**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

**September 21, 2023, 9:00 am**

**In Attendance**: Jim Houck, Duane Mohr, Kevin Holgard, Scott Schilling, Shirley Mastellar, Rick Cain, Denise Centeno, Linda Beaman, Rochelle Forget, Dagere Forget, Deputy Auditor Kahl, Auditor Pepin.

Justin Jungwirth was present viatelephone.

**Pledge of Allegiance**:

The Pledge of Allegiance was recited by those in attendance.

Chairman Houck called to order the meeting.

**Agenda**

Chairman Houck requested we add Highway Department discussion. He also said we may adjust the order on some items. Schilling added that he’s requesting an executive session for personnel also under the Sheriff. Holard moved to approve the agenda with the above changes. Second by Mohr. All in favor: All aye; motion carried.

**Claims**

Holgard moved to approve the claims, seconded by Schilling. Roll call vote – all voting yes. Motion carried.

AFLAC 1189.69 INSURANCE; AGTEGRA COOPERATIVE/ JAVA 2715.89 SUPPLIES; AKASKA FIRE DEPT 3092.04 INSURANCE TAX DISTRIBUTION; ALCOPRO 627.50 SUPPLIES; AVERA OCCUPATIONAL MEDICINE 98.00 SERVICES & FEES; BANTZ, GOSCH & CREMER LLC 325.19 SERVICES & FEES; BEADLE COUNTY 28250.00 INMATE BOARDING

BEADLE FORD INC 511.25 REPAIRS & MAINTENANCE; BLACKBURN & STEVENS, PROF LLC 192.60 SERVICES & FEES; BLUE 360 MEDIA LLC 97.95 SUPPLIES; BOWDLE RURAL FIRE DEPT 1627.39 INSURANCE TAX DISTRIBUTION; BOWDLE IND SCHOOL DISTRICT 14.23 AUGUST 2023 APPORTIONMENT; K.BRANDT 84.65 SERVICES & FEES; BROWN COUNTY SHERIFF 825.00 INMATE BOARDING; BRULE COUNTY 930.00 INMATE BOARDING; BUTLER MACHINERY CO 798.38 SUPPLIES; CAM WAL ELECTRIC COOPERATIVE 246.70 UTILITIES; CARDMEMBER SERVICE - BW 2773.70 SUPPLIES/SERVICES/TRAVEL; CENTRAL DIESEL SALES INC 288.19 SUPPLIES; S.CHAPMAN 8407.00 SERVICES & FEES; COLEMAN LAW 3369.00 ATTORNEY FEES; CONNECTING POINT 1862.40 SERVICES & FEES

DACOTAH BANK 2140.79 SUPPLIES/FEES/TRAVEL/POSTAGE; DAKOTA GLASS & ALIGNMENT LLC 448.96 REPAIRS & MAINTENANCE; DEPT OF REVENUE 133.91 AUGUST SALES TAX; B. DETOY 308.86 TRAVEL; D. DRACY 50.00 SERVICES & FEES; DRG MEDIA GROUP 400.00 PUBLISHING; FLINT HILLS RESOURCES LP 217235.62 SUPPLIES

