

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota

July 9, 2019

The Kingsbury County Board of County Commissioners met Tuesday, July 9, 2019, at 8:30 A.M. in the County Courtroom in the Courthouse with Commissioners Shelley Nelson, Roger Walls, Joe Jensen, Steve Spilde, and Delmer Wolkow present. Chairman Nelson presided.

APPROVE AGENDA

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

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

PUBLIC COMMENT

Chairman Nelson asked for public comment. There was none.

MINUTES

With the correction of Author to Arthur under Public Comment, Jensen moved and Spilde seconded to approve the minutes of June 18, 2019. All present voting aye, motion carried.

HIGHWAY

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

Sorenson discussed the additional water issues from the recent rain. Several roads have become flooded with barricades placed.

The crew is continuing to work on soft spots as able and no information has been received from ER (Emergency Relief) regarding the oil roads that have been looked at.

Sorenson stated there had been a request made for lower speed limit signs to be posted on Mathew's Store road. Sorenson recommended 35 mph and it was the consensus of the board to accept the recommendation.

Patching of the oil roads has been postponed.

Sorenson requested authorization to purchase a small mower for the shop location. A second-hand small rider or self-propelled push mower was discussed.

A call was placed to Rod Fortin with Legislative Audit to discuss budget needs. A message was left.

Sorenson requested to move into Executive Session for personnel.

Spilde moved and Jensen seconded to adjourn from regular session and move into Executive Session for personnel at 8:51 A.M. All present voting aye, motion carried.

Wolkow moved and Spilde seconded to return to regular session. Chairman Nelson declared the Board out of Executive Session at 9:11 A.M.

ALAINA WELLNITZ - VICTIM ADVICATE

Wellnitz updated the Board on the work she has been doing and presented the Board with a March Daily Report.

DIRECTOR OF EQUALIZATION

Tammy Anderson, Director of Equalization, met with the Board to discuss property abatement applications. Also present were Pat Lambert, Clint Martens, Greg and Judy Kendall, Laurel Sandhurst, Michael Siefker, Darwin Sandve, Brian Lowe, Tom Cummins, Tom Gow, Tom Halverson, Ben Trenne, Denise and Jim Knight, Jerry Myott, Sheriff Strande, Jim Hanson, Cindy Bau - Emergency Management/911 Coordinator, Deputy DOE Maggie Purintun and State's Attorney Gregg Gass.

Anderson handed the Board members a folder of information to include copies of abatement applications that had been received and the laws pertaining to abatement requests.

Several additional applications were received just prior to and during the meeting.

Anderson explained the earliest a tax reduction can be received is for the property taxes due in 2021. Property taxes being worked on currently is for the way the property sat on November 1, 2018 for assessment of 2019 taxes payable in 2020, which reflect the values that were sent out this past March.

There was discussion on the assessment process, abatement deadlines and how abatement values might be set.

Gass stated that any abatement decisions could not be made at this meeting and that a Notice of Abatement Hearing would need to be published.

Anderson suggested that School Boards and Townships for the affected areas be invited to the hearing as they would also be impacted by any decision made.

LAKE AREA

All those present for the Director of Equalization were also present for this topic of discussion.

Gass read portions of information from the Official Opinion NO. 89-22, Senate Bill 192/Lake Thompson. Gass stated in 1989 the State Water Management Board did not set a lake outlet level.

Gass also read portions from the Finding of Fact, Conclusions of Law and Final Order from March 6, May 1 and July 10, 2013 hearing before the State of South Dakota Water Management Board and a Stipulation attached to the Final Order. (All of the portions read are on file in the Auditor's office.)

Pat Lambert and Clint Martens presented photos to Gass and reviewed by the Board.

Gass indicated getting the outlet level that was established in 2013 was the first step. Maintenance on the channel would require cooperation between the counties to the south, DENR, Game Fish and Parks and others, subject to the continuing jurisdiction of the State Water Management Board.

Jim Knight, Ph. D. Natural Resource Management, and a resident of Lake Thompson, discussed a report he had provided to the Board, and had been put together by himself, with the assistance Jay Gilbertson and Kevin Christenson of the East Dakota Water Development District. The is entitled New High-Water Measurements at Lake Thompson - 2019 Potential Solutions to Flooding, and is on file at the Auditor's office. Knight also discussed the need for maintenance to increase the drainage flow but at the same time not too much of an increase to flood counties downstream.

