June 9, 2015

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on June 9, 2015 at 9:00 a.m. at the County Courthouse. Members present were: Scott Schilling, Duane Martin, Jim Houck and David Siemon. Also present were Auditor Rebecca Krein and State’s Attorney James Hare.

Chairperson Schilling called the meeting to order.

The Pledge of Allegiance was recited by those in attendance.

Houck moved and Siemon seconded that the minutes of the meeting of May 19, 2015 be approved. Voting Aye: 4; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

Martin moved and Houck seconded that the following claims be paid. Voting Aye: 4; Nay: 0. The motion was adopted.

**COMMISSIONERS:** Ashia Chase – supplies, $14.28; City of Mobridge – water service @ 306 2nd Ave W, $10.50; Jim Houck – mileage expense, $56.24; Hoven Media Inc – commissioner district 1, right of way, $20.72; Marco Inc – maintenance contract, $10.70; Duane Martin – mileage expense, $77.70; Quill Corporation – name plate, $29.99; Selby Record – commissioner district 1, official proceedings, right of way, $471.93; Dave Siemon – mileage expense, $62.16;

**COURTS:** Kristi A Brandt – transcripts, $80.60;

**COURT APPOINTED ATTORNEY:** Laurie M Bauer – court appointed attorney fees, $287.50; Vaughn P Beck – court appointed attorney fees, $421.00; Vickie S Broz Krause – court appointed attorney fees, $338.00; Dakota Plains Legal Services – court appointed attorney fees, $495.00; William D Gerdes – court appointed attorney fees, $2,830.69; Mark K Kroontje – court appointed attorney fees, $583.32;

**ABUSED CHILD DEFENSE:** Dakota Plains Legal Services – court appointed attorney fees, $826.50; Mark K Kroontje – court appointed attorney fees, $511.40; Von Wald Law Offices LLC – court appointed attorney fees, $608.48;

**AUDITOR:** Cardmember Service – postage service charges, $6.25; Marco Inc – maintenance contract, $9.95; Midcontinent Communications – internet service, $13.12;

**TREASURER:** Cardmember Service – postage, postage service charges, $125.54; Connecting Point – computer, software, labor, mileage, $1599.20; Marco Inc – maintenance contract, $13.62; Midcontinent Communications – internet service, $13.12; Mobridge Tribune – first half taxes due, $262.40; Selby Record – first half taxes due, $42.00;

**STATES ATTORNEY:** Kristi A Brandt – transcripts, $191.60; Cardmember Service – postage service charges, $6.25; Juan M Gonzalez – translation of legal documents, $287.70; Midcontinent Communications – internet service, $13.12;

**COURTHOUSE:** Cardmember Service – bath tissue, waste basket bands, $70.09; City of Selby – water, sewer service, $95.17; Gary Snow & Associates Inc – mold sampling & inspection, lead paint inspection, mileage, $817.25; Montana-Dakota Utilities – electricity, natural gas, $997.20; Quill Corporation – cleaner, $18.38; Reuer Sanitation Inc – garbage service, $95.00; Servall Uniform & Linen – mats, mops, $40.33; That Tall Guy Plumbing Inc – replace sump pump, $372.09; Kurt A Wolf – lawn care, $775.00;

**DIRECTOR OF EQUALIZATION:** Cardmember Service – postage, postage service charges, $321.91; Marco Inc – maintenance contract, $275.29; Midcontinent Communications – internet service, $13.12; Selby Oil Company – oil change, $30.00;

**REGISTER OF DEEDS:** Cardmember Service – postage, postage service charges, $119.15; Hal Systems Corporation – software maintenance, $292.00; Marco Inc – maintenance contract, $7.99; Midcontinent communications – internet service, $13.13; Glenda Wientjes – mileage expense, $239.02;

**VET SERVICE OFFICER:**

**SHERIFF:** AT&T Mobility – cell phone service, $203.64; Cardmember Service – postage service charges, gasoline, $95.04; Light and Siren – adjustable armrest, $137.00; Midcontinent Communications – internet service, $13.13; Neve’s Uniforms Inc – pants, $91.05; Pennington County Jail – transport, $177.10; Selby Oil Company – oil change, $39.60; Ultramax – ammunition, $276.00; Western Communication Inc – radio service, $21.60;

