

**July 25, 2017**

**CALL TO ORDER**

Chairperson Bode 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.

**PLEDGE**

The Pledge of Allegiance was led by Chairperson Bode.

**APPROVE MINUTES**

Motion by Kiner, second by Claggett to approve the minutes from the July 18, 2017 meeting. All members voted aye. Motion carried.

**QUARTERLY COMMUNITY HEALTH NURSE REPORT**

Community Health Nurse Jenna Auch presented the second quarterly report for 2017.

There will be a Flu Pod held October 26<sup>th</sup>, 2017 at the Corn Palace for those 6 months old to 18 years old.

Adolescents vaccinated for HPV before their 15<sup>th</sup> birthday will only need 2 doses while those vaccinated after their 15<sup>th</sup> birthday will need 3 doses.

23 pregnancy risk assessments were completed and 83 baby care contacts were made.

19 family planning services were provided during the 2<sup>nd</sup> quarter for a total value of \$35,160 with \$16,070 discounted.

In the Cribs for Kids program, 9 Cribs for Kids sleep kits including Pack ‘n plays, liners, sleep sacks, pacifiers and brochures on safe sleep were distributed to families that needed a safe place to sleep for their infants.

11 car seats were issued to eligible clients.

WIC had 540 participants in June. A total of \$480,091 in WIC benefits were redeemed in Davison County in FY ’16.

Evie DeWitt, Breast Feeding Coordinator, spoke about breast feeding friendly businesses in Davison County. She would like to see Davison County become a breast feeding friendly business. She and Auditor Kiepke will work on a plan of communication between the Community Health Nurse’s office and the other county offices.

The full quarterly report may be found on file at the Davison County Auditor’s office.

**ACCEPT RESIGNATION**

Motion by Kiner, second by Reider to accept the resignation of full-time Corrections Officer Michael Novak effective August 8, 2017. All members voted aye. Motion carried.

**APPROVE RECLASSIFICATIONS**

Motion by Weitala, second by Claggett to approve the reclassification of Marco Mora from part-time to full-time Corrections Officer effective August 26, 2017 with a rate of \$16.12 per hour. All members voted aye. Motion carried.

Motion by Reider, second by Kiner to approve the reclassification of Isaac Terril from part-time to full-time Corrections Officer effective August 12, 2017 with a rate of \$16.12 per hour. All members voted aye. Motion carried.

## **SIGN MINNEHAHA COUNTY JUVENILE DETENTION CENTER JOINT POWERS AGREEMENT**

Motion by Claggett, second by Reider to authorize chairperson to sign the Minnehaha County Juvenile Detention Center Joint Powers Agreement, effective July 1, 2017. All members voted aye. Motion carried.

## **VACATE ROAD**

Motion by Kiner, second by Claggett to vacate the following road. A roll call vote was taken as follows. Weitala – aye, Reider – aye, Kiner – aye, Claggett – aye, Bode – aye. Motion carried.

### **RESOLUTION NO. 072517-01**

WHEREAS there was previously presented to the Board of Commissioners of Davison County, South Dakota, the Petition of Kevin H. Hagen to vacate a certain unopened and unimproved public street right of way described as follows:

That portion of a certain right of way designated as “R-O-W FOR FUTURE AVE. “E” WEST” located within the boundaries of those portions of Lot C, Lot D, Lot E, and Lot F in the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section Nineteen (19), Township One Hundred Three North (103N) Range Sixty West (60W) of the Fifth (5<sup>th</sup>) Principal Meridian, Davison County, South Dakota, Davison County, South Dakota, and bounded to the north and south by Petitioner’s land immediately adjacent to the aforesaid road, namely, the West One Hundred Sixty Seven Feet (W167’) of Lot C, the West One Hundred Sixty Seven Feet (W 167’) of Lot D, the East One Hundred Feet of the South One Hundred Ten Feet (E100’ x S110’) of Lot E, and the West One Hundred Sixty Seven Feet of the South One Hundred Ten Feet (W167’ x S110’) of Lot F, all in the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section Nineteen (19), Township One Hundred Three North (103N) Range Sixty West (60W) of the Fifth (5<sup>th</sup>) Principal Meridian, Davison County, South Dakota,

all as filed for record in Book 7 of Plats at Page 75 thereof at on August 12, 1965, in the records of the Register of Deeds of Davison County, South Dakota, and as more particularly appears on the survey completed by Paul Kiepkke, Registered Professional Land Surveyor, attached hereto as Exhibit A; and

