November 16, 2021

9:00 A.M.

**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in a scheduled session on November 16, 2021 at 9:00 a.m. at the County Courthouse. Members present were: Jim Houck, Rick Cain, Duane Mohr, Kevin Holgard and Scott Schilling. Also present were Auditor, Eva Cagnones and States Attorney Jamie Hare.

The Pledge of Allegiance was recited by those in attendance.

**WALWORTH COUNTY PLANNING AND ZONING BOARD:**

Cain moved and Schilling seconded to Plat Showing Lot 1, Laine Addition in SE4 Str 21-124-77

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

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

Chairperson Houck called the County Commission meeting to order.

Cain moved and Mohr seconded to Plat Showing Lot 1, Laine Addition in SE4 Str 21-124-77

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

**AGENDA:**

Mohr moved and Schilling seconded to approve the meeting agenda. Voting Aye: 5; Nay: 0. The motion was adopted.

**CLAIMS APPROVED:**

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

**COMMISSIONERS:** Marco Inc – Copier Usage Contract, $19.26; Mobridge Tribune, Canvass Election, $42.78; Supplemental Hearing, $18.57; SDML Workers Compensation Fund – Workers Comp Renewal, $487.86; Selby Record – Supplemental Budget Hearing, $29.81; Accepting Sale Bids, $29356; 3 Meeting Minutes, $450.23

**COURTS:** Marco Inc – Copier Usage Contract, $17.77; West Payment Center – Books/Bound Volumes, $22.86

**AUDITOR:** Cardmember Service – Certified mail, $8.36; Stamps.com, $396.66; Connecting Point – Services, $115.00; Marco Inc – Copier Usage Contract, $28.61; SDML Workers Compensation – Workers Comp Fund, $275.05; Venture Communications – Telephone Service, $57.81

**TREASURERS:** Cardmember Service – Postage/Rental, 45.07; Marco Inc – Copier Usage Contract, $27.69; Quill Copr – Envelopes/Misc Supplies, $59.69; SDML Workers Compensation – Workers Comp Fund, $183.39; Selby Record – 2nd Taxes Due print Twice, $110.00; Venture Communications – Telephone Service, $85.59

**STATES ATTORNEY:** Cardmember – Stamps.com, $203.90;Mobridge Regional Hospital – Labs, $288.00; Mobridge Tribune – Legals, $23.56; SDML Workers Compensation – Workers Comp Fund, $337.51; Spencer Rienhart – Re-Issue/Subpoena – Mileage, $37.64; State Bar of South Dakota – 2022 Bar Dues, $615.00, Annual Discs, $550.00; Venture Communications – Phone & Fax Service, $108.62

**COURT APPT ATTNY:** Mark K Kroontje – Services, $3,591.36; DPLS – Services, $7,209.05

**ABUSED CHILD DEFENSE:** Kristi A Brandt – Transcripts, $216.00; Von Wald Law Offices – Services, $816.75

**COURTHOUSE:** Cam Wal Electric– Repairs/Lights Comm room, $311.04; Hase Plumbing – Supplies, $231.80; Heartland Waste – Grass & Garbage Services, $150.00; Kens Lumber – Supplies, $46.03; Runnings Supply Inc – Supplies, $59.47; Louis Schmidt – Cleaning Supply Reimbursement, $406.32; SDML Workers Compensation – Workers Comp Fund, $1,115.72; Web Water Bottling – Water Rental, $18.75

**DOE:** Cardmember Service – Postage/Rental, $25.97, Surety Subscription, $400.00; Marco Inc – Copier/Usage Contract, $18.47; SDML Workers Compensation – Workers Comp Fund, $748.77; Venture Communications – Telephone Service, $63.95

**ROD: Cardmember –** Stamps.com, $50.16; Marco Inc – Copier/Usage Contract, $17.67; SDML Workers Compensation – Workers Comp Fund, $91.70

