January 8, 2013

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session at 9:00 a.m. on January 8, 2013 at the county courthouse. Members present were: Harold Forbes, Denis Arbach, Richard Godkin, Duane Martin, Donald Leff, and Phylliss Pudwill. Also present were Auditor Rebecca Krein, State’s Attorney James Hare, and Sandy Bond; news reporter for the Mobridge Tribune.

Vice-Chairperson Forbes called the meeting to order.

The Pledge of Allegiance was recited by those in attendance.

Pudwill moved and Leff seconded that the minutes of meeting of December 28, 2012 be approved. Voting aye: 5; nay: 0. The motion was adopted.

**STATEMENT OF FEES COLLECTED DURING THE MONTH OF DECEMBER 2012:**

Register of Deeds $ 7,316.00

**AUDITOR’S REPORT OF ACCOUNT WITH THE TREASURER AS OF DECEMBER 31, 2012:**

NSF $ 162.12

Cash $ 888.21

Checks in office $ 38,698.09

Certificates of deposit $ 2,250,000.00

Savings/interest accounts $ 2,848,326.62

Landfill post closure $ 360,332.61

Landfill closure $ 264,358.71

FIT $ 4,434.88

$ 5,767,201.24

**OLD BUSINESS:** Hare informed the board that the refund amount to Tony Buckmeier approved on January 8, 2013 should be revisited after reviewing SDCL 10-18-1. Motion by Arbach seconded by Leff to reduce the amount of the refund to $787.09

Forbes informed the board that a deed was filed February 10th 2012 to Walworth County from

James Schirber for Lot 1 SE1/4 13-124-80. Forbes feels the County should consider selling the property in the near future.

**ADJOURNMENT OF 2012 BUSINESS**

**OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED COMMISSIONERS AND OFFICIALS:**

Deputy Clerk of Courts Gwenn Ackerman administered the oath of office to each of the newly elected commissioners and officials as listed below:

County Commissioner District 2: Richard Godkin

County Commissioner District 4: Duane Martin

Auditor: Rebecca Krein

**COUNTY COMMISSIONER CHAIRPERSON & VICE CHAIRPERSON FOR 2013:**

Leff moved and Arbach seconded to nominate Phylliss Pudwill for the position of Walworth County Commissioner Chairperson for fiscal year 2013, to cease nominations and to cast a unanimous ballot for Pudwill, Voting aye: 5; nay: 0. The motion was adopted.

Leff moved and Pudwill seconded to nominate Denis Arbach for the position of Walworth County Commissioner Vice-Chairperson for fiscal year 2013, to cease nominations and to cast a unanimous ballot for Arbach. Voting aye: 5; nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

Leff moved and Arbach seconded that the following claims be paid. Voting aye: 5; nay: 0. The motion was adopted.

**COMMISSIONERS:** Cardmemeber Service-coffee, $3.98; SDPAA-insurance premiums, $2502.44; Stoicks-cups, $3.50

**ELECTIONS:** SDPAA-insurance premiums, $190.00

**COURTS:** Kristi A Brandt-transcripts, $38.00; Stoicks Food Center-juror supplies, $17.81

**AUDITORS:** Lincoln National Life Ins Co-life ins binder payment, $235.85; McLeods Printing & Office-window envelopes, $129.65

**TREASURES:** A & B Businiess-toner cartridges, $1,080.87; A & B Business-office supplies, $293.31; Marin Biel Insurance Inc-official bond 3 years, $573.75

**STATES ATTORNEY:** A & B Business- MP3 voice recorder, $122.74; A & B Business-office supplies, $519.86; Mobridge Regional Hospital-blood alcohol draw, $140.11; Paul E Bachand-SD codified laws, $87.00

**COURT APPT ATTY**: Vaughn P Beck-services & fees, $792.10; Vickie S Broz Krause-services & fees, $395.60; Dakota Plains Legal Services-service & fees, $3,505.50; William D Gerdes-services & fees, $4,818.20; Mark Kroontje-services & fees, $157.20

