**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on January 6, 2022 at 9:00 a.m. at the County Courthouse. Members present were: Scott Schilling, Duane Mohr, and Kevin Holgard with Jim Houck and Justin Jungwirth via telephone. Also present were States Attorney, Jaime Hare and Auditor, Eva Cagnones.

The Pledge of Allegiance was recited by those in attendance.

Vice Chairperson Schilling called the County Commission meeting to order.

**AGENDA:**

Schilling requested to add Highway Dept item regarding equipment rates. Holgard moved and Mohr seconded to approve the agenda with some items changing sequence. Voting: Aye, 5; Nay, 0. The Motion was adopted.

**EXECUTIVE SESSION:**

Holgard moved and Mohr seconded to go into Executive Session per SDCL 1-25-2(1) at 9:05 a.m.

Schilling called the Executive session over at 9:13 a.m.

**DISTRICT 5 COMMISSIONER:**

Holgard discussed the legalityof Justin Jungwirth’s appointment as County Commissioner to District 5. Holgard said he spoke to the Secretary of State and was told that according codified law, Jungwirth cannot be a County Commissioner in District 5 because he does not reside in the district. States Attorney Hare asked Holgard if he spoke to The Secretary of State. Holgard said he spoke to someone who works there by the name of Kea and when asked for her last name, he did not know it. Hare asked if Kea is an attorney. By which Holgard replied that he did not know. After further discussion, and Hare trying to ascertain if Holgard had received legal advice from someone who is not an attorney, Hare said that he did interview Jungwirth prior to his appointment and looked into Jungwirth’s legal proprietorship and voter registration and he is not in any violation of any codified law. Holgard wanted to go on record that according Hare, “you do not have to live in the district”. Hare affirmed that he did not say that and will not go on the record. There was a bit more discussion over the meaning of “reside” and “living”. Houck and Schilling ended the topic and moved on to the next item.

Approving the commissioner minutes from December 30, 2021 was skipped per Auditor’s request. The minutes were not ready and will be approved on the January 18, 2022 Commissioner meeting under Old Business.

**OLD BUSINESS 2021:** None

**SELECTION OF COMMISSION CHAIRPERSON 2022:** Holgard nominated Schilling, Mohr nominated Houck, Jungwirth seconded Mohr’s nomination. Two votes for Houck and one vote for Schilling. Rollcall vote for Houck as Commission Chairperson; Holgard: Nay; Mohr: Aye; Jungwirth: Aye; Houck: Aye and Schilling: Aye. The motion was adopted.

**SELECTION OF COMMISSION VICE CHAIRPERSON 2022:** Mohr nominated Schilling, Houck seconded Mohr’s nomination. Houck moved and Holgard seconded for a nomination cease. Voting, Aye 5; Nay 0. The motion was adopted.

Convene as Walworth County Commission

**HIGHWAY:**

Holgard moved and Mohr seconded to approve highway rates for 2022. Voting, Aye 5; Nay 0. The motion was adopted.

**DESIGNATION OF COUNTY NEWSPAPERS:**

Holgard requested to add Hoven Review to the official county newspapers. Mohr moved and Holgard seconded to approve the following newspapers as the 2022 Official County Newspapers, Mobridge Tribune, Selby Record and Hoven Review. Voting, Aye 5; Nay 0. The motion was adopted.

**DESIGNATION OF COUNTY DEPOSITORY:**

Houck moved and Holgard seconded to approve the following Banks as the 2022 Official County Depositories, Bankwest, Wells Fargo, Great Western and Dacotah Bank. Voting, Aye 5; Nay 0. The motion was adopted.

**COMMISONER SALARY:**

Mohr moved and Houck seconded to approve the 2022 Commissioner Salaries at $10,743.46. Rollcall vote; Holgard: Aye; Mohr: Aye; Jungwirth: Aye; Houck: Aye and Schilling: Aye. The motion was adopted.

**LIST OF SALARIES OF OFFICERS AND EMPLOYEES:**

There was some discussion by Holgard regarding the number of hours of the Sheriff’s department. Auditor Cagnones explained that the hours are on the Sheriff’s WC 2022-04 Resolution.

