**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session on July 19, 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.

The Pledge of Allegiance was recited by those in attendance.

The meeting was called to order by Chairman Houck.

**APPROVAL OF AGENDA:**

Commissioner Holgard moved to approve the agenda. Chairman Houck added discussion on CAFO’s. Commissioner Mohr seconded. All in favor: Aye-5; Nay -0. Motion carried

**EXECUTIVE SESSION**

Commissioner Holgard moved to go into executive session regarding a personnel matter as per SDCL 1-25.2(2) at 9:05 a.m. Commissioner Schilling seconded. All in favor: Aye – 5, Nay – 0. Motion carried.

The board came out of executive session at 9:30 a.m. No action was taken.

Chairman Houck recessed as County Commission.

**PLANNING & ZONING**

Commission convened as Planning & Zoning Board.

Planning & Zoning Director Greg Pudwill requested authority to publish a change of re-zoning classification. Commissioner Mohr so moved. Commissioner Schilling seconded. Director Pudwill stated there will be 2 readings. The first reading will be at 9:05 a.m. on August 16, 2022.

Commission Holgard questioned whether we are going to go through some of the zoning ordinances and see if we need to address anything new coming up.

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

Commission reconvened as Walworth County Board of Commissioners.

**PUBLIC FORUM**

No one cared to speak at Public Forum. Chairman Houck announced that we were going to go back to the time limit of 5 minutes for anyone caring to speak during public forum. He said we would not address anything that is not on the agenda and that it is not a debate session.

**CLAIMS:**

Commissioner Schilling moved to approve the claims. Commissioner Jungwirh seconded. Roll Call Vote: Holgard – yes; Mohr – yes; Schilling – yes; Jungwirth – yes; Houck – yes: Motion carried.

AFLAC – employee paid premiums - $1287.36; AMI MANAGEMENT – jail medical - $90.25; HOWARD ANASTASIA – mileage, subpoena - $46.67; ARGUS DENTAL – dental insurance employee pd - $179.41; AUDRA HILL CONSULTING – mental hold - $53.49; BEADLE COUNTY – prisoner boarding $4480.00; JUSTIN BENTZ – gas, meals - $166.91; JOSH BOLL – car wash - $14.00; KRISTI BRANDT – transcripts - $20.40; BROWN COUNTY SHERIFF – prisoner boarding - $5895.00; CAM WAL – fuel pump repair, electricity Hoven, electricity landfill - $1924.10; CARDMEMBER – phone protection, gas, certified mail, carwashes, inmate meals - $1534.61; COGLEY LAW OFFICE – ct appt atty - $2613.80; CONNECTING POINT – offsite backup, service, - $208.00; JOHN DADY – MTP meeting - $50.00; DAKOTA RADIO GROUP – jobline - $150.00; EDMUNDS COUNTY – prisoner boarding - $150.00; DOUG FRITZ – election work - $74.40; CHRISTOPHER A HAAR – crt appt atty - $1624.15; FIRE SAFETY FIRST – annual maintenance -$50.00; ROCHELLE FORGET – meal - $13.50; FOX & YOUNGBERG – mental health hearing - $199.11; GALLS - shipping, boot, safety vest -$383.34; GAS N GOODIES – gas - $76.74; DARRELL GRIESE – meals - $26.01; HEARTLAND WASTE : – garbage, grass - $210.00; HOVEN COOP – tire repair, gas diesel - $4825.65; MARK KATTERHAGEN – mental health hearing - $15.00; KEN’S WESTERN LUMBER – shop supplies - $80.99; KLJ ENGINEERING – professional services - $16490.00; KOLETZKY LAW OFFICE – crt appt council - $208.00; MARK KROONTJE – ct appt atty, child defense - $2882.10; LEWIS & CLARK BEHAVIORAL – mental illness client - $184.00; LEWIS FAMILY DRUG – jail prescription - $14.19; LUCY LEWNO – mental board hearing - $166.53; DARCY LOCKWOOD – mental health hearing - $15.00; MCLEOD’S OFFICE - office supplies - $336.92; MH EQUIPMENT CO – parts - $315.99; LADEAN MOAK – MTP meeting - $50.00; MDU – electricity Java, - $26.61; MOBRIDGE PIT STOP – gas - $257.01; MOBRIDGE TRIBUNE – meeting minutes, public hearings, legal notices, job ads, embossers, bids - $2401.74; PENNINGTON CO JAIL – transport - $69.43; CHELSEA PRASEK – meals - $14.16; PREMIER EQUIPMENT – blade - $75.57; QUILL – office supplies - $45.27; REDWOOD TOXICOLOGY LAB – cups - $139.50; RUNNINGS – parts - $50.98; JOSEPH SCANNIELLO – meals - $5.91; DEAN SCHAEFER COURT REPORTING – mental health board - $30.00; SCHILLING EXCAVATION – refund easement dep - $1000.00; SD DENR – June tonnage fee - $1184.05; SD DEPT OF REVENUE – mental illness - $600.00; SD PUBLIC HEALTH LAB – tests - $80.00; SD STATE TREASURER – excise tax - $36.06; SELBY OIL – 2019 Charger - $60.00; SELBY RECORD – minutes, public hearings, bids - $1470.82; SENIOR NUTRITION CENTER – inmate meals - $240.00; SERVALL UNIFORM & LINEN – utility towels, mop, mats, sawdust - $205.74; SHORTY’S – gas - $865.10; AARON SWAN & ASSOCIATES – material testing - $150.00; THOMSON REUTERS – law books - $24.69; DARYL THOMPSON – MTP meeting - $50.00; KALA TROYER – meals - $15.75; RONNY TROYER – meals - $14.87; VENTURE COMMUNICATIONS – phone, fax - $502.14; WEB WATER DEVELOPMENT – June water - $47.34; WEB WATER BOTTLING CO – water rental - $43.75; WEST RIVER TELECOMMUNICATIONS – Veteran’s phone, Mobridge shop - $81.46; CITY OF WINNER – fuel charge, guard fee, load fee, transport, courtesy hold, prisoner boarding - $4743.99; WINNER FAMILY DRUG – jail prescriptions - $39.58; WINNER REGIONAL HOSPITAL – jail medical - $72.86; YANKTON COUNTY TREASURER – service of papers, mental health hearing - $227.50;

