

## **JANUARY 5, 2010**

### **CALL TO ORDER**

Auditor Kiepke called the first meeting of 2010 of the Davison County Board of Commissioners to order at 9:00 a.m. All members of the Board were present.

Auditor Kiepke opened the meeting with the Pledge of Allegiance.

### **ADMINISTER OATHS**

Auditor Kiepke Administered the Oaths of office to Commissioners Fischer, Weitala, Claggett, Weiss and Kiner.

### **ELECT CHAIRMAN**

Auditor Kiepke called for nominations for the 2010 Chairman of the Davison County Board of Commissioners. Motion by Weiss, second by Claggett to nominate Commissioner Weitala.

Auditor Kiepke called for any additional nominations. There being no further nominations, motion by Claggett, second by Weiss for nominations to cease and a unanimous ballot be cast for Commissioner Weitala as 2010 Chairman of the Davison County Board of Commissioners. All members voted aye. Motion carried.

### **ELECT VICE-CHAIRMAN**

Auditor Kiepke called for nominations for the 2010 Vice-Chairman of the Davison County Board of Commissioners.

Motion by Weiss, second by Weitala to nominate Commissioner Claggett.

Auditor Kiepke called for any additional nominations. There being no further nominations, motion by Weitala, second by Weiss for nominations to cease and a unanimous ballot be cast for Commissioner Claggett as 2010 Vice-Chairman of the Davison County Board of Commissioners. All members voted aye. Motion carried.

### **CHAIRMAN TAKES OVER MEETING**

Commissioner Weitala took over the meeting as Chairman and continued on with the remainder of the day's business.

### **APPROVE MINUTES**

Motion by Claggett, second by Weiss to approve the minutes of the December 29, 2009 meeting. All members voted aye. Motion carried.

### **DISCUSSION**

Brenda Schulte of CASA was present for the Commissioners meeting as part of the Leadership Mitchell classes. She thanked the Commission for allowing CASA to have space for their office in the Courthouse. She stated that it was very generous and helped them very much financially.

## **APPROVE OVERWEIGHT PERMIT**

Ken Bussmus appeared before the Board to request an annual overweight permit. Highway Superintendent Weinberg suggested that trip permits be granted rather than an annual permit. Mr. Bussmus stated that that is what the surrounding counties issue to him.

Motion by Fischer, second by Kiner to authorize the County Highway Department to issue overweight trip permits for Ken Bussmus for the year 2010. All members voted aye. Motion carried.

## **DISCUSSION**

Bev Duffle and Darlene Bergeleen of the SD Department of Health were scheduled to appear before the Board. Appearing in their place were Deb Haak and Natalie VanDrogelen. Mrs. Haak stated that Family Planning had been through a Federal Audit. The audit findings indicated that the temporary plan for handicapped accessibility was okay until the new building is built except that there needs to be a place designated for handicapped parking and a sign placed on the building stating that people can call for handicapped accessibility instructions.

Mrs. Haak stated that the receptionist does ask when clients call if they need handicapped accessibility. She also stated that the State would pay for the sign and possibly some of the painting for the parking space.

Commissioner Weitala will visit with the landlord regarding these requests.

## **APPROVE DAVISON COUNTY EMPLOYEE WAGES FOR 2010**

As per SDCL 6-1-10, motion by Claggett, second by Kiner to approve and publish the following wages for fiscal year 2010. All members voted aye. Motion carried.

### **Note**

The salary figures do not include longevity that may be due some employees. The salaries of Department Supervisors, Assistant State's Attorney, Chief Sheriff's Deputy and Corrections Administrator are prorated per the period worked throughout the fiscal year with the exception of the Highway Superintendent who is paid on an hourly basis so as to provide for overtime pay.

