**WALWORTH COUNTY BOARD OF COMMISSIONERS**

**MINUTES OF PROCEEDINGS**

**October 24, 2023**

**In Attendance**: Jim Houck, Duane Mohr, Kevin Holgard, Scott Schilling and Justin Jungwirth. Also present were Linda Beaman, Pam Wells, Denise Centeno, Dale Bachman, Ralph Kulm, Patricia Kulm, Tabitha Kulm, Tristan Kulm, Parker Kulm, Ellie Overweg, David Kulm, Dan Lederman, Tanner Masteller, Steve Zabel, Duane Zabel, Shirley Masteller, Dawson Zabel, Jennifer Andree, Bud Andree, Dan Beaman, Rochelle Forget, County Auditor Kim Dills and Deputy Auditor Kahl.

**Pledge of Allegiance**:

The Pledge of Allegiance was recited by those in attendance.

**Planning and Zoning:**

Chairman Houck added public forum to the agenda. Holgard moved to approve the agenda as amended. Second by Mohr. All in favor: all saying aye. Motion carried. Discussion was held on the Solar Farm Ordinance by several concerned citizens. The Commission discussed amongst themselves things that can be added to a conditional use permit. Jungwirth moved to change the setbacks to the existing ordinance from 1500 feet to 1 mile from a residence and 100 feet to 1000 feet from a property line. Second by Mohr. Holgard questioned Jungwirth on where he came up with those numbers, Jungwirth replied that he received those numbers from concerned citizens of the county. Following the motion there was considerable discussion between the concerned citizens present and the commission with many questions asked. The commission will attempt to get answers to those questions. Roll call vote: Holgard voting no; Mohr, Schilling, Jungwirth and Houck voting yes.

RESOLUTION 2023-9

A resolution approving the plat of parcels #1 & #2, Potterwal Farms addition, located in the SW ¼ & S ½ SE ¼ Section 36, Township 121 North, Range 78 West of the 5th P.M., Walworth County, South Dakota.

Whereas the plat of the above-described property has been executed according to statue, now therefore:

Be it resolved that the County Commission, in and for Walworth County, does hereby approve the said of Parcels #1 & #2, Potterwal Farms Addition, located in the SW ¼ & S ½ SE ¼ Section 36, Township 121 North, Range 78 West of the 5th P.M. Walworth County, South Dakota. Moved by Holgard to approve the resolution, second by Mohr. All in favor: All saying aye. Motion carried.

RESOLUTION 2023-10

A resolution approving the Plat of Parcels #1, Potterwal Farms addition, located in the S 1/2 Section 35, Township 121 North, Range 78 West of the 5th P.M., Walworth County, South Dakota.

Whereas the plat of the above-described property has been executed according to statue, now therefore:

Be it resolved that the County Commission, in and for Walworth County, does hereby approve the said of Parcels #1, Potterwal Farms Addition, located in the S 1/2 Section 35, Township 121 North, Range 78 West of the 5th P.M. Walworth County, South Dakota. Moved by Mohr to approve the resolution. Second by Jungwirth. All in favor. All saying aye. Motion carried.

There was no old or new business. Holgard moved to adjourn. Second by Mohr. All in favor: all saying aye. Motion carried.

Convene as Board of County Commissions.

**Agenda**

Houck added to discuss/act to #13 911 Joint Powers agreement, Discuss/act on Holidays after #15, add discussion on MTP to #11 Highway and Discuss/act on recommendations of Planning and Zoning Board after #7 The agenda was approved as amended. Moved by Mohr. Second by Jungwirth.

All in favor aye. Motion carried.

**Claims**

Holgard moved to approve the claims. Second by Jungwirth. Roll call all saying aye. Motion approved.

