**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session on July 7, 2022, at 9:00 a.m. at the County Courthouse. Commissioners Houck, Holgard, Mohr, Schilling and Jungwirth were all present. Also present was Auditor Debbie Kahl. Also present was Linda Beaman.

The Pledge of Allegiance was recited by those in attendance.

The meeting was called to order by Chairman Houck.

**APPROVAL OF AGENDA:**

Commissioner Mohr moved to approve the agenda. Commissioner Schilling seconded. Commissioner Holgard requested to add discussion and possible action on liquor licenses. All in favor: Aye-5; Nay -0. Motion carried

**CLAIMS:**

Commissioner Holgard questioned the claim for county nurse services, wondering if any of that comes back to the county through the grant agreement with the Mobridge Hospital. Auditor Kahl does not think so. It’s just a cost that the county pays for the County Nurse services. Commissioner Schilling to approve the claims as presented. Commissioner Holgard seconded. Roll Call vote: Holgard – yes, Mohr – yes, Schilling – yes; Jungwirth – yes. Houck – yes. Motion carried. Auditor Kahl pointed out that elections are expensive, and to make the point there is over $10,000 paid out to the election workers who assist the county in the election process. Commissioner Mohr asked if the bill from John Stefanich would be compensated by insurance. Auditor Kahl stated that she did not know and that he would have to ask Sheriff Boll. Roll Call Vote: Holgard – yes; Mohr – yes; Schilling – yes; Jungwirth – yes; Houck – yes. Motion carried.

AGTEGRA COOP – gas, fuel, cylinder fill - $6785.07; AT&T MOBILITY – phone service - $453.91; PATTI BAUMANN – election work - $100.00; LINDA BEAMAN – election work - $100.00; BEADLE FORD – 2017 Explorer, 2019 Charger parts & repair; $280.63; BROWN COUNTY SHERIFF – prisoner boarding - $4350.00; ARLYS BROWN – election work - $254.75; AUDREY BEITELSPACHER – election work - $254.50; BRITTNEY BONEN – election work - $262.78; JOLINE BUECHLER – election work - $144.64; BUTLER MACHINERY – parts - $1022.48; TERESA CADMAN – election work - $100; CENTRAL DIESEL SALES – repairs, parts - $4693.49; KODY CONLON – election work - $261.10; COGLEY LAW OFFICE – crt appt atty - $691.30; COLEMAN LAW – crt appt atty - $789.25; BRENDA DETOY – mileage to & from polling places - $64.18; CARDMEMBER SERVICE – stamps, hand sanitizer for polling places, sales tax - $773.98; DENISE CENTENO – election work - $262.80; CONNECTING POINT – support contracts , offsite backup, back up & replication - $11436.18; DAKOTA GLASS – labor, oil, 2012 Tahoe - $61.73; DAKOTA FLUID POWER – parts - $4.97; DIANE DROOG -election work - $195.00; ELECTION SYSTEMS & SOFTWARE – election supplies - $2652.66; AUDREY LESMEISTER – election work - $296.00; LAUREL BERENS – election work - $268.68; JACQUELYN FIEDLER – election work - $212.50; PAMELLA FISHER – election work - $187.50; SHEILA FREY - $194.22; CINDI FRITZ – election work - $75.00; GTC AUTO PARTS – parts - $78.54; CAROL GODKIN – election work - $246.00; DOROTHY HETTICH – election work - $227.50; KIM HOERNER – election work - $210.00; DARLA HOLLENBECK – election work - $204.30; CITY OF JAVA – water Java shop - $18.00; JENSEN ROCK & SAND – cold mix - $940.60; JOHN DEERE FINANCIAL – parts - $2.22; HOVEN MEDIA – minutes, election ads - $455.33; LOU ANN INGLE – election work - $238.00; KEN’S WESTERN LUMBER – supplies - $7.00; FAYE KRONE – election work - $235.96; MARK KROONTJE – crt appt atty, abused child, - $3327.57; MDU – gas, electricity - $1221.76; SHIRLEY MASTELLAR – election work - $246.88; MATHESON TRI GAS – cylinder rental - $50.40; BONITA MAY – election work - $305.04; MERKEL’S FOODS – rolls - $27.79; MOBRIDGE HARDWARE – safety paint - $31.99; CITY OF MOBRIDGE – water Mobridge shop - $49.24; MOBRIDGE PIT STOP – gas - $93.03; MOBRIDGE REGIONAL HOSPITAL – labs, jail medical, county nurse - $38327.00; MOBRIDGE TRIBUNE – business cards - $79.88; JESSE PARSONS – certificates - $40.00; PFITZER PEST CONTROL – courthouse, jail pest control – $165.86; PRINCIPAL LIFE INSURANCE - $807.41; GREG PUDWILL – conference meals, registration - $377.00; MCLEOD’S PRINTING & OFFICE – office supplies - $1059.28; MIDCONTINENT COMMUNICATIONS – internet – $158.39; DONNA PFITZER – election work - $241.00; PHEASANTLAND INDUSTRIES – shirts - $93.03; QUILL – office supplies - $86.16; JUDY RABENBERG – election work - $220.00; LEO ROOKEY – post office box rent - $45.00; RUNNINGS – supplies - $98.58; JOSEPH SCANNIELLO – 3 lights for courthouse - $95.82; LINDA SCHANZENBACH – election work - $229.30; GLADYS SCHILLING – election work - $261.88; CITY OF SELBY – courthouse, jail trailer & Selby shop water, - $799.66; SELBY AUTO SALES – parts - $75.57; SELBY RECORD – statewide ad, job ads - $552.50; SHANNON SCHLOMER – election work - $212.50; SENIOR NUTRITION CENTER – prisoner meals - $202.50; DONNA SHERWOOD – election worker - $220.00; SHORTY’S – assessor gas, - $44.31; SD DEVELOPMENT CENTER – developmentally disabled - $60.00; CATHERINE SPIRY – election work - $212.50; SERVALL UNIFORM & LINENS – mops, mats - $68.10; STATELINE DESIGNS – embroidery & digitizing polos - $139.29; EMILY STIEGELMEIER – election work - $100.00; GARY STREET – election work - $233.50; JOHN STEFANICH – 2013 Tahoe parts, labor & repairs - $6455.77; TASC participation fee - $177.90; TEAM LABORATORY CHEMICAL – dry graphite - $475.00; TRANSSOURCE – repair & maintenance - $154.20; UNIFORM CENTER – glove pouch, belt keeper, headset - $229.94; VANGUARD APPRAISALS – annual contract - $6750.00; VALLEY TELECOMMUNICATIONS – Landfill phone - $117.25; RUTH VAN ORMAN – mileage conference - $74.76; VENTURE COMMUNICATIONS – phone, internet - $269.59; VERIZON – GPS - $42.28; BILL WAECKERLE –

