February 4, 2014

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on February 4, 2014 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 Arbach called the meeting to order.

The Pledge of Allegiance was recited by those in attendance.

Leff moved and Martin seconded that the minutes of the meeting of January 21, 2014 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

**STATEMENT OF FEES COLLECTED DURING THE MONTH OF JANUARY 2014:**

Register of Deeds $ 10,386.50

**CLAIMS APPROVED:**

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

**COMMISSIONERS:** Denis Arbach – mileage expense, $42.18; Richard Godkin – mileage expense, $31.08; Don Leff – mileage expense, $31.08; Marco Inc – maintenance contract, $9.88; Duane Martin – mileage expense, $31.08; Payless Food – coffee, $15.98; Selby Record – annual real estate leasing, official proceedings, $596.53; City of Mobridge – water service 324 5th Ave W, $10.50; Mobridge Tribune – annual real estate leasing, official proceedings, $528.58;

**ELECTIONS:** Marco Inc – maintenance contract, $0.73;

**AUDITOR:** Marco Inc – maintenance contract, $15.01; Midcontinent Communications – internet service, $1.13;

**TREASURER:** Lar-Jo’s – tax binder, $88.35; Marco Inc. – maintenance contract, $4.91; Midcontinent Communications – internet service, $13.13;

**STATES ATTORNEY:** Marco Inc – maintenance contract, $6.90; Midcontinent Communications – internet service, $13.13; Mobridge Regional Hospital – blood alcohol draws$455.00; SD Department of Revenue – blood alcohol testing, $210.00; Richard H Morris – mileage expense, subpoena, $35.54; Sherrlyn Morris – subpoena, $20.00;

**COURT APPOINTED ATTORNEY:** Vickie S Broz Krause - $1953.80; Dakota Plains Legal Services - $357.00David M Hosmer Law Office PC - $301.68;

**ABUSED CHILD DEFENSE:** Von Wald Law Offices - $5364.83;

**COURTHOUSE:** Montana Dakota Utilities – natural gas, electricity, $1939.29; Reuer Sanitation Inc – garbage service, $95.00; Servall Uniform & Linen – mats & mops, $36.30; Kurt A Wolf – snow removal, $775.00;

**DOE:** Marco Inc – maintenance contract, $44.61; Michelle Hesselberg – meal expense, mileage expense, $118.40; Midcontinent Communications – internet service, $13.13; Quill Corporation – sheet protectors, toner, cartridges, $897.69; Selby Record – envelopes, $388.05; Shorty’s One Stop – gasoline, $91.02;

**REGISTER OF DEEDS:** Marco Inc – maintenance contract, $2.51; Midcontinent Communications – internet service, $13.12; Reliable Office Supplies – supplies, $16.78; HAL Systems Corporation – software maintenance, $292.00;

**SHERIFF:** Midcontinent Communications – internet service, $13.12; Selby Auto Sales & Service – oil change 50 Crown Vic, $42.80; A&B Business Inc – toner, $139.90; AT&T Mobility – cell phone service, $117.98; Communications Center – blazer remove all equipment, $1310.75; Ron’s Repair – oil change, headlight, $76.94; Shorty’s One Stop – gasoline, $47.17; Slater Oil & LP Gas – gasoline 530 gal @$2.91, $1542.30; Western Communications – radio service, $21.60;

**JAIL:** Mobridge Regional Hospital – medical care, $121.66; A&B Business Inc – time cards, supplies, $125.49; Beadle Sales – parts, repair wiper motor, repair check engine light, repair 05 Crown Vic, $760.19; Family Pharmacy Inc – prescription, $43.66; Hettinger/Mobridge Candy Co – personal care items, $123.36; Lind’s Hardware – can opener, fuses, electric griddle, $66.96; Merkel’s Foods – supplies, personal care items, groceries, cleaning products, paper products, $986.05; Shorty’s One Stop – paper products, $7.44; Stoicks Food Center – personal care items, groceries, $43.81;