**ABUSED CHILD DEFENSE:** Dakota Plains Legal Services-services & fees, $553.50; Von Wald Law Offices-services & fees, $3,433.16

**COURT HOUSE**: Cardmember Services-vacuum, $237.06; Cardmember Services-liners, $26.13; City of Selby-water & sewer service, $107.29; Reuer Sanitation Inc-garbage service, $95.00; SDPAA-insurance premiums, $14,015.52

**DOE:** Pheasantland Industries-2013 mobile home decals, $106.58

**REGISTER OF DEEDS:** Integrated Imaging-microfilm processing, $16.80; Reliable Office Supplies-supplies, $246.59

**SHERIFF:** A & B Business Inc-calendars, $29.95; CNA Surety-surety bond, $32.50; Connecting Point-repairs & maintenance, $80.00; Pennington County-transports, $498.55; SD Sheriffs Association-registration, $75.00; SDPAA-insurance premiums, $2,502.77

**JAIL:** City of Selby-water & sewer service, $195.41; Family Pharmacy Inc-medications, $133.50; Mobridge Medical Clinic-medical care, $137.85; Mobridge Regional Hospital-medical care,360.73; MDU-utilities, $716.69; SDPAA-insurance premiums, $7,007.76; Vilas Drug-medication, $28.99

**CORONER:** Eric Schley-mileage expense, $81.40

**EMERGENCY & DISASTER:** A & B Business-ink cartridges, $44.11; Motorola Solutions Inc-radios, $32,988.80

**MENTALLY ILL:** Lucy Lewno-services & fees, $150.45; Cathy Rehfuss-services & fees, 15.00

**MENTAL ILLNESS BOARD:** Karen Swanda-services & fees, $15.00; Von Wald Law Offices-legal services, $72.50; Yankton Co Sheriff’s Office-services & fees, $25.00

**PARKS:** Cam Wal Electric Cooperative-electricity, $35.00

**EXTENSION:** SDPAA-insurance premiums, $240.00

**WEED CONTROL:** A & B Business Inc-supplies, $57.28; SDPAA-insurance premiums, $761.11

**PLANNING & ZONING:** Mobridge Tribune-zoning proceedings, $19.61

**RD & BR:** Avera Queen of Peace-employee alcohol/drug testing, $222.70; Butler Machinery Co-parts & supplies, $6,461.99; Cam Wal Electric Cooperative-electricity, $64.15; Central Diesel Sales Inc-parts & supplies, $531.43; City of Mobridge-water & sewer, $40.25; City of Selby-water & sewer, $93.21; D-Ware-services & fees, $1,470.00; Grainger-supplies, $48.17; John Deere Financial-supplies, $816.99; Kens Western Lumber-supplies, $5.99; MDU-electricity, $353.11; Reuer Sanitation Inc-garbage service, $35.00; Running’s Supply Inc-supplies, $10.98; SD Dept. Transportation-pavement marking, $419.43; SDACHS-annual dues, $225.00; SDPAA-insurance premiums, $17,519.40; Selby Auto Sales & Service-supplies, $2,128.83; Selby Oil Company-tires, $420.00; Stern Oil Co Inc-supplies, $2,338.17;

Valley Telecommunications-cell phone service, $39.99; West River Telecommunications-phone service, $30.40

**SOLID WASTE:** Cam Wal Electrical Cooperative-electricity, $328.83; Lucky’s Gas & More-gasoline, $148.13; SD Dept. of Environment-solid waste surcharge, $972.00; DSPAA-insurance premiums, $5,316.44; Valley Telecommunications-phone & internet service, $70.19

**PARTIAL PYMTS FUND:** Walworth County Treasure-partial payments, $384.81

**5 CO TV DIST FUND:** Auto Owners Insurance-insurance premiums, $19,415.00; Cam Wal Electrical Cooperative-utilities, $988.46; FEM Electric Assoc-utilities, $86.60

**REGIONAL E911 FUND:** Motorola Solutions Inc-service agreement, $6,879.12

**WEST PAYMENT CENTER:** West Payment Center-information charges, $1,830.00

**SDACO M & P FUND:** SDACO M & P Fund-M & P fund, $226.00

**RESOLUTIONS AND ORDINANCES:**

Leff moved and Arbach seconded to adopt Resolution WC 2013-01. Voting aye: 5; nay: 0. The motion was adopted.

