August 17, 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 17, 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 Auditor, Eva Cagnones.

The Pledge of Allegiance was recited by those in attendance.

**WALWORTH COUNTY PLANNING AND ZONING:**

Public Hearing on Ordinance No. 2021-14: Commissioner Cain read the ordinance. Holgard moved and Mohr seconded to adopt the first reading of Ordinance 2021-14. Voting Aye: 5, Nay: 0. The motion was adopted.

Holgard moved and Schilling approve the following plats as listed below. Voting Ay: 4, Nay: 0. Cain abstained. The motion was adopted.

Plat of trac 1 Bollinger first Addition in the E1/2 SE 1.4 of Section 2-T122N-R74W of the 5th P.M., Walworth County, South Dakota.

Plat of trac 1 Fleihs-Jensen Addition in the SW ¼ of Section 8-T124N-R79W of the 5th P.M., Walworth County, South Dakota.

There was no New or Old Business to report. Holgard moved and Cain seconded to adjourn as Walworth County Planning and Zoning.

Chairperson Houck called the County Commission meeting to order.

**AGENDA APPROVED:**

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

\*Executive Session per SDCL 1-25-2(1) regarding a personnel matter.

\*Sheriff’s Salary for Chief Deputy Sheriff $51,272 annual and Deputy Sheriff, $21.51 hourly.

Discuss / Act on bids for building’s air conditioner replacements.

\*Discuss and approve ordinance 2021-15

\*Delete #15 from the agenda

\*Discuss / Act on abatement for record #5818

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

**CLAIMS APPROVED:**

Holgard moved and Schilling seconded to approve the claims with the exception of a 2-night lodging bill from Selby Motel in the amount of for Loraine Waller, a part time transporter. Voting Aye 2; Nay: 3. The motion failed.

Cain moved and Mohr seconded to approve the claims as presented. Voting Aye: 3; Nay; 2. The motion was adopted.

**COMMISSIONERS**: Cardmember – Postage, $2208.05; Mobridge Tribune – Publishing, $564.01; Venture Communications – Fax Service, $48.27

**ELECTIONS**: Connecting Point – Support Help, $55.00

**COURTS**: LexisNexis – Library Subscription, $614.00; West Payment Center – Library Supplements, $22.86

**AUDITORS**: Cardmember – Postage Rental/Supplies, $59.46; Connecting Point – Support Work Contract, $4015.00; Venture Communications – Telephone Service, $61.18

**TREASURERS**: Cardmember – Postage Rental/Stamps, $275.26; Connecting Point – Support Work Contract, $2565.00; Venture Communications – Telephone Service, $83.95

**STATES ATTORNEY**: Kristi A Brandt – Transcripts, $57.80; Cardmember Service – Postage/Rental, $76.19; Mobridge Regional Hospital – Services, $144.00; Mobridge Tribune – Publishing, $20.97; SD Public Health Laboratory – Services, $360.00; Venture Communications – Telephone/Fax Service, $132.04

**COURTS APPT ATTY:** Cogley Law Office – Services & Fees, $1270.93

**ABUSED AND NEGLECT DEFENSE**: Kristi A Brandt – Transcripts, $39.60

**COURTHOUSE**: Heartland Waste Management – Grass/Garbage Removal, $486.60; Kens Western Lumber – Supplies, $7.99; Servall Uniform & Linen – Rentals, $65.48; Web Water Bottling Company – Water Rental, $46.00

**DIRECTOR OF EQUALIZATION**: Cardmember – Postage Rental/Stamps, $34.30; Connecting Point – Support Work Contract - $3445.00; Shorty’s One Stop – Gas, $40.22; Venture Communications – Telephone Service, $54.03