Easement options and access along with road and safety matters were discussed including a drop-off on the west side of 212th street with no barrier.

APPROVE CLAIMS

Spilde 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, motion carried.

MISCELLANEOUS

APPEARA 47.64 SUPPLIES, AT&T 82.25 UTILITIES, BADGER OIL COMPANY 2883.70 SUPPLIES & FUEL, BEADLE COUNTY SHERIFF 5250.00 PRISONER CARE, ELAINE BLACHFORD 45.00 TRAVEL REIMBURSEMENT, BLUE TARP FINANCIAL, INC. 136.53 SUPPLIES, BOB BODE CONSTRUCTION 3494.90 SUPPLIES & CULVERTS, RANDALL BOHN 50.84 JUROR FEES, BOWES CONSTRUCTION, INC 12822.37 PATCHING & SEALING, BROOKINGS ENGRAVING 52.50 PUBLICATIONS, BUTLER MACHINERY COMPANY 2582.47 REPAIRS/MAINTENANCE, CIVIL DESIGN INC 650.00 PROFESSIONAL SERVICES, CENTURY BUSINESS PRODUCTS 279.68 UTILITIES, CENTURYLINK 695.36 UTILITIES, COAST TO COAST COMPUTER PRODUC 45.98 SUPPLIES, CODINGTON COUNTY SHERIFF 1020.00 PRISONER CARE, COLE PETROLEUM 12344.20 SUPPLIES & FUEL, COMMUNITY COUNSELING SERVICES 15000.00 2019 APPROPRIATION, COMPASS COUNSELING & ASSESSMEN 1800.00 PROFESSIONAL SERVICES, CONNECTING POINT 1390.00 SUPPLIES, CONNECTING POINT 10094.50 PROFESSIONAL SERVICES, COOK'S WASTEPAPER & RECYCLING 334.48 UTILITIES, COWBOY COUNTRY STORE-DESMET 67.20 SUPPLIES, DE SMET CITY 123.56 UTILITIES, AVERA DESMET HOSPITAL 48.00 PROFESSIONAL SERVICES, DE SMET NEWS 134.82 PUBLICATIONS & PROF SERVICES, DE SMET NEWS 933.50 PUBLICATIONS, DE SMET WELDING 73.28 SUPPLIES, DIAMOND MOWERS LLC 661.73 SUPPLIES, JARED ERSTAD 72.68 JUROR FEES, GREGG GASS 4663.12 STATES ATTORNEY EXPENSES, ROBERT GREENE 56.72 JUROR FEES, ELAINE GROON 66.80 JUROR FEES, PATRICIA J. HARTSEL, RPR 326.40 PROFESSIONAL SERVICES, HEIMAN FIRE EQUIPMENT 30.00 REPAIRS/MAINTENANCE, WADE HOEFERT 290.00 PROFESSIONAL SERVICES, CITY OF HURON 3597.86 PROFESSIONAL SERVICES, INTERSTATE POWER SYSTEMS 1099.19 REPAIRS/MAINTENANCE, INTERLAKES COMMUNITY ACTION 727.00 COMMUNITY SERVICE WORKER, MICHAEL JENKINS 31.00 TRAVEL REIMBURSEMENT, JOE JENSEN 117.60 TRAVEL REIUMBURSEMENT, JIM HAWK TRUCK TRAILERS 252.54 SUPPLIES, BRETT JODOZI 68.48 JUROR FEES, JOHNSON SAND & GRAVEL 180.00 SNOW REMOVAL AT 4-H BUILDING, KINGBROOK RURAL WATER 37.10 UTILITIES, KINGSBURY ELECTRIC COOP 71.58 REPAIRS/MAINTENANCE/SUPPLIES, KINGSBURY CO. REGISTER OF DEED 25.00 DEPOSIT BOOKS, KINGSBURY COUNTY TREASURER 265.14 POSTAGE, JAY LEIBEL 3175.25 CAA FEES, LEWIS & CLARK BEHAVIORAL 13.00 BMI, LINCOLN COUNTY 296.01 BMI, MICHELLE LONGVILLE 15.00 TRAVEL REIMBURSEMENT, LAKE PRESTON TIMES 89.82 PUBLICATIONS, LAKE PRESTON TIMES 576.81 PUBLICATIONS, LISA MALONE 59.24 JUROR FEES, MAYNARD'S FOOD CENTER 5.88 SUPPLIES, MCLEODS PRINTING & OFFICE SUPP 740.61 SUPPLIES, COLE MUNGER 50.84 JUROR FEES, NAPA AUTO PARTS 611.33 SUPPLIES, BYRON NOGELMEIER 32.00 STATE 24/7, BYRON NOGELMEIER 454.00 STATE 24/7, NORTHWESTERN 29.29 UTILITIES, O'CONNOR COMPANY 140.08 REPAIRS/MAINTENANCE, O'KEEFE IMPLEMENT 663.71 SUPPLIES, O'KEEFE IMPLEMENT 110.41 REPAIRS/MAINTENANCE, OFFICE PEEPS INC 94.57 SUPPLIES, PALMLUND AUTOMOTIVE 99.99 SUPPLIES, PALMLUND AUTOMOTIVE 234.86 REPAIRS/MAINTENANCE, PRAIRIE AG PARTNERS 2617.47 SUPPLIES & FUEL, PRAIRIE AG PARTNERS 1854.12 SUPPLIES, PHARMCHEM INC. 28.55 SUPPLIES, PHEASANTLAND INDUSTRIES 163.79 SUPPLIES, POINSETT GARDENS 45.00 PROFESSIONAL SERVICES, POINSETT GARDENS, INC 317.00 SUPPLIES, PRAXAIR DISTRIBUTION INC. 195.94 SUPPLIES, QUILL 272.80 SUPPLIES, RFD NEWS