**Department Supervisors-Veteran's Service Officer/Welfare Director** Steve McClure-\$36,442.21; **Maintenance-Director of Physical Plant** Mark Ruml-\$49,370.05; **Director of Equalization** Kathy Goetsch-\$48,878.98; **Highway Superintendent** Russell Weinberg-\$22.66 per hour; **Emergency Management** Jim Montgomery-\$36,937.47

### **Employees**

**Auditor's Office** – Karen Knadle-\$16.78; John Thomson-\$11.98; Sue Wermers-\$12.30

**Treasurer's Office** – Christie Priebe-\$14.92; Judy Geraets-\$14.98; Bernice Houska-\$13.17;

**Register of Deeds** – Darlene Bailey-\$15.92; Teri Burgess-\$14.41;

**States Attorney** – Bob O'Keefe-\$54,561.89; Judy Larson-\$17.93; Lyla Jerke-\$13.34;

**Maintenance Department** – Doug Neugebauer-\$16.20; Roger Collins-\$12.82; Roger Triebwasser-\$14.49; Brad Messer-\$8.75; Ernest Hines-\$8.50;

**Planning & Zoning** – Dan Sudrla-\$17.75;

**Director of Equalization** - Dan Sudrla-\$17.75; Louise Hohn-\$15.91; Blake Biggerstaff-\$14.55; Lowell Perman-\$11.72; Betty Hegge-\$15.14; Nikki Letcher-\$11.83;

**Welfare Department** – Dawn Grissom-\$11.79;

**Highway Department** – Sharon McBrayer-\$16.21; Marilyn Hart-\$14.49; John Geidel-\$19.29; Randy Strong-\$16.72; Steve Groseth-\$16.14; Rodney Mathers-\$15.85; Mike Mathews-\$15.85;

David Sigmund-\$15.19; Rueben Sonne-\$14.67; Kevin Geidel-\$15.99; Dean Mayer-\$13.87; Warren Carter-\$12.74;

**County Health Nurse** – Sara Klumb-\$14.49; Megan Davids-\$9.50;

**WIC** – Diane Hohn-\$12.58;

**Fairgrounds Maintenance** – Patrick Wibben-\$13.00;

**Weed Department** – John Geidel-\$19.29; Seasonal-\$10.00; Seasonal-\$8.50;

**Extension** - Deb Knudsen-\$14.56; Jolene Schulz-\$8.00; Seasonal-\$8.00;

**Sheriff's Office** – Steve Brink-\$43,928.08; Steve Harr-\$16.49; Mark Vaughan-\$16.47; Tim Reitzel-\$14.40; Kathye Fouberg-\$15.60; Grace Swenson-\$14.12; Julie Mahaffey-\$10.00; Gary Kingsbury-\$10.25; Andy Petersen-\$10.25; Darin Moke-\$10.25; John Schroeder-\$10.25;

**Jail** – Don Radel-\$42,953.50; Jane Kingsbury-\$17.57; Cindy Voyles-\$16.65; Connie Harr-\$15.86; Carol Radel-\$15.86; **Union Salaries** – Carol Kahler-\$15.91; Janelle Phillips-\$14.91; Linda Aldrich-\$14.38; John Conway-\$13.59; Ginger Faas-\$13.34; Tammy Herrick-\$12.68; Tom Kulm-\$15.04; Aaron Nash-\$12.68; Mary White-\$11.78; Avis Tolsma-\$11.78; Michele Fischer-\$11.54; Benjamin Gant-\$11.54; Tim Carson-\$11.54; **Part Time** - Morris Beck-\$11.32; Roger Erickson-\$10.29; James Schneider-\$9.78; Frank Lutjens-\$9.78; Thomas Thornton Jr-\$10.00; Dana Sperlich-\$10.00; MacKenzie Miiller-\$9.50; Joshua Zambrano-\$10.00; Sherry Carey-\$9.50; Justin Tuckerman-\$10.00; Frederick Davis-\$9.50.

### **ADOPT RESOLUTION TO SET COUNTY COMMISSIONER WAGES FOR 2010**

Motion by Weiss to adopt a resolution to freeze Davison County Commissioner wages. Weiss stated that he would like to set an example from Washington to Pierre. Motion died for lack of second.

Motion by Claggett to adopt a resolution to increase Davison County Commissioner wages for 2010 2% over 2009 wages. Motion died for lack of second.

Motion by Weiss to adopt a resolution to set 2010 wages the same as they were in 2009. Motion died for lack of second.

