**WALWORTH COUNTY COMMISSION**

**REGULAR MEETING**

The Walworth County Commission held a regular meeting on November 03, 2022 in the Commission Chambers at the Walworth County Courthouse. Present were: Jim Houck, Duane Mohr, Kevin Holgard, Scott Schilling, and Justin Jungwirth. Also present was Auditor Debbie Kahl, and Jess Schilling

The Pledge of Allegiance was recited.

**PLANNING & ZONING**

Chairman Houck convened as Planning & Zoning.

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

**Jess Schilling** The Planning & Zoning Board heard a variance request from Jess Schilling for a metal building he placed on his property. There was discussion about the location of the trees at his building site, and about the road directly to the west of his property. Jess had gotten his building permit in May and the original setback was to be 200’ but because of issues with the topography and the soil itself, the building site had to be relocated. The contractor reset his pins, and Jess said he never thought twice about the placement so he told them to go ahead. When Director Pudwill went out to survey the building it was discovered that it did not meet the setback requirements of the zoning ordinances. He told Jess he would have to apply for a variance. Commissioner Holgard moved to approve the variance. Commissioner Schilling seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

**Web Water** Director Pudwill introduced a variance request from Web Water for a pump house. They already have an underground system there. The site is less than 2 acres and the building they want to construct will be 70’ off of 124th St. The land on the site is owned by Darren Beitelspacher and they will be getting a variance from him. At this time we do not know if they have received the variance from the landowner. Commissioner Schilling moved to approve the variance. Commissioner Mohr seconded. Highway Superintendent Byre will issue a 911 address as there are above ground structures in place. It was suggested that the variance approval be contingent on the 911 address. Commissioner Schilling agreed. Superintendent Byre will talk with them about their access. Commissioner Holgard questioned whether we could do this without anything from the landowner. Commissioner Schilling said he thinks that what they want to do is contingent on whether this variance is approved and then they will address it with the landowner. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

Commissioner Holgard questioned where we were at with the committee to be appointed to review the zoning ordinances. Chairman Houck said he was still waiting to hear back from someone.

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

**WALWORTH COUNTY COMMISSION**

Chairman Houck convened as Walworth County Commission.

No one was present for Public Forum.

**AGENDA**

Chairman Houck requested to add approve the minutes from 08-30-2022 and a discussion about the date for the next meeting. Highway Superintendent Byre requested to add discussion/action about a funding agreement with Game, Fish & Parks. Commissioner Holgard moved to approve the agenda as amended. Commissioner Jungwirth seconded. All in favor – Aye – 5; Nay – 0. Motion carried.

**CLAIMS**

Commissioner Mohr moved to approve the claims. Commissioner Jungwirth seconded . All in favor: Aye -5; Nay – O. Motion carried.

