

March 2, 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 Kiner, second by Weiss to approve the minutes from the February 23, 2010 meeting. All members voted aye. Motion carried.

DISCUSSION

Butch Morrison appeared before the Board to question the reason for a 150 ft setback. The Board said that a couple of reasons would be because of lack of visibility from snow buildup or hay.

DISCUSSION

Auditor Kiepke announced that ballots are now available for absentee voting for the election to decide whether or not Mitchell Township will be reestablished.

DISCUSSION

Register of Deeds Young reported that she was notified of a possible passport price increase of \$35. She received a notice that was in the Federal Register on February 9, 2010, stating there was a proposed increase of \$35 dollars per passport for anyone over sixteen years of age. There is a thirty day comment period, which would end March 10, 2010. This would be a 50% increase for the federal government. Currently, the County gets \$25 out of the \$100 fee. The county's portion would remain the same, but the federal government's share would become \$110.

Young stated that her office is open for business from 8:00 a.m. to 5:00 p.m. to accommodate people that need passports.

DISCUSSION

Emergency Management Director Montgomery stated that Governor Rounds will be in Mitchell on Friday and wishes to have a meeting with city, county and township members regarding flooding. The meeting will take place at 2:15 p.m. at Mitchell City Hall on Friday, March 5th, 2010.

APPROVE TRAVEL REQUEST

Motion by Weiss, second by Claggett to approve a travel request for Emergency Management Director Montgomery to attend Web EOC Training in Pierre on March 10, 2010. All members voted aye. Motion carried.

ADOPT RESOLUTION

Motion by Fischer, second by Claggett to adopt the following resolution concerning weight limits. A roll call vote was taken as follows. Fischer – aye, Claggett – aye, Weiss – aye, Kiner – aye, Weitala – aye. Motion carried.

Resolution #030210-01 Resolution for the Davison County 2010 Weight and Per Axle Limits

WHEREAS, the county of Davison, South Dakota, is responsible for the maintenance of certain highways under its jurisdiction;

WHEREAS, it appears that said highways, by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or restrictions as to weight of vehicles are imposed; and

WHEREAS, SDCL 32-22-25 provides:

Reduced weight maximums on specific roads--Notice--Exceeding weight limit as misdemeanor. If, for any reason, the improved highways of this state are rendered incapable of bearing the customary traffic without undue damage, or if it is considered by the Department of Transportation, the board of county commissioners of any county, the board of supervisors of any township, or the board of trustees of any road district, that the improved highways or any section of them under their jurisdiction would be damaged or destroyed by heavy traffic by reason of thawing or excessive moisture, or for any reason, the maximum weight of the vehicle and the load shall be reduced. Notice of any restriction under this section shall be given by placing at each end of that section of highway on which the allowable weight limit is reduced and at points of intersection, as deemed necessary by the proper highway authority, signs of substantial construction which conspicuously indicate the limitations of the gross weight of the vehicle. Exceeding such weight limits is a Class 2 misdemeanor; and

WHEREAS, the county of Davison lacks the scale equipment with which to enforce road weight limits.

NOW THEREFORE BE IT RESOLVED that a 6 ton per axle weight limit (80,000 lb gross total) and 40 mph speed limit for trucks be placed on all Davison County oil roads posted effective **Monday, March 15, 2010.**

Excluded from load limit restrictions are:

254th Street (Highway 16) between 394th Avenue and 408th Avenue (from Aurora County line to Mitchell);

397th Avenue from I-90 to Mt Vernon;

255th Street from the Mitchell Livestock sale barn east to 411th Avenue

These roads will be posted at 40 mph speed limit only.

253rd Street between 407-1/2 Avenue and 408th Avenue is posted 25 mph for all traffic.

247th Street (Ethanol Road) from 405th Avenue to SD State Hwy 37 (409th Avenue) will be posted as 8 ton per axle and 40 mph for trucks.

IT IS FURTHER RESOLVED; that the County of Davison requests the South Dakota Highway Patrol Motor Carrier Enforcement Officer(s) to enter the County of Davison with scales adequate to weigh motor vehicles to insure compliance with State Laws pertaining to vehicle weight, and the weight laws established by this resolution.

Dated this **2nd Day of March, 2010.**

Attest:

David Weitala, Chairman

Susan Kiepke, Auditor

APPROVE BID LETTING AND ACCEPTANCE OF SEALED BIDS

Motion by Weiss, second by Claggett to allow Highway Superintendent Weinberg to start the bid letting process and accept sealed bids for highway supplies and projects for 2010. All members present voted aye. Motion carried.