Motion by Fischer, second by Weiss to adopt the following resolution to set the Davison County Commissioner wages for 2010, which include a 2% increase over 2009 plus \$1,040 which is the same increase as full time employees and other elected officials received. No benefits such as insurance or retirement are offered to Commission members at this time. They are eligible to contribute to the flexible spending account. A roll call vote was taken as follows: Fischer- aye, Weiss - nay, Claggett - nay, Kiner - aye, Weitala – aye. Motion carried.

### **RESOLUTION #010510-01**

**WHEREAS**, SDCL 7-7-3 states that the method of payment, whether per diem or salary, and the amount of per diem or salary shall be determined by the board of county commissioners in each county. If the per diem method is used, the county commissioners shall be allowed the per diem amount for each day they are actually and necessarily employed in the duties and business relating to county affairs and the duties of their office and in attending and returning from sessions of the board. The county commissioners shall be allowed mileage for the distance actually traveled in attending the meetings of the board, or when engaged in other official duties. The per diem shall be paid out of the general county fund. The per diem shall be set by the commission on the first regular meeting date in January of each year and

**WHEREAS**, SDCL 7-7-5 states that the board of county commissioners may determine the salary of the commissioners. Such salary may be set by the board of county commissioners at its first regular meeting of each year. If the board of county commissioners fails to determine a salary, then the salary of a county commissioner in any one year is six thousand five hundred

sixty-six dollars as per diem or salary in counties of fifteen thousand population and over and not more than thirty thousand population.

**THEREFORE BE IT RESOLVED** that the Davison County Commissioners salaries will be set at \$14,112.42 for the year 2010.

Dated at Mitchell, South Dakota, this 5<sup>th</sup> day of January, 2010.

**ATTEST:**

\_\_\_\_\_  
Susan Kiepke, Auditor

\_\_\_\_\_  
David Weitala, Chairman

**DISCUSS NEW WEED BOARD MEMBER SUGGESTIONS**

John Geidel appeared before the Board to discuss possible appointees for the Weed Board position that is open because Fred Stahl's term expired and he no longer wishes to serve on the Board.

**PART-TIME JAILERS STARTING SALARIES**

Motion by Fischer, second by Kiner to set the starting wage for part-time jailers for 2010 at \$9.50. All members voted aye. Motion carried.

**SET RATES FOR 2010**

Motion by Fischer, second by Kiner to approve the following rates for 2010. All members voted aye. Motion carried.

Meal Rates

Effective July 29, 2003: Due to an IRS compliance check, meal expenses are not an allowable business expense unless the business trip is over-night or long enough that the employee would need to stop for sleep or rest to properly perform his/her duties.

Allowable meal expenses will be paid at the following rate, with the exception of those set by resolution, which is the same as the state rate:

|           | In state rate: | Out of state rate: |
|-----------|----------------|--------------------|
| Breakfast | \$5.00         | \$8.00             |
| Lunch     | \$9.00         | \$11.00            |
| Supper    | \$12.00        | \$17.00            |

Allowable meal expenses will NOT be reimbursed, if a receipt is not provided with the request for reimbursement. The receipt must have a Vendor name and must be timed and dated. It is allowable for those submitting receipts to write in the date, vendor and time if it is not provided on the original receipt.

Travel Rates:

Mileage: .40 cents per mile for county employees and .37 cents per mile for elected officials

Lodging: The state rate of \$46.50 per night in state and \$150.00 out of State or Convention rates/Workshop rates will be acceptable.

Mental Illness Board

Mental Illness Board \$20.00 per meeting  
Mental Illness Chairman \$82.00 per hour

Election Lists

|               | <b>Book</b> | <b>Disk or Email</b> |
|---------------|-------------|----------------------|
| Master list   | \$135.00    | \$160.00             |
| Ward list     | \$30.00     | \$65.00              |
| Precinct list | \$10.00     | \$50.00              |
| Township list | \$5.00      | \$45.00              |

1 Free master book for local – state registered – Davison County Political Parties (per year).

Copy fees – for regular 8 ½ x 11 pages, .25 cents per page up through the 10<sup>th</sup> copy. The 11<sup>th</sup> copy on will be .10 cents per copy.