**EMERGENCY & DISASTER:** West River Telecommunications – phone service, internet service, $135.13;

**MENTALLY ILL:** Lincoln County Treasurer – mental illness hearing, $99.00;

**WEED CONTROL:** Western Communications Inc – radio service, $8.80;

**SUPPORT OF POOR –** Marco Inc – maintenance contract, $0.09;

**EXTENSION:** Brenda DeToy – mileage expense, $17.20; Jenna Malsom – mileage expense, $91.02; Marco Inc – maintenance contract, $2.89; Midcontinent Communications – internet service, $13.12;

**WEED CONTROL:**  Marco Inc – maintenance contract, $0.20; Midcontinent Communications – internet service, $13.12;

**RD & BR:** Central Diesel Sales Inc – freight, drier, A/C Comp, $426.74; City of Mobridge – sanding 20th street, $176.00; Dakota Supply Group – motor shop furnace, $118.35; Farnams Genuine Parts – supplies, $415.00; Grainger – supplies, filters, spray paint, disposable respirators, $$655.27; Great Western Tire Inc. – repairs, supplies, $489.53; Hase Plumbing Heating & Air – bushings T-7, $9.48; Homestead Building Supplies – supplies, $13.79; John Deere Financial – repairs air cooling T-7, supplies, $184.88; Marco Inc – maintenance contract, $0.04; Peterson Enterprise Inc - shipping, filters, gasket, $337.00; Reuer Sanitation – garbage service, $35.00; Runnings Supply Inc – supplies, $397.80; Selby Auto Sales & Service – supplies, shocks T-120, $313.56; Selby Record – public notice snow removal, $229.00; Servall Uniform & Linen – towels & mats, $38.66; Stoicks Food Center – supplies, $29.14; Butler Machinery Co – battery 2, $381.30; Cam Wal Electric Cooperative – electricity @ Hoven shop, $67.37; City of Java – water service, $18.00; City of Mobridge – water & sewer service, $41.33; Lucky’s Gas & More – gasoline, $48.07; Mobridge Tribune – snow reminder, $195.20; North Central Farmers Elevator – gasoline, fuel, $474.57; North Star Energy LLC – java shop 500 gal @$2.90, State Shop 500 gal @ $2.90, $2900.00; Selby Oil Company – tire & lube L-104, $274.00; Share Corporation – carburetor cleaner, supplies, $265.20; Shorty’s One Stop – gasoline, $675.88; Valley Telecommunications – cell phone service, $39.99; Western Communications Inc – radio service, $135.90;

**SOLID WASTE:** Farnums Genuine Parts – supplies, battery CC-1, $139.39; North Central Farmers Elevator – fuel 800 gals @3.6314, $2905.12; North Star Energy LLC – propane 400 gals @ $2.40, $1000.00; Runnings Supply Inc – supplies, $88.57; SD Dept of Environment – January Tonnage Fee, $943.00; Selby Record – notice to bidders loader, $59.08; Servall Uniform & Linen – mats, $34.18; Tri State Water – water rental, $8.60; Valley Motors – supplies, $84.49; Web Water Development – water service, $31.41; GRC Tire Centers – repair labor, supplies, tire life sealer, $$1078.30; Mobridge Tribune – wheel loader bids, $49.27; Western Communications Inc – radio service, $9.30;

**ADVANCE TAX FUND:** Walworth County Treasurer - $27249.47;

**SDACO M&P FUND:** M&P remittance, $170.00

**5 COUNTY TV DISTRICT:** FEM Electric Assoc – electricity, $85.53; Sid Haux – cell phone service, mileage expense, $247.85; Marco Inc – maintenance contract, $1.46; Sioux Falls Tower – repairs Java Tower, $1723.59; Cam Wal Electric Cooperative – electricity Java #1, Java #2, $850.48;

As required by SDCL 6-1-10, the January payroll paid by department was as follows: Commissioners - $6,359.25; Auditor - $7,697.12; Treasurer - $9,423.02; States Attorney - $12,129.86; Courthouse - $818.43; Director of Equalization - $11,923.76; Register of Deeds - $8,008.56; Veterans Service Officer - $1,172.97; Sheriff - $13,810.37; Jail - $29,038.54; Emergency & Disaster - $1,330.55; Poor - $386.13; Other Health - $206.16; Extension - $1,000.41; Weed & Pest - $1,635.54; Zoning - $206.17; Road & Bridge - $35,702.30; Solid Waste - $15,578.90; 5 County TV Translator District - $1,033.44.

