February 22, 2017

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on February 22, 2017 at 9:00 a.m. at the County Courthouse. Members present were: Jim Houck, Kevin Holgard, Melissa Miller, Scott Schilling and David Siemon. Also present was Auditor Rebecca Krein.

Chairperson Siemon called the meeting to order.

The Pledge of Allegiance was recited by those in attendance.

Schilling moved and Holgard seconded to amend the minutes of the meeting of February 7th and 14th meetings to state Chairperson Siemon. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Houck seconded that the minutes of the meeting of February 7th, 2017 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Houck seconded that the minutes of the meeting of February 14th, 2017 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

Houck moved and Miller seconded that the following claims be paid. Voting Aye: 5; Nay: 0.The motion was adopted.

**COMMISSIONERS:** Kevin Holgard- mileage expense, $30.24; Jim Houck- mileage expense, $140.28; Melissa Miller- mileage expense, $52.92; Montana- Dakota Utilities- electricity, $6.66; Scott Schilling- mileage expense, $269.16; SDACC- registration: Miller, registration: Houck, registration: Siemon, registration: Schilling, $400.00; David Siemon- mileage expense, $70.56; Venture Communications- phone service, $49.74

**COURTS:** West Payment Center- database charges, downloaded software, library plan charges, $2,352.50

**AUDITOR:** SDACO- registration: Krein, $100.00; Venture Communications- phone/fax service, $49.46

**TREASURERS:** Quill- supplies, $769.42; SDACO- registration: Moak, $100.00; Venture Communications- phone/fax, $90.93

**STATES ATTORNEY:** Kristi Brandt- services, $244.40; Connecting Point- travel, labor on phones, $625.00; Lutheran Social Services- services, $1,202.50; Mobridge Regional Hospital- blood alcohol draw, $414.00; Venture Communications- phone service, $118.47; Ransom Yellow Horse- services, $75.28; Gabrielle Yellow Horse- services, $370.78

**COURT APPOINTED ATTORNEY:** Mark Kroontje- services & fees, $7,807.79

**ABUSED CHILD DEFENSE:** Thomas Cogley- services, $297.00; Mark Kroontje- services, $1,255.89; VonWald Law Office- services, $1,336.00

**COURTHOUSE:** Cam Wal- repairs & maintenance, $96.16; Hase Plumbing- supplies, $13.84; Menards- supplies, $30.56; Kurt Wolf- snow removal contract, $774.70

**DIRECTOR OF EQUALIZATION:** Venture Communications- phone service, $55.86

**REGISTER OF DEEDS:** Hal Systems- software maintenance, $292.00; SDACO- registration: Mortenson, $100.00; Venture Communications- phone service, $55.14

**VET SERVICE OFFICER:** Leo Rookey- supplies, $42.20; West River Telecommunications- phone service, $37.87

**SHERIFF:** Galls- supplies, $226.01; Grafix Shoppe- graphics, $617.64; J & J- repairs & maintenance, $1,485.76; Motorola Solutions- equipment for 2013 Taurus’,$ 5,796.34; Neve’s Uniforms- supplies, $327.30; Ramkota Hotel Pierre- lodging: Boll, $93.00; Runnings- supplies, $16.94; Uniform Center- supplies, $255.00; Venture Communications- phone/fax service, $145.73; Walworth County Treasurer- title transfer fee, $42.40

**JAIL:** Cash-WA Distributing- groceries, $825.17; Dady Drug- supplies, $14.77; Phoenix Supply- supplies, $170.82; Quill- supplies, $289.88; Reliance Telephone- 100 phone cards, $1,000.00; Runnings- supplies, $8.99; Selby Ambulance Service- medical services, $265.10; Venture Communications- phone/fax service, $208.02

**CORONER:** A & M Transport- transport fee, $444.00; Oster Funeral Home- transport fee, $640.00

**EMERGENCY & DISASTER:** Venture Communication- radio service, $30.10

**SUPPORT OF POOR:** SDACC- registration: Detoy, $50.00; Venture Communications- phone service, $27.08

**MENTALLY ILL:** Brevik Law Office- court appointed counsel, $230.73

**DEV DISABLED:** SD Dept. of Revenue- services, $60.00

**EXTENSION:** Crystal Olson- mileage expense, $70.05; Quill- supplies, $115.97; Venture Communications- phone service, $32.23

