

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota  
May 2, 2023

The Kingsbury County Board of County Commissioners met Tuesday, May 2, 2023, at 8:30 A.M. in the Courtroom of the County Courthouse with Commissioners Roger Walls, Kyle Lee, Steve Spilde, Doug Kazmerzak and Corey Lundquist present. Chairman Kazmerzak presided.

Also in attendance, Gary Schumacher, States Attorney.

Attending via Zoom were Michelle Longville - Treasurer, Tammy Anderson - Director of Equalization, Steve Strande - Sheriff, and Amy Halverson - Kingsbury Journal.

PLEDGE OF ALLEGIANCE

Those present stood and recited the Pledge of Allegiance.

APPROVE AGENDA

Echo Steffensen, Auditor, informed the Board Cindy Bau, Emergency Management was unable to attend, and she would be discussing Bau's requests with the Board.

Motion by Spilde and seconded by Lee to approve the agenda as edited. All present voting aye. Motion carried.

MINUTES

Redstone Dairy should read Redstone Feeders under the Riverview LLC presentation.

Motion by Lundquist and seconded by Lee to approve the minutes of April 18, 2023, with the correction. All present voting aye. Motion carried.

PUBLIC COMMENT

Chairman Kazmerzak asked for public comment. There was none.

CONFLICT OF INTEREST

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

## HIGHWAY

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

Sorenson informed the Board the 2023 Bridge Improvement Grant that was applied for was not approved and would be resubmitted in 2024.

Sorenson presented the 2023 Striping Agreement with the SD Department of Transportation for Chairman Kazmerzak to sign.

Motion by Walls and seconded by Lundquist to accept the 2023 Striping Agreement with the SD Department of Transformation and for the Chairman to sign said contract. All present voting aye. Motion carried.

Sorenson informed the Board he had arranged for Greg Vavera from SDLTAP to attend the June 6, 2023 Commission meeting to provide information on the Rural Access Infrastructure Program. A letter will be sent to the townships inviting them to the meeting.

Sorenson requested travel approval for Diane Mulder, Highway Secretary, to attend the SD Highway Association Personnel meeting in Pierre on June 13, 2023. All present voting aye. Motion carried.

Motion by Spilde and seconded by Lundquist to approve travel for the highway secretary to Pierre for the SD Highway Association Personnel meeting on June 13, 2023.

## BILLS

Motion by Lundquist and seconded by Spilde 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.

1ST DIST ASSC OF LOCAL GOVT. 3477.50 PROFESSIONAL SERVICES, AT & T MOBILITY 113.38 UTILITIES, APPEARA 76.58 SUPPLIES, ASSN. OF SD COUNTY WEED & PEST 200.00 DUES, BADGER OIL COMPANY 3385.50 FUEL AND SUPPLIES, CINDY BAU 88.00 UTILITIES, BEADLE COUNTY SHERIFF 2375.00 PRISONER CARE, BOB BODE CONSTRUCTION 11247.98 SNOW REMOVAL, ROBIN BROWN 37.24 REPAIRS, BUNKER AUTO, INC. 31.90 SUPPLIES, BUTLER MACHINERY COMPANY 773.18 REPAIRS, CENTURY BUSINESS PRODUCTS 15.14 SUPPLIES, CODINGTON COUNTY SHERIFF 95.00 PRISONER CARE, COWBOY COUNTRY STORE-DESMET 66.64 SUPPLIES, SMITH'S LUMBER 9.68 SUPPLIES, AVERA DESMET HOSPITAL 54.00 PRISONER CARE, KATHY DEDEYNE 75.20 TRAVEL, E. BROOKMYER, INC. 1357.00 SUPPLIES, ELECTION SYSTEMS & SOFTWARE IN 1911.01 ELECTION COSTS, FARM & HOME PUBLISHERS 250.00 SUPPLIES, FEDEX 100.56 PROF SERVICES, G & R CONTROLS, INC 6971.88 REPAIR & MAINT, MELISSA HEINEN 80.00 PROFESSIONAL SERVICES, CARYN HOJER 10.53 SUPPLIES, CITY OF HURON 3883.21 911 SURCHARGE, INTERLAKES COMMUNITY ACTION

