**WALWORTH COUNTY**

**COMMISSION MEETING**

The Walworth County Commission met in regular session at 9:00 am on December 6, 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 were Auditor Debbie Kahl and Denise Centeno.

Chairman Houck called the meeting to order.

The Pledge of Allegiance was recited.

**PLANNING & ZONING**

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

**PLAT** Director Pudwill presented a plat for Lot 1 PDMP Addition SW4 30-123-76. Commissioner Schilling moved to approve the plat. Commissioner Jungwirth seconded. Auditor Kahl said she had learned that these plats should be adopted by resolution. There is actually a resolution on each plat and we should pass it using that resolution. Commissioner Schilling and Commissioner Jungwirth withdrew their motion and second. Director Pudwill provided a copy of the resolution that should be used. Commissioner Schilling moved to adopt the resolution. Commissioner Jungwirth seconded. Commissioner Holgard questioned why this one was so different and why it has a resolution. Auditor Kahl explained that all the plats have that resolution, we have not been doing it correctly. All in favor: Aye – 5, Nay – 0. Motion carried.

**NEW BUSINESS** Director Pudwill has spoken with Eric Senger and he is available to meet with the commission on the 12, 13, 14, 19, 20 or 21 with the Ordinance Review Committee. The commission decided to meet with Eric on Tuesday, December 13, 2022 at 9:30. Director Pudwill will let Eric know.

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

**Chairman Houck convened as Walworth County Board of Commissioners.**

No one signed up to speak in Public Forum.

Chairman Houck added the following items to the agenda: approval of the plat approved in Planning & Zoning, request from the State’s Attorney that his session be in executive session and 2 abatements for #5818 and #6255. Commissioner Mohr moved to approve the agenda as amended. Commissioner Schilling seconded. All in favor: Aye – 5, Nay – 0, Motion carried.

**TREASURER**

Treasurer Geier brought to the board two requests to get on a Treasurer’s Trust. The first was Brenda Kosters. Treasurer Geier had her available by telephone. She has requested payments of $525 per month for 24 months to catch up the taxes on the Cloverleaf. These payments would start today. Commissioner Schilling moved to approve the treasurer’s trust. Commissioner Mohr seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – yes, Jungwirth - yes, Houck – yes. Motion carried. The second was Xavier Perman. Treasurer Geier was unable to reach him by telephone. She presented his agreement to pay $125 per month for 24 months. That is also beginning today. Commissioner Holgard moved to approve the treasurer’s trust. Commissioner Schilling seconded. Roll Call Vote: Holgard – yes, Mohr -yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

**MINUTES**

Commissioner Holgard moved to approve the minutes for 9-06-2022. Commissioner Mohr seconded. All in favor: Aye – 5, Nay – 0. Motion carried.

Commissioner Schilling moved to approve the minutes for 9-8-2022. Commissioner Jungwirth seconded. All in favor: Aye – 5, Nay – 0. Motion carried.

Commissioner Mohr moved to approve the minutes for 9-20-2022. Commissioner Holgard seconded. All in favor: Aye – 5, Nay – 0. Motion carried.

Commissioner Jungwirth moved to approve the minutes of 10-04-2022. Commissioner Schilling seconded. All in favor: Aye – 5, Nay -0. Motion carried.

Commissioner Holgard moved to approve the minutes of 10-19-2022. Commissioner Schilling seconded. All in favor: Aye – 5, Nay -0. Motion carried.

