August 3, 2021

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on August 3, 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 Auditor, Eva Cagnones.

The Pledge of Allegiance was recited by those in attendance.

Chairperson Houck called the County Commission meeting to order.

**AGENDA APPROVED:**

Holgard moved and Mohr seconded to approve the agenda with the following additions:

\*Highway - Open Bids for Scrap Iron at 10:00 a.m.

\*Courthouse/Louie Schmidt - Discuss/act AC unit replacement quotes

\*Landfill – Discuss/Act to surplus current compactor and advertise for used compactor bids

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

**CLAIMS APPROVED:**

Schilling moved and Mohr seconded to approved the claims as presented. Voting Aye: 5; Nay; 0. The motion was adopted.

**COMMISSIONER MINUTES:**

Cain moved and Schilling seconded to approve the minutes from July 20, 2021. Cain amended his 1st motion. Cain moved and Mohr seconded to approve the minutes with the following correction:

\*Highway: When approving Gordon Hagstrom’s .50 cent wage increase, it was printed that Holgard moved and Houck seconded; Corrected to read: Holgard moved and Cain seconded.

**COMMISSIONERS:** Selby Record – Publications, $910.62

**GENERAL FUND:** Aden Stone – Re-issue/Retirement Reimbursement; Akaska Fire Dept – Fire Premium Insurance Apportionment, $2726.99; Cortrust Bank/Bowdle Fire Dept - Fire Premium Insurance Apportionment, $1304.93; Glenham Fire Dept - Fire Premium Insurance Apportionment, $1987.81; Hoven Fire Dept - Fire Premium Insurance Apportionment, $1389.09; Bankwest/Java Fire Dept - Fire Premium Insurance Apportionment, $2775.95; Mobridge Fire Dept - Fire Premium Insurance Apportionment, $13,215.46; Selby Fire Dep - Fire Premium Insurance Apportionment, $5190.22

**ELECTIONS:** City of Mobridge – Polling Place Lease/Deposit, $500.00; Leah Holder – Reissue/Election Wages, $75.00

**AUDITOR:** Connecting Point – Backup/Replication, $75.00; Midcontinent Communications – Internet Service, $22.57; Quill Corporation – Printer Toner, $340.98; M Keller – Express Mail Reimbursement, $26.35

**TREASURERS:** Midcontinent Cable – Internet Service, $22.57

**STATES ATTORNEY:** Kristi A Brandt – Transcripts, $734.00; Midcontinent Communications – Internet Service, $22.57; Mobridge Regional Hospital – Services, $144.00; Taylor Nunamaker – Reissue/Services & Fees, $20.00

**COURT APPOINTED ATTORNEY:** Cogley Law Office – Services & Fees, $3129.50; Dakota Plains Legal Service – Services & Fees, $728.00; Mark K Kroontje – Services & Fees, $894.20

**ABUSED CHILD DEFENSE:** Kristi Brandt – Transcripts, $455.20; Mark K Kroontje – Services & Fees, $2183.35; Von Wald Law Offices – Services & Fees, $4500.77

**COURTHOUSE:** City of Selby – Water/Sewer Service, $1422.46; MDU – Utilities, $992.97; Runnings Supply – Supplies, $11.07

**DIRECTOR OF EQUALIZATION:** Midcontinent Communications – Internet Service, $22.58

**REGISTER OF DEEDS:** Midcontinent Communications – Internet Service, $22.57; Halfile Systems – Qrtly Maintenance Balance, $20.88; Venture Communications – Telephone, $51.85

**SHERIFF:** AT&T Mobility – Phone/Tablet Service, $297.32; Beadle Ford, Inc - $541.27; Beadles Chevrolet-Buick-GMC, $3580.42; City of Selby – Water/Sewer Service, $131.13; Custom Installation Solutions – 2012 Tahoe Repairs, $1020.00; Dakota glass & Alignment – 2006, 2013 Van/Tahoe Repairs, $432.34; Fedex – Evidence Return, $11.52; Grafix Shoppe – Graphic Kit/Charger, $321.30; Graham Tire – 2010 Tahoe Tires, $666.64; Lewis Drug – RX Supplies, $25.99; McLeods Printing – Printed Supplies, $249.98; Midcontinent Communications – Internet Service, $22.57; MDU – Utilities, $453.81; Gavin Pfeifer – Reissue/ Meal Reimbursement, $99.19; SDPAA – 2020 Durango Deductible, $400.15; Selby Oil Co – 2010 Tahoe Oil Change, $102.00; Selby Record – Sale Advertisement, $99.00; Slater Oil Co – Bulk Gas, $5420.00; Venture Communications – Telephone/Fax, $371.10