GROUP 134.65 PUBLICATIONS, RICH'S GAS & SERVICE 121.84 SUPPLIES & FUEL, RINKE NOONAN 585.00 PROFESSIONAL SERVICES, LEROY ROTH 400.00 PROFESSIONAL SERVICES, RUNNING SUPPLY INC. 77.25 SUPPLIES, RICHARD J. RYLANCE, II 1868.40 CAA FEES, DEAN SCHAEFER COURT REPORTING 90.00 BMI, SCOTT'S AUTO BODY 7585.93 REPAIRS/MAINTENANCE, SKILLPATH SEMINARS 398.00 PAYROLL LAW, SOUTH DAKOTA STATE TREASURER 29.24 SALES AND USE TAX, SDEMA 95.00 CONF REG. & MEMBERSHIP DUES, SPENCER QUARRIES, INC 2465.96 SUPPLIES & PATCHING, STEVEN L. SPILDE 97.86 TRAVEL REIMBURSEMENT, STAN HOUSTON EQUIPMENT COMPANY 225.00 SUPPLIES, STEVE STRANDE 287.00 CORONER CALLS, THYSSENKRUPP ELEVATOR CORP 162.73 PROFESSIONAL SERVICES, TRANSOURCE 269.56 SUPPLIES, TRAV'S OUTFITTER 291.91 UNIFORMS, TRUENORTH STEEL 19895.01 SUPPLIES & CULVERTS, TRUSTWORTHY HARDWARE 72.46 SUPPLIES, TRUSTWORTHY HARDWARE 48.52 SUPPLIES, TSCHETTER AND HOHM CLINIC 141.00 PRISONER CARE, SIOUX FALLS TWO WAY RADIO 867.99 REPAIRS/MAINTENANCE, VERIZON 220.55 UTILITIES, VERIZON 180.18 UTILITIES, JESSICA VIRCHOW 15.00 TRAVEL REIMBURSEMENT, FRANK VIRCHOW 600.00 TOWER RENT, VISA 20.00 FUEL, VISA 201.65 SUPPLIES/REPAIRS/WEB PAGE, VISA 63.85 SUPPLIES, JON WIENK 58.40 JUROR FEES, MARY WILKINSON 63.44 JUROR FEES, WILKINSON & SCHUMACHER LAW 1436.38 VSO EXPENSES, WW TIRE 1158.32 SUPPLIES, YANKTON COUNTY 143.75 BMI,