WHEREAS the Petition was also presented to the City of Mitchell, Davison County, South Dakota, as the subject property is within one (1) mile of the corporate boundaries of the City of Mitchell; and

WHEREAS the Petition for vacation of the aforesaid public right of way was granted by the City Council of the City of Mitchell on July 17, 2017, all as more particularly appears in Resolution No. R2017-50 recorded in the Office of the Davison County Register of Deeds on July 27, 2017, at the hour of 2:40 p.m. in Book 77 of Miscellaneous Records at page 330 thereof; and

WHEREAS the Board of Commissioners of Davison County has not previously been requested to act on the aforesaid Petition for vacation of the aforesaid public right of way; and

WHEREAS the Board of Commissioners of Davison County now finds, as did the City Council of the City of Mitchell, that maintaining the above-described right of way is not necessary for public need and is no longer required and a vacation of the right of way will have no effect on the public whatsoever; and

WHEREAS the Board of Commissioners of Davison County finds, among other things, that due notice of the hearing of said Petition by the City Council of the City of Mitchell was given by the City Finance Officer by publication of a Notice thereof in the form as provided by law in the *Mitchell Daily Republic*, a newspaper of general circulation in Davison County, South Dakota, for two (2) successive weeks, to wit: June 14 and June 21, 2017; that the Petition was duly heard and considered by the City Council of the City of Mitchell and both the Petitioner's request was heard and an opportunity was available for any objections; no objections were presented by anyone, either in writing or otherwise; the Petition was noted in the public agenda for the meeting of the Board of Commissioners of Davison County, South Dakota, to be held on July 25, 2017; the Petition was duly heard and considered by the Board of Commissioners of Davison County; no objections were presented by anyone, either in writing or otherwise; the Board of Commissioners further finding that the right of way has never been improved or utilized by the Petitioners or any other party; now, therefore, upon a majority vote of all members of the Board of Commissioners of Davison County, it is

RESOLVED BY THE BOARD OF COMMISSIONERS OF DAVISON COUNTY that the Petition for Vacation of Public Right of Way described as

That portion of a certain right of way designated as "R-O-W FOR FUTURE AVE. "E" WEST" located within the boundaries of those portions of Lot C, Lot D, Lot E, and Lot F in the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section Nineteen (19), Township One Hundred Three North (103N) Range Sixty West (60W) of the Fifth (5<sup>th</sup>) Principal Meridian, Davison County, South Dakota, Davison County, South Dakota, and bounded to the north and south by Petitioner's land immediately adjacent to the aforesaid road, namely, the West One Hundred Sixty Seven Feet (W167') of Lot C, the West One Hundred Sixty Seven Feet (W 167') of Lot D, the East One Hundred Feet of the South One Hundred Ten Feet (E100' x S110') of Lot E, and the West One Hundred Sixty Seven Feet of the South One Hundred Ten Feet (W167' x S110') of Lot F, all in the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section Nineteen (19), Township One Hundred Three North (103N) Range Sixty West (60W) of the Fifth (5<sup>th</sup>) Principal Meridian, Davison County, South Dakota,

is hereby unanimously approved and granted and that said Board of Commissioners declares the above-described right of way vacated; and it is further directed that notice of this Resolution shall be made as required by the laws of the State of South Dakota.

Dated this 25<sup>th</sup> day of July, 2017.

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Brenda Bode, Chair

ATTEST:

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Susan Kiepke  
Davison County Auditor

**INTO EXECUTIVE SESSION**

At 10:03 a.m., motion by Reider, second by Claggett to move into Executive Session to discuss contractual matters with States Attorney Miskimins as per SDCL 1-25-2. All members voted aye. Motion carried.

