March 16, 2021

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on March 16th, 2021 at 9:00 a.m. at the County Courthouse. Member’s present were: Jim Houck, Kevin Holgard, Duane Mohr, Scott Schilling and Rick Cain. Also present was deputy auditor Marcie Keller and States Attorney, Jamie Hare.

The Pledge of Allegiance was recited by those in attendance.

WALWORTH COUNTY PLANNING AND ZONING BOARD:

 There was no old or new business to report. Holgard moved and Schilling seconded to adjourn as Walworth County Planning and Zoning Board. Voting Aye: 4; Nay: 0. The motion was adopted

WALWORTH COUNTY BOARD OF ZONING ADJUSTMENT:

 There was no old or new business to report. Holgard moved Mohr seconded to adjourn as Walworth County Board of Zoning Adjustment. Voting Aye: 5; Nay: 0. The motion was adopted.

Chairperson Houck called the County Commission meeting to order and asked for a motion to approve the Agenda. Eva Cagnones added the Treasurer’s monthly report to agenda. Cain requested to add purchase approval for a transport van for the Sheriff’s department after #19 of the agenda. Mohr motioned and Cain seconded to approve agenda and additions. Voting Aye: 5; Nay: 0. The motion was adopted.

Schilling moved and Holgard seconded the minutes of the meeting of March 2nd, 2021 be approved. Voting Aye: 5; Nay: 0. The motion was adopted.

Cain moved and Holgard seconded to approve minutes from March 4th, 2021. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

Holgard moved and Mohr seconded that the following claims be paid except for any vouchers submitted by transporters for reimbursement of meals. Holgard is requesting that receipts be included with the vouchers for any meals purchased from transporters. He asked that the meal reimbursement vouchers be added to the next agenda and also asked Eva to check on reimbursing those meals through payroll instead. Voting Aye: 5; Nay: 0. The motion was adopted.

COMMISSIONERS: Mobridge Tribune – Publishing, $829.56; Selby Record – Publishing, $318.27

AUDITOR: Cardmember – Postage, $90.49; Connecting Point – Backup, $55.00

TREASURERS: Cardmember – Postage, $138.59

ELECTIONS: Election Systems & Software – Ongoing Maintenance fee, $94.80

COURTS: Relx Inc, DBA Lexisnexis – Subscriptions/Library, $619.00; West Payment Center – Library Supplements, $21.36

STATES ATTORNEY: Cardmember – Postage Rental, $6.25; Postage, $197.67; Cable converter, $13.88; Mobridge Tribune – Legal Notice, $100.66; Mobridge Regional Hospital – B/A Drug Testing Lab, $72.00; Quill Corp – Office Supplies, $67.07; SD Public Health Lab – B/A Drug Testing Lab, $40.00; Walworth County Register of Deeds – Registering Fees, $30.00

COURTHOUSE: Cole Papers – Processing Fees, $7.00; Toilet Paper, $81.28; paper Towels, $34.32; Lysol Cleaner & Refreshener, $206.40; Heartland Waste – Garbage Service, $105.00; Larry’s Lock & Key – Doors Lock Change and 30 keys, $280.00; Louis Schmidt – Cleaner Reimbursement, $3.20; Servall Uniform – Rags/Mats Rental, $61.02; Web Water Bottling - Bottled Water Rental, $37.50

DIRECTOR OF EQUALIZATION: Cardmember – Postage Rental, $6.25; Postage, $1,681.11

REGISTER OF DEEDS: Cardmember – Postage Rental, $6.25; Postage, $38.26

VET SERVICE OFFICER: Steve Volk, Office Supplies reimbursement, $67.72, TELEPHONE Usage, $97.53

SHERIFF: AT&T – Cell Phone/tablet Service, $297.42; Beadle Ford – Charger Oil Change, $47.50; Cardmember -2012 Tahoe temp Permit, $15.00; Postage Rental, $6.25; Car Washes, $28.00; Gasoline /Transports, $750.15; Taser Cartridges, $580.10; Surplus Ammo, $880.46; Postage, $18.92; Certified Mail, $8.25; Lodging, $141.45; Chicago Motors Inc – 2013 Chevy Tahoe, $15,500.00; 2017 Ford Explorer, $22,795.00; Shipping, $750.00; Connecting Point – Storage/Server Agent, $208.00; Custom Installation Solution – Equipment Install, $5,715.00; Dakota Glass & Alignment – 2010 Tahoe Oil change & Tire Rotation, $407.67; Galls LLC – Uniform Pieces, $137.30; John Jones Chrysler – 2020 Durango Pursuit, $51,229.00; Kens Western Lumber – Holding Trailer Supplies, $1,539.66; Mobridge Tribune – Job Ad, $142.40; National Sheriff’s Assoc – NSA Membership, $68.00; Roberts County – Inmate Transport, $25.00; Runnings Supply – CO Detector, $24.99; Louis Schmidt – FOB Batteries Reimbursement, $5.06; SD Dept of Public Safety – 1st ½ Teletype Serv 2021, $2,590.00; Teletype Service 7/1/20 – 12/31/20, $2,340.00; Selby Oil Co – Oil Change/3 vehicles, $142.00; Selby Record – Job Ad, $264.00; Slater Oil & LP Gas – Bulk Gas, $4,380.00; Western Comm – Monthly Radio Service, $21.60; Western States Sheriff’s Assoc. – 2021 Membership Renewal, $100.00; Winner Police Dept – Inmate Transport, $126.64; Zachary Starks – Holding Trailer Updates, $1,990.76

