November 5, 2013

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on November 4, 2013 at 9:00 a.m. at the County Courthouse. Members present were: Denis Arbach, Richard Godkin, Duane Martin, Don Leff and Phylliss Pudwill. Also present were Auditor Rebecca Krein, States Attorney Jamie 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 Martin seconded that the minutes of the meeting of October 22, 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:** Dennis Arbach – mileage expense, $62.53; Richard Godkin – mileage expense, $15.54; Don Leff – mileage expense, $31.08; Marco In – maintenance contract, $6.24; Duane Martin – mileage expense, $31.08; Quill Corporation – paper, $10.48; Selby Record – notice to bidders lawn care, Official proceedings, TV proceedings, $639.05;

**COURTS:** Kristi A Brandt – transcripts, $274.00; James Brockamp – mileage fee, juror fee, $64.80; Jacqueline Deschequette – juror fee, mileage fee, $55.18; Darrell Gill – mileage fee, juror fee, $64.80; Jared Larson – mileage fee, juror fee, $64.80; Richard Leonard – mileage fee, juror fee, $64.80; Jane Looyenga – mileage fee, juror fee, $64.80; Donald Mertz – mileage fee, juror fee, $64.80; Leo Rookey – mileage fee, juror fee, $64.80; Jerry Weischedel – mileage fee, juror fee, $64.80;

**AUDITOR:** Amsterdam Printing – employee supplies, $141.52; Marco Inc. – maintenance contract, $6.96; Quill Corporation – paper, $37.17;

**TREASURER:** A&B Business Inc – supplies, $61.54; Marco Inc – maintenance contract, $4.92; Quill Corporation – paper, $8.26; Selby Record – taxes due notice, $48.00;

**STATES ATTORNEY:** Marco Inc – maintenance contract, $11.38; Precision Reporting – depositions taken, $56.70; Quill Corporation – paper, $19.11; SD Department of Revenue – blood alcohol testing, , $210.00;

**COURT APPOINTED ATTORNEY:** Vickie S Brosz Krause - $3144.440; Christopher Jansen - $525.00;

**ABUSED CHILD DEFENSE:** Von Wald Law Offices - $2205.00

**COURTHOUSE:** City of Selby – water & sewer service, $79.77; Homesteading Building Supplies – roof supplies, $118.97; Ken’s Western Lumber – supplies, black poly, $70.43; James A Larson – winterize sprinkler system, $100.00; Montana Dakota Utilities- electricity, natural gas, $880.16; Reuer Sanitation – garbage service, $95.00; Texas Refinery Corp – 75 gals roof coating @ $19.60, $14700; Kurt A Wolf – lawn care, $725.00;

**DOE:** IAAO – membership dues D Kahl, $175.00; Marco Inc. – maintenance contract, $5.62; Quill Corporation – paper, $9.43;

**REGISTER OF DEEDS:** Hal Systems Corporation – software maintenance, $292.00; Marco Inc. – maintenance contract, $3.86; Quill Corporation – paper, $6.48;

**SHERIFF:** AT&T Mobility – cell phone service, $120.35; Communications Center Inc. – repair switch 07 Durango, $28.74; Graham Tire Aberdeen – 2 tires Crown Vic, 2 tires Impala, $337.60; Marco Inc – maintenance contract, $0.02; Quill Corporation – paper, $0.03; Ron’s Repair – balance tires Impala, $30.00; Selby Auto Sales & Service – oil change 05 Crown Vic, $40.95; Western Communications – radio maintenance, $21.60;

**JAIL:** Alco Pro Inc – freight, PBT tubes, $129.00; Automatic Building Controls – annual maintenance, $665.00; City of Selby – water & sewer service, $160.05; Earleen Irigoyen – meal expense, $142.00; Lind’s Hardware – furnace filters, $7.92; McClellan & Swanson – dental care, $219.60; Merkel’s Foods – supplies, personal care items, groceries, cleaning products, paper products, $1390.17; Montana Dakota Utilities – electricity, natural gas, $682.45; North Star Energy LLC – furnace blower motor, control board, $545.52; Servall Uniform & Linen Supply – mops & rugs, $37.63; Shorty’s One Stop – paper products, $5.37; Vilas Health & Variety – OTC medication, $3.99;

**SUPPORT OF POOR:** Marco Inc – maintenance contract, $2.21; Quill Corporation – paper, $3.72;

**MENTAL HEALTH CENTER:** Christopher Jansen – legal services, $147.00;

**EXTENSION:** Jenna Malsom – mileage expense, $141.80; Marco Inc. – maintenance contract, $10.40; Quill Corporation – paper, $17.45;

