye. Motion carried.

The Board adjourned to Tuesday, February 4, 2025, at 8:30 A.M.

SIGNED \_\_\_\_\_  
Kyle Lee, Chairman

ATTEST \_\_\_\_\_  
Echo Steffensen, County Auditor

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