**RESOLUTION WC 2013-01**

**RESOLUTION TO ESTABLISH ELECTION OFFICIALS FEES**

WHEREAS, it may be necessary to appoint election officials in 2013, and

WHEREAS, pursuant to SDCL 12-15-11, the fee paid to election officials shall be established annually by the board of county commissioners at its first regular meeting of the year;

NOW THEREFORE, BE IT RESOLVED, by the Walworth County Board of Commissioners that for the year 2013, election officials shall be paid as follows:

Precinct Superintendent $7.47 per hour

Precinct Deputy $7.47 per hour

Counting Board Officials $7.47 per hour

Election school attendance $15.00

Dated and adopted this 8th day of January, 2013 by a vote of the Board of Commissioners

Vote of Commissioners: Yea 5 Nay 0

WALWORTH COUNTY, SOUTH DAKOTA

Phylliss Pudwill

Walworth County Commissioner Chairperson

ATTEST:

(SEAL)

Rebecca Krein

Walworth County Auditor

Leff moved and Godkin seconded to adopt Resolution WC 2013-02. Voting aye: 5; nay: 0. The motion was adopted.

**RESOLUTION WC 2013-02**

**RESOLUTION ESTABLISHING FEES ALLOWED BY FUNERAL DIRECTOR**

WHEREAS, it may be necessary to conduct a county burial as per SDCL 28-17 in 2013; and

WHEREAS, pursuant to SDCL 28-17-4, the county shall allow the funeral director for merchandise and such services rendered, a sum to be established by resolution of the board of county commissioners in such county at their organizational meeting;

NOW THEREFORE, BE IT RESOLVED, by the Walworth County Board of Commissioners that for the year 2013, the funeral director shall be allowed the following:

Maximum dollar amount for merchandise & services rendered for county burial: $2,000

Outside Container: at cost when required and applicable invoice is provided

Dated and adopted this 8th day of January, 2013 by a vote of the Board of Commissioners

Vote of Commissioners: Yea 5 Nay 0

WALWORTH COUNTY, SOUTH DAKOTA

Phylliss Pudwill

Walworth County Commissioner Chairperson

ATTEST:

(SEAL)

Rebecca Krein

Walworth County Auditor

Leff moved and Godkin seconded to adopt Resolution WC 2013-03. Voting aye: 5; nay: 0. The motion was adopted.

**RESOLUTION WC 2013-03**

**RESOLUTION TO ESTABLISH SALARIES OF ELECTED OFFICIALS**

WHEREAS, Walworth County has established the following elected positions: county treasurer, county auditor, county register of deeds, county state’s attorney, and county sheriff; and

WHEREAS, pursuant to SDCL 7-7-9.1, SDCL 7-7-12, and SDCL 7-12-15, respectively; the board of county commissioners shall establish, by resolution, the salaries payable to said elected officials,

NOW THEREFORE, BE IT RESOLVED, by the Walworth County Board of Commissioners that for the year 2013, the salaries payable shall be as follows:

County Treasurer: $38,351.23

County Auditor: $40,112.28

County Register of Deeds: $38,351.23

County State’s Attorney: $68,654.36

County Sheriff: $46,432.07

County Coroner $69.00 per call

Dated and adopted this 8th day of January, 2013 by a vote of the Board of Commissioners

Vote of Commissioners: Yea 5 Nay 0

WALWORTH COUNTY, SOUTH DAKOTA

Phylliss Pudwill

Walworth County Commissioner Chairperson

ATTEST:

(SEAL)

Rebecca Krein

Walworth County Auditor

**DESIGNATION OF OFFICIAL NEWSPAPERS:**

Leff moved and Arbach seconded to designate the Mobridge Tribune and the Selby Record/Continuing the Java Herald as Walworth County’s official newspapers for 2013. Voting aye: 5; nay: 0. The motion was adopted.

