**WALWORTH COUNTY COMMISSION MEETING**

**MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in regular session on September 08, 2022, at 9 am. at the Walworth County Courthouse. Members present were: Jim Houck, Duane Mohr, Kevin Holgard, and Justin Jungwirth. Commissioner Schilling was present by phone. Also present were County Auditor Debbie Kahl, Denise Centeno, Linda Beaman, Scott Schanzenbach, Roger Hirsch and LaDean Moak.

The Pledge of Allegiance was recited by those in attendance.

Chairman Houck convened as the Planning & Zoning Board.

He requested a motion to approve the agenda. Commissioner Holgard so moved and Commissioner Jungwirth seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Auditor Kahl said someone has signed for Public Forum and they would like to speak on Planning & Zoning. Denise Centeno wanted to speak to the board on Solar Energy. She wanted to remind the Commission about the rolling blackouts in California. She is not in favor of Solar or Wind Farms and would like the Commission to consider what they are doing to Walworth County.

**GOLDADE VARIANCE HEARING**

Planning & Zoning Director Pudwill explained the variance request from Shannon Goldade. He told the Board that the grain bin she was requesting the variance for is not far enough from the right of way. Commissioner Houck feels like it’s a little late to be having this hearing as they already have the concrete poured. He wondered if we intend to follow our ordinances or just pick and choose which ones we want to tend to. Linda Beaman requested and was granted permission to speak. She feels the Board may be setting a precedent. Commissioner Holgard explained how he had talked to Shannon about a building permit and a building permit was issued. Director Pudwill said Shannon had requested the building permit the day before the concrete was being poured. The dirt work had already been done and she assured Pudwill that the set back was adequate. When Shannon left the office, Pudwill went to the site and measured the setback, finding that it was not adequate. Commissioner Holgard feels that most of the taxpayers are not aware of what the ordinances contain. Auditor Kahl said there is no reason for that as the ordinances are and have been available to read on the County Website, walworthco.org. They have been there since the ordinances were adopted in 2017. There was extensive discussion concerning permits and penalties. Auditor Kahl feels there would not have been a problem with the variance at all if she had gotten her building permit in a timely manner. Commissioner Holgard stated that he will be abstaining from voting on this subject. Director Pudwill stated any vote will need a 2/3 vote of the Board. Commissioner Schilling moved to approve the variance. Commissioner Holgard seconded the motion just so it could go to a vote. He reiterated that he would be abstaining from the vote. Roll Call Vote: Schilling – yes; Mohr – no; Jungwirth – no, Houck – no, Holgard – abstained. Motion failed. Commissioner Jungwirth asked if it were possible to revisit this issue after they have all had some time to think it over. Commissioner Holgard feels there will be a lot of lawsuits coming up over this same issue. The Board decided this will be revisited on a future date. Commissioner Schilling left the meeting at this point. The Board addressed the 2nd reading of a zoning classification change near New Evarts. Commissioner Holgard moved to approve the rezoning. Commissioner Mohr seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Jungwirth – yes, Houck – yes. Motion carried. Commissioner Mohr moved to authorize the publishing of the adoption of the zoning classification change. Commissioner Jungwirth seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Jungwirth – yes; Houck – yes. Motion carried. Commissioner Holgard brought up a discussion concerning Solar Energy Farms. He feels we should look at this as a possibility to bring money into the county. He feels that we need to address these situations in our ordinances. He presented some options to the rest of the Board. Denise Centeno suggested that the Board look up and see what a solar farm looks like. Chairman Houck feels like we need to set up a committee to make decisions about what the ordinances would contain before we set up any public hearings. He will get a committee put together to study this further. Commissioner Holgard moved to adjourn as Planning & Zoning Board. Commissioner Jungwirth seconded. All in favor: Aye – 4; Nay – 0. Motion carried.

Chairman Houck convened as Walworth County Commission.

Commissioner Holgard moved to approve the agenda. Commissioner Mohr seconded. All in favor: Aye – 4, Nay – 0. Motion carried.

