

January 22, 2013
9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS
MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session at 9:00 a.m. on January 22, 2013 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 James Hare, and Mobridge Tribune staff reporter, Sandy Bond.

Chairperson Pudwill called the meeting to order.

The Pledge of Allegiance was recited by all in attendance.

MINUTES:

Leff moved and Martin seconded a motion to approve the minutes of the January 8, 2013 meeting. Voting Aye: 5; Nay: 0. The motion was adopted.

CLAIMS APPROVED:

Arbach moved and Leff seconded to approve that the following claims be paid. Voting Aye: 5; Nay: 0. The motion was adopted.

GENERAL FUND: South Dakota State Treasurer, \$124.24 – sales tax; South Dakota State Treasurer, \$2,323.96 – excise tax

COMMISSIONERS: Mobridge Tribune, \$96.00 – EM job advertisement; Mobridge Tribune, \$150.00 – janitor job advertisement; Mobridge Tribune, \$238.64 – official proceedings; Mobridge Tribune, \$22.46 – bid notice; Marco, \$15.42 – copy usage contract; Northeast Council of Gov'ts, \$8,074.75 – JCA dues; Venture Communications Coop, \$43.92 – phone and fax service; Hasler, \$3.60 – postage meter rental

COURTS: Kristi A. Brandt, \$79.60 – transcript; Hasler, \$47.67 – postage meter rental

ELECTIONS: Election Systems & Software, \$1,984.00 – maintenance agreement; Marco Inc., \$.46 – copy usage contract; Hasler, \$18.24 – postage meter rental

AUDITOR: Marco Inc., \$45.17 – copier usage contract; Venture Communications Coop, \$56.47 – phone and fax service; Hasler, \$17.16 – postage meter rental; Cardmember Service, \$63.90 – attendance cards

TREASURER: Marco Inc., \$5.50 – copier usage contract; Venture Communications Coop, \$53.37; Hasler, \$29.38 – postage meter rental

STATES ATTORNEY: Mobridge Regional Hospital, \$185.75 – blood alcohol testing; Hasler, \$27.99 – postage meter rental

COURT APPT ATTY: Pollard & Larson LLP, \$170.00 – services & fees

ABUSED CHILD DEFENSE: Von Wald Law Offices, \$164.50 – services & fees

DIRECTOR OF EQUALIZATION: Marco Inc., \$3.35 – copier usage contract; Venture Communications Coop, \$24.49; Hasler, \$7.85 – postage meter rental

REGISTER OF DEEDS: Marco Inc., \$6.52 – copier usage contract; Reliable Office Supplies, \$24.28 – supplies; Venture Communications Coop, \$50.59 – phone service; Hasler, \$17.02 – postage meter rental

SHERIFF: SD Sheriffs Association, \$75.00 – registration: Boll; Marco, \$.05 – copier usage contract; Venture Communications Coop, \$126.12 – phone and fax service; Hasler, \$9.99 – postage meter rental

VETERANS SERVICE OFFICER: West River Telecommunications, \$32.02 – phone service

JAIL: Marco Inc., \$.22 – copier usage contract; Mobridge Medical Clinic, \$77.73 – medical care; Venture Communications Coop, \$115.47 – phone and fax service; Venture Communications Coop, \$85.95 – internet service; A&B Business Inc., \$268.30 – supplies; Bowdle Healthcare Center, \$511.84 – medical care

SUPPORT OF POOR: Venture Communications Coop, \$21.25 – phone service; Hasler, \$9.10 – postage meter rental