“NOTICE TO BIDDERS”

The Board of Davison County Commissioners will receive sealed bids at the Davison County Auditor’s Office for Highway Department supplies and projects for 2010 requirements. All bids must be received by 5:00 p.m. on Monday, March 22, 2010.

All bids shall be firm for the year.

Bids will be publicly opened and read aloud on March 23, 2010 at 9:30 a.m. in the Commissioners Room in the Davison County Courthouse at Mitchell, SD as follows:

Asphalt Plant Mix – MC & AC 10,000 tons more or less
To be Bid Price at Plant

Magnesium Chloride 10,000 gallons more or less
All bids should reflect cost to apply to road.
FOB anywhere in Davison County.

Crack Sealant- by pound and truckload delivered to Mitchell, SD

Traffic Signs, Telespar and Channel Posts
Diamond Grade Facing
FOB Mitchell

Concrete Culverts, Deformed Concrete Culverts, Precast Bridge Decking
FOB anywhere in Davison County

Metal Culverts, Metal Flex Beam Guardrail, Steel Piling, Corrugated Steel Bridge
Decking, etc. . . . FOB anywhere in Davison County

Bridge Plank FOB anywhere in Davison County

Bridge Construction for the furnishing of all equipment and labor at an hourly
rate for the construction of various bridges in Davison County.

Specifications for the furnishing of the above items will be on file at the office of
The County Highway Superintendent, Mitchell, South Dakota.

By virtue of statutory authority, preference will be given materials, products,
and supplies found or produced within the State of South Dakota.

Seal Coating 31.5 miles, more or less.
Specifications for proposals may be picked up at Davison County Highway Dept.,
1224 West 5th Avenue, Mitchell, South Dakota.

Signing will be done by the contractor.

Bids must be submitted on County Bid sheets which can be picked up at
1224 West 5th Avenue, Mitchell, South Dakota.

Send or deliver all bids to the Davison County Auditor, 200 East 4th Avenue, Mitchell, South
Dakota 57301.

The name and address of the bidder shall be plainly marked in the lower left hand corner
of the envelope containing the bid.

The County Commissioners reserve the right to increase or decrease quantities at the same unit price on all bid items.

The Board reserves the right to reject any or all bids and reserves the right to accept the bid which, in their opinion, is the best responsible bid or that which is deemed to be in the best interest of the County, by order of the Davison County Commissioners. No bids will be awarded March 23, 2009 they will be awarded the following Tuesday.

Dated this 2nd day of March, 2010 .

Davison County Auditor

Contact: Davison County Auditor
200 E 4th Ave.
Mitchell, SD 57301
(605) 995-8608

Russel Weinberg
Highway Supt.
1224 W 5th Ave.
Mitchell, SD 57301
(605) 995-8625

SIGN STRIPING AGREEMENT

Motion by Fischer, second by Claggett to sign the striping and continuing maintenance agreement of county roads within Davison County, with the State of South Dakota. The county will be included in a project for the striping of approximately 31.5 miles of county road at an estimated cost of \$27,293.70, based on this year's estimates, with the county's portion being \$18,965.36 and the state's portion being \$8,328.34. The agreement is on file at the Davison County Auditor's Office and the Davison County Highway Shop. All members voted aye. Motion carried.

ACCEPT FUEL QUOTE

Motion by Weiss, second by Fischer to accept the low quote of \$2.2729 per gallon for blended fuel from Meyers Oil Co. All members voted aye. Motion carried.

RECOGNIZE LETTER

It was noted that a letter was received from Ethan Finance Officer Sonya Hesse regarding several road issues in the town of Ethan. The commissioners wish to hear citizens input on the matter. Commissioner Weiss stated that he would contact the Mayor of Ethan and inform of the Commissioners wishes.

APPROVE SIGNING OF CONTRACT

Upon confirmation by Corrections Administrator Radel that a computer would be provided by the company, motion by Weiss, second by Claggett to grant approval for Radel to sign an agreement with Swanson's Inmate Commissary Company to provide commissary items for the Davison County Jail. All members voted aye. Motion carried.

DISCUSSION

Sheriff Miles reported that he is utilizing the World of Work program to get caught up on some of the filing in the Sheriff's office.

Sheriff Miles also was wondering about a comment made at the Hearing for the Reestablishment of Mitchell Township. As Sheriff Miles is a resident of the area, people have been asking him if Mitchell Township is reestablished, will they immediately have a debt of \$17,000 due to the Mitchell Rural Fire Association.

He was told that the debt was incurred by the Mitchell Rural Fire Association. The fire protection agreement is between the City of Mitchell and the Mitchell Rural Fire Association. Whether Mitchell Township, if reestablished, decides to take ownership of this debt or not, will be entirely up to the Township.