**DESIGNATION OF OFFICIAL DEPOSITORIES:**

Arbach moved and Leff seconded to designate BankWest, Wells Fargo, Dacotah Bank, Great Western Bank, and South Dakota FIT as the official depositories of Walworth County for 2013. Voting aye: 5; nay: 0. The motion was adopted.

**COMMISSIONERS SALARY:**

Pursuant to SDCL 7-7-5, Arbach moved and Leff seconded to set the salary of the commissioners for the 2013 fiscal year at $9,465.29 which includes a three percent increase from the 2012 salary. Voting aye: 5; nay: 0. The motion was adopted.

**2013 SALARY SCHEDULE:**

Godkin moved and Leff seconded to set the 2013 salary schedule as follows and to authorize said publication as per SDCL 6-1-10. The rate of pay for each county employee will reflect a three percent increase from their 2012 rate. All full time employees, with the exception of elected officials, shall also receive an additional $1.00 for each completed year of employment as longevity pay each pay period. Voting aye: 5; nay: 0. The motion was adopted.

**Commissioners:** Denis Arbach, $9,465.29; Richard Godkin, $9,465.29, Duane Martin, $9,465.29; Donald Leff, $9,465.29; Phylliss Pudwill, $9,465.29

**Auditor’s Office:** Auditor Rebecca Krein, $40,112.28; Deputy Auditor Brenda DeToy, $13.44 per hour

**Treasurer’s Office:** Treasurer Chuck Hanson, $38,351.23; Deputy Treasurer Patricia Berens, $13.44 per hour; Part-time On-call Deputy Treasurer Susan Schneider, $10.82 per hour, Part-time On-call Deputy Treasurer Leah Holder, $9.79 per hour

**Register of Deeds Office:** Register of Deeds Susan Eisemann, $38,351.23; Deputy Glenda Wientjes, $13.44 per hour

**Director of Equalization Office:** Director of Equalization Deborah Kahl, $17.85 per hour; Deputy Director of Equalization Roger Walker, $17.85 per hour; Deputy Brenda DeToy, $13.44 per hour

**State’s Attorney’s Office:** State’s Attorney James Hare, $68,654.36; Secretary Kathy Walker, $14.98 per hour; Secretary

**Sheriff’s Department:** Sheriff Duane Mohr, $46,432.07; Deputy Sheriff Joshua Boll, $36,851.46; Deputy Sheriff Shawn Fox, $16.97 per hour; Part-time On-call Secretary Cristy Holder, $9.79 per hour; Part-time On-call Certified Transport Officers, $11.88 per hour; Part-time On-call Transport Guards, $9.50 per hour

**Jail:** Full-time Correctional Officers: Kari Beaman, $12.77 Earleen Irigoyen, $13.80 per hour; Saundra Mitzel, $13.80 per hour; Joshua Nelson, 13.80 per hour; Brian Rawstern, $13.80 per hour; Lillian Timmons, $13.80 per hour; Justin Tvedt, $13.80 per hour; Aaron Vogel, $13.29 per hour; Part-time On-call Correctional Officers: Kylee Franklin, $11.64 per hour; Myron Moos, $12.15 per hour; Jacquelyn Rawtern, $11.64; Karen Vogel, $12.15

**Emergency Manager:** Adam Fiedler, $16.00 per hour

**Extension Office:** Secretary Patti Baumann, $13.44 per hour

**Veterans Service Officer:** Leo Rookey, Jr., $12,693.84

**County Coroner:** Eric Schley, $69.00 fee per call plus expenses at actual cost; Deputy Coroners: Kenneth Ripley & Daniel Snyder, $69.00 fee per call plus expenses at actual cost

