**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

**January 23, 2024, 9:00 a.m.**

**Call to Order:** Chairman Houck called the meeting to order at 9:00 a.m.

**In Attendance**: Commissioners Jim Houck, Duane Mohr, Kevin Holgard, Justin Jungwirth and Scott Schilling by phone. Commissioner Holgard was absent. Also, present were County Auditor Kim Dills, Deputy Auditor JoAnn Nehls, Mary Ohman, Tom Fiedler, Dan Beaman, Linda Beaman, Dale Burnett, Pam Wells, Scott Schanzenbach, Steve Zabel, Jerry Ohman, Denise Centano.

**Pledge of Allegiance**: The Pledge of Allegiance was recited by those in attendance.

**Approve Planning & Zoning Agenda:** Moved by Commissioner Mohr and seconded by Commissioner Jungwirth to approve the Planning and Zoning Agenda. All in favor – all voting aye. Motion carried.

**Solar Farm:** Chairman Houck advised the rules for the Solar Project public meeting to be held at 9:00 a.m. February 7, 2024. If there are any questions that the public may have, they need to be in writing and submitted to the Planning and Zoning office by February 1st giving the commission ample time to review. At the public meeting there will be two lists people can sign. One list will be for those opposed to the proposed solar project ordinance and the other list for those in favor of the proposed solar project ordinance. Those who sign the list opposing the ordinance may speak first with those in favor of the proposed ordinance to follow. There will be a time limit of five minutes per person to speak and people will not be allowed to give any of their time to someone else.

**Public Forum:** Linda Beaman and Pam Wells spoke regarding concerns on the wording of the proposed Solar Farm project ordinance. Beaman asked if someone has not presented their questions by February 1st, if they would still be able to speak. Houck advised they will be able to speak but will not have any questions answered if asked at that time. Houck added that if a commissioner asks a question of those persons will have two minutes to answer. Or, they can submit their question in writing prior to the second hearing on the commissioner side. Houck reminded everyone that there must be a minimum of three public hearings on the commission side of things if there are no changes and if there are no changes on the zoning side then there only needs to be one hearing. Houck advised that if any changes are made to the proposed ordinance, then we would need to have an additional hearing.

**Old/New Business:**  No Old or New Business.

**Adjournment:** Moved by Mohr to adjourn the Planning & Zoning meeting and seconded by Jungwirth. There being no further discussion, the meeting was adjourned at 9:15 a.m.

**Convene as County Commission**

**Call to Order:** Commissioner Chairman Houck called the meeting to order at 9:15 a.m.

**Agenda:** Moved by Jungwirth and seconded by Mohr to approve the agenda. All in favor - All voting aye. Motion carried.

**Claims**: Moved by Jungwirth and seconded by Mohr to approve the claims. With no further discussion, Houck called for Roll call vote - All in favor - All voting yes. Motion carried.