FOX LAW FIRM PLLC 285.76 SERVICES & FEES; GAS N GOODIES 162.58 SUPPLIES; C.GEIER 384.25 TRAVEL; GLENHAM FIRE DEPT 2115.61 INSURANCE TAX DISTRIBUTION; GRAHAM TIRE ABERDEEN 493.16 REPAIR & MAINTENANCE; GTC AUTO PARTS 109.99 SUPPLIES; HALFILE SYSTEMS CORP 321.20 SERVICES & FEES; HASE PLUMBING HEATING & AIR 123.91 REPAIRS & MAINTENANCE; HEARTLAND WASTE MANAGEMENT INC 210.00 UTILITIES; HOVEN COOP SERVICE COMPANY 2401.60 SUPPLIES/UTILITIES; HOVEN FIRE DEPT 1464.65 INSURANCE TAX DISTRIBUTION; HOVEN SCHOOL 7.12 AUGUST 2023 APPORTIONMENT; HUGHES COUNTY FINANCE OFFICE 2945.00 INMATE BOARDING; HURON REGIONAL MEDICAL CENTER 3645.66 INMATE MEDICAL & DENTAL; JAVA RURAL FIRE DISTRICT 20.08 AUGUST 2023 APPORTIONMENT; JAVA RURAL FIRE DISTRICT 3254.77 INSURANCE TAX DISTRIBUTION; JENSEN ROCK & SAND INC 2402.50 SUPPLIES; JOHN DEERE FINANCIAL 261.07 SUPPLIES; M.KAISER 182.93 REISSUE 09-15-23 PAYROLL CK; M.KATTERHAGEN 33.00 SERVICES & FEES; KENS WESTERN LUMBER 42.70 SUPPLIES; KENS WESTERN LUMBER 67.14 SUPPLIES; KESLING FUNERAL HOME 675.00 SERVICES & FEES; KLJ ENGINEERING LLC 436.00 SERVICES & FEES; KROONTJE LAW 4164.72 ATTORNEY FEES; LARRYS LOCK & KEY 62.50 SUPPLIES; V.LARSON 33.00 SERVICES & FEES; LEWIS & CLARK BEHAVIORAL 213.00 SERVICES & FEES; LEWIS FAMILY DRUG LLC 973.78 INMATE MEDICAL & DENTAL; RELX INC. DBA LEXISNEXIS 666.00 LAW BOOKS; LOCATORS & SUPPLIES INC. 358.05 SUPPLIES; MATHESON TRI-GAS INC 113.46 RENTALS; MC LEOD'S PRINTING & OFFICE 487.38 SUPPLIES; CITY OF MOBRIDGE 9891.18 911 SERVICES & FEES; CITY OF MOBRIDGE 7957.75 AUGUST 2023 APPORTIONMENT; CITY OF MOBRIDGE 4946.05 SERVICES & FEES; CITY OF MOBRIDGE 59.09 UTILITIES; MOBRIDGE FIRE DEPT 14971.97 INSURANCE TAX DISTRIBUTION; MOBRIDGE GAS COMPANY 1406.85 UTILITIES; MOBRIDGE-POLLOCK SCHOOL DIST 14245.45 AUGUST 2023 APPORTIONMENT; MOBRIDGE PIT STOP INC 310.22 SUPPLIES; MOBRIDGE REGIONAL HOSPITAL 1241.49 FEES/DRUG TESTING; MOBRIDGE TRIBUNE 784.01 PUBLISHING; MONTANA-DAKOTA UTILITIES 28.66 UTILITIES; C.PEPIN 364.98 TRAVEL; PREMIER EQUIPMENT 3.90 SUPPLIES; RELIANCE STANDARD LIFE INS 708.49 LIFE INSURANCE; RUNNINGS SUPPLY INC 45.97 SUPPLIES; L.SCHMIDT 314.76 SUPPLIES; SDDANR 1164.36 TONNAGE FEES; SD DEPT OF LABOR 25.00 SERVICES & FEES; SD DEPT OF REVENUE/SPECIAL TAX 41.70 EXCISE TAX; SD DEVELOPMENT CENTER 60.00 SERVICES & FEES; SD PUBLIC HEALTH LABORATORY 40.00 BA/DRUG TESTING; SD STATE TREASURER 154521.21 AUGUST FEES; SELBY AREA SCHOOL 19801.18 AUGUST 2023 APPORTIONMENT; SELBY AUTO SALES & SERVICE 109.65 SUPPLIES; CITY OF SELBY 13114.57 AUGUST 2023 APPORTIONMENT; SELBY FIRE DEPT 6021.33 INSURANCE TAX DISTRIBUTION; SELBY OIL COMPANY 1541.00 REPAIRS & MAINTENANCE; SELBY RECORD 993.49 PUBLISHING; SENIOR NUTRITION CENTER 96.00 INMATE MEALS; SERVALL UNIFORM & LINEN 176.42 RENTALS; SHORTY'S ONE STOP 844.19 SUPPLIES