**Weed Supervisor/Rural Zoning Administrator/Welfare Director:** Roger Walker, $17.85 per hour

**Road & Bridge Department:** Highway Superintendent Penny Goetz, $44,432.10; Road Foreman Marty Hook, $21.31 per hour; Mechanic Dwight Helm, $18.31 per hour; Full-time employees: James Ackerman, $16.23 per hour; Ronald Berens, $13.72; Allen Frost, $16.23 per hour; Ladean Moak, $16.55 per hour; Leslie Noess, $16.23 per hour; Jason Walker, $15.24 per hour; Part-time seasonal employee: Gerald Fiedler, $11.10 per hour; Fulltime/Part-time employee: Gerald Kosters, $13.23 per hour

**Landfill Department:** Landfill Supervisor Ryan Badten, $50,000.00; Landfill Foreman David Weleba, $15.46, Full-time employees: Paul Davis, $13.86 per hour; Mark Landis, $13.86 per hour; Part-time On-call employee: James Goetz, $9.43 per hour

**Miscellaneous Board Members:** $15.00 per meeting

**Part-Time On-Call Clerical:** $9.79 per hour

**BOARD APPOINTMENTS AS PER CHAIRPERSON PUDWILL:**

**LEFF:** Community Health Council, Landfill, North Central Regional E911, Northeast Council of Governments, Highway

**PUDWILL:** Jail, Extension, Investment & Finance, Television Translator District

**GODKIN:** Rural Zoning, Purchasing, Courthouse Maintenance, War Hawk Emergency Management District

**ARBACH:** Highway, Weeds, North Central RC & D, Northeast Council of Governments

**MARTIN:** Ambulance, Insurance, Landfill

**NORTH CENTRAL REGIONAL E911:** Don Leff and Curt Rawstern

**EMERGENCY DISASTER COORDINATOR:** Penny Goetz

**VETERANS’ SERVICES OFFICER:** Leo Rookey, Jr.

**WAR HAWK EMERGENCY MANANGEMENT COORDINATOR:** Ted Schweitzer

**FAMILY ASSISTANCE COORDINATOR:** Patti Baumann

**PURCHASING:** Rebecca Krein, Chuck Hanson, and Richard Godkin

**INSURANCE:** Rebecca Krein and Duane Martin

**RURAL ZONING BOARD:** Harley Brockel, Duane Karst, Harley Overseth, Stanley Weiss, and Richard Godkin

**EXTENSION BOARD:** Todd Biel, Garnet Perman, Phylliss Pudwill, and Cindy Zabel

**NORTHEASTERN MENTAL HEALTH:** Rebecca Krein

**BOARD OF ZONING ADJUSTMENTS:** Duane Martin, Don Leff and Richard Godkin; alternates: Phylliss Pudwill and Denis Arbach

**PERSONNEL POLICY:** Denis Arbach, Richard Godkin, Duane Martin, Don Leff, and Phylliss Pudwill

**“504” TASK & A.D.A:** Commissioner Denis Arbach, Auditor Rebecca Krein, Non-elected employee Deborah Kahl, Veterans’ Services Officer Leo Rookey, County Handicapped Representative At-Large: vacant, Building Maintenance Representatives Richard Godkin and Don Leff and Highway Superintendent Penny Goetz

**4-H COMPLEX POLICY COMMITTEE:** Commissioner Phylliss Pudwill, Auditor Rebecca Krein, and Highway Superintendent Penny Goetz

**MEDICAL EQUIPMENT COMMITTEE:** Walworth County Representative Patti Baumann, Selby Legion Auxiliary Representative Mary Lou Bucklin, Java Legion Auxiliary Representative Lois Wolf and Selby Lioness Representative Florence Karst

**WEED BOARD:** Commissioner Denis Arbach, Joe Arbach, Tom Fiedler, Ernie Mertz, Ralph Rabenberg, Bill Rosin, and Gene Zabel

Commissioners requested a list of all boards and members and will consider making changes at a later date.

