**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session on June 10, 2022, at 9:00 a.m. at the County Courthouse. Members present were: Jim Houck, Duane Mohr, Kevin Holgard, Scott Schilling and Justin Jungwirth. Also present was Auditor Debbie Kahl. Linda Beaman and Denise Centeno were present from the public.

The Pledge of Allegiance was recited by those in attendance.

Chairman Houck called the County Commission meeting to order.

**MINUTES**

Chairman Houck called for a motion to approve the April 19, 2022 and April 21, 2022 meeting minutes. Commissioner Mohr moved to approve the minutes of April 19, 2022. Commissioner Schilling seconded. Motion carried. Commissioner Jungwirth moved to approve the minutes of April 21, 2022. Commissioner Mohr seconded. Motion carried.

**APPROVAL OF AGENDA:**

Chairman Houck entertained a motion to approve the agenda. He added an entry to Discuss/Act to add Brenda DeToy to the e-banking account for Register of Deeds and to Discuss/Act on Poor Relief. Commissioner Holgard moved to approve the agenda as amended. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**CLAIMS:**

Chairman Houck requested a motion to approve the claims as presented. Commissioner Schilling questioned the salary paid to Penny Goetz. Commissioner Mohr stated that she received the same pay that Lewus Morgan got. Auditor Kahl said Lewus was paid $16.45 the $1.50 raise that was given to everyone by the commission resulting in the current wage paid to Penny. Commissioner Schilling was understood that she should be getting paid the same as the rest of the deputies here in the courthouse. He thought that’s the way it was set up. Commissioner Schilling feels that her wage should be dropped to what the other deputies and secretaries are getting. He thinks the raises have happened without anyone knowing about it. Commissioner Schilling said he would make a motion to drop her raise unless somebody could show him that $17.95 is what she should be getting paid. Commissioner Holgard said the wages should have been in the minutes when she was hired. Chairman Houck said he did not recall discussing wages when we hired her. Commissioner Holgard asked Auditor Kahl if she could go back and check that. She said she would try to find time. The motion made by Commissioner Schilling was not acted on. Commissioner Mohr suggested that a payment to Heartland waste had been paid out of the wrong account. Commissioner Mohr made a motion to approve the claims with the adjustments discussed. Commissioner Jungwirth seconded. Commissioners Holgard and Schilling reiterated that they both would still like more information on Penny Goetz. Roll Call Vote: Holgard – yes; Mohr – yes; Schilling – yes; Jungwirth – yes; Houck – yes. Motion carried.

A&B BUSINESS - surcharge, contract base & usage - $1380.25; AFLAC – employee paid premiums - $1252.91; AGTEGRA COOP – gas, diesel - $24669.57; AT&T MOBILITY – phones - $463.39; ALLIED CLIMATE PROFESSIONALS – air conditioners - $37500; ARGUS DENTAL – employee paid premiums - $2753.53; KRISTI BRANDT – transcripts - $$151.61; BOWDLE SCHOOL – electricity tax - $3227.02; BUTLER MACHINERY – parts - $1019.22; CAM-WAL ELEC COOP – electronics - $62.41; CARDMEMBER SERVICES – car washes, gas, certified mail, meals, hotel room, spring conference - $16.88; COGLEY LAW OFFICE – court appt attorney $$3653.48; CONNECTING POINT – mileage, printer, remote support, back up, hard drives, tripp lite, computer, troubleshooting - $2260.30; CRAWFORD TRUCKS & EQUIP – parts - $66.84; DAKOTA GLASS & ALIGNMENT – 2017 Explorer - $ 600.99; DAKOTA RADIO GROUP – AD - $40.00; DEPT OF HEALTH – lab tests - $500.00; DOMINICK W DINIZ - $30.92; DS SOLUTIONS – test deck for election machine - $385.00; ELECTION SYSTEMS & SOFTWARE – election supplies - $330.20; FAMILY PHARMACY - prescription - $20.00; GALLS LLC – shipping, gloved, caps - $63.54; GAS & GOODIES – gas - $100.18; GRAHAM TIRE – 2017 Explorer - $642.48; GREAT WESTERN TIRE tires - $399.85; GTC AUTO PARTS – shop supplies, tools, parts - $257.87; CHRISTOPHER HAAR – court appt attorney - $3116.35;HALFILE MAINTENANCE - $321.20; HEARTLAND – garbage, grass - $210.00; HIGH POINT NETWORKS – connection Zuercher$1377.50; CITY OF JAVA – water - $18.00; JEFF JENSEN – car wash - $14.00; JENSEN ROCK & SAND – cold mix - $492.80; JOHN DEERE FIN – parts - $152.44; MARK KROONTJE – court appt attorney - $879.30; HOVEN SCHOOL – electricity tax - $3495.16; HOVEN MEDIA INC – clean up days ad, publishing of election information $698.15; - $280.00; KEN’S WESTERN LUMBER – supplies, shop materials - $95.03; MATHESON TRI-GAS – acetylene tank rental - $52.08; MIDCONTINENT COMMUNICATIONS – internet -$158.39; MILLBORN SEEDS – grass seed - $596.00; MILWAUKEE COUNTY – May payment - $10.15; CITY OF MOBRIDGE – water - $49.25; MOBRIDGE-POLLOCK SCHOOL – electricity tax - $6577.20; MOBRIDGE TRIBUNE – clean up days, election publishing, job ads - $1548.06; M & P FUND - $314.00; MDU – electric, gas - $676.03; NAPA CENTRAL – parts - $723.39; NEWMAN TRAFFIC SIGNS – sign overlay - $86.93; OAHE LANDSCAPES - $184.81; GREG PUDWILL – meals, mileage - $181.92; QUILL CORPORATION – toner, office supplies - $1668.77; RAMKOTA HOTEL – DOE school - $385.00; REES COMMUNICATIONS – radio - $200.00; ROESLER TREE SERVICE – weed spraying - $150.00; RUNNINGS – foam, pain, oilt - $48.55; SD DEVELOP CENTER – treatment - $60.00; SD DEPT OF ENVIRONMENT – May tonnage fee - $1136.00; SD DEPT OF LABOR – re-employment tax - $4438.86; SD DEPT OF REVENUE – mentally ill - $611.90; SD POLICE CHIEFS ASSOC – spring conference = $85.00; SEACHANGE PRINT INNOVATIONS - publication ballot & elections - $185.00; CITY OF SELBY – water, late fee – 209.03; SELBY AUTO – parts - $39.85; SELBY OIL – 2013 Tahoe tire repair, used tires - $220.00; SENIOR NUTRITION CENTER – polling place, meals - $202.50; SELBY SCHOOL – electricity tax - $41389.44; SERVALL UNIFORM & LINEN – rags, rugs- $199.01; SHORTY’S – gas - $1164.83; SIOUX FALLS RUBBER STAMP – replacement - $25.90; TASHA ELK NATION - $32.92; TRUX - subscription - #1653.75; UPTOWN MARKET – shop supplies - $28.42; VALLEY TELECOMMUNICATIONS – phone, internet - $121.77; RANDY VOLZKE EXCAVATING – digging out rocks - $500.00; WALWORTH CO CONS DIST – grass seed - $686.55; WEB WATER BOTTLING CO – water, cooler rental – $25.00; WEST RIVER TELECOMMUNICATIONS – VO phone, shop phone - $76.28; WESTERN COMMUNICATIONS – radio service - $167.60