Chairman Houck stated that the Planning & Zoning Board denied Shannon Goldade’s variance request and has agreed to revisit this at another time.

Commissioner Houck moved to approve the zoning classification change as requested by the Planning & Zoning Board. Commissioner Jungwirth seconded. All in favor: Aye – 4, Nay – 0. Motion carried.

There was no one present who cared to speak in Public Forum.

**CLAIMS**

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

AFLAC – employee paid insurance - $1252.91; AGTEGRA – supplies, maintenance - $5270.74; ARGUS DENTAL – employee paid insurance - $1669.58; AT&T MOBILITY - $433.03; AVERA PHARMACY – prescriptions - $605.84; MISTY BLANCO – workshop - $51.66; KRISTI BRANDT – transcripts - $25.60; BRIDGE CITY SMALL ENGINE – generator repair - $81.05; BUTLER MACHINERY – parts - $1407.94; CAM – WAL ELECTRIC – electricity - $244.62; CENTRAL DIESEL SALES – maintenance - $2572.38; COGLEY LAW – court appointed attorney - $4241.60; COLEMAN LAW - court appointed attorney - $1075.00; CONNECTING POINT - backups, support - $75.00; DACOTAH BANK – office supplies, stamps, repairs, travel, sales tax - $2626.12; DAKOTA GLASS - repairs, maintenance - $613.66; EDMUNDS COUNTY – inmate boarding - $150.00; ELIZABETH GABBERT - services - $26.30; DAN FOX – mental illness hearing - $111.75; DAVE’S WELDING & REPAIR – labor - $100.00; GREAT WESTERN TIRE - tires - $1143.00; GTC AUTO PARTS - parts - $419.70; HEARTLAND WASTE – garbage removal - $150.00; HOVEN MEDIA – minutes, notices - $927.45; CITY OF JAVA – water - $18.00; JENSEN ROCK & SAND – hot mix - $1965.60; KEN’S WESTERN LUMBER – supplies - $12.49; VAL LARSON – mental illness hearing - $6.00; DARCY LOCKWOOD – mental hearing - $6.00; MARK KROONTJE – court appointed attorney - $2348.39; MARCO - copy machine rental; supplies, election - $258.57; MCLEODS – office supplies - $698.92; MDU – electric, easement - $1718.25; MENARDS – repairs, maintenance - $50.67; MIDCONTINENT COMMUNICATIONS – internet services - $135.76; MIDWEST PUMP & TANK – pump - $223.90; CITY OF MOBRIDGE – water - $49.27; MOBRIDGE HARDWARE – key box – $32.99; MOBRIDGE PIT STOP – gas - $198.07; MOBRIDGE REGIONAL HOSPITAL – drug testing - $216.00; NAPA – supplies - $50.36; MOBRIDGE TRIBUNE – publishing - $819.02; M&P FUND - $160.00; NORTERN PLAINS MACHINE – repairs, maintenance - $1825.00; OFFICE OF WEIGHTS & MEASURES – scale inspection - $103.00; BRANDON PETERS – subpoena, mileage - $119.96; PREMIER EQUIPMENT – supplies - $298.80; PRINCIPAL LIFE INSURANCE - $695.24; PRODUCTIVITY PLUS – Titan machinery - $172.95; QUALITY QUICK PRINT – plaque - $45.00; QUILL – office supplies - $385.86; RIPLEY FUNERAL HOME – burial - $2500.00; CHARLES ROBBINS – property tax refund - $2851.86; RUNNINGS - supplies - $234.39; SD DANR – landfill tonnage fee - $1064.77; SD DEVELOPMENTAL CENTER – service - $60.00; SD DEPT OF LABOR – late fees - $25.00; SD DEPT PUBLIC SAFETY – teletype service - $2340.00; SD DEPT REVENUE – vital records - $137802.76; SD SHERIFF’S ASSOC – fall conference - $230.00; CITY OF SELBY – water - $1413.77; SELBY AUTO – supplies, maintenance - $570.76; SELBY RECORD – publishing - $1766.17; SENIOR NUTRITION SITE – inmate meals - $360.00 ; SERVALL LINEN - supplies - $180.42; SLATER OIL – propane, fuel - $5269.50; STATELINE DESIGNS – shirts, embroidery - $166.41; SHORTY’S – gas - $1767.76; TASC – insurance participant fee - $188.80; THOMSON REUTERS – law books - $24.69; VALLEY TELECOMUNICATIONS - phone - $114.82; VENTURE COMMUNICATIONS – phone service - $284.16; VERIZON – COMPACTOR GPS - $47.28; VON WALD LAW – juvenile court appointed attorney - $1408.18; WEB WATER BOTTLING – water - $81.50; WEB WATER DEV - water - $43.44; WELLMARK BLUE CROSS BLUE SHIELD – insurance - $26227.69; WEST RIVER TELECOMMUNICATIONS – phone service - $90.16; YANKTON CO SHERIFF – services, mental illness hearing - $147.20;

