

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota
July 7, 2020

The Kingsbury County Board of County Commissioners met Tuesday, July 7, 2020 at 8:30 A.M. in the Courtroom in the County Courthouse with Commissioner Steve Spilde attending via Zoom. Delmer Wolkow, Roger Walls, Joe Jensen and Shelly Nelson present. Chairman Walls presided.

This meeting was recorded and available in the Auditor's office for listening.

PLEDGE OF ALLEGIANCE

Those present stood and recited the Pledge of Allegiance.

APPROVE AGENDA

Jensen informed the Board the Conditional Use Application for Travis Steffensen would need to be continued due to some process changes.

Wolkow moved and Nelson seconded to approve the agenda as edited. All present voting aye - 5, nay - 0, motion carried.

MINUTES

Jensen moved and Spilde seconded to approve the minutes of June 16, 2020. All present voting aye - 5, nay - 0. Motion carried.

Wolkow moved and Jensen seconded to approve the minutes of June 25, 2020. All present voting aye - 5, nay - 0. Motion carried.

PUBLIC COMMENT

Chairman Walls asked for public comment. There was none.

CONFLICT OF INTEREST

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

HIGHWAY

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

Sorenson informed the Board that they are working on roads damaged by heavier rains in the county. Graveling and paving are proceeding in various locations throughout the county.

Sorenson stated they had finished in Miner County last week.

Sorenson discussed the 2021 budget request with the Board.

APPROVE CLAIMS

Nelson moved and Wolkow 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 - 5, nay - 0. Motion carried.

MISCELLANEOUS

AT & T MOBILITY 101.23 UTILITIES, AAA COLLECTIONS, INC 350.00 PRIS.FEES COLLECTED-LEAMONS, ALCOHOL MONITORING SYSTEMS INC 35.00 JAIL SUPPLIES, APPEARA 53.75 SUPPLIES, ASPHALT PAVING & MATERIALS 896.67 PATCHING, BADGER OIL COMPANY 3725.75 SUPPLIES/FUEL, CINDY BAU 60.00 UTILITIES, PMB0112OF INFROMATION & 6.25 PROFESSIONAL SERVICES, BLACK TIE FLORAL 60.00 SUPPLIES, BOWES CONSTRUCTION, INC 64839.40 PATCHING/SEALING, BROZS ENGINEERING, INC. 4750.00 PROFESSIONAL SERVICES, JEFF BURNS 991.43 CAA FEES, BUTLER MACHINERY COMPANY 3996.97 REPAIRS/MAINTENANCE/SUPPLIES, CENTURY BUSINESS PRODUCTS 210.26 COPIER CONTRACT, COLES PETROLEUM 13301.25 FUEL, COOK'S WASTEPAPER & RECYCLING 356.59 UTILITIES, SMITH'S LUMBER 80.44 SUPPLIES/REPAIRS/MAINTENANCE, DE SMET CITY 537.68 UTILITIES, DE SMET FARM MUTUAL 3366.66 4-H BUILDING INS. POLICY, AVERA DESMET HOSPITAL 246.00 PRISONER CARE, DE SMET NEWS 127.50 SUPPLIES, DE SMET WELDING 2645.73 REPAIRS/MAINTENANCE/SUPPLIES, DIAMOND MOWERS LLC 491.28 SUPPLIES, ELECTION SYSTEMS & SOFTWARE IN 2061.14 ELECTION SUPPLIES, G & R CONTROLS, INC 135.00 REPAIRS/MAINTENANCE, GALLS, LLC- DBA NEVE'S UNIFORM 377.03 CLOTHING, GREEN ROBY OVIATT LLP 926.40 CAA FEES, HEIMAN FIRE EQUIPMENT 7002.00 INV 0888379, HEIMAN FIRE EQUIPMENT 611.00 SUPPLIES, HILLYARD/SIOUX FALLS 58.08 SUPPLIES, WADE HOEFERT 20.00 REIMBURSEMENT FOR POSTAGE, CARYN HOJER 39.48 TRAVEL REIMBURSEMENT, HURD ALIGNMENT 80.00 REPAIRS/MAINTENANCE/SUPPLIES, CITY OF HURON 3892.43 PROFESSIONAL SERVICES, I STATE TRUCK CENTER 10513.88 REPAIRS/MAINTENANCE/SUPPLIES, INFOTECH SOLUTIONS 1919.49 PROFESSIONAL SERVICES, INTERLAKES COMMUNITY ACTION 765.34 COMMUNITY SERVICE WORKER, J & L MACHINE AND WELDING INC 321.72 REPAIRS/MAINTENANCE, JOE JENSEN 173.04 TRAVEL REIMBURSEMENT, MARK KATTERHAGEN 21.00 BMI, KINGBROOK RURAL WATER 41.40 UTILITIES, KINGSBURY ELECTRIC COOP 195.45 REPAIRS/MAINTENANCE, KINGSBURY JOURNAL 93.60 PUBLICATIONS, KINGSBURY JOURNAL 1177.16 PUBLICATIONS, LAKE AREA VETERINARY CLINIC 286.89 DOG CARE, LAKE COUNTY SHERIFF'S OFFICE 225.00 PRISONER CARE, LUCY LEWNO 186.50 BMI, LINCOLN COUNTY 78.75 BMI, DARCY LOCKWOOD 21.00 BMI, MAYNARD'S FOOD CENTER 4.90 COVID SUPPLIES, MICHAEL TODD AND COMPANY 598.64 SUPPLIES, MIDSTATE AGRONOMY 172.95 SUPPLIES, MITCHELL PLUMBING & HEATING