Director of Equalization, Auditor, Sheriff & Register of Deeds unrecorded copy rates

Copier Studio 25

8 ½ x 11 .25 cents per copy per side  
8 ½ x 14 .25 cents per copy per side  
11 x 17 .50 cents per copy per side

\$3.00 per page for a page larger than 11" by 17", or the actual cost of reproduction, whichever is larger.

For the reproduction of records not stored in either an electronic or a paper format, such as micro-film, the custodian may charge an additional fee not greater than the actual cost of retrieval from that format.

Laser jet 4600 HP

8 ½ x 11 and x 14 (b&w) .50 cents per copy per side

GIS

8 ½ x 11 and x 14 (b&w) 1.00 per copy  
(color) 2.00 per copy

Computer Print-outs Continuous Feed

8 ½ x 11 and 11 x 14 .50 cents per page

\$10.00 per request for tax splits requested for closings

For projects taking more than an hour, staff time will be applicably charged.

For mailings, a charge of .25 cents per copy plus a \$2.00 postage & handling fee up to 4 pages. Five or more pages would include added postage.

E-mail Charges

\$.50 per standard property card to be emailed and more for larger documents with the price to be adjusted according to the employee time/equipment cost basis.

**ADOPT RESOLUTION FOR ELECTION WORKERS**

Motion by Claggett, second by Fischer to adopt the following resolution concerning election workers compensation. A roll call vote was taken as follows: Claggett – aye, Weiss – aye, Fischer – aye, Kiner – aye, Weitala - aye. Motion carried.

**RESOLUTION #010510-02**

**WHEREAS**, SDCL 12-15-11 states that each precinct superintendent and precinct deputy shall receive a fee to be established annually by resolution of the board of county commissioners at its first regular meeting each year. The person delivering the pollbooks and ballot boxes to the proper authority at the county seat shall receive the county rate for mileage as established pursuant to SDCL 7-7-24, for miles necessarily traveled in going to and returning from making the delivery.

**WHEREAS**, SDCL 12-15-1.3 states that in addition to the precinct election board, the person in charge of the election may appoint a person to be designated as the precinct assistant. The precinct assistant may not perform any of the duties of the precinct superintendent or precinct deputies unless specified by statute. The precinct assistant may assist with setting up the polling place, directing voters to the proper election board, and providing instruction on the use of the electronic ballot marking system.

**THEREFORE BE IT RESOLVED** that the following rates will be paid to election workers:

Elections

|   |   |
|---|---|
| Attendance at election school(s)                                      | \$25.00 per person  |
| Election Board Workers  | \$105.00 per day (primary or special election)<br>\$115.00 per day (general election) |
| Absentee Board  | \$45.00 per ½ day (primary or special election)                                       |
| (same as regular Board for full day)                                  | \$50.00 per ½ day (general election)  |
| Precinct Assistant  | \$10.00 per hour  |
| Resolution Board  | \$10.00 per hour  |
| Board Superintendents   | \$20.00 additional for day of election (any)  |
| Cell Phone for Election Day   | \$10.00   |
| The State rate will be paid for applicable mileage (currently \$.40). |   |

Dated this 5<sup>th</sup> day of January, 2010.

**ATTEST:**

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Susan Kiepke, Auditor

\_\_\_\_\_  
David Weitala, Chairman

**DESIGNATE OFFICIAL NEWSPAPER FOR 2010**

As per SDCL 7-18-3, motion by Fischer, second by Kiner to designate the Mitchell Daily Republic as the official newspaper of the County. All member voted aye. Motion carried.

**2010 COMMITTEE APPOINTMENTS**

Motion by Fischer, second by Wiess to approve the following Committee Appointments for 2010 with names subject to change upon personnel approval. All members voted aye. Motion carried.

