

April 21, 2022

**WALWORTH COUNTY BOARD OF COMMISSIONERS  
MINUTES OF PROCEEDINGS**

The Walworth County Board of Commissioners met in scheduled session on April 21, 2022, at 9:00 a.m. at the County Courthouse. Members present were: Jim Houck, Duane Mohr, Kevin Holgard and Scott Schilling. Also present were States Attorney Jamie Hare and Auditor Debbie Kahl, and Linda Beaman.

The Pledge of Allegiance was recited by those in attendance.

Chairperson Houck called the County Commission meeting to order.

**APPROVAL OF AGENDA:**

Chairman Houck entertained a motion to approve the agenda. Commissioner Mohr so moved. Commissioner Holgard seconded. All in favor: Aye-4; Nay - 0. Motion carried.

**MINUTES APPROVED:**

Chairman Houck said he would entertain a motion to approve the minutes of April 7, 2002. Commissioner Holgard so moved and Commissioner Schilling seconded. All in favor: Aye - 4; Nay - 0. Motion carried.

**EXECUTIVE SESSION:**

Chairman Houck called for a motion to go into an executive session pursuant to SDCL 1-25.2 (1). Commissioner Schilling so moved. Commissioner Holgard seconded. All in favor: Aye-4; Nay-0. Motion carried. The Board went into executive session at 9:05 a.m.

Commission came out of executive session at 9:40 a.m.

**CLAIMS APPROVED:**

Commissioner Mohr moved and Commissioner Schilling seconded to approve the claims as presented. All in favor: Aye-4; Nay-0. Motion carried/

**COMMISSIONERS:** Marco Inc - copier usage contract - \$23.58; Mobridge Tribune - commission minutes 2-5-22 - \$280.29, commission minutes - 3-3-22 - \$144.96, commission minutes 3-15-22 - \$318.46; notice of county BGT meeting - \$13.23; SDPAA - liability insurance - \$3189.72; Selby Record - notice of Public Hearing BGT - \$20.74, Commission minutes 2-15-22 - \$349.92, commission minutes - 3-3-22 - \$186.62, commission minutes 3-15-22 - \$397.74; TASC - participant fee - \$122.26;

**ELECTIONS:** Marco Inc. - copier usage contract - \$10.92; SDPAA - liability insurance - \$398.71; Barbara Wager - juror fees - \$50.00;

**AUDITOR:** Marco Inc. - copier usage contract - \$37.45; Venture Communications - phone & fax service - \$78.11;

**TREASURERS:** Marco Inc - copier usage contract - \$11.15; Venture Communications Coop - \$91.39;

**STATES ATTORNEY:** Quill Corporation - office supplies, paper - \$191.50; Shaina Huffman - mileage, subpoena - \$30.92; Venture Communications - phone & fax service - \$83.70;

**COURT APPT ATTN:** Dakota Plains Legal Service - court appointed attorney - \$5943.25; Mark Kroontje - court appt attorney fees - \$2356.24

**ABUSED CHILD DEFENSE:** Cogley Law Office Prof LLC - juveniles - \$2341.90; Von Wald Law Offices LLC - juvenile - \$252.50

**COURTHOUSE:** Heartland Waste Management Inc - garbage - \$120.00; SDPAA - liability insurance - \$15948.56; Servall Uniform & Linen - mats, rags & mops - \$52.87

**DOE:** Marco Inc - copier usage contract - \$11.17; Venture Communications Coop - phone & fax service - \$59.60

**ROD:** Marco Inc - copier usage contract - \$11.31; Quill Corporation - office supplies - \$119.77; Venture Communications Coop - phone & fax service - \$65.79

**SHERIFF:** Connecting Point - monthly desktop server, monthly block storage - \$208.00; Dakota Glass & Alignment - 2017 Explorer - \$522.00; Dakota Radio Group - job ad - \$150.00; Marco Inc - copier usage contract - \$11.06; Mobridge Tribune - job ad - \$109.60; Paige Pfeiffer - meal on transport - \$19.76; Pennington County Jail - transport to Hughes Co - \$150.02; SDPAA - liability insurance - \$26315.12; Selby Oil Company - 2017 Tahoe, 2012 Tahoe - \$102.00; Servall Uniform & Linen - sam dust, mat - \$63.18; Slater Oil & LP Gas - 2000 gallons -



