May 21, 2013

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session on May 21, 2013 at 9:00 a.m. at the County Courthouse. Members present were: 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.

Chairperson Pudwill called the meeting to order.

The Pledge of Allegiance was recited by those in attendance.

Leff moved and Godkin seconded that the minutes of the meeting of May 7, 2013 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

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

**COMMISSIONERS:** Lincoln National Life Insurance – life insurance, $15.25; Venture Communications – fax service, 42.16; Venture Communications – phone service, $58.

**AUDITORS:** Lincoln National Life Insurance – life insurance, $13.26; Quill Corporation – supplies, $18.73; Venture Communications – fax service, $3.88; Venture Communications – phone service, $28.27

**TREASURER:** Lincoln National Life Ins – life insurance, $13.26; Venture Communications – fax service, $3.37; Venture Communications – phone service, $64.77

**STATES ATTORNEY:** Lincoln National Life Insurance – life insurance, $13.26; Mobridge Regional Hospital – blood alcohol draws, $130.00

**COURTHOUSE:** Johnson Controls – service agreement, $4161.00; Lincoln National Life Insurance – life insurance, $6.63; Quill Corporation – supplies, $56.20

**DOE:** Lincoln National Life Insurance – life insurance, $6.63; Quill Corporation – HP Imaging Drum, $152.99; Venture Communications – fax service, $1.01; Venture Communications - phone service, $44.44

**REGISTER OF DEEDS:** Lincoln National Life Insurance – life insurance, $13.26; Venture Communications – fax service, $2.69; Venture Communications – phone service, $49.54;

**SHERIFF:** Jerry’s Pawn Shop – ammunition, $149.85; Josh Boll - meal expense, $87.00; Lincoln National Life Insurance – life insurance, $17.57; Duane Mohr – stamps, $92.00; Pennington County Sheriff’s Office – transport prisoner, $119.55; SD Sheriff’s Association – patches, $30.00; Slater Oil & LP Gas – gasoline, $1879.50; Venture Communications – phone & fax service, $93.26; Western Rancher/The Other Side – supplies, $6.00; **JAIL:** Building Sprinkler Inc. – fire sprinkler inspection, $541.27; Lincoln National Life Insurance – life insurance, $28.51; Securus Technologies – prepaid calling cards, $1760.00; Venture Communications – internet service, $85.95; Venture Communications – phone & fax service, $89.86; Western Communications Inc. – program radio, $128.00;

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

**SUPPORT OF POOR:** Ripley Funeral Home DBA – funeral, $2000.00; Venture Communications – phone service, 42.02;

**MENTAL ILLNESS BOARD:** Lewis & Clark Behavioral – mental illness hearing - $149.00; Yankton County Treasurer – mental illness hearing - $106.25

**EXTENSION:** Lincoln National Life Insurance – life insurance, $6.63; SDSU Extension – salary support contract, $2792.00; Venture Communications – phone service, $46.12;

**WEED CONTROL:**  Lincoln National Life Insurance – life insurance, $4.31; Van Diest Supply Company – herbicides, $8232.50; Venture Communications – phone service, $1.48

**RD & BR:** Lincoln National Life Insurance – life insurance, $66.30; Montana Dakota Utilities – electricity Java Shop, $25.14; SD Public Assurance Alliance – add motor grader insurance, $601.00; Venture Communications – phone service Java, $42.03; Venture Communications – internet service, $60.95; Venture Communications – phone & fax service, $154.97;

**SOLID WASTE:** Lincoln National Life Insurance – life insurance, $19.89; The Lodge at Deadwood – lodging Ryan Badten, $81.00;

**NORTHLAND TRUST SERVICE INC:** Interest payment, $156475.00

**SALE/EXICE TAX FUND:** South Dakota State Treasurer – city sales tax, $7.27; state sales tax, $103.81

**REGIONAL 911 FUND:** AT & T – access charges, $122.98; CenturyLink – access charges, $1281.83; Language Line Services – interpretation services, $90.00; Venture Communications – access charges, $424.09; West River Telecommunications – access charges , $1838.19;