election work - $282.86; REBECCA WALTH – election work - $272.38; WEB WATER BOTTLING CO – rent, water & cups - $94.25; WESTERN COMMUNICATIONS – radios - $167.60; BECKY WHITLOCK – election work - $288.20; DYLAN ZABEL – deputy workshop - $74.42;

**PUBLIC FORUM**

Linda Beaman spoke concerning the conversation from the last two meetings concerning the wage of Penny Goetz. Ms Beaman stated that she thought the commission should make sure of their facts before they bring up a subject like this in a meeting. She stated several meetings where the history of this subject. She thought this subject could have been resolved with a little research before it was brought before the public. Commissioner Schilling asked Ms Beaman what her point was. Ms Beaman asked why the commission has such a problem with paying a part time person a little higher wage because we actually save money by not paying any benefits. She would like to see part time help offered a little more pay so we don’t have to pay

benefits. She also questioned why the elected and appointed officials were left out of the raise that the other employees received earlier in the year. Commissioner Holgard said that there is a big difference between elected and appointed officials. He said the only control the commission have over elected officials is with the approved budgets. Commissioner Mohr commented that he didn’t believe they are able to raise the wages of the elected officials until after an election. Chairman Houck commented that he couldn’t speak for all the elected officials but most of them wanted their employees to get the raise even if they themselves had to forego it. Ms Beaman asked if the commission could tell her how this was going to affect the budget in the upcoming years. The commission said they did not have that number right off the top of their heads. Ms Beaman said that by her projections it would cost the county around $200,000. She questioned where we were going to find that money. Chairman Houck said we are able to use some of the money from the CARES act to supplement that raise. Ms Beaman said that given the conversation concerning Penny Goetz the last couple of meetings did not give current employees or potential applicants much confidence in working for Walworth County. She asked the board to start working together for the good of the county. Ms Beaman told the commission she thinks the public deserves answers to the questions that are asked. She asked Commissioner Schilling if he had any answers and he replied that he did not have to answer her questions and asked the Chairman if we could move on. Commissioner Holgard told Ms Beaman that he would be more than happy to talk with her after the meeting but at this time we needed to move on.

**APPROVE MINUTES**

Commissioner Holgard moved to approve the Equalization Minutes of 04-21-2022. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Commissioner Schilling moved to approve the minutes of 5-3-2022. Commissioner Holgard seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Commissioner Holgard moved to approve the minutes of 5-10-2022. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried

**AUDITOR**

Auditor Kahl informed the commission that we had received official notice from SDSU that Katie Gregg has been hired as the 4-H Youth Group Advisor and that she will be starting July 22, 2022.