**VET SERVICE OFFICER: WRT –** Telephone Service, $49.05;SDML Workers Compensation – Workers Comp Fund, $282.70

**SHERIFF:** Avera Occupational Medicine – TPA Fees $261.00; Axon Enterprise – Magnetic Mic, $64.90; Cardmember – CC Late Fees, $34.30; Car washes, $28.00; Transport Gas, $755.33; Hotel Room, $177.36; Car washes, $28.00; Gas/Mail/Amazon, $178.06; Stamps.com, $163.74;meals & Travel, $44.73 Central Square Technologies – Field Ops Subscription, $536.75; Connecting Point – Server Agent, $208.00; Dakota Glass – 2012 Tahoe Headlight wiring, $135.00; Kens Western Lumber – Supplies for Jail Garage, $1,368.06; Marco Inc – Copier/Usage Contract, $17.92; Mobridge Regional Hospital – Transporter Clinic Visits, $126.00; Rees Communications – Antenna, $102.00; SDML Workers Compensation – Workers comp fund, $11,446.35; Selby Record – FT Deputy Sheriff Ad, $330.00; Uniform Center – Uniform shirts/Pants, $468.90; Venture Communications – Phone & Fax Service, $370.90;Western Communications – Monthly Radio Maintenance, $21.60

**JAIL:** Accounts management – Re-Issue for 2 checks, $100.00; Beadle County – 117 Days October, $9,360.00; Brown County – 14 Days October, $3,99010.00; Cardmember – Inmate meals, $81.65; City of Winner – 81 Days, $5,670.00; Edmunds County – 16 Days, $1,200.00; Hughes County Finance Office – 19 Days, $1,520.00; Lewis Drug – RX Supplies, $50.38; Mobridge Regional Hospital – Jail Medical $488.11; Monument Health – Jail Medical, $1,264.45; Rapid City Fire Dept – Jail Medical, $331.50;Senior Nutrition Center – Inmate meals, $240.00; Winner Pharmacy – RX Supplies, $440.41; Winner Regional Hospital – Jail Medical, $120.68

**CORONER: Ripley Funeral Home –** Transport to SF’s, $930

**SUPPORT OF POOR:** Venture Communications – Telephone Service, $24.50

**MENTALLY ILL:** Mark Katterhagen – Professional Services, $15.00; Lincoln County Treasurer – Customer Service, $320.84; Professional Services, $220.00; Darcy Lockwood – Professional Services, $15.00

**MENTALLY ILLNESS BOARD:** Fox & Youngberg – Court Appt’d Council, $199.11; Garrett J Horn – Court Appt’d Council, $217.80; Lucy Lewno – Professional Services, $166.53; Lincoln County Treasure – Paper Services, $1963.80; Yankton County Treasurer – Mental Health Hearing, $125.00

**EXTENSION:** Dept of Animal Services – 2022 IRM Red Books, $39.00; Venture Communications – Telephone Service, $50.41

**WEED CONTROL:** SDML Workers Compensation – Workers Comp Fund, $376.01; Selby Auto Sale & Services – Dakota/Maintenance Service, $79.05; Western Communications – Monthly Radio Maintenance, $8.80

**RD & BR:** Accounts management – Re-issue check, $103.23; Avera Occ Medicine – Drug test/Lab, $83.00; Buttler Machinery – Gasket & Glass, $266.01; Cutting Edge, $1,205.70; Cam Wal Electric – Electricity Service @Hoven Shop, $46.16; Dakota Oil – 55 Gal 15w/40 oil, $714.45; Diamond Mowers – Shid Shoe, $854.77; Fire Safety First – Re-Issue check, $341.00; Heartland Waste – Garbage Service, $60.00; Hoven COOP Service co – Diesel/Gas/Def Fluid, $1,540.03; Joh Deere Financial – Supplies, $940.30; Laverne Didreckson – Removal Tar off Mobile home, $500.00; Locken Oil – Diesel, $18,040.00; Marco – Copier/Usage contract, $17.61; Matheson Tri-Gas – Acetylene Tank Rental, $45.388; Mobridge Pit Stop – Re-Issue Checks, $139.67; Gas t-136, $61.37; Rees Communications – 2 CH300 Mic Service, $93.00; Runnings Supply – parts, $9.72; Schilling Farms – Re-Issue check /Tractor Rental, $175.00; SDML Workers Compensation – Workers Comp Fund, $15,372.98;Selby Auto Sales & Service – parts, $123.00; Servall Uniform & Linen – Rags/Rugs, $76.78; Shorty’s One Stop – Equipment Gas, $1,141.50; Trail King Industries – Parts, $142.06; WRT Telecomm – Phone @ Mobridge Shop, $38.01; Western Comm – Monthly Radio Maintenance, $135.90

