

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota
June 9, 2022

The Kingsbury County Board of County Commissioners met Thursday, June 9, 2022, 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.

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

PLEDGE OF ALLEGIANCE

Those present stood and recited the Pledge of Allegiance.

APPROVE AGENDA

Echo Steffensen, Auditor, informed the Board of Rita Anderson's request to be added to the agenda to discuss the status of the Hwy 14 Trails Project.

Motion by Spilde and seconded by Lee to approve the agenda with the addition of Rita Anderson at 12:00 P.M. All present voting aye. Motion carried.

MINUTES

Motion by Walls and seconded by Lundquist to approve the minutes of May 17, 2022, with one spelling correction. All present voting aye. Motion carried.

Motion by Lundquist and seconded by Lee to approve the minutes of May 27, 2022. All present voting aye. Motion carried.

PUBLIC COMMENT

Chairman Kazmerzak asked for public comment.

Shawn Geyer addressed the Board concerning the Medical Cannabis Zoning Ordinance inquiring if any consideration would be given to a possible amendment to the ordinance concerning location requirements.

It was the consensus of the Board that further discussion would be scheduled after receipt of maps that had been requested from 1st District which would display any effects on amending the ordinance.

CONFLICT OF INTEREST

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

ELECTION CANVAS

Steffensen presented the Board with the Primary Election Results. Steffensen read the results of each race and the number of votes cast for each candidate for comparison.

All numbers were found to be accurate for each precinct.

The Certificate for the State of South Dakota was signed by all members of the Board of Canvassers in Kingsbury County.

HIGHWAY

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

Sorenson presented a Road Haul Agreement for CR13, CR1A, and CR14 with the State of South Dakota for the Chairman's signature.

Motion by Lee and seconded by Spilde for Chairman Kazmerzak to sign the Road Haul Agreement with the State of SD for CR13, CR1A, and CR14. All present voting aye. Motion carried.

Sorenson requested to meet with the Board in executive session for personnel.

Motion by Walls and seconded by Lundquist to adjourn from regular session and move into Executive Session for personnel at 9:00 A.M. All present voting aye. Motion carried.

Motion by Spilde and seconded by Lee to adjourn from Executive Session. Chairman Kazmerzak declared the Board out at 9:04 A.M.

MAINTENANCE

Lonny Palmlund, Maintenance, updated the Board on maintenance matters.

Palmlund resubmitted the quote for replacing the carpet on the stairs and the first and second floor lobbies and replacing the tile in the entries, stairs and the east annex. Total cost of \$13,235.00.

Motion by Spilde and seconded by Lee to move forward with the replacement of the carpet and tile as quoted. All present voting aye. Motion carried.

OFFICE REPORTS

The Register of Deeds, Sheriff's and Director of Equalization's Reports of Fees Collected during the month of May 2022 were reviewed by the Board. Motion by Walls and seconded by Lundquist that the Auditor's report with the Treasurer as of the close of business May 31, 2022 be accepted as follows. All present voting aye. Motion carried.

Cash on Hand	\$ 1,560.30
Checks in Treas. Possession less than 3 days	38,194.03
Credit Card	992.63
ISF Check	35.30
Cash Short	0.25
Demand Deposits	214,833.34
Savings Account	4,951,800.22
Revolving Loan Fund	295,708.37
Big Ditch MM	373,824.76
American Rescue Plan MM	479,796.28
Time Deposits	1,657,523.80
TOTAL	8,014,269.28

BREAKDOWN OF MONEY BY FUNDS

County General Fund	2,844,111.06
Special Revenue Funds (Road & Bridge, E911 Fund Dare, Revolving Loan, Emergency Management, Domestic Abuse Funds 24/7 & M&P Fund American Rescue, Rural Infrastructure)	4,014,716.04
Drainage Ditch #4	165,746.79
Drainage Ditch Debt Service Cash	32,570.41
Amount held for School Dist.	527,400.69
Amount held for Townships	68,587.85
Amount held for Cities	53,303.69
Amount held for East Dakota Water Dist.	2,172.06
State Remittance	164,685.12
Amount held for others	140,975.57
TOTAL	8,014,269.28

AUDITOR

Steffensen presented the Board with a donation from Sharon Peterson and Lavonne Williams with the Veteran's Statue Campaign in the amount of \$567.90. The Board discussed setting up a Veteran's Memorial Fund with the donation and to allow for other donations. Donations would be restricted to be used for the Veteran's Memorial upkeep.