**REGISTER OF DEEDS**: Cardmember – Postage Rental/Stamps, $59.47; Connecting Point – Support Work Contract, $280.00

**VET SERVICE OFFICER**: West River Telecomm – Telephone Service, $45.71

**SHERIFF**: Aden Stone – Meals Reimbursement, $91.26; Beadle Ford, Inc – Charger Oil Change - $47.50; Black Hills Ammunition – Ammo, $539.00; Joshua Boll – Gas Reimbursement, $175.73; Brianna Jorgenson – Meal Reimbursement, $25.63; Cardmember Service-BW – Gas/Supplies, $1223.12; Cardmember Service – Postage/Office Supplies/Gas, $1236.10; Chelsea Prasek – Meal Reimbursements, $53.75; Connecting Point – Server Agent/Storage, $208.00; Custom Installation Solutions, Equipment Installation/Durango, $1173.75; Dakota Glass – 2010/13 Tahoe Repairs, $259.64; Glen Bissett – Travel Reimbursement, $28.89; Graham Tire – 2017 Expl.Tires/Balancing, $669.84; Hase Plumbing, Holding Trlr A/C repairs, $107.14; Justin Bentz – Travel Reimbursements, $57.03; Kala Troyer – Meals Reimbursement; $69.52; Latosha Good Shield – Gas Reimbursement, $15.05; Lorraine Waller – Hotel/Meal Reimbursement, $149.51; Mitchell Meyers – Supplies Reimbursement, $35.41; Mobridge Regional Hospital – Services, $84.00; Mobridge Tribune – Publishing, $213.60; Pennington County Jail – Inmate Transportation, $150.02; Ronny Troyer – Meals Reimbursement, $26.75; Selby Oil Co. – Oil Changes/Repairs/Tires, $318.00; Venture Communications – Telephone Service, $382.83; Western Communication – Monthly Maintenance, $21.60

**JAIL:** Beadle County – 124 days Boarding/$80, $9920.00; Cardmember Service – Inmate Meals, $199.27; City of Winner – 121 Days Boarding @ $70; $8470.00; Edmunds County – 4 Days Boarding @ $75, $300.00; Family Pharmacy – RX Inmate Supplies, $18.36; Hughes County – 29 Days Boarding @ $80, $2320.00; Pennington County Jail – 2 Days Boarding @ $85, $170.00; Roberts County – 32 Days Juv. Boarding @ $200, $6400.00; Senior Nutrition Site – Inmate Meals, $225.00; Winner Pharmacy – RX Inmate Supplies, $149.83

**CORONER:** Ripley Funeral Home – Transport Services, $1200.00

**SUPPORT OF POOR** Venture Communications – Telephone Service, $24.66

**MENTAL ILLNESS BOARD**: Lincoln County Treasurer – Services, $364.96

**DEV DISABLED:** SD Dept of Revenue - SDC Fees, $60.00

**EXTENSION:** Cardmember – Postage Rental, $6.25; MDU – Utilities, $36.50; Shari Rossow – Jan-July Travel Reimbursement, $388.89; SDSU Extension – Training, $15.00; State 4-H office – Fair Passes – ½ Cost Admission, $27.50; Venture Communications – Telephone Service, $54.31

**WEED CONTROL**: Shorty’s One Stop – Gas, $648.53; Western Communications – Monthly Maintenance, $8.80

**RD & BR:** Bierschbach Equipment & Supply – Parts, $93.76; CamWal Electric – Electricity @ Hoven Shop, $46.81; CHS River Plain – Pump Meter, $910.00; City of Mobridge, Water/Roads, $149.68; Diamond Mowers – Parts, $1826.30; Farnams Genuine Parts – Vehicle Stands, $395.34; Flint Hills Resources – Asphalt, $109,202.01; Heartland Waste Management – Garbage Service, $60.00; Hoven Coop Service Company – Gas/Diesel, $870.78; John Deere financial – Parts $15.39; Kens Western Lumber – Parts, $5.49; Lamb Motor Co – Parts, $23.00; Lucky’s Gas – Gas, $150.96; Matheson Tri-Gas – Tank Rental, $42.78; Mobridge Tribune – Publications, $24.80; MDU – Electricity @ Java Shop, $22.71; Productivity Plus Account – Parts, $391.15; Runnings Supply – Shop Supplies, $29.23; Servall Uniform – Rentals, $56.78; Share Corporation – Supplies, $777.17; Shorty’s One Stop – Gas, $302.86; Team Laboratory Chemical – Supplies, $6600.00; WRT – Telephone @ Mobridge Shop, $38.27; Western Communications – Monthly Maintenance, $135.90