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\$7180.00; Tami Hogie-Lorenzen – proctor exams, mileage, 3 participants - \$685.00; Ronny Troyer – transport meals - \$5.16; Uniform Center – patches, shirts - \$157.98;

**JAIL:** Beadle County – 23 days boarding - \$1840.00; City of Winner – 74 days boarding - \$5254.00; Edmunds County Sheriff – 5 days boarding - \$375.00; Hughes County Finance Office – 67.5 \$7912.50; Pennington County Jail – 2 days boarding 0 \$170.00; Sanford – jail medical - \$108.63; Senior Nutrition Center – 6 hot lunches - \$45.00; Tschetter & Holm Clinic PC – medical \$53.73; Uniform Center – shirts & pants - \$453.92; Winner Family Drug – prescription - \$5.00; Winner Pharmacy - \$22.30; Winner Regional Hospital – medical - \$149.28;

**SUPPORT OF POOR:** Venture Communications Coop – phone - \$24.17

**MENTALLY ILL:** Fox & Youngberg PC – mental health hearing - \$199.11;

**DEVELOPMENTALLY DISABLED:** April, May, June - \$180.00

**EXTENSION:** Marco Inc – copier usage contract - \$10.86; SDPAA – liability insurance - \$797.42; Venture Communications Coop – phone & fax services - \$107.12

**WEED & PEST:** Marco Inc – copier usage contract - \$11.63; SDPAA – liability insurance - \$1594.86; Venture Communications – fax services - \$7.68

**PLANNING & ZONING:** Marco Inc – copier usage contract - \$10.99

Western Communications Inc – radios - \$8.80

**RD & BR:** Gary Byre – welder repair - \$106.60; Cam Wal Electric – electricity Hoven shop - \$56.43; Heartland Waste Management Inc – garbage service - \$60.00; Hoven Coop Service Co – tire repair, gas, diesel, propane - \$2927.55; John Deere Financial – cover, filters - \$252.88; Marco Inc – copier usage contract - \$11.20; Mobridge Tribune – advertising - \$66.35; MDU – electricity Java shop - \$39.97; SDPAA – liability insurance - \$22327.98; Selby Auto – fuse, filters, shop supplies, parts, hose clamps - \$118.05; Servall Uniforms & Linen – rags & rugs - \$80.68; Uptown Market – shop supplies - \$29.36; Walworth County Landfill – tire disposal - \$20.00;

**COMMUNICATIONS CENTER:** City of Mobridge – 911 surcharge - \$4741.29

**EMERGENCY & DISASTER:** Dakota Glass & Alignment LLC – 2 windshield wiper blades - \$49.96; Gas & Goodies – gas - \$263.73; IMEG – H & H Study - \$27272.50; Mobridge Tribune – advertising - \$17.85; Rees Communications – shipping, mic - \$186.00; SDPAA – liability insurance - \$1196.13; Selby Record – advertising - \$25.92

**SOLID WASTE:** Cam-Wal Electric Cooperative – electricity - \$315.19; Lewus Morgan – travel meal – \$11.00; Marco Inc – copier usage contract - \$11.15; Napa Central – filters - \$114.57; SD Dept of Environment – March tonnage - \$980.80; SDPAA – liability insurance - \$7974.28; Selby Record – receipt book - \$30.06; Servall Uniform & Linen – rugs - \$30.06 Valley Telecommunications – phone & internet \$114.47; Web Water Development – water - \$51.30; Web Water Bottling Company – water machine rental - \$1.75

**PARTIAL PAYMENTS FUND:** 2<sup>nd</sup> ½ of 2017 - \$702.52; #4017 - \$201.39; #4069 - \$423.13; #5225 - \$295.52

No one cared to speak at Public Forum

Commissioner Jungwirth joined the meeting by phone at this time.

