February 16, 2016

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on February 16, 2016 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, Deputy Auditor Brandy Shillingstad 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 February 2nd, 2016 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

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

**COMMISSIONERS:** SDPAA – insurance premium, $5,500.00;

**ELECTIONS:** SDPAA – insurance premium, $90.00;

**COURTS:** Amber Chaney – juror fees, $50.00; Anita Van Vugt – juror and mileage fees, $26.80; Bertha Hahne – juror and mileage fees, $66.80; Carmel Powell – juror and mileage fees, $26.80; Dora Weideman – juror and mileage fees, $50.84; Duane Mohr – juror and mileage fees, $66.80; Erica Warner – juror and mileage fees, $10.00; Jayne Richards – juror and mileage fees, $66.80; Jeanne Badure – juror and mileage fees, $66.80; Kayla Secker – juror and mileage fees, $16.72; Mary Barton – juror and mileage fees, $26.80; Monica Olson – juror and mileage fees, $66.80; Patrick Ballensky – juror and mileage fees, $19.32; Paul Chase – juror and mileage fees, $55.88; Susan Yost – juror and mileage fees, $66.80; Cardmember Service – stamps, $294.00; West Payment Center – information charges: Jan 16, $2,224.38;

**AUDITOR:** Cardmember Service – supplies, $1,061.21; Quill Corporation – supplies, $30.09;

**TREASURERS:** Cardmember Service – supplies, $1,627.67; Nyla Moak – supplies and mileage expense, $47.61; Quill Corporation – supplies, $230.11;

**STATES ATTORNEY:** Cardmember Service – postage, $268.71; SD Department of Revenue – ethyl alcohol, $210.00; Gary Tommeraasen – blood alcohol draw, $65.00;

**COURTHOUSE:** Cardmember Service – supplies, $18.15; Heartland Waste Management INC – garbage service, $105.00; Kens Western Lumber – adapters, $3.56; SDPAA – insurance premium, $13,254.91;

**DIRECTOR OF EQUALIZATION:**  Cardmember Service – Postage, $40.71; SDPAA – insurance premium, $265.00;

**REGISTER OF DEEDS:** Cardmember service – supplies, $151.06;

**VETERANS SERVICE OFFICE:** West River Telecommunications – phone service, $40.57;

**SHERIFF:** Cardmember service – supplies, $564.76; Chief/Law Enforcement Supply – uniform, $104.28; Light and Siren – lights, $115.94; Pennington County Jail – transport, $145.25; Quill Corporation – supplies, $53.16; SD Police Chief’s Association – registration: J Boll, $85.00; SDPAA – insurance premium, $1,088.15; Slater Oil & LP Gas – gasoline, $2,110.00; Taser International – taser equipment, $1,227.91;

**JAIL:** Cam Wal Electric Cooperative – wiring for coolers, $7,287.99; Cardmeber service – supplies, $1,233.24; Dakota Radio Group – job advertisement, $56.00; ITS – video system, $50,238.70; Kens Western Lumber – garage repair, $2,410.98; Merkel’s Foods – groceries, $3,201.32; Mobridge Tribune – job advertisement & business cards, $139.14; Neve’s Uniforms INC – pants, $115.19; Payless Foods – supplies, $47.76; Pennington County Jail – Transport, $174.55; Quill Corporation – supplies, $82.31; Reliance Telephone INC – phone cards, $1,000.00; Rieker Electric – washer & dryer, $1,470.00; SDPAA – insurance premium, $12,572.48; Stoicks Food Center – supplies, $22.62; Winner Police Dept. – prisoner boarding – adult, $167.20;

**EMERGENCY & DISASTER:** Quill Corporation – binders, $17.45;

**SUPPORT OF POOR:** Cardmember service – postage, $58.51;

**MENTALLY ILL:** Pollard Law PC – mental illness hearing, $186.00

**MENTAL ILLNESS BOARD:** Yankton Co. Sheriff’s Office – civil papers, $25.00;

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

**EXTENSION:** Cardmember Service – postage, $13.22; SDPAA – insurance premium, $240.00; Stoicks Food Center – supplies, $7.48;