CO 625.00 REPAIRS/MAINTENANCE, EASTLINE SUPPLY 347.03 SUPPLIES, EASTLINE SUPPLY 25.93 REPAIRS/MAINTENANCE, MATT NUTTER 20.00 TRAVEL REIMBURSEMENT, NORTHWESTERN 20.72 UTILITIES, O'KEEFE IMPLEMENT 382.32 SUPPLIES, O'KEEFE IMPLEMENT 22.92 REPAIRS/MAINTENANCE, OFFICE PEEPS INC 182.78 SUPPLIES, PALMLUND AUTOMOTIVE 719.24 REPAIRS/MAINTENANCE, PRAIRIE AG PARTNERS 1382.51 SUPPLIES/FUEL, PESTS B DEAD LLC 215.00 PROFESSIONAL SERVICES, PHEASANTLAND INDUSTRIES 817.57 SUPPLIES, POINSETT GARDENS INC 123.38 SUPPLIES, PRAXAIR DISTRIBUTION INC. 240.19 SUPPLIES, PREMIER EQUIPMENT, LLC 2646.94 REPAIRS/MAINTENANCE, QUILL 167.71 SUPPLIES, RFD NEWS GROUP 791.16 PUBLICATIONS, RICH'S GAS & SERVICE 116.25 SUPPLIES, RICH'S GAS & SERVICE 30.54 REPAIRS/MAINTENANCE, LEROY ROTH 400.00 CLEAN & FLUSH GUTTERS, RUNNING SUPPLY INC. 369.99 SUPPLIES, DEAN SCHAEFER COURT REPORTING 42.00 BMI, SD DEPT OF REVENUE 150.00 UNIFORM BEVERAGE LICENSE, SD DEPT OF TRANSPORTATION 10871.80 BRIDGE INSPECTIONS, SD ASSOC OF COUNTY OFFICIALS 276.00 MP & R REMITTANCE 6/2020, SD MOTOR VEHICLE DIVISION 10.00 DUPLICATE PLATE, SDN COMMUNICATIONS 916.00 PROFESSIONAL SERVICES, SPENCER QUARRIES/ 1919.74 SEALING, TRANSOURCE 425.47 SUPPLIES, TRAV'S OUTFITTER 257.10 CLOTHING, TRUGREEN 554.00 PROFESSIONAL SERVICES, TRUSTWORTHY HARDWARE 45.97 SUPPLIES, TRUSTWORTHY HARDWARE 492.21 SUPPLIES/REPAIRS/MAINTENANCE, TWO WAY SOLUTIONS, INC. 555.02 SUPPLIES, USPS 22.00 SUPPLIES, USPS 64.00 PO BOX RENT # 136, USPS 46.00 PO BOX RENT # 232, USPS - (POSTAGE BY PHONE) 754.00 ELECTION POSTAGE, VERIZON 402.17 UTILITIES, FRANK VIRCHOW 600.00 2020 TOWER REPEATER RENT, VISA 351.74 SUPPLIES/WEB PAGE/ZOOM/CREDITS, VISA 375.15 SUPPLIES, WHEELCO TRUCK & TRAILER PARTS 21.42 SUPPLIES, DAVID WHEELER 1028.90 CAA FEES, WILKINSON & SCHUMACHER LAW 559.38 CAA FEES, WW TIRE 3721.90 REPAIRS/MAINTENANCE/SUPPLIES, YANKTON COUNTY SHERIFF OFFICE 50.00 BMI, ZELL MANUFACTURING 446.90 REPAIRS/MAINTENANCE,

PLANNING AND ZONING

Jensen moved and Nelson seconded to adjourn from regular session and move into Planning and Zoning for the Rezoning Hearing for Travis Steffensen and to review the Plat of Westside Outlot 2 to the City of De Smet at 9:33 A.M. All present voting aye - 5, nay - 0. Motion carried.

Chairman Walls declared the Board out at 9:49 A.M.

State's Attorney Gregg Gass joined the meeting via Zoom.

