June 15, 2021

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on June 15th, 2021 at 9:00 a.m. at the County Courthouse. Members present were: Jim Houck, Duane Mohr, Rick Cain, Scott Schilling and Kevin Holgard. Also, present was States Attorney Jamie Hare and deputy auditor, Marcie Keller

The Pledge of Allegiance was recited by those in attendance.

Chairperson Houck called the County Commission meeting to order.

**AGENDA:**

Cain moved and Holgard seconded to approve the meeting agenda with the addition of an Executive session before item #9, regarding a legal issue. Under Sheriff, include new budget/jail figures discussion and remove the Sheriff’s monthly report. Also, add point of contact to Cardmember Service to Eva Cagnones. Voting Aye: 5, Nay: 0. The motion was adopted.

**MINUTES:**

Mohr moved and Schilling seconded to approve the minutes of June 3rd, 2021. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

Cain moved and Holgard seconded to approve the following claims be paid. Voting Aye: 5; Nay: 0. The motion was adopted.

**COMMISSIONERS: Delta Dental – Premium, $213.50; Mobridge Tribune – Publications, $428.84; Selby Record – Publications, $649.68**

**CONTINGENCY: EAPC Architects Engineers – Jail Plans, $15,367.08**

**AUDITOR: Cardmember Service – Postage/Supplies, $380.17; Delta Dental – Publications, $19.00**

**TREASURERS: Cardmember Service – Postage/Rental, $89.67; Delta Dental – Premium, $42.70; Mobridge Tribune – Publications, $75.90**

**STATES ATTORNEY: Cardmember Service – Postage/Rental, $319.37; Delta Dental – Premium, $327.30; Mobridge Tribune – Publications, $23.77; SD Public Health Laboratory – Services, $80.00**

**COURT APPOINTED ATTORNEY: Cogley Law Office – Services & Fees, $405.90; DPLS – Services & Fees, $5911.25; Mark K Kroontje – Services & Fees, $2121.38**

**ABUSED CHILD DEFENSE: Kristi A Brandt – Services/Transcripts, 208.80; Von Wald Law Offices – Services & Fees, $4868.65**

**COURTHOUSE: Cardmember Service – Supplies, $260.00; Delta Dental – Premiums, $42.70; Heartland Waste Management – Garbage Service, $120.00; Kens Western Lumber – Supplies, $19.97; Servall Uniform & Linen – Rentals, $131.66; Web Water Bottling Company – Water Rental, $47.00**

**DOE: Cardmember Service – Postage/Rental, $33.41; Delta Dental – Premium, $106.75; Shorty’s One Stop – Gas, $34.62**

**ROD: Cardmember Service – Postage/Rental, $63.67; Delta Dental – Premium, $21.35; HalFile Systems Corp – Quarterly Maintenance, $321.20**

**VET SERVICE OFFICER: SD Veterans Service Assn. – Conference/Membership, $100.00; West River Telecommunications – Telephone Service, $48.38**

**SHERIFF: Winner Police Dept – Transport Fees, $1732.96; Aden Stone – Meal Reimbursement/Transport, $64.38; Applied Concept Inc – Supplies, $132.00; Travis Bentz – Reimbursement/carwash, $14.00; Brandi Steinbach –** **Meal Reimbursement/Transport, $17.46; Cardmember Service – Postage/Hotel/Stamps/Ammo/Supplies, $4155.02; Custom Installation Solutions -Taurus/06 Ford Van, $413.75; Dakota Radio Group – Jobline Advertising, $150.00; Delta Dental – Premium, $256.20; Justin Jungwirth – Meal Reimbursement/Travel, $36.66; Kala Troyer – Meal Reimbursement/Transport, $6.00; Mitchel Meyers – Meal Reimbursement/Transport, 14.00; Mobridge Triune - $14.00; Mobridge Tribune – Job Advertising. 284.80; Pennington County Jail – Transport, $74.73; Chelsea Prasek – Meal Reimbursement/Transport, $49.80; Ronny Troyer - Meal Reimbursement/Transport, $38.26; Selby Oil Co – Vehicle Maintenance, $100.00; Slater Oil & LP Gas – Bulk Gas, $5220.00; Uniform Center – Uniform Pants, $122.50**

**JAIL: Winner Police Dept – Inmate Boarding, $10,850.00; Cardmember Service, Inmate Meals, $177.53; Edmunds County Sheriff – Inmate Boarding, $1800.00; Hughes County Finance Office – Juvenile Boarding, $4425.00; Hughes County Finance Office – Inmate Boarding, $16,240.00; Mobridge Regional Hospital – Services, $266.63; Senior Nutrition Center – Inmate Meals, $150.00; Shane’s Pharmacy – RX Supplies, $26.12; Winner Pharmacy – RX Supplies, $22.51**