STANDARD INSURANCE COMPANY 283.66 SEPT VISION INSURANCE; TOWN OF AKASKA 600.39 AUGUST 2023 APPORTIONMENT; TOWN OF GLENHAM 1078.08 AUGUST 2023 APPORTIONMENT; TOWN OF JAVA 1418.25 AUGUST 2023 APPORTIONMENT; TOWN OF LOWRY 156.41 AUGUST 2023 APPORTIONMENT; UNIFORM CENTER 28.99 SUPPLIES; VALLEY TELCOMMUNICATIONS 125.28 UTILITIES; VENTURE COMMUNICATIONS COOP 988.02 UTILITIES; VON WALD LAW OFFICES LLC 430.67 ATTORNEY FEES; WALWORTH COUNTY TREASURER 498.72 PARTIAL PAYMENT; WEB WATER DEVELOPMENT 52.97 UTILITIES; WEB WATER BOTTLING COMPANY 136.25 RENTALS; P.WEINZIRL 502.31 TRAVEL; WEST RIVER TELECOMMUNICATIONS 80.73 UTILITIES; YANKTON COUNTY TREASURER 145.70 SERVICES & FEES; YANKTON CO SHERIFF'S OFFICE 50.00 SERVICES & FEES; LUTHER YELLOW ROBE 3475.21 SERVICES & FEES

**Landfill**

Commissioner Mohr gave the monthly Landfill report. He reports that there are no bills over 60 days.

**Register of Deeds**

Register of Deed DeToy presented her monthly reports. She also gave an update on jail medical costs. She reports that we have saved $90,237.53 over what had initially been billed to us. She also reported that the budget line is over what was budgeted so will have to be supplemented before the end of the year. She also gave a report on Medicare Part D. It will begin October 15 and run through December 7. She and the Auditor have been working closely on Poor Liens and reports that she has had 3 payments so far.

**Sheriff**

Sheriff Boll made a travel request for himself and a deputy in Aberdeen. It will be next week. Holgard moved to approve the request. Second by Schilling. Roll Call Vote: all voting yes. Motion carried. The next order of business was further discussion on the budget supplement discussion. He presented information on some surplus and used vehicles. Jungwirth joined the meeting via telephone. Sheriff Boll reports that a patrol car averages around 3,000 miles per month. Schilling and Holgard both voiced concerns about getting a new vehicle that was not in the budget. Jungwirth moved to supplement the budget and purchase the new vehicle at $41,000. Second by Mohr. Schilling feels that the motion is not quite right because the budget supplement request is $70,000. Jungwirth amended his motion to approve the budget supplement of $70,000 and approve the purchase of the new vehicle. Mohr requested that we include in the motion that the sheriff would be removing 2 vehicles from his current fleet. One to replace the car being driven by the Assessor’s Office and to surplus that car along with adding to surplus one vehicle in the current Sheriff’s fleet. Jungwirth agreed to those amendments. Second by Mohr. Roll Call Vote: Holgard and Schilling voting No; Jungwirth, Mohr and Houck voting Yes. Motion carried.

**Highway**

Superintendent Byre and new Highway Superintendent Hannan met with the board. He told the board he will be working on the Master Transportation Plan until November 1. Superintendent Hannan will take over October 2. Hannan believes he would prefer a phone. He doesn’t care to get calls concerning the highway on his private phone. The commission thanked Superintendent Byre for his years of service.

