

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota

May 21, 2019

The Kingsbury County Board of County Commissioners met Tuesday, May 21, 2019, at 8:30 AM in the Courtroom room in the Courthouse with Commissioners Shelley Nelson, Roger Walls, Joe Jensen, Steve Spilde, and Delmer Wolkow present. Chairman Nelson presided.

APPROVE AGENDA

Jennifer Barnard, Auditor, stated that she had been informed Paula Hulscher, with First District, would not be attending the meeting. Barnard also stated the addition of Travis Sichmeller, with Mettler Sichmeller, for an update on the HVAC system, along with the addition of some information mail items.

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

MINUTES

Jensen moved and Wolkow seconded to approve the minutes of May 7, 2019. All present voting aye, motion carried.

PUBLIC COMMENT

Chairman Nelson asked for public comment. There was none.

APPROVE CLAIMS

Wolkow moved and Walls 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

AVERA OCCUPATIONAL MEDICINE-MI 68.55 PROFESSIONAL SERVICES, CENTURYLINK 510.43 UTILITIES, KINGSBURY ELECTRIC COOP 441.20 UTILITIES, KINGSBURY COUNTY TREASURER 876.11 ADVANCE TAX, BYRON NOGELMEIER 305.00 CAM 4/2019, NORTHWESTERN 178.57 UTILITIES, OTTERTAIL POWER COMPANY 126.27 UTILITIES, SD Dept of Rev 150.00 Uniform Bev. Lic. Renewal, SD DEPT OF REVENUE 111165.59 4/2019 STATE REMITTANCE, SDACO 200.00 MP & R REMITTANCE 4/2019, SIOUX FALLS TWO WAY RADIO 375.00 REPAIRS/MAINTENANCE, JESSICA VIRCHOW 400.00 PAYROLL ADVANCE, WHITEWOOD TOWNSHIP TREASURER 9271.88 APRIL 2019 APPORTIONMENT, WILLOW LAKE IND DIST. 12-3 5400.20 APRIL 2019 APPORTIONMENT,

TREASURER

Elaine Blachford, Treasurer, met with the Board to request the office be closed the afternoon of June 17, 2019, and the staff attend Motor vehicle training in Watertown. The state is changing the computer system.

Spilde moved and Jensen seconded for the office to be closed the afternoon of June 17th and the staff attend the training. All present voting aye, motion carried.

Blachford also informed the Board the computers at the counter may need to be updated if they are not compatible with Windows 10. The new software has a possible effective date of January 2020.

AUDITOR

Barnard presented the following items to the Board:

Barnard received a E911 Contract renewal from the City of Huron Police Department for the 2020 fiscal year. This has a percentage increase from 80-85% fee of the State distribution. Huron takes Kingsbury County's 911 calls for dispatch.

It was the consensus of the Board for Cindy Bau, 911 Coordinator, to review the contract.

Barnard was asked to present an abatement to the Board totaling \$721.20 for taxes payable in 2019. This is pending approval from the City of Arlington with the next meeting on June 3, 2019.

Barnard requested the approval of a Uniform Alcoholic Beverage Renewal for Jerry's Country Estate. Barnard informed the Board the application was complete; the property taxes had been paid and the fee had been collected.

Wolkow moved and Walls seconded for the license to be renewed. All present voting aye, motion carried.

Barnard informed the Board a Notice of Disinterment Permit had been received. Two individuals had requested to move a family member from West Bethany Cemetery to the Black Hills National Cemetery.

A notice had been received regarding a \$500.00 onetime hook up fee to Kingbrook Rural Water Systems for property owners in the City of Oldham. The Highway department had been notified and no hook up is needed.

A review of the county property had been done and the report from Safety Benefits was received. A copy of the recommendations had been made and given to the appropriate people.

Barnard informed the Board a Plan Update packet had been received from Nationwide for a Deferred Compensation Plan 457(b). A call had been placed to Nationwide and the information received was that no contribution had been made since 2009.

It was the consensus of the Board to see if any current employees would like to open an account.

Chairman Nelson informed the Board a CPR certification training date had been set for June 12 at 10:00 A.M thru noon and 1:00 P.M. thru 3:00 P.M.

HIGHWAY

Dave Sorenson met with the Board to discuss highway matters.

