September 3, 2013

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session on September 3, 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 Godkin seconded that the minutes of the meeting of August 20, 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.

**GENERAL FUND:** Cardmember Service – postage, $850.00;

**COMMISSIONERS:** Denis Arbach – mileage expense, $42.18; Richard Godkin – mileage expense, $31.08; Don Leff – mileage expense, $31.08; Marco Inc – copier usage contract, $14.66; Duane Martin – mileage expense, $46.62; Selby Record – public hearing notice, provisional budget, & official proceedings $411.08;

**COURTS:** Laurel Berens – appearance fee & mileage expense, $17.40; Kristi A Brandt – transcripts, $201.00; James Brockamp – mileage expense & juror fee, $64.80; Jacqueline Deschequette – mileage expense & juror fee, $55.18; Geraldine Dietrich – mileage expense & juror fee, $64.80; Thomas Fiedler – mileage fee & appearance fee, $11.48; Patricia Fuhrman – mileage fee & appearance fee, $24.80; 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 Jr – mileage fee & juror fee, $64.80; Mary Rousseau – mileage fee & appearance fee, $24.80; Eldor Schilling – mileage fee & appearance fee, $21.84; Jerry Weischedel – mileage fee & juror fee, $64.80; Rose Zabel – mileage fee & appearance fee, $16.66;

**AUDITORS:** Cardmember Service – postage supplies, $52.54; Marco Inc – copier usage contract, $10.16; Midcontinent Communications – internet service, $13.12; Quill Corporation – supplies, $133.61;

**TREASURER:** Cardmember Service – postage supplies, $8.56; Heather Gall – mileage expense, $118.40; Lar-Jo’s – supplies, $97.88; Marco Inc – copier usage contract, $11.91; Midcontinent Communications – internet service, $13.12; Quill Corporation – supplies, $110.51;

**STATES ATTORNEY:** Bankwest – notary fees Detoy, $103.06; Marsha Berg – mileage expense & subpoena, $35.54; Cardmember Service – postage supplies, $8.56; Nola Gunderson – mileage expense & subpoena, $35.54; Midcontinent Communications – internet service, $13.12; Mobridge Regional Hospital – blood alcohol draw, $65.00;

**COURT APPOINTED ATTORNEY:** Vickie S Broz Krause - $693.00; Dakota Plains Legal Services - $672.00; William D Gerdes - $1660.60; Christopher Jansen - $1936.20;

**ABUSED CHILD DEFENSE:** Mark K Kroontje - $122.60; Von Wald Law Offices - $1729.60;

**COURTHOUSE:** City of Selby – water & sewer service, $298.88; Ken’s Western Lumber – supplies, $22.48; Montana Dakota Utilities – electricity & natural gas, $671.24; Quill Corporation – supplies, $87.89; Reuer Sanitation Inc – garbage service, $95.00; Runnings Supply Inc – supplies, $71.00; Kurt A Wolf – lawn care contract, $725.00;

**DOE:** Cardmember Service – postage supplies, $8.55; Marco Inc – copier usage contract, $10.67; Midcontinent Communications – internet service, $13.12; Quill Corporation – supplies, $42.05; Shorty’s One Stop – gasoline, $34.70;

**REGISTER OF DEEDS:** Cardmember Service – postage supplies, $8.55; Marco Inc. – copier usage contract, $11.58; Midcontinent Communications – internet service, $13.13;

**VETERANS SERVICE OFFICER:** Best Western Ramkota Hotel – lodging Rookey, $100.00; Leo Rookey Jr – supplies, mileage expense, meal expense, registration - $187.05;

**SHERIFF:** At&T Mobility – cell phone expense, $122.00; Cardmember Service – postage supplies, $8.56; Graham Tire – Aberdeen – tires, $158.60; Midcontinent Communications – internet service, $13.13; Duane Mohr – monitor, $50.00; Pennington County – transport, $131.40; Ron’s Repair – repairs 2008 Impala, $60.95; Selby Oil – 2012 Impala oil change, balance tires – Crown Victoria, $65.90; Slater Oil & Gas – 512 gallons Ethanol @$3.41, $1745.92; Western Communications Inc – radio maintenance, $21.60;

**JAIL:** Bob Barker Company Inc – uniforms & sandals, cleaning supplies, $1726.17; Cardmember Service – groceries, $194.25; City of Selby – water & sewer service, $209.85; Duane Delzer DBA – repair monitor, $63.95; Duckwall-Alco Stores Inc. – supplies, groceries, cleaning products, $94.49; Family Pharmacy – prescriptions, $92.31; Daniel Hardison – uniform pants, $37.94; Lind’s Hardware – supplies, $9.48; Marco Inc – copier usage contract, $0.04; Menards – supplies, cleaning supplies, $61.02; Merkel’s Foods – supplies, personal care items, groceries, cleaning products, paper products, $1547.09; Duane Mohr – monitor, $50.00; Montana Dakota Utilities – electricity, natural gas, $721.70; Pfitzer Pest Control LLC – pest control services, $165.00; Servall Uniform & linen Supply – mop & rug rentals, $37.63; Vilas Health & Variety – personal care items, $4.39; **CORONER:** Regional Health DBA – morgue use, $406.00;