**MINUTES**

Commissioner Mohr moved to approve the minutes of 06-23-22. Commissioner Jungwirth seconded. All in favor: Aye – 4, Nay – 0. Motion carried. Commissioner Jungwirth moved to approve the minutes of 7-7-2022. Commissioner Mohr seconded. All in favor: Aye – 4, Nay – 0. Motion carried.

**4-H YOUTH ADVISOR**

4-H Youth Advisor Katie Gregg updated the commission on some interesting things coming up in her office. She has an entomologist coming from Pierre to teach the kids about insects. This will be held at Lake Hiddenwood. Bea Goetz will be holding a class to teach the kids some life skills. Katie is holding a Stop The Bleed program at St John’s and that is for kids and their families. Doria Hirsch and the Mobridge Hospital will be helping with this program. She reported that Achievement Days went well. She told the Board that she would be attending the State Fair. She said we now have 57 active 4-H members in Walworth County. Commissioner Holgard asked if the shooting sports had been continued. She told the board that Callie Jo and Jess Schilling are in charge of that because they know the program well. She will be attending a Leaders Meeting this evening.

**CURT RAWSTERN**

Curt Rawstern, representing North Central 911 came before the commission. North Central 911 are re-doing their bylaws. Walworth County is one of the founding members of 911. They require a motion from this county to approve Potter County, McPherson County, Campbell County, Sioux County, and Harding County as voting members. The original 4 members are Perkins County, Edmunds County, Corson County and Walworth County. Commissioner Holgard so moved. Commissioner Jungwirth seconded. All in favor: Aye – 4; Nay – 0. Motion carried.

**HIGHWAY**

Superintendent Byre was not present. Auditor Kahl explained to the Commission that we needed to do an automatic supplement to the highway of $24000 due to a Rural Access Infrastructure Agreement Grant that has been received and spent. Commissioner Mohr moved to approve the automatic supplement. Commissioner Jungwirth seconded. All in favor: Aye – 4, Nay – 0. Motion carried.

**EMERGENCY MANAGEMENT**

The Emergency Manager was not present. Auditor Kahl explained to the Commission that we have received $10228.50 from Ziebach County to supplement his salary for his War Hawk position. This would be an automatic supplement. Commissioner Jungwirth moved to approve the automatic supplement. Commissioner Mohr seconded. All in favor: Aye – 5, Nay – 0. Motion carried.