**CORONER: Ripley Funeral Home – Transport/Autopsy, $1200.00;**

**SUPPORT OF POOR: Cardmember Service – Postage/Renal, $6.25**

**COUNTY NURSE: Mobridge Regional Hospital – County Nurse 2022 Contract, $37,742.00**

**AMBULANCE: Mobridge Regional Hospital – 2021 Ambulance Allocation, $15,750.00**

**MENTALLY ILL BOARD: Lincoln County Treasurer – Services, $49.50; Yankton Co. Sheriff’s Office – Services, $50.00**

**EXTENSION: Cardmember Service – Postage/Rental, $6.25; Delta Dental – Premium, $109.10**

**WEED CONTROL: Cardmember Service – Gas, $279.99; Shorty’s One Stop – Gas, $204.48**

**RD & BR: Cam Wal Electric Coop – Electricity Service, $50.19; Dakota Oil – Solvent, $1118.50; Delta Dental – Premium, $279.90; Floyd’s Truck Center – Parts, $14.37; FM Forklift – Manual, $75.41; Hase Plumbing – Parts, $4.50; Heartland Waste Management – Garbage Service, $60.00; Hoven Coop Service – Gas, $1609.52; Jenson Rock & Sand – Hot/Cold Mix, $10,606.40;**

**John Deere Financial – Parts, $62.41; Lucky’s Gas n More – Gas, $59.92; MDU – Utilities, $27.49; Productivity Plus – Parts, $716.70; Runnings – Fencing Supplies, $589.90; Selby Auto Glass -Parts/Supplies, $281.50; Servall Uniform & Linen, Rentals, $55.43; Shorty’s One Stop – Gas, $907.05; Uptown Market – Office Supplies, 7.96; WRT – Telephone Service, $38.42**

**EMERGENCY & DISASTER: Delta Dental – Premium, $42.70; Jeff Jensen – Reimbursement/Supplies, $22.45; Paylessfoods – Supplies, $29.85**

**REGISTER OF DEEDS: Cardmember Service – Office Supplies, $18.50**

**SHERIFF: Creative Product Sourcing – Promotional Items, $222.87**

**SOLID WASTE: Agtegra Cooperative – Fuel - $1986.07; Cam Wal Electric – Electricity Service, $186.45; Delta Dental – Premium, $128.10; Finn Corporation – Parts, $316.90; GTC Auto Parts – Supplies, $5.41; Homestead Supplies – Shelving Supplies, $456.99; Shorty’s One Stop - $86.98; Valley Telecommunications – Telephone Service, $135.51; Web Water Development – Water Service - $45.91; Web Water Bottling Co. – Water Rental, $12.50**

**SCHOOL DIST FUND: Cortrust Bank – May 2021 Apportionment, $19,075.95; Hoven School District – May 2021 Apportionment, $10,610.95; Dacotah Bank – May 2021 Apportionment, $112,449.35; Bank West – May 2021 Apportionment, $81,145.65**

**CITIES 7 TOWNS FUND: City of Mobridge – May 2021 Apportionment, $62,396.52; Bank West – May 2021 Apportionment, $9914.50; Dacotah Bank – May 2021 Apportionment, $1034.19; Bank of Hoven – May 2021 Apportionment, $183.04**

