

**February 9, 2010**

**CALL TO ORDER**

Chairman Weitala 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 Kiepke.

Chairman Weitala opened the meeting with the Pledge of Allegiance.

**APPROVE MINUTES**

Motion by Fischer, second by Claggett to approve the minutes from the February 2, 2010 meeting. All members voted aye. Motion carried.

**GARAGE DOOR REPAIR**

Motion by Fischer, second by Weiss to authorize Maintenance Supervisor Ruml to have the east overhead door at the Fairgrounds repaired by American Garage Door of Mitchell, which had the low estimate of \$1,676.64. All members voted aye. Motion carried.

**APPROVE HIRE**

At the request of Maintenance Supervisor Ruml, motion by Fischer, second by Kiner to approve the hire of Larry Schmitt as full-time Maintenance personnel for primarily the Fairgrounds, effective February 9, 2010, at a rate of \$11.00 per hour with a \$.50 wage increase after completion of a successful probationary period. All members voted aye. Motion carried.

**ACCEPT RESIGNATION**

Motion by Fischer, second by Claggett to accept the resignation of Carla Hettinger from the Sheriff's Department effective February 8, 2010. All members voted aye. Motion carried.

**ADOPT RESOLUTION**

Motion by Claggett, second by Fischer to adopt a resolution to declare an emergency to purchase a patrol vehicle over bid limits. A roll call vote was taken as follows. Claggett – aye, Fischer – aye, Weiss – aye, Kiner – aye, Weitala – aye. Motion carried.

**Resolution #020910-01  
Resolution to Declare Emergency  
To Purchase Patrol Vehicle Over \$25,000 Bid Limit**

**Whereas**, on February 7, 2010, during the investigation of an accident on Interstate 90, the 2004 Dodge Durango patrol vehicle operated by Deputy Sheriff Steve Brink was totally

destroyed when struck by a truck/trailer combination sliding out of control on the icy pavement; and

**Whereas**, SDCL 5-18-3 states, in part, that if any public entity intends to purchase equipment that involves an expenditure of twenty- five thousand dollars (\$25,000) or more, the governing body of the public entity shall advertise for bids; however

**Whereas**, SDCL 5-18-3.1 states that the governing board of a public entity may, except where statute prescribes a different procedure, when it determines an emergency to exist involving the health or welfare of its people, spread upon the minutes of its meeting the finding of such emergency, and award bids without advertising therefore. An emergency may be deemed to exist when awaiting regular advertising for bids would seriously impair public services to be provided and rentals are not available on a timely basis. As far as practicable the board shall secure at least two competitive quotations and retain the same for their files. At the next meeting of the board there shall be spread upon the minutes a statement of the quotations received, identifying the bidder and the amount of the bid; and

**Whereas**, on February 9, 2010, the Davison County Board of Commissioners found and determined that (1) the purchase of a new patrol vehicle constitutes an emergency in that not procuring one in a timely matter could jeopardize the health or welfare of the people of Davison County, (2) adequate and appropriate rental equipment was not available on a timely basis, and (3) the cost of such vehicle will most likely exceed twenty-five thousand dollars (\$25,000).

**Therefore, be it resolved** that Sheriff Dave Miles shall secure bids on a replacement patrol vehicle for the one which was destroyed, without advertising the same for bids and shall present such bids to the Board at the next regularly scheduled meeting which will be February 16, 2010. At that time, the Commissioners may accept or reject any or all bids.

Dated this 9<sup>th</sup> day of February, 2010

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David Weitala, Chairman

ATTEST:

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Susan Kiepke, Auditor

## **PART-TIME CORRECTION OFFICERS WAGES**

A number of part-time correction officers appeared before the Board in support of a wage increase and to keep the shift differential intact.

Long time Corrections Officer Roger Erickson spoke to the Board regarding his employment history with Davison County, which began in 1991 with a wage of \$6.00 an hour. He retired from a full-time position and has been working as a part-time employee since. He stated that he has the same training as a full-time officer as do the other part-time correction officers. He

believes it would be a bad decision to eliminate the shift differential received for working undesirable shifts.

Motion by Weiss, second by Fischer to give the part-time correction officers a 2% plus \$.50 wage increase per hour. All members voted aye. Motion carried.

Motion by Claggett, second by Weiss to approve the following starting wages for part-time jail employees: Corrections Officer - \$10.20, Control Room Officer - \$10.00, Transportation Officer - \$10.00. All members voted aye. Motion carried.

Motion by Weiss, second by Fischer to change the hours for the shift differential as follows. All members voted aye. Motion carried.