Motion by Lundquist and seconded by Lee for the Auditor to create a restricted fund for the Veteran's Memorial and transfer the donation. All present voting aye. Motion carried.

SPECIAL LIQUOR LICENSE

A hearing was held for the Special Liquor License application from De Smet Fire Department for June 11, 2022, from 4:30 P.M. to 7:00 P.M. at the W30 Acres in the S1/2 of the SE1/4 of Section 34, Township 111, Range 56, Kingsbury County. The application fee of \$20.00 had been received. No opposition was present.

Motion by Spilde and seconded by Walls to approve the Special Liquor License application from De Smet Fire Department for June 11, 2022, from 4:30 P.M. to 7:00 P.M. at the W30 Acres in the S1/2 of the SE1/4 of Section 34, Township 111, Range 56, Kingsbury County. All present voting aye. Motion carried.

SURPLUS PROPERTY

Gary Schumacher, State's Attorney, met with the Board to discuss the procedure for selling county owned real property. The Board would need to declare the property surplus, a market value would need to be determined and a date for the sale would need to be published.

Tammy Anderson, Director of Equalization, joined the meeting to inform the Board that both herself and Maggie Purinton were certified appraisers and could provide the market value for the property.

Motion by Lee and seconded by Spilde to surplus the county owned real property described as Lots 1-3, Block 2, Prairie View Heights Addition in the NE1/4 of Section 32, Township 111, Range 56. All present voting aye. Motion carried.

Motion by Walls and seconded by Lundquist for the Director of Equalization to provide the market value for the county owned real property described as Lots 1-3, Block 2, Prairie View Heights Addition in the NE1/4 of Section 32, Township 111, Range 56. All present voting aye. Motion carried.

SUPPLEMENTAL BUDGET

Steffensen informed the Board that additional budget authority in the 2022 budget for the County Road 1 project needed to be established and the need to transfer the funds out of the capital outlay account for said project.

Steffensen read the following resolution:

SUPPLMENTAL BUDGET

RESOLUTION 22-7

WHEREAS, THERE WAS A NEED TO PROVIDE ADDITIONAL BUDGET AUTHORITY IN THE 2022 BUDGET. THE FOLLOWING ITEM WILL BE ESTABLISHED AS AN ADDITIONAL 2022 BUDGET AUTHORITY.

201 311 426.15 HWY SUPPLIES SPECIAL PROJECTS \$2,643,817.64

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF KINGSBURY COUNTY COMMISSIONERS DO HEREBY PROPOSE, MAKE AND MOVE FOR ADOPTION OF A SUPPLEMENTAL BUDGET IN THE ITEM SET FORTH ABOVE, AND

BE IT RESOLVED THAT DUE NOTICE THEREOF BE GIVEN BY THE POSTING OF A COPY OF THIS RESOLUTION AND THAT A HEARING ON SAID REOLUTION SHALL BE HAD AND HELD IN THE COMMISSIONERS ROOM AT THE KINGSBURY COUNTY COURT HOUSE, DE SMET, KINGSBURY COUNTY, SOUTH DAKOTA ON JUNE 9, 2022 AT 10:45 A.M.

Motion by Spilde and seconded by Lee to accept and adopt Resolution 2022-7 and for Chairman Kazmerzak Walls to sign the same. All present voting via roll call. Kazmerzak - aye, Lee - aye, Walls - aye, Lundquist - aye and Spilde - aye. Motion carried.

Steffensen requested the permission to transfer the balance of the CO Accumulation- Road & Bridge Assigned Funds 201-276.02 to Restricted Road Purposes 201-274.03.

Motion by Lundquist and seconded by Lee to transfer the balance of the CO Accumulation- Road & Bridge Assigned Funds 201-276.02 to Restricted Road Purposes 201-274.03. All present voting aye. Motion carried

4H

Kathy DeDyne, 4-H Program Assistant, joined the meeting to provide an update on the status of the 4-H Program Advisor. Angie Goebel also joined via Zoom.

DeDyne informed the board that there are no applicants for the position and SDSU Extension will not reopen the position again until August. DeDyne has been running the program since February, when the previous advisor resigned. DeDyne requested to be compensated for the extra time and work she has and will be performing with Achievement Days on the horizon. Goebel reinforced the need to compensate DeDyne.

After much discussion the matter was tabled so other agenda items could be addressed.

PLANNING AND ZONING

Motion by Spilde and seconded Lee to adjourn from regular session and move into Planning and Zoning at 12:05 P.M. to review plats. All present voting aye. Motion Carried.

