**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

**May 2, 2023**

**9:00 am**

Present Commissioners: Jim Houck, Justin Jungwirth, Kevin Holgard and Duane Mohr. Scott Schilling was present by telephone. Others present: Auditor Pepin, Julia Gerlacht, editor of the Mobridge Tribune, Rick Cain, Linda Beaman, and Lyle Perman

**Pledge of Allegiance**:

The Pledge of Allegiance was recited by those in attendance.

Chairman Houck convened as Board of County Commissioners. He stated that we will not be addressing anything under Planning & Zoning as indicated on the agenda.

**Agenda**

Houck requested that we add Public Forum and Discuss/Act on Moratorium Solar Ordinance. Mohr requested that we add county-wide clean up. Auditor Kahl requested that we remove all items under Planning & Zoning from the posted agenda. Holgard moved to approve the agenda as amended, Mohr seconded, All in Favor: all saying aye, motion carried.

**Minutes**

None of the commission had received the minutes prior to the meeting and they requested to wait and approve them at our next meeting after they had had some time to look them over. Auditor Pepin will be sure that all the commission receives the minutes. Mohr moved to table the approval of minutes until the next meeting, Jungwirth seconded, All in Favor: all voting aye, motion carried.

**Claims**

Holgard moved to approve the claims as presented, Jungwirth seconded, Roll Call Vote: Roll Call Vote: all voting yes, motion carried.

City of Java – utilities - $23.00; Agtegra Java – supplies - $2,185.15; Talese Aucoin – travel - $10.34; Auto Value – repairs, maintenance - $257.52; Avera Occupational Medicine – services - $194.00; Bantz, Gosch & Cremer – mental board - $216.99; Misty Blanco – travel - $153.10; Kristi Brandt – services - $118.55; Carlson Services – repairs, maintenance - $375.00; Cogley Law Office – crt appt atty - $529.30; Coleman Law – crt appt atty - $2,233.00; Dady Drug – supplies - $124.75; Dakota Fluid Power Inc – supplies - $469.07; Dakota Glass – repairs & maintenance - $1031.71; Deere & Company – rotary tiller - $4,426.39; Brenda DeToy – travel - $212.77; Election Systems & Software – elections - $1,842.75; Family Pharmacy – inmate medical - $168.33; Cindy Geier – travel - $19.22; Graham Tire – repairs & maintenance - $682.20; GTC Auto Parts – supplies - $4.399; Hughes County Jail – inmate medical - $18.00; Hughes County Finance Office – inmate boarding - $7,220.00; Kroontje Law – crt appt atty - $1,669.73; LSQ Funding Group – mobile software - $744.00; City of Mobridge – utilities - $59.57; Mobridge Pit Stop – supplies - $147.30; Mobridge Regional Hospital – services - $763.07; MDU – utilities - $306.86; NAPA Central – repairs & maintenance - $8.49; National Sheriff’s Assoc – dues - $71.00; North Central Steel Systems – repairs & maintenance - $1,234.75; Charity Pepin – travel - $137.18’ Prairie Smile Family Dentistry – inmate medical - $294.00; Redwood Toxicology Lab – services - $175.00; Runnings – supplies - $30.47; Safety Service – supplies - $344.52; SD Public Health Lab - $585.00; SD Weed & Pest Board – dues - $200.00; SDAAO – travel - $235.00; SDACO – travel - $600.00; SD Sheriff’s Assoc – travel - $230.00; City of Selby – utilities - $157.18; Selby Oil – repairs & maintenance - $188.00; Servall – rentals - $73.10; Two Way Solutions – radios - $4,666.49; Uniform Center – supplies - $49.73; Valley Telecommunications - utilities - $49.73; Verizon - utilities - $$48.06; Wise Imaging – inmate medical 0 $10.48

**Moratorium on Solar Ordinance**

Commissioner Jungwirth read the Moratorium on the Construction of Solar Farms.

AN ORDINANCE TO PLACE A MORATIORIUM ON THE CONSTRUCTION OF SOLAR FARMS PENDING A STUDY AND DEVELOPMENT OF A COMPREHENSIVE PLAN RELATING TO SOLAR FARMS WITHIN WALWORTH COUNTY, SOUTH DAKOTA.

 BE IT ORDAINED BY WALWORTH COUNTY, that a study, development of a comprehensive plan, and zoning ordinances need to be developed in relation to solar farms to protect the public health, safety and general welfare:

 BE IT FURTHER ORDAINED BY WALWORTH COUNTY, that a moratorium shall be in place for a period of one (1) year, unless removed prior thereto or extended as provided by SDCL 11-2-10, on the construction of any solar farms within the unincorporated areas of Walworth County.

