**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

**August 22, 2023, 9:00 am**

**In Attendance**: Jim Houck, Justin Jungwirth, Duane Mohr and Scott Schilling and Kevin Holgard were present. Also present were Linda and Dan Beaman, Shirley Masteller, Denise Centeno, Dan Lederman, Brian Beaman, Carolyn Schmidt, Marlin Berens, Jason Berens, Colten Berens, Mary Ohman. Also present was Auditor Charity Pepin and Deputy Auditor Kahl.

**Pledge of Allegiance**:

The Pledge of Allegiance was recited by those in attendance.

**Agenda**

Chairman Houck called to order the meeting.

* Holgard moved to approve the agenda, add public forum to Planning and Zoning, add surplus of maintenance items; seconded by Mohr; all in favor, all ayes; Motion carried.

**Planning and Zoning**

* Solar Ordinances
  + Schilling and Houck suggest 1500-foot setback
  + Holgard questions 1500-foot setback and suggests shelter belt of trees and a setback of 500 feet
  + Mohr proposes the 1-mile setback made by the people with the help of Brian Beaman
  + EM Jensen report conferred with Doral about safety concerns with solar panels and provided documentation of Doral’s responses; no major concerns unless the panel is compromised
* Mohr moved to accept Brian Beaman’s proposal, with a 1-mile setback form any occupied dwelling and 1000 feet from a property line; Jungwirth seconded. Roll call vote; Holgard, no; Mohr, yes; Schilling, no; Jungwirth, yes; Houck, no. Motion failed.
* Holgard moved to make setback 500 feet from the front yard, 100 feet from side and backyard. No second. Motion failed.
* Schilling moved to make setback 1500 feet from any occupied dwelling, 100 feet from all other sides; Holgard seconded. Roll call vote; Holgard, yes; Mohr no; Schilling yes; Jungwirth, no; Mohr, yes. Motion carried.
* Houck makes it known that they will be having a minimum of three public hearings: one in planning and zoning and two in commission.
* Hageman Permit
  + DANR permit to spread dairy fluid on own property, must be ¼ mile away from a residency and 200 feet away from another’s property. The closest property is his own, asking for a 60-day temporary permit
  + Holgard moved to approve permit request, Schilling seconded; Roll call vote; Mohr, yes; Schilling, yes; Jungwirth, yes; Houck, yes. Motion carried.
* Old Business: None.
* New Business
  + Greg Pudwill asks if the board set any public meeting dates. The board has not determined those dates yet.
  + Public Hearing dates for Solar Ordinance to made at the next regular commission meeting.

**Adjourn**

Holgard moved to adjourn, Schilling seconded. All in favor; all ayes. Motion carried.

**Convene as County Commissioners**

Holgard moved to approve the recommended permit of Kevin Hageman proposed by the Planning and Zoning board, Mohr seconded. All in favor, all ayes. Motion carried.

**Claims**

Jungwirth moved to approve the claims, seconded by Schilling. Roll call vote; Holgard, yes; Mohr, yes; Schilling, yes; Jungwirth, yes; Houck, yes. Motion carried.