END OF MONTH

COURTHOUSE SALARIES	\$49,042.20
HIGHWAY SALARIES	32,204.98

PAYROLL DEDUCTIONS

Sanford Health Plan	25,114.97
AFLAC	1,083.39
AFLAC	724.62
Office of Child Support Enforcement	403.00
H&B Federal Credit Union	400.00
Kingsbury County Treasurer	8,800.00
The Principal Financial Group	265.99
Garnishment	150.00
Garnishment	300.00
Delta Dental	800.00
Avesis Third Party Administrators	176.70
SD Retirement Supplement Pretax	50.00
Garnishment	303.01
SD Retirement System	13,906.68
SD Retirement Supplement	3,850.00
AFSCME	236.00
Kingsbury County	27,528.81

OFFICE REPORTS

The Register of Deeds, Sheriff's and Director of Equalization's Reports of Fees Collected during the month of June 2019 were reviewed by the Board.

Wolkow moved and Spilde seconded that the Auditor's report with the Treasurer as of the close of business Friday, June 28, 2019 be accepted as follows. All present voting aye, motion carried.

Cash on Hand	\$ 1,251.73
Checks in Treas. Possession less than 3 days	21,150.52
Cash Items - Postage	221.14
Credit Card	1,847.13
Cash Short	1,949.76
Cash Long	0.00
Demand Deposits	9,935.52
Savings Account	2,660,492.61
Revolving Loan Fund	293,537.84
Big Ditch MM	355,683.46
Time Deposits	1,657,523.80
TOTAL	5,003,593.51

BREAKDOWN OF MONEY BY FUNDS

County General Fund	3,446,778.76
Special Revenue Funds (Road & Bridge, E911 Fund CH Bldg., Revolving Loan, Emergency Management, Domestic Abuse Funds 24/7 & M&P Fund)	907,450.45
Drainage Ditch #4	188,203.56
Drainage Ditch Debt Service Cash	-8,051.34
Amount held for School Dist.	148,785.48
Amount held for Townships	80,485.99
Amount held for Cities	27,319.49
Amount held for East Dakota Water Dist.	177.19
State Remittance	146,362.34
Amount held for others	66,081.59
TOTAL	5,003,593.51

A call was returned to Fortin to discuss budget needs.

The Board adjourned for lunch from 12:10 P.M. to 1:15 P.M.

AUDITOR

Jennifer Barnard, Auditor, presented the following items to the Board:

Barnard read the following resolution that had been received from First District Assoc. of Local Governments:

RESOLUTION TO CONTINUE SUPPORT FOR THE
FIRST DISTRICT ASSOCIATION OF LOCAL GOVERNMENTS
DURING FISCAL YEAR 2020

(October 1, 2019 - September 30, 2020)

The Kingsbury County Board of County Commissioners, having adopted and signed a Joint Cooperative Agreement on the 8th day of June, 1972, creating the First Planning Development District, Model Rural Development Program, do hereby agree to renew their participation in the Joint Cooperative Agreement for Fiscal Year 2020 (October 1, 2019 - September 30, 2020). To support the Joint Cooperative Agreement and the activities of the District staff, the Kingsbury County Board of County Commissioners will provide \$12,729.19 to the First District Association of Local Governments during the aforementioned Fiscal Year 2020 period.

Spilde moved and Wolkow seconded for Chairman Nelson to sign the resolution in continued support of First District. All present voting aye, motion carried.

Barnard presented the third quarter report for the Hazard Mitigation prepared by First District and requested a signature by Chairman Nelson.

Jensen moved and Walls seconded for Chairman Nelson to sign the Hazard Mitigation third quarter report. All present voting aye, motion carried.

Barnard informed the Board accumulated vacation time due to Sheriff Strande prior to his appointment in June 2018 had been received in the Auditor's office Monday and was being calculated and verified. There were accumulation changes that needed to be looked into.

Barnard requested a new computer for her deputy to be purchased in January 2020 under the new budget. Funds were included in the 2020 budget request for the purchase.