**ELECTION PRECINCTS & POLLING PLACES**

Auditor Rebecca Krein presented the board with a tentative plan for setting the election precincts and polling places for the upcoming elections. Glenham and Hoven polling places were closed for the 2012 elections and after feedback from the residents Krein thought it would be best to reopen the locations. The resolution will be voted on at the next meeting.

**SPRING WORKSHOP:**

Discussion was held concerning Spring Workshop being held at Pierre in February. Jamie Hare, Brenda DeToy, Duane Martin and Phyllis Pudwill plan on attending at this time.

**ANNUAL LEASING FOR REAL ESTATE BELONGING TO THE COUNTY:**

The public auction to be held for real estate belonging to the county as per the published notice began at 9:30 a.m.

Tract 1: The real estate described as containing 80 acres, more or less, situated and being in the West Half of the Northeast Quarter (W2NE4) of Section Eight (8), in Township One Hundred Twenty-four (124), Range Seventy-six (76), Walworth County, South Dakota

Lessee – Harley Moser High bid: $1,500.00

Tract 2: The real estate described as containing 111.3 acres, more or less, situated and being in the Southeast Quarter (SE4) of Section Five (5), in Township One Hundred Twenty-four (124), Range Seventy-six (76), Walworth County, South Dakota

Lessee – Brian Brockel High bid: $3,650.00

Tract 3: The real estate described as containing 37 acres, more or less, situated and being in the Southeast Quarter (SE4) of Section Five (5), in Township One Hundred Twenty-four (124), Range Seventy-six (76), Walworth County, South Dakota

Lessee – Rory Thorstenson High bid: $310.00

Tract 4: The real estate so leased is described as containing 30 acres, more or less, situated and

being in Tract 1 of the Northeast Quarter (NE¼) of Section Thirty-six (36), in Township

One Hundred Twenty-four (124) North, Range Seventy-nine (79) West, 5th P.M.,

Walworth County, South Dakota and also containing 9.5 acres, more or less, situated and

being in the West 318 feet of the Northwest Quarter of the Southwest Quarter

(NW¼SW¼) of Section Thirty-six (36) in Township One Hundred Twenty-four (124)

North, Range Seventy-nine (79) West, 5th P.M., Walworth County, South Dakota and

also containing 7.5 acres, more or less, situated and being Northeast of the old ingress

and egress landfill road in the North Half of the Southeast Quarter (N½SE¼) of Section

Thirty-six (36) in Township One Hundred Twenty-four (124) North, Range Seventy-nine

(79) West, 5th P.M., Walworth County, South Dakota

Lessee – Ben Lamont High bid: $850.00

Tract 5: The real estate described as containing 73.2 acres, more or less, situated and being in the East Half of the Northeast Quarter (E2NE4) of Section Eight (8), in Township One Hundred Twenty-four (124), Range Seventy-six (76), Walworth County, South Dakota

Lessee – Harley Moser High bid: $2,450.00

The board recessed following the auction to allow Auditor Rebecca Krein to finish the lease paperwork with the successful bidders.

The board reconvened at 10:00 am.

**BRENNAN CONSULTING & TRAINING SERVICES LLC:**

Discussion was held on the invoice recently received from the Brennan Group for the feasibility study they submitted for a new jail. The county felt they did not complete the study as promised and parted ways with them in September of 2012. States Attorney Jamie Hare suggested that the Brennan Group be paid $5000 instead of the $20000 that they are invoicing. Sheriff Mohr suggested that we pay them the $5000 plus $2500 for expenses. Commissioner Pudwill believes we should pay the $5000. Commissioner Duane Martin states that none of the items were completed and he would not pay them more than $2500, although he believes that if we pay them anything we are admitting that they did some work. Pudwill moved and Godkin seconded to pay the Brennan Group $5000 as payment in full. Voting Aye: 3; Nay: 2. The motion was adopted. States Attorney Hare will send them a letter.