Jungwirth moved and Mohr seconded to have the complete list of the salaries of officials and employees published.

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

**RESOLUTIONS:**

Houck moved and Holgard seconded to approve WC 2022-01 Resolution to Establish Election Official fees.

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

Houck moved and Holgard seconded to approve WC 2022-02 Resolution to Establish Election fees allowed by Funeral Director. Rollcall vote; Holgard: Aye; Mohr: Aye; Jungwirth: Aye; Houck: Aye and Schilling: Aye. The motion was adopted.

Mohr moved and Jungwirth seconded to approve WC 2022-03 Resolution to Establish salaries of elected officials. Rollcall vote; Holgard: Aye; Mohr: Aye; Jungwirth: Aye; Houck: Aye and Schilling: Aye. The motion was adopted.

Houck moved and Jungwirth seconded to approve WC 2022-04 Resolution to Establish number of and compensation of Sheriff’s Department. Holgard had a few questions regarding the number of part time employees and the total amount of part time hours allowed. Sheriff Boll and Auditor Cagnones clarified. Rollcall vote; Holgard: Aye; Mohr: Aye; Jungwirth: Aye; Houck: Aye and Schilling: Aye. The motion was adopted.

**CLAIMS APPROVED:**

Holgard moved and Holgard seconded to approve the claims as presented. Rollcall vote; Holgard: Aye; Mohr: Aye; Jungwirth: Aye; Houck: Aye and Schilling: Aye. The motion was adopted.

**COMMISSIONERS:** Farm & Home Publishers – 2022 Plat Books, n$375.00; Northeast Council of Govts – 2022 Dues, $9356.11; SD Counties – ARP Consulting Fees, $2,000.00.

**ELECTIONS:** Election Systems & Software – DS200/EXPVOTE, $1,75.00

**COURTS:** LexisNexis – Subscription/Dec 2021, $614.00

**AUDITOR:** Connection Point – Replication/Backup, $75.00; Midco – Internet Service, $22.58

**TREASURERS:** Midco – Internet Service, $22.57

**STATES ATTORNEY:** Kristi Brandt – Transcripts, $251.20; Midco – Internet Service, $22.57

**COURT APPT ATTNY:** Kristi Brandt – Transcripts, $17.00; Cogley Law Office – Services and Fees, $1,013.20; DPLS – Services and Fees, $2,119.50; Mark Kroontje – Services and Fees $1,960.20

**CHILD AND ABUSED:** Kristi Brandt – Transcripts, $239.00; Sara Zahn – Transcripts, $35.60

**COURTHOUSE:** City of Selby – Water & Sewer @Courthouse, $278.04; Kens Western Lumber -Supplies, $16.71

**DOE:** Midco – Internet Service, $22.57; Schneider Geospatial LLC – System Support, $3,600.00; Data maintenance, $16,268.00; Shorty’s One Stop – Gas, $37.58; Vanguard Appraisals – Service Fee, $1,100.00

**ROD:** Midco – Internet Service, $22.57

**SHERIFF:** Agtegra – Holding trailer heating fuel, $677.29; AT&T Mobile – Cellphone Service, 296.74; FEDEX – Express Services, $10.41; MDU – Gas/Electric, $668.55; Slater Oil – Bulk Gas, $1,357.30; Yankton Co Sheriff’s Office – papers Served, $50.00.

**SHERIFF:** Brianna Jorgenson – Transport Reimbursement, $11.06; Cardmember BW – License Plate, $9.30; Cleaning Supplies, $3.46; Gas, $564.60; Hotel Room, $84.75; City of Selby – Water Service @ Jail, $59.89; Water @ Holding Trailer, $63.99; Connecting Point – Monthly Storage, $263.00; Cynthia Bauer – Transport Reimbursement, $10.09; Dax Johnson – Transport Reimbursement, $10.09; Justin Bentz – Transport Reimbursement, $10.09; Midco – Internet Service, $22.57; Pennington County Jail – Transport Services, $150.02; Rochelle Forget - Transport Reimbursement, $52.52; Ronny Troyer - Transport Reimbursement, $25.34; Selby Oil – 2012 Tahoe Oil Change, $46.50; 2020 Explorer Oil Change, $52.00; 2020 Durango Oil Change, $55.50; Slater Oil – Bulk Gas, $5,640.00; Uniform Center – Carries, $1,048.00; Western Comm – Radio Maintenance, $22.40