Wolkow moved and Spilde seconded to accept the Plat of Westside Outlot 2 to the City of De Smet as recommended by the Planning and Zoning Board. All present voting aye - 5, nay - 0. Motion carried.

BOARD OF ADJUSTMENT

Jensen moved and Nelson seconded to adjourn from regular session and move into Board of Adjustment for the Bjorkman Variance Hearing at 9:51 A.M. All present voting aye - 5, nay - 0. Motion carried.

Chairman Walls declared the Board out at 9:58 A.M.

STATE'S ATTORNEY

Gass met with the Board to discuss the 2020 budget request.

END OF MONTH

COURTHOUSE SALARIES	\$51,099.87
HIGHWAY SALARIES	34,588.95

PAYROLL DEDUCTIONS

Sanford Health Plan	27,845.37
AFLAC	1,425.58
AFLAC	456.40
Office of Child Support Enforcement	403.00
The Principal Financial Group	255.95
Delta Dental	951.20
Avesis Third Party Administrators	217.22
SD Retirement Supplement Pretax	3,250.00
SD Retirement System	13,695.12
SD Retirement Supplement	525.00
AFSCME	283.20
Kingsbury County	26,259.12

OFFICE REPORTS

The Register of Deeds, Sheriff's and Director of Equalization's Reports of Fees Collected during the month of June 2020 were reviewed by the Board. Wolkow moved and Jensen seconded that the Auditor's report with the Treasurer as of the close of business June 30, 2020 be accepted as follows. All present voting aye - 5, nay - 0. Motion carried.

Cash on Hand	\$ 3,435.92
Checks in Treas. Possession less than 3 days	19,109.23
Credit Card	1,622.79
Cash Short	1,051.26
Cash Long	
Demand Deposits	65,040.85
Savings Account	2,937,309.56
Revolving Loan Fund	294,916.19
Big Ditch MM	361,539.06
Time Deposits	1,657,523.80
TOTAL	5,341,548.75

BREAKDOWN OF MONEY BY FUNDS

County General Fund	2,227,449.00
Special Revenue Funds (Road & Bridge, E911 Fund CH Bldg, Revolving Loan, Emergency Management, Domestic Abuse Funds 24/7 & M&P Fund)	2,392,053.94
Drainage Ditch #4	188,053.70
Drainage Ditch Debt Service Cash	-2,302.23
Amount held for School Dist.	131,727.15
Amount held for Townships	82,294.02
Amount held for Cities	22,303.84
Amount held for East Dakota Water Dist.	127.06
State Remittance	194,635.54
Amount held for others	155,918.40
TOTAL	5,341,548.75

PLANNING AND ZONING

Jensen moved and Nelson seconded to adjourn from regular session and move into Planning and Zoning for the first reading of Proposed Ordinance 53 at 10:23 A.M. All present voting aye - 5, nay - 0. Motion carried.

Chairman Walls declared the Board out at 10:33 A.M.

OPEN DISCUSSION

Barnard read the following resolution provided by the State's Attorney's office:

KINGSBURY COUNTY RESOLUTION 2020-14

FOR THE ESTABLISHMENT OF AN ADMINISTRATIVE FEE
FOR CERTAIN TITLE AND REGISTRATION SERVICES

WHEREAS, South Dakota allows out of state and resident applicants to title motor vehicles entirely by mail; and

WHEREAS, any title, interstate title and initial registration applications that are processed entirely by mail are more time consuming and result in higher administrative expenses and allocation of staff time for the Treasurer's Office; and

WHEREAS, SDCL 32-3-18.1 allows counties to charge an administrative fee for applications for title, interstate title and initial registrations completed entirely by mail; and

WHEREAS, South Dakota allows resident and nonresident applicants to title large boats, as defined by SDCL 32-3A-2(5) entirely by mail; and

WHEREAS, SDCL 32-3A-21.1 allows counties to charge an administrative fee for applications to title large boats, as defined by South Dakota law, completed entirely by mail; and

WHEREAS, SDCL 32-3A-4 requires residents and nonresidents to register boats requiring numbering by the State of South Dakota; and

WHEREAS, initial registration of boats completed entirely by mail is as time consuming as the titling process for large boats or motor vehicles; and

WHEREAS, pursuant to SDCL 7-8-20(7), the Kingsbury County Commission is empowered with the responsibility to superintend the fiscal concerns of the county and secure their management in the best possible manner.

NOW THEREFORE BE IT RESOLVED that, as of July 2020, the Kingsbury County Treasurer's Office will charge an administrative fee of \$25.00 for any title, interstate title or initial registration application that is received and processed entirely by mail.

Prior motions or resolutions of the Kingsbury County Commission on the issue of administrative fees for titling or registration of motor vehicles are hereby rescinded as of July 7, 2020.