**WEED CONTROL:** SDPAA – insurance premium, $449.00;

**RD & BR:** Cam Wal Electric Cooperative – electricity, $67.61; Cardmember services – postage, $3.60; Eddie’s Truck Center – parts, $43.81; Heartland Waste Management INC – garbage service, $50.00; Hoven Coop Service Company – fuel and gasoline, $685.60; Montana-Dakota Utilities – electricity, $35.27; SDPAA – insurance premium, motorgrader & snow wing, $15,302.16; Share Corporation – cleaner, $401.40; Valley Telecommunications – cell phone service, $39.99; West River Telecommunications – phone service, $32.75;

**SOLID WASTE:** Cam Wal Electric Cooperative – electricity, $259.68; Cardmember Service – supplies, $172.81; Lucky’s Gas & More – gasoline, $42.00; SDPAA – insurance premium, $6,272.27; Valley Telecommunications – phone & internet services, $194.18; Wenck Associates – landfill design and annual survey, $10,980.00;

**STATE ACCOUNT FUND:** SD Department of Revenue – motor vehicle, ROD & vital records, $118,984.74

**PARTIAL PAYMENTS FUND:** Walworth County Treasurer – partial payment, $778.30;

**SALE/EXCISE TAX FUND:** South Dakota State Treasurer – state, city, excise tax, $97.25;

**5 COUNTY TV DISTRICT FUND:** Cam Wal Electric Cooperative – electricity @ Java 1 & 2, $1,304.53;

AUDITOR'S MONTHLY SETTLEMENT WITH THE TREASURER

WALWORTH COUNTY

JAN-16

CASH ON HAND IN TREASURER'S OFFICE:

CASH TOTAL $3,731.42

CHECKS TOTAL $42,223.29

CASH ITEMS $97.60

NSF CHECKS

TOTAL CASH ON HAND $46,052.31

SAVINGS ACCOUNT BALANCES

BANKWEST MONEY MARKET SAVINGS $2,343,296.41

BANKWEST LANDFILL MONEY MARKET $816,300.99

CERTIFICATES OF DEPOSIT

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

GRAND TOTAL CASH AND BALANCES $5,455,649.71

GENERAL LEDGER CASH AND INVESTEMENT BALANCES BY FUNDS

GENERAL FUND $2,544,001.36

SPECIAL REVENUE FUNDS:

ROAD AND BRIDGE FUND $1,013,751.35

911 SERVICE FUND $10,285.54

FIRE PROTECTION FUND $-10,456.59

EMERGENCY AND DISASTER FUND $4,215.49

DOMESTIC ABUSE FUND $1,340.01

24/7 SOBRIETY PROGRAM FUND $4,507.73

MODERNIZATION & PRESERVATION RELIEF FUND $25,826.58

DARE PROGRAM FUND $1,674.66

ENTERPRISE FUNDS:

SOLID WASTE (LANDFILL) FUND $1,466,380.32

TRUST AND AGENCY FUNDS $389,459.43

GRAND TOTAL GENERAL LEDGER CASH AND INVESTMENTS $5,450,985.88

**TREASURERS OFFICE:**

Holgard moved and Martin seconded to approve partial payments of $250.00 per month beginning March 15th 2016 for record #4461. Voting Aye: 5; Nay: 0. The motion was adopted.

Treasurer Moak provided a list of treasurer’s trusts to the board for them to review no action was taken at this time.

Discussion was held on tax deed properties Moak gave the board lists of the properties that we should be taking. The board discussed whether we should take some of the properties due to liability and costs. The board will take the list to review the properties listed. The board also advised Badten to request town of Java board members to come meet with the commissioners regarding the nuisance properties in the town of Java.

**COUNTY ASSISTANT:**

Badten presented tax deed property transfer plan with the City of Mobridge. The program would be used to revitalize blighted properties suffering from delinquent taxes and nuisance issues into redeveloped tax-paying properties. Holgard moved and Siemon seconded to adopt program.

Discussion was held regarding leave accrual requests to keep things fair Martin moved Holgard seconded to rescind the motion made at the previous meeting to approve Stephanie Bennis, Mica Mortenson and Greg Pudwill to receive sick leave and vacation for the time they were on probation. Roll call vote requested Holgard: Aye; Martin: Aye; Houck: Nay; Siemon: Nay; and Schilling: Aye. The motion was adopted.

**HIGHWAY ISSUES:**

Superintendent Goetz presented the board with 2015 Highway Maintenance and Annual Report.

