

OFFICIAL PROCEEDINGS KINGSBURY COUNTY BOARD OF COUNTY COMMISSIONERS

De Smet, South Dakota
October 22, 2024

The Kingsbury County Board of County Commissioners met Tuesday, October 22, 2024, at 8:30 A.M. in the Courtroom of the County Courthouse with Commissioners Kyle Lee, Roger Walls, Corey Lundquist, Steve Spilde and Troy Nelson present. Chairman Lee presided.

Also attending via Zoom were Amy Halverson- Kingsbury Journal, Michelle Longville - Treasurer, Cindy Bau - Emergency Management, Jerri Anderson, Scott Erstad, Mid Dakota Water and Johanna.

Chairman Lee called the meeting to order.

PLEDGE OF ALLEGIANCE

Those present stood and recited the Pledge of Allegiance.

AGENDA

Chairman Lee asked if there were any additions or changes to the agenda. There was none.

Motion by Spilde and seconded by Nelson to approve the agenda. All present voting aye. Motion carried.

MINUTES

Motion by Lundquist and seconded by Walls to approve the minutes of October 8, 2024. All present voting aye. Motion carried.

PUBLIC COMMENT

Chairman Lee asked for public comment. There was none

CONFLICT OF INTEREST

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

APPROVE CLAIMS

Motion by Spilde and seconded by Lundquist 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.

CINDY BAU 60.00 UTILITIES, CENTURY BUSINESS PRODUCTS 65.88 PROFESSIONAL SERVICES, CENTURYLINK 237.31 UTILITIES, CENTURYLINK 997.98 UTILITIES, COOK'S WASTEPAPER & RECYCLING 60.50 HWY UTILITIES, ELECTION SYSTEMS & SOFTWARE IN 1565.62 ELECTION SUPPLIES, NOAH HOFER 221.74 WITNESS FEE, HOWARD COUNTY SHERIFF OFFICE 90.80 PROFESSIONAL SERVICES, INFOTECH SOLUTIONS 3064.99 PROFESSIONAL SERV, KINGSBURY ELECTRIC COOP 330.60 HWY UTILITIES, KINGSBURY COUNTY TREASURER 891.57 ADVANCE TAX, DAVID LAGROUE 89.68 PROFESSIONAL FEES, KYLE LEE 478.30 COMMISSIONER TRAVEL, MITCHELL PLUMBING & HEATING CO 3475.00 REPAIRS & MAINTENANCE, TROY NELSON 504.50 COMMISSIONER TRAVEL, NORTHWESTERN ENERGY 50.30 HWY UTILITES, NORTHWESTERN ENERGY 16.85 UTILITIES, OTTERTAIL POWER COMPANY 140.42 HWY UTILITIES, OTTERTAIL POWER COMPANY 1622.57 UTILITIES, PRAIRIE AG PARTNERS 4371.40 REPAIRS/WEED BRD SUPPLIES, PURINTUN ABSTRACT & TITLE LLC 75.00 PROFESSIONAL SER, ABBIGALE STEEKE 59.99 4H SUBSCRIPTIONS, TWO WAY SOLUTIONS, INC. 1550.00 TOWER LEASE, ROGER WALLS 457.34 TRAVEL, ORANGE COUNTY SHERIFF'S OFFICE 39.00 PROFESSIONAL SERVICES, BYRON NOGELMEIER 139.00 SCRAM FEES, SD DEPT OF REVENUE 178714.03 STATE REMITTANCE, KINGSBURY COUNTY TREASURER 14.88 ADVANCE TAX,

OPEN DISCUSSION

Corey Lundquist, Commissioner, updated the Board on projects needing to be completed in the Courthouse. The Board took a short tour to look at the projects that needed done.

Roger Walls, Commissioner, discussed the need for trucks at the highway department and the highway budget.

AUDITOR

Echo Steffensen, Auditor, informed the Board Governor Noem had granted administrative leave for Friday, November 30, 2024 and Monday- Tuesday, December 23-24, 2024. The Courthouse will be closed on these days per the County policy

Steffensen informed the Board a new Railroad Authority representative needed to be appointed and given authorization to sign on the account at First National Bank in Lake Preston.