Shift 1	12:00 Midnight to 6:00 A.M.	\$1.00 additional per hour
Shift 2	6:00 A.M. to 6:00 P.M.	Normal hourly wage
Shift 3	6:00 P.M. to 12:00 Midnight	\$.50 additional per hour

#### **PART-TIME SHERIFF'S DEPUTY WAGES**

Motion by Weiss, second by Fischer to approve wages, including starting wage at \$12.00 per hour. All members voted aye. Motion carried.

#### **APPROVE PART-TIME DEPUTY**

Motion by Weiss, second by Claggett to approve Frederick Davis, currently a part-time corrections officer, as a part-time deputy sheriff as well, at a rate of \$12.00 per hour. All members voted aye. Motion carried.

#### **APPOINT WEED BOARD MEMBER**

Motion by Fischer, second by Weiss to appoint Wayne Lyons as a Weed Board member. All members voted aye. Motion carried.

#### **ADOPT BRIDGE INSPECTION RESOLUTION**

Motion by Fischer, second by Kiner to adopt the following Bridge Reinspection Program Resolution. A roll call vote was taken as follows. Fischer – aye, Kiner – aye, Weiss – aye, Claggett – aye, Weitala – aye.

#### **Resolution #020910-02**

**Whereas**, Title 23, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These Culverts are reinspected at intervals not to exceed four years.

**Therefore**, Davison County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Civil Design Inc (Consulting Engineers) for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20 % of the cost. The County will be responsible for the required 20% matching funds.

Dated this 9<sup>th</sup> day of February, 2010, at Mitchell, South Dakota.

Board of County Commissioners  
Of Davison County

ATTEST:

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Susan Kiepke, Auditor

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David Weitala, Chairman

#### **APPROVE TRAVEL**

Motion by Fischer, second by Claggett to approve travel for Weed Supervisor Geidel to attend the State Weed & Pest Conference in Aberdeen, February 16 – 19, 2010. All members voted aye. Motion carried.

#### **SET DATE AND TIME FOR LAND LEASE AUCTION**

Motion by Claggett, second by Weiss to set February 23, 2010, at 9:30 a.m. as the date and time to conduct the land lease auction for the NE ¼ of Section 33 T 104N-R61 W, Badger Township, Davison County, South Dakota, and advertise as such. The auction will take place in the Commission Chambers of the Davison County Courthouse located at 200 East 4<sup>th</sup> Avenue, Mitchell, South Dakota. All members voted aye. Motion carried.

#### **APPROVE SERVER REQUEST**

At the request of Treasurer Sanders, motion by Claggett, second by Kiner to approve \$450 to Bruce Mastel, Davison County Web Master, for the use of a server, DB setup and software use to enhance the TAXES database system. All members voted aye. Motion carried.