**AUDITOR**

Auditor Kahl requested permission to pay routine bills, like electricity, water, insurance, that need to be paid on time to avoid late fees. She told the commission that the bills would still show on the claims. Commissioner Holgard asked if the departments would still go through the individual departments first. Auditor Kahl said that procedure would not change. Commissioner Mohr moved to allow the auditor permission to pay routine bills. Commissioner Jungwirth seconded. Commissioner Holgard asked for a list. Auditor Kahl explained that she would designate to the commission which bills had been paid before they have seen them. Roll Call Vote: Holgard – yes, Mohr – yes, Jungwirth – yes, Houck – yes. Auditor Kahl said there are things we need to talk about concerning health insurance. She requested a 30-day waiting period instead of the 90 day wait. Our 90 day wait puts people out of the open enrollment that is allowed for a new employee for 30 days. And she believes it does prohibit some people from being able to accept a job at the county. This means the personnel policy would have to be changed. Commissioner Holgard mentioned that it was changed because of the hassle involved when we are gaining and losing employees so fast. Auditor Kahl informed that we will have 2 agents coming to the next meeting to give the commission proposals for 2023. Commissioner Holgard feels that we should wait until after we talk to the agents. She said she is working on trying to get our insurance on a fiscal basis instead of running from December 1 to November 31. It looks as though that will be possible. The commission agreed to meeting with the two insurance agents on September 20, 2022. We will discuss the waiting period on that date also. Auditor Kahl told the commission about Operation Green Light for Veterans to honor the veterans in our county. Auditor Kahl asked for the Chairman to have permission to sign the cyber security with Connecting Point so that it is ready to start January 1, 2023. Commissioner Holgard so moved. Commissioner Jungwirth seconded. All in favor: Aye – 4, Nay – 0. Motion carried. Auditor Kahl requested the Commission to sign the new Public Health Contract with Mobridge Regional Hospital. Commissioner Holgard so moved. Commissioner Mohr seconded. Motion carried. Commissioner Holgard approved Auditor Kahl signing the Agent of Record paperwork on August 24, 2022. Commissioner Jungwirth seconded. All in favor: Aye – 4, Nay – 0. Motion carried. Auditor Kahl presented a Memorandum of Understanding for SD Opiod Agreement. Commissioner Mohr moved to give the Chairman permission to sign the agreement. Commissioner Jungwirth seconded. All in favor: Aye – 4; Nay – 0. Motion carried. The auditor requested authorization to advertise for a budget supplement. These are supplements that have been found in our research that should be done in order to get our internal records straightened out. This public hearing would be held September 20, 2022. Commissioner Mohr moved to give the Auditor permission to do this advertising. Commissioner Jungwirth seconded. Motion carried. Auditor Kahl requested clarification as to who is going to the conference next week. Linda Beaman wondered why 2 commissioners were going on Sunday night and the rest going on Monday morning. Auditor Kahl explained that if anyone is on a state committee those meetings are held on Sunday.

**SHERIFF**

Sheriff Boll presented the commission with a list of surplus property that he is requesting permission to surplus and sell the items. Commissioner Jungwirth so moved. Commissioner Holgard seconded. Commissioner Holgard asked how the Sheriff was planning to sell them. Commissioner Holgard asked where all the guns came from. Sheriff Boll said that his office has transitioned to 9mm pistols because of the availability of ammunition. Commissioner Mohr asked what the procedure was to buy a gun. Sheriff Boll explained that you would come to his office to purchase the one you wanted and it would have to be paid for at the Treasurer’s Office. All in favor: Aye – 4, Nay – 0. Motion carried. Sheriff Boll also informed the Commission that he had talked to Jensen Rock & Sand concerning the demolition of the old jail. They quoted him $75000 to $100000.

**PROVISIONAL BUDGET**

Auditor Kahl requested a motion to add $45,000 to the Landfill Budget for closure/post closure. Commissioner Mohr so moved. Commissioner Jungwirth seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Jungwirth – yes, Houck – yes. Motion carried. She requested a raise in the M&P of $4000 . Commissioner Holgard so moved. Commissioner Mohr seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Jungwirth – yes, Houck – yes. Motion carried. Commissioner Holgard asked Sheriff Boll if there was any possibility that we could avoid buying a new vehicle in 2023. Sheriff Boll said he would get back to Commissioner Holgard on that subject. Auditor Kahl requested to raise the Elections Budget by $15000. Commissioner Mohr so moved. Commissioner Jungwirth seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Jungwirth – yes, Houck – yes. Motion carried. Auditor Kahl reminded the commission that we have to adopt the budget by October 1st.

There being no old or new business, Commissioner Holgard moved to adjourn. Commissioner Mohr seconded. All in favor: Aye – 4, Nay -0. Motion carried

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Jim Houck, Chairperson

ATTEST:

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Debbie Kahl, Auditor