

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota

June 18, 2019

The Kingsbury County Board of County Commissioners met Tuesday, June 18, 2019, at 8:30 A.M. in the Courtroom room in the Courthouse with Commissioners Shelley Nelson, Roger Walls, Joe Jensen, Steve Spilde, and Delmer Wolkow present. Chairman Nelson presided.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

APPROVE AGENDA

Jennifer Barnard, Auditor, stated a debt modification agreement would need to be added to the agenda.

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

MINUTES

Jensen moved and Spilde seconded to approve the minutes of June 7, 2019 with the correction of various typos. All present voting aye, motion carried.

PUBLIC COMMENT

Chairman Nelson asked for public comment.

Michael Siefker, with the De Smet News and Lake Preston Times, informed the Board that he tries to be objective in his writing and requested that if anything is misrepresented to let him know.

A copy of a letter from Arthur Maurello was made available for anyone to read. This was originally presented to the Board after the Lake Area meeting on May 21, 2019.

HIGHWAY

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

Sorenson informed the Board the crew was working on culvert replacements on the Manchester Road going north to Bancroft.

Sorenson informed the Board funds are being distributed in accordance with the Apportionment of Highway Infrastructure Program Funds pursuant to the Department of Transportation Appropriations Act 2019.

South Dakota will be receiving \$20,786,208.00 for the "replacement or rehabilitation of bridges listed in poor condition". Of that amount, Kingsbury County will be receiving \$69,113.30 based on the number of and size of the bridges listed in Kingsbury County listed in poor condition.

Sorenson stated the county has three years to use the funds but only one month to accept them. Sorenson requested Chairman Nelson sign the State of South Dakota Department of Transportation Funding Agreement for the \$69,113.30 to be received by the county.

Spilde moved and Jensen seconded for Chairman Nelson to sign the agreement. All present voting aye, motion carried

Sorenson verified this was separate from FEMA or ER funds and not related to bridges that may have been damaged by the flood waters.

Sorenson informed the Board the new crew members had been hired and are Anthony Halverson and Tim Haug. Kenny Sprang has agreed to return and train Haug. Derek Anderson will become shop foreman when George Norgaard retires on June 25, 2019.

Sorenson stated he had driven Whitewood Road and the water is off the road. Debris had been removed and the road will remain closed until the bridge can be looked at. The water is still high enough for wave action to place more debris on the road and there is some erosion.

Paving is scheduled to start next week and mowing is in progress.

Sorenson informed the Board a new approach had been placed by a resident using a plastic culvert and no application had been filed. There is no issue with the location of the approach, however the ordinance currently mandates corrugated steel culverts be used in the county. Sorenson requested a review of the ordinance and a possible change to include the use of a double walled plastic culvert.

Sorenson went over the 2020 budget request with the Board.

FIRST DISTRICT

Paula Hulscher and Shelby Cramer met with the Board to discuss the status of the Revolving Loan Fund managed by First District for the county.

Since its inception there have been three loans taken and repaid to the fund. The fund is available for economic development within the county.

VETERANS SERVICE OFFICE

Gary Schumacher, County VSO, met with the Board to discuss the 2020 budget request.

Schumacher requested the Board consider supporting the Purple Heart Declaration Proclamation.

It was the consensus of the Board to support the Purple Heart Declaration Proclamation.

MAINTENANCE

Lonny Palmlund, Maintenance, met with the Board to discuss various projects at the courthouse.

Palmlund informed the Board a new estimate had been received for the rekeying of the internal doors in the courthouse for \$2,484.00. The previous estimate was one year old and included fewer doors and did not include a crash bar to the staircase in the East annex.

Palmlund stated the crash bar would add an additional level of security to the building as well as make it necessary for individuals to enter through the lobby to access the second and third floors to do business.

It was the consensus of the Board to move forward with the rekeying with the addition of the crash bar in the East annex.

The courthouse lawn was discussed, and it was the consensus of the Board for Palmlund to get quotes to have the property sprayed for weed control this fall.

Palmlund went over the 2020 budget request with the Board.