APPROVED BY THE KINGSBURY COUNTY BOARD OF COMMISSIONERS THIS DAY OF

JULY 7, 2020.

Jensen moved and Wolkow seconded to accept Resolution 2020-14 for the Administrative Fee of Certain Title and Registration Services. All present voting via roll call: Wolkow - aye, Walls - aye, Nelson - aye, Spilde - aye, Jensen - aye. Motion carried.

DIRECTOR OF EQUALIZATION

Anderson met with the Board to request authorization for herself and her deputy, Maggie Purinton, to travel to Mitchell, SD, for new training on changes to value assessments.

Jensen moved and Nelson seconded to approve the travel for both Anderson and Purinton. After additional discussion, all present voting aye - 5, nay - 0. Motion carried.

LAKE THOMPSON OUTLET

Greg Kendall, lake resident, and Mark Rapp, with DENR, joined the meeting via Zoom. Tim Goodwin, District 30 State Representative and Jim Knight, Lake Thompson resident, were present.

Knight informed the Board of updated information on the Lake Thompson Outlet Maintenance project. DENR had give their approval for the sediment to be removed, up to and not below, the established hard bottom of the outlet. Other stipulations require the increase in water flow cannot exceed six percent (6%) which may cause a start and stop issue for workers and equipment rental costs.

Knight also informed the Board the Four Lakes Association had agreed to accept donations for project costs. Barnard will be contacting Legislative Audit for guidance in the county's responsibility for paying of the bills past the agreed \$10,000.00 contribution from the county.

Jensen read a letter that had been received from Gary Knock, a resident of Davison County, regarding concerns of additional water downstream.

Nelson moved to appoint Knight as a representative of the County and to proceed with the project. All present voting aye - 5, nay - 0. Motion carried.

The Board adjourned for lunch from 12:00 P.M. to 1:00 P.M.

OPEN DISCUSSION - COUNY COURTHOUSE STATUS

Caryn Hojer - Register of Deeds, Jennifer Barnard - Auditor, Tammy Anderson - Director of Equalization, Cindy Bau - Emergency Management/E911 Coordinator, Jennifer Malone - Clerk of Courts, and Lonny Palmlund - Maintenance join the meeting. Elaine Blachford - Treasurer, Jessica Virchow - Deputy Treasurer, Sue Koistinen - ICAP joined the meeting via Zoom.

The Board and department heads discussed the status of the courthouse and to option to reopen to the public. The discussion included the implementation of various precautions to protect the public as well as employees from the possible spread of the Covid-19 virus. Also discussed were items suggested from the department head meeting from June 23, 2020.

It was the consensus of the Board to remain closed to the public except for the access to the courtroom as needed for judicial proceeding.

The Board also implemented the following resolution, read by Barnard, for those needing to enter the building for professional service needs, and to be established when the building is reopened to the public.

KINGSBURY COUNTY RESOLUTION - 2020-15

USE OF FACE MASK ENTERING THE
KINGSBURY COUNTY COURTHOUSE

WHEREAS, cases of COVID-19 have been determined to have a substantial impact in counties across, South Dakota; and

WHEREAS, there are certain measures necessary to stop the spread of COVID-19; and

WHEREAS, the Kingsbury County Commission finds it to be in the best interest of the public wellbeing to enact certain measures; and

WHEREAS, Kingsbury County finds it necessary for the public entering the Kingsbury County Courthouse to wear a face mask; and

NOW THEREFORE BE IT RESOLVED that, as of July 7, 2020, the public may enter the Kingsbury County Courthouse only if wearing a face mask when entering and transacting business in the courthouse until further notice.

APPROVED BY THE KINGSBURY COUNTY BOARD OF COMMISSIONERS THIS 7TH DAY OF JUNE 2020.

Nelson moved and Jensen seconded to accept Resolution 2020-15 for the wearing of face masks while in the building. All present voting via roll call: Wolkow - aye, Walls - aye, Nelson - aye, Spilde - aye, Jensen - aye. Motion carried.

BUDGET MEETINGS

Palmlund met with the Board to discuss the 2021 budget request.

Anderson met with the Board to discuss the 2021 budget request.

Bau met with the Board to discuss the 2021 budget request.

Mary Claire Bauer, Extension/4-H, met with the Board to discuss the 2021 budget request.

AUDITOR

Barnard asked the Board if they were ready to sign the Closing Letter of Representation for the 2017-2018 Audit.

Jensen moved and Spilde seconded for Chairman Walls to sign the Closing Letter of Representation for the 2017-2018 Audit. All present voting aye - 5, nay - 0. Motion carried.

The Board adjourned to Tuesday, July 21, 2020 at 8:30 A.M.

SIGNED _____
Roger Walls, Chairman

ATTEST _____
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of _____.