**JAIL:** Brown County Sheriff – 6 days Juv. Boarding, $1710.00; Claims Associates – Law Enforcement Deductible, $2000.00; Hughes County Finance Office – 77 Days/Boarding, $6160.00; Merkel’s Foods – Inmate Food, $3.47; Roberts County – JUV Boarding, $4600.00; SD Dept of Public Safety – Teletype Service, $2340.00; Senior Nutrition Center – Inmate Meals, $390.00

**CORONER:** Monument Health, Inc. – Autopsy, $461.00

**SUPPORT OF POOR:** Ripley Funeral Home – Burial/Grave Liner, $3338.00

**EXTENSION:** Midcontinent Communications – Internet Service, $22.57; American Solutions for Business – Office Supplies, $942.91

**RD & BR:** Agtegra Cooperative – Gas/Diesel, $1503.54; Butler Machinery – Parts/Ex. Warranty, $11,705.16; Campbell County – Labor/Equip Costs, $1774.35; Central Diesel Sales – Parts/Supplies, $224.23; City of Java – Water @ Java Shop, $18.00; City of Selby – Water @ Selby Shop, $77.42; Jensen Rock & Sand – Hot Mix, $1777.30; Locken Oil – Bulk Fuel, $14,340.00; MDU – Utilities, $209.01; Premier Equipment – Supplies/Parts, $176.84; Rohrbach Fencing – New Fence/Rau Pit, $1373.00; Selby Auto Sales & Service, Parts/Supplies, $426.80; Selby Oil Co – Supplies, $230.00; Selby Record – Publication/Subscription, $71.37; Venture Communications – Phone/Internet Service, $281.55

**EMERGENCY MANAGEMENT:** AT&T Mobility – Cell/Tablet Service, $87.73; Jeff Jensen – Travel/Meal Reimbursement, $11.00

**DOMESTIC ABUSE:** Bridges Against Domestic Violence – Domestic Abuse Fund Apportionment, $1080.00

**ROD:** Quill Corporation – Office Supplies, $154.53

**SOLID WASTE:** Agtegra Cooperative – Bulk Fuel, $2063.29; CamWal Electric Coop – Utilities, $156.66; Central Diesel Sales – Supplies/Service, $866.94; Farnams Genuine Parts – Supplies, $54.99; GTC Auto Parts, Supplies, $49.99; Rebecca Krein – Re-issue/Travel Reimbursement, $193.20; Lucky’s Gas – Fuel, $201.86; North Central Steel Systems – Install Overhead Door, $10,205.34; Runnings Supply – Supplies, $142.88; SD Dept of Environment – Sold Waste Surcharge June/July, $2214.18; Servall Uniform & Linen – Rentals, $28.63; Stern Oil Co - $2619.61; Traffic Solutions – Posts/Base, $12,869.00; TransSource Truck & Equipment – Supplies, $231.62; Web Water Bottling Co – Bottled Water Rental, $52.50

**PAYROLL / HEALTH INSURANCE:**

As required by SDCL 6-1-10, the complete May payroll paid by department was as follows:

COMMISSIONERS $4,406.93 Salaries $4,378.85 Insurance

AUDITORS: $7,571.51 Salaries $2,686.96 Insurance

TREASURERS: $9,515.62 Salaries $2,521.67 Insurance

STATES ATTORNEY: $12,356.12 Salaries $3797.24 Insurance

COURTHOUSE: $2,900.36 Salaries $1,112.45 Insurance

DIRECTOR OF EQUALIZATION: $8,182.84 Salaries $2,720.19 Insurance

REGISTER OF DEEDS: $5,418.41 Salaries $1,594.47 Insurance

VETERAN’S: $1,261.07 Salaries

SHERIFF’S: $43,466.88 Salaries $5,715.43 Insurance

POOR RELIEF: $798.88 Salaries $271.99 Insurance

EXTENSION: $2,869.76 Salaries $1,576.33 Insurance

WEED & PEST: $1,108.67 Salaries

ZONING: $234.52 Salaries $89.37 Insurance

HIGHWAY: $40,793.83 Salaries $10,890.97 Insurance

EMERGENCY MANAGER: $3,518.77 Salaries $1,112.45 Insurance

LANDFILL: $16,955.33 Salaries $3,337.35 Insurance

**PAYROLL / HEALTH INSURANCE:**

As required by SDCL 6-1-10, the complete June payroll paid by department was as follows:

COMMISSIONERS $4,406.90 Salaries $4,378.85 Insurance

AUDITORS: $9,465.83 Salaries $2,668.78 Insurance

TREASURERS: $8,453.81 Salaries $2,224.90 Insurance

STATES ATTORNEY: $12,840.02 Salaries $3,983.19 Insurance

COURTHOUSE: $2,954.73 Salaries $1,112.45 Insurance

DIRECTOR OF EQUALIZATION: $8,273.04 Salaries $2,693.04 Insurance

REGISTER OF DEEDS: $5,418.41 Salaries $1,657.48 Insurance

VETERAN’S: $1,261.08 Salaries

SHERIFF’S: $51,613.60 Salaries $5,737.92 Insurance

POOR RELIEF: $799.04 Salaries $26.3.55 Insurance

EXTENSION: $3,052.03 Salaries $1,576.33 Insurance

WEED & PEST: $1,495.17 Salaries

ZONING: $144.31 Salaries $53.51 Insurance

HIGHWAY: $53,993.22 Salaries $10,890.97 Insurance

EMERGENCY MANAGER: $3,518.78 Salaries $1,112.45 Insurance

LANDFILL: $20,112.65 Salaries $3,337.35 Insurance

**JAIL:**

At approximately 9:07 a.m. Commissioner Holgard introduced Jeff Hoff with Drake Construction, Bob Brashears with Riley Johnson Architects, Mike Langersmith and Brett Noecker with CML Security.

Discussion on the Shopko building used for a Behavioral Rehabilitation Center began with Hoff. He made it clear that this presentation was a first initial assessment and not finalized. The plan for a 35 bed for county inmates and 26 bed for US Marshall inmates was described at length. Schematics, square footage, building materials and utility facilities were discussed as well. Architecture aspects were described. All parties worked on the projections with a 5-million-dollar budget and some items initially requested had to be trimmed in order to stay within the budget. It was explained that there would be no “outside” construction to the Shopko building.

At 10:00 a.m. Chairperson Houck called the County Commission take a one-minute break to open bids for the Highway’s scrap iron. Auditor Cagnones announced that were no bids submitted. No action was taken by the Commission board. In less than a minute, discussion on the Shopko building continued.

There was detailed discussion on the interior construction of the Shopko building. Plumbing, lighting, security doors and cameras, recreational space, storage. The type of the existing floor and the state of the current roof among other architectural aspects.

Holgard discussed the annual amount to run the facility including staff, inmate care, meals and building maintenance would be about 1.244 million dollars and a total of about $231.000 in utilities cost. Holgard discussed the potential of revenue by having a contract with the US Marshalls for 24 inmates at a fee of $90 a day per inmate totaling about $2,400 a day for boarding. Holgard also added that transporting for the US Marshalls can add extra revenue. The transports would be scheduled ahead of time, which will minimize transporters and overtime by not having transporters waiting for a transport call at any giving time. A 5-million-dollar loan, amortized at about 4% for eight years will total to $60,946 monthly payments. Holgard said, “Instead of an Opt Out and raise taxes, we can actually give taxpayers a tax break once the loan is paid off after eight years.”