**AUDITOR**

Auditor Kahl requested travel permission on August 4, 2022 for Deputy Blanco and possibly herself for a one day meeting in Pierre concerning elections. Commissioner Jungwirth moved to approve the travel. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Auditor Kahl informed the Commission that they have forms to fill out concerning the Fall Convention. She asked that they be filled out by the next meeting. She has rooms reserved at the Ramkota in Pierre for September 11 & 12, 2022. She would like to know who is interested in going so she can cancel rooms that we do not need. Commissioners Holgard, Schilling and Houck said they are all planning on going.

Auditor Kahl advised the commission that the budget information she has currently available is in their packets.

**LANDFILL**

Auditor Kahl explained that Landfill Bookkeeper Penny Goetz sent in the fuel quotes that she has and that she would like to keep the commission informed when she puts out bids for fuel and the bids that she received. 650-800 gallons #2 dyed diesel fuel: Slater Oil - $4.29; Agtegra - $4.83. She said they normally take the lower bid and asked that these be put in the minutes.

Commissioner Mohr provided the commission with a list of rates for the Landfill that they are requesting a raise in tipping fees for. The intention is to raise these rates as of January 1, 2023. They are requesting that MSW rates be raised from $41.00/ton to $43.00/ton. Rubble rates to be raised from $30.00/ton to $32.00/ton. Air conditioner/Dehumidifiers be raised from $7.00/ea to $10.00 ea. These raises are involved with the man/hours involved in handling this waste and also the rising costs of fuel.

States Attorney Jamie Hare joined the meeting.

**HIGHWAY**

Highway Superintendent Byre presented the board with his June monthly reports. Commissioner Holgard asked whether they normally present their fuel quotes to the board like the Landfill did this meeting. Superintendent Byre said they had just called for quotes yesterday and he will report back to the board when he receives them.