**Claims**: Agtegra $129.06 Hwy supplies; American Stamp & Marketing $52.21; Reg of Deeds supplies; AMG Radiology $13.18 Sheriff services/fees; Beadle County $19285.00 inmate boarding; Beadle Ford Inc $305.25 Sheriff repairs/maintenance; Beadle Sales $1249.62 .repairs/maintenance; Black Hills Ammunition $1094.00 Sheriff supplies; Brown County Sheriff $1710.00 inmate boarding; Brule County $1674.00 Sheriff inmate boarding; CamWal Electric Coop $514.08 Hwy and Landfill utilities; Cardmember Services $1505.22 Sheriff services and fees, inmate meals, travel; Cogley Law Office $1635.50 Court appt attorney services/fees; Cole Papers $36.00 Courthouse supplies; Coleman Law $2711.40 Court appt atty services and fees; Connecting Point $2285.25 Auditor, Sheriff and Hwy services and fees; Dakota Fluid Power Inc $443.76 Hwy repairs/maintenance; Dakota Glass & Alignment LLC $298.17 Sheriff repairs/maintenance; Dakotabilities $180.00 Disabled Services & Fees; DRG Media Group $200.00 Sheriff publishing; Equipment Blades $1466.00 Hwy supplies; Family Pharmacy/Dady Drug $15.36 Sheriff services/fees; Galls $341.31 /Sheriff supplies; Gas N Goodies $127.20 Emergency Management supplies; Geib Elston Frost PA $5478.00 Sheriff services/fees; Hase Plg/Htg/Air $121.47 Courthouse repairs/maintenance; Health Partners Group $1553.77 medical insurance; Hoven Coop Service Co $1931.27 Hwy repairs/maintenance, supplies, utilities; Hughes County $2945.00 Sheriff inmate boarding; Kens Western Lumber $14.99 Sheriff supplies; Kesling Funeral Home $1113.75 Coroner services/fees; KLJ Engineering LLC $3563.79 Hwy services/fees; Donald Knecht $44.72 Sheriff supplies; Mark Kroontje Law $1987.62 Crt Appt services; Lewis Family Drug LLC $20.16 Sheriff services/fees; RELX Inc dba LexisNexis $666.00 Courts law books; Lincoln County Treasurer $227.70 Mental Board services/fees; Marco Inc $43.75 Auditor services/fees; Matheson Tri-Gas Inc $113.46 Hwy rentals; Mc Leods Printing $292.58 Auditor supplies; Mobridge Regional Hospital $976.84 State’s Atty, Sheriff services/fees; Mobridge Tribune $526.07 Commission, Treasurer, States Attorney publishing; MDU $50.91 Hwy utitlities; NESDCAP $3500.00 economic assistance; Quill $950.69 Treasurer, Director of Equalization, Register of Deeds, Support of Poor supplies; Reliance Standard life Ins $13.25 prepaid medical; Runnings $184.37 Hwy supplies; Schneider Geospatial LLC $8448.00 Director of Equalization services/fees; SD Dept of Labor $1468.21 Auditor reemployment assistance; SD Public Health Lab $370.00 States Attorney services/fees; SDEMA $30.00 Emergency Mgmt services/fees; SD Sheriff’s Association $659.45 Sheriff services/fees; Selby Auto Sales/Service $348.09 Courthouse, Sheriff, Hwy supplies; Selby Record $699.19 Commission, Treasurer publishing; Servall Uniform $144.32 Hwy rentals; Share Corp $573.86 Hwy supplies; Shorty’s One Stop $865.68 Treasurer travel, Hwy supplies; Thee Glass Doktor LLC $364.40 Hwy repair/maintenance; Uniform Center $1144.00 Sheriff supplies; VanGuard Appraisals Inc $1250.00 Director of Equalization services/fees; Venture Communications $1001.29 Auditor, Treasurer, States Attorney, DOE, Register of Deeds, Sheriff, Support of Poor, Hwy utilities; Von Wald Law $296.75 Court Appt Atty services/fees; Web Water Development $61.44 Landfill utilities; Web Water Bottling Co $146.50 Landfill utilities; WRT $77.62 Veterans Officer, Hwy utilities.

**Treasurer**: Treasurer Cindy Gaier requested approval for an installment payment plan for the delinquent property taxes of the Angela Bearsheart property. Josh Kutsch joined the meeting by phone. Moved by Mohr and seconded by Jungwirth to allow installment payments by Josh Kutsch for the delinquent property taxes on the Angela Bearsheart property at the rate of $75.00 per month provided the current taxes are paid as well. Houck called for Roll Call vote – all voting yes. Motion carried.

**Mobridge Tisdall Property:** Mobridge Mayor, Gene Cox, (by phone) discussed the possibility of the Mobridge City and the County sharing costs of cleaning up the county’s surplus real property. Cox asked if the county could provide equipment to tear down the structures and the city would do the cleanup, thereby leading to the county selling the surplus real property as a clear lot. After discussion it was decided to table this matter at the next regular meeting to research the costs involved.

