April 22, 2014

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on April 22, 2014 at 9:00 a.m. at the County Courthouse. Members present were: Denis Arbach, Richard Godkin, Duane Martin, Phylliss Pudwill and David Siemon. Also present were Auditor Rebecca Krein and States Attorney Jamie Hare.

Chairperson Arbach called the meeting to order.

The Pledge of Allegiance was recited by those in attendance.

Godkin moved and Pudwill seconded that the minutes of the meetings of April 8, 2014 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

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

**COMMISSIONERS:** Lincoln National Life Ins – life insurance, $14.26; Quill Corporation – cups, coffee, $9.05; Venture Communications Coop – phone service, $44.06;

**AUDITOR:** Lincoln National Life Ins – life insurance, $13.26; Quill Corporation – paper, $37.20; Venture Communications Coop – phone & fax service, $84.64;

**TREAURER:** Lincoln National Life In – life insurance, $13.26; Venture Communications Coop – fax & phone service, $84.52;

**STATES ATTORNEY:** Lincoln National Life Ins – life insurance, $13.26; Andrea L Sandmeier – TB test read, $40.00; Venture Communications Coop – fax & phone service, $140.59;

**COURT APPOINTED ATTORNEY:** SDACC – catastrophic legal expense, $1173.32;

**ABUSED CHILD DEFENSE:** Vaughn Peck - $462.00

**COURTHOUSE:** Lincoln National Life Ins – life insurance, $6.63;

**DIRECTOR OF EQUALIZATION:** Quill Corporation – toner, $1232.92; Venture Communications Coop – phone & fax service, $61.70;

**REGISTER OF DEEDS:** Connecting Point – remove virus, $60.00; Lincoln National Life Ins – life insurance, $13.26; Venture Communications Coop – fax & phone service, $49.94;

**SHERIFF:** Joshua Boll – meal expense, $26.00; Datamaxx – activation & installation fees, $1117.00; Dell Marketing LP – 2 Dell Latitude Computers, $10010.42; Donald Knecht – meal expense, $26.00; Craig J Imberi DBA – 2 Dell adaptors, install Microsoft office, $420.00; Lincoln National Life Ins – life insurance, $15.91; Duane Mohr – wash sheriff car, $10.00; Pennington County – transport, $804.30; PESCO – mounting pkg Crown Vic & Impala, $1038.11; Ron’s Repair – oil change, rotate tires, $52.95; Selby Oil Company – oil change, 2012 Impala, $45.90; Shawn Fox – meal expense, $26.00; State Radio Communications – DataMaxx Software, Teletype Service, $2500.00; Venture Communications – phone & fax service, $124.33;

**JAIL:** Aaron Tripp – uniform pants, $19.97; Avera Medical Group Radiology – medical care, $230.37; Family Pharmacy – prescription, $315.32; Larry’s Lock & Key – unlock file cabinet, $75.00; Lincoln National Life Ins – life insurance, $68.29; Duane Mohr – playing cards, $10.00; Northern Lites Co – repair downspouts, $233.20; Venture Communications Coop – internet, phone & fax service, $196.46;

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

**SUPPORT OF POOR:** Avera Health Plan – insurance premium, $191.38; James I Hare – mileage expense, $65.12; Venture Communications – fax & phone service, $24.81;

**EXTENSION;** Country Woman – subscription, $16.98; Lincoln National Life Ins – life insurance, $6.63; Venture Communications Coop – fax & phone service, $44.03;

**RD & BR:** Lincoln National Life Ins – life insurance, $55.36; Montana Dakota Utilities – electricity Java shop, 27.42; North Star Energy LLC – cylinder fill, OPD value$87.00; Venture Communications Coop – phone service Java shop, internet, phone & fax service, $$255.95;