**JAIL:** Beadle County – Adult Boarding 162 days, $12,960.00; Brown County Sheriff – Juv Boarding 3 Days, $855.00; Cardmember BW – Inmate Meals, $79.04; Edmunds County Sheriff – RX Supplies, $28.84; Mobridge Regional Hospital – Jail Medical, $1,0810.91; Roberts County – Adult Boarding 1 Day, $90.00; Juv Boarding 32 Days, $6,400.00; Senior Nutrition Center – Inmate Meals, $127.50; Winner Family Drug – RX Supplies, $17.00

**EXTENSION:** Midco – Internet Service, $22.57

**RD & BR:** Agtegra Coop – Gas T-132, $75.15; Gas T-7, $113.95; Diesel T-6 $143.73; Diesel L-800, $356.79; Diesel P-100, 868.58; Butler Machinery – Parts $4,867.22; City of Java – Water Service @ Java Shop, $18.00; City of Mobridge – Water Service @ Mobridge Shop, $49.23; City of Selby – Water Service @ Selby Shop, $66.48; Floyd’s Truck Center – Parts, $145.10; Kens Western Lumber – Supplies, $24.00; Matheson Tri-Gas – Acetylene Tank Rental, $45.88; Mobridge Hardware – Supplies, $24.90; MDU – Electric Service @ Mob Shop, $27.46; Electric Service @ Selby Shop, $261.34; electric Service @ State Shop, $20.50; Shorty’s One Stop – Gas, $893.23; Slater Oil – Heating Propane @ Java Shop, $46.75; Heating Service @ Selby Shop, $1,224.30; Venture COMM – Phone @ Java Shop, $46.75; Internet @ Selby Shop, $68.94; Phone @ Selby Shop, $165.96; Western Comm – Radio Maintenance, $135.90

**EMERGENCY & DISASTER:** Mobridge Hardware – batteries, $14.99; Dewey County Treasurer – Alert Sense Fees, $500.00; 2022 Dues, $4,000.00

**SOLID WASTE:** Capfirst Equipment Finance – Compactor Installment, $144,406.52; Jensen Rock & Sand – Scale Usage/Dec 2021, $64.00; Mobridge hardware – Supplies, $39.56; Runnings Supply – Supplies, $289.98; SD Dept of Environment – Solid Waster Surcharge, $944.68; Servall – rentals, $30.06; Western Comm – Radio Maintenance, $9.30.

**SDACO M&P FUND –** M&P REMITTANCE, $224.00

**PUBLIC FORUM:** No one.

**SHERIFF:**

Houck moved and Holgard seconded to approve a .50 cent hourly wage increase for Darrell Griese who completed his 90-day probationary period. Rollcall vote; Holgard: Aye; Mohr: Aye; Jungwirth: Aye; Houck: Aye and Schilling: Aye. The motion was adopted.

**LANDFILL:** Kent Mauck discussed the cost of roll offs at $41.00. Mauck said that he now pays double for tires, mattresses, etc. He is willing to pay $30.00 instead of $41.00. Hauck said that he is paying for weight and then extras. A motion cannot be made since it was posted as discussion only. May need to discuss and act on a future commissioner meeting.

**OLD BUSINESS:** None

**NEW BUSINESS:**

Holgard mentioned that he is waiting on a call from SBI which will say what can be done and what cannot be done regarding a jail. Holgard is still working on grants.

**ADJOURNMENT:**

Holgard moved and Houck seconded that the Board of County Commissioners adjourn until the hour of 9:00 am January 18, 2022. Voting Aye: 5; Nay: 0. Motion was adopted.

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**SCOTT SCHILLING, VICE CHAIRPERSON**

**ATTEST:**

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**MARCIE KELLER, DEPUTY AUDITOR**

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