February 19, 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 February 19, 2013 at the County Courthouse. Members present were: Denis Arbach, Richard Godkin, Duane Martin, Donald Leff, and Phylliss Pudwill. Also present were Auditor Rebecca Krein, State’s Attorney James 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.

Arbach moved and Leff seconded that the minutes of the meeting of February 5, 2013 be approved. Voting aye: 5; nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

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

**COMMISSIONERS:** Dakota Business Center – rate change card, $8.08; Harold Forbes – mileage expense and annual lease auction - $81.08; The Lincoln National Life Insurance Co – insurance premium, $15.93; Mobridge Tribune – official proceedings, $378.91; Mobridge Tribune – annual leasing, $66.71; Mobridge Tribune – notice of hearing, $18.81; SD Department of Legislative Audit – services & fees, $1710.00; SDACC – registration Pudwill - $100.00; SDACC – registration Arbach, $100.00; SDACC – registration Leff, $100.00; SDACC – registration Martin, $100.00; SDACC – registration Godkin, $100.00; SDACC – annual dues, $1261.32;

**ELECTIONS:** Dakota Business Center – rate change card, $17.78; Election Systems & Software – maintenance contract, $1,984.00

**COURTS:** Dakota Business Center – rate change card, $46.68;

**AUDITORS:** Dakota Business Center – rate change card $20.97; The Lincoln National Life Insurance Co – insurance premium, $13.93; SDACO – membership dues, $301.88;

**TREASURES:** Dakota Business Center – rate change card, $28.88; The Lincoln National Life Insurance Co – insurance premium, $13.93; SDACO – membership dues, $301.89;

**STATES ATTORNEY:** Angel Cadotte – mileage expense & subpoena, $110.28; Connecting Point – software, repairs, networking & labor - $946.50; Dakota Business Center – rate change card, $27.29; The Lincoln National Life Ins Co – insurance premium, $13.93; Mobridge Regional Hospital – blood alcohol draws, $123.42; Quill – name plate, $26.99; SD Department of Revenue – blood alcohol testing - $540.00;

**SALES & EXCISE TAX FUND:** SD State Treasurer – state sales tax, $94.23; SD State Treasurer – city sales tax, $12.13

**COURTHOUSE**: Cam Wal Electric – ballasts and labor, $249.93; The Lincoln National Life Insurance Co – insurance premium, $7.31; Lind’s Hardware – trash can, $39.99; Kurt Wolf – snow removal contract, $725.00;

**DOE:** Dakota Business Center – rate change card, $7.75; The Lincoln National Life Insurance Co – insurance premium, $7.31; Quill – bath tissue, $69.51; Quill – paper towels, $17.04; Selby Oil – oil change, $28.05;

**REGISTER OF DEEDS:** Dakota Business Center – rate change card, $16.60; The Lincoln National Life Insurance Co – insurance premium, $13.91; SDACO – membership dues, $301.89;

**SHERIFF:** Dakota Business Center – rate change card, $9.75; The Lincoln National Life Insurance Co – insurance premium, $18.25;

**JAIL:** The Lincoln National Life Insurance Co – insurance premium, $49.08;

**MENTALLY ILL:**  Fox & Youngberg PC – services & fees, $150.70; Deanna N Shepherd – services & fees, $27.50;

**MENTAL ILLNESS BOARD:** Horn Law Office – services & fees, $201.20;

**EXTENSION:** Dakota Business Center – rate change card, $6.11; The Lincoln National Life Insurance Co - $7.31;

**WEED CONTROL:** Dakota Business Center – rate change card - $.87; The Lincoln National Life Insurance Co – insurance premium, $4.99;

**PLANNING & ZONING:** Dakota Business Center – rate change card, $.21;

**POOR:** Dakota Business Center – rate change card $.47; SDACC – registration Walker, $100.00

**RD & BR:** Baus Repair & Body Shop – compressed gas & hazardous surcharge, $25.32; Dakota Business Center – rate change card, $1.92; Penny Goetz – meal expense, $43.00; Marty Hook – meal expense, $52.00; Hoven Coop. – gasoline, $245.88; Hoven Coop. – fuel oil, $891.62; The Lincoln National Life Insurance Co – insurance premium , $60.35; Ladean Moak – meal expense, $52.00; MDU – electricity @ Java Shop - $29.15; SDACHS – registration Goetz & spouse, $120.00; Slater Oil – 2500 gals #2 fuel @ $3.37, $8425.00; Slater Oil – 1000 gals #1 fuel @ $3.56, $3560.00;

**SOLID WASTE:** Dakota Business Center - $1.94; The Lincoln National Life Insurance Co – insurance premium, $27.20;

**VETERANS SERVICE:** West River Telecommunications – phone service, $31.77

As required by SDCL 6-1-10, the January payroll paid by department was as follows: Commissioners - $6117.63; Auditor - $7472.27; Treasurer - $10012.68; States Attorney - $10571.10; Director of Equalization - $6049.36; Register of Deeds - $7323.43; Veterans Service Officer - $1138.74; Sheriff - $13432.77; Jail - $28639.14; Coroner - $360.63; Emergency & Disaster - $1369.30; Poor - $222.15; Extension - $2930.10; Weed & Pest - $1097.58; Zoning - $197.58; Road & Bridge - $34661.38; Solid Waste - $16770.61; 5 County TV Translator District - $1001.15.