The cost per square footage was discussed. The group will be working with 31,000 square feet, which includes administrative space at an “aggressive” cost of $150 per square footage. Cain asked what kind of architectural cost is expected. The answer was, a 7% to 8% which would be an additional $250.000 to $300,000.

There was discussion on building a jail on the courthouse grounds. “It is difficult to really say because they would need time to look in to it.” What they have is based on the Shopko building and with the requisite from Holgard. Cain sked the group if they had asked Sheriff Boll for his opinion on the needs and requirements for a new jail or if any of the other commissioners were asked. Cain explained the needs and wants of other commissioners and the Sheriff. A temporary building at the courthouse, space for the Sheriff’s office and long-term holding of inmates. Cain asked the group if there were any discussions on building on the courthouse grounds, the answer was “No”. The group explained that they were only presented with the Shopko building, however they can explore the courthouse grounds.

Hoff proposed a fee of $50,000 to assess, verify and design with guidelines and timeline along with a letter of intent to go forward with the Shopko project.

States Attorney Hare commented that either way we go, we would still need the Opt Out to establish our credit and show lenders that we can make payments.

Sheriff Boll asked if the purchasing of the Shopko is included in the 5-million-dollar budget from Holgard. The answer was, “No”. Purchasing the Shopko building would be an additional 2 million dollars.

Holgard moved and Schilling seconded to sign the letter of intent. Rollcall vote: Holgard: Aye; Mohr: Nay; Schilling: Aye; Cain: Nay; and Houck: Nay. The motion failed.

At approximately 11:00 a.m. Chairperson Houck called the County Commission take a five-minute break.

At 11:05 a.m. Chairperson Houck called the County Commission meeting to reconvene.

**STATE LEGISATIVE AUDIT:**

Russell Olson, Auditor General and Dave Schlosser, Auditor presented their 2018-2019 Audit report. Olson reported that there were several errors with the county’s financial records. These same errors were discussed with the County Auditor, Rebecca Krein after their 2016-2017 audit and was told to make corrections. However, they found no evidence of corrections being made. Deficiencies in internal control, violations of laws, rules and regulations and provisions of contracts and grant agreements. Deficiencies in balancing with the County Treasurer, monies receipted into wrong funds which resulted in incorrect balances. Incorrect remittance of State Fines to local schools which resulted to approximately a $177,000 error, which will need to paid to Mobridge-Pollock School. Performing cash transfers with no evidence in the minutes of approval by the County Commissioners. Annual financial reports not published in a timely manner, a few instances where the adoption of a budget supplement was not published. Receipts not properly apportioned, inadequate financial reporting, investment earning not properly credited and other less significant errors. Olson and Schlosser recommended to have their current Auditor, Eva Cagnones and current Treasurer, Cindy Geier, contact the County’s accounting developer/system for assistance in finding when, where and what started the unbalance in the county’s program. They may be able to “reset” the program so that the county can begin at zero and move forward. “These errors are years in the making and may not be worth the time and money to reconcile.” Said Auditor General Olson. Some commissioners had a few questions on how to correct these errors and ensure that these errors won’t happen again. Olson and Schlosser made many recommendations on what steps to take to strengthen the County’s internal control system. Olson and Schlosser extended their assistance to the County’s Treasurer and Auditor and can be reached via email or telephone for questions or advice. They ended their presentation by asking the Commissioner Chairperson to add any comments to this audit report, sign and return to them. The discussion ended at approximately 12:55 p.m.

**COMMISSIONER:**

Cain moved and Mohr seconded to execute a letter of intent with Tobin Morris of Colliers Securities

 Colliers Securities LLC

124 W Dakota Avenue

Pierre, SD 57501

colliers.com

July 9, 2021

Rick Cain

Walworth County Commission

PO Box 199

Selby, SD 57472-0199

RE: Certificates of Participation, Series 2021

Dear Rick:

We are writing this letter to you in connection with Colliers Securities LLC’s (the “Underwriter”) obligations under the rules of the Municipal Securities Rulemaking Board (the “MSRB”) and the Securities Exchange Commission (the “SEC”) to disclose to the Walworth County SD

(the “Issuer”) information concerning our role and other related matters relating to our underwriting of the above-referenced bonds (the “Bond Issue”) and relating to risks to which the Issuer and Borrower may be exposed by entering into the Bond Issue.