**Board Appointments:** The following Board appointments were approved. 2024 BOARD APPOTNTMENTS: 911 Address Coordinator: Curt Rawstern; 4H PROGRAM: Scott Schilling and Justin Jungwirth; 4H COMPLEX POLICY: Scott Schilling; "504" TASK & A.O.A.: Kevin Holgard; AMBULANCE: Justin Jungwirth and Duane Mohr; ASSESSOR/D.O.E: Duane Mohr; AUDITOR: Justin Jungwirth; BUILDING MAINTENANCE/CUSTODIAN: Scott Schilling and Justin Jungwirth; EMERGENCY MANAGEMENT: Justin Jungwirth; EMERGENCY & DISASTER COORDINATOR: Jeff Jensen and Josh Boll; FAMILY ASSISTANCE COORDINATOR: Brenda DeToy; HIGHWAY: Jim Houck and Scott Schilling; INSURANCE: Justin Jungwirth and Kimberly Dills; INVESTMENT & FINANCE: Duane Mohr; JAIL: Jim Houck and Justin Jungwirth; LANDFILL: Jim Houck and Duane Mohr; NORTH CENTRAL REGIONAL 911: Kevin Holgard and Curt Rawstern; NORTH CENTRAL RESOURCE CONSERVATION & EVELOPMENT: Kevin Holgard; North East Council of Government / NECOG: Justin Jungwirth and Jim Houck; PERSONNEL POLICY: Jim Houck, Kevin Holgard, Duane Mohr, Scott Schilling; Justin Jungwirth, Kimberly Dills, Cindy Geier, Brenda DeToy, Tom Hannan, and Josh Boll; PURCHASING: Duane Mohr, Kimberly Dills and Cindy Geier; REGIONAL AGING COUNCIL: Kevin Holgard; REGISTER OF DEEDS: Duane Mohr; SHERIFF: Duane Mohr and Jim Houck; STATES ATTORNEY: Jim Houck; TREASURER: Scott Schilling; VETERANS SERVICES: Kevin Holgard; VETERANS SERVICE OFFICER: Peter Weinzirl; WAR HAWK EMERGENCY MANAGEMENT COORDINATOR: Jeff Jensen; Weed and Pest Board: Jim Houck, Scott Zambo, Tom Fiedler, Dave Ritter and Roger Walker.

**Sheriff:** Sheriff Boll gave the December report and year end Inmate/Transport report for 2023, along with a surplus list that includes the 2010 Black Chevy Tahoe which will be sold at auction in April, which all property removed from it. Moved by Mohr to surplus all discarded equipment, seconded by Jungwirth. All in favor – all voting aye. Motion carried.

The employee resolution 2024-002 – wages and salaries was read. After discussion the Resolution was amended to change the Senior Transport Officer amounts to $20.99 - $21.99 / hr. Moved by Mohr and seconded by Jungwirth to approve the following resolution as amended. All in favor – all voting aye. Motion carried.

RESOLUTION 2024-OO2

A RESOLUTION ESTABLISHING THE NUMBER AND COMPENSATION

OF DEPUTIES ALLOWED FOR THE OFFICE OF THE COUNTY SHERIFF

WHEREAS, the Walworth County Board of Commissioners has deemed it necessary for the prompt dispatch of business in the office of the County Sheriff that one or more deputies, jailers, or clerks, be appointed therein; and

WHEREAS, South Dakota Codified Law 7-12-9 outlines the procedure for fixing the number and compensation of deputies in the office of the County Sheriff.

