October 22, 2013

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on October 22, 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.

Martin moved and Leff seconded to correct the wording concerning a discussion among the commission at the October 8th meeting and delete a sentence. Voting Aye: 5; Nay: 0. The motion was adopted. Arbach moved and Leff seconded that the minutes of the meeting of October 8, 2013 be approved as corrected. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

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

**GENERAL FUND:** Akaska Fire Department – fire premium refund, $1162.83; Bowdle Fire Department – fire premium refund, $699.49; Glenham Fire Department – fire premium refund, $854.94; Hoven Fire Department – fire premium refund, $777.21; Java Fire Department – fire premium refund - $1398.99; Mobridge Fire Department – fire premium refund, $7694.43; Selby Fire Department – fire premium refund, $2953.42;

**COMMISSIONERS:** Lincoln National Life Ins – life insurance, $14.26; Neopost USA – postage meter rental, $3.29; Venture Communications – fax service, $46.95;

**COURTS:** Neopost USA – postage meter rental, $38.86; US Post Office – stamps, $184.00;

**AUDITOR:** Lincoln National Life Ins – life insurance, $13.26; Neopost USA – postage meter rental, $14.75; Venture Communications Coop – fax & phone service, $77.92;

**TREASURER:** Lincoln National Life Ins – life insurance, $13.26; Neopost USA – postage meter rental, $23.83; Venture Communications Coop – phone & fax service, $79.41;

**STATES ATTORNEY:** Connecting Point – fixed compatibility issue, $80.00; Jessica Hartze – subpoena, $20.00; Lincoln National Life Ins – life insurance, $26.52; Mobridge Regional Hospital – blood alcohol draw, $65.00; Neopost USA – postage meter rental, $8.83; Venture Communications – phone service, $111.24;

**COURT APPOINTED ATTORNEY:** SDACC – catastrophic legal expense, $1014.50;

**COURTHOUSE:** Johnson Controls Inc – repair boiler, $583.75; Lincoln National Life Ins – life insurance, $6.63; Servall Uniform & Linen Supply – mats & mops, $34.59;

**DOE:** Lincoln National Life Ins – life insurance, $19.89; Neopost USA – postage meter rental, $53.06; Venture Communications Coop – phone service, $50.64;

**REGISTER OF DEEDS:** Lincoln National Life Ins – life insurance, $13.26; Neopost USA – postage meter rental, $10.80; Reliable Office Supplies – supplies, ink cartridges, $270.96; Venture Communications Coop – phone service, $50.51;

**VETERANS SERVICE OFFICER:** Quill Corporation – ink cartridge, $34.99;

**SHERIFF:** ACCO Brands Direct – calendar refills, $107.97; Shawn Fox – meal expense, $52.00; Lincoln National Life Ins – life insurance, $15.91; Lucky’s Gas & More, gasoline 519.6 gals @ $3.108, $1614.92; ND Sheriffs & Deputies Assoc. – conference registration Boll, $75.00; Neopost USA – postage meter rental, $11.34; Ron’s Repair – headlight 08 Impala, $30.00; Valley Motors – parts 08 Impala, labor 08 Impala, brake rotor & pads 08 Impala, windshield 08 Impala, $716.79; Venture Communications Coop – phone & fax service, $121.44;

**JAIL:** Ken’s Western Lumber – supplies, $49.61; Lincoln National Life Ins – life insurance, $41.77; McClellan & Swanson – dental care, $154.83; Duane Mohr – printer drum, $17.65; US Post Office – stamps, $92.00; Venture Communications – internet service, phone & fax service, $211.61

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

**SUPPORT OF POOR:** Neopost USA – postage meter rental, $0.51; Quill Corporation – supplies, ink cartridge, $96.49; Venture Communications Coop – phone service, $26.08;

**MENTAL HEALTH CENTER:** Northeastern Mental Health – grants to other entities, $15500.00

**EXTENSION:** Lincoln National Life Ins – life insurance, $6.63; Neopost USA – postage meter rental, $8.13; Quill Corporation – ink cartridges, $266.61; Venture Communications Coop – phone & fax service, $$34.56;

**WEED CONTROL:**  Lincoln National Life Ins – life insurance, $4.31; Neopost USA – postage meter rental, $0.34;

**PLANNING & ZONING:** Neopost USA – postage meter rental, $0.25;

**INDUSTRIAL DEVELOPMENT:** City of Mobridge – grants to other entities, $10000.00;

**RD & BR:** Avera Queen of Peace – employee drug testing, $185.70; Can Wal Electric Cooperative – electricity Hoven shop, $45.31; Hoven Coop Service Company – gasoline, fuel, $1724.51; Lincoln National Life Ins – life insurance, $59.67; Montana Dakota Utilities – electricity Java shop, $16.17; Neopost USA – postage meter rental, $0.40; Servall Uniform & Linen Supply – towels & mats, $37.39; Valley Telecommunications – cell phone service, $39.99; Venture Communications Coop – phone service @ Java, internet service, phone & fax service, $249.94; West River Telecommunications – phone service, $31.37;

**SOLID WASTE:** Cam Wal Electric Cooperative – electricity, $153.28; Geotek Engineering – engineering services, $4139.00; Goldsmith Heck Engineers Inc – preliminary plans – phase 4, $6810.00; Lincoln National Life Ins – life insurance, $26.52; Neopost USA – postage meter rental, $1.87; Servall Uniform & Linen Supply – mats, $32.86; Tri State Water – water rental, $23.80; Valley Telecommunications – internet service, phone & fax service, $80.59;

**NORTHLAND TRUST SERVICES INC:** paying agent annual fee, interest payment, principal payment, $316970.00;

**5 COUNTY TELEVISION DISTRICT FUND:** Neopost USA – postage meter rental, $0.77;

**REGIONAL E911 FUND:** CenturyLink – access charges, $1278.42; City of Mobridge – dispatch contract, $40600.00; Eaton Corporation – services & fees, $250.00; Language Line Services – interpretation services, $90.00; Valley Telecommunications – data base updates, access charges, $848.16; Venture Communications Coop – data updates, access charges, $424.09; West River Telecommunications – access charges, $1936.63; Western Communications Inc – shipping, battery, radio reprogramming, $162.39;

**WEST PAYMENT CENTER:** information charges for August & September, $3843.00

**EXECUTIVE SESSION:**

Leff moved and Arbach seconded to enter into executive session at 9:06 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 9:20 a.m.