1. Rule G-17 of the MSRB requires us to deal fairly at all times with issuers, borrowers and investors of municipal bonds;
2. Our primary role in this financing transaction will be to purchase the Bond Issue with a view to distribution in the arm’s-length commercial transaction with the Issuer and we have financial and other interests that differ from the Issuer’s and Borrower’s interests;
3. We are not serving as a “municipal Advisor” as defined by the SEC with respect to the Issuer and we do not have a fiduciary duty to the Issuer and Borrower under the federal securities laws and we are, therefore, not required by federal law to act in the Issuer’s and Borrower’s best interests;
4. We have a duty to purchase securities from the Issuer at a fair and reasonable price, but must balance that duty with our duty to sell the Bond Issue to investors at prices that are fair and reasonable;
5. We will review the official statement for the Bond Issue in accordance with, and as part of, our responsibilities to investors under the federal securities laws, as applied to the facts and circumstances of the transaction;
6. As of the date of this letter, we are relying on the “underwriter Exemption: included in the SEC’s Municipal Advisor rule to meet the objectives of the Issuer and Borrower under this engagement and as such my provide advice and information in a non-fiduciary capacity relating to structure, timing, terms, and other similar matters of the Bond Issue such as rating agency presentations, investor discussions, advice regarding marketing without being considered a “Municipal Advisor”; and
7. The “Underwriter Exemption” is being applied to the Bond Issue because Borrower has engaged us to serve as underwriter with respect to the particular Bond Issue.

***Our Compensation***

Our compensation for serving as the Underwriter for the Bond Issue will be contingent on the closing of the transaction and at least a portion of that compensation will be based on the size of the Bond Issue. The rules of the MSRB require us to inform the Issuer and Borrower that compensation that is contingent on the closing of a transaction that is unnecessary or to recommend that the size of the transaction be larger than is necessary.

***The Bond Issue Presents Risks to the Borrower***

As with any Bond Issue, The Borrower’s obligation to pay principal and interest will be a contractual obligation that will require the Borrower to make these payments no matter what budget constraints are encountered. Furthermore, to the extent that the Borrower agrees in the Bond Issue to rate covenants, days cash on hand, additional bond/debt tests or other financial covenants, these may constrain the Borrower’s ability to operate and to issue additional debt and, if the Borrower does not comply with these covenants, they can result in a default under the bond Issue. Depending on the terms of the Bond Issue, if the Borrower fails to make a payment of principal or interest or otherwise fails to comply with the financial and other covenants relating to the Bond Issue, the bondholders or trustee may have the right to accelerate all of the payment of principal on the bond issue, which means that the Borrower may be required to pay all of the principal of the bond Issue at that time.

The Bond Issue is structured as an issue of tax-exempt bonds/obligations. This requires that the Borrower comply with various Internal Revenue Service (“IRS”) requirements and restrictions relating to how to use and invest the proceeds of the Bond Issue, how the use of any facilities are constructed or improved with proceeds of the Bond Issue and other restrictions throughout the term of the Bond Issue. These requirements and restrictions may constrain how the Borrower operates the financed facilities and may preclude the Borrower from capitalizing on opportunities. Further, violation of these requirements and restrictions can result in the Bond Issue to become taxable and may cause the Borrower to become liable to the IRS and to the owners of the bond Issue. In addition, in the event of an audit of the Bond Issue by the IRS, obtaining an independent review of IRS positions with which the Borrower and Issuer legitimately disagrees is difficult an may not be practicable.

We hope that this information has provided clarity about our role as Underwriter, our compensation and some of the risks that the Issuer and borrower may be exposed to in connection with the Bond issue. If you have any questions or comments about anything in this letter, please contact us at (605) 224-5557.