**CLAIMS**

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

AGTEGRA – gas, diesel - $1263.14; AT&T MOBILITY – utilities - $446.65; AUTO VALUE – parts - $48.29; VAUGHN BECK – travel - $56.68; BIEGLER EQUIPMENT – repairs - $4526.35; KRISTI BRANDT – transcripts - $237.80; BUTLER MACHINERY – parts, renewal - $6515.82; CENTRAL DIESEL SALES – supplies - $204.64; CENTRAL SQUARE TECHNOLOGIES – service - $529.00; COGLEY LAW – CAA - $353.50; COLE PAPERS – supplies - $367.74; COLEMAN LAW – CAA - $1278.75; CONNECTING POINT – managed services contract, back up, remote work - $3084.50; CAN SURETY – bond - $81.25; D-WARE – fees - $210.00; JOHN DADY – meeting - $50.00; ELECTION SYSTEMS & SOFTWARE – ballot set up, tabulator set up, layout charge - $2565.34; CINDY GEIER – copy paper - $15.96; CHRISTOPHER HAAR – CAA $777.40; HASE PLUMBING – check clean furnace - $105.00; HOVEN MEDIA – publishing - $497.25; DAVID HOWELL – subpoena - $30.92; DIANNE HOWELL – subpoena - $30.92; HUGHES COUNTY – inmate boarding - $5415.00; CITY OF JAVA – utilities - $23.00; KEN’S WESTERN LUMBER – supplies - $284.39; BRENDA LOUNSBERRY – blood draw - $60.00; MDU – utilities - $1360.74; MIDCONTINENT COMMUNICATIONS – utilities - $158.39; MIDWAY MACHINING INC – repairs - $2100.00; LADEAN MOAK – meeting - $50.00; CITY OF MOBRIDGE – utilities - $49.47; PFITZER PEST CONTROL – lawn - $582.16; RELX INC DBA LEXIS NEXIS – grants to other entities - $640.00; SCHLACHTER LUMBER – parts - $31.94; CITY OF SELBY – utilities - $301.54; SELBY OIL - repairs - $1775.00; SENIOR NUTRITION CENTER – inmate meals $37.50; SERVALL - rentals - $213.78; SD ASSOC OF WEED & PEST – fees - $75.00; SD DEPT OF ENVIR – tonnage fee $ 912.69; SD DEVELOPMENTAL CENTER – services - $60.00; SD DEPT OF REVENUE - motor vehicle fees, ROD fees - $94748.50; SD RETIREMENT SYSTEM – retirement - $21709.64; SD PUBLIC HEALTH LAB – drug testing - $120.00; SLATER OIL – diesel - $3755.36; DARYL THOMPSON – meeting - $50.00; TRANSOURCE – supplies - $2020.22; INTAB SALES – padlock seals - $59.79; MCLEOD’S – election supplies - $125.00; MOBRIDGE REGIONAL HOSPITAL – drug testing, UA, physical therapy - $683.20; QUILL CORP – membership, ink - $442.36; VALLEY TELECOMMUNICATIONS - utilities - $128.85; VENTURE COMMUNICATIONS – utilities - $367.60; VERIZON – utilities - $47.28; WEB WATER BOTTLING – bottled water - $88.75; WEB WATER DEVELOPMENTS – utilities - $58.78; STEVE ZABEL – meeting $ 50.00

**ABATEMENTS**

Auditor Kahl presented two abatements. Record #5818, taken for tax deeds. It has been deeded over to the city. Commissioner Mohr moved to approve the abatement of $11,243.06. Commissioner Jungwirth seconded the motion. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – no, Jungwirth – yes, Houck, yes. Motion carried. Record #6255 was taken in 2015. What needs to be abated are accrued special assessments, which we have permission from the city of Mobridge to abate. Commissioner Holgard moved to abate record #6255 in the amount of $47.50. Commissioner Mohr seconded. Roll Call Vote: Holgard -yes, Mohr – yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

**ARPA FUNDS**

Commissioner Mohr moved to elect the US Treasury Final Rule allowing counties to use up to $10 million of the ARPA Recovery Funds as “loss revenue” for the provision of the general government services without needing to use the Treasury revenue loss formula and to use salaries for Walworth County as expense of the American Rescue up to Walworth County’s allocated amount of $1,058,202.80 and to approve distribution to various funds used to pay salaries, motion carried.

Commissioner Mohr moved to approve moving the ARPA Funds to the proper account. Commissioner Schilling seconded. Commissioner Holgard wondered if we had already used part of this money for salaries. Auditor Kahl said we have used all of it. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

**BUDGET SUPPLEMENTS**

Auditor Kahl asked the commission to advertise for budget supplements for a public hearing on December 29, 2022. We need to supplement budgets so that we have no budgets starting the new year with a negative budget. Commissioner Mohr moved to authorize the auditor to advertise for budget hearings. Commissioner Schilling seconded. Motion carried.

**APPROVE PLAT**

Commissioner Schilling moved to adopt the resolution to approve the plat for Lot 1 PMDP. Commissioner Jungwirth seconded. All in favor: Aye – 5, Nay – 0. Resolution adopted.

RESOLUTION

TO ADOPT A PLAT

LOT 1 PDMP ADDITION IN SW4 30-123-16

Be it resolved by the Walworth County Board of Commissioners that the Plat of Lot 1 PDMP Addition in the SW4 Section 30 Township 123 Range 16, a legal subdivision, having been examined, is hereby approved in accordance with the provisions of SDCL, Chapter 11-3 and any amendments thereof.