AGTEGRA – propane - $542.30; CITY OF AKASKA – apportionment - $1709.15; AT&T MOBILITY – utilities - $446.78; BANKWEST – treasurer - $24.22; BOWDLE FIRE DISTRICT - $202.72; BOWDLE SCHOOL – apportionment - $15278.40; NANCY BROCKEL – labor - $45.00; BUTLER MACHINERY – supplies, parts - $92.60; COGLEY LAW OFFICE – CAA – $1089.20; CONNECTING POINT – antivirus, remote session - $815.00; DAKOTA GLASS – maintenance - $99.95; EDMUNDS COUNTY – inmate boarding - $150.00; CITY OF GLENHAM – transmittal - $1140.24; CHRIS GROSS - CAA - $1492.68; GEOTEK ENGINEERING – ground water monitoring - $5082.80; CORSON/SIOUX COUNTY MESSENGER – publishing - $68.00; HASE PLUMBING – parts - $11.35; HOVEN MEDIA – publishing, elections - $499.67; HOVEN SCHOOL DISTRICT – transmittal - $3074.94; CITY OF JAVA – utilities, transmittal - $2024.44; JAVA FIRE DISTRICT – apportionment - $343.82; MARK KROONTJE – CAA - $3267.51; MDU – utilities - $1219.80; DAKOTA FLUID POWER – supplies - $177.60; DAN MEINKE – CAA forensics -$2487.95; MENARDS – heater - $99.98; MIDCONTINENT COMMUNICATIONS – internet - $135.76; CITY OF MOBRIDGE – 911 surcharge payment, transmittal - $24334.42; MOBRIDGE PIT STOP – gas - $166.35; MOBRIDGE POLLOCK SCHOOL DISTRICT – transmittal - $54794.78; MOBRIDGE REGIONAL HOSPITAL – drug testing - $144.00; MOBRIDGE TRIBUNE – publishing - $1852.13; NAPA CENTRAL – supplies - $59.88; PRAIRIE PIONEER – publishing - $90.45; PRINCIPAL – life insurance - $323.14; RELX INC DBA LEXISNEXIS – law books -$1200.00; RUNNINGS – parts, supplies - $146.40; SANFORD – jail medical - $776.52; WM D. SCEPANIAK – gravel crushing - $120478.58; SCHILLING EXCAVATION – easement refund - $250.00; SEACHANGE PRINT INNOVATIONS – election supplies - $185.00; SD DANR – tonnage fee - $1062.95; SD DEPT GAME FISH & PARKS – predatory animal control - $1286.48; SD DEPT OF TRANSPORTATION - bridge inspection - $1221.35; CITY OF SELBY – utilities, transmittal - $3535.20; SELBY OIL – maintenance, tires - $110.00 $15.00 $1400.00; SELBY RECORD – publishing – $1171.35; SELBY SCHOOL DISTRICT – transmittal - $94842.35; SENIOR NUTRITION CENTER – inmate meals - $52.50; SERVALL – rugs,mops - $213.78; SHARE CORPORATION - Inv # 216068 - $367.84; SHORTY’S – gas - $44.14; SLATER OIL – diesel, fuel - $4550.34; TIMBER LAKE TOPIC – publishing - $100.00; TRANSOURCE – service, parts - $2951.19; UPTOWN MARKET – supplies - $40.86; US BANK – Mobridge School Bond Redemption - $370090; VALLEY COMMUNICATIONS – utilities - $32.98; VERIZON – utilities - $47.28; PETE WEINZIRL – office supplies - $6.75;

**MINUTES**

Commissioner Schilling moved to approve the minutes of August 16, 2022. Commissioner Jungwirth seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Commissioner Mohr moved to approve the minutes of August 30, 2022. Commissioner Jungwirth seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**PLANNING & ZONING BOARD**

Commissioner Holgard moved to approve the variance for Jess Schilling. Commissioner Mohr seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Commissioner Holgard moved to approve the variance for Web Water. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

**HIGHWAY**

Highway Superintendent Byre recommended the commission approve the application to occupy right of way for Venture Communications. The fee has been collected. Commissioner Mohr moved to approve the application of Venture Communications. Commissioner Schilling seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Superintendent Byre presented an application for utility easement for West River Telephone. The current agreement reads that the site shall be visited by the County Commission after completion. Superintendent Byre has requested that it be amended to be visited by the County Highway Superintendent. West River Telephone has been advised of this amendment. Commissioner Mohr moved to approve the application of West River Telephone with the amendment that the site would be inspected by the County Highway Superintendent instead of the County Commissioner. Commissioner Jungwirth seconded. All in favor : Aye – 5; Nay – 0. Motion carried.

Superintendent Byre presented an agreement for County Highway work on the Thomas Bay Road. He also presented cost estimates for that work. Game, Fish and Parks will be paying 100% of the project cost. Superintendent Byre asked for the agreement to be tabled at this present time. Commissioner Jungwirth moved to table the project. Commissioner Mohr seconded. All in favor: Aye -5; Nay – 0. Motion carried.

**SHERIFF**

Sheriff Josh Boll requested a budget supplement hearing for $108,140, mainly with items related to salary. There was a raise in the middle of the year and he has been short-handed. Commissioner Mohr moved to approve authorization to advertise for a budget hearing. Commissioner Jungwirth seconded. The hearing would be held at the first commission meeting in December. All in favor: Aye –5; Nay – 0. Motion carried.