JAIL: Cardmember – Inmate Meals,m$89.09; Edmunds County – 7 days inmate holding @ $75, $525.00; 5 days inmate holding @ $65, $325.00; Family Pharmacy – Inmate RX Supplies, $15.00; Hughes County – 139 day Inmate Holding @ $80, $11,120.00; Mobridge Regional Hospital – Inmate Medical Services, $33.89; Roberts County – 19 days Inmate Holding @ $80, $1,520.00; Senior Nutrition Center – 9 Inmate Meals @ $7.50, $67.50; Shane’s Pharmacy – Inmate Rx Supplies, $70.53; Winner Police Dept – 93 days Inmate Holding @ $70, $6,510.00;Winner Regional Hospital – Inmate medical Services, $149.79

CORONER: Ripley Funeral Home – Transport Service, $1,200.00

MENTALLY ILL: Yankton Co Sheriff’s Office – Civil Papers Served, $50.00

EXTENSION: Cardmember – Postage Rental, $6.25

WEED CONTROL: Mobridge Tribune – Job Ad, $814.80; Runnings Supply - $21.98; Selby Record – Job Ad, $330.00; Western Comm – Monthly Radio Service, $8.80

HIGHWAY: Butler Machinery – Bearing, $924.20; Lamp, $201.50; Parts, $689.65; Filters, $14,933.74; Supplies, $65.40; Pump, $598.77; Cam Wal – Electricity @ Hoven Shop, $62.15; Farnams Genuine Parts– Parts, $24.36; Supplies, $87.63; Floyd’s Coop Service – Blower, $82.47; Bartrack,$763.80;Mudflaps, $151.18; Isolator kit, $17.34; Trailer wheel, $66.78; GTC Auto Parts, $7.49; Heartland Waste – Garbage Service, $50.00; Houck Ranches – Royalty,$2,671.20; Hoven Coop Service – Filter, $16380; Diesel, $205.59; Gas, $143.16; Heating Propane, $650.08; Lucky’s Gas & More – Diesel, 4202.52; Gas, $200.72; Mobridge Tribune – Gravel Crushing Bids, $55.01; Budget Supplement Approve, $119.52; Accept Bids, $30.56; Runnings Supply – Parts, $15.68; Wayne Sandmeier – Garnishment Reimbursement, $148.76; SD Property Agency – Hyster Forklift, $4,080.00; Selby Record – Gravel Crush Bids, $81.26; Servall Uniform – Rags/Rugs Rental, $54.08; Shorty’s One Stop Shop – Equipment Gas, $504.31; Stan Houston Equipment – Posthole Digger, $41.95; West River Telecomm – Telephone Usage, $38.27; Western Comm – Monthly Radio maintenance, $135.90

EMERGENCY & DISASTER: AT&T – Cell phone/Tablet Service, $87.75; Gas N Goodies – Gas, $69.11

LANDFILL: Agtegra Coop – Ruby Bulk Diesel, $2,019.37; Cam Wal – Utilities, $359.48; Cardmember – Postage Rental, $10.00; IDRIVE Annual Charge, $199.50; Central Diesel Sales – Wire Hose/450 cat loader, $136.56; LSC Environmental Products – Shipping/Pallet Credit, $1,670.00; 480 Pallets Posi Shell, $16,440.00; Lucky’s Gas & More- Gas, $71.85; Milliken Electric – Service Fee, $1.90; Mobridge Gas Co – LP Gas, $30.00; Runnings Supply – Parts & Supplies, $45.62; SD Dept of Environment – Solid Waste Surcharge Fee, $730.33;Servall Uniforms – Mops/Sanitizer, $54.52; Trans Source Truck & Equipment – Volvo Repairs, $4,305.61; Gas Spring, $68.83; Web Water Development – Water Usage, $89.87; Web Water Bottling – Bottled Water Rental, $12.50; Western Comm – Monthly Radio Maintenance, $9.30