Auditor Kahl informed the commission that the Veteran’s Service Officer that had applied and accepted the position had decided to stay in his prior position after being offered a substantial raise. She told the commission that we now have another applicant. She asked the commission if they wanted to have acting Veteran’s Service Officer Leo Rookey handle the process on this applicant. Commissioner Holgard mentioned that even though he is on the

Veteran’s Service Board, he has not been called on any of the applicants. Auditor Kahl said she would talk to Leo Rookey and ask him to call Commissioner Holgard.

Auditor Kahl told the commission she hadn’t advertised for a Deputy Auditor position for some time. She would like to advertise again, with the goal being hiring someone to come in soon to learn as much as possible from our Consultant Sylvia Chapman, so that they could possibly take the position of Auditor. Auditor Kahl said she would be more than happy to step down as Auditor and take up the position of Floating Deputy for all the offices again. The commission agreed that advertising for the position would be fine.

**PUBLIC HEARING**

A 2nd hearing to discuss and act on the Maintenance of Private Roads was held. Auditor Kahl presented a copy of the request of the taxpayer who is requesting the private road maintenance. Commissioner Holgard moved to approve the Maintenance of Private Roads. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**LIQUOR LICENSE**

Commissioner Holgard said he would like all the county liquor licenses to cost the same. The malt beverage licenses are all the same. Commissioner Holgard explained that most of these licenses have both on and off sale licenses. Commissioner Holgard moved to have all the liquor licenses in the county be the same price. Commissioner Schilling seconded. Auditor Kahl asked Commissioner Holgard to state the amount to be set. Chairman Houck mentioned that he thought any liquor licenses in the 3-mile radius of Mobridge be priced the same as Mobridge licenses being that they are basically in the city. Commissioner Holgard stated that these liquor establishments are only open a few months out of the year. Chairman Houck stated that we have no control over

that. Auditor Kahl said that it appeared that the Campground Lounge and the Mobridge Country Club paid $2200. Commissioner Holgard moved to that the liquor licenses be $300 for everyone. He thinks we are hampering other businesses from coming into the county. Ms Beaman questioned if this was something we needed to check out and Commissioner Holgard said he had talked to Gene Cox, Mobridge Mayor, about it. Roll Call Vote: Holgard – yes; Mohr – yes; Schilling – yes; Jungwirth – yes; Houck – no. Motion carried.

**HIGHWAY**

Superintendent Byre has hired a new employee at the highway department. He told the commission that the starting salary will be $20.16 with a $0.50 increase after successful completion of a 90-day probationary period. His first day of work will be July 18, 2022.

Superintendent Byre discussed the contracts for Jensen Rock & Sand and of Wm Scepaniek/Matt Arbach. The contracts have been completed and will be sent out for signatures. Superintendent Byre had been working with Matt Arbach’s attorney to protect our inventory from legal actions that may happen.

He explained to the commission that when he advertised for the asphalt surfacing he had an intention of doing 10 miles. But because of the increased cost of oil, it appears that the mileage may have to be cut, possibly to 6 miles. He does not feel that the contractors will care to participate in a mile here and a mile there. It appears that areas on the Sitka Road, Web Water Road and the Cahill Road will be worked on. Superintendent Byre cautioned the commissioners that the budget was going to be tight. He hopes that we have enough inventory on hand. He has a few options that he will explore.

Superintendent Byre requested permission to advertise for a used semi tractor. He had a notice to bidders and bid specs for examination and would like them to go to the paper today. We will be having a July 26 meeting at 10:00 to open bids. This will not be an official meeting but the public is invited to attend. Legislative Audit would like us to recognize who will be at this meeting. Superintendent Byre, Auditor Kahl, Chairman Houck and Commissioner Schilling will be present at the meeting. Superintendent Byre has set a bid amount of $125,000 maximum. Commissioner Schilling moved to authorize the advertising. Commissioner Holgard seconded. All in favor: Aye –

5; Nay – 0. Motion carried. .

**SHERIFF**

Sheriff Boll requested an executive session for a personnel matter as per SDCL 1-25.2(2). Commissioner Schilling moved to enter into executive session at 10:04 am. Commissioner Holgard seconded. All in favor: Aye – 0, Nay – 0. Motion carried.

The Board came out of executive session at 10:34. No action was taken.