APPROVE CLAIMS

Wolkow moved and Jensen 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

CENTURYLINK 228.62 UTILITIES, CENTURYLINK 1465.10 UTILITIES, INFOTECH SOLUTIONS 1899.49 PROFESSIONAL SERVICES, KINGBROOK RURAL WATER 41.20 UTILITIES, KINGSBURY ELECTRIC COOP 452.60 UTILITIES, NORTHWESTERN 103.08 UTILITIES, NORTHWESTERN 199.49 UTILITIES, OTTERTAIL POWER COMPANY 113.57 UTILITIES, OTTERTAIL POWER COMPANY 1104.37 UTILITIES, SDN COMMUNICATIONS 908.00 UTILITIES, U.S. POSTAL SERVICE 426.00 BOX RENTS, USPS 370.00 POSTAGE,

HVAC SYSTEM

Travis Sichmeller, with Mettler Sichmeller Engineering, met with the Board to discuss the status of the new HVAC system. Also present were Palmlund and State's Attorney Gregg Gass.

Sichmeller indicated the fresh air intake was having some voltage issues and adjustments have been made. Voltage is being monitored both inside with recorders and outside the building by Ottertail.

There was some discussion regarding the number of units wired into the same breaker and not being able to run in cooling mode. Quotes have been received for the units to be rewired.

Gass recommended to move into Executive Session for possible litigation.

Spilde moved and Wolkow seconded to adjourn from regular session and move into Executive Session for possible litigation at 11:12 A.M. All present voting aye, motion carried.

Spilde moved and Jensen seconded to move back into regular session. Chairman Nelson declared the Board out at 11:37 A.M.

SOUTH DAKOTA ASSOCIATION OF COUNTY OFFICIALS

Kris Jacobson, Deputy Director of SDACO, met with the Board for Jacobson to present Makayla DeDeyne, daughter of Kathy DeDeyne, Extension Office Manager, with a \$1,000.00 college scholarship. DeDeyne is the second recipient of this scholarship in Kingsbury County.

Jacobson then informed the Board the Fall Convention dates are September 16 - 17, 2019, and will be in Pierre. Jacobson also discussed other projects that are in the works for the association.

DIRECTOR OF EQUALIZATION

Tammy Anderson, Director of Equalization, met with the Board to review the 2020 budget request for the office.

Anderson informed the Board the office is out of compliance with the state regulations based on the number of parcels in the county and requested an additional part time employee to be hired.

It was the consensus of the Board for salary and additional budget costs to be gathered by Anderson and Barnard.

Anderson informed the Board she will be out of the office for vacation June 21 - 28 and part of the first week of July.

Anderson presented information to the Board showing there is an issue with North Shore Rd being indicated as passing through North Shore Campground on some maps when it does not. The issue is being investigated.

Anderson stated there is a district meeting on July 17, 2019, and requested both she and Maggie Purinton, Deputy Director of Equalization, have authorization to attend.

Walls moved and Spilde seconded for the both Anderson and Purinton to attend. After some discussion all present voted aye, motion carried.

Board adjourned for lunch from 11:55 A.M. until 1:00 P.M.

LAKE ASSOCIATION

Clint Martens, Pat Lambert, and Jim Knight from the Lake Area Association; Michael Siefker with the De Smet News and Lake Preston Times, and Bob Pesall met with the Board to discuss the status of the requested easement for access of residents to their property. Also present were Cindy Bau, Emergency Manager, and State's Attorney Gass.

Gass stated what was currently being permitted on the North Shore property including foot traffic and light trucks for a move out.

Bau informed those present of a meeting on July 11, 2019, for Township Board members. At that time, they can request 406 mitigation funds to raise or move roads under a 75/25 coverage.

Bau made flood reports available for damages on primary residents to be reported. Of the reports received there were two companies that qualified for submission. The property covered in the recovery does not include vacation homes or land.

Gass discussed the responsibility of road repair between county and township. Statute states townships are responsible for township roads and counties are responsible for county roads. The roads in question are township roads.

One disgruntled resident left the meeting and another stated the county has never done anything to help the lake residents since 1997.

Nelson went over various items that had been accomplished and attempted to assist the lake area. The attempt to establish a new watershed district, with all effected counties and towns in agreement was denied at the state level.

Several residents in the lake area have placed markers at the new high-water mark.

The Board adjourned from the courtroom and reconvened in the Commissioner meeting room.

BUDGET

Caryn Hoyer, Register of Deeds, met with the Board to review the 2020 budget requests for the office.

Mary Claire Bauer, Extension, met with the Board to review the 2020 budget request for the office and 4-H with the Board. Bauer also requested overtime authorization during Achievement Days and the State Fair. Bauer also presented the quarterly report for the Board to review.

It was the consensus of the Board to approve overtime for the Extension staff during Achievement Days and the State Fair.