Martin moved and Houck seconded to approve buying off the Beadle County bid for culverts needed in 2016. Voting Aye: 5; Nay: 0. The motion was adopted.

Siemon moved and Houck seconded to approve resolution 2016-04 Resolution to set overweight limits. Voting Aye: 5; Nay: 0. The motion was adopted.

RESOLUTION WC 2016-04

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 16th day of February, 2016 at Selby, South Dakota

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Walworth County Commission Chairperson

ATTEST:

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Walworth County Auditor

(SEAL)

The board advised Goetz to publish a notice regarding right of ways.

**JAIL & SHERIFF:**

Houck moved and Siemon seconded to update the signature card for the Sheriffs Trust account at Bankwest to remove Strickland and add Cris Holder and Justin Jungwirth. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard thanked Sheriff Boll for their effort and assistance in the drug bust.

Badten also thanked Commissioner Houck, Tommy Houck, and the Sheriff’s office for helping and providing inmates to help at the land fill after damaging winds took down fence.

Houck moved and Siemon seconded to approve the wage of Vanessa Keene at $14.71 per hour as full-time jailer. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Houck seconded to approve the wage of Glen Bissett at $14.71 per hour as full-time jailer. Voting Aye: 5; Nay: 0. The motion was adopted.

**ABATEMENTS:**

Holgard moved to deny the abatement of $1439.04 for record 5542 for owner occupied status. Motion died for lack of a second. Martin moved and Holgard seconded to table the request until more information can be obtained. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Martin seconded to again table record #8118. Voting Aye: 5; Nay: 0. The motion was adopted.

Siemon moved and Martin seconded to approve the abatement of $244.60 for record #7621, Kahl stated she agreed to lower the value but didn’t follow through. Voting Aye: 5; Nay: 0. The motion was adopted.

Houck moved and Martin seconded to approve the abatement of $1694.92 for record #6468, Kahl stated should have been exempt. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Martin seconded to deny the abatement of $521.84 for record #6173. The deadline was not met to apply for owner occupied status. Voting Aye: 5; Nay: 0. The motion was adopted.

Holgard moved and Martin seconded to deny the abatement of $426.64 for record #5315. The deadline was not met to apply for owner occupied status. Voting Aye: 5; Nay: 0. The motion was adopted.

**COMEPNSATORY TIME:**

Discussion was held regarding compensatory time in the Department of Equalization office. Kahl stated compensatory time should come to a halt shortly after the 1st of March, Martin questioned what we received with more employees and new software. Kahl stated that there are more appeals and she believes it is because when people appeal they get approved then they go back and tell their neighbors and then they come in and appeal. States Attorney Hare stated we will have appeals until we are equalized. Houck & Siemon think compensatory time is fine. Holgard was curious if she needed more help. No action was taken.

Discussion was held on what the county needs for a jail and whether we should hire an architect firm to advise us. Should we or shouldn’t we have a jail. Where to put it and whether to build on to existing structure. Question was brought up if the taxpayers want to take care of the whole region or our own county. Sheriff Boll stated that he still only has one drunk tank, could use more at times. If they had another drunk tank or two it would be sufficient enough the way it is. Discussion was tabled until the next meeting.

**OLD BUSINESS**

Discussion was held on getting a defibrillator for the court house. Badten stated Avera has programs available to obtain one. Badten will look into getting one.

SAGE does not want to pay more than $50.00-$100.00 for the information they are seeking. Hare advised the board we might be hit with a lot of fees which could be at $50.00 per day since the request was originally made if the case goes to court. Holgard moved and Martin seconded to send the information for $100.00. Roll call vote requested: Holgard- Aye Martin- Aye Houck- Nay Siemon- Nay Schilling- Aye. The motion was adopted.

Houck moved and Martin seconded to declare record #8118 surplus to be sold. Voting Aye: 5; Nay: 0. The motion was adopted.

States Attorney Hare let the board know that there were several complaints on how the arrest warrants were conducted. Hare stated that since there were several agencies involved he was not going to take any further action.

**ADJOURNMENT:**

Holgard moved and Siemon seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. March 1, 2016. Voting Aye: 5; Nay: 0. The motion was adopted.

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**SCOTT SCHILLING, CHAIRPERSON**

**ATTEST:**

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**REBECCA KREIN, AUDITOR**

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