NOW, THEREFORE, BE IT RESOLVED, that the Walworth County Board of Commissioners fixes the number and compensation of Sheriff’s Office personnel per SDCL 7-12-9 as follows for 2023:

**POSITIONS**

Sheriff $60,347.93

Chief Deputy 1 FTE

Deputy Sheriff 2 FTE

Deputy Sheriff (PT) 4 PT 540 hours each

Senior Transport Correctional Officers 1 FTE

Transport Correctional Officers 4 FTE

Transport Correctional Officers PTE Unlimited (PRN) UNLIMITED hours

Administrative Assistant/PT Correctional Officer 1 FTE

**COMPENSATION**

Chief Deputy $29.02 / hr

Deputy Sheriff $24.48 / hr

PT Deputy $24.48 / hr

Senior Transport Officer $20.99 – $21.99 / hr ($50,918.40) yr

Transport Officers $20.99 - $21.99 / hr ($43,660.24 -$45,740.24)

PT Correctional Officer $20.99 - $21.99 / hr

Administrative Assistant $21.99 / hr

Blood Techs $75.00/blood draw

Moved by Jungwirth and seconded by Mohr to approve a contingency transfer of $85.98 into the D.A.R.E. fund so it can be used. Roll call vote - All in favor – all voting aye. Motion carried.

**Register of Deeds**: Register of Deeds, Brenda DeToy, gave end of month reports, medical billing, SHINE and pesticide testing reports. Chairman Houck said people in the County have told him that the SHINE program was appreciated.

**Highway:** Tom Hannan gave a report on proposed equipment rates.

Moved by Mohr and seconded by Jungwirth to approve the 2024 Equipment Rates. All in favor – all voting aye. Motion carried.

**2024 Equipment Rate RATE**

Sanders $15.00

Pickups $35.00

Trucks $34.00

Tandem Trucks $42.00

Semis $52.00

Graders $76.00

Loaders $43.00

Backhoe $36.00

Skid Steer $63.00

Forklift $30.00

Screen L-500 $50.00

Scrapers $62.00

Dozer 7 $60.00

Dozer 6 $70.00

Gravel Trailers $30.00

Tractors/Mowers $41.00

Tampers $ 9.00

V-Plows $17.00

1 Ways $15.00

**2024 Equipment Rate RATE**

Wings $29.00

Broom $25.00

Chip Spreader $35.00

Water Pumps $ 7.00

Walk n Roll $20.00

Diesel Compressor $20.00

Misc Trailers $34.00

Oil Dist $65.00

Combination T-146 &

T-146A Wheel Rakes $19.00

Roller $16.00

Motorized Packer $18.00

Rotor-Tiller $28.00

Brush Chipper $15.00

Drag $13.00

Welder $20.00

Hot Mix Tank $15.00

Disc $15.00

Grass Seeders $17.00

**CHIPPER USE**

ESTABLISHED RENTAL RATE PER HR.

PLUS $.60 MILE

PLUS MAN HOURS

PLUS TRUCK HOURS

**BLADING**

ESTABLISHED GRADER RATE + OPERATOR LABOR

**SNOW REMOVAL**

GRADER W/WING ESTABLISHED RATE + LABOR

TRUCK W/1 WAY ESTABLISHED RATE + LABOR

DOZER ESTABLISHED RATE + LABOR

LOADER ESTABLISHED RATE + LABOR

Jungwirth moved and seconded by Schilling to approve the following Resolution WC 2024-001 Resolution to Set Overweight Limits. All in favor – all saying aye. Motion carried.

**RESOLUTION WC 2024-001**

**RESOLUTION TO SET OVERWEIGHT LIMITS**

WHEREAS the ultimate responsibility for the county roads in Walworth County rests with the Walworth County Commission; and

WHEREAS the Walworth County Commission has appointed the Highway Superintendent as the proper highway authority, responsible for the care and maintenance of all Walworth County roads; and

WHEREAS to preserve the roads in Walworth County during all seasons of the year, weight restrictions must be imposed and enforced; and

WHEREAS to preserve the roads in Walworth County during the spring season, weight

restrictions and/or reduced speeds must be imposed; and

WHEREAS it would be beneficial to Walworth County to seek and obtain the assistance of the South Dakota Highway Patrol in enforcing load restrictions on all Walworth County roads.