**NORTHERN PLAINS COOPERATIVE:**

Mike Rausch met with the board to discuss the proposed truck route change. He supplied the Commission with a map of the route. They are very interested in getting the trucks off of Main Street. The route change would include part of the land at the County Highway Shop. Superintendent Goetz feels like they would be losing too much area and many things would have to be moved. Commissioner Pudwill feels that this will cause inconvenience to the County Highway Department. Commission Martin feels that getting trucks off Main Street should be a high priority. At this the point the State will not allow the trucks to use the approach directly at the north end of the overpass. No decisions of approval or disapproval were made at this time.

**GOOD SAMARITAN CENTER:**

Paula Holzer from the Good Samaritan Center met with the Commission. She thanked the Commission for the $5000 they donated for the bus. She reported that the Center is now doing a fundraiser for televisions for all the rooms. Each room will have 2 flat screens with movable mounts and would like the County to donate to this cause. She pointed out that the Good Samaritan Center employs over 70 people and all the dollars raised stay in Selby. She reminded the Commission that they are a non-profit Christian organization. The Commission informed her that budgets have already been set but they will see if they can find any available funds.

**COUNTY ROAD 236 CULVERT:**

Highway Superintendent Goetz along with Morris Construction, Goldsmith and Heck and True North Steel discussed the best possible way to replace the culvert that washed out on County Road 236. Morris will replace it the cost will depend on variables of weather and salvage from the original job. Morris does not think they can redo it based on the original amount. It will take a week to get a new culvert and depending on the weather the contractor may be able to begin work the week after next. The state’s attorney will adjust the contract to allow for weather and extra costs.

**MONTHLY DEPARTMENT HEADS MEETING:**

Custodian Leah Holder reported on weatherizing that has been done and still needs to get done. There were no other issues or questions raised from the various Department Heads or the Commission.

**NATIONAL GUARD:**

Martin moved and Godkin seconded that the Commission sign a Statement of Support for the National Guard and Reserve. Voting Aye: 5; Nay: 0. The motion was adopted.

**HIGHWAY AND LANDFILL ISSUES:**

Highway Superintendent Goetz informed the board that she was contacted by a resident that lives on North Riverview road requesting the county remove the snow from their road. Riverview Road is not a county road therefore the county is not responsible. In 2006 the residents that live on South Riverview Road formed a road district and North Riverview Road residents did not want to join the district. Therefore they will have to find an alternative method of removing snow.

Landfill Supervisor stated that there is approximately $3500 - $4000 needed for equipment repairs at the landfill. There were no issues raised from the Commission concerning these repairs.

Leff moved and Godkin seconded a motion to declare as surplus to be destroyed, a Craftsman Wet or Dry Vacuum and a hanging halogen shop light that do not work. Voting Aye: 5; Nay: 0. The motion was adopted.

Landfill Supervisor Badten informed the board that the cell construction is complete and is awaiting State approval to begin using the area.

Supervisor Badten said that he would like to rent a mini excavator to solve some drainage issues. The Highway Department has an excavator and he will check to see if it’s large enough to do the job he needs done. States Attorney Hare stated that there is not issue with renting small items from Bestway Traffic if it is obvious that it will be more cost effective than renting the equipment elsewhere. Landfill Supervisor Badten thinks we can save approximately $1000.00 by keeping business locally.

Godkin moved and Leff seconded to sign and accept a “Contractor’s Application for Payment No 1” from Jensen Rock and Sand Inc for the Landfill’s Phase IV cell construction project. Voting Aye: 5; Nay: 0. The motion was adopted.

Leff moved and Martin seconded to publish a bid notice for a 2013 or later wheel loader with a quick-coupler grapple bucket and additional waste handling accessories. Voting Aye: 5; Nay: 0. The motion was adopted.

**DISCRETIONARY FORMULA:**

The Commission had received a question from a taxpayer concerning any tax breaks for new commercial construction. Director of Equalization Kahl informed the board that the Discretionary Formula giving all commercial and agricultural new construction a tax break for 5 years is automatic. The full and true value is assessed at a rate of 20% for the first year, raising 20% each year until the full value is reached at the fifth year. There is no application process to receive this formula.

**EXECUTIVE SESSION:**

Godkin moved and Martin seconded to enter into executive session at 11:01 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.

Chairperson Pudwill declared the executive session ended and the board reconvened in regular session at 11:27 a.m.

**JAIL REPAIRS:**

At this time everyone is in agreement that we will do some backfilling at the jail and Martin will oversee the project.

**OLD BUSINESS:**

County owned land for lease was discussed and a question arose as to how the County had obtained ownership of these properties this will be researched and discussed at a later date.

**NEW BUSINESS:**

Auditor Krein asked for direction as to how the Commission would like complaints from the public that she receives at her office handled because she does not feel it is necessary to ask the caller’s name if they do not want to give it. The board advised her to encourage the caller to call one of the commissioners.

**ADJOURNMENT:**

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