**SOLID WASTE:** Lincoln National Life Ins – life insurance, $26.52;

**NORTHLAND TRUST SERVICES INC –** interest payment, $153555.00

**5 COUNTY TV DISTRICT FUND:** David Huffman – 7.5% of rental income, 50% of land rental, $1440.00; Sid Haux – phone service, mileage expense, $212.74; Nathan Huffman – 7.5% of rental income, 50% of land rental, $1440;

**WEED & PEST POSITION & EMERGENCY MANAGEMENT:**

Emergency Manager Adam Fiedler informed the Board he has decided to accept the full time position offered by Jensen Rock and Sand and gave notice that he will be quitting his Emergency Manager position. He will continue to assist the County until a replacement is hired. Siemon moved and Godkin seconded that we advertise for both the Weed & Pest Supervisor and the Emergency Manager positions. Voting Aye: 5; Nay: 0. The motion was adopted.

**TAX DEED PROPERTIES:**

Pudwill moved and Martin seconded to authorize publishing the notice of sale of Tax Deed Properties with Record numbers of 6354, 5253 and 5254. Voting Aye: 5; Nay: 0. The motion was adopted.

**ZONING:**

Director of Equalization Deb Kahl discussed the Zoning position vacated by the retirement of Roger Walker. Her office has been handling these matters since Walker’s retirement. Kahl said she would like to have Deputy Director of Equalization Jill Hoogeveen in charge of those duties and requested a raise for Hoogeveen to accompany the extra duties. Auditor Rebecca Krein said that Walker normally had approximately 6-8 hours per month on zoning duties. Commissioner Martin moved to pay an increased salary to Hoogeveen for those hours she is actually engaged in zoning duties. After further discussion he withdrew his motion. Commissioner Pudwill suggested that we should take some time to consider the request and table the matter until the next meeting.

**EXECUTIVE SESSION:**

Pudwill moved and Siemon seconded to enter into executive session at 9:47 a.m. for the purpose of discussing a personnel issue as per SDCL 10-3.14 Voting Aye: 5; Nay: 0. The motion was

adopted.

Chairman Arbach declared the executive session ended and the board reconvened in regular

session at 9:58 a.m.

**EQUALIZATION:**

The date of April 25, 2014 has been added to the previous dates of April 16 & 23, 2014 for an extra date for equalization hearings.

**DIRECTOR OF EQUALIZATION:**

Director of Equalization requested clarification of the approval of overtime at the March 27, 2014 meeting. The time will be earned as compensatory time rather than paid overtime as per previous Commission decision regarding these matters**.**

**HIGHWAY ISSUES:**

Superintendent Goetz would like to publicly thank the Highway Department employees for stepping up and going above and beyond while they were down two employees and continue to be down one employee.

Highway Superintendent Goetz reported that she has posted Road 319 as it has bad soft spots. She would like to extend the load limit postings until the frost is out of the ground and we see what kind of damage we will be dealing with. Godkin moved and Pudwill seconded to extend load limits at Superintendent Goetz’s discretion. Voting Aye: 5; Nay: 0. The motion was adopted.

Goetz reported that part-time/full time employee Gerald Kosters will be starting to work on April 28 at a salary of $13.63 per hour.

Discussion was held on the County owned property on Main Street in Java. Goetz has been searching for someone to tear the building down and hopes to have an answer to that situation by the next meeting.

The culvert on Road 236 was discussed. The south end has been placed in concrete and they are using flow able fill. With cooperation from the weather Goetz is projecting a potential opening date for the road of April 23, 2014. The SDDOT regional bridge inspector came to give an opinion on what the problem might be with this culvert. He said he was not knowledgeable about metal culverts and no conclusive opinion as to why the culvert had failed again.

Pudwill moved and Siemon seconded to publish a notice concerning a public hearing on whether the county should contract with owners of private roads within the county for the county to provide maintenance on private roads. Voting Aye: 5; Nay: 0. The motion was adopted.

**BID LETTING:**

Bids were opened for the 2009 Motor grader. They are as follows: Iron Planet - $138,330.00; Butler - $130,000.00. Godkin moved and Martin seconded to accept the Iron Planet bid. Voting Aye: 5; Nay: 0. The motion was adopted.