**JAIL:** Cardmember Service – groceries, $108.84; City of Selby – water, sewer service, $123.54; Family Dollar – personal care items, groceries, cleaning products, $135.80; Family Pharmacy Inc – prescriptions, $88.33; Gary Snow & Associates Inc – mold sampling & inspection, lead paint inspection, mileage, $817.25; Merkel’s Foods – supplies, groceries, cleaning & paper products, $1,380.24; Mobridge Medical Clinic – medical care, $65.50; Montana-Dakota Utilities – electricity, natural gas, $775.61; Neve’s Uniforms Inc – pants, shirts, $176.75; Payless Foods – groceries, cleaning supplies, $53.81; Servall Uniform & Linen – mats & mops, $41.64; Stoicks Food Center – groceries, $127.07;

**EMERGENCY & DISASTER:** AT&T Mobility – cell phone service, $33.93; Rebecca Krein – meal expense, $52.00; Midcontinent Communications – internet service, $6.57; Shannon Thompson – meal expense, lodging, mileage expense, $177.12;

**SUPPORT OF POOR:** Cardmember Service – postage service charges, $6.24; Marco Inc – maintenance contract, $.10;

**MENTALLY ILL:**

**DEVELOPMENTALLY DISABLED:**

**MENTAL ILLNESS BOARD:**

**HISTORICAL MUSEUM:** Klein Foundation Inc – rest of yearly allocation, $500.00;

**SENIOR CITIZENS:** Mobridge Senior Citizens – grant to other entity, $2,000.00;

**TV TRANSLATOR:** Walworth County Treasurer – annual services, $11,968.00;

**EXTENSION:** A&B Business Inc – supplies, $11.99; Cardmember Service – postage service charges, $6.25; Brenda Detoy – mileage expense, $58.46; Midcontinent Communications – internet service, $13.13;

**WEED CONTROL:** AT&T Mobility **–** cell phone service, $33.93; Marco Inc – maintenance contract, $.46; Midcontinent Communications – internet service, $6.56; Mobridge Tribune – noxious weeds, $41.22; Selby Record – noxious weeds, $48.97; Shorty’s One Stop – gasoline, $45.35; Western Communications Inc – radio service, $8.80;

**INDUSTRIAL DEVELOPMENT:** City of Mobridge – grant to other entity, $10,000.00;

**RD & BR:** Butler Machinery Co **–** filter, $54.44; Cardmember Service – postage, $5.37; City of Java – water service @ Java Shop, $18.00; City of Mobridge – water, sewer service, $48.91; City of Selby – water, sewer service, $75.04; Dady Drug – fabric, $118.03; Dakota Supply Group – woven geo fabric, $468.02; Eddie’s Truck Center – splash guards, $19.06; Fasteners – cleaner, flashlights, $205.96; Great Western Tire Inc – tires, tubes, $1,232.80; Hase Plumbing Heating & Air – supplies, $3.68; Jensen Rock & Sand Inc – cold mix, $705.90; John Deere Financial – supplies, $31.00; Marco Inc – maintenance contract, $.02; Montana-Dakota Utilities – electricity @ State Shop, Selby Shop, Mobridge Shop, $336.16; North Central Farmers Elevator – fuel, gasoline, $949.22; North Star Energy LLC – propane, $69.60; Quill Corporation – office supplies, $68.37; Reuer Sanitation – garbage service, $35.00; Selby Auto Sales & Service – hose, floor dry, shocks, supplies, $212.60; Selby Oil Company – tires, tubes, mount tires, $505.00; Selby Record – motor grader bid, $30.31; Shorty’s One Stop – gasoline, $636.41; Stoicks Food Center – supplies, $19.98; Valley Telecommunications – cell phone service, $39.99; West River Telecommunications – phone service @ Mobridge Shop, $32.09; Western Communications Inc – radio service, $135.90;

**SOLID WASTE:** Cardmember Service – coveralls, repair gas motor, postage, $490.79;Dick Robinson Truck & Equipment – trash vacuum, $4,705.00; Farnams Genuine Parts – brake cleaner, floor dry, shop towels, $149.76; Rebecca Krein – trailer registration, $14.00; Marco Inc – maintenance contract, $.27; Mendards – electrical & cleaning supplies, $213.12; North Central Farmers Elevator – 1000 gals fuel @ $2.0731, $2,073.10; Quill Corporation – office supplies, $16.39; SD Dept of Environment – solid waste surcharge, $1,099.99; Selby Record – summer hours, help wanted, $39.00; Servall Uniform & Linen – mats, $36.36; Shorty’s One Stop – gasoline, $92.42; Tri State Water – water rental, $16.20; Web Water Development – water service, $56.90; Western Communications – radio service, $9.30;

**CASH BOND FUND:** Schilling Excavating Inc – utility easement refund, $250.00; West River Telecommunications – utility easement refund, $1,000.00;

**PARTIAL PYMTS FUND:** Walworth County Treasurer – partial payments, $1,927.85;

**5 COUNTIES TV DISTRICT FUND:** Sid Haux – labor, mileage expense, cell phone service, $758.26; Marco Inc – maintenance contract, $1.57;