**RD & BR:** Butler Machinery- repairs, $5,717.69; Hase Plumbing- supplies, $9.75; Montana-Dakota Utilities- electricity @ java shop, $28.70; Venture Communications- phone/fax/internet service, $270.58

**SOLID WASTE:** Cam Wal- electricity, $280.26; Farnams Genuine Parts- supplies, $93.23; Lucky’s- gasoline, $54.90; North Central Farmers Elevator- fuel, $1,548.68; SDAEP- registration: Badten, $120.00; SWANA- annual dues, $257.00; Valley Telecommunications- internet/phone service, $118.78; Web Water- water service, $31.88; Wenck Associates- postage, design & spec labor, $2,716.35

**STATE ACCOUNT FUND:** SD Dept. pf Revenue- rod & vital record fees, motor vehicle fees, $101,179.87

**CASH BOND FUND:** Venture Communications- easement refund, $500.00

**SCHOOL DIST FUND:** Cortrust Bank- January 2017 apportionment, $15,710.64; Hoven School District- January 2017 Apportionment, $7,839.20; Dakotah Bank- January 2017 apportionment, $57,132.27; Bank West- January 2017 apportionment, $92,139.82

**CITIES & TOWNS FUND:** City of Mobridge- January 2017 apportionment, $26,473.65; Bank West- January 2017 apportionment, $21,925.35; Dakotah Bank- January 2017 Apportionment, $1,188.74; Bank of Hoven- January 2017 apportionment, $254.21

**PARTIAL PYMTS:** Walworth County Treasurer- Gabe Knecht, $448.84

**SALES/EXCISE TAX FUND:** SD State Treasurer- city, state sales tax, $146.12

**5 CO TV DIST FUND:** Sid Haux- cellphone, mileage fee, $217.14

**JAVA FIRE DISTRICT FUND:** Bank West- January 2017 apportionment, $235.42

**BOWDLE FIRE FUND:** Bowdle Rural Fire District- January 2017 apportionment

**RESOLUTION WC2017-05:**

RESOLUTION TO SET OVERWEIGHT LIMITS

WHEREAS, the ultimate responsibility for the county roads in Walworth County rests with the Walworth County Commission; and

WHEREAS, the Walworth County Commission has appointed the highway superintendent as the proper highway authority, responsible for the care and maintenance of all Walworth County roads; and

WHEREAS, to preserve the roads in Walworth County during all seasons of the year, weight restrictions must be imposed and enforced; and

WHEREAS, to preserve the roads in Walworth County during the spring season, weight restrictions and/or reduced speeds must be imposed; and

WHEREAS, it would be beneficial to Walworth County to seek and obtain the assistance of the South Dakota Highway Patrol in enforcing load restrictions on all Walworth County roads;

NOW THEREFORE, BE IT RESOLVED, that the Walworth County Board of Commissioners, hereby, authorizes the Walworth County Highway Superintendent to impose, consistent with the recommendations of the South Dakota Department of Transportation and the South Dakota Highway Patrol, weight restrictions for overall vehicle weight and/or weight restrictions per axle during all seasons of the year , and to also include the reduced weight limits due to thawing and excessive moisture during the spring season. In so resolving, the commission directs the highway superintendent to post notice of weight restrictions as required by law.

BE IT FURTHER RESOLVED, that the Walworth County Board of Commissions requests assistance from the South Dakota Highway Patrol in the enforcement of weight restrictions in Walworth County and authorizes the Walworth County Highway Superintendent to work in conjunction with the South Dakota Highway Patrol to reduce damage to the roads in Walworth County due to overweight vehicles.

Dated this 22nd day of February, 2017 at Selby, South Dakota

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Walworth County Commission Chairperson

ATTEST:

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Walworth County Auditor

**4-H:**

The meeting of the new 4-H advisor was tabled until the next meeting.

**POOR RELIEF:**

DeToy and Hare updated the board on the current poor relief claims.

**SOUTH DAKOTA DEPARTMENT OF LEGISLATIVE AUDIT:**

Chelsey Siebrands met with the board regarding the audit findings for 2014 and 2015. She reported all the findings and told the board they have a chance to respond but to respond in a timely manner.

**PARTIAL PAYMENTS:**

The request for partial payments for record 5765 was cancelled as the taxes were paid in full.

