August 18, 2015

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on August 18, 2015 at 9:00 a.m. at the County Courthouse. Members present were: Scott Schilling, Duane Martin, Jim Houck, Kevin Holgard 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 Holgard seconded that the minutes of the meeting of August 4, 2015 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

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

**COMMISSIONERS:** Lincoln National Life Ins – life insurance, $19.03; Mobridge Tribune – official proceedings, $158.75; Quill Corporation – name plate, coffee, creamer, $49.22; SD Counties – convention registration, $825.00; Venture Communications Coop – phone service, $45.29;

**COURTS:** Jerry Heupel – juror and mileage fees, $63.44; Kiersten Blomquist – juror and mileage fees, $60.08; Amber Lenz – juror and mileage fees, $66.80; Marlow Schaffer – juror fees, $50.00; Ricky Schwartz – juror fees, $50.00; Gary Street – juror and mileage fees, $66.80; West Payment Center – information charges, $2,118.46; Sheila Zambo – juror and mileage fees, $63.44;

**COURT APPOINTED ATTORNEY:**

**ABUSED CHILD DEFENSE:**

**AUDITOR:** Lincoln National Life Ins – life insurance, $14.26; Quill Corporation – paper, pens, toner, $200.61; SD Counties – convention registration, $165.00; Venture Communications Coop – phone & fax service, $66.86;

**ELECTIONS:**

**TREASURER:** Lincoln National Life Ins – life insurance, $14.26; SD Counties – convention registration, $165.00; Venture Communications Coop – phone & fax service, $143.26;

**STATES ATTORNEY:** Bormann Law Office – court services and mileage expense, $732.00; James Hare –expert witness fees, $720.00;Lincoln National Life Ins – life insurance, $14.26; Mobridge Regional Hospital – blood alcohol draw, $65.00; William A Moss – psycho testing, $900.00; Quill Corporation – envelopes, paper, toner, $428.38; SD Continuing Legal Education – Dakota Disc subscription, $550.00; SD Department of Revenue – ethyl alcohol, $315.00; Gary Tommeraaseu – blood alcohol draw, $65.00; Venture Communications Coop – phone service, $131.86;

**COURTHOUSE:** Kens Western Lumber – painting supplies, $73.03; Lincoln National Life Ins – life insurance, $7.13; Runnings Supply Inc – cleaning supplies, $7.97; Servall Uniform & Linen – mats & mops, $40.33;

**DIRECTOR OF EQUALIZATION:**  Lincoln National Life Ins – life insurance, $21.39: Venture Communications Coop – phone & fax service, $52.46;

**REGISTER OF DEEDS:** Lincoln National Life Ins – life insurance, $14.26; SD Counties – convention registration, $165.00; Venture Communications Coop – phone & fax service, $56.92;

**VET SERVICE OFFICER:** Leo Rookey – postage, $11.71;West River Telecommunications – phone service, $35.35;

**SHERIFF:** Cris Holder – binders, $22.41; Lincoln National Life Ins – life insurance, $21.39; McLeods Printing & Office – traffic tickets, $594.61; Quill Corporation – plastic sleeves, tape, $65.56; SD Sheriff’s Association – registration, $85.00; Venture Communications Coop – phone & fax service, $120.61;

**JAIL:** Dakota Radio Group – help wanted ad, $195.00; Family Pharmacy Inc – prisoner prescriptions, over the counter medications, $31.91; Lincoln National Life Ins – life insurance, $59.89; Merkel’s Foods – personal items, otc medications, groceries, cleaning products and supplies, $1,477.88; Mobridge Regional Hospital – blood draw supplies, $29.00; Payless Foods – groceries, $368.11; Pennington County Jail – transport, $423.15; Phoenix Supply – black shoes, $106.50; Quill Corporation – bath tissues, $104.97; Reliance Telephone Inc – calling cards, $1,000.00; SD Sheriff’s Association – registration, $50.00; Stoicks Food Center – groceries, supplies, $96.78; Venture Communications Coop – phone, fax & internet service, $390.85; Vilas Health & Variety – personal items, $22.32; Vivs Hair Shop – nioxin cleanser, $11.00;

**CORONER:** SD Department of Revenue – ethyl alcohol, tox screen, $170.00;

**EMERGENCY & DISASTER:** Lincoln National Life Ins – life insurance, $3.56; Venture Communications Coop – radio service, $30.10;