Commissioner Holgard requested a discussion concerning the Sheriff’s Office. Commissioner Holgard has examined the March and April transport reports. There is an employee who apparently is going around saying that they have a full-time job with the county and a full time job in Mobridge because they don’t get enough transport hours. He noticed that one transport officer had 104 hours. He says many others are lucky to have 40 transport hours but they are getting paid to be on call. Every pay period they are getting paid for 40 hours per week. He also

stated that a resolution that had been adopted allowed 2700 hours for part-time transport hours for 2022. He commented that as of June 1, 2022 we were a little over 2200 hours. He asked the rest of the commission what we are going to do about that resolution. He feels that something needs to be done. Chairman Houck thinks that we need to remember that if the office is short full time transport officers, then there are going to be more part time transport hours. Commissioner Jungwirth pointed out that at this time we only have one full time male transport

officer. Sheriff Boll explained that at this time we are paying full time transport officers for being on call to secure the positions. Commissioner Holgard questioned whether we act on that change in resolution now or do we wait until he goes over the hours and do something then. Commissioner Holgard’s suggestion is that we go back to the attorney general’s opinion that whoever makes the arrest transports to the jail. He believes that will save the Sheriff and the County a substantial amount of money. Chairman Houck said his understanding was that when the Sheriff

secured the holding cells in Mobridge that made Mobridge the designated jail for the county. Sheriff Boll explained that we were required to hold arrested individuals with mental health problems or over a designated point for blood alcohol need to be held here in Walworth County until they are at a stage where other jails will accept them. Commissioner Schilling asked the sheriff is probably around 90% of those arrests are coming out of the city of Mobridge. He feels that Mobridge holds the responsibility for these prisoners. He feels that would take a lot off the county. Sheriff Boll posed the scenario to the commission that if that were to happen, and that the only holding type

cells in the county are in Mobridge, there is a possibility that Mobridge would tell the county they would not be allowed to use the cells any longer. Commissioner Jungwirth feels that maybe we should be holding a discussion with the City of Mobridge. Commissioner Schilling does not feel that the county transporting prisoners for Mobridge should never have happened. He feels that the city is getting a very good deal from the county. Sheriff Boll pointed out that he needs secure detention for those holds. Chairman Houck asked what we would do if tomorrow Mobridge called and said we couldn’t use them anymore. Sheriff Boll said he didn’t know. He’s already

had to sit on prisoners here in the courthouse in his office because those cells in Mobridge were already full. He says that’s a problem because this courthouse and his office are not places where that is a safe thing for everyone. Linda Beaman questioned whether there would be a possibility of compromising with Mobridge that they would haul the less complicated holds. Sheriff Boll said he would line something up with Mobridge for a discussion. He asked which of the commission would be interested in being part of that. Commissioner Jungwirth pointed out that

in such a discussion he would be sitting with the City of Mobridge and the Mobridge Police Department. Commission Holgard would like to see this put on the meeting for the next agenda.

**OLD BUSINESS**

Commissioner Schilling would like to find out some more information about the Bieber house down at New Evarts

and the culvert issue before States Attorney resigns. Chairman Houck said he knew that Penny Goetz had been called to do a deposition about the culvert.

Ms Beaman requested a follow up on her discussion with the board in Public Forum. She would like to know if the issue with Penny Goetz has been settled. Chairman Houck said that issue was settled and that Penny Goetz’s salary would remain at what she was hired at. She also wanted to clarify that none of the elected officials and appointed officials never said in a meeting that they did not wish to have the raise. She would just like the commission to try to stick to factual information.

**NEW BUSINESS** Commissioner Schilling reminded the commission that he was going to the jail meeting in Brown County on September 20, 2022 and that he intended to speak. Auditor Kahl questioned whether they wanted it made public that there may be more than two commissioners present at that meeting. The board agreed they should do that.

Commissioner Holgard questioned when we are going to start working on budgets. Auditor Kahl stated that it had to be soon. She commented that she will get the numbers to everyone, but that she was absolutely not going to vouch for any of the numbers that we will be working on.

Auditor Kahl gave the commission information on the cost of advertising the States Attorney position in the Statewide Ads. She asked if the commission wanted to run it again. Commissioner Schilling felt like the contact should be someone other than the States Attorney. The commission said maybe we should just have the Auditor be the contact person. Commissioner Holgard suggested contacting another States Attorney close to see if they would be interested. The rest of the commission thought it would be OK to check. Commissioner Schilling mentioned that there are a lot of counties that share States Attorney’s. They agreed we should run the statewide ad again. Maybe even nationwide.

**ADJOURNMENT**

Commissioner Holgard moved to adjourn. Commissioner Schilling seconded. All in favor: Aye – 5, Nay – 0. Motion carried.

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**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

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**DEBBIE KAHL, AUDITOR**

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