As required by SDCL 6-1-10, the April payroll paid by department was as follows: Commissioners - $6,117.38; Auditor - $9,218.72; Treasurer - $9,110.03; States Attorney - $11,926.59; Courthouse - $831.53; Director of Equalization - $6,524.76; Register of Deeds - $8,066.35; Veterans Service Officer - $1,138.75; Sheriff - $14,564.14; Jail - $33,977.92; Emergency & Disaster - $1,877.42; Poor - $591.00; Extension - $1,882.49; Weed & Pest - $1,701.07; Zoning - $697.36; Road & Bridge - $42,738.44; Solid Waste - $19,412.72; 5 County TV Translator District - $1,001.14.

**TREASURER:**

Treasurer Greg Pudwill met with the board to request approval for comp time for Pat Berens.

Pudwill also reported that Lila Martel has paid $950.00 on her back taxes. He still has not received a $1000 payment that was expected. States Attorney Hare will contact Jenifer Coleman to see if she knows the status of that payment.

**NECOG & CITY OF MOBRIDGE:**

Ted Dickey from NECOG and Steve Gasser from the city of Mobridge met with the board to request support from the county for a bike path that will run parallel to a county road. Highway Superintendent Goetz had concerns about liability and snow removal. States Attorney Hare mentioned a concern that road construction could cause damage to the bike path and liability issues from that instance. Dickey and Gasser said they were not looking for any monetary compensation, just support from the county for the path. Godkin moved and Martin seconded a motion that the county support the construction of the bike path. Voting aye: 5; nay: 0. The motion was adopted.

 **RESOLUTION 2013-10**

WHEREAS, the City of Mobridge proposes to construct a bike path for the City of Mobridge; and

WHEREAS, the project will benefit not only the residents of the City of Mobridge, but also citizens of Walworth County;

NOW THEREFORE BE IT RESOLVED that Walworth County supports the project and the submittal of a Transportation Alternative Program application.

Signed this 21st day of May, 2013

 WALWORTH COUNTY, SOUTH DAKOTA

 Phylliss Pudwill

 Walworth County Commissioner Chairperson

ATTEST:

(SEAL)

 Rebecca Krein Walworth County Auditor

Steve Gasser also informed the board that the city is ready to tear down a structure on a tax deed property and will be contacting Highway Superintendent Goetz to arrange a date.

**EMERGENCY MANAGEMENT:**

Emergency Manager Adam Fiedler met with the board reporting a change in the LEOP plan that in the event of a disaster the courthouse offices would move to the Selby Area School District gym rather than at the City Hall in Mobridge.

Fiedler also reported that the state has declared Walworth County a disaster area for drought so that if the need to arrange for a plane to fight a fire the costs of such plane would be paid by the state instead of the county.

When questioned about removing the burn ban, Fiedler requested that the commission wait at this time as we are still considered to be in a disaster area and if we remove the burn ban, we would then be liable for the charges for the fire plane should a large fire happen to get started. The commission agreed with this request.

**FIRE PROTECTION:**

Lonnie Perman met with the board requesting more money from the county for local fire departments. He said that one of the worst counties for compensating local fire departments is Walworth County. He said that he has spoken with all the local fire departments and they are in agreement that the county should budget $50,000.00 for fire protection. He said some of the options would be to opt out for the fire protection levy, hire only one person in the assessor’s office and give the extra money from that salary to the fire departments. He said the fire departments have agreed that if something is not done the local fire departments will be charging the county $110.00 dollars per hour per truck for every fire that they respond to. Commissioner Leff told Perman that we would look into the options available when creating the budget for 2014.

**MONTHLY DEPARTMENT HEAD MEETING:**

Janitor Leah Holder informed the board that there is a leak by the back door and that she will be contacting someone to repair it.

**HIGHWAY AND LANDFILL ISSUES:**

The county has received an application from WEB Water for approval of occupancy on county right-of-way. Leff moved and Godkin seconded to approve the application. Voting aye: 5; nay: 0. The motion was adopted.