SCHOOL DIC FUND: CorTrust Bank – February 2021 Apportion, $20,613.37; Hoven School District - February 2021 Apportion, $15,876.33; Dacotah Bank - February 2021 Apportion, $122,021.78; bank West - February 2021 Apportion, $135,245.93

CITIES & TOWNS FUND: City of Mobridge - February 2021 Apportion, $76,959.07; Bank West - February 2021 Apportion, $11,751.35; Bank West - February 2021 Apportion, $10,503.26; Dacotah Bank, $1,069.43; Bank West - February 2021 Apportion, 8,404.39; Bank of Hoven - February 2021 Apportion, $252.77

ADVANCE TAX FUND: Walworth County Treasurer – Rebecca Walth, $29,756.83; Jack Von Wald, $1,754.92; Doug Sieck, $9,935.00; Ed Schweitzer, $2,769.70; Marlow Schaffer, $14,578.28; Marin-Biel Insurance, $847.58; Marilyn Lamont, $5,652.76; Charles Howe, $9,834.04; William Hinds, $1,188.46; Rick Cain, $4,860.96; Gary Byre, $4,380.18

JAVA FIRE DIST FUND: bank West -- February 2021 Apportion, $810.26

BOWDLE FIRE FUND: Bowdle Rural – Bowdle Rural Fire District, $471.01

SDACO: Feb M & P Remittance, $140.00

As required by SDCL 6-1-10, the complete March payroll paid by department was as follows: Commissioners - $9,551.55; Auditor - $13,481.92; Treasurer - $10,698.81; States Attorney - $15,772.70; Court House - $4,012.81; Director of Equalization – $10,445.03; Register of Deeds - $7,013.88; Veterans Service Officer - $1,261.08; Sheriff - $45,648.45; Poor - $709.73; Extension - $4,446.08; Zoning - $930.96; Road & Bridge - $49,158.80; Solid Waste - $19,437.38; Emergency & Disaster - $3,518.77

**AUDITOR/APPOINTMENT OF POSITIONS:**

 Cain moved and Schilling seconded to replace appointment of positions of county board from previous auditor, Rebecca Krein to new auditor, Eva Cagnones in the following county boards; Purchasing, Insurance, Personnel Policy and 4-H Complex Policy Committee. Voting Aye: 5; Nay: 0. The motion was adopted.

**SHERIFF’s DEPARTMENT:**

 Sheriff Boll asked for pre-approval of the purchase of a 2006 Ford E350 Transport Van with 3600 miles. It is wheelchair accessible and set up for transporting and is located at Federal Surplus in Huron for a price of $8,300.

The van seats up to 25 people and would require 2 transporters while on transports. No CDL is required to operate van. Cain moved and Mohr seconded for pre-approved purchase. Voting Aye: 5; Nay: 0. The motion was adopted.

**LANDFILL:**

Wenck & Associates representative, Randy Hansen was present and spoke in regards to the Financial Assurance Calculations needed for the years 2019 & 2020 that were not completed by former Landfill Supervisor, Rebecca Krein and are also a state requirement and EPA rule to be completed for each calendar year. Hansen does have the numbers from 2018 and will use these numbers as a basis for the past 2 years along with year end fund amounts in order to complete the year end calculations. Hansen asked Schilling about any FEMA items that are still not completed and he would be willing to help finish up anything FEMA related. Hansen asked for approval of $1100.00 to complete the 2018/19-year end calculations. Holgard moved and Mohr seconded to approve payment of $1100.00 to Wenck Associates. Voting Aye: 5; Nay: 0. Motion was adopted.

Tipping Fees: An increase for tipping fees was discussed and voted on. Holgard moved and Schilling seconded to raise Landfill tipping fees by January 1st, 2022 to the following rates: Voting Aye: 5; Nay: 0. The motion was adopted

Tipping Fees to go into effect January 1st, 2022

 OLD RATE NEW RATE

MSW per ton $37 $42

Rubble $20 $25

Trees $20 $25

Shingles $20 $25

Clean Concrete $5 $7

Dirty Concrete $20 $25

Bulk Rate $2.50 $2.75

Shredded $37 $40

Asbestos $40 $45

Appliances $10 $12

A/C’s-Dehumidifiers $5 $7

Freezers $15 No change

Mattresses $5 $7

Tires/small without rim $4.50 $5

Tires/small with rim $7.50 $8

Tires/large with rim $11.50 $17

Animals $60 $68

Contaminated Soil per Ton $10 $15

Contaminated Water per ton $48 $50

Sewer Sledge per ton $37 $40

Mobile Home $300 $325

Asbestos $100 per load

Minimum Fee $4.78 for all loads except yard waste

Yard Waste Free Free

Letters to all major haulers will be sent to them with the increased rates in the near future as well as publishing these rates in local newspapers by September 2021.