**Emergency Management / 911:** Fischer

**Insurance Committee:** Kiner, Fischer, Dan Sudrla, Deb Young, Susan Kiepke, John Thomson, Rusty Weinberg

**Bldg Maint/Purchasing and Projects Committee:** All Commissioners, Brenda Sanders, Rusty Weinberg, Mark Ruml, Susan Kiepke

**Projects Committee:** Rusty Weinberg, Mark Ruml, Lyla Jerke, John Thomson, Brenda Sanders, Darlene Bailey, Steve McClure, Carol Radel, Mark Vaughan, John Geidel, Connie Fergen

**Risk Management Committee:** John Claggett, Rusty Weinberg, Lyla Jerke, Steve McClure, Steve Groseth, Sara Klumb, Cindy Voyles, Jim Montgomery, Susan Kiepke, Kathy Goetsch, Mark Ruml

**District III:** Claggett

**Extension Board:** Weitala, Fischer, Becky Muhs, Bob Weisz, Craig Stehly, Marilyn Smith, Donna Gerlach, John Millan

**Alcohol Center & Mental Health Board:** Kiner, Randy Stiles

**Fair Board:** Kiner, Weiss, Gary Stadlman, Brad Greenway, Mary Froning, Karen Jorgenson, Jan Henderson, George Briedenbach, Dave Knutson, Patrick Wibben, Mark Ruml

**Intergovernmental Relations:** Claggett, Weiss, Susan Kiepke

**Union Negotiations Committee:** Kiner, Weitala

**County Coroner:** Bittner Funeral Home

**Deputy Coroner:** Stuart Barns, Dave Miles, Lyndon Overweg, Steve Brink

**Legislative Contact Persons:** All Commissioners

**Serviceman's Memorial Cemetery Board:** Fischer

**County Doctor (Jail):** Mitchell Clinic

**Personnel Policy Review Committee:** Kiner, Fischer, Kathye Fouberg, Brenda Sanders, Rusty Weinberg, Susan Kiepke, Cindy Voyles, Jim Taylor, Kathy Goetsch

**Highway Board:** All Commissioners, one member of each Township Board as liason

**Landfill Board:** Weitala

**Library Board:** Weitala

**Planning & Zoning Commission:** Tom Greenway term expiring December 31, 2011; Weitala term expiring December 31, 2011; Gary Stadlman term expiring December 31, 2010; Kiner term expiring December 31, 2010; Brenda Bode term expiring December 31, 2010; Charles Storm term expiring December 31, 2010; Bruce Haines term expiring December 31, 2011

**Weed Board:** Weiss, Gerald Koch and Allen Jenks terms ending December 31, 2010; Fred Stahl term ending December 31, 2009

**MRC Nomination:** Tom Greenway

**LEPC Representative:** Fischer, Lou Sebert, Jim Montgomery, David Miles, Steve Brink, Rusty Weinberg, Lyndon Overweg, Leon Baier, Steve Nedved, Marlene Haines, Dennis Walz, Sgt. Jeff Lanning, Vicki Lehrman, John Johnson, Tim McGannon, JP Skelly, Jackie Horton, Major Linda Jones, Jay Fritzmeier, Michelle Carpenter, Connie Fergen, Roswitha Konz, Adam Kjerstad, Ernie Anderson, Dan Sudrla, Kathy Goetsch, Kevin Kayser, Dan Pollreisz, Becky Pitz, Shawn Bambas, Deb Haak, Paul Morris, Nancy Schoenfelder, David Baker, Leon Baier, Lyndon Overweg, Marlene Haines, Steve Nedved, Rusty Weinberg, Allan Miller, Andy Mentele

**James River Water Development Representative:** Weitala, Weiss

**Lower James RC&D Representative:** Kiner

**Soil Conservation Committee:** Kiner

**Liason to County Health Nurses:** Fischer

#### **APPROVE COUNTY DEPOSITORIES**

Motion by Claggett, second by Weiss to approve the following depositories for Davison County for 2010. All members voted aye. Motion carried.

**County Depositories:** Wells Fargo Bank, First National Bank of SD, Home Federal Bank, First Dakota National Bank, CorTrust Bank, US Bank, Edward Jones, Fulton State Bank, Stifel Nicolaus, BankWest, Palace City Federal Credit Union

#### **SET RATES FOR 2010 WELFARE ASSISTANCE**

Motion by Fischer, second by Claggett to approve the following Housing Allowance and Utility assistance for Davison County Welfare. Recipients may only receive housing allowance once per calendar year and utility allowance once per calendar year. All members voted aye. Motion carried.