**SHERIFF & JAIL:**

Kylee Franklin presented the board with new monthly reports for the jail. She informed the board that a records management system would significantly help with keeping track of jail operations.

Holgard would like to see the operational figures for the purposed jail prior to the matter being taken to the public for a bond request or signing an agreement with HKG Architects. Rod Moon was in attendance and asked that the board get all of the information out to the taxpayers so they are able to cast an intelligent vote on the matter. There will be public meetings held prior to any decisions being made.

Houck moved and Schilling seconded to approve a jail boarding agreement with Perkins County for 2017. Voting Aye: 5; Nay: 0. The motion was adopted.

Houck moved and Miller seconded to approve a jail boarding agreement with Dewey County for 2017. Voting Aye: 5; Nay: 0. The motion was adopted.

**HIGHWAY ISSUES:**

Goetz provided the board with the monthly report. Holgard requested monthly snow removal costs be provided.

Clark Engineering met with the board to provide them cost estimates for county road 319. The road is in poor condition due to the increased truck traffic from Northern Plains Cooperative. The estimates range from $263,700.00-$299,942.00. Schilling will meet with the City of Selby and Northern Plains to discuss sharing the cost of the project.

Walworth County residents met with the board to discuss Clover Road. They stated there has been a lack of maintenance on the road. Goetz informed the board that it is a minimum maintenance road and the county is only responsible for 360’ of it. Houck moved and Miller seconded to table it until the next meeting to allow Goetz and Hook to review it. Voting Aye: 5; Nay; 0. The motion was adopted.

Houck moved and Schilling seconded to purchase culverts off the Beadle County bid from True North Steel. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Houck seconded to approve the equipment rates for 2017. Voting Aye: 5; Nay: 0. The motion was adopted.

Schilling moved and Holgard seconded to declare 6 motorgrader tires surplus to be sold. Voting Aye: 5; Nay: 0. The motion was adopted.

Goetz stated she published the right of way notice and would like more consequences for violators. All county roads have 66’ no matter the size of the road or section line. The state right of way on Highway 12 is 100’ and 83 varies.

Goetz requested the policy manual change to address the highway department being called out on the weekend. Some of the employees that worked on Sunday took Friday off so they were not given compensatory time for working a Sunday due to not working over 40 hours in the week. Houck moved and Siemon seconded to change the policy to read that they will receive admin time for any non-planned hours worked on weekends by the highway department. Voting Aye: 1; Nay: 2, Miller abstained therefore Siemon could not vote. The motion failed.

The highway department also received a thank you letter from the Mobridge Tourism Committee.

**LANDFILL:**

Badten provided the board with his monthly reports.

**COURTHOUSE ROOF:**

Badten informed the board that the courthouse roof is leaking again. He has a company coming to look at it to see if we need an entire replacement. This will be addressed at a later date.

**ABATEMENTS:**

Houck moved and Holgard seconded to approve an abatement for record 8705 in the amount of $1,895.90 due to the discretionary formula not applied properly. Voting Aye: 5; Nay: 0. The motion was adopted.

Miller moved and Schilling seconded to approve an abatement for record 4698 in the amount of $419.64 due to a freeze not applied properly. Voting Aye: 5; Nay: 0. The motion was adopted.

**NEW BUSINESS:**

Hare requested the board advise him on whether to be flexible if someone violates the load limits or enforce the matter with the set fines. The board advised him to have no flexibility.

Krein stated that the company that videoed the documentary last week requested a release form signed stating that they are allowed to use the courthouse in their television show. Hare suggested they do not sign and inform the company to do what they feel they have a right to.

Discussion was held on loads not being tarped that deliver to the landfill. Badten will contact these violators and inform them that this will start being enforced by the Sheriff if it continues.

**ADJOURNMENT:**

Schilling moved and Miller seconded that the Board of County Commissioners adjourn until the hour of 9:00 am March 7, 2017. Voting Aye: 5; Nay: 0.

**Full proceedings of this and all meetings of the Walworth County Board of Commissioners can be viewed from Walworth County’s official YouTube page—go to** [**www.walworthco.org**](http://www.walworthco.org)**, click on the “Quick Links” tab and follow the YouTube link to access commission meeting videos.**

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**DAVID SIEMON, CHAIRPERSON**

**ATTEST:**

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**REBECCA KREIN, AUDITOR**

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