**WEED CONTROL:**  Shorty’s One Stop – gasoline, $207.36; Western Communications Inc. – radio maintenance, $8.80;

**PLANNING & ZONING:** Marco Inc – maintenance contract, $0.22; Quill Corporation – paper, $0.37;

**RD & BR:** Best Western Ramkota – lodging M Hook, lodging P Goetz, $327.96; Butler Machinery Co – repair spindle, supplies, $2819.76; Cam Wal Electric Cooperative – electricity at Hoven Shop, $48.85; Randy Carlson – insulate shop Mobridge, $5700.00; City of Java – water service, $18.00; City of Mobridge – water & sewer service, $41.41; City of Selby – water & sewer service, $69.55; Deadwood Mountain Holiday Inn – lodging P Goetz, $162.00; Farnams Genuine Parts – supplies, $160.58; Penny Goetz – meal expense, $64.00; Hase Plumbing & Heating, repair furnace motor mount, furnace bearing $492.92; Holiday Inn – lodging P Goetz, $260.97; Homestead Building Supplies – steel entry door, plywood, supplies, $339.27; Marty Hook – meal expense, $26.00; Hoven Repair & Body Shop – supplies, brake drums TR 70, brake shoe kits TR 70, $563.52; John Deere Financial – repair Hose M-73, supplies, door seal M 72, window M 72, $1115.23; Ken’s Western Lumber – supplies, $30.20; Lucky’s Gas & More – heating fuel 2000 gas @ $3.35, $6700.00; Marco Inc – maintenance contract, $0.11; Montana Dakota Utilities – electricity @ Mobridge shop, electricity @ state shop, $49.28; North Central Famers Elevator – fuel, gasoline, $1543.18; Quill Corporation – paper, $0.18; Reuer Sanitation Inc – garbage service, $35.00; Runnings Supply Inc – supplies, $96.33; SD Department of Transportation, $6968.86; Selby Auto Sales & Service – supplies, battery T-130, $183.00; Selby Oil Company – tire repair T-133, T-120, battery T 118, supplies, $93.95; Servall Uniform & Linen Supply – towels & mats, $37.39; Share Corporation – supplies, $300.00; Shorty’s One Stop – gasoline, $1219.12; T-N-T Gas – mileage, tire repair, $253.40; Valley Telecommunications – cell phone service, $39.99; West River Telecommunications – phone service Mobridge shop, $31.37;; Western Communications Inc – radio maintenance, $135.90;

**SOLID WASTE:** Cam Wal Electric Cooperative – electricity, $159.63; Central Diesel Sales Inc – fuel additive, $51.70; Farnum’s Genuine Parts – throttle cable, $45.49; Geotek Engineering – permeability tests, $430.00; Homestead Building Supplies – welded fabric, supplies, $374.56; Lucky’s Gas & More – gasoline, $312.72; Mobridge Gas Company – 430 gal propane @$1.33 - $571.90; Mobridge Tribune – landfill hours, $82.50; North Central Farmers Elevator – 951.3 gal @$3.2665, $3107.42; Premier Equipment LLC – hose L700, freight, Rims 500 gal fuel tank, $346.31; Runnings Supply Inc – supplies, Spray tracer, wire fence, $218.12; SD Department of Environment – solid waste surcharge, $1424.00; Selby Oil Company – tires, $304.00; Selby Record – landfill hours, $32.86; Shorty’s One Stop – gasoline, $142.66; Super 8 Pierre – lodging D Weleba, $288.00; Valley Telecommunications – internet service, phone & fax service, $96.97; Web Water Development – water service, $50.93; Western Communications Inc – radio maintenance, $9.30;

**5 COUNTY TELEVISION DISTRICT FUND:** Cam Wal Electric Cooperative – electricity Java #2, electricity Java #1, $844.89; David Huffman - 7.5% of rental income, 50% of land rental, $1440.00; Sid Haux – cell phone, mileage expense, $247.83; Ken’s Western Lumber – supplies floor, $69.95; Lind’s Hardware – supplies, $13.76; Marco Inc – maintenance contract, $1.50; Nathan Huffman – 7.5% of rental income, 50% of land rental, $1440.00; Quill Corporation – paper, $2.52; Wink’s Construction – replace flooring, $210.00;

**REGIONAL E911 FUND:** Eaton Corporation – replacement parts, $250.00; Emergency Communications – code red services 1 year, $12500.00; Valley Telecommunications – data base updates, access charges, $903.16;

**SDACO M & P FUND:** M & P remittance, $166.00

**MONTHLY TREASURER’S REPORT:**

Walworth County Treasurer Gregory Pudwill reported that the monthly treasurer’s report is not complete and ready to present at this time.