**SUPPORT OF POOR:** Cardmember Service – postage supplies, $8.56 Brenda DeToy – meal & mileage expense$155.35;

**MENTAL ILLNESS BOARD:** Yankton County Treasurer – services & fees, $106.25;

**EXTENSION:** Cardmember Service – postage supplies, $8.56; Jenna Malsom – meal & mileage expense, $92.10; Marco Inc – copier usage contract, $11.42; Midcontinent Communications – internet service, $13.13;

**WEED CONTROL:**  Midcontinent Communications – internet service - $13.13; Shorty’s One Stop – gasoline, $244.82; Western Communications – radio maintenance, $8.80;

**PLANNING & ZONING:** Selby Record – zoning proceedings, $14.20;

**RD & BR:** Central Diesel Sales Inc – supplies & battery, $241.79; City of Java – water service, $18.00; City of Selby – water & sewer service, $76.82; D-Ware – registration – Goetz, $85.00; Farnams Genuine Parts – supplies$210.86; Goldsmith Heck Engineers Inc – culvert replacement project, $3703.00; GTC Auto Parts – supplies, $366.12; John Stefanich DBA – windshield repair T-134, $80.00; John Deere Financial – repairs M-72, supplies, $1832.51; Marco Inc – copier usage contract, $0.22; Montana Dakota Utilities – utilities Mobridge shop, state shop, Selby shop, $182.27; Reuer Sanitation Inc – garbage service, $35.00; Runnings Supply Inc – supplies, $26.97; SDSU South Dakota LTAP – registration Hook, registration Goetz, $140.00; Selby Auto Sales & Service – supplies, $67.04; Servall Uniform & Linen Supply – towels & mats, $37.39; Share Corporation – supplies, $274.50; Sheehan Mack Sales – supplies, $38.16; Shorty’s One Stop – gasoline, $963.05; Western Communications – radio maintenance, $135.90;

**SOLID WASTE:** Butler Machinery Co – repairs – L700 & #63, $3474.50; Farnams Genuine Parts – supplies & battery, $227.53; Lind’s Hardware – supplies, $49.47; Marco Inc – copier usage contract $0.18; Mobridge Gas Company – supplies, $32.50; Real Tuff Inc – supplies, $6.30; Runnings Supply Inc – supplies, $125.31; SD Department of Environment – solid waste surcharge, $1288.00; SDSWMA – membership renewal, $400.00; Servall Uniform & Linen Supply – mats, $32.86; Shorty’s One Stop – gasoline, $124.63; Web Water Development – water service, $43.91; Western Communications Inc – radio maintenance, $9.30;

**5 COUNTY TELEVISION DISTRICT FUND:** FEM Electric Assoc – electricity, $74.92; Sid Haux – cell phone expense, mileage expense$247.80; Marco Inc – copier usage contract, $0.82; Selby Record – TV proceedings, $52.72;

**REGIONAL E911 FUND:** Marco Inc – copier usage contract, $9.63; Western Communications Inc – supplies, $1061.99;

As required by SDCL 6-1-10, the July payroll paid by department was as follows: Commissioners - $6,075.84; Auditor - $9,379.27; Treasurer - $9,193.57; States Attorney - $11,711.42; Courthouse - $2,310.62; Director of Equalization - $12,445.30; Register of Deeds - $8,532.15; Veterans Service Officer - $1,138.74; Sheriff - $14,816.81; Jail - $33,756.33; Emergency & Disaster - $1,395.14; Poor - $375.83; Other Health – $94.27; Extension - $1,688.58; Weed & Pest - $3,796.69; Zoning - $70.76; Road & Bridge - $46,294.36; Solid Waste - $19,195.90; 5 County TV Translator District - $1,033.44.

**BUDGET SUPPLEMENTS:**

Leff moved and Godkin seconded to supplement the Road and Bridge budget for the funds received from the state in the amount of $144,798.76. Voting Aye: 5; Nay: 0. The motion was adopted.

201-0-334 STP Grant $144,798.76

201-311-422 Culvert Replacement $ 13,615.64

201-311-426 Culvert Replacement $ 26,118.42

201-311-429 Culvert Replacement $ 93,838.35

201-311-426 Supplies $ 11,226.35

Arbach moved and Leff seconded to supplement the Fire Department Budget for the donation received from the Town of Lowry to distribute the money evenly to the five County Fire Departments $1,200.00 each. Voting Aye: 5; Nay: 0. The motion was adopted.