**SHERIFF**

Sheriff Boll is requesting a new starting wage for Deputy Sheriff. The new wage will be $22.25, with a $0.50 raise after the 90-day probationary period bringing the wage to $23.25. He is requesting that it be effective immediately. Commissioner Schilling asked if Sheriff Boll had checked with other counties to see what their pay scale is. Commissioner Jungwirth said that the $22.25 is going to put us on a comparable level with surrounding counties. Commissioner Holgard questioned if the county does not receive any applications from this pay raise, is Sheriff Boll going to ask for another raise, or when does this request stop. Chairman Houck said he thought it would quit going up when we get someone to apply for the job. Sheriff Boll said we have to start somewhere in hopes to get applications.

Sheriff Boll requested a hiring bonus for new employees starting immediate. He is suggesting a $4000 bonus, with $1000 being for moving expenses. Then there would be $1500 paid after the first 2 years and another $1500 after 4 years. He is also suggesting a 4-year contract for new deputies. Sheriff Boll said if that’s approved today it would start with new hires. He is asking for it today so he can advertise the bonus.

Commissioner Mohr stated that we have lost 3 deputies to other counties for higher wages, so he is moving to raise the starting wage for deputies be raised from $20.83 to $22.25 with a $0.50 increase after a probationary period. Commissioner Jungwirth seconded. Commissioner Mohr stated that he would like to recognize that we are not the only county having problems finding new employees. Commissioner Holgard wondered if there are any other reasons than the wage that people are not applying here. Auditor Kahl stated that she had a potential employee for the deputy auditor position but the 90-day waiting period for insurance was the reason she did not apply. Chairman Houck added that as a side note our Sheriff’s department has an average of 6.2 requests for services a day. He believes that is a lot for 1 Sheriff and 1 deputy. Commissioner Holgard again asked where we stop and Chairman Houck said we stop when we get the position filled. Roll Call Vote: Holgard – yes; Mohr – yes; Schilling – no; Jungwirth – yes. Houck – yes. Motion carried.

The hiring bonus came under discussion again. Commissioner Jungwirth said that he was not only thinking that the hiring bonus should be just Sheriff’s deputies, but for any new hires in the county. Commissioner Mohr said he spoke with the highway superintendent and learned that he was not in favor of this. He feels like it is not fair to someone who has worked here for a long time. There was discussion about each office coming and requesting it for new hires if they desired. Commissioner Holgard wants to know where the hike in wages and bonuses up so high, where the money is coming from, where is it going to stop and what do we do when we are broke? He asked Sheriff Boll if the new wage and the bonuses were reflected in the budget numbers they just got. Sheriff Boll said the wages were, but not the first $1500 bonus because that’s two years out. Commissioner Holgard is still concerned as to where the money is coming from. Commissioner Schilling asked if other counties are doing the bonuses. Sheriff Boll stated that he has seen other counties and other entities that run 24 hours a day 7 days a week do this. Sheriff Boll told the commission that if he loses his remaining deputy, he cannot run the office by himself. Commissioner Schilling said that even if we have to go into executive session, he wants Sheriff Boll to tell the commission why employees are leaving. Auditor Kahl told the commission the reason one person left out of each the assessor’s and auditor’s offices is because the commission was always talking about cutting jobs and cutting people and cutting wages. And she believes that most of the employees in the county do not feel appreciated. Again, Commissioner Holgard asked what do we do when we are out of money. Sheriff Boll said he knows that we are in a financial bind but questioned what he’s supposed to do to keep his department running in the meantime. Commissioner Holgard said he tried to bring up a solution by having the arresting officer take prisoners to the jail. Sheriff Boll said he is trying to set up a meeting between the city of Mobridge and the county to discuss this subject. Commissioner Holgard said having the arresting officers transport their own prisoners could save the county $300,000. Sheriff Boll thinks this commission should be much more active in fighting for the county sales tax at the state level. Commissioner Schilling said he would vote against the Bonus issue because he does not feel it is fair to people already hired this year. He feels that if we are going to start this it should be started at the beginning of the year. Commissioner Schilling understands that it could be an enticement to someone who is considering applying but he still feels that it is not something that should be decided in the middle of the year. It was decided to table the issue for now and discuss it further during budget conversations. Commissioner Holgard told the Sheriff, if the meeting with Mobridge is on Thursday or Friday is after 4:00 pm he will be unable to attend.