Sincerely,

COLLIERS SECURITIES LLC

 Colliers Securities LLC

124 W Dakota Avenue

Pierre, SD 57501

colliers.com

July 9, 2021

Rick Cain

Walworth County Commission

PO Box 199

Selby, SD 57472-0199

Dear Rick:

The Walworth County is aware of the “Municipal Advisor Rule” of the Securities and Exchange Commission (effective July 1, 2014) and the underwriter exclusion from the definition of “municipal advisor” for a firm serving as an underwriter for a particular issuance of municipal securities.

The County wishes to engage Colliers Securities LLC (“Colliers”), as the underwriter for the Certificates of Participation, Series 2021 (the “Bonds”) that the county currently anticipates issuing. As an underwriter, Colliers may provide advice to the County on the structure, timing, terms, and other similar matters concerning the Bonds.

It is County’s present intention that Colliers underwrite the Bonds, subject to satisfaction of applicable procurement laws formal approval by the County finalizing the structure of the Bonds and the execution of a mutually agreed upon bond purchase agreement. While the County presently engages Colliers as the underwriter for the Bonds, this engagement letter is preliminary in nature. It is nonbinding and may be terminated by either the County or Colliers. Furthermore, this engagement letter does not restrict the County from entering into the proposed or any other municipal securities transaction with any other underwriters or selecting an underwriting syndicate that does not include Colliers.

Sincerely,

COLLIERS SECURITIES LLC

Tobin J. Morris

Acknowledged by:

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**HIGHWAY:**

Consider motion approve a joint agreement with Jensen Rock and Sand for fog seal off Game Fish and Parks. Schilling moved and Holgard seconded. Voting Aye: 5; Nay: 0. The motion was adopted.

**LANDFILL:**

Consider motion to approve a fifty sent hourly increase for Lewus Morgan who has met his 90-day probationary period. Mohr moved and Cain seconded. Voting Aye: 5; Nay: 0. The motion was adopted.

There was discussion to surplus an old 2000 compactor with over 22,000 hours and authorize to purchase a newer used compactor and the need to do a budget supplement to purchase a compactor this year. Holgard asked if we could purchase and then later ask for grant money. Hare replied with, “That’s a grey area.” Houck asked if we can lease to own. Mohr replied that not with a used compactor and purchasing a new compactor would be too expensive. Mohr said he will find more information and have it ready for the next meeting. Cain suggested to take bids for a compactor. Cain moved send Mohr seconded to advertise for open bids on a used compactor for September 7, 2021 at 10:00 a.m. Voting Aye: 5; Nay:0. The motion was adopted.

At approximately 1:00 p.m. Chairperson Houck called the County Commission take a five-minute break.

At 1:05 a.m. Chairperson Houck called the County Commission meeting to reconvene.

**AUDITOR:**

No action by the board was taken on a Disinterment permit request by the South Dakota Department of Health.

Consider motion to approve a Preserve hunting liquor license for Rieger Creek and schedule hearing for August 17, 2021. Deputy Auditor Keller explained that it would be from September 2021 to March 2022 and only for patrons staying at the lodge, not open to the public. Cain moved and Holgard seconded. Voting Aye: 5; Nay: 0. The motion was adopted.

At approximately 1:15 p.m. Chairperson Houck called to adjourn as Board of County Commissioners.

Convene as Walworth County Planning and Zoning Board.

**WALWORTH COUNTY PLANNING & ZONING BOARD:**

Consider motion to authorize joint public hearing of Cannabis Ordinance 2021-14 and Ordinance 201-15 on September 7, 2021. Cain moved and Holgard seconded. Voting Aye; 5; Nay; 0. The motion was adopted.

Holgard moved and Schilling seconded to approve the following plat as listed below. Voting Aye 5; Nay: 0. The motion was adopted.

PLAT OF CARLSON SUBDIVISION IN THE NW4 OF STR 22-123-75 OF THE 5th P.M. WALWORTH COUTY, SD.

“Be it resolved by the Board of Commissioners of Walworth County, South Dakota, that the plat known and described as “Plat of Carlson” located in the NW4 od STR 22-123 of the 5th P.M., Walworth County, South Dakota is approved and the County Auditor is hereby directed to endorse on such plat a copy of this resolution and certify the same thereon.

**OLD BUSINESS:**

No old business.