It was the consensus of the Board for the computer to be updated in 2020.

Barnard presented information on 211 call service provided by the Department of Social Services. There would be a matching funds between the State and the County of \$2,312.00.

After a review of the information it was the consensus of the Board the program would duplicate programs already provided and to not initiate the program.

Barnard requested a motion to adopt and follow the State Per Diem rates that took effect on July 1, 2019. The changes that would affect the county

include the lunch reimbursement from \$11.00 to \$14.00 and the dinner reimbursement from \$15.00 to \$20.00.

Jensen moved and Spilde seconded to adopt and follow the new Per Diem rates. All present voting aye, motion carried.

Barnard requested to move into Executive Session for possible litigation and personnel.

Wolkow moved and Spilde seconded to adjourn from regular session and move into Executive Session for possible litigation and personnel at 1:38 P.M. All present voting aye, motion carried.

Spilde moved and Jensen seconded to return to regular session. Chairman Nelson declared the Board out of Executive Session at 1:52 P.M.

Jensen moved and Wolkow seconded to pay the county approved rate for Funeral Case 2019-1 and to place a lien on the property of the deceased. All present voting aye, motion carried

SHERIFF

Sheriff Strande and Shelley Strande, Sheriff Office Manager, met with the Board to discuss the 2020 budget request.

The Board moved into Executive Session for personnel.

Wolkow moved and Jensen seconded to adjourn from regular session and move into Executive Session for personnel at 2:10 P.M. All present voting aye, motion carried.

Spilde moved and Wolkow seconded to return to regular session. Chairman Nelson declared the Board out of Executive Session at 2:17 P.M.

Sheriff Strande presented a jail contract with Minnehaha County and requested a signature from Chairman Nelson. The rate stated in the contract for housing an inmate was \$97.34 per day unless on work release and \$15.00 on work release with an ankle bracelet. Strande stated Minnehaha County is only used on an as needed basis.

Jensen moved and Spilde seconded for to accept the contract on an as needed basis and for Chairman Nelson to sign the contract.

TREASURER

Elaine Blachford, Treasurer, met with the Board to discuss the 2020 budget request.

Blachford informed the Board there has been interest expressed in the small safe in her office and asked if the safe had to be surplused.

Barnard stated any county property needs to be surplused and sold at a surplus auction.

Jensen moved and Walls seconded for the small safe in the Treasurer's office be declared surplus. All present voting aye, motion carried.

How to remove the safe from the office was discussed as well as a minimum bid. Barnard will discuss the removal of the safe with Lonny Palmlund, Maintenance. The surplus auction date will be determined at a later date.

Blachford discussed the status of the office updates and requested the office be repainted prior to the new carpet being installed.

It was the consensus of the Board to have the office painted during the update process.

Blachford requested authorization to purchase two new computers for the front counter. The current computers will not support the motor vehicle software changes being initiated in January 2020. Funds are available in the 2019 budget.

Blachford discussed the status of taxes due and payable on two mobile homes in the county. Both owners had distress warrants served. One owner is in the State Penitentiary. The second had moved to Georgia and the mobile home had been destroyed.

Blachford requested to move into Executive Session for personnel.

Spilde moved and Jensen seconded to adjourn from regular session and move into Executive Session for personnel at 2:50 P.M. All present voting aye, motion carried.

Spilde moved and Jensen seconded to return to regular session. Chairman Nelson declared the Board out of Executive Session at 3:20 P.M.

STATE'S ATTORNEY

Gass returned to the meeting with Jim Knight and presented a letter for the Board to review regarding the Lake Thompson water outlet maintenance.

Gass stated Mark Roth, from DENR, will be at Lake Thompson on Thursday, July 11, 2019. It is the hope to have a representative from both Kingsbury and Miner Counties present. The Board discussed who would be able to attend the meeting on Thursday.

Wolkow moved and Jensen seconded to send the letter to all necessary parties for the outlet cleanout. All present voting aye, motion carried.

The Board adjourned to Tuesday, July 23, 2019 at 8:30 A.M.

SIGNED _____
Shelley Nelson, Chairman

ATTEST _____
Jennifer Barnard, County Auditor

Published 1 week at the total approximate cost of _____.