**EMERGENCY & DISASTER**: Gas N Goodies – Gas, $173.82; Mobridge Fire Dept – Equipment, $127.66

**SOLID WASTE**: Beadle’s Sales – F150 Repairs, $1112.66; CamWal Electric Coop – Repairs & Usage, $425.35; Cardmember Service – SWANA Dues/Postage, $106.25; Faehnrich Construction – Concrete Work, $8180.00; GTC Auto Parts – Supplies, $49.99; Lucky’s Gas – Fuel, $32.65; Runnings Supply – Supplies, $188.43; Servall Uniform – Rentals/Sanitizer, $57.26; TranSource Truck & Equipment – Supplies, $358.17; Valley Telecommunications – Telephone Service, $116.44; Web Water Development – Water Service, $42.08; Web Water Bottling Co – Rental, $65.00 Western Communications – Monthly Maintenance, $9.30

**STATE ACCOUNT FUND**: SD Department or Revenue – ROD Vital Records Fee, $420.00; MV Fees, $120,793.25

**SCHOOL DIST FUND**: Cortrust Bank – July 2021 Apportionment, $929.49; Hoven School Dist - July 2021 Apportionment, $1137.14; Dacotah Bank - July 2021 Apportionment, $20,309.36; Bank West - July 2021 Apportionment, $8317.45

**CITIES & TOWNS FUND**: City of Mobridge - July 2021 Apportionment, $16,843.57; Bank West - July 2021 Apportionment, $5284.55; Dacotah Bank - July 2021 Apportionment, $626.93; Bank of Hoven - July 2021 Apportionment, $322.30

**SALES/EXCISE TAX FUND**: Cardmember – State/City Sales Tax, $266.66

**JAVA FIRE DIST FUND**: Bank West - July 2021 Apportionment, $16.11

**BOWDLE FIRE FUND**: Cortrust Bank - July 2021 Apportionment, $18.51

**SDACO M & P Fund**: M & P Remittance, $284.00

**CITY OF MOBRIDGE**: Airflight Property Tax, $3963.90

**COMMISSIONER MINUTES:**

Holgard moved and Cain seconded to approve the minutes from August 3, 2021 with the following amendments;

Page 4, at the bottom, there is no reference to the vote on approving the motion of the letter of intent for Colliers.

Added, “Voting Aye; 4, Nay; 1. The motion was adopted.” Also on page 4, in reference to the Shopko jail, correct the cost of the building to read, “1.5 million” from “2 million”. Voting Aye: 5, Nay: 0. The motion was adopted.

Mohr moved and Schilling seconded to approve the minutes from August 5, 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.

**PUBLIC HEARING:**

Jason Berens, Leo Votja, Steve Zabel, John Wenschlag and Emily Stiegelmeier expressed their concerns over the Jail Opt Out. Wanted to know of the Opt Out for the Jail only. Asked if the jail size could be on a smaller scale to save money. Many said that they agree the County needs a jail, but were there other options to look into. There was a lengthy discussion on the size of the jai, the location, the Shopko building option and costs. Four Public Hearing were scheduled for discussions on the Opt Out. September 1, 2021 at the Courthouse in Selby at 7:00 p.m., September 2, 201 at the Country Club in Hoven at 7:00 p.m., September 3, 2021 at the Edge Event in Mobridge at 7:00 p.m. and September 8, 2021 at the Community Center in Akaska at 7:00 p.m.

**LIQUOR LICENSE HEARING:**

Commissioner Houck made a telephone call to Marne Dooley with the Department of Revenues Special taxes regarding the Preserve Liquor License application by Christine and Steve Sawinski. It was determined that they would need to correct their application with the address at the preserve and property legal description and resubmit. Holgard approve and Schilling seconded to approve once the address is changed. Voting Aye: 5, Nay: 0. The motion was adopted.