**EXECUTIVE SESSION**

Commissioner Holgard moved to go into executive session regarding a personnel matter as per SDCL 1-25.2(2) at 10:20 a.m. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

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

Chairman Houck asked if we needed to advertise that there could be more than 2 commissioners present at the meeting with Mobridge. Sheriff Boll will let the commissioners know when he has the meeting set up with the city of Mobridge. States Attorney Hare thinks that we should post that there may be more than 2 commissioners present because Commission Jungwirth will probably be there, even though he would be there as Mobridge Law Enforcement.

**BUDGET**

Auditor Kahl informed the board that she had included budget information for them to go over. She will try to get more numbers for them, but told the board we need to have another meeting about the budget before our next regular meeting.

**CAFO**

Chairman Houck reminded the board that we extended the permits for the CAFO an extra year. He said our ordinances plainly say that they can only have one year of extension, which they had for 2021. Auditor Kahl reported that as of Monday of this week, the CAFO has still not filed a permit with the state, and she felt that when they were in asking for the extension, they indicated the filing of the permit with the state was imminent. Commissioner Jungwirth agreed saying he understood that is why they were asking for the extension. Auditor Kahl also said they have not paid for the extension at this time and that they were told of the charge at the time of the hearing. Commissioner Schilling said he had spoken with Jeremy Hoffman not very long ago and was under the impression that they were getting everything done. Commissioner Houck said he feels that they have had more than ample time. Auditor Kahl said everything we have done involving this CAFO seems to have had to be done in a hurry, from the beginning, with the original permitting, the first extension and now this one, and yet here we sit. Commissioner Holgard suggested putting the subject on the agenda for the next meeting and give them a chance to come in and talk to us again. Commissioner Schilling moved to withdraw the extension on the conditional use permit if the state permit has not been filed by August 2, 2022. Commissioner Mohr seconded. Commissioner Houck wondered how much time we are going to give them. Auditor Kahl requested to clarify this asking if we do not have a DENR permit filed by August 2, 2022 their Conditional Use Permit extension will be withdrawn? Commissioner Schilling said yes. All in favor: Aye – 5; Nay – 0. Motion carried.

**BUDGET**

Chairman Houck said we will have a meeting Tuesday, July 26, 2022 at 9:00 a.m.to discuss the provisional budget.

**OLD BUSINESS**

Commissioner Mohr said he wanted to discuss a little further the previous discussion about the wage of Penny Goetz. He feels she was treated poorly. Most of what happened with this situation happened in 2021. Former Landfill Manager Becky Krein hired Lewus Morgan to work at the landfill part time. When Becky Krein departed Lewus was hired full time and given the position of bookkeeper and office manager, and that is when he was given the $0.50 an hour raise. Penny Goetz was hired in February of 2022 at the same wage that Lewus was making. Commissioner Mohr feels that Penny Goetz is owed an apology for the public discussion involving her wages. He feels like it was a bad deal and that a simple phone call to Penny Goetz could straighten it up.

**NEW BUSINESS**

Commissioner Schilling agrees with the statement that Chairman Houck made at the beginning of the meeting concerning Public Forum. He believes that Linda Beaman should not have put “stuff like that in the paper”. He does not feel that it was right. Commissioner Houck said the commission is only 5 people trying to do their best. They all realize they are not perfect. He feels if people have something to say they should call the commissioners prior to the meeting. He does not feel we should spend our time at meetings arguing about something.

Commissioner Schilling thanked Commissioner Mohr for straightening out the wage issue about Penny Goetz.

States Attorney Hare asked how the commission wanted people from the CAFO notified of the issue about the meeting on August 2, 2022. It was decided that Planning & Zoning Director Greg Pudwill will attempt to get hold of Jeremy Hoffman.

Commission Holgard asked States Attorney Hare what the status of tax deed properties was. States Attorney Hare and the treasurer have met and are moving forward. He says we should get the taxes wiped off the properties that are being taken. He also talked about a tax deed property taken a while ago, owned by Rhett Albers, that the county had agreed to deed to the city. He has not done that transfer yet, but he wanted to make sure that is still what the commission wanted to do. The commission agreed that is what they still intended. We need to make sure that the taxes and assessments are wiped off of this property, also. Auditor Kahl told the commission she had just learned that when we sell a tax deed property, we need to split the proceeds of the sale just like we do for regular property tax, to the county, school and city, etc.

**ADJOURNMENT**

Commissioner Holgard made a motion 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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