**OUT OF EXECUTIVE SESSION**

At 10:30 a.m., motion by Weitala, second by Claggett to move out of Executive Session. All members voted aye. Motion carried.

**REVIEW OF 2018 BUDGET REQUESTS CONTINUED**

The commissioners continued their review of the 2018 budget requests.

**ADOPT RESOLUTION FOR BRIDGE IMPROVEMENT GRANT PROGRAM**

Motion by Claggett, second by Kiner to adopt the following resolution for the Bridge Improvement Grant Program for Structure 18-070-198. A roll call vote was taken as follows. Claggett – aye, Kiner – aye, Reider – aye, Weitala – aye, Bode – aye. Motion carried.

**Resolution #072517-02  
Bridge Improvement Grant Program  
Structure 18-070-198**

**WHEREAS**, Davison County wishes to submit an application for consideration of award for the Bridge Improvement Grant Program for Structure 18-070-198 which is over 12 Mile Creek and located 10 miles West and 1.2 miles North of Ethan on 401<sup>st</sup> Avenue; and

**WHEREAS**, Davison County certifies that the project is listed in the county’s Five-Year County Highway and Bridge Improvement Plan; and

**WHEREAS**, Davison County agrees to pay the 20% Match on the Bridge Improvement Grant funds; and

**WHEREAS**, Davison County hereby authorizes the Bridge Improvement Grant application and any required funding commitments.

**NOW THEREFORE BE IT RESOLVED**, that the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application.

Dated at Mitchell, SD, this 25<sup>th</sup> day of July, 2017.

ATTEST:

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Susan Kiepke, Davison County Auditor

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Brenda Bode, Chairperson

**ADOPT RESOLUTION FOR BRIDGE IMPROVEMENT GRANT PROGRAM**

Motion by Reider, second by Weitala to adopt the following resolution for the Bridge Improvement Grant Program for Structure 18-130-032. A roll call vote was taken as follows. Reider – aye, Weitala – aye, Claggett – aye, Kiner – aye, Bode – aye. Motion carried.

**Resolution #072517-03  
Bridge Improvement Grant Program  
Structure 18-130-032**

**WHEREAS**, Davison County wishes to submit an application for consideration of award for the Bridge Improvement Grant Program for Structure 18-130-032 which is over Dry Run Creek and located 2.0 miles West and 6.9 miles North of Mitchell on 407<sup>th</sup> Avenue; and

**WHEREAS**, Davison County certifies that the project is listed in the county’s Five-Year County Highway and Bridge Improvement Plan; and

**WHEREAS**, Davison County agrees to pay the 20% Match on the Bridge Improvement Grant funds; and

**WHEREAS**, Davison County hereby authorizes the Bridge Improvement Grant application and any required funding commitments.

**NOW THEREFORE BE IT RESOLVED**, that the South Dakota Department of Transportation be and hereby is requested to accept the attached Bridge Improvement Grant application.

Dated at Mitchell, SD, this 25<sup>th</sup> day of July, 2017.

ATTEST:

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**APPROVE BILLS**

**GENERAL FUND:**

**COMM:** Supp/West Payment Center-26.02; **ELECTIONS:** Supp/Bureau of Administration-13.50; **JUDICIAL:** Law Library/West Payment Center-228.33; **AUD:** Supp/West Payment Center-26.02; **STATES ATTORNEY:** Prof Fees/Computer Forensic-960.00, Daily Republic-57.82, James D. Taylor-4000.00; **INDIGENT DEFENDER:** Third Party Bill/Morgan Theeler-1118.60, CAA-Indigent Contr/Douglas Papendick-4583.33, Tinan, Smith & Bucher-14012.50; **PUBLIC SFTY BLDG:** Repairs/Campbell’s-3.06, Honda of Mitchell-27.00, Water & Sewer/City of Mitchell-938.55, Pest/Premier Pest Control-70.00, Phone/Verizon-41.06, Elevator Serv/Schumacher Elevator Co-374.61; **COURTHOUSE:** Gas & Electr/Northwestern Energy-3427.92, Pest/Premier Pest Control-40.00, Elevator/Schumacher Elevator Co-408.69, Bldgs/Clark Paving-2648.45; **DOE:** Supp/Mcleod’s-163.90; **ROD:** Rentals/Bureau of Administration-13.50, Supp/Mcleod’s-163.90, Deb Young-24.90; **NORTH OFFICE:** Gas & Electr/Northwestern Energy-1052.99, Water & Sewer/City of Mitchell-27.00, Pest/Premier Pest Control-50.00; **VET:** Util/Verizon-54.12; **COUNTY COORD:** Postage/Qualified Presort-398.41, Postage Meter/Qualified Presort-132.99, Copy Machine Maint/A&B Business-35.58; **SHERIFF:** Prof Fees/Dicks Towing-726.00, Repairs-Patrol Car/Big E Auto-550.39, Off. Supp/Hard Drive Outlet-92.77, West Payment Center-26.02, Uniforms/A.T. Emblem-189.00, Prisoner Transp/Pennington Cnty Jail-188.50, Cell Serv/Verizon-324.72, Machinery & Auto/B&L Communications-1575.55, Tri M Tunes-325.00; **JAIL:** Uniforms/A.T. Emblem-189.00; **CORONER:** Coroner

Fees/Bittner Funeral Chapel-150.00; **WELF**: Travel/Dawn Grissom-64.26; **WIC**: Expend/Aimee Schaefer-75.00; **MENTAL ILL**: Committals/Douglas Papendick-376.00, Hearings/Avera Mckennan-6995.00, Yankton Cnty Treas-426.75; **FAIRGRND**: Pest/Premier Pest Control-40.00, Phones/Verizon-41.05; **EXT**: Postage/Qualified Presort-24.48, Util/Centurylink-98.46; **WEED**: Repairs/Ag Systems-20.60, Supp/Ag Systems-9.03, Crop Production Serv-23890.90, Util/Verizon-73.15; **INDUSTRIAL DEV**: Economic Dev/Mitchell Area Development-2500.00; **HIWAY**: Repairs & Maint/Advance Auto Parts-44.99, Ag Systems-2.97, Brown & Saenger-83.88, Butler Machinery-143.51, Farmers Alliance-90.00, Mitchell Iron & Supply-256.71, Supplies & Mat/Ameripride Services-90.64, Mitchell Iron & Supply-18.16, Util/Northwestern Energy-489.27, Verizon-127.27, Mat Overlay/Commercial Asphalt-280937.63, Projects/Civil Design-9108.50, Patch Mix/Commercial Asphalt-11473.56; **EMERG MGT**: Supp/Menards-19.99, Util/Centurylink-26.82, City of Mitchell-8.00, Verizon-121.38, Emerg Accuml/Verizon-200.05

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

**APPROVE AUTOMATIC SUPPLEMENT**

Motion by Weitala, second by Claggett to approve an automatic supplement to the Weed budget line item 10100x4260615 for \$5,700 received from the State of South Dakota for the 2017 Weed and Pest Board grant. All members voted aye. Motion carried.

**DENY WELFARE CLAIMS**

As per the recommendation of Welfare Director Grissom, motion by Kiner, second by Reider to deny welfare claim #17-5720 and #17-7797 pursuant to SDCL 28-13-13 prior approval required for non-emergency admissions, welfare claim #13-3303 and #13-4916 pursuant to 28-13-1.3(2) applicant has ability to make reasonable payments. All members voted aye. Motion carried.

**ADJOURN**

At 12:20 p.m., Chairperson Bode adjourned the meeting and set the next regular Board of Commissioners meeting for August 1<sup>st</sup>, 2017, at 9:00 a.m.

**ATTEST**

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Susan Kiepke, Auditor

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Brenda Bode, Chairperson

Publish Once  
Approximate Cost