Chairman Kazmerzak declared the Board out of Planning and Zoning at 12:11 P.M.

Steffensen read the following resolutions:

RESOLUTION # 2022-8

WHEREAS The Kingsbury County Planning & Zoning Board met to review the Plat of Tract 1 of Kingston Addition lying in the E1/2 of Section 7, Township 110 North, Range 57 West of the 5th P.M., Kingsbury County, South Dakota on June 9, 2022; 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 Tract 1 of Kingston Addition lying in the E1/2 of Section 7, Township 110 North, Range 57 West of the 5th P.M., Kingsbury County, South Dakota

Motion by Walls and seconded by Lundquist to accept and adopt Resolution 2022-8 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.

RESOLUTION # 2022-9

WHEREAS The Kingsbury County Planning & Zoning Board met to review the Plat of Lot 1 of Poverty Flats Addition in the SE1/4 of Section 3, Township 110 North, Range 55 West of the 5th P.M., Kingsbury County, South Dakota on June 9, 2022; 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 Lot 1 of Poverty Flats Addition in the SE1/4 of Section 3, Township 110 North, Range 55 West of the 5th P.M., Kingsbury County, South Dakota

Motion by Spilde and seconded by Lee to accept and adopt Resolution 2022-9 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.

RESOLUTION # 2022-10

WHEREAS, The Kingsbury County Planning & Zoning Board met to review the Plat of Lot 1 of Donna's Addition in the SE1/4 of Section 8, Township 111 North, Range 56 West of the 5th P.M., Kingsbury County, South Dakota on June 9, 2022; 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 Lot 1 of Donna's Addition in the SE1/4 of Section 8, Township 111 North, Range 56 West of the 5th P.M., Kingsbury County, South Dakota

Motion by Lee and seconded by Spilde to accept and adopt Resolution 2022-10 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.

BOARD OF ADJUSTMENT

Motion by Spilde and seconded by Lee to adjourn from regular session and move into Board of Adjustment 12:15 P.M. All present voting aye. Motion Carried.

Chairman Kazmerzak declared the Board out of Board of Adjustment at 12:30 P.M.

HWY 14 TRAILS COMMITTEE

Rita Anderson with the Hwy 14 Trails Committee updated the board on the Hwy 14 Trails Project. Anderson invited the Board to a cook-out that is planned for June 23rd. Anderson asked all the Board members to provide the names of 2 people from their communities that would be interested in attending a countywide meeting concerning a proposal for a countywide trails' corridor.

APPROVE CLAIMS

The Board reviewed the vouchers submitted by the Auditor

Motion by Lundquist and seconded by Walls 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.