MENTALLY ILL: Denise Cody, \$15.00 – services & fees; Lewis & Clark Behavioral, \$149.00 – services & fees; SD Department of Revenue, \$1,898.65 – services & fees
MENTAL ILLNESS BOARD: Lucy Lewno, \$161.20 – services & fees; Deanna N Shepherd, \$27.50 – services & fees; Karen Swanda, \$15.00 – services & fees; Yankton County Treasurer, \$103.75 – services & fees
EXTENSION: Marco Inc., \$3.18 – copier usage contract; Hasler, \$6.27 – postage meter rental
WEED CONTROL: Marco Inc., \$.20 – copier usage control; Venture Communication Coop, \$.96 – phone service; Hasler, \$.90 – postage meter rental
PLANNING & ZONING: Marco Inc., \$.17 – copier usage contract; Hasler, \$.87 – postage meter rental
ROAD & BRIDGE: Hasler, \$1.97 – postage meter rental; Hoven Coop Service Company, \$428.65 – fuel; Prairie Stop, \$152.29 – gasoline; Prairie Stop, \$328.70 – fuel; Marco Inc., \$4.28 – copier usage contract; Montana-Dakota Utilities, \$24.63 – electricity @ Java shop; SDPAA, \$314.00 – insurance premium
EMERGENCY & DISASTER: Venture Communications Coop, \$30.10 – radio service; Dewey County Treasurer, \$4,000.00 – grant to other entity
SOLID WASTE: Hasler, \$1.99 – postage meter rental; Marco Inc., \$.08 – copier usage contract; South Dakota Department Of, \$.55 – com fertilizer tonnage
5 CO TV DIS FUND: Marco Inc., \$1.13 – copier usage contract
REGIONAL E911 FUND: AT & T, \$152.06 – access charges; Centurylink, \$1,273.07 – access charges; Language Line Services, \$90.00 – interpretation services; Marco Inc., \$.19 – copier usage contract; Venture Communications Coop, \$424.09 – access charges; Venture Communications Coop, \$.69 – phone services
ECONOMIC ASSISTANCE: NESDCAP, \$2,500.00 – 2013 allocation
DEV DISABLED: SD Department of Revenue, \$180.00 – services & fee;
HISTORICAL MUSEUM: Klein Foundation Inc., \$4,000.00 – grant to other entity
SENIOR CITIZENS: Area IV Senior Nutrition, \$2,000.00 – grant to other entity
STATE ACCOUNT FUND: SD Department of Revenue, \$5.00 – services & fees; SD Department of Revenue, \$810.00 – ROD & Vital Records fees; SD Department of Revenue, \$71,096.98 – motor vehicle fees
ADVANCE TAX FUND: Walworth County Treasurer, \$56,171.58 – advance tax; Walworth County Treasurer, \$17,428.09 – voided tax special assessment
SDACO M & P FUND: SDACO M & P Fund, \$226.00 – M & P fund

TAX DEED PROPERTY:

Leff moved to accept a payment arrangement with Nathan Bleyle for a tax deed property he purchased and has not paid for. Motion died for a lack of a second.

Martin moved and Arbach seconded to decline the agreement stating he needs to pay it in full or the County will be putting it up for auction again. Voting Aye: 5; Nay: 0. The motion was adopted.

ALCOHOLIC BEVERAGE LICENSE TRANSFER HEARING:

Leff moved and Godkin seconded approve the application received to transfer uniform alcoholic beverage licenses for package off-sale malt beverage & retail on-sale liquor from New Evarts Resort, Larry and Val Fliels to Mudline Adventures, Gabe and Kristin Outtrim. Voting Aye: 5; Nay: 0. The motion was adopted.

TAX DEED PROCEEDINGS:

Discussion was held regarding record# 5218 and the agreement made between the renter and Walworth County to make \$300.00 a month payments in order to get back taxes paid up. Treasurer Hanson informed the board that the payments were not being made as agreed upon, therefore the Commissioners advised Treasurer Hanson to continue with tax deed proceedings. Motion by Martin seconded by Arbach. Voting Aye: 5; nay: 0. The motion was adopted.

LOT 1 SE1/4 13-124-80;

States Attorney Hare informed the board that he received a letter requesting Walworth County sign a deed to rid of any ownership the County may have in the part of Lot 1 that is overlapped by Lot 3 which is owned by Beadle Chevrolet. After some discussion the Commissioners decided to table the matter until the next meeting to allow for further research

SHERIFF & JAIL ISSUES:

Sheriff Mohr informed the board that two of the jailors attended training on suicide first aid and on April 17th the remaining jail staff will also receive the training.

Motion by Arbach seconded by Martin to accept jail contracts with the following counties: McPherson, Emmons, Sully and Ziebach. Voting aye: 5; nay: 0. The motion was adopted.

EXECUTIVE SESSION:

Leff moved and Arbach seconded to enter into executive session at 9:50 a.m. for the purpose of discussing a personnel issue as per SDCL 1-25-2(1). Voting aye: 5; nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session at 10:00 a.m.