**NEW BUSINESS:**

No new business.

ADJOURMENT:

Holgard moved and Mohr seconded to adjourn as Walworth County Planning and Zoning Board. Voting Aye: 5; Nay: 0.

At 1:40 p.m. Chairperson Houck called to reconvene as the Board of County Commissions.

**DIRECTOR OF EQUALIZATION:**

Consider motion to abate record #5360. Schilling moved and Mohr seconded. Voting Aye: 5; Nay: 0. The motion was adopted.

Consider motion to refund $541.02 for record #5360. Holgard moved and Mohr seconded. Voting Aye; 5; Nay 0. The motion was adopted.

Consider motion to abate record #893. Mohr moved and Holgard seconded. Voting Aye: 5; Nay: 0. The motion was adopted.

Consider motion to surplus and dispose two non-working battery backups. Mohr moved and Schilling seconded. Voting Aye: 5; Nay: 0. The motion was adopted.

Consider motion to adopt for Resolution 2021-16 Discretionary Formula. Holgard moved and Mohr seconded. Voting Ay: 5; Nay: 0. The motion

**Walworth County Resolution No. \_2021-16**

**Discretionary Formula SDCL 10-6-137**

WHEREAS, the County of Walworth, State of South Dakota has deemed it in the best interest of the County to adopt a Resolution implementing a Discretionary Formula for the reduced taxation of new structures and additions and partially constructed structures pursuant to SDCL 10-6-137.

NOW, THEREFORE, BE IT RESOLVED, that the following properties shall be, and hereby are, specifically classified for the purpose of taxation pursuant to SDCL § 10-6-137:

\_\_    Any new industrial or commercial structure, or any addition, renovation, or reconstruction to an existing structure, new structure, addition, renovation, or reconstruction has a full and true value of thirty thousand dollars or more (SDCL § 10-6-137(1));

\_\_    Any new nonresidential agricultural structure, or any addition to an existing structure, if the new structure or addition has a full and true value of ten thousand dollars or more (SDCL § 10-6-137(3));

FURTHER RESOLVED, that any structure classified pursuant to this Resolution shall, following construction, initially be valued for taxation purposes in the usual manner, and that value shall be referred to in this Resolution as the “Pre-Adjustment Value”; and be it

FURTHER RESOLVED, that the assessed value to be used for tax purposes of any structure classified pursuant to this Resolution shall, following construction, be calculated as follows:

1. For the first tax year following construction, 20% of the Pre-Adjustment Value;
2. For the second tax year the following construction, 40% of the Pre-Adjustment Value;
3. For the third tax year following construction, 60% of the Pre-Adjustment Value;
4. For the fourth tax year following construction, 80% of the Pre-Adjustment Value;
5. For the fifth tax year following construction, 100% of the Pre-Adjustment Value;

and be it FURTHER RESOLVED, that the Board of County Commissioners may, if requested by the owner of any of the above-described property, not apply the above formula, in which case the full assessment shall be made without application of the formula. In waiving this formula for the structure of one owner, the Board of County Commissioners is not prohibited from applying the formula for subsequent new structures by that owner; and be it

FURTHER RESOLVED, that for purpose of this Resolution, the assessed valuation during any of the five years may not be less than the assessed valuation of the property year preceding the first year of the tax years following construction; and be it

FURTHER RESOLVED, that any structure that is partially constructed on the assessment date may be valued for tax purposes pursuant to this Resolution and the valuation may not be less than the assessed valuation of the property in the year preceding the beginning of construction; and be it

FUTHER RESOLVED, that following the five-year period under this section, the property shall be assessed at the same percentage as is all other property for tax purposes.

Approved this \_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2021

Walworth County Commission

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

James Houck Chairman

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Walworth County Auditor

**OLD BUSINESS:**

No old business.

**NEW BUSNESS:**

Courthouse: Discussion on replacing old AC units in the courthouse was tabled for August 17, 2021 meeting.

**ADJOURNMENT:**

Holgard moved and Mohr seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. August 17, 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.**

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

**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

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

**EVA CAGNONES, AUDITOR**

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