 Approved this 2nd Day of May 2023

Chairman Houck again reiterated that we are taking no public comment at this time. Holgard moved to approve the moratorium, Mohr seconded, Roll Call Vote: all voting yes, motion carried.

**Treasurer**

Treasurer Geier presented her monthly report. She explained our current bank account procedures. Holgard moved to approve the April 2023 Treasurer’s report, Jungwirth seconded, Roll Call Vote: all voting yes, motion carried.

**Tax Deed Properties**

The commission was presented with the appraisals of the tax deed properties. Houck said the city of Mobridge would like us to deed a couple of the properties to them so they can clean the properties up. A discussion was held concerning the properties that the city of Mobridge had expressed interest in. Gene Cox from Mobridge was on the phone for part of this discussion. He spoke with the commission about the interest Mobridge has in those properties that are listed as surplus as tax deed properties. States Attorney Beck was called for some clarification on the public sale. The properties will be sold at a public auction on the front steps of the courthouse, so we are able to take the highest bid. He said we can put some requirements on the sale concerning structures that should be removed. They could be given a purchase agreement and when the property is cleaned up, they will receive a deed. The commission discussed which parcels have structures that need to be removed or rehabilitated. Holgard moved to sell surplus properties on the front steps of the courthouse at 10:00 a.m. on May 17, 2023, with the stipulation that all structures must be removed or rehabilitated within one year. They will receive a purchase agreement until the problems on these properties are abated before they receive a tax deed, Schilling seconded. Further discussion was that we need an appraised value to purchase. They agreed that the appraised value to be advertised will be an average of the appraisals received. The States Attorney was also contacted again to be sure we could put these restrictions on the sale. He is of the opinion that we may do that. Roll Call Vote: Holgard, Mohr, Schilling and Houck voting yes, Jungwirth voting no, motion carried.

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**District 23 Representatives**

Senator Brian Breitling and Representatives Scott Moore and James Wangsness were present to speak with the commission about the 2023 Legislative session. They informed the commission that there will be a summer study concerning some problems affecting the counties. The sales tax possibility for counties was also discussed. Legislators told the commission that this was not a year to ask for a tax raise.

Commissioner Schilling left the meeting at this point.

**Abatements**

Holgard moved to approve the abatement of taxes on record #9020 for $912.00, Mohr seconded, Roll Call Vote: all voting yes, motion carried.

Mohr moved to approve the abatement of taxes on record #8742 for $153.23, Holgard seconded, Roll Call Vote: All voting yes, motion carried.

Mohr moved to approve the abatement of taxes on record #7629 for $2.77, Jungwirth seconded, Roll Call Vote: All voting yes, motion carried.

**Blower & Sweeper**

Holgard moved to buy the blower and sweeper that were available from Premier Equipment for $4,000, Jungwirth seconded, Roll Call Vote: all voting yes, motion carried.

**Personnel Policy**

A motion was made and tabled at the last meeting. The motion was that the employees with banked Administrative Time have until the end of 2023 to use it up. What is not used will be paid out at the end of 2023.

All Administrative Time will be paid out in the pay period it is earned going forward. Holgard moved all admin time must be reported to the Auditor by Friday of this week, that all admin time will be paid out the first pay period in January 2024 at the rate of 75% if it is not used by the end of 2023, and no more admin time will be allowed, Mohr seconded. Superintendent Byre would like to have a report on all administrative leave, vacation time and sick leave time from all departments be provided to the Auditor. Deputy Auditor Kahl said that anyone is welcome at any time to come and discuss sick and vacation leave if they don’t agree with the Auditor’s numbers. Deputy Auditor Kahl said she thinks it would be better to just pay the admin out, having the county standing the loss, than to try to settle the 75% payout. Just do a straight payout the end of December and have it over with. Roll Call Vote: Holgard – yes, Mohr, Jungwirth and Houck all voting no, motion failed. Jungwirth moved to report admin hours to the Auditor’s office by the end of this week, all employees will have until the end of 2023 to used any banked admin hours and will be paid out the last pay period in December 2023 at 100%, any admin hours not used or paid out in 2023 will be paid out the first pay period in January 2024 at a rate of 75%, and, as of today, no more admin time will be earned, Holgard seconded, Roll Call Vote: all voting yes, motion carried.

**County-wide Clean-up**

Mohr reported that the County-Wide Clean-Up will be held between May 15 – May 20, 2023. This makes disposal free to the residents of Walworth County. Tires will not be accepted. A discussion was also held about possibly crushing any concrete and re-using it.

**Adjournment**

There being no old or new business, Holgard moved to adjourn, Jungwirth seconded, All in Favor: all voting aye, motion carried.

**APPROVED:**

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**JIM HOUCK, CHAIRPERSON**

**ATTEST:**

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**DEBBIE KAHL, AUDITOR**

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