AMERICAN BANK & TRUST 30390.00 BIG DITCH PRIN & INT PMT, TAMMY ANDERSON
296.00 TRAVEL, APPEARA 108.51 SUPPLIES, AT&T 112.27 UTILITIES, BADGER OIL
COMPANY 3344.84 SUPPLIES/FUEL, CINDY BAU 60.00 UTILITIES, BEADLE COUNTY
SHERIFF 12840.00 PRISONER CARE - BEADLE CTY, PAULA BERGAN 312.00 ELECTION
COST, MARLA BERTSCH 217.56 ELECTION COSTS, JEFF BURNS 1476.50 COURT APPT
ATTORNEY FEES, BUTLER MACHINERY COMPANY 3306.09
REPAIRS/MAINTENANCE/SUPPLIES, CIVIL DESIGN INC 5925.00 BRIDGE INSPECTIONS,
CENTURY BUSINESS PRODUCTS 95.97 PROF SERVICES, CENTURYLINK 84.62
UTILITIES, CENTURYLINK 177.19 UTILITIES, CENTURYLINK 139.42 UTILITIES,
CITY OF DESMET 167.10 REPAIRS, JENNIFER CLELLEND 202.50 ELECTION COST,
CLUBHOUSE HOTEL & SUITES-PIERR 1301.52 TRAVEL, CODINGTON COUNTY SHERIFF
95.00 PRISONER CARE, KRISTI CURD 226.74 ELECTION COSTS, SMITH'S LUMBER
59.98 SUPPLIES, SMITH'S LUMBER 5.28 SUPPLIES, AVERA DESMET HOSPITAL 102.00
PROFESSIONAL SERV, DE SMET WELDING 788.20 SUPPLIES, DIAMOND MOWERS LLC
377.12 SUPPLIES, JEAN EYKAMP 246.00 ELECTION COST, FERGUSON TECHNOLOGIES,
INC 58.30 SUPPLIES, FOX & YOUNGBERG, PC 203.11 BMI, GOOD GUYS GARAGE
438.00 REPAIRS, ANTHONY HALVERSON 30.00 MAINTENANCE, CONSTANCE HALVERSON
210.00 ELECTION COSTS, HILLYARD/SIOUX FALLS 491.19 SUPPLIES, CARYN HOJER
268.74 TRAVEL, CITY OF HURON 4033.92 911 SURCHARGE, I STATE TRUCK CENTER
1343.36 REPAIRS/MAINTENANCE, INFOTECH SOLUTIONS 6129.46 PROFESSIONAL SERV,
INTERLAKES COMMUNITY ACTION 397.42 COMMUNITY SERV WRK, INTERSTATE BATTERY
162.95 TANGO TANGO SUPPLIES, VIKKI IRVIN 67.50 ELECTION COST, JOE JENSEN
92.40 TRAVEL, KARR TUCKPOINTING, LLC 90056.00 REPAIRS, MARK KATTERHAGEN
15.00 BMI, KINGSBURY CONSERVATION DIST 783.50 LANDSCAPING, KINGBROOK RURAL
WATER 45.10 UTILITIES, KINGSBURY ELECTRIC COOP 83211.49 HAZARD MITIGATION
KEC LINE 6, KINGSBURY JOURNAL 1326.82 PUBLISHINGS, KINGSBURY COUNTY ROD
30.00 SUPPLIES, LAKE COUNTY SHERIFF'S OFFICE 1760.00 PRISONER CARE, DIANNE
LARSON 263.52 ELECTION COSTS, MARY LEE 30.00 ELECTION COST, ROGER LEE
67.50 ELECTION COSTS, LEWIS & CLARK BEHAVIORAL 184.00 BMI, LUCY LEWNO
165.03 BMI, LINCOLN COUNTY 90.50 BMI, LINDE GAS & EQUIPMENT INC 167.67
SUPPLIES, DARCY LOCKWOOD 15.00 BMI, THE LODGE AT DEADWOOD 244.00 TRAVEL,
MICHELLE LONGVILLE 186.00 TRAVEL, DEE ANN LOVETT 297.36 ELECTION COST,
LYLE SIGNS, INC. 175.00 SUPPLIES-SIGNS, MACS INC 7.99 SUPPLIES, MAYNARD'S
FOOD CENTER 103.87 ELECTION COST, MCLEODS PRINTING & OFFICE SUPP 482.18
ELECTION COST, KATHLEEN MILLER 221.34 ELECTION COST, MITCHELL PLUMBING &
HEATING CO 2395.41 REPAIRS, DIANNE MULDER 195.00 ELECTION COST, EASTLINE
SUPPLY 380.50 SUPPLIES, NORTHWEST PIPE FITTINGS, INC 817.60
REPAIRS/MAINTENANCE, NORTHWESTERN 521.63 UTILITIES, O'KEEFE IMPLEMENT
30.10 REPAIRS, O'KEEFE IMPLEMENT 2502.49 REPAIRS/MAINTENANCE/SUPPLIES,
OFFICE PEEPS INC 271.00 SUPPLIES, OXBOW RESTAURANT 34.08 TRAVEL, SHARDAY
PAGAN 150.00 INTERPRETOR, PRAIRIE AG PARTNERS 9104.57 SUPPLIES/FUEL,
DIANNE PERRY 230.10 ELECTION COST, PHEASANTLAND INDUSTRIES 172.87
SUPPLIES, LINDA POPPEN 265.20 ELECTION COST, SD PUBLIC HEALTH LABORATORY
80.00 PRISONER CARE, MAGGIE PURINTUN 95.90 ELECTION COST, QUILL 93.25
SUPPLIES, R&S TUCKPOINTING LLC 5800.00 REPAIRS, RICH'S GAS & SERVICE 34.45
SUPPLIES, RICH'S GAS & SERVICE 103.50 SUPPLIES, RUNNING SUPPLY INC. 210.02
SUPPLIES, MARILOU SCHEAFER 268.50 ELECTION COST, SD DEPT OF TRANSPORTATION
189.18 BRIDGE INSPECTIONS, SDACO 294.00 05/2022 MPR REMITTANCE, SDACO