**HIGHWAY**

Highway Superintendent Byre presented a purchase agreement for a 2022 Trail King Bottom Dump gravel trailer from a Sourcewell bid in the amount of $72,000. It will be increased by 5% after January 1, 2023. The repairs to the old damaged trailer were over $6000. He is requesting a motion to authorize him to sign the purchase agreement. The delivery price includes a $1500 fee. The highway department will pick the trailer up so we will not get that delivery charge. Commissioner Holgard moved to authorize Superintendent Byre to sign the purchase agreement in the amount of $72751.60 minus the $1500 delivery fee. Commissioner Mohr seconded. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

Superintendent Byre asked if all the commissioners had received the e-mail concerning WCBDP3. All said they had except Commissioner Schilling had not checked his e-mail.

**SHERIFF**

Sheriff Boll told the commission that he had reached out to the current and incoming sheriff’s from Brown County and they told him that with their current situation that there would not be a way that they are able to sign a contract with Walworth County beginning the first of 2023.

Commissioner Schilling said he had also reached out to Brown County and they would have an answer for the commission today about how much money they are asking other counties to pledge so they can go ahead with their regional jail facility plan.

**MASTER TRANSPORTATION PLAN**

Commissioner Schilling just wants to let the public know that he is very disappointed in the taxpayers of this county for the poor attendance at the public meeting for the Master Transportation Plan. These decisions will be made by the end of the year, and we have had very little input from the public. Commissioner Houck stated that the world is run by those who show up. It is very disheartening. Once this plan is adopted, it will be too late to comment.

**CHRISTMAS TREES**

Commissioner Holgard wondered where all the Christmas trees came from. It was explained that because the Opera House is no longer available for this, the Courthouse was offered and a few people have put them up. All the commissioner’s thought this was a good idea and that it looked very nice when they walked in this morning.

**STATES ATTORNEY**

Auditor Kahl reached State’s Attorney Beck by phone. He was available. Commissioner Holgard moved to go into executive session for a personnel matter. Commissioner Mohr seconded the motion. All in favor: Aye – 5, Nay – 0. Motion carried. The commission came out of executive session at 10:05.

Commissioner Mohr moved to authorize the auditor to publish an opening for administrative assistant full time position in the State’s Attorney’s office. Commissioner Schilling seconded. All in favor – Aye – 5; Nay – 0. Motion carried.

**INSURANCE**

Another lengthy insurance discussion was held. Sonja Nordby and Roger Risty with Risty Benefits were present as was Sheila Rau with Marin-Biel Insurance and Josh Gullickson with Fischer Rounds was present by telephone. The decision was made to go with Risty Benefits and the Wellmark Blue Cross Blue Shield Insurance. We changed agents of record last summer, due to the fact that our current agent did not care to be our agent any longer. At that time we named Paul Miller of Marin-Biel Insurance as our agent of record, as they were also with Wellmark through Fischer-Rounds agency. When we decided to go with Risty Benefits we sent in a change of agent of record to change to Sonja Nordby with Risty Benefits. Apparently they only allow a promised with Wellmark, but she was able to bring us another very good option in Health Partners. She explained the Health Partners insurance to the commission. This plan is also HSA compatible. Josh Gullickson also presented and reiterated to the commission the work that they’ve already done to get the Wellmark Insurance prepared for Walworth County. Risty Benefits also explained the vision insurance and employer paid life insurance that the county provides, as well as an open enrollment period for voluntary life insurance to be offered to the employees.

A decision has to be made today in order to ensure that our employees have coverage as of the first of the year. The commissioners decided to take a brief recess to look over the handouts they had just received, and give themselves a little time to make their decisions.

Commissioner Holgard made a motion to go with Risty Benefits with Health Partners, $3,500 deductible, a $2,000 HSA payment to full-time employees paid per pay period, to include vision and life as ancillary items, and understanding that anyone 65 and older is not able to have an HSA. Commissioner Schilling seconded the motion. Commissioner Schilling complimented Sonja and Roger from Risty Benefits on the way things have been presented and explained to us. Roll Call Vote: Holgard – yes, Mohr – yes, Schilling – yes, Jungwirth – yes, Houck – yes. Motion carried.

Auditor Kahl reminded the commission that Tanya Schoenhard from AFLAC will be here again on Thursday. Risty Benefits is going to try to have meeting with everyone in the next 7-10 days.

**NEW BUSINESS**

Dates for the next meeting was discussed. They would like the next meeting to be on Monday the 19th. They also made a decision to meet for the final meeting of the year on December 29th for budget supplements and pay final bills for 2022.

Commissioner Schilling pointed out the convenience drop box located at the south end of the driveway. He thanked the Highway Department for all their work on setting this up.

Auditor Kahl reminded the commission that the 23rd of December has been declared a legal holiday by the governor.

**ADJOURNMENT**

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

 ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CHAIR AUDITOR