TOWER BUILDING UPDATE

Maintenance Supervisor Ruml gave a brief update on the Tower Building Project. Ruml stated that he and Eric Ambroson, P&D District III, felt very strongly that an engineer needed to be involved at this point.

After reviewing the 100 plus page bid document, Commissioner Fischer expressed concerns about some the things he didn't see in the document, some of which were, time of day construction would take place, firm prices, salvage rights, tunnel destruction and use of a certified land fill.

UNSCHEDULED APPEARANCE

In an unscheduled appearance, Darrell Raschke spoke on behalf of the James River Water Development District. He asked the Commissioners for support to oppose SB 184, which would reverse HB 1245, which allowed the water district to raise tax levies by nearly 150% in 2009.

Raschke said the money was needed to handle the 2010 budget requests from district members.

Mitchell Mayor Lou Sebert attended the discussion and stated that rolling the FRWDD tax levies back to 2008 levels will assure Davison County will get little benefit from the district.

SUPPLEMENT SHERIFF'S BUDGET

Motion by Fischer, second by Weiss to do an auto supplement to the Sheriff's budget Machinery & Auto line (4361/211) in the amount of \$10,300 received from Claims Associates for the 2004 Dodge Durango that was totaled in an accident. All members voted aye. Motion carried.

SIGN 2010 WIC CONTRACT AMENDMENT

Motion by Fischer, second by Claggett to sign the 2010 WIC Contract Amendment which can be found on file at the Davison County Auditor's office. All members voted aye. Motion carried.

APPROVE BILLS

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

GENERAL FUND:

COMMISSION: Prof Fees/Ralph Kiner-50.00, Travel & Conf/Gerald Weiss-129.13; **CO ZONING:** Equip & Signage/SD Planners Assoc.-55.00; **JUDICIAL:** Prof Fees/Dakota Counseling-480.00; **AUDITOR:** Supplies/McLeod's-166.65; **ST ATTY:** Prof Fees/Hughes Co Sheriff-29.30; **INDIGENT DEFENDER:** Third Party Billing/Steve Miller Law-2,012.53; **PUB SFTY BLDG:** Co Nurse Rental/Don Boyden DDS-2,000.00, Repairs/A-OX Welding Supply-10.85, Advance Auto Parts-9.28, American Garage Door-1.37, Campbell Supply-57.93, Gas & Electric/Northwestern Energy-1,591.86, Pest Control/Premier Pest Control-70.00, Buildings/Grainger-177.30; **GEN GOV BLDG:** Supplies/Menards-36.94, Water & Sewer/City of Mitchell-57.75, Pest Control/Premier Pest Control-40.00; **ROD:** Supplies/County Fair Food-11.10, S & M Printing-327.07; **CO COORDIN:** Copy Machine Maint/Xerox Corp-53.75; **SHERIFF:** Prisoner Transport/Jefferson Bus Lines-78.52, Minor Equip/Applied Concepts Inc-102.00, Unitrol-Stinger Spike Sys-126.50; **JAIL:** Gas & Electric/Northwestern Energy-5,378.70; **POOR RELIEF:** Hospital/Avera Queen of Peace-5,138.66; **COMMUNITY HEALTH NURSES:** Expenditures/Sara Klumb-85.49; **MENTAL ILLNESS BRD:** Hearings/Donna K. Dietrich-96.81, Nelva Kooistra-21.00, Gary Mikelson-57.40, Cathy Rehfluss-21.00; **EXHIBIT BLDG:** Repair & Maint/American Garage Door-1,711.06, Gas & Fuel/Meyers Oil Co-28.87, Gas & Electric/Northwestern Energy-2,588.34, Pest Control/Premier Pest Control-40.00; **WEED:** Travel & Conf/Best Western Ramkota Inn-194.97, John geidel-198.00; **DEBT SERVICE-PRINCIPLE:** Principle-Fairgrounds/Wells Fargo-58,264.55; **DEBT SERVICE-INTEREST:** Interest-Fairgrounds/Wells Fargo-4,592.91; **HIWAY ADM & CONST:** Repairs & Maint/American Garage Door-86.74, Utilities/Northwestern Energy-1,101.70, Snow & Emergency/Dick's Body Shop-232.00, Meyers Oil Co-17,017.88; **FIRE PROTECTION:** Road Fire Expenditure/Mitchell Rural Fire Ass'n-1,750.00.

ADJOURN

At 12:08 a.m., Chairman Weitala adjourned the meeting and set the next regular meeting for Tuesday, March 9, 2010, at 9:00 a.m.

ATTEST

Susan Kiepke, Auditor

David Weitala, Chairman

Publish Once
Approximate Cost