**PARTIAL PYMTS FUND: Walworth County Treasurer – NSF Balance, $550.87**

**SALES/EXCISE TAX FUND: Cardmember Service – March/April Sales Tax, $338.16**

**JAVA FIRE DIST FUND: Bank West – May 2021 Apportionment, $419.00**

**BOWDLE FIRE DIST FUND: Bowdle Rural Fire district – May 2021 Apportionment, $307.53**

**AUDITOR'S MONTHLY SETTLEMENT WITH THE TREASURER**

 **WALWORTH COUNTY**

 **May-2021**

**CASH ON HAND IN TREASURER'S OFFICE:**

**CASH TOTAL $1,031.83**

**CHECKS TOTAL $28,551.20**

**CASH ITEMS**

**NSF CHECKS $1,081.54**

**SAVINGS ACCOUNT BALANCES**

 **BANKWEST MONEY MARKET SAVINGS $4,359474.55**

**BANKWEST LANDFILL MONEY MARKET $1,023,062.02**

**CERTIFICATES OF DEPOSIT**

 **INVESTMENTS--CERTIFICATES OF DEPOSIT $1,550,000.00**

 **GRAND TOTAL CASH AND BALANCES $6,963,201.14**

**GENERAL LEDGER CASH AND INVESTEMENT BALANCES BY FUNDS**

**GENERAL FUND $2,175,054.45**

**SPECIAL REVENUE FUNDS:**

 **ROAD AND BRIDGE FUND $704,755.47**

 **911 SERVICE FUND $39,945.04**

 **FIRE PROTECTION FUND $14,073.82**

 **DOMESTIC ABUSE FUND $935.00**

 **MODERNIZATION & PRESERVATION RELIEF FUND $60,415.08**

 **DARE PROGRAM FUND $307.25**

**ENTERPRISE FUNDS:**

 **SOLID WASTE (LANDFILL) FUND $449,174.10**

 **TRUST AND AGENCY FUNDS 1,009,514.08**

**GRAND TOTAL GENERAL LEDGER CASH AND INVESTMENTS $7,051,881.63**

**HIGHWAY:**

Garywanted to clarify that on the budget balance report, the beginning balance should be 1.7 million and not 17 million. He also pointed out that the claim paid to Aggregate Construction for $304,000.00 was the total crushing cost for the material at both sites. Allen Lawrence has been paid royalties, but royalties to Skip Rau are being delayed in lieu of the construction project.

Unemployment benefits paid to seasonal employees was clarified that the county does have to pay a portion of those benefits to those who are seasonal.

Gary would like to add surplus items, specifically tires that will likely go to the surplus auction sale. Or be retained in house to be sold to anyone who wants/needs a tire.

Gary voiced his concern that he would rather sell these surplus items in house, rather than spend time to take them to the surplus auction and maybe have to go back and pick them up if they don’t sell.

Cain moved and Schilling seconded to surplus the highway tires and have them appraised.

Voting Aye: 5; Nay: 0. The motion was adopted.

Next topic was regarding a complaint received by the Highway Dept. regarding irrigation systems that are watering roadways. Byre feels it is illegal for this to occur, but does not want to pick on the Ag sector.

This is a safety concern and a cost to the county for repairs to roadways if need be. Byre commented it happens frequently and his opinion is that the county is liable for potential incidents that could occur.

Hare mentioned his office could send a letter to parties where this is occurring as a warning to them, stating that the Highway Superintendent is aware of this issue and a process needs to be followed to resolve issues or there may be further prosecution if not halted. Byre’s main concern was getting support from the Commission to contact those parties where irrigation systems are hitting roadways so this issue could be resolved; the Commissioners assured him he has such support.

Discussion moved to the topic of the Master Transportation Plan (MTP). In reference to the letter from Steve Graham, Planning Engineer from the SDDOT, a diversified planning committee, termed as Stakeholders, needs to be consolidated to act as a liaison for the MTP. Compensation was discussed for Stakeholders attending meetings, which includes the commissioners as a base for the planning board. Hare explained that positions need to be designated so Stakeholders could be set in place asap. Cain also mentioned that his understanding of the correspondence from Graham was that all commissioners would be involved in the planning committee and needed to select a representative from their district and have everyone set in place by the time this meeting occurred. Hare indicated these future meetings would all be public. Byre’s opinion for the next step in this process is that the State will be asking Walworth County to hire an engineering firm to develop the MTP. The engineering expense will be included on the grant application but compensation for Stakeholders will be an in-house expense. Stakeholders will be sought out and asked to attend the next meeting scheduled for July 8th @ 9:00 am CT. Once the planning committee is established and the current highway system is revised and amended by the commission, the new county highway system will need the approval of the SDDOT. Byre stated that the need for a new highway system is nothing more than simple necessity with 40 years passing since a revisal has occurred. No motion was made, but discussion took place as to the payment for Stakeholders to attend future meetings at $50 per meeting along with mileage.

Byre ended with a general discussion regarding staying within the highway budget with a lot of work being completed in-house to cut costs.

**EXECUTIVE SESSION:**

Holgard moved and Mohr seconded to enter into executive session at 9:33 a.m. per SDCL 1-25-2(1) regarding a legal matter. Voting Aye: 5; Nay: 0. The motion was adopted.

Chairman Houck declared the executive session ended at 9:46 a.m.

**LANDFILL:**

Mohr stated that he would like to surplus a 500-gallon gas barrel with trailer.

Cain moved to surplus the equipment and Schilling seconded it. Voting Aye: 5; Nay: 0. The motion was adopted.

Mohr also would like to surplus 4 tires that are unusable with permission to destroy them. Cain moved and Holgard seconded. Voting Aye: 5; Nay: 0. Motion was adopted.

**SHERIFF:**

Houck read the second reading of Ordinance 2021-12 to establish a jail administrator to be ordained by Walworth County pursuant to SDCL 24-11-13.

Holgard moved and Mohr seconded to approve the second reading of the ordinance.

Voting Aye: 5; Nay: 0. The motion was adopted.

**JAIL:**

Discussion began regarding a new jail; costs involved and opt out.

Upon discussion Cain has had with the Architect he got estimates with, the initial cost for a new 48-bed jail would be $11,233,705.00. One alternative to bring the cost down by $190,800 would be a change to the interior walls in the administration area, which would not change any functionality of the building, only reduce the cost.