**TREASURER**

Register of Deed Cindy Geier presented requests for a Treasurer’s Trust. She explained the situation for a gentleman from Colorado. He has already paid the back taxes for his mother’s property. Cindy called the gentleman and he presented his case to the commission. He requested to pay $100 per month. Commissioner Holgard explained that if he defaulted on this agreement, he would lose his property. Commissioner Holgard asked him if he agreed to start paying $100 on June 10th and the gentleman said yes. Commissioner Holgard moved to agree to the treasurer’s trust for record #’s 5240 & 5241 for $100 per month starting June 10, 2022. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**STATES ATTORNEY**

Auditor Kahl explained that a stand-alone computer network system that they were using had crashed and they are requesting permission to surplus and destroy it. Our software support company, Connecting Point was able to restore all the data from the old system. They have the old and they will wipe the hard drives clean and destroy it. Commissioner Jungwirth moved to give the States Attorney permission to surplus the system and destroy it. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**POOR RELIEF**

Brenda DeToy presented the board with a request for funeral assistance, case 2022-A1. Brenda has thoroughly checked all the eligibility requirements. Commissioner Schilling made a motion to pay Kesling Funeral Home $2500 for this request. Commissioner Jungwirth seconded. Roll Call Vote: Holgard-yes; Mohr-yes; Schilling-yes; Jungwirth-yes; Houck-yes. Motion carried.

**SHERIFF**

Sheriff Boll requested a $0.50 raise for Rochelle Forget for completing her certification. Commissioner Jungwirth so moved and Commissioner Mohr seconded. Commissioner Holgard questioned what that would bring her salary up to. Sheriff Boll said it would be $20.83 per hour. Roll Call Vote: Holgard-yes; Mohr-yes; Schilling- yes; Jungwirth-yes; Houck-yes. Motion carried.

Sheriff Boll requested permission to surplus an old computer to Connecting Point for the hard drive to be wiped clean and destroyed. Commissioner Holgard moved to give the Sheriff authorization to surplus and destroy the computer. Commissioner Schilling seconded. Commissioner Holgard wondered if there was any correlation to a number of computers seeming to crash all at the same time. Sheriff Boll explained that in his case it was the oldest computer in his office. The Sheriff and the States Attorney are not networked between their offices so there was most likely no correlation between them. All in favor. Aye – 5; Nay – 0. Motion carried.

Sheriff Boll spoke to the commissioners about the Regional Jail meetings that are being held at the state level. Sheriff Boll said the legislators have said that it’s very important that commissioners attend these meetings. Commissioner Holgard questioned whether the legislators really listen. Sheriff Boll assured him that he believes that they are really listening.