417.17 COMMUNITY SERV WORKER, INTERSTATE BATTERY 474.90 SUPPLIES, JOE  
 JENSEN 438.60 TRAVEL, KINGSBURY COUNTY TREASURER 5959.26 ADVANCE  
 TAX, KINGSBURY COUNTY TREASURER 1,045.30 ADVANCE TAX, KINGSBURY JOURNAL  
 792.99 PUBLISHINGS, LEWIS & CLARK BEHAVIORAL 368.00 BMI, LUCY LEWNO 323.20  
 BMI, LINDE GAS & EQUIPMENT INC 181.53 SUPPLIES, DARCY LOCKWOOD 27.00 BMI,  
 MARSHALL & SWIFT 1439.95 PROFESSIONAL SERV, MAYNARD'S FOOD CENTER 25.30  
 SUPPLIES, MCLEODS PRINTING & OFFICE SUPP 109.27 SUPPLIES, MULTI BUSINESS  
 SOLUTIONS, INC 2150.00 PROFESSIONAL SERVICES, EASTLINE SUPPLY 614.96  
 REPAIRS, NSA 71.00 DUES, NORTHWESTERN ENERGY 20.77 UTILITIES, O'CONNOR  
 COMPANY 1092.64 SUPPLIES, O'KEEFE IMPLEMENT 1143.58 SUPPLIES, OFFICE PEEPS  
 INC 799.13 SUPPLIES, PALMLUND AUTOMOTIVE 1812.36 REPAIRS, PRAIRIE AG  
 PARTNERS 604.33 FUEL/SUPPLIES, TABITHA PETERSEN 39.30 PRISONER CARE,  
 PITNEY BOWES 207.12 PROFESSIONAL SERV, PREMIER EQUIPMENT LLC 210.25  
 SUPPLIES, SD PUBLIC HEALTH LABORATORY 40.00 PROFESSIONAL SERV, MAGGIE  
 PURINTUN 61.60 TRAVEL, RICH'S GAS & SERVICE 56.50 REPAIRS, RUNNING SUPPLY  
 INC. 70.98 SUPPLIES, DEAN SCHAEFER COURT REPORTING 54.00 BMI, SD ASSOC OF  
 ASSESSING OFFICERS 470.00 TRAINING, SD ASSOC OF ASSESSING OFFICERS 750.00  
 TRAINING, SD ASSOC OF ASSESSING OFFICERS 150.00 TRAINING, SDACO 600.00  
 TRAVEL, SDEMA 30.00 FEES, RHONDA SIEFKER 191.98 TRAVEL, DAVID SORENSON  
 40.00 TRAVEL, ECHO STEFFENSEN 171.98 TRAINING, STEVE STRANDE 176.00  
 TRAVEL, SHELLEY STRANDE 53.40 PRISONER CARE, TRANSOURCE 990.88 SUPPLIES,  
 TRUENORTH STEEL 399.52 SUPPLIES, TRUSTWORTHY HARDWARE 25.27 SUPPLIES, VAL  
 LARSON 27.00 BMI, VERIZON 209.00 UTILITIES, VISA 700.89 SUPPLIES, VISA  
 229.13 SUPPLIES & FUEL, WARD'S STORE & BAKERY 240.00 SUPPLIES, DAVID  
 WHEELER 214.00 BMI, YANKTON COUNTY 259.30 BMI, ZELL MANUFACTURING 274.71  
 REPAIRS/SUPPLIES,

END OF MONTH

COURTHOUSE SALARIES	\$62,932.70
HIGHWAY SALARIES	34,178.62

PAYROLL DEDUCTIONS

Sanford Health Plan	891.51
Wellmark Health Plan	28,944.97
Three Fivers Benefits	5,524.99
AFLAC	1,308.24
AFLAC	334.60
Reliance Life Insurance	164.79
Aflac Dental	1,436.22
Beam Vision	246.52
SD Retirement Supplement Pretax	225.00
SD Retirement System	14,556.28
SD Retirement Supplement	740.00
AFSCME	93.04
Kingsbury County	29,417.46

OFFICE REPORTS The Register of Deeds, Sheriff's and Director of Equalization's Reports of Fees Collected during the month of March 2023 were reviewed by the Board. Motion by Lee and seconded by Lundquist that the Auditor's report with the Treasurer as of the close of business March 31, 2023, be accepted as follows. All present voting aye. Motion carried.

