**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

**April 6, 2023**

**1:00 pm**

Present Commissioners: Jim Houck, Scott Schilling, Justin Jungwirth, Duane Mohr, and Kevin Holgard. Others present: Auditor Kahl, Deputy Auditor Charity Pepin. Also present were Jan Zeck, Jesse Hubner, Jaime Hubner, Linda Beaman, Denise Centeno, Francie Smith, Mary Ohman, Duane Zabel, Kerry Droog, Gerald Ohman, Don Zeck, Dan Beaman, Jennifer & Saniford Andree, Donald Hettick, Steve Zabel, Dawson Zabel, Corinne Olson, Eva Cagnones, and Julie Gerlacht, Editor of the Mobridge Tribune.

**Pledge of Allegiance**:

The Pledge of Allegiance was recited by those in attendance.

**PLANNING & ZONING**

Chairman Houck called the meeting to order and convened as County Planning & Zoning Board. Schilling moved to approve the agenda, Holgard seconded, All in Favor – all aye, motion carried. Houck said that the Zoning Committee has proposed an ordinance to the Planning & Zoning Board. He said 3 of the commission had not even seen this ordinance until today. He says we are quite a way from approving anything. There will be several public hearings before it is sent to the commission, where it will have more public hearings. These ordinances are for the entire county. Linda Beaman questioned where the input came from to the committee. It was said that it was suggestions from the committee with the input of the Northeast Council of Governments. She questioned whether the solar company had any input. Linda Beaman wanted it to be on the record if the solar company had any impact on the ordinances that were written. The Board said they did not. She directly asked Holgard if he knew of any contact that anyone on the committee had with a solar company. He said he gave the assistant from NECOG a phone number for Doral. The public present said that the first thing that should be on the minds of this Board is the safety and protection of the county. They do not want a blank check to be given to any solar company. The “Discuss/Act” on the agenda caused a great deal of concern. Auditor Kahl said that she is the one who put that on the agenda and that it is customary for agenda items. Holgard was questioned as to why he said the solar company had no impact, and then turned around and said he gave the Doral number to Eric. There were many people who spoke, and the public present believes that the solar company had a lot of impact on the ordinances that were written. There was much conversation presented at this meeting. It is available to be viewed on Facebook on the Walworth County page. Houck said that we are going to move on. Schilling moved to adjourn, Holgard seconded, All in Favor: all saying aye, motion carried.

Chairman Houck convened as Board of County Commission.

**Agenda**:

Houck requested that we take Discuss/Act on Recommendation from the Planning & Zoning Board off the agenda. Holgard requested discussion on Tax Deed Properties. Auditor Kahl requested that we add Discuss/Act on Midcontinent Internet contract. Schilling moved to approve the agenda with the changes, Mohr seconded, All in Favor: all saying aye, motion carried.

**Public Forum**

Jennifer Andree spoke about a letter she presented to the commission, stating that it was for her own protection. She read parts of a letter from her doctor. She read a declaration that she has submitted to several governmental agencies. She read a letter with a formal request that actions concerning solar energy be suspended at this time until reasonable accommodations have been made. She further read that failure to act on her request would be viewed as negligence, discrimination, willful endangerment, as well as a violation of her civil rights as a disabled person. She has spoken with her lawyer about that.

**Claims:**

Commissioner Schilling moved to approve the claims, Mohr seconded, Roll Call Vote – all voting yes, motion carried.