**SUPPORT OF POOR:** Quill Corporation – toner, $273.98; Venture Communications Coop – phone service, $24.65;

**MENTALLY ILL:**

**DEVELOPMENTALLY DISABLED:** SD Department of Revenue – services, $60.00;

**MENTAL HEALTH CENTER:**

**MENTAL ILLNESS BOARD:** Mark Katterhagen – mental illness hearing, $15.00; Lucy Lewno – mental illness hearing, $150.49; Karen A Swanda – mental illness hearing, $15.00; Yankton County Treasurer – mental illness hearing, $113.75;

**EXTENSION:** Lincoln National Life Ins – life insurance, $7.13; Quill Corporation – toner, $273.99; Venture Communications Coop – phone service, $44.76;

**WEED CONTROL:** Lincoln National Life Ins – life insurance, $3.57; Selby Auto Sales & Service – repair 87 dodge, $411.09; Warne Chemical & Equipment Co – chemical injectors, $4,414.00;

**PLANNING & ZONING:**

**RD & BR:** Cam Wal Electric Cooperative – electricity @ Hoven shop, $45.78; City of Mobridge – water and sewer service, $50.81; Diesel Machinery Inc – parts, $130.79; Hoven Coop Service Company – fuel and gasoline, $462.64; Jensen Rock & Sand Inc – County Rd 325 and 233 repairs, $54,482.76; Kens WesternLumber –supplies, $1.08;Lincoln National Life Ins – life insurance, $64.17; Mobridge Hardware – supplies, $4.57; Montana-Dakota Utilities – electricity @ Java Shop, $18.43; North Central Farmers Elevator – fuel and gasoline, $182.48; North Central Rental & Leasing – packer rental, $1,648.65; Praxair Distribution Inc – welding supplies, $51.33; Runnings Supply Inc – supplies, $91.97; SD Counties – convention registration, $190.00; Share Corporation – citra sol, $258.40; Valley Telcommunications – cell phone service, $39.99; Venture Communications Coop – phone, fax & internet service, phone @ Java shop, $268.08; West River Telecommunications – phone service @ Mobridge Shop, $32.65;

**SOLID WASTE:** Butler Machinery Co –repair fuel system and hvac, $3,675.98;Cam Wal Electric Cooperative – electricity, $202.63; Central Diesel Sales Inc – killem fuel, oil filters, $118.20; Lincoln National Life Ins – life insurance, $28.52; Lucky’s Gas & More – gasoline, $218.01; Mobridge Gas Company – propane for forklift, $23.25; Quill Corporation – cordless phone system, $72.99; Runnings Supply Inc – fuel pump, discharge hose, trailer ramps, straps, supplies, $1,873.00; Sheehan Mack Sales & Equipment – pins, $385.67; Valley Telecommunications – phone, internet service, $93.12; Wenck Associates – design, permit and liner variance engineering, $4,806.69;

**STATE ACCOUNT FUND:** SD Department of Revenue – Motor Vehicle, ROD & Vital Record fees, $109,103.77;

**SCHOOL DIST FUND:** Cortrust Bank – July 2015 apportionment, $81.22; Hoven School District – July 2015 apportionment, $27.08; Dacotah Bank – July 2015 apportionment, $18,471.91; Bank West – July 2015 apportionment, $6,825.36;

**CITIES AND TOWNS FUND:** City of Mobridge – July 2015 apportionment, $11,711.37; BankWest – July 2015 apportionment, $4,908.44; Dacotah Bank – July 2015 apportionment, $623.01; Bank of Hoven – July 2015 apportionment, $294.11;

**PARTIAL PAYMENTS FUND:**

**SALE/EXCISE TAX FUND:** SD State Treasurer – city sales tax, state sales tax, $144.71;

**5 COUNTIES TV DISTRICT FUND** – Cam Wal Electric Cooperative – electricity @ Java #1 and #2, $1,107.89;

**JAVA FIRE DIST FUND:** Bank West – July 2015 apportionment, $1.50;

**BOWDLE FIRE DIST FUND:**

**SOUTH RIVERVIEW ROAD DIST:**

AUDITOR'S MONTHLY SETTLEMENT WITH THE TREASURER

WALWORTH COUNTY

Jul-15

CASH ON HAND IN TREASURER'S OFFICE:

CASH TOTAL $1,964.13

CHECKS TOTAL $10,755.73

CASH ITEMS

NSF CHECKS $580.77

TOTAL CASH ON HAND $13,300.63

SAVINGS ACCOUNT BALANCES

BANKWEST MONEY MARKET SAVINGS $2,570,796.12

BANKWEST LANDFILL MONEY MARKET $775,950.66

CERTIFICATES OF DEPOSIT

INVESTMENTS--CERTIFICATES OF DEPOSIT $2,250,000.00

LANDFILL POST CLOSURE--CERTIFICATES OF DEPOSIT $11,208.04

LANDFILL CELL CLOSURE--CERTIFICATES OF DEPOSIT $27,689.02

GRAND TOTAL CASH AND BALANCES $5,648,944.47

GENERAL LEDGER CASH AND INVESTEMENT BALANCES BY FUNDS

GENERAL FUND $2,701,695.61

SPECIAL REVENUE FUNDS:

ROAD AND BRIDGE FUND $968,661.36

911 SERVICE FUND $5,243.72

FIRE PROTECTION FUND $1,633.86

EMERGENCY AND DISASTER FUND $4,215.49

DOMESTIC ABUSE FUND $692.01

24/7 SOBRIETY PROGRAM FUND $2,540.36

MODERNIZATION & PRESERVATION RELIEF FUND $18,505.28

DARE PROGRAM FUND $1,173.66

ENTERPRISE FUNDS:

SOLID WASTE (LANDFILL) FUND $1,474,858.17

TRUST AND AGENCY FUNDS $470,390.18

GRAND TOTAL GENERAL LEDGER CASH AND INVESTMENTS $5,649,609.70

GENERAL FUND SURPLUS ANALYSIS MARCH 31, 2015

ASSETS:

10100 Cash 151,770.82

10200 Cash Change 550.00

10300 Petty Cash

10400 Interest Bearing Accounts 2,250,000.00

10500 Savings Certificates

10800 Taxes Receivable--Current 1,751,979.82

11000 Taxes Receivable--Delinquent 40,318.18

15500 Prepaid 450.00

TOTAL ASSETS 4,195,068.82

GENERAL FUND SURPLUS ANALYSIS

LIABILITIES AND EQUITY:

21000 Amount Held for Others 18,059.96

22400 Deferred Revenue 1,792,288.81

FUND BALANCES:

27400 Restricted 15,184.57

27600 Assigned 380,000.00

27601 Subsequent Year's Budget (one of the following three)

March - 3/4 of the current year 396,112.50

27700 Unassigned 1,593,422.98

TOTAL LIABILITIES AND EQUITY 4,195,068.82

Following Year's General Fund Budget

2,692,115.00

The unassigned fund balance, account 27700

59.19%

**MOSQUITO GRANT:**Weed Supervisor Shannon Thompson met with the board requesting they advise her on how to spend the $4,083.00 Mosquito Control Grant she received. The board advised her to purchase chemical and split it evenly between all the municipalities that did not receive their own grant.

**PARTIAL PAYMENTS:**

Siemon moved and Houck seconded to approve partial payments for record #5406 of $300.00 per month. Voting Aye: 5; Nay: 0. The motion was adopted.

**EXCUTIVE SESSION:**

Martin moved and Holgard seconded to enter into executive session per SDCL 1-25-2(2) at 9:20 a.m. The

Chairperson declared the executive session ended at 9:58 a.m.

**BID OPENING:**

Bid opening was held on the new Jail Camera Security System as follows: I.T.S. of Lennox, SD - $51,848; Eagle Eye Security of Glenham, SD - $54,900.09; Dakota Security of Sioux Falls, SD - $58,402.79; Imberi Security of Mobridge, SD - $68,900. Badten requested the board table to bids to allow him to look at the specifications of each bid. Martin moved and Holgard seconded to table the decision. Voting Aye: 5; Nay: 0. The motion was adopted.

**GRAVEL CRUSHING:**

Morris Incorporated met with the board regarding the previous awarded then rejected contract for gravel crushing. They stated it was not their fault the culvert failed. When an engineer is hired to oversee a project the contractor must follow the request of the engineer whether they agree with them or not. They pointed out their concerns to the engineer and they were not addressed. Therefore they stated that the failure was not any fault of theirs and it should not affect the board’s decision on the gravel crushing project. The board asked if they were currently in any litigation with us and they stated they were not. The board thanked them for coming and stated they will discuss it later in the meeting.

**BUTLER MACHINERY:**

Dave Sangster was in attendance to inform the board that today was the last day to sign the agreement to purchase a motor grader for next year off the Beadle County Bid. He stated the price will go up approximately $30-40,000. Siemon moved and Holgard seconded to sign the purchase agreement. Roll call vote requested as follows: Houck-Aye; Siemon: Aye; Schilling: Nay; Martin: Aye; and Holgard: Aye. The motion was adopted.