## HIGHWAY

Highway Superintendent Byre presented his budget balance report. The commission had no questions. Discussion was held concerning the use of a Joint Powers Agreement with Jensen Rock & Sand and the City of Mobridge. If the Commission was to approve this Jensen Rock & Sand would perform identical services as those provided in the City of Mobridge's bid on the Sitka Road and Cahill Road. Any modifications to the original bid would be a gray area. In the current bid the contractor furnishes everything and does all the work. Commissioner Holgard asked if that was in the budget. Superintendent Byre said it was in the budget but that it would take away from other projects that had been planned. Commissioner Holgard wondered if an answer could wait until after we open our road oil bids. Chairman Houck speculated that these prices may not be good for that long. Superintendent Byre said the contractor needed an answer to work the project into their schedule. Chairman Houck asked if this was something we could do ourselves and Superintendent Byre said that was an option. Superintendent Byre has reservations about this as some of the equipment needed hasn't been run for some time and the lack of manpower. Superintendent Byre stated that the overall condition of Walworth County is pretty bleak. When asked his opinion, Superintendent Byre opined that we should take the Joint Powers Agreement as he fears prices will only increase the longer we wait. Commissioner Holgard moved to table joining the Joint Power Agreement until after the bids that are to be opened on May 10. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried. Superintendent circulated the contract services with KLJ Engineering and he would like to activate it.



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Commissioner Schilling moved to activate the contract. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Superintendent Byre announced that John Badgely had informed him that he would like to be removed from the Master Transportation Plan Study Advisory Team and would like to see John Dady take his place. Commissioner Mohr moved to remove John Badgely from the Advisory Team and replace him with John Dady. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Chairman Houck said he felt we should go back and redo the motion on the KLG contract with a roll call vote. Roll Call: Holgard- Yes; Mohr- Yes; Schilling – Yes; Jungwirth – Yes; Houck – Yes. Motion carried.

#### **REGISTER OF DEEDS:**

Casi Thomason read her letter of resignation effective June 1. She told the Commission she would do whatever she could to make the transition as easy as possible. The Commission thanked Casi for the job she has done. Commissioner Mohr made a motion to accept Casi Thomason's resignation. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried. A short discussion was held about appointing a new Register of Deeds. A discussion was held that the Commission was contemplating hiring from within so it would not be necessary to advertise the position. It was stated that Brenda DeToy was interested in the position. Auditor Kahl stated that the offices had discussed this and felt that if Brenda was appointed we could work things out so that they could keep moving along. Register of Deeds Thomason stated that the county cannot be without an appointed Register of Deeds. States Attorney Hare stated that we would need to appoint someone to fill that position until January 1 of 2023, when the newly elected Register of Deeds would take office. Commissioner Mohr moved to appoint Brenda DeToy as Register of Deeds to take over when current Register of Deeds Casi Thomason's resignation takes effect. Commissioner Schilling seconded. Register of Deed Thomason asked when Brenda could take the oath. States Attorney Hare felt like this appointment would be sufficient to fill the role of Register of Deeds and the newly elected Register of Deeds would take the oath on January 1, 2023. Roll Call vote: Holgard – Yes; Mohr – Yes; Schilling – Yes; Jungwirth – Yes; Houck – Yes. Motion carried. Casi Thomason has officially hired Brenda Detoy as her Deputy effective immediately. It was approved to add Brenda DeToy to the checking account.

Commissioner Jungwirth left the meeting at this point.

#### **SHERIFF:**

Sheriff Boll was unable to attend the meeting but did provide the Commission with his reports. He asked that if any of the Commission had any questions they call him.

#### **LANDFILL:**

Commissioner Mohr stated that he had spoken with the city of Mobridge and they had agreed on dates May 9 – May 14, 2022 as clean-up week. They will be using the regular landfill hours. This is also the City of Mobridge's clean-up week. Chairman Houck asked if the City of Selby had this also and Commissioner Schilling said that they do and they had spoken with him concerning the dates of the county wide clean up. Commissioner Schilling will let the city know. Commissioner Holgard asked if we were going to allow other entities another time to do this like we did a few years ago. The Commission asked Auditor Kahl if she remembered how that happened for the town of Akaska last year. She explained that she, as Town Board President of Akaska, came in last year and requested extra tonnage of waste for Akaska as Mobridge had requested that the year before and received it. She said last year the clean up had been earlier and that all the summer residents had not yet returned for the summer and so it was granted to Akaska for the month of May last year. Commissioner Holgard thought it would be easier for the Commission if they didn't have to deal with these other things and have the other communities get angry about it. Auditor Kahl pointed out that the reason Akaska had received that last year is because Mobridge got it. Commissioner Holgard would like this conversation to be taken by other communities or entities not to ask for a different time, but to use the week that has been arranged.