#### **APPROVE BILLS**

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

#### **GENERAL FUND:**

**COMMISSION:** Publishing/Daily Republic-1,673.67; **CO ZONING:** Supplies/Sungold Trophies-28.00; **AUDITOR:** Salary/Mitchell School Dist-7.52, Repairs & Maint/Microfilm Imaging Sys-46.62, Supplies/McLeod's-93.23; **AT ATTY:** Professional Fees/Taylor & Miskimins-5,331.79; **INDIGENT DEFENDER:** Third Party Billing/May & Johnson-1,145.56; **PUB SFTY BLDG:** Supplies/Menards-78.67, Garbage/Miedema Sanitation-35.50; **GEN GOV BLDG:** Garbage/Miedema Sanitation-88.00, Phone/FSH Communications-63.60; **ROD:** Salary/Mitchell School Dist-125.96, Rentals/Microfilm Imaging Sys-475.00, Wells Fargo Bank-50.00, Supplies/BPI-177.19; **CO SERVICE OFFICER:** Supplies/BPI-48.34; **CO COORDIN:** Postage/Qualified Presort-566.29, Postage Meter Fees/Qualified Presort-117.65, Paper/BPI-239.40, Copy Machine Maint/A & B Business Equipment-178.84, Xerox Corp-53.75; **SHERIFF:** Repairs Patrol Car/Iverson Chrysler Ctr-268.60, Mitchell Ford-112.50, Oil Change/Sturdevant's-94.96, Office Supplies/BPI-201.66, Minor Equip/Shopko-119.99; **JAIL:** Medicine/Stephen Gullings DDS-118.00, Office Supplies/BPI-1,291.31, Jail Supplies/Jones Supplies-28.95, Laundry Supplies/Palace Cleaners-281.50, Kitchen Supplies/CWD-Aberdeen-107.24, Prisoner Food/CBM Food Service-6,031.09, Garbage/Miedema Sanitation-94.50, Water Softener/Darrington Water-41.50, Contracts/A-OX Welding Supply-63.60, Minor Equip/BPI-99.95, Sioux Sales Co-405.00; **JUV DETENTION:** Detention/Lutheran Social Services-2,205.44; **POOR RELIEF:** Ron Peterson-177.50, Transients/KWIK Phil-50.02, Catastrophic Poor Payment/SDACC-8,670.00, Funerals/Bittner Funeral Chapel-2,500.00, Will Funeral Chapel-5,000.00; **MENTAL ILLNESS BRD:** Hearings/Donna K. Dietrich-137.64, Nelva Kooistra-15.00, Cathy Rehfuss-15.00, Yankton Sheriff's Office-25.00; **EXHIBIT BLDG:** Repairs & Maint/Daily Republic-198.50, Garbage/Miedema Sanitation-88.00; **EXTENSION:** Postage/Qualified Presort-28.32, Supplies/BPI-129.67, Utilities/Santel Communications-69.95; **WEED:** Supplies/BPI-24.48, Travel & Conference/AS Association of Weed-205.00; **HIWAY ADM & CONST:** Repairs & Maint/American Garage Door-127.05, Bailey Metal-503.33, Boyer Trucks-48.45, Campbell Supply Co-160.21, Carquest-7.71, Cummins Central Power-429.24, Ethan Coop Lumber-57.30, Mitchell Iron & Supply-1,072.44, Paulson Sheet Metal-465.84, Scott Supply-180.81, Sheehan Mack Sales-3,067.17, Sturdevant's-531.63, Trail King-167.40, Wheelco Brake & Supply-189.57, Supplies & Materials/A-OX Welding Supply-633.10, Campbell Supply Co-51.98, Carquest-271.41, Chemsearch Division-120.00, Dakota Supply Group-65.70, Farmers Alliance-5.00, McLeod's-319.63, Mitchell Iron & Supply-36.74, Sheehan Mack Sales-2,975.04, Sturdevant's-883.70, Tarco Industries-303.98, Wheelco Brake & Supply-920.43, Gas & Fuel/Farmers Alliance-10,638.00, Utilities/City of Mt. Vernon-50.22, Ethan Water Dept-33.00, Miedema Sanitation-72.00, Santel Communications-98.79, Snow & Emergency/Dick's Body Shop-310.00; **EM MANAGEMENT:** Repairs & Maint/Graham Tire-466.30, Tech Solutions-75.00, Supplies/BPI-43.16, SD Federal Property-750.00, Sungold Trophies-74.00, Utilities/Qwest-50.80, Dues/Mitchell Area Chamber-97.00, Emergency Accuml/Miller Consulting-600.00, Radio Equip/Sioux Falls Two Way Radio-363.49; **CO JAIL:** Supplies/BPI-67.15, Minor Equip/BPI-99.95.

## **APPROVE TIMESHEETS**

Motion by Fischer, second by Kiner to authorize Chairman to sign department head timesheets as supervisor. All members voted aye. Motion carried.

## **APPROVE AUDITOR'S ACCOUNT W/TREASURER**

Motion by Claggett, second by Fischer to approve the January 2010 Auditor's Account with the Treasurer in the amount of \$5,617,023.54. All members voted aye. Motion carried.

## **APPROVE ABATEMENTS**

Motion by Weiss, second by Claggett to approve the following abatements. All properties are located in the City of Mitchell, Davison County, South Dakota, unless otherwise indicated. All members voted aye. Motion carried.

### Tax Bill Generated To Transfer Title

Leonard or Marie Suhr, SE ¼ 33-101-60, Rome Township, Dimock, Davison County, South Dakota - \$212.96