**CARLSON ROAD REQUEST:**

Clark Engineering met with the board to give them rough estimates that they provided to build the road requested. The estimates were $77,500; $86,500; and $109,000. Depending on the specifics wanted. There was discussion on the drainage issue existing and the possibility of the road making it worse. These concerns would need to be addressed before any decisions could be made.

**HIGHWAY DEPARTMENT RESIGNATION:**

Superintendent Goetz informed the board that Highway Employee Darin Van Well resigned effective 8/20/2015. Ron Berens will be put in his position and she will advertise to hire another employee.

**LIABILITY INSURANCE:**

The board spoke with Jerry Krambeck from SDPAA regarding employees using facilities outside of normal business hours for personal use. He stated this should not be allowed as if there was an incident the insurance would not cover it and release forms will not be allowed. Also no person that is not an employee of the County shall occupy any county property outside of regular business hours for any reason. The personnel policy was tabled to make these changes.

**SURPLUS PROPERTY:**

Houck moved and Siemon seconded to declare Lot 7 Block 10 Milwaukee Land Company’s 1st Addition to Java surplus property to be sold at auction. Voting Aye: 5; Nay: 0. The motion was adopted.

**RECYCLING:**

Badten informed the board that he will be purchasing 3 recycling trailers which was budgeted for an approximate cost of $20,362 total. He plans to place 2 in Mobridge and 1 in Selby. At this time it has not been determined exactly where these will be placed.

**ZONING:**

The Zoning Board requested that instead of having 2 commissioners that live in the City of Mobridge on the Zoning Board, they would like one from a rural community. Holgard moved and Siemon seconded to appoint Houck to the Zoning Board in place of Martin. Voting Aye: 5; Nay: 0. The motion was adopted.

**4-H ADVISOR:**

Extension Secretary DeToy met with the board to inform them that SDSU received no applicants for the part-time 4-H Advisor position so they will continue to advertise.

**JAIL DISCUSSION:**

The board received a report from Solien & Larson Engineering, P.C. on their findings of the structural inspection the conducted at the jail. In conclusion they stated that the 1909 jail is in poor structural condition, lack of maintenance and timely upgrade could be part of the issue. They do not believe it is feasible to renovate the structure. The 1999 addition is in fair to good condition structurally.

Full-time Jailer Joshua Moss resigned effective 8-31-2015.

Discussion was held on continuing to purchase bulk gasoline or purchasing at the local store. The board advised the Sheriff to base it on whichever is cheapest at the time.

The board discussed the jail issue. There was discussion on whether to build a regional jail, renovate the existing facility or close the jail completely and haul our prisoners elsewhere. It was also brought up that the courthouse is old as well and may need to be replaced before long. So it is possible that we could look at doing a one story building that would accommodate both the jail and courthouse facilities. The board will look into forming a committee of tax payers and experts to research all of the options before making any decisions.

Holgard moved and Martin seconded to approve the wage of $13.71 for Tammy Richards as Full-Time Jailer effective 8-14-2015.

**EXCUTIVE SESSION:**

Martin moved and Holgard seconded to enter into executive session per SDCL 1-25-2(2) at 1:15 p.m. The

Chairperson declared the executive session ended at 1:57 p.m.

**OLD BUSINESS:**

Houck moved and Siemon seconded to rescind the motion from July 21st rejecting all bids for gravel crushing. Voting Aye: 5; Nay: 0. The motion was adopted.

Houck moved and Siemon seconded to rescind the motion from July 21st to rescind the motion to award Morris Incorporated the bid for gravel crushing. Voting Aye: 5; Nay: 0. The motion was adopted.

The September meeting dates have been set for the 8th & 22nd.

**BUDGET DISCUSSION:**

Discussion was held on software for the jail/sheriff. The cost is $160,000.00. Siemon moved and Holgard seconded to allow for the expense in the 2016 budget. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Houck seconded to allow publishing the provisional budget for 2016. Voting Aye: 5; Nay: 0. The motion was adopted.

**ADJOURNMENT:**

Siemon moved and Martin seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. September 8, 2015. Voting Aye: 5; Nay: 0. The motion was adopted.

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**SCOTT SCHILLING, CHAIRPERSON**

**ATTEST:**

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**REBECCA KREIN, AUDITOR**

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