**AUDITOR**

Auditor Kahl asked the commission to lower the waiting period for insurance from 90 days to 30 days. She feels that it would work better with the insurance and that it may help with people accepting employment. She feels that the 90 day period to ask people to go without insurance hinders some potential employees. Commissioner Schilling moved to change the 90 day waiting period for insurance to 30 days. Commissioner Mohr seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

Auditor Kahl also addressed the longevity pay. It was supposed to be $8 for every year that you were employed, or $96.00 a year. That had been divided and given for 24 pay periods instead of the 26 pay periods that we have, paying bi-weekly. There had been a question concerning longevity and in checking the personnel policy it was discovered that the policy says $4 for every pay period and does not mention $96 per year. She just wanted to make that clear to the commission.

The next subject was the HSA policy. In the past the entire amount of the HSA was paid into an employee’s account the first business day of the year. Auditor Kahl thought maybe it would be wiser to pay the agreed upon HSA amount per pay period. She reminded the commission that employees really want to return to that policy. The current HRA has not been very satisfactory to the employees. Chairman Houck suggested we postpone this conversation until we have made the final decision as to the insurance we will have for 2023. She also pointed out that in the personnel policy it says the Commission is entitled to full benefits and asked the commissioners if they wanted to think about changing that. Commissioner Mohr moved to change the wording “full benefit” to “subject to annual review by the County Commission”. Commissioner Holgard seconded the motion. All in favor: Aye – 5; Nay – 0. Motion carried.

Auditor Kahl informed the board that they have until November 14, 2022 to canvass the votes from the general election. Our next regular meeting will not be until the 15th so we can’t wait until then. It was decided that we would hold a special meeting on November 10th to canvass the votes and postpone our next regular meeting until November 22nd.

Auditor Kahl explained to the commission that Rod Fortin from Legislative Audit had been in contact with her. He has offered that he and another auditor would complete our 2020 and 2021 annual reports at a cost of approximately $3500. These need to be completed before the 2022 annua report can be completed. l All in favor: Aye – 5; Nay – 0. Motion carried.

**LIQUOR LICENSES**

Commissioner Schilling moved to approve the liquor license for Mobridge Country Club. Commissioner Jungwirth seconded. All in favor: Aye – 5; Nay – 0. Motion carried.

Commissioner Holgard moved to approve the liquor license for Mudline Adventures. Commissioner Mohr seconded. Commissioner Holgard wished to point out that the operator of Mudline Adventures has been changed to Gary Outtrim. The auditor has paperwork on file indicating this. All in favor: Aye – 5; Nay – 0. Motion carried.

Commissioner Holgard moved to approve the liquor license for Gerald and Tina Thompson. Commissioner Schilling seconded. Commissioner Mohr questioned if they were ever open. Commissioner Holgard said they are during the summer. Commissioner Jungwirth questioned the location of their business. Commissioner Holgard explained that it was at their campground just north of the airport. All in favor: Aye – 5; Nay – 0. Motion carried. Commissioner Holgard pointed out that he believes the county still has one liquor license open. He feels that if we have a request for another liquor license we should have them go to current license holders to see if they are interested in selling theirs before we offer the one we have left. There was some discussion around this subject, including what the county would charge to sell their open license.

**INSURANCE**

Paul Miller and Sheila Rau from Marin-Biel Insurance, Sonja Nordby and Roger Risty from Risty Benefits, and Tonya Schoenhard and Shawn Ford from AFLAC were present and gave lengthy and technical discussions about health and other insurances to the commission. A final decision will not be made until the commission has more time to think about what all they’ve heard today. Auditor Kahl asked the commission to think about being able to offer some voluntary benefits to the part time people.

**OLD BUSINESS**

Commissioner Schilling discussed the mowing of the lots the county owns in Java. He thinks we need to pay the people who took care of those properties this summer. He believes we paid $30 per lot per mowing last year. The auditor’s office will voucher that.

Commissioner Mohr informed the commission that we took over 450 ton of tires in the clean-up offered by the Landfill. He feels that it was a big success.

**ADJOURNMENT**

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

 ATTEST

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CHAIRMAN AUDITOR