SALARY OR PAY INCREASE:

Motion by Martin seconded by Godkin to promote Brian Rawstern to Chief Correctional Officer with an effective date of January 27th, 2013 and a pay increase of \$0.50 per hour at the request of Sheriff Mohr. Voting aye: 5; nay: 0. The motion was adopted.

Motion by Godkin seconded by Arbach to increase the pay of Earleen Irigoyen by \$0.25 per hour effective January 27th, 2013 at the request of Sheriff Mohr. Voting aye: 5; nay: 0. The motion was adopted.

EMERGENCY MANAGEMENT:

Walworth County Emergency Manager Adam Fiedler informed the board that he and Deputy Sheriff Josh Boll have been continuing to apply for grants available and will keep them updated on the progress. He also told the commissioners that Emergency Management Regional Director Kendall Aldinger would like a radio installed in Fiedler's pickup which could be paid for by grants if approved. The board told Fiedler to wait until he finds out about the grants that have been applied for before purchasing the radio.

MONTHLY DEPARTMENT HEAD MEETING

Director of Equalization Kahl informed the board on a lawsuit that is taking place in Minnehaha County regarding the assessed value of a property being more than the owner was able to sell the property for. She also asked the board what she should charge if a company requests all of her property files be transferred to them electronically. There was a motion by the board in 2005 to charge \$5.00 per parcel. After some discussion the board requested that she look into what other counties were charging and they will make a decision at a later date.

GRAVEL CRUSHING:

Lavonne Hettich spoke with the board via conference call regarding the Highway Department crushing gravel on her property. She had some concern that the contract did not address specific items very clearly. Highway Superintendent Goetz and States Attorney Hare will work together on a new contract.

2013 EQUIPMENT RATES:

Motion by Leff seconded by Arbach to approve the rates established by Highway Superintended Goetz for equipment usage during 2013. Voting aye: 5; nay: 0. The motion was adopted.

88 CASE TRACTOR:

Motion by Godkin seconded by Leff to transfer the 1988 Case tractor from the Highway department inventory to the Landfill Department. Voting aye: 5; nay: 0. The motion was adopted.

LANDFILL SURPLUS ITEMS:

Landfill Supervisor Badten submitted a list of surplus items that should be destroyed to the board. Motion by Leff seconded by Martin to declare the items surplus and allow the landfill to destroy them. Voting aye: 5; nay: 0. Then motion was adopted.

EXECUTIVE SESSION:

Leff moved and Arbach 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(1). Voting aye: 5; nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session at 11:35 a.m.

DIRECTOR OF EQUALIZATION OFFICE:

Commissioner Martin informed the board that the office should have 1 full-time employee for every 2500 parcels in the county. The county has over 8000 parcels and at this time 1 full-time and 1 part-time employee. No decisions were made at this time; the matter will be discussed at a later time.

NEW BUSINESS:

BOARD APPOINTMENT:

Chairperson Pudwill appointed Duane Martin to the Zoning board as well as Richard Godkin.

EXECUTIVE SESSION:

Leff moved and Martin seconded to enter into executive session at 11:39 a.m. for the purpose of discussing a legal issue as per SDCL 1-25-2(3). Voting aye: 5; Nay: 0. The motion was adopted.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session at 11:43 a.m.

INDIGENT FUNERAL:

Motion by Martin seconded by Arbach to pay funeral expenses for case# 13C at the request of Welfare Director Roger Walker. Voting aye: 5; nay: 0. The motion was adopted.

OLD BUSINESS:

TAX REFUND:

Motion by Martin seconded by Godkin to grant Tony Buckmeier the entire refund of the amount of taxes paid for a property he did not own. Voting aye: 3; nay: 2. The motion was adopted.

LAKE MOLSTAD:

Commissioner Martin informed the board that he has been in contact with South Dakota School and Public Lands and would like to see the park closed but retain the easements. The board decided to table the discussion until a later meeting.

ADJOURNMENT:

Leff moved and Godkin seconded that the Board of County Commissioners adjourn until 9:00 am on Tuesday, February 5, 2013. The motion was adopted.

PHYLLISS PUDWILL, CHAIRPERSON

ATTEST:

REBECCA KREIN, AUDITOR

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