**EMERGENCY MANAGER:**

There will be a full-scale exercise on September 8, 2021 at the Mobridge Firehall starting at 5:00 p.m. The exercise is planned to start at 6:30 p.m. and the “incident” will be on the railroad tracks on the South side of Mobridge.

**LANDFILL:**

Ted Dickey with NECOG presented the Commissioners with a grant application option for a new Compactor. The grant would be for up to 50% of the cost of a New Compactor. He explained that it cannot be for a used compactor. He recommended to wait for the grant before making the purchase. He will need the price or an estimation of the price of the compactor to complete the grant application. The Commissioner agreed to look into an 826 sized compactor. Mohr moved to rescind his motion from the August 3rd 2021 Commissioner meeting to purchase a used compactor, Holgard seconded. Voting Aye; 5, Nay: 0. The motion was adopted.

Holgard moved and Mohr seconded to authorize ted Dickey apply for the grant. Voting Aye: 5, Nay: 0. The motion was adopted.

**EXECUTIVE SESSION:**

Cain moved and Holgard seconded to enter into executive session at 11.25 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 11:54 a.m. No action was taken.

**EXTENSION:**

Schilling moved and Mohr seconded to approve the hiring of Alessaundra Diaz as part time Extension Assistant at $15.95 hourly wage. Voting Aye: 5; Nay: 0. The motion was adopted.

Mohr moved and Schilling seconded to surplus and dispose a non-working HP printer. Voting Aye: 5, Nay: 0. The motion was adopted.

**HIGHWAY:**

Superintendent, Byre presented the monthly report. Holgard moved and Mohr seconded to approve and sign three portable water line occupancy notifications from WEB. Voting Aye; 5; Nay: 0. The motion was adopted.

Byre briefly went over the environmental review from KLJ. Schilling moved and Holgard seconded to authorize approval to begin construction on the expansion for 309th Ave withing two weeks. Voting Aye: 5; Nay: 0. The motion was adopted.

Byre had a resident at 320 Ave near Hoven request to place a speed limit sign to slow drivers down. This is not a high traffic area. Schilling recommended to have the resident find out who is the driver who speeds on that road and contact that person or persons and ask to slow down. No action was taken. Will meet with KLJ on the 2nd Commissioner meeting in September.

**AUDITOR**:

Superintendent, Schroeder and Finance Officer, Don Knecht both from Selby Area School brought their concerns to the Commissioners regarding the overage allocation of transmittal money in the amount of $177,947.61. Mr. Schroeder spoke with State Legislator, Tim Frederick who explained that it would not be an immediate fix. The repayment has to go through the school finances which will affect their budget, which will affect their staffing, etc. Schroeder and Knecht need time to bring this to the School Board and will not commit to anything today.

There was talk about withholding the transmittal money on a monthly basis for several years until the it is repaid. Auditor Cagnones said that after speaking with the South Dakota Department of Revenue, it was determined that withholding the transmittals would create a nightmare for County, State and School accounting systems. Knecht said that this would be difficult with their accounting system as well. Cain recommended to continue to pay Selby their transmittals and then have Selby write a check to Walworth County and pay it off as a debt. This will eliminate making changes to the accounting systems in place. The school can show this on their books a debt obligation. A more simplified manner of dealing with the issue. Schroeder will discuss this with the school board during their meeting on September 14, 2021. No action was taken.

Cain moved and Holgard seconded to pay the Airflight taxes in the amount of $3,963.90 to the City of Mobridge. This is money that should have been allocated in prior years. Voting, Aye: 5; Nay: 0. The motion was adopted.

Schilling suggested that all parties involved meet to come up with a solution. Mobridge School, Selby School and Commissioners. Cagnones said that Mobridge School has already made their request to be paid the full amount immediately and did not wish to be paid in increments. Schilling said that we should wait to pay Mobridge School

until we know when and how Selby School will repay the debt.