Cash on Hand	\$ 2,548.31
Checks in Treas. Possession less than 3 days	466,954.49
Credit Card	1,085.08
Uncollected Credit Cards	2,549.78
Cash Long-ISF Check	0.00
Demand Deposits	123,707.39
Savings Account	6,508,106.25
Revolving Loan Fund	296,908.34
Big Ditch MM	383,300.76
Time Deposits	1,657,523.80
TOTAL	9,442,684.20

BREAKDOWN OF MONEY BY FUNDS

County General Fund	3,378,874.23
Special Revenue Funds (Road & Bridge, E911 Fund CH Bldg, Revolving Loan, Emergency Management, Domestic Abuse Funds 24/7 & M&P Fund American Rescue, Rural Infrastructure)	1,351,848.90
Drainage Ditch #4	165,746.79
Drainage Ditch Debt Service Cash	35,089.95
Amount held for School Dist.	3,362,663.68
Amount held for Townships	345,234.24
Amount held for Cities	544,045.46
Amount held for East Dakota Water Dist.	12,295.58
State Remittance	119,985.87
Amount held for others	126,899.50
TOTAL	\$5,296,218.14

DIRECTOR OF EQUALIZATION

Tammy Anderson, Director of Equalization, met with the Board to request approval to purchase a new computer for her department. The estimate for the computer is \$1800.00 from Infotech Solutions.

Motion by Lee and seconded by Lundquist to approve the purchase of a new computer for the Equalization office for \$1800.00. All present voting aye. Motion carried.

## MAINTENANCE

Lonnie Palmlund, Maintenance, met with the Board to update them on Courthouse matters.

Palmlund stated the box for donations and a guest book to be placed near the statues has been completed.

The repairs are complete on the DOAZ unit.

Palmlund requested to move into executive session for personnel.

Motion by Spilde and seconded by Lee to adjourn from regular session and move into executive session for personnel at 9:43 A.M. All present voting aye. Motion carried.

Motion by Lee and seconded by Lundquist to adjourn from executive session. Chairman Kazmerzak declared the Board out at 9:53 A.M.

Chairman Kazmerzak called for a motion to approve a temporary hire during Palmlund's upcoming leave.

Motion by Lee and seconded by Spilde to approve a temporary hire at \$17.00/hr. for maintenance during Palmlund's leave and to allow Palmlund to issue the temporary hire a fob to access the building to perform the maintenance duties after hours. All present voting aye. Motion carried.

## SHERIFF

Sheriff Steve Strande met with the Board to update them on office matters.

Strande stated they are working on fingerprinting kindergarteners at the schools. This is a service the department has done in the past, and all documents are given to the parents.

Strande informed the Board of hiring a temporary part time deputy.

Strande requested to move into executive session for personnel.

Motion by Lundquist and seconded by Spilde to adjourn from regular session and move into executive session for personnel at 10:04 A.M. All present voting aye. Motion carried.

Motion by Spilde and seconded by Lundquist to adjourn from executive session. Chairman Kazmerzak declared the Board out at 10:19 A.M.

Motion by Lee and seconded by Lundquist to set the pay rate at \$19.25 for qualified/non-certified part-time and at \$21.00 for qualified/certified

part-time deputies in the Sheriff's department. All present voting aye. Motion carried.

#### EMERGENCY MANAGEMENT

Steffensen, Auditor, presented to the Board a request from Cindy Bau, Emergency Manager, to travel to Deadwood on 5/10-15, 2023 for the Emergency Management Fall Conference.

Motion by Lundquist and seconded by Spilde to approve the travel request of Bau to travel to Deadwood on 5/10-15, 2023 for the Emergency Management Fall Conference. All present voting aye. Motion carried.

#### EXECUTIVE SESSION - EMPLOYEE EVALUATION

Motion by Lundquist and seconded by Lee to adjourn from regular session and move into executive session for employee evaluations at 10:28 A.M. All present voting aye. Motion carried.

Motion by Lee and seconded by Lundquist to adjourn from executive session. Chairman Kazmerzak declared the Board out at 10:47 A.M.

#### PLANNING AND ZONING

Motion by Lundquist and seconded by Lee to adjourn from regular session and move into Planning and Zoning at 10:51 A.M. All present voting aye. Motion carried.

Chairman Kazmerzak declared the Board out of Planning and Zoning at 11:41 P.M.

Steffensen read the following resolution for the Plat of the Arlington Water Tower Addition forwarded to the Board by the Planning and Zoning Commission:

#### RESOLUTION # 2023-8

WHEREAS, The Kingsbury County Planning & Zoning Board met to review the Plat of Arlington Water Tower Addition in the Southwest Quarter of Section 35, Township 111 North, Range 53 West of the 5<sup>th</sup> P.M., Kingsbury County, South Dakota on May 2, 2023; 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 Arlington Water

Tower Addition in the Southwest Quarter of Section 35, Township 111 North, Range 53 West of the 5<sup>th</sup> P.M., Kingsbury County, South Dakota

Motion by Spilde and seconded by Lundquist to accept and adopt Resolution 2023-8 and for Chairman Kazmerzak to sign the same. All present voting via roll call. Kazmerzak - aye, Lee - aye, Walls - aye, Lundquist - aye and Spilde - aye. Motion carried.