**BID OPENING CULVERT REPLACEMENT:**

At 10:00 the commission held a bid opening for culvert replacement. Bid received were: Morris Inc. - $91704.00; Jensen Rock and Sand - $120547.10; B & B Contracting - $124764.00; and Miller Construction - $102914.65. Leff moved and Arbach seconded to accept the bid from Morris Inc. in the amount of $91704.00. Voting aye: 5; nay: 0.

The motion was adopted.

Highway Superintendent Goetz provided a letter from the City of Selby regarding sewer service at the old state shop building. Goetz said sewer service is needed however water service is not. State’s Attorney Hare will contact the City of Selby regarding the water service.

**BID OPENING 2008 140M MOTOR GRADER:**

At 10:15 the commission held a bid opening for the 2008 140M Motor Grader. Bids received were: Jack’s Truck & Equipment – no bid amount; Butler Equipment - $140,000.00. Highway Superintendent indicated that she would like to reject all bids. Arbach moved and Leff seconded to re-advertise for another bid letting for the 2008 140M Motor Grader for June 18, 2013 at 10:00 a.m. Voting aye: 5; nay: 0. The motion was adopted.

Leff moved and Godkin seconded to allow Brownlee Construction to crush at the Haux pit at the same price as at the Hettich pit. Voting aye: 5; nay: 0. The motion was approved.

Leff moved and Arbach seconded to allow Landfill Superintendent to add the following items to the surplus property list to be destroyed due to none of the items being operational: Dewalt DC925KA Cordless Drill, HP LaserJet M1522N Printer, and 7000 lb. square jack. Voting aye: 5; nay: 0. The motion was adopted.

Landfill Superintendent Ryan Badten gave a report on the County clean-up days.

Superintendent Badten provided a chart to the county showing the tipping fee increase. The board will discuss this fee increase at greater length in June.

Superintendent Badten also reported that cell construction will be on a temporary hold until the weather dries up a little.

Superintendent Goetz informed the board that the walkway at Lake Molstad has been fenced and barricaded and there are no trespassing signs posted temporarily until Cam Wal removes the power pole.

**GROW SD:**

Maurine from Grow SD reported to the board that NESDCAP & NESDEC have combined to become Grow SD. Murine requested funds to support Grow SD and the funds from Walworth County would go back to Walworth County residents the commissioners will discuss this at budget time.

**CREDIT COLLECTIONS:**

Martin moved and Godkin seconded that we pursue using Credit Collections Bureau to collect fees for poor liens. Voting aye: 5; nay: 0. The motion was adopted.

**DIRECTOR OF EQUALIZATION:**

Director of Equalization Deb Kahl met with the board requesting approval of new hires Michelle Hesselberg and Jill Hoogeveen as deputies in the assessor’s office. This will begin June 3, 2013 at $13.44 per hour with a 6 month probationary period. Martin moved and Leff seconded a motion to approve the hiring of Hesselberg and Hoogeveen. Voting aye: 4; nay: 1. The motion was adopted.

**SHERIFF AND JAIL ISSUES:**

Leff moved and Martin seconded to approve the hiring of Colin Smith as part time jailer at salary of $11.14 per hour. Voting aye: 5; nay: 0. The motion was adopted.

Sheriff Mohr requested and received approval for Chief Deputy Josh Boll to attend the DARE Instructor In-service on June 10-12, 2013.

Mohr also reported that more information on the possible jail renovation study will be approximately 3 weeks.

**EXECUTIVE SESSION:**

Leff moved and Arbach seconded to enter into executive session at 11:30 am for the purpose of discussing a personnel issue as per SDCL 10-3-14. Voting aye: 5; Nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session with no action taken at 11:51 am.

**ADJOURNMENT:**

Arbach moved and Leff seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. on Tuesday, June 4, 2013. Voting aye: 5; Nay: 0. The motion was adopted.

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**PHYLLISS PUDWILL, CHAIRPERSON**

**ATTEST:**

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**REBECCA KREIN, AUDITOR**

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