**DIRECTOR OF EQUILIZATION:**

Holgard moved and Mohr seconded to table the discussion of the sale of surplus property located @ 7th Ave E., Mobridge, SD. Voting Aye: 5; Nay: 0 Motion was adopted.

Kahl will find out the value of property and topic will be discussed at the next meeting on April 8th, 2021. Having the land surveyed was also discussed so it could possibly be added to another auction sale that is selling neighboring property which will be held on June 5th, 2021. The topic of another piece of property in Mobridge taken for tax deed was also tabled until the April 8th meeting.

**TREASURER:**

Holgard moved and Mohr seconded to approve the Treasurer’s report for February. Voting Aye: 5; Nay: 0, motion was adopted.

 Holgard moved and Schilling seconded to accept $100 per month starting 4-15-21 for record #5225, until balance is paid in full. Voting Aye: 5; Nay: 0 Motion was adopted.

**HIGHWAY DEPARTMENT:**

There were no questions or concerns regarding the monthly report. Bids were accepted for gravel crushing and they are as follows:

Bid Tabulation Form

Gravel Crushing Walworth County 2021

Bid Letting Date March 2, 2021

Firm Providing Bid Sites 1 or 2 Bid Amount Spec.

Fischer Sand and Gravel Site #1 $9.00 Gravel Surface

 Site#1 No Quote Base Course

 Site #2 No Quote Gravel Surface

 Site #2 $7.45 Base Course

Aggregate Construction, Inc, Site #1 $2.79 T Gravel Surface

 Site #1 $2.79 T Base Course

 Site #2 $2.49 T Gravel Surface

 Site #2 $2.49 T Base Course

Morris Inc. Site #1 $4.39 T Gravel Surface

 Site #1 $$4.39 T Base Course

 Site #2 $4.39 T Gravel Surface

 Site #2 $4.39 T Base Course

WM. D Scepaniak, Inc. Site #1 $3.73 T Gravel Surface

 Site #1 $3.67 T Base Course

 Site #2 $3.73 T Gravel Surface

 Site #2 $3.67 T Base Course

Walworth County Commission tabled action of award till the next Commission Meeting on March 16, 2021 to review the bids.

A special meeting was called today March 4, 2021 by the Walworth County Commission chairman to address internal issues regarding the bidding process and to act on awarding the contract for gravel crushing.

Internally the bid from WM Scepaniak was not present by the 10:00 deadline however it was determined that the bid when tracked was received at the Selby Post Office by certified mail prior to the 10;00 deadline. The notification of certified mail was picked up but never followed through with physically receiving the bid from the post office attendant.

The Walworth County Commission under direction of the States Attorney recognized the internal error and voted to recognize the bid from Scepaniak as valid. The bid was opened today and thus reported as included in the Bid Tabulation form attached.

The Walworth County Commission then awarded the contract to Aggregate Construction.

Cain moved to approve joint power requests to purchase asphalt from McPherson County and Schilling seconded it. Voting Aye: 5; Nay: 0. Motion was adopted.

**EXECUTIVE SESSION:**

Mohr moved and Cain seconded to enter into Executive session at 10:39 a.m. per SDCL 1-25-2 (1) regarding a personnel matter. Voting Aye: 5; Nay: 0. The motion was adopted.

Houck declared the executive session ended at 11:02 a.m.

Mohr moved to give Deb Kahl a 3-day suspension beginning March 22nd and ending March 24th, 2021. Voting: Roll call: Holgard, Nay; Mohr, Aye; Schilling, Nay; Cain, Aye; Houck, Aye. The motion was adopted. Kahl is receiving this disciplinary action due to her actions at a prior executive session where she banged on the closed door and opened it.

**OLD BUSINESS:**

In regards to the extension part time position that is still open, discussion was had to make a decision about this position. Recommendation for discussing it at the next meeting on April 8th, 2021. Holgard said he would put something together in regards to job duties.

**NEW BUSINESS:**

The Director of Equalization meeting will be on April 20th, 2021.

Discussion was had in regards to combining a full-time deputy job that would share time between the Auditor’s office and Treasurer’s office. The topic of authorizing the Landfill and Auditor to hire help will be put on the following meeting’s agenda, April 8th, 2021.

Mohr brought up the surplus property at the landfill. They would like to get together with Gary at the Highway Dept and consolidate surplus items that need to go up for auction.

**ADJOURNMENT:**

 Holgard moved and Schilling seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. April 8th, 2021. Voting Aye: 5; Nay: 0. The motion was adopted.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**MARCIE KELLER, DEPUTY AUDITOR**

Published once at the total approximate cost of $\_\_\_\_\_\_\_\_\_\_\_\_