Cindy Bau, Emergency Management/911 Coordinator, met with the Board to review the 2020 budget requests for the office.

Tayna Flegel, Weed Board, and Bill Wilkinson, Conservation Board, met with the Board to review the 2020 budget request for both divisions. Flegel and Wilkinson also discussed various grants being applied for and programs being looked at.

Jennifer Barnard, Auditor, met with the Board to review the 2020 budget requests for the office and went through the various funds budgeted by the Commission.

TREASURER

Elaine Blachford, Treasurer, met with the Board to discuss one property in Iroquois that is eligible for tax deed for back taxes due. There is a total due with interest of \$1,935.78 from taxes still due from 2014 due in 2015 and 2015 due in 2016. The owner has expressed the desire to pay the back taxes and retain the property.

It was the consensus of the Board to set a timeframe for the owner to agree to a plan of payment.

AUDITOR

Barnard presented the following items to the Board:

Barnard stated there was still an issue with duplicate payments on bills from various offices. Barnard requested authorization to initiate the requirement for those offices to attach invoices to statements prior to the bill being paid by the county. This would ensure the accurate payment of bills sent by outside companies.

It was the consensus of the Board to initiate the requested practice.

Barnard informed the Board the topic of timesheets and the accurate tracking of county benefits between departments and the county was discussed during the ongoing audit of the county records. There is an unfunded liability for the county in not being able to verify information due to certain departments not submitting the information to the County Auditor. For example, when an employee resigns or retires, the county will have no way to verify any pay of accrued vacation time. The necessity of Appointed Officials to track vacation time was also discussed.

It was the consensus of the Board to request that timesheets from all offices paid by the County be submitted to the Auditor's office to eliminate the unfunded liability issue.

It was also the consensus of the Board that the Appointed Officials are not required to track vacation time usage and should not be accruing vacation or sick time.

Barnard informed the Board a letter had been received from Credit Collections Bureau regarding an individual who had stopped paying on their debt incurred to the county. CCB was requesting authorization to take legal action or to return the case to the county.

It was the consensus of the Board to have the case returned to the county and to attempt for the payments to resume directly.

Barnard requested authorization to travel to Sioux Falls for the annual health care renewal meeting the afternoon of July 18, 2019.

Jensen moved and Wolkow seconded to approve travel expenses for Barnard to travel to Sioux Falls on July 18, 2019. All present voting aye, motion carried.

Barnard requested authorization for herself and Echo Steffensen, Deputy Auditor, to attend a Payroll Law seminar in Sioux Falls on July 17, 2019. This would require the office to be closed for the day.

Jensen moved and Spilde seconded to approve travel expenses for Barnard and Steffensen to travel to Sioux Falls on July 17, 2019. All present voting aye, motion carried.

Barnard requested authorization to sign a Debt Modification Agreement on the bond for the Bid Ditch #4 maintenance project. This was modified to reflect those who chose to pay their assessment in full prior to the end of the 10 years.

Wolkow moved and Spilde seconded for Barnard to sign the Debt Modification Agreement. All present voting aye, motion carried.

Barnard informed the Board Governor Noem had declared administrative leave for July 5, 2019.

Barnard informed the Board a request had been made to replace a \$400.00 check for an employee, and the proper documentation had been filed. The check had been replaced.

Barnard went through additional information that had been provided in their paperwork to include the Bid Booklet from Legislative Audit; Procedures for Due Process should a resolution need to be filed with the South Dakota Association of County Commissioners; a printout of SDCL 31-13-1 Township road systems, and the information on SB1 from 2015 initiating the ability to establish a road levy on property taxes which some townships are taking advantage of.

BOARD OF ADJUSTMENT

Jensen moved and Walls seconded to adjourn from regular session and move into Board of Adjustment to review the minutes from June 4, 2019, at 4:31 P.M. All present voting aye, motion carried.

Chairman Nelson declared the Board out at 4:32 P.M.

PLANNING AND ZONING

Wolkow moved and Spilde seconded to adjourn from regular session and move into Planning and Zoning to review the minutes from June 4, 2019 at 4:32 P.M. All present voting aye, motion carried.

Chairman Nelson declared the Board out at 4:34 P.M.

OPEN DISCUSSION

Due to scheduling conflicts the July Commissioners meetings were moved from July 2nd and 16th to July 9th and 23rd for this year.

The Board adjourned to Tuesday, July 9, 2019 at 8:30 A.M.

SIGNED _____
Shelley Nelson, Chairman

ATTEST _____
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of _____.