JAVA 23.00 Java Shop water; AMG RADIOLOGY ABERDEEN 262.65Jail Medical A. Dwarf; AT&T MOBILITY 631.95 287284370176X10232023; AUTO VALUE ABERDEEN 814.28 445274437, 445275739;AVERA OCCUPATIONAL MEDICINE 294.00 INV 00102777-00;BANTZ, GOSCH & CREMER LLC 269.86 125839 CJG;BEADLE COUNTY 28375.00 202301750;BEADLE FORD INC 99.48 87958;KRISTI A. BRANDT 53.90 2313;BROWN COUNTY SHERIFF 2355.00 Juv 10-23, adul 10-23;BUTLER MACHINERY CO 2239.82 05PS0311041, 29PS0019080;CAM WAL ELECTRIC COOPERATIVE 222.06;SYLVIA CHAPMAN 2322.80 contracted hourly; COGLEY LAW OFFICE PROF LLC 1598.90;COLEMAN LAW 1515.25 64CR127,64CR123129,64CR12381;CONNECTING POINT 2298.49 426653;DEPT OF LEGISLATIVE AUDIT 42470.20 Legislative Audit; BRENDA DETOY 194.94 Workshop San Antonio TX;GTC AUTO PARTS 4.55 REF 351464;TOM HANNAN 240.00 tx-4514499, TX 9031920HASE PLUMBING HEATING & AIR 135.96; HEALTH PARTNERS GROUP 25182.24 455422850001;Jeremy Hoffman 250.00 Utility Easement;HURON REGIONAL MEDICAL CENTER 370.34 HS #2247JEFF JENSEN 50.02 EM meeting; JENSEN ROCK & SAND INC 5724.00 42212RM,42208RM,42292RM,42294M;JUSTICE FIRE & SAFETY 1058.00 ;KENS WESTERN LUMBER 218.39; KLJ ENGINEERING LLC 3578.91 10198156, 10198133;MARK K KROONTJE 301.75 C.G 9-2-74, H.S. 4-14-97;RELX INC. DBA LEXISNEXIS 666.00;

MARY LIVERMONT 3298.40 2356 CUBIC YARDS DIRT; MARCO INC 390.30 35048647; MC LEOD'S PRINTING & OFFICE 506.49 70859; MIDCONTINENT COMMUNICATIONS 163.39; MOBRIDGE NUTRITION SITE 1875.00 SUBSIDIES; MOBRIDGE ACE HARDWARE 118.92.

CITY OF MOBRIDGE 58.73;MOBRIDGE PIT STOP INC 165.04 ;MOBRIDGE REGIONAL HOSPITAL 97.71; MONTANA-DAKOTA UTILITIES 1220.95;QUILL CORPORATION 69.99; ROBERTS COUNTY 115.00; RUNNINGS SUPPLY INC 90.96; SCHILLING EXCAVATION 7437.50;SOUTH DAKOTA DEPARTMENT OF 941.39;SD CONTINUING LEGAL EDUCATION 500.00; SD DEVELOPMENT CENTER 60.00 T.B 4218;SDACO 160.00SELBY AUTO SALES & SERVICE 79.49; CITY OF SELBY 312.52;SELBY RECORD 906.16 2314,ANNUAL SUB DOE;SENIOR NUTRITION CENTER 1923.00 SUBSIDIES, REC# 3141-14;SERVALL UNIFORM & LINEN 132.47 ;SLATER OIL & LP GAS 535.04; STEVE LEHRKAMP ENTERPRISES,INC 5385.14 23-014;TALIAFERRO LAW FIRM 320.75;VALLEY TELCOMMUNICATIONS 136.95; VERIZON 48.06; MITCHELL VILHAUER 3000.00; WEB WATER DEVELOPMENT 54.54 Inv 24448;WEB WATER BOTTLING COMPANY 6.25 Inv 250318;WEB WATER BOTTLING COMPANY 18.75 INV 250317.

**Minutes**

Schilling moved to approve the Minutes from October 24, 2023. Second by Holgard. All in favor aye. Motion carried.

**Planning AND Zoning**

Mohr moved to approve Parcel 1 in section 35-121-78 Potterwal Farms addition. Second by Schilling. All in favor aye. Motion carried. Jungwirth moved to approve Parcel 1 %2 section 36-121-78 Potterwal Farms addition. Second by Schilling. All in Favor aye. Motion carried.

**Nepotism**

Policy was discussed and we will ask the States Attorney to evaluate the policy.