Based on the most current annual figures from 2019, capital outlay funds available for the jail is approximately 1,000,000.00, bringing costs down to approximately 10 million dollars.

Cain reached out to Toby Morris from Pierre, who’s assists in finding financing options. Two options discussed would be either a bond issuance or a lease with option to buy. A bond issue would result in a necessary levy that would cover the annual bond premium and be locked in for 20 years with no flexibility. With a lease option, the costs would be similar. An opt out would allow the lease payment to be possible, but allows more flexibility with only using monies that are needed. Opting out gives the county the ability to make such payments. Cain also added that if during down seasons, the county is able to rent out rooms/space to other counties, the extra revenue would reduce the levy on the opt out, again creating more flexibility.

Cain, Boll & Jungwirth estimated an operating budget for the jail itself to be $1,280,901. Adding to that a $400,000 Sheriff budget, bringing that total to $1,680,901. The 2021 operating jail budget was 1,379,230 - leaving a difference of $301,671. Based on information received by Toby Morris with a yearly lease payment of $682,500 and adding the shortage of $301,671, the approximate opt out amount for a new jail would be $984,171.00.

The accessor was asked to give some estimated figures as to what it would cost taxpayers to come up with on an opt out. An approximate figure was given of $124.00 on a $100,000 property. Later, Kahl gave the figure of $264 per quarter of crop land valued at $250,000 as the opt out levy.

An opt out is recommended by Cain in order to proceed with jail planning. If an opt out passes the commission board and then referred, it will go to an election. Upon passing an election, then architectural planning will need to be completed to finalize planning. EAPC is fairly flexible on what things can be done with the designing of a new facility. The flexibility shouldn’t affect the costs and possible lower it if sewer and water lines on the west side of the courthouse can be preserved.

Holgard’s concern was putting a lot of the burden of an opt out on the agricultural community. His question was, “Do we really need to opt out by July 15 this year?” Cain responded by reiterating that an opt out by July 15th, 2021 was necessary for the ability to pay for a jail project. Opting out will determine the funding whether the county can pay for a new jail or not. If we can’t pay for it, nobody will bid the job; waiting another year will be pushing the project another year back. Holgard offered an idea to impose a half percent sales tax increase to help with funding.

Cain agreed that increasing sales tax would be great but opting out is still necessary. Opting out funds do not have to be used, it simply gives the county the ability to make the financial commitments necessary for a jail project.

Holgard mentioned he is looking into different ideas and asked if anything was going to be acted on at the moment. Houck said that it was on the agenda to discuss and act on jail cost estimate and opt out. Cain then stated that he would like to see the commission pass a resolution to opt out and if it’s referred, set the election date and go forward. After much discussion, it was decided to wait until the July 8th meeting to decide on whether there will an opt out or not.

 **EMERGENCY MANAGEMENT:**

The topic to authorize the purchase of a portable radio for $799 + $200 for programming was discussed. It would allow the Emergency Manager more flexibility during an emergency situation and is several hundred dollars below the original price of $3000. It’s not in the EM budget, however, it was decided to use funds from the commissioner contingency fund for purchase. Schilling moved and Mohr seconded to allow the purchase of radio.

Voting Aye: 5; Nay: 0. The motion was adopted.

**COUNTY NURSE CONTRACT:**

Holgard moved and Schilling seconded to renew the County Nurse Contract for 2022 with the Mobridge Regional Hospital for the budgeted amount if $37,742.00. Voting Aye: 5; Nay: 0. The motion was adopted

**AUDITOR:**

Cain moved and Mohr seconded to approve transfer of Agent on Record to Risty Benefits for Life, Vision and Dental insurance. Voting Aye: 5; Nay: 0. Motion was adopted.

Cain moved and Schilling seconded to remove the previous auditor from Cardmember Service point of contact to the current auditor, Eva Cagnones. Voting: Aye: 5; Nay: 0. Motion was adopted.

**OLD BUSINESS:**

Holgard inquired about the status of old tax deed properties that have been setting forever and Hare mentioned that generally that gets done after the first of the year. He also visited with the Treasurer and they decided to visit with the prior Treasurer, Amanda, to see if there were any scheduled to take. Once confirmed with Amanda, further action can be taken.

**NEW BUSNESS:**

Deb Kahl wanted to go on record with her new findings. She dug a little deeper into the average price per acre, the taxes based on the mill levy would be $235 per quarter instead of $264 which was previously stated. It’s based on the county average by the soils using the productivity system. This is a more accurate number than what was given before.

Mohr also wants to place a Cover-Load Ordinance 2021-13 on the next agenda for the first reading on July 8th, 2021.

**ADJOURNMENT:**

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

**Full proceedings of this meeting of the Walworth County Board of Commissioners can be viewed from Walworth County’s Facebook page, Walworth County, Selby, SD.**

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**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

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**MARCIE KELLER, DEPUTY AUDITOR**

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