#### **STATES ATTORNEY:**

States Attorney Hare requested to surplus to be destroyed a back-up battery that no longer works. Commissioner Schilling made a motion to surplus the back up battery to be destroyed. Commissioner Holgard seconded. All in favor: Aye – 4; Nay – 0. Motion carried.



## AUDITOR

Auditor Kahl announced that she has hired a new deputy, and introduced Misty Blanco to the Commission. The Commissioner welcomed Deputy Auditor Blanco. Auditor Kahl requested permission for herself and the deputy auditor to go to Pierre for a one day meeting concerning the new software that is being developed by Connecting Point for the counties. Commissioner Holgard made a motion to approve the travel. Commissioner Mohr seconded. All in favor: Aye – 4. Nay – 0. Motion carried. Auditor Kahl announced that a one day meeting to teach the Auditor's Office how to run the tabulating and express vote machines would be held in Faulkton and requested permission for herself and deputies DeToy and Blanco be approved for that travel. Commissioner Schilling moved to approve that travel for 3 people in the Auditor's Office to go to Faulkton for training. Commissioner Holgard seconded. Motion carried. All in favor: Aye – 4; Nay – 0. Motion carried. Auditor Kahl requested authorization to advertise for public hearing for liquor license renewals at the May 10 meeting. Commissioner Mohr moved to authorize the auditor to advertise for the public hearing. Commissioner Schilling seconded. All in favor: Aye – 4; Nay – 0. Motion carried. Auditor Kahl informed the Commission that SDSU is now advertising for the Youth Advisor position in Walworth County. She also informed that Commission that payment has been approved for the liability insurance and that she has given the Commissioners the information that she received about the insurance. Auditor Kahl explained that the personnel policy now states that the employees will receive their paychecks on the Friday after the pay period has ended. She requested permission to change the personnel policy to say BY Friday of the week following the pay period instead of ON Friday. Commissioner Mohr moved to allow the changing of the wording in the personnel policy. Commissioner Schilling seconded. Chairman Houck asked what is done if Friday is a holiday. Auditor Kahl explained that since it is direct deposit it is prepared and sent to the bank to be settled by the Friday date. Chairman Houck questioned whether this was a wise decision or not. He feels it may be better for the employees to know exactly what day their check will be coming. Commissioner Houck feels very strongly that a certain date is very important. Commissioner Schilling asked Auditor Kahl if they had held a department head meeting to discuss this. Auditor Kahl said they did not. Commissioner Schilling would rather wait and make a decision after a department head meeting is held. Commissioner Mohr rescinded his motion and Commissioner Schilling rescinded his second. The Auditor had several items for surplus to be destroyed. There were non-working computers, paper cutters that no longer worked, old phones and items like that. Commissioner Schilling made a motion to surplus the items to be destroyed. Commissioner Holgard seconded. All in favor: Aye – 4; Nay – 0. Motion carried.

## OLD BUSINESS:

Auditor Kahl suggested that the board settle on some dates that they would be available, a couple at a time, to meet with Eric Senger from NECOG, to get some answers on how ARPA Funds may be used. Schilling would like to meet with just a couple of commissioners and they can bring the information back to the board. Commissioner Schilling would like to have some wording clarified on the motion for the raise for the employees put on the next agenda. Linda Beaman asked if the wording he had in mind could be seen at this time. He replied that it would be ready at the next meeting. She then asked if there was a pay period between these meetings and Commissioner Schilling said that there was. Commissioner Schilling said he wanted the commission to know that work on the new road into Lake Hiddenwood has been started.

The Commission took a short break.

## EXECUTIVE SESSION:

Chairman Houck said he would entertain a motion to go into executive session regarding a legal matter per SDCL 1-25.2 (3). Commissioner Holgard made the motion and Commissioner Schilling seconded. All in favor: Aye – 4; Nay – 0. Motion carried. The Board entered into executive session at 10:45 a.m.

The Commission came out of executive session at 11:34 a.m.

## ADJOURNMENT





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Chairman Houck said he would entertain a motion to adjourn. Commissioner Holgard so moved and Commissioner Schilling 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

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