Commissioner Schilling informed Sheriff Boll that he has had some complaints from people saying that they don’t think the county roads are being patrolled very effectively. Sheriff Boll commented that now, and for awhile there are only 2 people in the Sheriff’s department and they are doing the best they can, but occasionally they are spread pretty thin. He said he would try to correct some of that.

**HIGHWAY**

Highway Superintendent Gary Byre presented information about approving a Pit Option with Joe Arbach. He is not looking for any action today. He is just providing the commission with information. Mr Arbach is asking for a $.10 raise in royalties. Superintendent Byre has not been able to come to an agreement with Mr Arbach at this time. Superintendent Byre invited any of the commission to call him if they needed any more information.

Superintendent Byre reminded the commission that we have some bid openings scheduled for June 23, 2022 and some of the work the highway crew will be doing between now and when those bids are accepted.

Superintendent Byre spoke to the commissioner about used self-propelled broom for the highway department. He has received some quotes for used brooms. He would like the commission to consider the purchase of a broom as the one we have is very old and at this point we have not been able to get replacement parts.

Superintendent Byre explained to the commissioners that Walworth County cannot do private grading without a request from a taxpayer. At the current time there has not been a request. At the time of a request being made it has to be taken to a public hearing. Auditor Kahl said a gentleman has asked about it. She needs authorization to advertise for a public hearing if we receive a request from the taxpayer. The county will not provide more than 2 hours of routine maintenance per year for private blading. Commissioner Schilling authorized the auditor to advertise for a public hearing if and when we get a request. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**SDML WORKERS COMPENSATION FUND**

Auditor Kahl pointed out two pieces of information that the commission received from the South Dakota Municipal League concerning Workers Comp insurance.

**LIQUOR LICENSES**

Commissioner Holgard brought up the difference in cost between like liquor licenses in the county. They are much higher near Mobridge. Auditor Kahl thought that she remembered that at the time we discussed that the licenses should cost the same as in town as these places run direct competition with the in-town businesses. Commissioner Holgard does not believe there should be any difference in cost for the Campground Lounge and the Mobridge Country Club and the businesses in the rest of the county. Auditor Kahl says there have been some recent changes in the way liquor licenses are handled. She will try to get some more information. He would like to see something put on the next agenda so the commission could act on it.

**REGISTER OF DEEDS**

Commissioner Jungwirth moved to add Brenda DeToy to the e-banking account for the Register of Deeds. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**CANVASS VOTES**

Auditor Kahl prefaced the meeting by saying that she made her biggest mistake early on. We had one spectator. It was explained to the public and to the election workers that the spectators and the staff and workers should not be conversing during the process. She explained that as she was walking by, the spectator asked her a question. She answered the question and continued to walk by, the Deputy Auditor told the spectator that she was not allowed to speak. The spectator told her that she was talking to Debbie and Debbie is the auditor and she can do what she wants to and said to the Deputy, “I don’t know who you are, but you need to shut the hell up.” Auditor Kahl said that she should have called Josh right then and there, and was sorry that she didn’t. The spectator stayed until sometime between 9 pm and 9:30 pm. Shortly after that, Commissioner Holgard called the Auditor’s Office with a complaint about something that was going on with the election. He had heard that Interim Deputy Auditor, Brenda DeToy, who was also a candidate in the election, was opening ballot boxes. This accusation was and is completely untrue. Commissioner Holgard said he called because he just wanted us to know what the complaint was. Auditor Kahl admitted that she was madder than a wet hen, and she was not mad at Commissioner Holgard. She said, in fact, she was still upset over the accusation.

At that point Auditor Kahl handed out poll books and counting tapes for the Commission to review. Commissioner Schilling questioned about a problem with some absentee ballots. Auditor Kahl explained that when they did the re-districting they did not change any precincts. There were approximately 14 people involved in that process. Commissioner Schilling asked if that was ever going to be changed. Auditor Kahl did not think that could be changed until after the General Election in November. Time was spent with the Commissioners comparing the results and the ballot books and the Auditor trying to answer questions. Interim Deputy Auditor Brenda DeToy was also present to answer questions. She was invaluable help during the election process. The Commission and the Auditor’s Office would like to express our appreciation for all the precinct workers and poll workers for their help. It is not easy to find people willing to give up that much of their time for any cause. But thanks to you all, we were able to fill all our spots.

**NEW BUSINESS**

Auditor Kahl explained to Commission that she was very behind on getting the transmittals out to the schools and towns. After talking to Department of Revenue and Legislative Audit she has made the decision to just go ahead and quit worrying about balancing, since we haven’t for years. She hopes to get March and April sent out next week. Everyone at the state has been made aware of the situation, and agrees with the plan. She apologized to the Commission for getting so far behind.

**ADJOURNMENT**

Commissioner Holgard made a motion to adjourn. Seconded by Commissioner Schilling. All in favor: Aye - 5; Nay – 0. Motion carried.

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**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

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**DEBBIE KAHL, AUDITOR**

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