**OTHER MATTERS DISCUSSED AND ACTION TAKEN:**

**SHERIFF’S MONTHLY REPORT:**

Sheriff Mohr presented the board with his monthly and year end reports.

**JAIL AGREEMENTS:** Sheriff Mohr presented the board with contracts from the following counties for housing prisoners

in Walworth County Jail: Spink, Edmunds, Sioux County ND, Stanley, Hyde, Faulk, Dewey, Potter, Campbell, Corson and Logan County ND. Arbach moved and Godkin seconded a

motion to sign all contracts. Voting aye: 5; nay: 0. The motion was adopted.

**TREASURER’S REPORT:**

Treasurer Chuck Hanson met with the board and presented a list of all mobile home taxes unpaid at the close of business on December 31, 2012 as per SDCL 10-22-31. He informed them that distress warrants would be issued for the collection of these delinquent taxes. He also provided the monthly financial report.

**4-H YOUTH PROGRAM ADVISOR:**

Jeff Mueller met with the board to inform them that SDSU is posting his position and hopes they will have it filled by April. The board asked Mueller how many hours he thought the extension secretary needed to fulfill her job duties for that department. He stated that he thought 2 days per week would be sufficient with the exception of certain times of the year that events are held for

4-H.

**SDSU MEMORANDUM:**

Leff moved and Godkin seconded to sign the memorandum of understanding between the county

and SDSU for the year 2013. Voting aye: 5; nay: 0. The motion was adopted.

**BIDS:**

Independent contract for lawn care and snow removal services for the term of January 9 to

December 31, 2013

The following bid was opened:

Kurt Wolf $8,700.00

Arbach moved and Leff seconded to award the bid in the amount of $8,700.00 for lawn care and

snow removal services to Kurt Wolf. Voting aye: 5; nay: 0. The motion was adopted.

At the request of Kurt Wolf, Godkin moved and Leff seconded to advertise for bids in the future

by October 15th to allow more preparation time for those submitting bids.

**AUTHORIZATION TO PUBLISH NOTICE OF ANNUAL LEASING FOR REAL ESTATE BELONGING TO THE COUNTY:**

Godkin moved and Arbach seconded to set the annual leasing date for real estate belonging to the county for February 5, 2013 and authorized the publication of said notice. Voting aye: 5; nay: 0. The motion was adopted.

**EXECUTIVE SESSION:**

Leff moved and Godkin seconded to enter into executive session at 10:00 a.m. for the purpose of discussing a personnel issue as per SDCL 1-25-2(1). Voting aye: 5; nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session closed and the board reconvened in regular session at 10:25 a.m.

**DEARBORN NATIONAL LIFE:** Leff moved and Godkin seconded to sign a cancellation letter to Dearborn National Life to

cancel our policy as we found a lower rate with Lincoln National Life Insurance Company.

Voting aye: 5; nay: 0. The motion was adopted.

**AUDIT CLOSING CONFERENCE:**

Glenda Goens, with the South Dakota Department of Legislative Audit, provided an audit closing

conference as of, and for the two years ending December 31, 2011 to the members of the board.

Leff moved and Godkin seconded to authorize the chairperson to sign the letter of representations

for the audit as presented. Voting aye: 5; nay: 0. The motion was adopted.

**NEW BUSINESS:**

Discussion was held regarding the amount of money in the landfill fund. Martin does not think there should be such a large amount of money held just for the landfill. Badten explained to him that some of the funds were restricted and could not be used so there is not as much money as it seems. No action was taken on the matter at this time.

**ADJOURNMENT:**

Leff moved and Godkin seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. on Tuesday, January 22, 2013. Voting aye: 5; nay: 0. The motion was adopted.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**PHYLLISS PUDWILL, CHAIRPERSON**

**ATTEST:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**REBECCA KREIN, AUDITOR**

Published once at the total approximate cost of $\_\_\_\_\_\_\_\_\_\_\_\_