

August 5, 2008

## CALL TO ORDER

Chairman Ziegler called the regular meeting of the Davison County Board of Commissioners to order at 9:00 a.m. All members of the Board were present. Also present was Auditor Kiepeke.

## APPROVE MINUTES

Motion by Fischer, second by Weiss to approve the minutes of the July 29, 2008 meeting as revised. All members voted aye. Motion carried.

## BILLS

Motion by Fischer, second by Claggett to approve payment of the following bills. All members voted aye. Motion carried.

## GENERAL FUND:

**JUDICIAL SYSTEM:** Prof. Fees/Avera Queen Of Peace - -2,024.42, Great Plains – 570.00, Stephanie Moen & Assoc – 40.00; **STATES ATTORNEY'S OFFICE:** Professional Fees/Argus Leader – 37.02, Taylor & Miskimins – 99.49, Winona County Sheriff – 60.00, Yellowstone Cnty Sheriff – 50.00, Books/West Payment Center – 366.00; **INDIGENT DEFENDER:** Third Party Billing/Timothy G Bottum – 4,711.61; **CATASTROPHIC LEGAL:** SDACC – 3,097.13; **PUBLIC SAFETY BUILDING:** Repairs-tower/McFarland Supply Co.,Inc – 13.76, Supplies-PSB/Business Products Inc.- 28.48, Menards – 48.73, Supplies-Tower/Business Products Inc. – 28.48, Hillyard/Sioux Falls – 19.00, Menards – 67.02, Gasoline/Fuel – PBS/United Energy, LLC – 318.77, Pest Control – P&T/Ecolab Pest Elimination – 86.00; **GENERAL GOVERNMENT BLDG:** Repairs & Maint./Thunes True Value – 22.53, Supplies/Jones Supplies – 185.83, Menards – 9.95, Palace Cleaners – 13.25, Water & Sewer/City Of Mitchell – 613.40, Pest Control/Ecolab Pest Elimination – 47.00; **DIRECTOR OF EQUALIZATION:** Supplies/S & M Printing – 108.00, United Energy, LLC – 525.39, Travel & Conf./Deadwood Gulch Resort – 768.00, Books/Card Service Center – 58.50; **REGISTER OF DEEDS:** Microfilm Supplies/Microfilm Imaging Sys. Inc – 61.42; **COUNTY COORDINATOR:** Copy Machine Maintenance/Xerox Corporation – 49.77; **SHERIFF'S OFFICE:** Professional Services – 20.70, Fed Ex – 20.13, Office Supplies/Big K – 17.98, Gas-Patrol Car/United Energy, LLC – 3,930.36, Uniforms/Velvet Uniforms Inc. – 109.00, Field Supplies/Velvet Uniforms Inc.- 8.00, Travel & Conf./ Kathy Fouberg – 24.00, Utilities/FSH Communications, LLC – 127.20, Minor Equip./Iverson Chrysler Center – 13,600.00; **COUNTY JAIL:** Medicine/James Valley Imaging LTD – 32.06, Sanford Laboratories – 20.12, Equip Repair/Rew's T.V. – 48.50, Jail Supplies/Bob Baker Co Inc. – 718.44, Prisoner Food/CBM Food Service – 6,453.94, Vehicle Maint. – 305.12, United Energy, LLC – 1,435.01, Inmate Services /Evercom Systems Inc – 4,560.00; **POOR RELIEF:** Hospital/Avera McKennan Hospital – 13,940.99, Avera Queen Of Peace Hosp. – 8,627.51, Rent/Musick Property – 300.00, Utilities/Northwestern – 217.80; **MENTAL ILLNESS BOARD:** Committals/Stiles Law Firm – 40.00; **EXHIBITION BLDG O & M:** Repairs & Maint./Menards – 7.99, Scotts Supply Co – 88.21, Gasoline/Fuel/United Energy,LLC – 138.34, Pest Control/Ecolab Pest Elimination – 46.00, Minor Equipment/Menards- 284.43; **COUNTY EXTENSION:** Utilities/Santel Communication – 69.95; **WEED CONTROL:** Fuel/United Energy, LLC – 1,577.95;

**INDUSTRIAL DEVELOPMENT:** Economic Development – 2,500.00; **HIWAY ADM & CONSTRUCTION:** Repairs/Maintenance/Scotts Supply Co – 263.02, Tractor Supply Creditplan – 165.98, Supplies/Materials/Fastenal Company – 17.17, Lyle Signs. Inc – 279.26, Northland Chemical Corp. – 192.68, Thunes True Value – 3.98, Gasoline/Fuel/United Energy,LLC – 2,208.43, Projects/Commercial Asphalt – 238,482.67; **EMERGENCY MANAGEMENT:** Repairs/Maint/Electronic Security – 800.00, Supplies/The UPS Store – 6.71, Fuel/United Energy,LLC – 479.75, Utilities/Qwest – 50.61, Emergency Accuml/Miller Consulting – 630.00,

### **INTO EXECUTIVE SESSION**

At 9:42 a.m., at the request of States Attorney Pat Smith, motion by Fischer, second by Weitala to move into executive session to discuss union contracts. All members voted aye. Motion carried.