Motion by Lundquist and seconded by Spilde to appoint Troy Nelson and Kyle Lee and authorize both to sign on the Railroad Authority account. All present voting aye. Motion carried.

Steffensen presented the 2025 law contract with Lake Preston for 15 hrs. per week at \$32/hr.

Motion by Spilde and seconded by Walls to approve the 2025 law contract with Lake Preston and for Chairman Lee to sign said contract. All present voting aye. Motion carried.

Steffensen informed the Board she had received the 2025 Worker's Comp renewal. Rates had increased and the renewal credit had decreased which increased the renewal overall. Steffensen informed the Board a 9% loss credit had been received for completing/addressing items from the 2023 loss control survey. By receiving this credit, the County's total due in 2025 is \$1,448.00 lower than 2024.

Steffensen wanted to thank those who helped complete the items, Lonny Palmlund - Building and Grounds Superintendent, Dave Sorenson - Highway Superintendent, Sheriff Strande and Shelley Strande - Sheriff's Office Manager and Natalie Remund - HR Consultant.

Steffensen notified the Board that a supplemental budget hearing would need to be set for November 19, 2024 for the Auditor Budget. The 2024 budget did not include the part-time employee that was hired in August.

OPEN DISCUSSION

Chairman Lee provided information he had received on GEVO from Ty Eschenbaum. GEVO has received approval of a loan guarantee from the Department of Energy.

TREASURER/STATES ATTORNEY

Longville provided a report on the status of delinquent property taxes and requested a status update from the States Attorney on properties in DeSmet, Arlington and Erwin.

Gary Schumacher, States Attorney, stated he has had a discussion with the people involved in the mobile homes that were moved from De Smet. Schumacher stated himself and Joe Jensen, Planning and Zoning, would follow up with the parties involved.

The property in Erwin was discussed and the Board decided to abate the delinquent taxes. The Board asked Longville to present the request at the November 19, 2024 meeting.

The mobile home in Arlington was discussed. There was previous interest in purchasing the property. Schumacher will contact the party and give them a deadline of November 15, 2024.

MID DAKOTA WATER RESOLUTION

Steffensen read the following section of the resolution that was in question and corrected after the last reading on July 16, 2024.

9.Graveled and Other Roadways: Pipelines installed transversely or longitudinally in a graveled or other road right-of-way will be by boring or jacking or by an open cut method as determined by the County Highway Superintendent. Roadways may be closed during construction for crossings provided detour signing is maintained. All lanes will remain clear and open during the hours of darkness. Pipelines installed longitudinally in a right-of-way will be by an open cut.

Motion by Nelson and seconded by Spilde to accept and adopt the Mid Dakota Water Resolution 2024-23 as corrected.

All present voting via roll call. Lee - aye, Nelson - aye, Walls - aye and Lundquist - aye. Motion carried.

STATES ATTORNEY/PLANNING AND ZONING

Gary Schumacher, States Attorney, and Joe Jensen, Planning and Zoning, met with the Board to further discuss the Vander Dussen dairy issue brought before the Board by Jerri Anderson at the October 8, 2024 meeting. Anderson questioned whether the conditional use permit issued to the dairy has expired. Schumacher stated he is waiting on a letter from the Vander Dussen attorney stating what work has been completed at the sight before a decision can be made.

Further discussion on the matter will be scheduled on the November 19, 2024 agenda.

BOARD OF ADJUSTMENT

Motion by Lundquist and seconded by Walls to adjourn from regular session and move into Board of Adjustment at 10:31 A.M. All present voting aye. Motion carried.

Chairman Lee declared the Board out of Board of Adjustment and back into regular session at 10:40 A.M.

PLANNING AND ZONING

Motion by Spilde and seconded by Walls to adjourn from regular session and move into Planning & Zoning at 10:41 A.M. All present voting aye. Motion carried.

Chairman Lee declared the Board out of Planning & Zoning and back into regular session at 10:48 A.M.