ALLIED CLIMATE PROFSSIONALS 805.00 REPAIRS & MAINTENANCE; AVERA OCCUPATIONAL MEDICINE 101.00 SERVICES & FEES; AXON ENTERPRISE 66.95 SUPPLIES; BANTZ, GOSCH & CREMER LLC 216.11 SERVICES & FEES; BEADLE FORD INC 97.48 REPAIRS & MAINTENANCE; BEADLE'S SALES 83.00 REPAIRS & MAINTENANCE; BLACK HILLS AMMUNITION 759.50 SUPPLIES; BOWDLE IND SCHOOL DISTRICT 6119.80 JULY 2023 APPORTIONMENT; BOWDLE FIRE DISTRICT 117.11 JULY 2023 APPORTIONMENT; CDW GOVERNMENT 227.25 SERVICES & FEES; COGLEY LAW OFFICE PROF LLC 107.00 ATTORNEY FEES; COLE PAPERS 511.74 SUPPLIES; COLEMAN LAW 851.75 ATTORNEY FEES; CONNECTING POINT 4137.00 SERVICES & FEES; DIAMOND MOWERS LLC 1530.93 SUPPLIES; GAS N GOODIES 110.58 SUPPLIES; C.GEIER 90.27 TRAVEL; HOVEN COOP SERVICE COMPANY 1693.66 REPAIRS & MAINTENANCE; HOVEN SCHOOL 831.48 JULY 2023 APPORTIONMENT; HUGHES COUNTY FINANCE OFFICE 9795.00; JOHN STEFANICH DBA 3083.85 REPAIRS & MAINTENANCE; JAVA RURAL FIRE DISTRICT 92.78 JULY 2023 APPORTIONMENT; KLJ ENGINEERING LLC 9396.63 SERVICES & FEES; LEWIS FAMILY DRUG LLC 24.99 MEDICAL & DENTAL; CITY OF MOBRIDGE 6562.57 JULY 2023 APPORTIONMENT; MOBRIDGE ACE HARDWARE 17.58 SUPPLIES; MOBRIDGE-POLLOCK SCHOOL DIST 14310.08 JULY 2023 APPORTIONMENT; MOBRIDGE PIT STOP INC 202.68 SUPPLIES; MOBRIDGE REGIONAL HOSPITAL 1319.91 INMATE MEDICAL & DENTAL; MONTANA-DAKOTA UTILITIES 84.49 UTILITIES; C.PEPIN 90.16 TRAVEL; QUILL CORPORATION 179.14 SUPPLIES; REDWOOD TOXICOLOGY LABORATORY 83.00 BA/DRUG TESTING; ROBERTS COUNTY 3010.00 INMATE BOARDING JUV; SDACC 1300.00 COUNTY CONVENTION; SELBY AREA SCHOOL 6763.55 JULY 2023 APPORTIONMENT; CITY OF SELBY 2784.09 JULY 2023 APPORTIONMENT; SELBY OIL COMPANY 285.50 REPAIRS & MAINTENANCE; SERVALL UNIFORM & LINEN 158.65 HIGHWAY RENTALS; SLATER OIL & LP GAS 13840.00 SUPPLIES; T-N-T GAS 473.70 REPAIRS & MAINTENANCE; TOWN OF AKASKA 774.40 JULY 2023 APPORTIONMENT; TOWN OF GLENHAM 565.21 JULY 2023 APPORTIONMENT; TOWN OF JAVA 1385.91 JULY 2023 APPORTIONMENT; TOWN OF LOWRY 266.66 JULY 2023 APPORTIONMENT; VENTURE COMMUNICATIONS COOP 991.59 UTILITIES; VON WALD LAW OFFICES LLC 965.76 ATTORNEY FEES

D.ZABEL 34.29 TRAVEL MEAL; S. ZAHN 219.95 COURT REPORTER

**Highway**

* Monthly Report
* Schilling moved to accept the resignation of Chance Jensen, seconded by Mohr. All in favor; all ayes. Motion carried.

**Landfill**

* Monthly report
* 20,934.00 revenue lost to City of Mobridge for free dumping of buildings that were tax deeded to the city
* Concerns over apartment building that the City of Mobridge is to tear down and dump at the landfill for free, the amount of revenue lost

**Emergency Management**

* Jensen requesting a travel request forthe SD Emergency Manager Association Convention, September 12th – 14th Schilling moved to approve travel, seconded by Mohr. Roll call vote; Holgard, yes; Mohr, yes; Schilling, yes; Jungwirth, yes, Houck, yes. Motion carried.
* Planning, preparing, and disposing of Electric Vehicle Batteries discussion

**Mobridge Regional Hospital**

* Holgard moved to authorize Chairman to sign 2024 Community Health Services contract with Mobridge Regional Hospital, seconded by Mohr. Roll call vote; Holgard, yes, Mohr yes, Schilling, yes, Jungwirth, yes, Houck yes. Motion carried.

**Surplus Property**

* Mohr moved to approve surplus of landfill extractors, grasshopper sweeper, drill, and a wet/dry vacuum, Schilling seconded. All in favor; all ayes. Motion carried.

**Public Forum**

* Carolyn Schmidt voices concerns over sheriff’s deputies living in the same household and working the same shifts. Questions whose responsibility it is to transport an arrest.
* Provides personal opinions on how the Sheriff’s Office is patrolling.
* Brian Beaman asks the Commissioners to clarify the 1500-foot set back proposed for the Solar Farm Ordinance. He also asks the commissioners to consider setting an ordinance where the landowner gets to have a say in their property allowance. Voices concerns over the potential harm caused by solar panels.

**Adjourn**

Motion to adjourn, moved by Holgard, seconded by Mohr; all in favor, all ayes; Motion carried.

**APPROVED: ATTEST:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**CHAIRPERSON AUDITOR**

Published once at the total approximate cost of $\_\_\_\_\_\_\_\_\_\_\_\_