**Legislative Audit**

Jason Hill from Legislative Audit presented his findings report on the 2020-2021 Audit. He presented the commission with a summary letter of the recommendations from Legislative Audit. They suggest that the county improve their internal controls. He reports that the 2020 and 2021 Annual Reports had not completed but have now been completed by Legislative Audit. He told the commission these reports are very important so that the public can see how the county is functioning. He said annual reports not being completed were a reoccurring report from previous audits. He reiterated that the annual reports must also be published. The suggestion was made that reports should be reviewed by two people and both those people should sign that they have reviewed them. Legislative Audit would like to see that all wages for the year are reported in January, that the salaries be published in the minutes monthly, and that it be noted in the minutes when anyone receives a raise. There was a problem with things being receipted into the wrong accounts, making it appear as though they were never received. The Landfill did not have a financial assurance report done for 2021. That was corrected and in 2022 both reports were done. They also suggest that we make sure we do an annual inventory of each department. This is to safeguard assets. The delinquent tax list should be compared to the published list to make sure that they agree. He mentioned several things that were not found in the minutes, and we will need to make sure these things get in the minutes going forward. He recommended that the filing system needed improvements and he said that he had been shown that things have been improved greatly already.

**Sylvia Chapman**

Syliva presented documents to the commission. She shared with them that the Fund Balance at the end of 2022 was $6,780,470.34. She presented a document that they may choose to receive monthly to show where the monies are if they like it. She presented them with the 2022 Annual Report and told them that it would be published along with the 2020 and 2021 Annual Reports. She reports that at the end of 2022 the general fund took in more than $419,000 than was spent. Road and Bridge took in more than $453,000 more than was spent. Overall, the county took in more than $876,000 more than it spent. The Landfill also took in more revenue than they spent. She explained to the commissioners some differences between contingency transfers and budget supplements. She supplied a document that explains where the revenues for Road and Bridge come from. She reports that cities, schools and the department of revenue are all being paid in a timely manner. She has everything balanced up through August of 2023 and we are off $127. We will find that going forward. She has been assisting both the auditor and treasurer and fixing and changing how we do things, and it seems to be working well. The commission thanked Sylvia for all her hard work. She said there is still a lot of learning to be done here. None of us can imagine where we would have been without her help.

**Sheriff**

Schilling moved to go into executive session for a personnel matter at 10:28 am. Second by Holgard. All in favor: all saying aye. Motion carried. The Commission came out of executive session at 11:27 am.

**Old Business**

Chairman Houck explained why he took the Solar Ordinance off the agenda at the last meeting. He said we have no document to present to the public for a hearing at this time. We voted last time to change the setbacks, so we have to go through all the chapters to make sure that the changes work with the rest of the ordinance. Holgard said there are a couple of things he would also like to see added to the ordinance. Holgard brought forward the name Nathan Sanderson as being considered for Weed & Pest Supervisor. Members of the weed board have spoken with him, and they have a few questions yet at this time. The commission doesn’t think it will be necessary to run the help wanted ad any more for this year.

**New Business**

Schilling brought up recent minutes from the town of Akaska. The Akaska town board had visited the Sheriff’s department and thanked them for coming down and to not hesitate to write tickets. This subject made him wonder why these municipalities don’t pay the county for the law enforcement the county provides for them.

**Public Forum**

Rick Cain came forward for public forum. He said he was interested in the audit report and Sylvia’s report. He spoke to the excess funds shown at the end of 2022. He would like people to remain cautious as we move forward and get through 2023 to see if the expenditures in 2022 are an anomaly or a trend. The 2022 expenditures were $847,000 less than we spent in 2021. He hopes that this continues and that is not a fluke. He wanted to remind people of all the grants in 2021 from Covid and that was one time money, that we will not be receiving again. He also pointed out that the budget for 2023 was more than in 2022 and we should wait until all the final numbers for 2023 are in. He would ask everyone to have patience to see what happens when all the numbers are in for 2023 so we have a better idea of where we stand. He also stated that at this point we have spent about 50% of the 2023 budget.

**Adjourn**

Holgard moved to adjourn. Second by Schilling. All in favor: all saying aye. Motion carried.

**APPROVED: ATTEST:**

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**CHAIRPERSON AUDITOR**

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