#### OPEN DISCUSSION

The Board had an open discussion on Robert's Rules of Order.

#### BURN BAN

The Board discussed the recent emergency burn ban that was placed due to high winds, high temperatures and several fires that had occurred. Chairman Kazmerzak put the burn ban in place on advisement from area Fire Chiefs, Sheriff Strande and Cindy Bau, Emergency Management.

Gary Scumacher, the States Attorney advised the Board on procedures for placing an emergency burn ban as outlined in the current Ordinance #29. An emergency burn ban can be declared if it is necessary for the immediate preservation of the public safety (SDCL 7-18A-8) and a resolution by the Board is needed to enact an emergency burn ban.

The Board discussed amending Ordinance 29, allowing the Chairman and the Emergency Manager or Sheriff to be able to declare a burn ban without a resolution. The discussion was tabled and will be placed on the agenda for May 16, 2023.

Chairman Kazmerzak called for Steffensen to read the following resolution for placement of a burn ban at this time:

#### RESOLUTION # 2023-9

#### A RESOLUTION DECLARING A FIRE DANGER EMERGENCY IN KINGSBURY COUNTY AND PROHIBITING OPEN BURNING

WHEREAS, due to extreme dry conditions and high winds prevalent in Kingsbury County a fire danger emergency now exists within Kingsbury County, South Dakota, now

THEREFORE BE IT RESOLVED BY THE KINGSBURY COUNTY BOARD OF COMMISSIONERS that a Fire Danger Emergency is hereby declared and until

this resolution be otherwise rescinded by the Kingsbury County Board of Commissioners, all open burning as defined in Ordinance #29, is hereby prohibited within the boundaries of Kingsbury County, South

Dakota, exclusive of any incorporated municipality with the County and

BE IT FURTHER RESOLVED, that this Resolution is declared to be necessary for the immediate preservation of the public safety in accordance with the provisions of SDCL 7-18A-8 and is effective immediately and shall continue in force and affect until rescinded by the Kingsbury County Board of Commissioners.

Dated the 5th day of May 2023.

APPROVED BY BOARD OF KINGSBURY COUNTY COMMISSIONERS:

Motion by Spilde and seconded by Lundquist to accept and adopt Resolution 2023-9 and for Chairman Kazmerzak to sign the same.

Chairman Kazmerzak called for discussion. There was none.

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

#### EMERGENCY MANAGEMENT

Steffensen, Auditor informed the Board on Bau's behalf that the previously scheduled ALICE (Alert, Lockdown, Inform, Counter, Evacuate) training is cancelled until another date can be scheduled with the trainer.

Steffensen requested on behalf of Bau approval to purchase a laptop for credentialing purposes at a cost of \$1799.99.

Motion by Lee and seconded by Lundquist to approve the purchase of a laptop for credentialing purposes at a cost of \$1799.99 for Emergency Management. All present voting aye. Motion carried.

#### AUDITOR

Echo Steffensen, Auditor, requested travel approval for herself, Michelle Longville, Treasurer and Caryn Hojer, Register of Deeds to travel to Pierre May 16-18, 2023 for Spring Workshop.

Motion by Walls and seconded by Spilde to approve the travel request for the Auditor, Treasurer and Register of Deeds to Pierre May 16-18<sup>th</sup>, 2023 for Spring Workshop. All present voting aye. Motion carried.



Steffensen presented the Assignment of Payment form and Amendment to Application form for the Riverview LLP Reinvestment Payment Program application.

Motion by Lee and seconded by Lundquist to authorize Chairman Kazmerzak to sign said forms. All present voting aye. Motion carried.

Steffensen informed the Board the LACTF- Local Assistance and Tribal Consistency Fund dollars that were received in 2022 and the amount yet to be received in 2023 needed to be designated to a specific expenditure. The funds can be used for any regular general government service.

Lee asked about the possibility of using the dollars to help fund the Trails Project. Steffensen will investigate if a donation is allowed.

Discussion was tabled until a later date.

The Board adjourned to Tuesday, April 11, 2023, at 8:30 A.M.

SIGNED \_\_\_\_\_  
Doug Kazmerzak, Chairman

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

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