Sorenson informed the Board 441st Ave from Hwy 14 going north on the west side of Lake Preston had been bladed several times due to debris washing up from the lake. Around 14 loads of red rock were brought in to protect the road at an estimate of \$6000.00. An additional \$3,000.00 of red rock will be used at "4 Corners", Hwy 81 and 214th St.

Sorenson stated three culverts had been replaced on the Willow Lake road, and trouble spots are being fixed by highest priority.

Once roads dry out enough the soft spots will have gravel applied.

BOARD OF ADJUSTMENT

Spilde moved and Wolkow seconded to adjourn from regular session and move into Board of Adjustment for Michael Tordoff and Kent Spilde Variance Applications at 9:33 A.M. All present voting aye, motion carried.

Chairman Nelson declared the Board out at 9:47 A.M.

AUDITOR

Barnard went over the Budget timeline with the Board to include scheduling an additional meeting on September 3, 2019 for the Budget meeting.

OPEN DISCUSSION

The Board discussed protocol of the afternoon portion of the meeting.

REPRESENTATIVES

Bob Glanzer and Roger Chase, District 22 State Representatives met with the Board to discuss flooding in Kingsbury County and the region. Others

in attendance include State's Attorney Gregg Gass, Jim Knight, Cindy Bau - Emergency Management/911 Coordinator, David Sorenson - Highway Superintendent, Greg Duffy, Darin Gullickson, Rodney Anderson, Greg Noem, Tom Cummins, and Brian Lowe.

Knight commented that assistance is available, but all the various sources are not.

There was also a question as to the outlet of Lake Thompson.

Rep. Chase informed those present that damage reports are ongoing and still coming into the State office. FEMA is reviewing those reports. Kingsbury County has a Pre-disaster Mitigation Plan in place, which is a good thing.

As to the lake outlet, the conditions are not just affecting Kingsbury County, but Minor, Lake and all of the counties to the south as well as a majority of the state. We can't just open the outlet without possible litigation from other counties.

Bau discussed mitigation options to be discussed further with Townships and other entities. Can take up to 3 years and are taken on a higher need basis. Currently the idea of a land swap is being approached to change the location of a road in the county, but nothing has been agreed to.

The Board was informed the west side of 212th St is currently impassible.

Lowe had received an estimate from Sjolie Construction to raise Twin Lakes Road two feet with the necessary materials would be between \$66,000.00 and \$67,000.00.

The effect to those companies other than farmers was mentioned to include the various elevators, seed companies, fertilizer companies, spraying companies and construction to name a few.

The outlet level for Lake Thompson was set at 1687.5 in 2013 with the lake currently estimated level at 1693. With the outlet in Minor County, various means of blockage would need to be looked into, including the raising of roads and the possible need for a clean out.

KARR TUCKPOINTING

Brad Wilkin, with Karr Tuckpointing, presented a final proposal to the Board for signature.

It was also recommended to omit the waterproofing. It would not be necessary with the other work being completed and would save \$6,898.00. If

it is found to be necessary in spots down the road, it can be applied later as needed.

This project is to be done in 2020 as weather permits and will take a couple of weeks.

Spilde moved and Wolkow seconded to omit the water sealant. All present voting aye, motion carried.

Board adjourned for lunch from 11:50 A.M. until 12:55 P.M.

LAKE ASSOCIATION

Residents of the Lake Association gathered to meet with the Board to discuss access options due to the flooding at Lake Thompson and Lake Henry. Those in attendance include Mike Andrews, Judy Kendall, Greg Kendall, Linda Korn, Jan and Lloyd Pukis, Laura Weatherly, Attorney N. Bob Persall, Clint Martens, Mark Havard, Pat Lambert, Darwin Sandve, Tom Cummins, Holly Anderson, Brian Lowe, Patty Halverson, Tom Halverson, Steve Kor, Ben Trenne, Barry Williams, David Casper, Darin Gullickson, Rodney Anderson, Tanya Flegel, Tami Morre, Jim Finnegan, Jim Hanson, and Ryan Sauter. State's Attorney Gregg Gass, and Emergency Management Coordinator Cindy Bau joined the Board.

Bau provided information on the damage report submitted to the State and that Gov. Noem will review the information and possibly request a Presidential Declaration. Bau also provided some information on Mitigation funds requests taking 2 - 4 years and are awarded on a cost-effective basis.