### **OUT OF EXECUTIVE SESSION**

At 10:45 a.m., motion by Weitala, second by Fischer to move out of executive session. All members voted aye. Motion carried.

### **APPROVE TRAVEL**

Motion by Weiss, second by Claggett to approve travel and meals for Jane Kingsbury and Kathye Fouberg to attend an excel workshop in Sioux Falls on September 11 and 12, 2008. All members voted aye. Motion carried.

### **APPROVE TRAVEL**

Motion by Fischer, second by Weiss to approve travel, lodging and meals for Jail Administrator Radel to attend a digital photography course in Rapid City on August 24 – 29, 2008. All members voted aye. Motion carried.

### **SIGN ADDENDUM TO CBM CONTRACT**

Motion by Weiss, second by Claggett to authorize the Chairman to sign the addendum to the original contract between Davison County and CBM Foodservice. All members voted aye. Motion carried.

### **RESOLUTION TO HOLD HEARING ON MT. VERNON FIRE DISTRICT**

There having been presented to the Davison County Board of Commissioners the duly signed petitions requesting an election to be held on the question of whether or not to form the “Mount Vernon Rural Fire Protection District”, and

It appearing that the request for the fire protection district involves real property in Davison County, SD, and

Upon there appearing to be good cause therefore, now, therefore,

It was moved by Claggett, and seconded by Weiss that the following Resolution be adopted: A roll call vote was taken as follows: Weiss – aye, Claggett – aye, Fischer – aye, Weitala – aye, Ziegler – aye. Motion carried.

**RESOLUTION #080508-01**

**BE IT RESOLVED** by the Board of Commissioners that public hearing and special meeting of the Board to determine the public interest in and necessity of conducting such election will be held on August 26, 2008 at the hour of 7:00 o'clock P.M. in the Tom Young Community Center at Mount Vernon, Davison County, SD; and

**BE IT FURTHER RESOLVED** that the Davison County Auditor shall cause due legal notice of this public hearing to be published in the Davison County legal newspapers as is required by law.

Dated at Mitchell, South Dakota, this 5<sup>th</sup> day August, 2008.

**ATTEST:**

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Susan Kiepke, Auditor

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Richard Ziegler, Chairman

**JUVENILE REPORT**

Jane Kingsbury appeared before the Board to give the semi-annual jail report concerning juveniles. This report is on file at the Davison County Auditor's office.

**RESOLUTION TO OPPOSE INITIATED MEASURE 10**

Motion by Claggett, second by Fischer to adopt the following resolution opposing Initiated Measure #10. A roll call vote was taken as follows. Fischer – aye, Weitala – aye, Claggett – aye, Weiss – aye, Ziegler – aye.

**RESOLUTION #080508-02**

**Whereas**, Initiated Measure #10 would prohibit any county from paying dues to any association that lobbies; and

**Whereas**, it is far more efficient and cost effective to join together with our fellow counties through the South Dakota Association of County Commissioners for coordinated communication with the Legislature than to have each county stand alone; and

**Whereas**, the costs to the taxpayers of having each county monitor, report and travel to Pierre to participate in the Legislative Session would be much greater than any dues to the South Dakota Association of County Commissioners; and

**Whereas**, coordinated communication with Legislators leads to more efficiency in the Legislative process and has saved millions of dollars in taxpayer funds; and

**Whereas**, restricting the ability of South Dakotans to support candidates and communicate with their elected public officials is a violation of their right to freedom of speech; and

**Whereas**, the measure will be challenged in court and will most likely be found to be unconstitutional, costing millions of dollars in taxpayer money; and

**Whereas**, Initiated Measure #10 does not limit State government-paid lobbyists, out-of-state lobbyists or corporate lobbyists, but only stifles coordinated voices for local control; and

**Whereas**, Davison County finds that county officials throughout South Dakota are dedicated, honest and ethical people with the best interests of their counties in mind and that counties take great pride in providing open, honest government to our citizens; and

**Whereas**, the thousands and thousands of South Dakotans who do business with the State, Cities, Counties and other governmental entities should not be penalized for providing such services; and

**Whereas**, civic groups who work to better their community, and often require local funding to provide their services should not be prohibited from communicating their needs to local public servants; and

**Whereas**, the forces supporting Initiated Measure #10 will not reveal the source of their funding, leaving the reasonable assumption that out of state special interests are once again attempting to hijack the South Dakota ballot and abuse our initiative process;

**Now, therefore be it resolved**, that Davison County strongly opposes Initiated Measure #10 and urges the citizens of South Dakota to vote “NO” on the measure.

Dated at Mitchell, South Dakota this 5<sup>th</sup> day of August, 2008.

**ATTEST:**

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Susan Kiepke, Auditor

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Richard Ziegler, Chairman

**ADJOURN**

At 11:54 p.m., Chairman Ziegler adjourned the meeting and set the next regular meeting for Tuesday, August 12, 2008 at 9:00 a.m.

**ATTEST:**

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Susan Kiepke, Auditor

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Richard Ziegler, Chairman