**EMERGENCY & DISASTER:** Gas N Goodies – Gas, $96.89; Jeff Jensen – Reimbursement on Postage, $60.75; Mobridge Hardware – Supplies, $30.98; SDML Workers Compensation – Workers Comp Fund, $282.70

**SOLID WASTE:** Accounts management – Re-Issue check, $188.05; Agtegra Coop – Ruby Bulk Diesel, $2,910.55; Cam Wal Electric – Electricity Service, $195.22; Cardmember –Supplies/Postage/Uniforms, $916.92; Carlson Services - Drain Scale pit - 250.00; Farnham’s Genuine Parts – Supplies, $57.49; Fire Safety First – Re-Issue check, $150.00; GTC Auto Parts – Def Pump, $55.99; Homestead Building Supplies – Horse fence, $1,239.95; North Central Steel Systems – Replace Door Seals, $231.91; Runnings Supply – Garage Supplies, $1,195.40; SDML Workers Compensation – Workers Comp Fund, $8,979.26; Trans Source Truck & Equipment – Repair work, $1,361.70; Plow Bolt, $519.16; Valley Telcomm – Telephone Service, $132.51; Web Water Dev – Water Service, $68.27; Western Comm – Monthly Radio Maintenance, $9.30

**SCHOOL DIST FUND:** Cortrust Bank – October 2021 Apportionment, $149,677.65; Hoven School District – October 2021 Apportionment, $39,827.16; Dacotah Bank – October 2021 Apportionment, $507,138.14; Bank West – October 2021 Apportionment, $637,927.27

**CITIES 7 TOWNS FUND:** City of Mobridge – October 2021 Apportionment, $245,093.90; Bank West – October 2021 Apportionment, $134,340.25; Dacotah Bank – October 2021 Apportionment, $3,727.05; Bank of Hoven – October 2021 Apportionment, $229.31

**JAVA FIRE DIST FUND:** Bank West – October 2021 Apportionment, $3,212.19

**BOWDLE FIRE DIST FUND:** Bowdle Rural Fire district – October 2021 Apportionment, $2,397.35

**PARTIAL PAYMENTS FUND:** Walworth County Treasurer – Record #5614 $988.75

**US NAK/WEST SIDE FLATS –** M-P SCHOOL BOND AGEN FEES $600.00

**SALES/EXCISE TAX FUND:** Cardmember - September Sales Tax $139.94; August Sales Tax $186.23

**S RIVERVIEW RD DIST:** October 2021 Apportionment $674.06

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

 **WALWORTH COUNTY**

 **October, 2021**

CASH ON HAND IN TREASURER'S OFFICE:

CASH TOTAL $1,008.03

CHECKS TOTAL $187,138

NSF CHECKS

SAVINGS ACCOUNT BALANCES

BANKWEST MONEY MARKET SAVINGS $6,254,937.23

BANKWEST LANDFILL MONEY MARKET $1,115,188.58

CERTIFICATES OF DEPOSIT

INVESTMENTS--CERTIFICATES OF DEPOSIT $600,000

GRAND TOTAL CASH AND BALANCES $8,686,298.26

GENERAL LEDGER CASH AND INVESTEMENT BALANCES BY FUNDS

GENERAL FUND $1,609,703.50

SPECIAL REVENUE FUNDS:

 ROAD AND BRIDGE FUND $559,630.75

 911 SERVICE FUND $ 20,232.34

 FIRE PROTECTION FUND $ 15,890.63

 EMERGENCY AND DISASTER FUND -$41,029.36

 DOMESTIC ABUSE FUND $ 655.00

 MODERNIZATION & PRESERVATION RELIEF FUND $61,539.03

 DARE PROGRAM FUND $ 84.38

AMERICAN RESCUE PLAN $528,125.28

RURAL ACCESS INFRASCT CASH $28,557.36

ENTERPRISE FUNDS:

 SOLID WASTE (LANDFILL) FUND $589,906.59

 TRUST AND AGENCY FUNDS $2,416,284.10

GRAND TOTAL GENERAL LEDGER CASH AND INVESTMENTS $2,416,284.10

**PAYROLL / HEALTH INSURANCE:**

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

COMMISSIONERS $6,644.76 Salaries $4,333.61 Insurance

AUDITORS: $15,887.85 Salaries $3,776.27 Insurance

TREASURERS: $12,211.80 Salaries $2,208.26 Insurance

STATES ATTORNEY: $19,661.43 Salaries $4,006.22 Insurance

COURTHOUSE: $4,364.16 Salaries $1,104.13 Insurance

DIRECTOR OF EQUALIZATION: $12,195.54 Salaries $2,623.44 Insurance

REGISTER OF DEEDS: $8,115.44 Salaries $1,683.54 Insurance

VETERAN’S: $1,891.62 Salaries

SHERIFF’S: $66,255.43 Salaries $7,728.91 Insurance

POOR RELIEF: $698.10 Salaries $233.93 Insurance

EXTENSION: $10,727.86 Salaries

WEED & PEST: $415.16 Salaries

ZONING: $433.19 Salaries $105.70 Insurance

HIGHWAY: $61,752.79 Salaries $11,961.38 Insurance

EMERGENCY MANAGER: $5,287.28 Salaries $1,104.13 Insurance

LANDFILL: $22,686.12 Salaries $4,416.52 Insurance

**PUBLIC HEARING ON BUDGET SUPPLEMENT**:

Commissioner Cain read over the Supplemental Budget requests for 2021 by department and explained why the supplements are needed. Mohr moved and Schilling seconded to approve the Supplemental budget. Holgard asked about the Sheriff’s department budget request, it was not matching the Sheriff’s report. Cain noticed there was a typo and made the correction of an additional $9,932. Mohr moved and Schilling to approve the Supplemental Budget with the addition of $9,932 to the Sheriff’s department. Rollcall vote; Holgard; Aye, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

States Attorney: 26,000

Child Defense Services & Fees: 34,000

Coroner: 14,000

Domestic Abuse: 180

Sheriff: 104,520

Jail: 88,173

Emergency Manager: 30,154

Auditor: 177,947.61

Elections: 12,000

Zoning and Planning: 1,500

 General Fund Supplements: 489,701.61

Solid Waste: 85,000

Road & Bridge: 35,188 To secondary road fund

 2,610 To supplies and materials

Restricted and Propriety Supplements: 127,798

**MOBRIDGE-POLLOCK SCHOOL:**

Cain moved and Mohr seconded to pay Mobridge -Pollock School $177,947.61 in underpayment of mis-apportionment of County fines. Rollcall vote: Holgard; Aye, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

 Cain moved and Schilling seconded to withhold future fines money to Selby School District until we have a written contract which provides that Selby School will repay the County the sum of $177,947.61 in monthly amounts which equal the monthly amount Selby School receives from County through fines reimbursements minus Selby School’s legal fees up to $700. Rollcall vote: Holgard; Aye, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

**TREASURER:**

Cindy Geier, Treasurer, presented her monthly financial report. Holgard asked if the treasurer and Auditor departments have come to “a number” balance yet. Cagnones explained that although some progress has been met, it is very difficult to balance with so many mistakes from the previous Auditor for a number of years.