AFLAC – insurance - $3,070.61; Agtegra Java – supplies - $21,097.32; Argus Dental – insurance - $1,164.46; AT&T Mobility – utilities - $492.53; Kristi Brandt – services - $30.95; Brite Upstate Wholesale Supply – equipment - $6,024.00; Butler Machinery – services - $13,158.49; Gary Byre – travel - $32.67; Cam Wal – utilities - $161.00; Central Diesel Sales - supplies - $445.50; Cogley Law – crt appt atty - $1,701.40; Connecting Point – services - $2,327.20; Dakota Glass – repairs & maintenance - $61.37; Dakota Oil – supplies - $3,264.80; Google LLC – utilities - $41.07; GTC Auto Parts – supplies - $82.57; Health Partners – insurance - $26.596.22; Kroontje Law – crt appt atty - $1,410.23; Lewis Drug – inmate medical - $83.27; Lincoln County Treasurer – mental board services - $283.55; Lucky’s Pit Stop – supplies - $74.91; Matheson Tri-Gas – supplies - $648.18; Midcontinent Comm – utilities - $183.40; Ladean Moak – services - $50.00; Mobridge Ace Hardware – supplies - $32.99; MDU – utilities - $3,501.11; Pomps Tire – repairs & maintenance – $106.50; Runnings – supplies - $261.90; SD Developmental Center – services - $60.00; SD State Treasurer – MV & ROD fees - $205,888.43; SDACC – services - $437.00; City of Selby – utilities - $334.98; Selby Record – publishing - $320.37; Senior Nutrition Center – inmate meals - $90.00; Servall Uniform – rentals - $73.10; Shorty’s One Stop – supplies - $769.30; Slater Oil – supplies - $5,743.27; Standard Insurance – insurance $330.00; The Lodge at Deadwood – travel - $208.00; Daryl Thompson – services - $50.0o; Town of Java – utilities - $23.00; US Bank – school bond interest - $86,840.00; Valley Service Mechanical – supplies - $309.87; Valley Telecommunications – utilities - $128.48; Venture Communications – utilities - $281.27; Web Water Development – utilities - $199.28; Wise Imaging Inc – inmate medical - $93.10; Steve Zabel – services - $50.00

**Emergency Manager**

Emergency Manager Jensen was not present, but he wanted to be sure the commissioners were aware that the budget supplement for his department has been advertised and will need to be approved at the next meeting.

**Director of Equalization**

Director Pudwill informed the commission that the original date set for the County Board of Equalization would not work as there was not enough time for publishing. The equalization meeting will be April 18, 2023, at 11:00 am.

**AUDITOR**

Auditor Kahl asked for approval of the personnel policy as discussed at the last meeting. Holgard moved to that from this date all admin time will be paid as earned, employees with banked admin time will be allowed until the end of the year to use it and at the end of the year any time left will be paid out, Jungwirth seconded. Schilling said the Highway Department would like to be allowed to carry 40 hours of banked admin time. He would like to have them carry 40 hours over until this time next year. Houck said then he would recommend freezing the highway wages until their admin time is paid out. It was decided to table this subject later. Holgard rescinded his motion and Jungwirth rescinded his second. Holgard moved to appoint Charity Pepin as Walworth County Auditor, effective April 11, 2023, at a salary of $49,316.28, Schilling seconded, Roll Call Vote – all voting yes, motion carried. Kahl asked the commission to approve the contract with Midcontinent Communications for 3 years for our internet services. Schilling moved to approve the contract with Midcontinent Communications, Mohr seconded, Roll Call Vote – all voting yes, motion carried.

**Tax Deed Properties**

Holgard brought up a discussion concerning when we can sell the tax deed properties. This needed to be advertised for 2 weeks. The decision was that the sale would be on the courthouse steps. The Sheriff would prefer it to be on a Wednesday. Mohr moved to set the tax deed sale for April 26,2023, at 10 am on the front steps of the courthouse, Holgard seconded, All in Favor – all voting aye, motion carried.

**Brown County Jail**

Sheriff Boll informed the commission that Commissioner Schilling, Commissioner Jungwirth and himself met and drew up the list that Walworth County would require for a facility to be the official facility for the county, and that the letter has been sent to Brown County.

**Draft Board**

Schilling informed the commission that he had received a call that we need to have a Draft Board representative. Commissioner Mohr said he would be interested in taking that position. Schilling moved to appoint Duane Mohr to the Draft Board, Jungwirth seconded, All in Favor – 4 saying aye, Mohr abstaining, motion carried.

There was no old or new business.

**Adjournment**

Holgard moved to adjourn, Schilling seconded, All in Favor: all saying aye, motion carried.

**APPROVED:**

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**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

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**DEBBIE KAHL, AUDITOR**

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