**SDACO:** M & P Remittance, $122.00;

As required by SDCL 6-1-10, the April payroll paid by department was as follows: Commissioners - $6,721.18; Auditor - $8,518.93; Treasurer - $11,137.73; States Attorney - $13,678.71; Courthouse - $1,421.02; Director of Equalization - $11,757.07; Register of Deeds - $9,263.65; Veterans Service Officer - $1,208.09; Sheriff - $16,035.65; Jail - $42,073.67; Coroner - $167.93; EMG & Disaster - $2,418.47; Poor - $359.69; Extension - $1,545.07; Weed & Pest - $2,436.76; Road & Bridge - $48,900.95; Solid Waste - $18,887.80; 5 County TV Translator District - $1,033.44.

**4-H Memorandum of Understanding:**

4-H leader Tami Schanzenbach met with the board to request they approve the memorandum of understanding with SDSU to provide a 4-H advisor that will be shared with Campbell County. The cost to the county will be $4,580. Siemon moved and Martin seconded to approve signing the memorandum. Voting Aye: 4; Nay: 0. The motion was adopted.

**LANDFILL ISSUES:**

Schilling moved and Martin seconded to approve the wage of $10.00 per hour for Lucio Moreno hired as a part- time temporary landfill employee effective June 10th. Voting Aye: 4; Nay: 0. The motion was adopted.

**MAINTENANCE ON PRIVATE ROADS:**

Siemon moved and Martin seconded to allow the highway department to do maintenance on private roads as requested. Voting Aye: 4; Nay: 0. The motion was adopted.

**EXCUTIVE SESSION:**

Martin moved and Houck seconded to enter into executive session per SDCL 1-25-2(2) at 9:37 a.m. The

Chairperson declared the executive session ended at 10:00 a.m.

**JAIL DISCUSSION:**

Sheriff Boll asked the board how they feel about the jail issue and if repairs should be started on the existing facility. Discussion was held on a building reserve. The courthouse will need to be replaced eventually also. The county currently has a building reserve of $380,000. Krein stated that towards the end of the year the board may want to consider transferring more funds into the reserve depending on how much surplus cash will be available. Houck said the board needs to sit down and do some hard planning on this situation. No action was taken at this time.

**HIGHWAY ISSUES:**

Highway Superintendent Goetz presented a plaque for 25 years of service to employee Les Noess. The board thanked him for his hard work all these years.

Goetz has not heard from Jensen Rock and Sand regarding the mobilization charges on the quote previously received for work on county road 233.

Goetz provided the board with a second quote as requested for painting the fuel tanks at the shop. This quote was received from Blastpro and it was $13,500. The previous quote received was for $7,500. The board advised her to hire the first contractor.

County road 319 has been repaired and the bill will be split three ways between the City of Selby, the County and Northern Plains Cooperative.

Discussion was held on purchasing scales to be able to weigh trucks suspected of being overweight. The quote was $19,580. Siemon suggested having the Sheriff sit at the elevator and check weigh tickets instead. No action was taken.

Goetz received a letter stating the county can go to the next step in the grant application from the South Dakota Federal Lands Access Program. This grant would help with the cost of repairing Swan Creek road west of Akaska. The board advised her to continue with the application process.

**TREASURER OFFICE:**

Treasurer Moak received a request to remove interest due on delinquent property taxes. The state law does not allow doing so. The board could refund them in the future if they chose to do so, however the Treasurer has to collect them first.

**SURPLUS PROPERTY:**

Houck moved and Martin seconded to declare books from the Law Library surplus property to be destroyed as they have no value. Voting Aye: 4; Nay: 0. The motion was adopted.

**RELEASE OF LIENS:**

Hare submitted to the board a request to release the poor liens on a property in Glenham. The liens are from 30- 50 years ago. This property has more liens then just the county liens. Martin stated we should release them to help make the property marketable. Martin moved and Houck seconded to release the liens. A roll call vote was requested. Martin-Aye, Houck-Aye, Siemon-Aye, Schilling-Nay. The motion was adopted.

**JOSH NELSON:**

Josh Nelson requested the Commissioners reinstate pay from when he was suspended for a week. He stated that employees are not treated equally and not everyone gets a week suspension. Martin stated he does not think the rules have been applied consistently and would support reinstating the pay. Houck does not think it’s the board’s job to manage the jail employees and they should support the Sheriff’s decisions. Martin moved to reinstate the pay. A roll call vote was requested. Martin-Aye, Houck-Nay, Siemon-Nay, Schilling-Nay. The motion failed. Martin moved and Houck seconded to leave the decision up to Deputy Strickland. Voting Aye: 4; Nay: 0. The motion was adopted.