#### **Housing Allowance for Davison County**

The maximum annual shelter supplement, per household shall not exceed the following, excluding utilities:

|     |                  |          |
|-----|------------------|----------|
| 1   | person household | \$225.00 |
| 2-3 | person household | \$300.00 |
| 4-5 | person household | \$325.00 |
| 6 + | person household | \$375.00 |

\* Household assistance will be approved for the current month of application \*

#### **Utilities**

|     |                  |          |
|-----|------------------|----------|
| 1   | person household | \$225.00 |
| 2-3 | person household | \$300.00 |
| 4-5 | person household | \$325.00 |
| 6 + | person household | \$375.00 |

Applicants must check with ROCS, Energy Assistance, Salvation Army, and any other applicable resources before County assistance will be granted.

**ADOPT TRAVEL RESOLUTION**

Motion by Claggett, second by Weiss to adopt the following resolution to approve regularly scheduled travel. A roll call vote was taken as follows: Kiner – aye, Fischer – aye, Weiss – aye, Claggett – aye, Weitala - aye. Motion carried.

**Resolution #010510-03  
Resolution to Approve  
Regularly Scheduled Travel**

**Whereas**, SDCL 7-7-25 states that county commissioners, county highway superintendents, county auditors, county treasurers, registers of deeds, state’s attorneys, sheriffs, county assessing officers, and county coroners are hereby authorized to attend educational conferences, meetings, and conventions held and conducted within or without the State of South Dakota pertaining to the betterment and advancement of county government as authorized by resolution of the board of county commissioners; and

**Whereas**, the County Auditor has compiled a list of regularly attended meetings based on the information given to her by request from the aforementioned department heads, in addition to other department heads that have regular meetings they must attend each year; and

**Whereas**, SDCL 7-7-26 states that no charge for expenses in attending any such meetings shall be a charge against the county unless authorized and approved by the county commissioners prior to convening of any such meeting. Upon the actual attendance at such meetings, conferences, or conventions, all county officers as designated in 7-7-25 shall be paid their actual necessary expenses on duly executed vouchers submitted to the board.

**Now, therefore be it resolved**, that the following meetings are approved for travel, meals and lodging for the year 2010. SDACO Spring Workshop to be attended by Auditor, Treasurer and Register of Deeds; Fall Convention to be attended by Auditor, Treasurer, Register of Deeds, Commissioners, Highway Superintendent and Welfare Director; Regional Meetings to be attended by Auditor, Treasurer, Register of Deeds, Commissioners, Highway Superintendent and bookkeepers and Assessor; Annual Report Workshop and Election Workshop to be attended by Auditor and deputies; USPAP course, SDAAO Assessors Conference and Assessors School to be attended by the Assessor and several staff; Short Course to be attended by Highway Superintendent; DWare Annual Training to be attended by Highway secretarial staff; States Attorney’s Conference to be attended by State’s Attorney and several deputies; SDACC workshop to be attended by commissioners; SD Emergency Management Conference and Homeland Security Grant meeting to be attended by Emergency Management Director; SD Sheriff’s Assoc. Spring and Fall Conference to be attended by Sheriff, Chief Deputy and Jail Administrator; SD Emergency Medical Tech. Assoc. Annual Conference to be attended by Chief Deputy and one jail officer.

**Be it further resolved**, that as per SDCL 7-7-26 that the County Auditor, Treasurer, Register of Deeds, State’s Attorney, Sheriff, County Assessing Officer and County Coroner be reimbursed actual necessary expenses with the exception of mileage which will be paid at the state rate.

Dated this 5<sup>th</sup> day of January, 2010.

**ATTEST:**

\_\_\_\_\_  
Susan Kiepke, Auditor

\_\_\_\_\_  
David Weitala, Chairman

**SIGN SD CDBG AGREEMENT**

Motion by Claggett, second by Kiner to authorize Commissioner Fischer to sign the SD CDBG Agreement between Davison County and the State of South Dakota as Chairman on December 23, 2009, which is the date on the document. All members voted aye. Motion carried

**ADJOURN**

At 11:14 a.m., Chairman Weitala adjourned the meeting and set the next regular meeting for 9:00 a.m. on Tuesday, January 12, 2010.

**ATTEST:**

\_\_\_\_\_  
Susan Kiepke, Auditor

\_\_\_\_\_  
David Weitala, Chairman

Publish once  
Approximate cost