85.00 TRAINING SEMINAR, SEACHANGE PRINT INNOVATIONS 185.00 ELECTION COST,
 MICHAEL SIEFKER 67.50 ELECTION COSTS, SIRCHIE 106.08 SUPPLIES, SANDRA J
 SMITH 210.00 ELECTION COSTS, LYNETTE SPANBAUER 272.70 ELECTION COST,
 SPENCER QUARRIES/ 1900.50 PATCHING, DEAN STEFFENSEN 45.00 ELECTION COSTS,
 ECHO STEFFENSEN 518.43 SUPPLIES, TAMMY JENSEN 1000.00 REPAIRS/MAINTENANCE,
 TRUENORTH STEEL 904.16 SUPPLIES, TRUSTWORTHY HARDWARE 267.46
 SUPPLIES/REPAIRS, TRUSTWORTHY HARDWARE 95.94 SUPPLIES, TWO WAY SOLUTIONS,
 INC. 224.09 REPAIRS, ULTEIG 522.00 PROFESSIONAL SERVICES, USPS 402.00
 PROFESSIONAL SERV, VANDER HAAG'S INC 239.99 SUPPLIES, VERIZON 438.27
 UTILITIES, VISA 201.72 SUPPLIES/TRAVEL, VISA 1558.69
 SUPPLIES/TRAVEL/REPAIRS, DOROTHY VOSSLER 187.50 ELECTION COST, JO ANN WARD
 264.03 ELECTION COST, WARDS STORE AND BAKERY 20.00 ELECTION COST, WHARTON
 COMPUTER REPAIR 124.61 SUPPLIES, DAVID WHEELER 316.23 COURT APPT ATTORNEY
 FEES, PAT WHEELER 67.50 ELECTION COST, JOAN WOLLSCHLAGER 205.44 ELECTION
 COST, WW TIRE 3781.37 SUPPLIES, YANKTON COUNTY 255.00 BMI, ZELL
 MANUFACTURING 800.00 REPAIRS/MAINTENANCE,

MISCELLANEOUS

END OF MONTH

COURTHOUSE SALARIES	\$56,123.76
HIGHWAY SALARIES	32,504.34

PAYROLL DEDUCTIONS

Sanford Health Plan	30,311.35
AFLAC	1,028.38
AFLAC	421.51
The Principal Financial Group	286.26
Delta Dental	787.70
Avesis Third Party Administrators	254.15
SD Retirement Supplement Pretax	100.00
SD Retirement System	13,949.94
SD Retirement Supplement	650.00
AFSCME	249.00
Kingsbury County	26,701.65

EMERGENCY MANAGEMENT

Cindy Bau, Emergency Management, provided information to the Board on a Security Grant that was available. The grant consists of 2 tiers with a 75/25 match. A committee was formed with the members being Cindy Bau, Emergency Management, Jennifer Malone, Clerk of Courts, Steve Strande, Sheriff, Gary Schumacher, States Attorney and Kyle Lee, Commissioner. Schumacher has been appointed to be the lead by Judge Stoltenberg. It was the consensus of the Board that a security assessment should be obtained to prioritize the Courthouse needs. Further discussion to be held at the next meeting, June 21, 2022.

The Board discussed options on providing additional compensation to DeDeyne, 4H Program Assistant. It was determined that there is \$4800.00 in the budget for a part time assistant. That position has not been utilized for the past 2 years, and could possibly be used to offer as pay for additional contracted duties.

Motion by Lee and seconded by Spilde to pay the \$4800.00 in the budget to DeDeyne for additional contracted duties retroactive to January 1, 2022, by paying \$2400.00 on the June 17, 2022 payroll and \$400.00 per month through the end of the year. All present voting aye. Motion carried.

AUDITOR

Steffensen requested 4 days of Administrative Leave for an employee who tested positive for Covid 19 and followed required protocol.

Motion by Lee and seconded by Spilde to approve the 4 days of Administrative Leave. All present voting aye. Motion carried.

Steffensen requested 3 days of Administrative Leave for an employee who tested positive for Covid 19 and followed required protocol.

Motion by Lee and seconded by Lundquist to approve the 3 days of Administrative Leave. All present voting aye. Motion carried.

EXECUTIVE SESSION

Motion by Spilde and seconded by Lee to adjourn from regular session and move into Executive Session for personnel and possible litigation at 1:58 P.M. All present voting aye. Motion carried.

Motion by Lundquist and seconded by Walls to adjourn from Executive Session. Chairman Kazmerzak declared the Board out at 3:22 P.M.

The Board adjourned to Tuesday, June 21, 2022, at 8:30 A.M.

SIGNED

Doug Kazmerzak, Chairman

ATTEST

Echo Steffensen, County Auditor

Published 1 week at the total approximate cost of _____.