 Holgard moved and Mohr seconded to approve the monthly report. Voting: Aye, 5; Nay, 0. Motion was adopted.

 Cain recommended to have an Audit to 2020 sone by either the State Legislative Department or a private CPA firm. Mohr agreed and stated that it should be from a private firm. Cagnones also agreed and welcomes the much-needed help. Hare said that the CPA services do not need to be in bids, the Auditor can just make some calls and hire a CPA.

**HIGHWAY:**

Cain moved and Mohr seconded to approve transfer of $121,505 to Services and Fees & 223,615 to Supplies and Materials from Auto & Major Equipment fund to have a positive balance. Rollcall vote: Holgard; Nay, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

 Highway Superintendent, Byre spoke of Secondary Road funds transfers as presented in the Supplemental Budget. Byre also presented his monthly report and feels confident that their budget for payroll will sustain for the remainder of the year 2021. Byre brought up his concerns with a non-compliance of payment for services rendered by the Highway Department. Byre asked for help from the States Attorney to send payment notifications as his department have exhausted their requests for payment. Hare suggested having it writing that if they do not pay, they will no longer receive services. Houck asked how many people does the Highway Department private blade for and Byre answered, about 10. But only one is not paying. Hare said his office will send out a collection letter.

Byre spoke of the Extended Warranty on the motor grader P-99 is about to expire with 198 hours remaining. Butler provided some options on extended warranties. Gary feels we can get another grader from Java. 24 months with 2000 hours. If approved today, it would not be paid until January 2022. Holgard moved and Mohr seconded to make payment on January 2, 2022. The motion was amended after Auditor Cagnones mentioned that the first Commissioners meeting will be on January 4th and not on the 2nd. Holgard moved to amend his motion to make payment on January 4, 2022 and Mohr seconded. Rollcall vote: Holgard; Aye, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

Byre mentioned that the MTP kick off meeting is set for December 6, 2021. KLJ is in the County doing core samples. Resignation of Chad Perman is effective November 18, 2021. Houck asked if he plans on advertising to replace Chad Perman and Byre said, “yes”.

**LANDFILL:**

 Gene Cox spoke of the agreement the City of Mobridge is asking for is 3 years of no rental for the Emergency Manager in the Firehall building in exchange for no tipping fees at the landfill. It is about a $12,600 savings in free rental for the EM. Lewus Morgan added that by removing all metal from the rubble, it can be an added revenue by selling the metal. Schilling thought that three years is too long to be receiving rubble from the City of Mobridge at no cost. What will happened when the landfill runs out of space? Holgard asked, “What if other towns and cities ask to waive the tipping fees for them as well?” Cagnones reminded the board that Mobridge is not dumping for free, they have exchanged services by not billing the County for the office space rental at the Firehall. Mohr moved and Holgard seconded to exchange free rent at the Firehall for waived fees at the Landfill to the City of Mobridge. Rollcall vote: Holgard; Aye, Mohr; Aye, Schilling; Nay, Cain; Obtained and Houck; Aye. The motion was adopted.

Mohr moved and schilling seconded sell the two recently appraised balers at an internet auction, starting at $2,500.

Rollcall vote: Holgard; Aye, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

**SHERIFF:**

Boll asked for a motion to surplus a few non-working office items for disposal. 3 HP Computer Towers, EMachine Computer tower, Gateway keyboard, Dell 16-inch computer screen, Maytag clothes washer, Maytag clothes dryer, 2 Analog Vertex standard portable radio and chargers, Analog Kenwood portable radios with talk around channel, Analog Kenwood charger KSC-35S, Motorola charger, Motorola XTL2500 digital radios, 3 prisoner partitions and L3 in-car video system.