**BID LETTING:**

Bids were opened for gravel crushing: They are as follows: Morris Construction - $3.30 per ton surfacing, $6.50 per ton for Type 3; Jensen Rock and Sand - $2.85 per ton for surfacing, $3.00 per ton for Type 3; Brownlee - $2.68 per ton for surfacing, $2.89 per ton for Type 3. Siemon moved and Godkin seconded to accept the Brownlee bid. Voting Aye: 5; Nay: 0. The motion was adopted.

**LANDFILL ISSUES:**

Badten reported he has given out 5 applications for the job position advertised for the Landfill.

Badten hopes that he will be able to stay under $5000 for repairs to the Landfill’s hydroseeding unit. He believes that the seal is out of the bulldozer and, if that is the case, the repair bill may be in excess of $10,000. He will keep the Commissioners informed.

Discussion was held concerning upcoming projects and expenditures at the Landfill. Badten requested approval of compensatory time for employees during the Clean-Up Week at the Landfill from May 12 through May 17, 2014. Godkin moved and Martin seconded to approve compensatory time for employees during the Clean-Up Week. Voting Aye: 5; Nay: 0. The motion was adopted.

**EXECUTIVE SESSION:**

Siemon moved and Pudwill seconded to enter into executive session at 10:47 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.

Chairman Arbach declared the executive session ended and the board reconvened in regular

session at 10:56 a.m.

**JAIL RENOVATION:**

Rowenhorst and Marske were present to answer questions concerning the jail renovation. They are now looking at a 42 bed facility and Marske said he believes the Federal Marshalls would be bringing between 10-20 inmates at any given time. Sheriff Mohr stated that staffing requirements are the same whether they have 25 inmates or 50 inmates. Mohr states that there is a possibility that staff would increase by 1 full time person per 8 hour shift. He does not think 8-10 beds either way will make any difference. Mohr stated “It doesn’t take a rocket scientist to go to the jail and see that it needs to be replaced.” He feels the County needs to protect themselves from as much liability as possible. The question arose whether we will actually have any prisoners. Minnehaha County is also expanding their jail because they are out of space. Martin had no questions but stated that the voters will decide. It is important that we properly educate the public. Reading material will be provided and they will hold community meetings. An open house at the jail was discussed. Rowenhorst stated that he does not have a dog in this fight, he is just giving an honest opinion. He feels that inmates are not being watched closely enough. He says the cameras are not good enough for monitoring, but they are helpful in going back after incidents. He said the safety of jailers and prisoners must be considered. Commissioner Martin stated that we have a community with repeat offenders. He questioned whether we needed a traditional jail for these offenders or do we need to provide more rehabilitation options. He would like to know what Rowenhorst sees coming with Senate Bill 70. He wondered how it would work to put people on intensive probation and monitoring them closely. Rowenhorst said he doesn’t think that would keep anyone from going to jail. He also said electronic monitoring will have an impact on non-violent offenders. Martin stated that we are mostly dealing with non-violent offenders. It was reported that staff training is highly important and they need to be highly aware of when medical treatment is required. Davison County had an inmate that died from complications of alcohol consumption. Rowenhorst’s opinion on moving forward is to go with a 42-54 bed expansion. He feels that adding a few more beds is not going to change the overall impact. He feel strongly that we must provide the public with sufficient information.

**EQUALIZATION:**

Commissioners Siemon, Arbach and Martin intend to be present at the Equalization meeting tomorrow.

**ADJOURNMENT:**

Martin moved and Siemon seconded a motion that the Board of County Commissioners adjourn until the hour of 9:00 a.m. May 6, 2014. Voting Aye: 5; Nay: 0. The motion was adopted.

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

**DENIS ARBACH, CHAIRPERSON**

**ATTEST:**

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

**REBECCA KREIN, AUDITOR**

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