**MONTHLY SHERIFF’S REPORT:**

Sheriff Duane Mohr gave his monthly report. He also informed the board that part-time jailer Elijah Schewe has submitted his resignation to take full-time employment elsewhere.

Discussion was held on restricting funds yearly to go towards jail renovations. This will be addressed at a future meeting.

**LANDFILL ISSUES:**

Godkin moved and Leff seconded to authorize Chairperson Arbach to sign the Sales Agreement with Sheehan-Mack for the landfill wheel loader. Voting Aye: 5; Nay 0. The motion was adopted.

**VETERAN’S SERVICE OFFICER:**

Discussion was held concerning obtaining a computer for the Veteran’s Service Officer. He will be given a laptop that is no longer being used by the Sheriff’s Office.

**NOTICE OF HEARING**

Leff moved and Pudwill seconded to authorize the Auditor to publish a Notice of Hearing for an Alcoholic Beverage License Transfer application she received. Voting Aye: 5; Nay: 0. The motion was adopted.

**HIGHWAY ISSUES:**

Leff moved and Martin seconded that equipment rates for 2014 be unchanged. Voting Aye: 5; Nay: 0. The motion was adopted.

Highway Superintendent Goetz explained to the board that Secondary Road Funds are spent on district roads that are not numbered county roads.

Goetz informed the board that any decisions that will be made regarding the culvert replacement may take quite some time to be determined.

Superintendent Goetz reported that one half of the budget goes to annual maintenance on roads. The other half is used for other costs. Commissioner Martin again requested that hours and logs be kept by each employee for all pickups and graders. Chairperson Arbach stated that this has already been brought up and voted down at 2 previous meetings. Commissioner Martin still believes that this information should be provided. Commissioner Pudwill would like to thank County Highway employees for the good work on snow removal at the County Courthouse.

**4-H YOUTH ADVISOR**

4-H Youth Advisor Jenna Malsom gave the monthly report for the month of January and also notified the Commissioners of upcoming event dates. Malsom stated that there is a 20% increase in 4-H members. She also requested that the County Highway equipment be removed from the 4-H building for upcoming events in March, June and August. The board complemented Malsom on the good job she is doing and advised her to inform the Highway Superintendent of the dates that the building is needed.

**EXECUTIVE SESSION:**

Leff moved and Godkin seconded to enter into executive session at 10:28 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.

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

session at 10:52 a.m.

Pudwill moved and Leff 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.

Chairman Arbach declared the executive session ended and the board reconvened in regular session at 11:14 a.m.

Pudwill moved and Leff seconded to enter into executive session at 11:15 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.

Chairman Arbach declared the executive session ended and the board reconvened in regular session at 11:25 a.m.

**RESIGNATION:**

Pudwill moved and Leff seconded to accept the resignation of Deputy Director of Equalization Michelle Hesselberg that has found employment elsewhere, effective February 13, 2014. She informed the board that she really enjoyed working here and will be sad to leave. Voting Aye: 5; Nay: 0. The motion was adopted.

**NEW BUSINESS:**

Commissioner Pudwill stated that the boy scouts are looking for projects to complete to become eagle scouts and wondered if anyone had any ideas for them.

Rory Thorstenson appeared before the board to ask if there would be a possibility to purchase or lease all the county land as one unit. He also had questions as to the viability of a lessee hiring or allowing someone other than himself to hay county leased land.

**ADJOURNMENT:**

Leff moved and Godkin seconded a motion that the Board of County Commissioners adjourn until the hour of 9:00 am February 18, 2014. Voting Aye: 5; Nay: 0.

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**DENIS ARBACH, CHAIRPERSON**

**ATTEST:**

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**REBECCA KREIN, AUDITOR**

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