**DIRECTOR OF EQUALIZATION:**

Director of Equalization Kahl met with the board on a number of subjects. She informed the board that we have 2 taxpayers appealing their values to the Office of Hearing Examiners. Upon recommendation from States Attorney Hare and Director Kahl the board agreed with stipulating a value for the Jon Olson property. It was also decided that we would request more information from Clayton Larson before making a final decision on that appeal. Siemon moved and Houck seconded that we stipulate a value of $50,000 on the Olson property. Martin called for a roll call vote. Martin–Nay; Houck–Aye; Siemon–Aye. The motion was adopted. Kahl also discussed the values on the land in the Shor Acres Addition that has recently been purchased for development. She is going to submit some equalized values to the commission in order to expedite the development of that area before the board makes any final decisions concerning an abatement. Kahl informed the board that the assessment goals for this year include finishing the city of Mobridge, complete the 3 mile radius around the city of Mobridge, the developed area of New Evarts and the city of Selby. Kahl requested permission to get a quote from Vanguard Appraisals for the professional appraisal of the elevator complexes in Walworth County and some of the larger grain handling systems that are being constructed in the county. The Board advised her to do so.

**ABATEMENTS:**

Siemon moved and Martin seconded to approve an abatement for record #4751 in the amount of $479.40 Voting Aye: 4; Nay: 0. The motion was adopted.

Martin moved and Siemon seconded to approve an abatement for record #6016 in the amount of $1425.68 Voting Aye: 4; Nay: 0. The motion was adopted.

Martin moved and Siemon seconded to approve an abatement for record #5299 in the amount of $911.32 Voting Aye: 3; Nay: 0. The motion was adopted.

Martin moved and Houck seconded to approve an abatement for record #5383 in the amount of $666.64

Voting Aye: 3; Nay: 0. The motion was adopted.

Houck moved and Martin seconded to approve an abatement for record #5118 in the amount of $1899.12 Voting Aye: 3; Nay: 0. The motion was adopted.

Martin moved and Houck seconded to approve an abatement for record #5254 in the amount of $2478.53 Voting Aye: 3; Nay: 0. The motion was adopted.

Martin moved and Houck seconded to approve an abatement for record #5253 in the amount of $2933.33 Voting Aye: 3; Nay: 0. The motion was adopted.

Siemon moved and Houck seconded to approve an abatement for record #6354 in the amount of $2920.23 Voting Aye: 3; Nay: 0. The motion was adopted.

Martin moved and Houck seconded to approve an abatement for record #6456 in the amount of $2395.99 Voting Aye: 3; Nay: 0. The motion was adopted.

Martin moved and Siemon seconded to approve an abatement for record #3882 in the amount of $9.79

Voting Aye: 3; Nay: 0. The motion was adopted.

Martin moved and Siemon seconded to approve an abatement for record #3883 in the amount of $228.70 Voting Aye: 3; Nay: 0. The motion was adopted.

Martin moved and Siemon seconded to approve an abatement for record #4689 in the amount of $1455.46 Voting Aye: 3; Nay: 0. The motion was adopted.

Siemon moved and Martin seconded to approve an abatement for record #8461 in the amount of $772.74 Voting Aye: 3; Nay: 0. The motion was adopted.

Houck moved and Martin seconded to approve an abatement for record #6101 in the amount of $306.74

Voting Aye: 3; Nay: 0. The motion was adopted.

No action was taken on record #6133.

**ZONING BOARD:**

Houck moved and Siemon seconded to appoint Lyle Perman to the Zoning Board. Voting Aye: 4; Nay: 0. The motion was adopted.

Schilling moved and Houck seconded to appoint Martin as the Commissioner on the Zoning Board. Voting Aye: 4; Nay: 0. The motion was adopted.

**COUNTY ASSISTANT:**

Discussion was held on the updated personnel policy. There was question on whether the highway employees should be able to use the shop when closed. There are some liability risks involved. Some question why it needs to be changed since it’s been allowed until now. The issue was tabled until the next meeting.

Siemon moved and Houck seconded to declare a ladder and dehumidifier surplus to be destroyed. Voting Aye: 4; Nay: 0. The motion was adopted.

**ADJOURNMENT:**

Siemonmoved that the Board of County Commissioners adjourn until the hour of 9:00 a.m. May 19, 2015. Voting Aye: 4; Nay: 0. The motion was adopted.

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

**SCOTT SCHILLING, CHAIRPERSON**

**ATTEST:**

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

**REBECCA KREIN, AUDITOR**

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