**UPDATE ON CULVERT PROGRESS:**

At the Commission meeting on October 22, 2013 Morris Inc. agreed to let the county buy off the original contract for the installation of a new culvert on County Road 236. After receiving the contract change order Morris Inc. had some issues with the wording and sent it back with changes they wanted made. The Engineer reported that his opinion is he does not believe that the work was completed properly on the first culvert installation and that this caused the failure. The new contract change order sent by Morris Inc. stated that they would be removed from any liability of the first culvert failing. Since the cause of the failure is not known at this time, Walworth County did not want to sign the contract change order with that statement included. State’s Attorney Hare suggested that we remove the sentence and return it to Morris Inc. to see if they will sign it. True North Steel has said that the new culvert is ready. Leff moved and Arbach seconded to agree to the contract change order with the 1st sentence of the 2nd paragraph removed. Voting Aye: 5; Nay: 0. The motion was adopted. Martin moved and Godkin seconded to pursue the emergency culvert repair if an agreement is not reached with Morris Inc. Voting Aye: 5; Nay: 0. The motion was adopted.

**NORTHERN PLAINS:**

Mike Rausch and Chuck Lapke from Northern Plains met with the board seeking approval today for the proposed new truck route which will take part of the lot at the County Highway Shop. Commissioner Martin feels that the truck traffic impacts the entire community and they need an alternate route. Martin would like to grant an easement, stating “We need to do it.” Commissioner Godkin feels that something must be done. Commissioner Arbach thinks this route would be better for the community. Leff moved to reject the request from Northern Plains. Dakota Maid business owner Rod Stroh was at the meeting and expressed a concern that to widen the turn off of Highway 12 for access to the new proposed truck route will take out the better part of his small parking lot. Commissioner Leff feels that the traffic going through the County Highway Lot will place an unnecessary burden on County Highway workers. Motion died due to lack of a second. Martin moved and Arbach seconded to approve the new proposed truck route going through the County Highway Shop property. Voting Aye: 4; Nay: 1. The motion was adopted.

**LAWN CARE CONTRACT:**

At 9:30 a.m. bids were opened for the 2014 Lawn Care Contract for the County Courthouse. Kurt Wolf was the only bidder at $9000.00. Leff moved and Godkin seconded to accept the Lawn Care Contract bid from Kurt Wolf. Voting Aye: 5; Nay: 0. The motion was adopted.

**WALWORTH COUNTY 4-H:**

Extension Coordinator Jenna Malsom reported that October is a very busy month for 4H. She also informed the board that Walworth County has 5 new enrollments and she will be starting to work on programs at the local schools.

**EXECUTIVE SESSION:**

Leff moved and Godkin seconded to enter into executive session at 9:49 a.m. for the purpose of discussing a personnel issue as per SDCL 1-25-2(2). Voting Aye: 5; Nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session at 11:05 a.m.

**JOB DUTIES:**

Due to changes and reassignment of job duties, States Attorney Hare suggested that Roger Walker set an approximate calendar and plan of how he will be completing the duties of his various positions. He will meet with the commission at their next scheduled meeting.

**MONTHLY SHERIFF’S REPORT:**

Walworth County Sheriff Duane Mohr presented the board with his written monthly report.

**EXECUTIVE SESSION:**

Leff moved and Martin seconded to enter into executive session at the request of Sheriff Mohr at 11:18 a.m. for the purpose of discussing a personnel issue as per SDCL 1-25-2(2). Voting Aye: 5; Nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session at 11:22 a.m.

**DEEDS:**

Leff moved and Godkin seconded to have the chairperson sign deeds from Walworth County to Lila Martel, Nathan Bleyle & Randy Murray for properties that have tax payment agreements and/or were purchased at County tax deed sales. Voting Aye: 5; Nay: 0. The motion was adopted.

**EXECUTIVE SESSION:**

Martin moved and Godkin seconded to enter into executive session at 11:25 a.m. for the purpose of discussing a personnel issue as per SDCL 1-25-2(2). Voting Aye: 5; Nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session at 12:15 a.m.

**OLD BUSINESS:**

Martin informed the board that the 1st application of tar has been applied on the roof. It was also noted that we are in need of some heat tapes on the roof. Martin moved and Arbach seconded to have Wayne Schmidt put in the needed heat tapes. Voting Aye: 4; Nay: 1. The motion was adopted.

Leff moved and Arbach seconded to authorize Highway Superintendent Penny Goetz the ability to sign the Change Order in the absence of the Chairperson sent to Morris Construction if they approve and return it. Voting Aye: 5; Nay: 0. The motion was adopted.

**NEW BUSINESS:**

The Commission was informed of a letter Chairperson Pudwill received from the Department of Interior. County Auditor Rebecca Krein will provide the letters to the rest of the board and address the issue at the next regularly scheduled meeting.

**ADJOURNMENT:**

Leff moved and Arbach seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. on Tuesday, November 19, 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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