Barnard reviewed the property value - tax distribution spreadsheet that was available and informed those present assessment specific questions could not be answered, and to address them to the Director of Equalization, Tammy Anderson.

The value of property was mentioned, with the increase of 19% at the lake area. Gass stated if anyone disputed the value assessment on their property, they would need to go through the appeal process through the Director of Equalization office.

Road conditions were discussed. Road repair will take time and cannot happen while roads are saturated and/or under water.

Gass informed those present of the Easement and Assessment process. If the parties can not come to an agreement, the county would establish an easement, assess the damages to the property the easement is on, and the property owners requesting the easement would pay those damages.

Lowe stated he disagreed with the road condition being a township issue. The County should be partially responsible. This has been an eight-year issue with continued expansion and a new campground.

Lowe had informed those present he had received quotes for repairs on various roads with the needed materials. 212th St. estimated at \$134,694.00; Goose Neck Rd. grade rise estimated at \$121,592.00; Twin Lakes Rd. was estimated at just over \$66,000.00. Those estimates were not left with the Board.

The flow of the Lake Thompson outlet was discussed. With the outlet location in Minor County, Kingsbury County has no authority. The lake level is estimated to be six feet over the outlet level set in 2013. There is also the possibility of legal action from counties to the south if the flow is increased.

Emergency access to the lake area residents was discussed. Currently police vehicles and ambulance can get to most locations. Twin Lakes Rd is partially flooded when coming from the east side. Fire trucks are not able to reach residents homes.

Gass wrapped up the discussion by touching on all points of discussion; flooding issues, outlet cleanout, water board involvement and road repair all cost money and that money needs to come from somewhere.

The Board will be meeting at Northshore Lodge on Thursday at 9:00 A.M. to look at the requested easement location and current conditions. Gass requested that representatives be present. It was also requested to look at alternative access locations.

A letter was handed to Chairman Nelson after this portion of the meeting had closed. The letter was from Arthur Maurello, a resident of the lake area, and was read by each Board member.

HVAC SYSTEM

Travis Sichmeller, with Mettler Sichmeller Engineering; Jason Roehrich, with Active Heating; and Michael Heeney, with O'Conner Company, met with the Board to discuss the new HVAC system.

Sichmeller informed the Board the fluid cooler rupture this spring was not a warrantied break due to water freezing in the line. Replacing only the coils is not an option as the manufacturer switched supply companies. There could be a voltage issue, also.

The estimate to replace the fluid cooler was presented to the Board at \$48,106.00. Lonny Palmlund, Maintenance, expressed his frustration at this

being a county expense with the system being less than a year old, not working fully to date, and the draining instructions being followed.

Roehrich stated a possible fix would be to reweld the "U-bends" in the cooler. IF that is the issue and the welds hold there would be no need to purchase the new unit. If the leak is in the internal "fins" the unit would need to be replaced.

Heeney stated the new unit would take 5-6 weeks to arrive once ordered.

The noise level when the system is in cooling mode was discussed along with various other technical issues. The manufacturers of this system will be on site to investigate and observe the situation, with the date to be determined.

PLANNING AND ZONING

Spilde moved and Wolkow seconded to adjourn from regular session and move into Planning and Zoning to review the Plats of Bornitz First Addition and Sand Beach North 2nd Addition at 4:20 P.M. All present voting aye, motion carried.

Chairman Nelson declared the Board out at 4:30 P.M.

Wolkow moved and Spilde seconded to accept the recommendation from the Planning and Zoning Board and approve the Plat of Lot 1 Bornitz First Addition. All present voting aye, motion carried.

Walls moved and Jensen seconded to accept the recommendation from the Planning and Zoning Board and approve the Plat of Lot 7 Sandy Beach North 2nd Addition. All present voting aye, motion carried.

ABATEMENT

Barnard placed a call to Tammy Anderson, Director of Equalization, for the details of the abatement request.

Anderson informed the Board this property was sold to a tax-exempt entity, and requested the taxes be abated pending the Arlington City Council meeting on June 3, 2019. The abatement amount is \$721.20.

Spilde moved and Jensen seconded to approve the abatement pending the decision of the Arlington City Council. All present voting aye, motion carried.

The Board adjourned to Thursday, May 23, 2019 at 9:00 AM.

SIGNED _____
Shelley Nelson, Chairman

ATTEST _____
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of _____.