RESOLUTION 2024-24

Steffensen read the following resolution for the Plat of Stensen Cemetery Addition forwarded to the Board by the Planning and Zoning Commission:

RESOLUTION # 2024-24

WHEREAS, The Kingsbury County Planning & Zoning Board met to review the Plat of Stensen Cemetery in the N1/2 of the NE1/4 of Section 26, Township 109 North, Range 54 West of the 5th P.M., Kingsbury County, South Dakota on October 22, 2024; 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 Stensen Cemetery in the N1/2 of the NE1/4 of Section 26, Township 109 North, Range 54 West of the 5th P.M., Kingsbury County South Dakota

Motion by Spilde and seconded by Nelson to accept and adopt Resolution 2024-24 and for Vice Chairman Lundquist to sign the same.

All present voting via roll call. Lee - aye, Nelson - aye, Spilde - aye, Walls - aye and Lundquist - aye. Motion carried.

EMERGENCY MANAGEMENT

Cindy Bau, Emergency Manager, met with the Board to discuss having a resolution or ordinance drawn up that would allow the Emergency Manager and the Chairman or Vice Chairman of the Board to enforce a burn ban. The Board requested Schumacher to draw up said Ordinance to have the 1st reading on November 7, 2024.

Bau presented the Emergency Management quarterly report for the Chairman to sign.

Motion by Lundquist and seconded by Spilde for the Chairman to sign the report. All present voting aye. Motion carried.

Bau stated the Department of Transportation requested Kingsbury County to host a Traffic Incident Management class. The class will be held at the Event Center in De Smet.

RIVERVIEW

Toby Morris, Collier Securities LLC and Brady Janzen, Riverview LLP met with the Board to further discuss the proposed Tax Increment Financing District (TIF) to contribute to improving 450th Ave to the Redstone Dairy sight.

Morris will use the information discussed and construct a timeline to present to the Board.

4-H PROJECT UPDATE

Sterling Eschenbaum and Justin Odegaard met with the Board to present the Fair Board 5-year plan for improvements at the 4-H grounds.

The following items were discussed:

Roof on show barn \$30,000.00, Commercial dehumidifier, new ceiling tiles \$5,000.00, replace post in show bard \$2,100.00, update electrical in barn s \$4,000.00, new roof on annex and hallway 49,000.00, update or remove outside bathrooms, replace entryway to main building \$3,000.00, and electric meter upgrade \$3,000.00.

Chairman Lee suggested the Fair Board investigate possible donations for some of the larger items.

Steffensen asked for clarification on the intention of the donors and the Fair Board on the donations that had been made and held at the county for fair ground improvements. When the donations started the funds were put into an assigned fund which would require the Board of Commissioners to approve each use of the funds. Eschenbaum and Odegaard stated that was not the intention of the Fair Board but were told that was the only way it could be done at the time. Steffensen stated that with outside funds there was another way to do it so the Fair Board would be in control of how the funds were used and would approve the use of the funds. Steffensen stated the Board of Commissioners would need to unassign the funds and allow her to put them in a restricted fund. Then going forward the Fair Board would need to provide any invoices needing to be paid with these funds along with a motion from the Fair Board to use the funds.

Motion by Nelson and seconded by Spilde to have the Auditor unassign the funds in the Fair Board Grounds Improvement fund and transfer them into a newly created restricted fund. All present voting aye. Motion carried.

HUMAN RESOURCES

Natalie Remund, HR Consultant, presented the updated job descriptions. Remund stated all but the States Attorney, Department of Equalization and Highway Department job descriptions were complete. She requested approval of those complete and will bring the others before the Board at a future meeting.

Motion by Walls and seconded by Nelson to approve the job descriptions that are complete. All present voting aye. Motion carried.

Remund requested to move into executive session for contract negotiations.

Motion by Nelson and seconded by Spilde to adjourn from regular session and move into executive session for contract negotiations at 12:59 P.M. All present voting aye. Motion carried.

Chairman Lee declared the Board back into regular session at 1:21 P.M.

The Board adjourned to Thursday, November 7, 2024 at 8:30 A.M.

SIGNED _____
Kyle Lee, Chairman

ATTEST _____
Echo Steffensen, County Auditor

Published 1 week at the total approximate cost of _____.