**MEETING ATTENDANCE & COMPENSATION:**

Martin moved and Godkin seconded to pay a previous commissioner one half months’ salary for 2 meetings he attended at the request of the board plus mileage. A roll call vote was called for: Godkin – Aye; Martin – Aye; Arbach – Nay; Leff – Nay; Pudwill – Nay. Motion failed.

**TAX DEED DISCUSSION:**

**RECORD #4985**

Lila Martel met with the board to request a payment plan for her property that the County took due to non-payment of taxes. The total delinquent amount is $7,119.73. Since the County owns the property there is a liability issue. The Commissioners informed her that she has had plenty of time to set something up in the past and there was nothing the County could do at this time.

**RECORD #5253 & 5254**

The resident occupying these premises now owned by the county via tax deed will be evicted by the Sheriff on February 11, according to an update from States Attorney Hare. Sheriff Mohr will secure the properties no that no one can obtain entry. There will be further discussion with the City of Mobridge concerning these properties.

**NORTH CENTRAL REGIONAL 911:**

Curt Rawstern was in attendance to request that the commissioners give North Central Regional 911 all of the surcharge money the state sends to the county. The restrictions from the state on what the county can use the money for leaves no reason for the county to keep the funds. Moved by Arbach and seconded by Leff to give the entire $0.75 to 911. The motion was withdrawn. After further explanation; Moved by Martin and seconded by Godkin to give the entire $0.75 to 911. Voting Aye: 5; Nay: 0. Motion carried.

**WILBUR-ELLIS AIR, LLC:**

Arbach moved and Leff seconded to sign an agreement with Wilbur-Ellis Air, LLC to allow them to land aircraft on Walworth County Highways. Voting Aye: 5; Nay: 0.

**SWAP AGREEMENT:**

Arbach moved and Godkin seconded a motion to sign the SWAP agreement with the South Dakota Department of Transportation. Voting Aye: 5; Nay: 0. Motion carried.

**LAKE MOLSTAD:**

A discussion was held between Game, Fish & Parks, School and Public Lands and the Commissioners concerning the ongoing decision of whether to close the park at Lake Molstad. User access, vandalism, and liability issues were part of the discussion. The board decided to close the park but retain the easements to allow access for School and Public lands and the Game Fish and Parks.

**SURPLUS PROPERTY:**

Moved by Leff and seconded by Martin to allow the following property to be declared as surplus. An attempt will be made to sell the property that has value and the rest will be destroyed. The items include: 1 Gateway computer serial #0011308697; 1 3Com Ethernet, serial #3C16700A; 1 Samsung printer/copier, serial # Baby308047E; 1 E Series computer, serial # 9002426; 1 monitor serial # D1711; 1 HP Deskjet printer, serial # C2164A; 1 1987 IBM electric typewriter, serial # 674X; 1 E Machines computer monitor, serial # 786N; 1 HP fax 900, serial # C3510N; 1 Astro 610P scanner, serial # H6W0508A; computer desk, miscellaneous telephones; 4 calculators; 4 keyboards; 3 sets of computer speakers; 100 cup coffee maker, 1 Samsung VCR, serial # 02FG6VB; and 1 Trutech VCR/DVD, serial # 04883. Voting Aye: 5; Nay: 0. Motion carried.

**MONTHLY DEPARTMENT HEAD MEETING:**

Sheriff Mohr complimented Janitor Leah Holder on the good job she has been doing since beginning the janitor position. The rest of the Department Heads were in agreement. Discussion was held on a decision from the last meeting regarding the time spent by all the offices going back and forth getting the mail, the decision will be left up to each department head on how they want to handle it.

**EXECUTIVE SESSION:**

Arbach moved and Godkin 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(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 11:20 a.m.

**EMERGENCY MANAGEMENT:**

Emergency Manager Adam Fiedler and Chief Deputy Josh Boll met with the Commission to request that Chairperson Pudwill sign a contract so that Fiedler will be able to purchase an emergency radio to be installed in his personal vehicle

**EXECUTIVE SESSION:**

Leff moved and Martin seconded to enter into executive session at 11:45 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 11:53 a.m.

**COUNTY HIGHWAY AND LANDFILL:**

Highway Superintendent Goetz reported that Ms. Hettich has returned the agreement with the County.

Martin moved and Arbach seconded to correct a pay error for a county employee to bring the pay to the correct amount for his job description. Voting Aye: 5; Nay: 0. The motion was adopted.

Landfill Supervisor Badten discussed the possible purchase of a loader for the landfill. The larger model would be $250-$300 thousand dollars, the smaller model would be $175 - $225 thousand dollars. Badten reported that the smaller one is possible, but does not weigh as much or have puncture proof tires. Badten also reported that he is going to submit cell construction paperwork to the state to finish up the grant writing process.

Badten informed the board that there is a steel building at the landfill that is not used and could potentially be sold as surplus.

Possible recycling programs were discussed. Among the discussion was that taxpayers would sort their own recycling materials. It was felt that Mobridge and Selby would need more containers.

**JAIL RENOVATION:**

Aberdeen HKG Architects representative, Dean Marske, and financial planner Jim Rohl met with the board to answer questions on a possible jail renovation and submit drawings of possible plans for the project. The annual jail visit was postponed until the next meeting.

**ADJOURNMENT:**

Leff moved and Godkin seconded that the Board of County Commissioners adjourn until 9:00 a.m. on Tuesday, March 5, 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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