Cain moved and Mohr seconded to approve declare items for surplus and sell. Amended. Cain moved to and Mohr seconded to amend original motion to sell and for surplus items to be disposed. Rollcall vote: Holgard; Aye, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

 Sheriff Boll presented the monthly report. Schilling asked Boll why he had his personnel at the scene of an accident this past weekend. Boll explained that the Sheriff’s department are always present at emergency scenes. He had his personnel secure the area and direct traffic.

 Consider motion to approve new employee, Dax Johnson – FT Deputy Sheriff @ $18.33 hourly with a .50 cent increase after 90-day probationary period and another .50 cents after certification. Rollcall vote: Holgard; Aye, Mohr; Aye, Schilling; Aye, Cain; Aye and Houck; Aye. The motion was adopted. No vote from Commissioner Schilling, he departed at 10:45 a.m.

 Cain moved and Mohr seconded to approve the following Part Time Deputy Sheriffs at $19.33 hourly age; Justin Jungwirth, Ashton Norder and Kenny Wientjes and the following Part Time Transporters at $18.33 hourly wage; Ryan Counts and Darrol Griese. Rollcall vote: Holgard; Aye, Mohr; Aye, Cain; Aye and Houck; Aye. The motion was adopted.

 There was some discussion on the amount of part time Deputy Sheriffs. Holgard asked Noll if this is what was approved. Cain said the number of hours is what was approved. Boll can have his part time personnel share/use the 2080 hours approved, as long as he doesn’t go over the 2080 hours in his salary budget. Holgard asked Cagnones how many hours are left. Cagnones said does not keep track of hours used per department. Boll said he can add it to his monthly report, showing the amount of part time hours are being utilized.

**AUDITOR:**

Cagnones asked for a motion to surplus a few non-working office items for disposal. Casio DR-270TM calculator, Uniden telephone set and a High-Rely modem. Mohr moved and Cain seconded to surplus these items for disposal. Voting Aye: 4; Nay: 0. The motion was adopted.

**OLD BUSINESS:**

Commissioner Cain discussed on the Walworth County update. Regarding the Opt Out, statue says we cannot have another Opt Out on election until after a year. An option the County has is having an Opt Out after the September 2013 election. This would be an election year but not a calendar year. We would need to look into this.

Cain gave a lengthy and heartfelt message to the people of Walworth County, at times looking directly at the camera. He expressed his frustrations at Commissioners Holgard and Schilling for making it difficult to try and save the County for going broke by effectively campaigning to reject the Opt Out to build a jail. Cain touched on other points regarding the lack of knowledge by some Commissioners on how the Courthouse is ran. He mentioned that he sat with each department head to understand how they work and asked the department heads if any other Commissioner had ever sat with them and sked questions on their day-to-day business. All the department heads had responded with a “no”. Cain mentioned that the financial status of the County is ultimately going to brake if the Commission board does not work together to come up with a solution to the jail problem. Among other things, Cain thanked the employees of the Courthouse. Cain them signed and turned Cain then signed and turned in his resignation effective immediately.

Cagnones thanked Cain for all his help in getting her where she is now as Auditor. “The past 10 months since taking over the as Auditor and cleaning up a lot of the mess left behind by the previous Auditor would have been a lot harder without your help.” Director of Equalization, Kahl also had a few words of appreciation for Cain. Sheriff Boll thanked Cain for all his effort and help and participation in understanding how the Sheriff’s department runs. Deputy Auditor, Keller also appreciated Cain and mirrored the others in feeling sad that he is leaving.

**NEW BUSINESS:** NONE

**ADJOURNMENT:**

Holgard moved and Mohr seconded that the Board of County Commissioners adjourn until the hour of 9:00 a.m. December 7, 2021. Voting Aye: 4; Nay: 0. The motion was adopted.

**Full proceedings of this and all meetings of the Walworth County Board of Commissioners can be viewed from Walworth County, Selby SD’s Facebook Page.**

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**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

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**EVA CAGNONES, AUDITOR**

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