**TREASURER:**

Geier presented the monthly report. Cain moved and Mohr seconded to accept the report as presented. Voting Aye; 5; Nay: 0. The motion was adopted.

Cain moved and Schilling seconded to remove a non-sufficient fund in the amount of $79.00. Voting Aye; 5; Nay: 0. The motion was adopted.

Cain moved and Mohr seconded to surplus for disposal, two old non=working computers and one non-working credit card machine. Voting Aye: 5; Nay;0. The motion was adopted.

Geier briefly discussed that the SD archivist will be coming the courthouse on September 30th to review historical items, such as documents and books. They will take items they deem “historical” and advise on items that can be legally destroyed.

**SHERIFF:**

Boll presented the monthly reports.

Mohr moved and Cain seconded to approve the wage increase of .50 cents to Latosha Good Shield and Kala Troyer who completed their 90-day probationary period. Voting Aye: 5; Nay: 0. The motion was adopted.

Justin Jungwirth has turned in his resignation. Sheriff Boll will be hiring a new Chief Deputy Sheriff and has requested to change the position from hourly to salary, saving money in overtime. The salary requested is $51,272.00. Holgard felt that this amount is too high. Mohr moved and Cain seconded to change the Chief Deputy Sheriff from hourly to salary, at $51,272.00 annually. Voting Aye: 4; Nay: 1. The motion was adopted.

Boll requested to hire a Deputy Sheriff at $21.51 hourly wage. Holgard felt that with the budget cuts being made this amount is too high. Holgard recommended an hourly wage of $19.33 for someone who is certified with a 50. Cent hourly increase after completion of a 90-day probationary period. Holgard moved and Schilling seconded to start the new certified Deputy Sheriff at $19.33 with a 50. Cent hourly increase after 90 days. Voting Aye; 5; Nay: 0. The motion was adopted.

There was discussion on changing the Transporters from hourly to salaried to eliminate overtime. The salaries would be starting $38,126.40 to $39,166.00 annually after a 90-day probationary period. Effective August 29, 2021. The transporters will have three hours to come in after a call. The transporters will be eligible for overtime after 43 hours per week. Cain moved and Mohr seconded to approve the salary effective August 29, 2021. Voting Aye: 5; nay:0. The motion was adopted.

**COURTHOUSE:**

Schmidt went over the courthouse air container replacement bids.

Zuber from Gettysburg $39,000 with low end materials and $46,000 with high end materials - labor warranty only included.

HASE Plumbing and Heating from Selby $52,000 with high end materials and $43,000 with low end materials, not including the wiring.

Allied Plumbing and Heating from Pierre $38,200 – no labor warranty

Schmidt said that Allied will replace 12 condensers with 12 heads which will save money on electricity. Schmidt recommended to go with Allied. Parts will be under warranty but not labor. Holgard moved and Mohr seconded to accept bid from Allied. Voting Aye:5; Nay:0. The motion was adopted.

**DIRECTOR OF EQUALIZATION:**

Consider motion to abate record #5818 in the amount of $10,215.76, which is a property in Mobridge that the county took. Cain moved and Holgard seconded. Voting Aye: 5; Nay: 0. The motion was adopted.

**STATES ATTORNEY:**

Cain read Cannabis Zoning Ordinance 201-14. Cain moved and Holgard seconded to approve the first reading of Ordinance 2021-14.

Cain read Cannabis Licensing Provisions Ordinance 201-14. Mohr moved and Holgard seconded to approve the first reading of Ordinance 2021-15. Voting Aye: 5; Nay: 0. The motion was adopted. A Special Meeting for the second reading of Ordinance 2021-14 and Ordinance 201-15 was set for August 31, 201 at 9:00 a.m.

**OLD BUSINESS:**

Mohr mentioned that Landfill improvements have been completed.

**NEW BUSNESS:**

No new business.

**ADJOURNMENT:**

Holgard moved and Schilling seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. September 7, 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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**EVA CAGNONES, AUDITOR**

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