211-0-365 Contributions & Donations $6,000.00

211-221-429 Fire Protection Other $6,000.00

**EMERGENCY MANAGEMENT:**

Leff moved and Martin seconded to reinstate Resolution WC 2013-06 Prohibiting Open Burning within the County. Voting Aye: 5; Nay: 0. The motion was adopted.

Emergency Manager Adam Fiedler is working on a grant to get an emergency warning siren for New Evarts Resort. Fiedler has gone door to door warning people in that area of pending storms. Godkin moved and Martin seconded a motion for Fiedler to continue seeking a grant for the siren. Voting Aye: 5; Nay: 0. The motion was adopted.

Fiedler requested that Al Bohle be appointed as a voting factor for federal grants. Leff moved and Godkin seconded to appoint Al Bohle to be a voting representative for grants. Voting Aye: 5; Nay: 0. The motion was adopted.

Fiedler also informed the Commission that the fire plane is back in our area if it is needed.

**DEPARTMENT HEADS:**

Godkin moved and Leff seconded to allow Department Heads to set working hours for their respective offices provided that the courthouse hours will remain the same. Each department head can allow 4 ten hour days to give the offices time before and after the courthouse is open to get work done that is difficult during business hours. This is a trial basis and not every office will allow it. Voting Aye: 5; Nay: 0. The motion was adopted.

**BUDGET:**

Martin moved and Leff seconded to approve the Provisional Budget as advertised with the final adoption September 24, 2013. Voting Aye: 5; Nay: 0. The motion was adopted.

**EMPLOYMENT WORKS PROJECT:**

Sylvia Karst has requested to meet with the Commission concerning the Employment Works Project. They are offering the county a person to work 21 hours a week at no cost or liability to the County. The State will pay this person $7.25 per hour and the work would seem to be a good fit with the janitorial services.

**EXECUTIVE SESSION:**

Arbach moved and Leff seconded to enter into executive session at the request of Highway Superintendent Goetz at 9:45 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 9:54 a.m.

**MOBRIDGE HOSPITAL PROJECT:**

Ted Dickey with NECOG via conference call held a Public Progress Hearing concerning the Mobridge Regional Hospital project. Dickey stated that the project is approximately 15% complete at this time. There was no one in attendance with questions so the hearing was ended.

**SHERIFF & JAIL ISSUES:**

Commissioner Martin requested that the backfill project at the jail that has been previously discussed be completed.

**HIGHWAY & LANDFILL ISSUES:**

Arbach moved and Martin seconded to sign an easement with the City of Mobridge for constructing a hiking trail. Voting Aye: 4; Nay: 1. The motion was adopted.

Superintendent Goetz reported that in order to change the speed limit on County Road 314 the board would need to pass a resolution. Leff moved and Martin seconded to post speed limit signs at 35 miles per hour on County Road 314 while a resolution is being drafted to help alleviate some of the speeding. Voting Aye: 5; Nay: 0. The motion was adopted.

Superintendent Goetz stated that she has been in contact with the City of Mobridge concerning a potential drainage issue on 3rd Ave West. She will be meeting with Brad Milliken to look over the situation and see if there is something that needs to be done.

Commissioner Martin would like to rescind the motion to increase the tipping fees at the landfill as the landfill operates with a surplus at this time. He asked the board to give this some thought and has requested further discussion at a later date.

Martin informed the board that slack time salvage used to bring in about $600.00 per month but as this was never accounted for the activity was halted. Martin would like to see more of it done at the landfill.

It was requested that the Landfill bookkeeping be done in house at the Landfill instead of by Superintendent Goetz at the Highway Shop. This will be discussed in more depth at the next commission meeting as Landfill Supervisor Badten was not present.

**EXECUTIVE SESSION:**

Martin moved and Godkin seconded to enter into executive session at 10:54 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 11:00 a.m.

**TAX DEED PROPERTIES:**

Discussion was held on tax deed properties and the need for some written guidelines concerning the process of taking properties. There were questions about why the properties had to be taken and the procedure for declaring them as surplus. State’s Attorney Hare will look into the matter and offer some insight at the next meeting.

**INFORMATION REQUESTS:**

Director of Equalization Deb Kahl met with the board concerning requests of information from various companies. She reports that she will not send this information out at no charge to the requestors at this time. Commissioner Martin feels that the information should be released as it is public information. No decision was made concerning this matter at this time.

**OLD BUSINESS:**

The Commission is still waiting on a response from Tecta America concerning the roof replacement project, Martin feels it is not needed at this time and due to the company not completing the project in the time projected in the contract, State’s Attorney Hare contacted them to cancel the contract.

**NEW BUSINESS:**

It was noted that Kurt Wolf has cleaned out the flower beds in the front of the courthouse and Janitor Leah Holder will look into options of what to plant in those locations.

**ADJOURNMENT:**

Leff moved and Martin seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. on Tuesday, September 24, 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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