Robert Eveland, Lot 15 of Mallard Cove Park - \$77.96

Joseph T. Carello, Lot 38 of Middle Border Estates - \$207.60

Jamie Bowen or Carol Carstens, Lot 108 of Middle Border Estates - \$85.04

Wayne G. Colbert, Lot 75 of Middle Border Estates - \$116.00

Joseph A. Kindle, Lot 49 of Middle Border Estates - \$89.62

Harlan or Roberta Winckler, Lot 49 of Mallard Cove Park - \$74.20

Chris A. Rumbolz, Lob 56 of Mallard Cove Park - \$306.94

Bruce or Brenda Lounsbury, Lot 13 of Mallard Cove Park - \$115.86

Dean Simon, Lot 25 of Middle Border Estates - \$201.24

Thomas A. Steege, Lot 215 of Brenden Mobile Village - \$64.88

Melissa J. Boje, Lot 101 of Middle Border Estates - \$145.56

David E. or Darlene Arterberry, Lot 5 of Tilberg Mobile Home Court - \$99.68

Delton Huber, Lot 63 of Mallard Cove Park - \$375.12

Joseph & Gail Heinz, Lot 48 of Middle Border Estates - \$323.16

Chandi K. Hansen, Lot 205 of Brenden Mobile Village - \$57.78

Loren Eich, Lot 8 of Brenden Mobile Village - \$225.64

Jesse Lokken, Lot 129 of Middle Border Estates - \$101.18

Pam Stransky, Lot 17 of Middle Border Estates - \$133.28

Ernest Thompson, Lot 119 of Middle Border Estates - \$149.10

### A Loss Occurred Because of Fire

William F. Jr., & Teresa M. Spinkel, Lot 13 in Blk 1 of FM Greene Addn - \$884.70

Boyd A. & Kay L. Reimnitz RLT, Lots 5 & 6 in Blk 9 of Van Eps 2<sup>nd</sup> Addn - \$641.20

### An Error Was Made

Kevin H. Hagen, Lot 17 in Tract E Wild Oak Golf Club Addn - \$475.82

Mary E. & Michael J. Bollock, Lot 12 in Blk 8 of Railroad Addn - \$801.08

### Qualified But Missed App Deadline for Elderly and Disabled Assessment Freeze

Paul & Barbara Graff, Lot 6 Blk 12 Rowleys 2<sup>nd</sup> Addn - \$544.34

Qualified But Missed App Deadline for Disable Vet Property Tax Exemption  
Richard Allen Lepke, Lot 5 Blk 4 Fullertons Terrace Addn-SW - \$1816.36

Purchased By Tax Exempt Entity  
City of Mitchell, Lot 10 in Blk 6 of Westwood 1<sup>st</sup> Addn - \$5.74

### **SIGN EMERGENCY SHELTER GRANT**

At the request of Mitchell Area Safehouse Director Wendy Figland, motion by Claggett, second by Fischer to authorize Chairman to sign the Emergency Shelter Grants Program Local Government Certification. All members voted aye. Motion carried.

### **RESOLUTION IN SUPPORT OF SENATE BILL 184**

Motion by Claggett, second by Fischer to adopt the following resolution in support of Senate Bill 184. A roll call vote was taken as follows. Claggett – aye, Fischer – aye, Weiss – aye, Kiner – aye, Weitala – aye. Motion carried.

#### **Resolution #020910-03 Resolution in Support of Senate Bill 184**

**WHEREAS**, Davison County is operating within the requirements of a tax freeze; and

**WHEREAS**, the James River Water Development District had adopted an Opt Out prior to July 1, 2002 that more than doubled their annual levy request; and

**WHEREAS**, redistricting by the James River Water Development District resulted in a 143% increase over their prior year's levy, including their opt out; and

**WHEREAS**, the above tax increase is not fitting with the general purpose of a tax freeze; and

**WHEREAS**, there has been no validation of the need of such increased funding.

**THEREFORE, BE IT RESOLVED** that the governing body of Davison County does support Senate Bill No. 184, as introduced, and requests that representatives consider this resolution when voting.

Dated this 9<sup>th</sup> day of February, 2010.

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David Weitala, Chairman

Attest:

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Susan Kiepke, Auditor

**APPROVE WAGE INCREASE**

At the request of Auditor Kiepke, motion by Fischer, second by Claggett to approve a \$1.00 wage increase for John Thomson, Deputy Auditor II. All members voted aye. Motion carried.

**DISCUSSION**

An unscheduled discussion was held during regular business, as Wenton Peters asked to speak to the Board. He told the commissioners that there's a perception in the community that the commissioners, school board, city council, chamber and other groups are not communicating with each other and perception becomes reality after awhile.

Peters feels it is vital that the entities work together to discuss common concerns. Commissioner Claggett agreed and noted that the intergovernmental task force currently meets every three months.

**ADJOURN**

At 11:50 a.m., Chairman Weitala adjourned the meeting and set the next regular meeting for Tuesday, February 16, 2010, at 9:00 a.m., with a special meeting to be held at 7:00 p.m. at the Davison County Fairgrounds.

**ATTEST**

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Susan Kiepke, Auditor

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David Weitala, Chairman

Publish Once  
Approximate Cost