**Oversite committee**

Schilling moved to appoint an oversight committee for the Sheriffs office consisting of Scott Schilling, John VonWald and Harley Overseth. Second by Holgard. Roll call vote Holgard and Schilling voting yes, Mohr, Jungwirth and Houck voting no. motion failed.

**Sheriff**

A discussion was held to request permission to advertise for a budget supplement hearing for the Sherriff office in the amount of $80,000.00, with $50,000.00 going for Jail Medical, $30,000.00 for adult boarding and $20,000.00 for Juvenile boarding. Mohr moved to approve. Second by Jungwirth. Roll call vote; Schilling voting no, Holgard, Mohr, Jungwirth and Houck voting yes. Motion carried. Jungwirth moved to approve hiring Jonnathon Steder as part time transport Officer at a salary of $20.85 effective 10/30/2023. Second by Schilling. Roll call vote: all voting yes. Motion carried. Mohr moved to approve the 2024 Hughes County Jail contract for Adult and Juvenile boarding. Second by Jungwirth. All in favor. Motion carried.

**Highway**

Highway Superintendent Hannan announced Gary Byre’s retirement was official October 31, 2023. He also announced that Byre volunteered to finish the Master Transportation Plan. He said the Manke Bridge project has been completed. Representatives from IMEG, Chelsey Sheridan and Michael Gutenkauf to report on the Bridge inspection for 2023. All bridges appeared to be in good condition. Holgard moved to approve a travel request for Supt. Hannan for December 7th and 8th in Oacoma, SD. Second by Mohr. Roll call vote all voting yes. Motion Carried. Reported he ordered some computer equipment for the Highway Department office. He will be checking SD surplus property for office furniture. Hannan requested Highway employees to stay on a 4-day work schedule. At this time Commissioner Schilling excused himself from the meeting. Mohr moved to allow the Highway department to stay on the schedule until January 1. It will be discussed again at that time. Second by Jungwirth. All voting ayes. Motion moved.

**Auditor**

Auditor’s Report with the Treasurer

Walworth County Auditor’s Account with the Walworth County Treasurer – To the Honorable Board of County Commissioners of Walworth County: I hereby submit the following report of my examination of the cash and cash items in the hand of the Treasurer of this County as of October 31, 2023, Kimberly Dills, Walworth County Auditors: Total amount of deposits in Bankwest Checking/ICS $8,094,690.91, Total amount of actual cash $700.00; Bankwest Landfill MM - $1,254,008.79 for a Grand Total $9,349,399.70. The total represents state, county, schools, cities and fire district funds, which will be transferred to each entity of government after being apportioned.

Moved by Holgard to approve a hearing For Supplemental Budget on December 5, 2023, for $45,000.00 for 911 Services and $40,000.00 for Courthouse repairs. Second by Mohr. All in Favor. Motion approved.

Discussed liability on tax deed properties and securing them.

**Liquor Licenses**

Holgard moved to approve liquor licenses for Mobridge Country Club. Second by Mohr. All in favor. Motion carried. Holgard moved to approve the liquor license for Mudline Resort. Second by Jungwirth. All in favor. Motion carried. Holgard moved to approve liquor license for Campground Lounge. Second by Jungwirth, All in favor. Motion carried.

**911 Joint Powers Agreement**

Holgard moved to sign the addition to the North Central 911 Joint Powers Agreement. Second by Jungwirth. All in favor. Motion Carried.

**Health Insurance**

Mohr moved to authorize the Chair to sign the HealthPartners renewal paperwork. Second by Jungwirth.

All in favor. Motion carried.

**Holidays**

Jungwirth moved to approve November 24, 2023, as a paid holiday. Second by Mohr. Roll call all saying yes. Motion approved.

**Old Business**

Duane Mohr requested that the surplus Sheriff properties be appraised to possibly put them on an online auction. Commission asked to get 3 appraisals and turn them into the Auditor office.

**Adjournment**

Holgard moved to adjourn. Second by Jungwirth. All in favor: all saying aye motion carried.

**APPROVED: ATTEST:**

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**CHAIRPERSON AUDITOR**

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