NOW THEREFORE, BE IT RESOLVED, that the Walworth County Board of Commissioners, hereby, authorizes the Walworth County Highway Superintendent to impose, consistent with the recommendations of the South Dakota Department of Transportation and the South Dakota Highway Patrol, weight restrictions for overall vehicle weight and/or weight restrictions per axle during all seasons of the year, and to also include the reduced weight limits due to thawing and excessive moisture during the spring season. In so resolving, the commission directs the Highway Superintendent to post notice of weight restrictions as required by law.

BE IT FURTHER RESOLVED that the Walworth County Board of Commissions requests assistance from the South Dakota Highway Patrol in the enforcement of weight restrictions in Walworth County and authorizes the Walworth County Highway Superintendent to work in conjunction with the South Dakota Highway Patrol to reduce damage to the roads in Walworth County due to overweight vehicles.

Moved by Mohr and seconded by Schilling to approve Highway Superintendent Tom Hannan to attend Short Course training in Deadwood March 19-21, 2024. All in favor – all saying aye. Motion carried. Hannan gave the 2023 Annual Report. Moved by Mohr and seconded by Jungwirth to approve the 2024 Equipment Rates. All in favor – all voting aye. Motion carried.

**Auditor:** Auditor Dills requested approval for herself and Deputy Auditor Nehls to attend Election training. Moved by Schilling and seconded by Mohr to approve Auditor Dills and Deputy Auditor Nehls to attend Election training in Pierre February 28 – 29, 2024. All in favor – all saying aye. Motion carried.

**Emergency Management:**

Moved by Mohr and seconded by Schilling to approve the Wildland Fire Division Designee Resolution. All in favor – saying aye.

**RESOLUTION 2024-002**

**WILDLAND FIRE DIVISION DESIGNEE**

**WHEREAS,** South Dakota State Law SDCL 41-20A-11 states, *Assistance in suppression of range fire within county-Reimbursement of expenses*. At the request of the board of county commissioners or a person designated by a board of county commissioners for such purpose, the state wildland fire coordinator may assist in the suppression of any range fire within the county. If any assistance provided by the coordinator includes the use of more than six (6) state employees and more than two (2) vehicles, the county to which the assistance is given shall reimburse the coordinator for the reasonable expenses incurred, and;

**WHEREAS,** pursuant to SDCL 41-20A-11, the South Dakota Wildland Fire Coordinator may assist in the suppression of rangeland fires within the county upon request of a Board of County Commissioners or its designee, and;

**WHEREAS,** at the time of a fire emergency there is insufficient time to convene the Board of Walworth County Commissioners to make such requests, and;

**WHEREAS,** the South Dakota Wildland Fire Coordinator has requested that a person(s) be officially designated by the Walworth County Commission to make such requests, and;

**WHEREAS,** Walworth County is responsible for the reasonable expenses incurred by the South Dakota Wildland Fire Coordinator for the assistance that Walworth County requests as set forth above.

**NOW, THEREFORE, BE IT HEREBY RESOLVED,** by the Walworth County Board of County Commissioners in and for the County of Walworth, State of South Dakota, the Walworth County Board of County Commissioners Representatives, the Walworth County Sherriff and Chief Deputy, the Walworth County Emergency Manager and the Walworth County Rural Fire Chief is hereby designated and authorized to request, on behalf of Walworth County, fire suppression assistance from the State Wildland Fire Coordinator as deemed necessary within Walworth County.

The authority to request assistance as provided shall continue in full force and effect until terminated or modified by resolution of the County of Walworth Board of Commissioners.

Dated this 23rd day of January, 2024.

**Old Business**: None

**New Business:** None

**Adjournment:** Jungwirth moved to adjourn and seconded by Mohr. All in favor - All saying aye. Motion carried. Adjournment at 9:56 a.m.

**APPROVED: ATTEST:**

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**CHAIRPERSON AUDITOR**

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